

***Guidelines for the preparation of native title extinguishment reports in support of applications for authorities granted under the Mining Act 1992 (NSW) and the Petroleum (Onshore) Act 1991 (NSW)***

**Annexure D**

**Example supporting documentation**

## **1. Supporting documentation for Lot 223 in DP755442**

**[Example of PEPA by Freehold Grant]**



FOLIO: 223/755442

SEARCH DATE	TIME	EDITION NO	DATE
8/10/2020	1:01 PM	4	15/8/2019

LAND

LOT 223 IN DEPOSITED PLAN 755442  
 LOCAL GOVERNMENT AREA MID-WESTERN REGIONAL  
 PARISH OF MOOLARBEN COUNTY OF PHILLIP  
 (FORMERLY KNOWN AS PORTION 223)  
 TITLE DIAGRAM CROWN PLAN 3392.2125

FIRST SCHEDULE

IN 85/100 SHARE

IN 10/100 SHARE

IN 5/100 SHARE  
 AS TENANTS IN COMMON (TZ AP356267)

SECOND SCHEDULE (1 NOTIFICATION)

1 LAND EXCLUDES MINERALS AND IS SUBJECT TO RESERVATIONS AND  
 CONDITIONS IN FAVOUR OF THE CROWN - SEE CROWN GRANT(S)

NOTATIONS

UNREGISTERED DEALINGS: NIL

\*\*\* END OF SEARCH \*\*\*



SEARCH DATE

8/10/2020 1:20PM

FOLIO: 223/755442

First Title(s): SEE PRIOR TITLE(S)  
Prior Title(s): VOL 8418 FOL 131

Recorded	Number	Type of Instrument	C.T. Issue
1/3/1989		TITLE AUTOMATION PROJECT	LOT RECORDED FOLIO NOT CREATED
8/6/1989		CONVERTED TO COMPUTER FOLIO	FOLIO CREATED CT NOT ISSUED
1/9/1999	6151624	DEPARTMENTAL DEALING	
23/10/2012	AH312552	CAVEAT	
6/12/2012	AH353917	TRANSFER	EDITION 1
4/7/2016	AK496805	TRANSFER	EDITION 2
14/7/2016	AK595541	DEPARTMENTAL DEALING	EDITION 3
15/8/2019	AP356267	TRANSFER WITHOUT MONETARY CONSIDERATION	EDITION 4

\*\*\* END OF SEARCH \*\*\*

Crown Plan 3392.2125

**MEROO SHIRE**

See Mines Maps for Applications under Mining Acts affecting Portion



**PLAN OF PORTION 223**

County of Phillip Parish of Moolarben

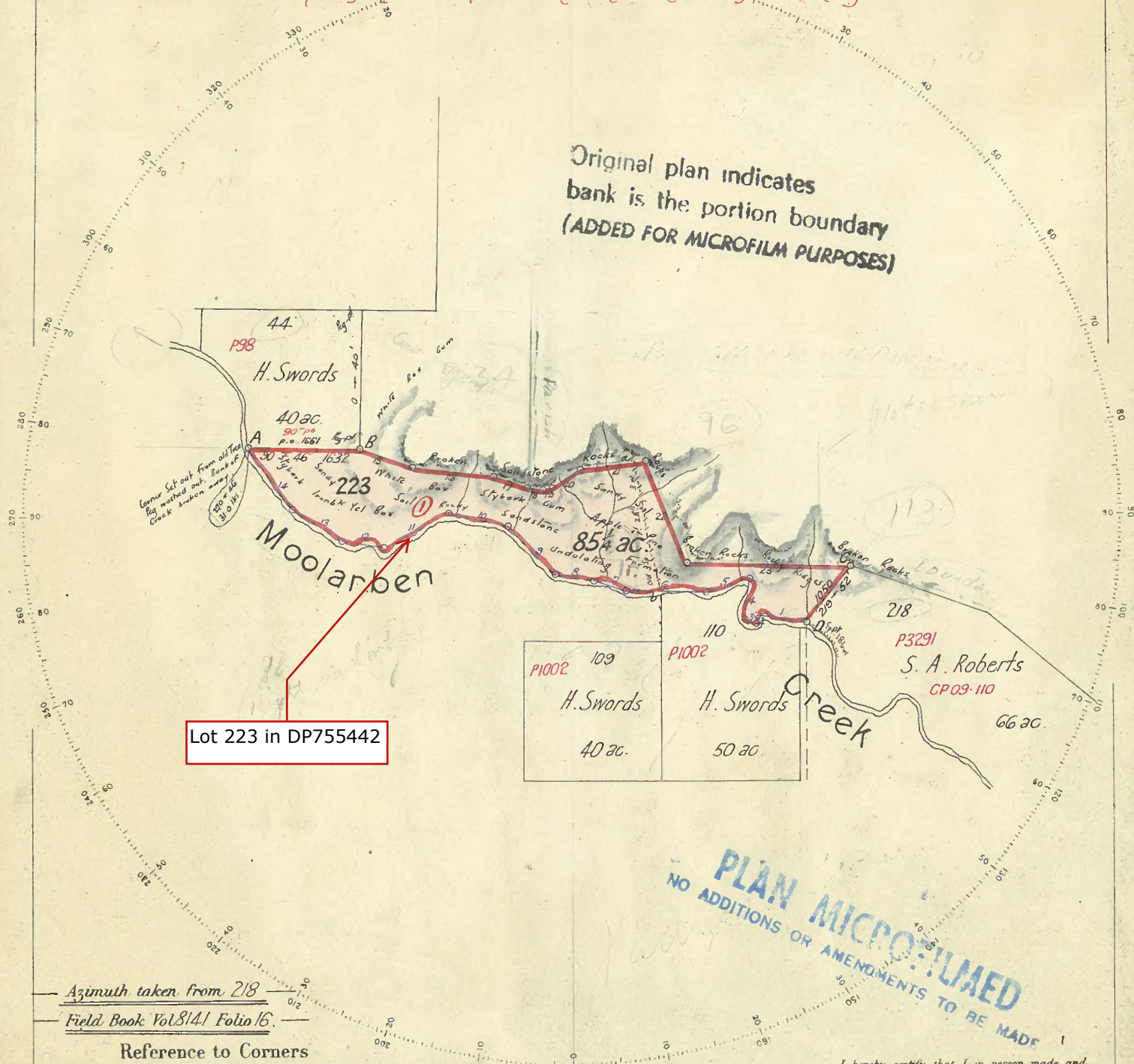
Land District Mudgee Land Board District Orange Eastern Division

RESUMED AREA N<sup>o</sup> PASTORAL HOLDING

Applied for under the 5<sup>th</sup> Section of the Crown Lands Act of 1905 by Sarah Agnes Roberts

C.L. 10.78. { October 6<sup>th</sup> Now ACP 18.24 June 13<sup>th</sup> Now Rural Bank of New South Wales.  
 Sale completed 5.18.15  
 Within an area set apart for ACP at 10/- per ac CL ACP L AHS or ASL Notified 3<sup>rd</sup> August 1910

Original plan indicates bank is the portion boundary (ADDED FOR MICROFILM PURPOSES)



Lot 223 in DP755442

PLAN MICROFILMED  
 NO ADDITIONS OR AMENDMENTS TO BE MADE

Azimuth taken from 218  
 Field Book Vol 814 / Folio 16.

Reference to Corners

Corner	Bearing	From	Links	N <sup>o</sup> on free
A	333-51	Gum	89.5	223
B	8-06	Box	22.0	44. 223
C	283-55	Pine	21.6	218. 223
D	190-12	Gum	38.1	218. 223

Reference to Traverse

Line	Bearing	Distance
1	276-19	734.3
2	185-33	132
3	289-06	168.4
4	6-39	596.4
5	253-05	664
6	271-11	1166.8
7	286-34	471.2
8	279-25	568.5
9	315-42	971.6
10	282-30	871
11	242-21	1063.5
12	288-40	609.6
13	302-36	859
14	324-02	1105
15	109-12	814
16	96-04	1171
17	108-55	517
18	96-41	233
19	80-29	137
20	56-59	479
21	82-55	561
22	158-10	1620
23	91-55	2364

I hereby certify that I in person made and on the 13<sup>th</sup> December 1910 completed the survey represented on this plan on which are written the bearings and lengths of the lines measured by me and I declare that the survey has been executed in accordance with the regulations published for the guidance of Licensed Surveyors and the practice of the Department of Lands.

**3392.2125**

William Abernethy Licensed Surveyor

Transmitted to the District Surveyor with my letter of 17<sup>th</sup> December N<sup>o</sup> 10/101.

Voucher N<sup>o</sup> 10 101 Passed (F 10.19.2) 2. 2.1911, A.G.  
 Calculation Book N<sup>o</sup> [unclear] Planimeter  
 Checked and Charted [unclear]  
 Examined A.R. Salt 2 Feb 1911  
 Plan approved 2 Feb 1911  
 A.R. Salt  
 Draughtsman in Charge

Checked on Home Office Maps  
 Mudgee 11.2.11  
 Excelsior 11.14.3.11

Improvements Fencing (B 24 218) abt 4 circs.  
 Sp. Poles 1 B. C.W. @ 7/- per cr. = 10 14.0 (14.0)  
 Fencing (a-b) abt 19 cr. old sp. @ 2 1/2  
 2 m. @ 6 w fence @ 3/- per cr. = 2 17 0.

Scale 20 Chains to an Inch

STANDARD TRACING PREPARED

Cat. N<sup>o</sup> P3392.2125

Lithographed by Turners & Henderson

Crown Grant  
Vol 8418 Fol 131

A.C.P. Since 1 Feb., '09 No. 1962/3758

State of New South Wales

77923 4.62 K2287 [LAND GRANT]

NEW SOUTH WALES  
*Twelve shillings and six pence*  
STAMP DUTY  
SYDNEY, N.S.W.



REGISTER BOOK  
VOL. 8418 FOL. 131

GRANT OF LAND PURCHASED BY CONDITIONAL SALE  
**CANCELLED** W

ON ISSUE OF NEW FOLIO 223 755442

C.P. 1918/24  
MUDGEE

ELIZABETH the SECOND, by the Grace of God of the United Kingdom, Australia and Her other Realms and Territories Queen, Head of the Commonwealth, Defender of the Faith:—  
To All to whom these Presents shall come, Greeting:—

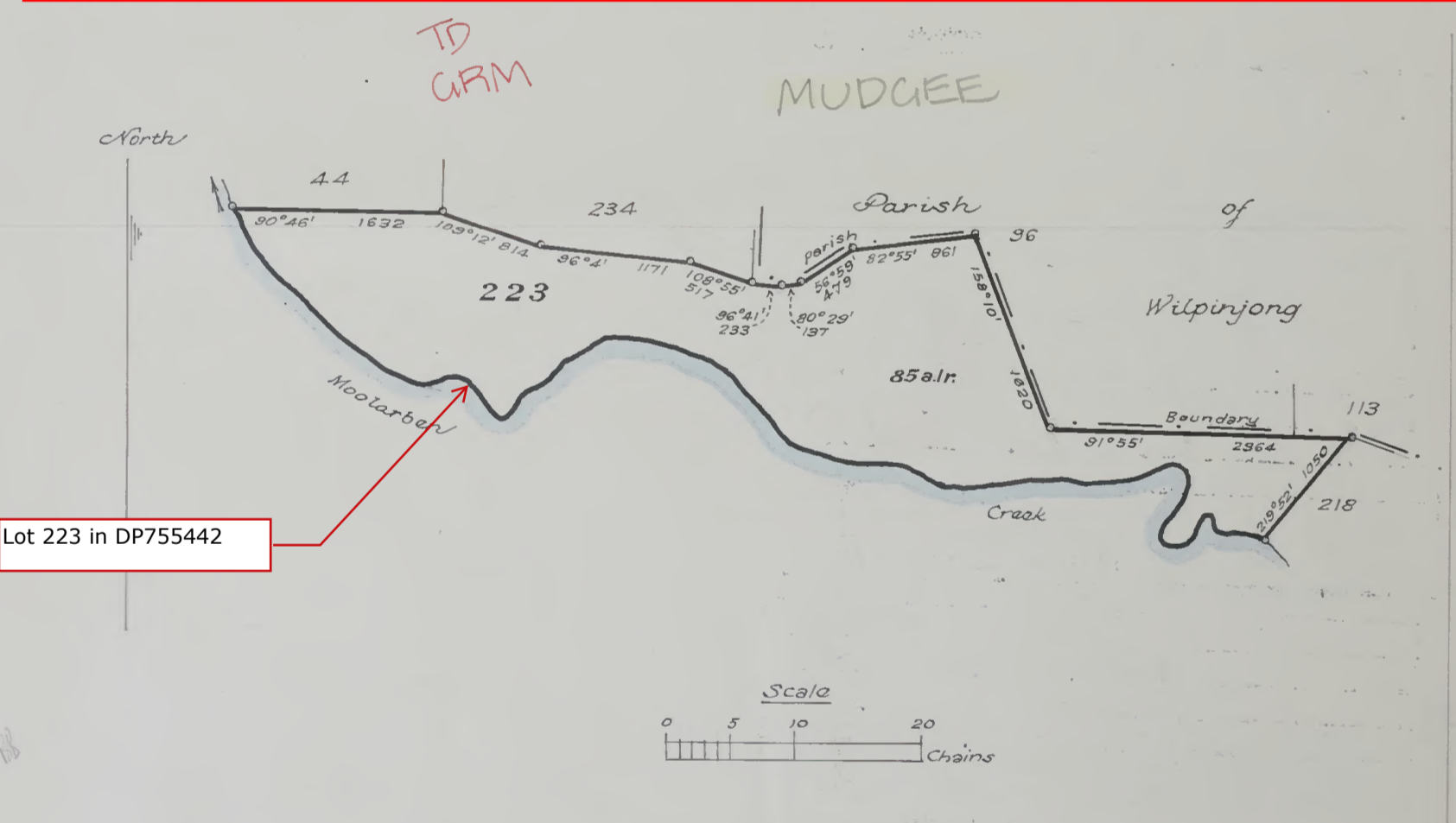
Whereas the RURAL BANK OF NEW SOUTH WALES

(hereinafter called the Grantee —) claims to be entitled to the Parcel of Land hereinafter described in right of an Additional Conditional Purchase of the same applied for on the thirteenth day of June 1918

in virtue of an Original Conditional Purchase applied for on the fourteenth day of October 1909 under the Provisions of the Crown Lands Act of 1884 and a certificate of compliance with the conditions applicable to such Additional Conditional Purchase has been issued And Whereas the sum of forty two pounds twelve shillings and six pence

being the purchase money payable for the said Land has been duly paid into the Office of the Treasurer of Our said State And all things required by law to be done to entitle the GRANTEE to a Grant of the fee simple of the said Land subject to the Reservations and Exceptions hereinafter contained have been done and performed Now Know Ye That for and in consideration of the said sum for and on Our behalf well and truly paid into the Treasury of Our said State before these Presents are issued and of all and singular the premises WE HAVE GRANTED and for Us Our Heirs and Successors Do HEREBY GRANT unto the GRANTEE and its Heirs and Assigns Subject to the Reservations and Exceptions hereinafter contained ALL THAT Piece or Parcel of Land in Our said State containing by admeasurement eighty five acres one rood

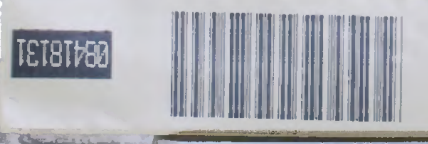
be the same more or less situated in the County of Phillip and Parish of Moolarben Portion 223 as shown in plan catalogued No. P.3392-2125 in the Department of Lands



As per plan hereon With all the Rights and Appurtenances whatsoever thereto belonging To Hold unto the Grantee and its Heirs and Assigns for ever Provided Nevertheless AND WE DO HEREBY RESERVE AND EXCEPT unto Us Our Heirs and Successors all minerals which the said Land contains with full power and authority for Us Our Heirs and Successors and such person or persons as shall from time to time be authorised by Us or Them to enter upon the said Land and to search for mine dig and remove the said minerals And also all such parts and so much of the said Land as may hereafter be required for public ways in over and through the same to be set out by Our Governor for the time being of Our said State or some person by him authorised in that respect with full power for Us Our Heirs and Successors and for Our Governor as aforesaid by such person or persons as shall be by Us Them or him authorised in that behalf to make and conduct all such public ways And the right of full and free ingress egress and regress into out of and upon the said Land for the several purposes aforesaid or any of them In Testimony Whereof We have caused this Our Grant to be Sealed with the Seal of Our said State

Witness Our Trusty and Well-beloved SIR ERIC WINSLOW WOODWARD, Knight Commander of Our Most Distinguished Order of Saint Michael and Saint George, Companion of Our Most Honourable Order of the Bath, Commander of Our Most Excellent Order of the British Empire, Companion of Our Distinguished Service Order, Knight of the Venerable Order of St. John of Jerusalem, Lieutenant-General on the Retired List of Our Australian Military Forces, Governor of Our State of New South Wales and its Dependencies in the Commonwealth of Australia, at Sydney in Our said State, this nineteenth day of November in the eleventh year of Our Reign and in the year of Our Lord one thousand nine hundred and sixty-two

*E. Woodward*  
Governor.



RECORDED and ENROLLED in the Registrar General's Office, at Sydney, in New South  
Wales, this 10<sup>th</sup> day of December 1962  
*Jawatson*  
Registrar General.

Attention is hereby directed to the provisions of  
Sec. 272 of the Crown Lands Consolidation Act, 1913,  
relating to restrictions on transfer.

RGX  
J234127  
Ntge 12/6 DD 1600

No. *J234127* CAVEAT by the Registrar General.  
Entered *21<sup>st</sup> December* 1962  
*Jawatson*  
REGISTRAR GENERAL  
Withdrawn  
N917530  
12-7-1974

No. N558295 CAVEAT dated 26th October 1973  
Registered 26th November 1973.

*Lapsed*  
*N917531*  
*12-7-1974*  
*Jawatson*  
REGISTRAR GENERAL

*Linden George Roberts of Cooks Gap, Farmer*  
now the registered proprietor of the land within described  
See TRANSFER No. *N917530* dated *7<sup>th</sup> September 1973*  
Entered *12<sup>th</sup> July* 1974  
*Jawatson*  
REGISTRAR GENERAL

KEVIN LESLIE GARNER Signwriter and ANDREW  
FINDLEY MORRISON JONES Farmer both of Condell  
Park as tenants in common in equal shares are now the  
registered proprietors of the land within described  
See TRANSFER No. *N917531* dated 8th November 1973  
Registered 12th July 1974.

*Jawatson*  
REGISTRAR GENERAL

*Malcolm James Swords*

REGISTERED PROPRIETOR *Malcolm James Swords*  
by Transfer *5392820*. Registered *10/4/1981*  
*Jawatson*  
REGISTRAR GENERAL

COMPUTER FOLIO NO FURTHER  
DEALINGS TO BE REGISTERED.

*N558295*  
*N917530*  
*5392820*

## **2. Supporting documentation for Lot 289 in DP704098**

**[Example of PEPA by Scheduled Interest]**





FOLIO: 289/704098

SEARCH DATE	TIME	EDITION NO	DATE
8/10/2020	1:01 PM	6	15/8/2019

LAND

LOT 289 IN DEPOSITED PLAN 704098  
 AT ULAN  
 LOCAL GOVERNMENT AREA MID-WESTERN REGIONAL  
 PARISH OF MOOLARBEN COUNTY OF PHILLIP  
 TITLE DIAGRAM DP704098

FIRST SCHEDULE

IN 85/100 SHARE

IN 10/100 SHARE

IN 5/100 SHARE  
 AS TENANTS IN COMMON (TZ AP356267)

SECOND SCHEDULE (1 NOTIFICATION)

1 LAND EXCLUDES MINERALS AND IS SUBJECT TO RESERVATIONS AND CONDITIONS IN FAVOUR OF THE CROWN - SEE MEMORANDUM S700000A

NOTATIONS

NOTE: THIS FOLIO MAY BE ASSOCIATED WITH A CROWN TENURE WHICH IS SUBJECT TO PAYMENT OF AN ANNUAL RENT. FOR FURTHER DETAILS CONTACT CROWN LANDS.

UNREGISTERED DEALINGS: NIL

\*\*\* END OF SEARCH \*\*\*



SEARCH DATE

8/10/2020 1:21PM

FOLIO: 289/704098

First Title(s): VOL 14366 FOL 165  
Prior Title(s): VOL 14366 FOL 165

Recorded	Number	Type of Instrument	C.T. Issue
28/6/1984	DP704098	DEPOSITED PLAN	LOT RECORDED FOLIO NOT CREATED
21/9/1984	V136398	APPLICATION FOR RECORDING OF ACTION AFFECTING CROWN HOLDING	FOLIO CREATED EDITION 1
22/12/2006	AC826952	DEPARTMENTAL DEALING	
31/3/2010	AF403402	CAVEAT	
26/10/2010	AF717568	TRANSFER	
26/10/2010	AF717569	LEASE	EDITION 2
4/7/2016	AK496805	TRANSFER	EDITION 3
14/7/2016	AK595541	DEPARTMENTAL DEALING	EDITION 4
8/11/2018	AN841661	SURRENDER OF LEASE	EDITION 5
15/8/2019	AP356267	TRANSFER WITHOUT MONETARY CONSIDERATION	EDITION 6
4/8/2020	AQ294846	DEPARTMENTAL DEALING	

\*\*\* END OF SEARCH \*\*\*

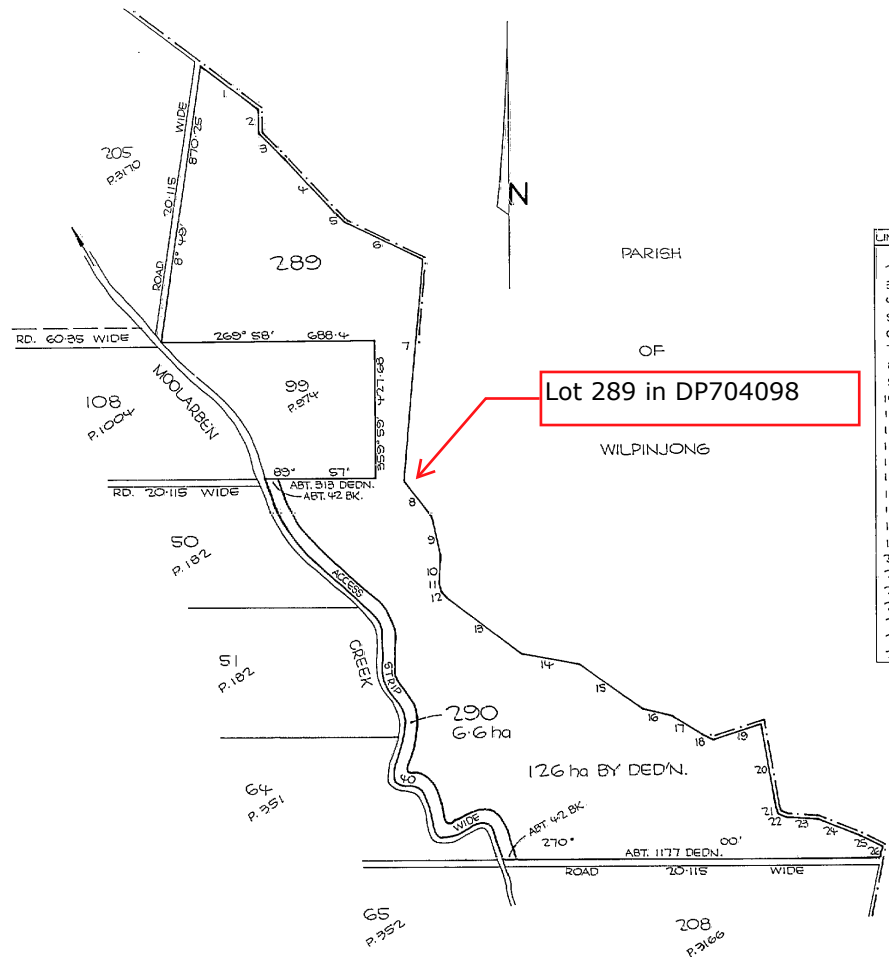
Deposited Plan  
704098

NOTES

LOT 290 (4.0 METRE WIDE STRIP) IS INTENDED TO BE RESERVED TO THE CROWN FOR ACCESS.

PLAN COMPILED FROM INFORMATION SHOWN ON PLAN CATALOGUED P.3171-2125.

DP 704098



SMALL LINES

LINE	BEARINGS	METRES
1	126°13'	251.54
2	179°03'	75.24
3	134°02'	114.87
4	136°18'	243.01
5	133°21'	31.89
6	115°06'	274.59
7	184°50'	699.26
8	141°25'	136.29
9	166°34'	124.72
10	182°53'	84.49
11	165°27'	75.35
12	137°48'	24.54
13	126°02'	304.87
14	38°50'	187.29
15	124°03'	249.85
16	105°14'	57.54
17	120°08'	117.88
18	113°17'	34.6
19	72°55'	158.82
20	169°57'	258.7
21	160°44'	25.55
22	112°25'	29.77
23	95°45'	99.98
24	110°45'	156.51
25	115°23'	69.81
26	135°13'	35.6

THE BOUNDARY BETWEEN LOTS 289 AND 290 IS INTENDED TO BE 40 METRES FROM THE BANK OF MOOLARBEN CREEK AS AT THE DATE OF SURVEY OF PLAN P.3171-2125.

D. P. 704098

Registered 26-6-1984

C.A. \_\_\_\_\_

Title System CROWN LAND

Purpose: CROWN TITLE ISSUE

Ref. Map: PARISH

Last Plan: P.3171-2125.

PLAN OF LOTS 289 & 290  
(SUBDIVISION OF POR. 206)

REDUCTION RATIO 1:10,000  
LENGTHS ARE IN METRES

MURRUMBEIDGE SHIRE  
MUDGEE

LAND DISTRICT: MUDGEE

LOCALITY: ULAN

PARISH: MOOLARBEN

COUNTY: MULLAPID

THIS IS SHEET 1 OF MY PLAN IN \_\_\_\_\_ SHEETS  
(DELETE IF INAPPLICABLE)

I, \_\_\_\_\_  
of \_\_\_\_\_  
a Surveyor registered under the Surveyor's Act, 1929  
hereby certify that the survey represented by this plan  
\_\_\_\_\_ is accurate and has been  
made in (1) by me (2) under my immediate supervision  
in accordance with the Survey Practice Regulations, 1933  
and the special requirements of the Department of Lands  
and was completed on \_\_\_\_\_

Signature \_\_\_\_\_  
Surveyor registered under the Surveyor's Act, 1929

\*Strike out either (1) or (2) & insert date of survey

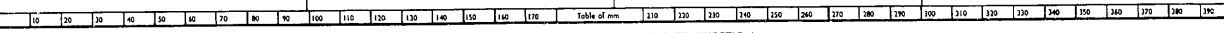
AZIMUTH TAKEN FROM \_\_\_\_\_

FIELD BOOK \_\_\_\_\_ PAGES \_\_\_\_\_

PAPER NO. DB 84-1170

PLAN APPROVED \_\_\_\_\_  
Authorized Officer \_\_\_\_\_ 7th May, 1984

DP 704098

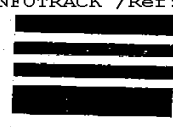


WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

I, Bruce Richard Davies, Under Secretary for Lands and Registrar General for New South Wales, certify that this negative is a photograph made as a permanent record of a document in my custody this day.

28th June, 1984

Volume 14366 Folio 165  
Crown Grant  
23 March 1981



14366165

Vol. 14366 Fol. 165  
Registered 31-3-1981

(Page 1) Vol. 14366 Fol. 165

CANCELLED

Registrar General

We, Elizabeth the Second, by the Grace of God Queen of Australia and Her other Realms and Territories, Head of the Commonwealth, do hereby grant to the person described in the First Schedule a Lease in Perpetuity in the land within described, subject nevertheless to such reservations, conditions and other provisions as are shown in the Second Schedule. In testimony whereof We have caused this Our Grant to be sealed with the seal of Our said State

*Witness*

Witness Our Governor of Our State of New South Wales and its Dependencies in the Commonwealth of Australia, at Sydney in Our said State, this twenty third day of March in the thirtieth year of Our Reign and in the year of Our Lord one thousand nine hundred and eighty one.

*J. Howland*  
Governor

LAND REFERRED TO

Portion 206 in the Shire of Mudgee Parish of Moolarben and County of Phillip.

FIRST SCHEDULE

~~KEVIN LESLIE CARNER and ANDREW FINDLEY MORRISON JONES both of 6 Ellis Street, Condell Park as Tenants in Common in equal shares.~~

SECOND SCHEDULE

1. The reservation and exception unto Us Our Heirs and Successors of all minerals, land for public ways, and rights and powers in respect thereof and the provision for forfeiture as more fully set out in memorandum filed as No.Q400000.
2. The provisions of the Crown Lands Acts and Regulations thereunder in respect of Conditional Leases and in particular that the Grantee and his Assigns shall pay for the said land an annual rent of twenty dollars as determined in due course of law or such other rent as may from time to time be so determined (provided always that such rent shall not be less than the minimum for the time being provided under the said Acts) to our Treasurer or such other officer in Our said State as may from time to time be appointed for that purpose on such day or days in each year as may from time to time be determined in due course of law.
3. Perpetual Lease Grant (C.L. 1907/60 Mudgee) - Crown dues payable, reservations, conditions and restrictions as herein set out and in the Crown Lands Consolidation Act, 1913, particularly section 257.

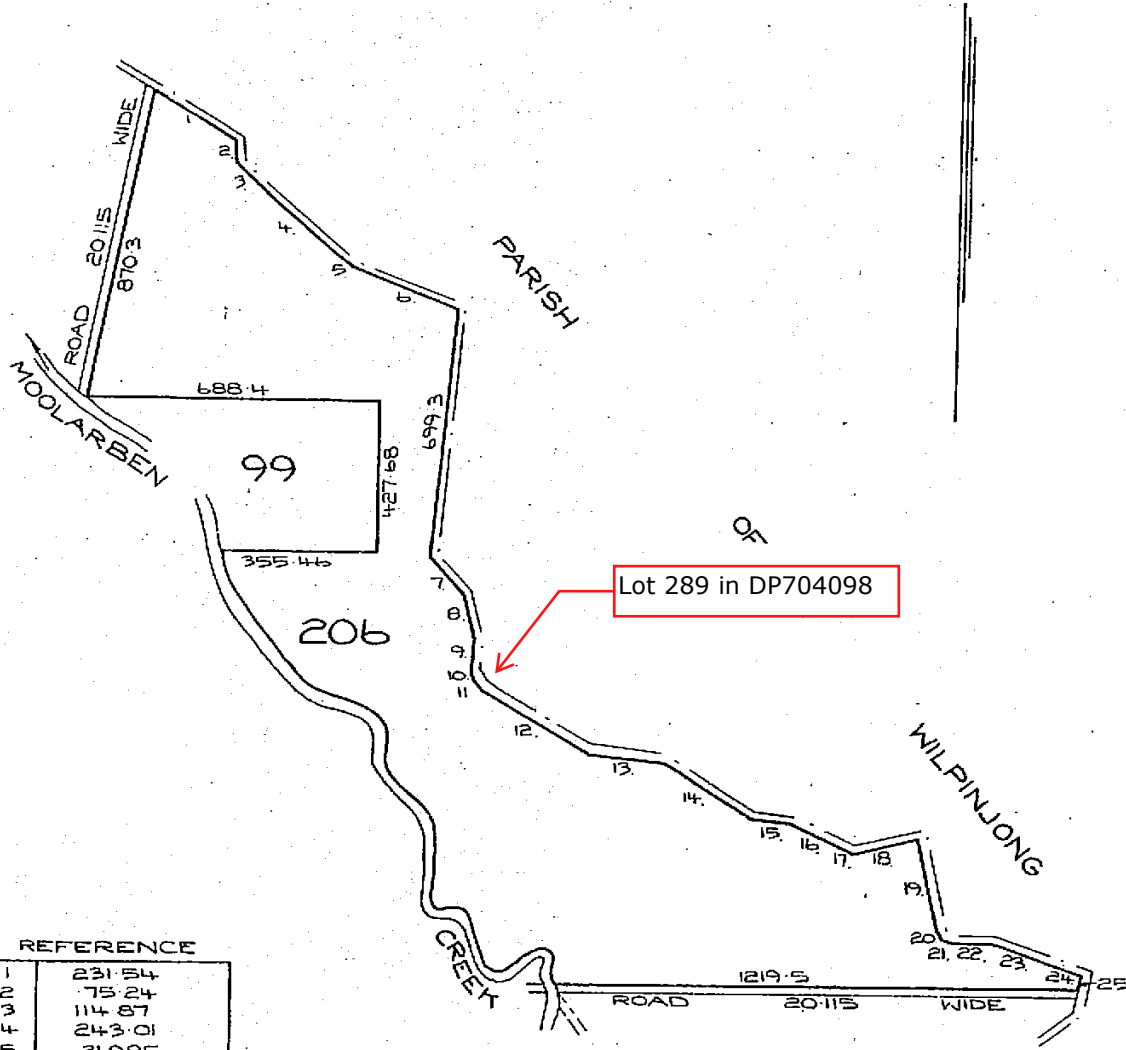
PERSONS ARE CAUTIONED AGAINST ALTERING OR ADDING TO THIS CERTIFICATE OR ANY NOTIFICATION HEREON

WARNING: THIS DOCUMENT MUST NOT BE REMOVED FROM THE REGISTRAR GENERAL'S OFFICE



PLAN SHOWING LOCATION OF LAND

LENGTHS ARE IN METRES

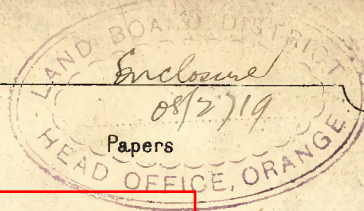


REFERENCE			
1	231.54		
2	75.24		
3	114.87		
4	243.01		
5	31.985		
6	274.59		
7	136.39		
8	124.72		
9	84.49		
10	25.345		
11	24.54		
12	304.97		
13	187.29		
14	249.85		
		15	92.54
		16	117.88
		17	34.6
		18	158.92
		19	258.7
		20	25.55
		21	29.775
		22	99.38
		23	156.51
		24	69.81
		25	33.595

AREA: 132.6 ha  
REDUCTION RATIO 1:15000.



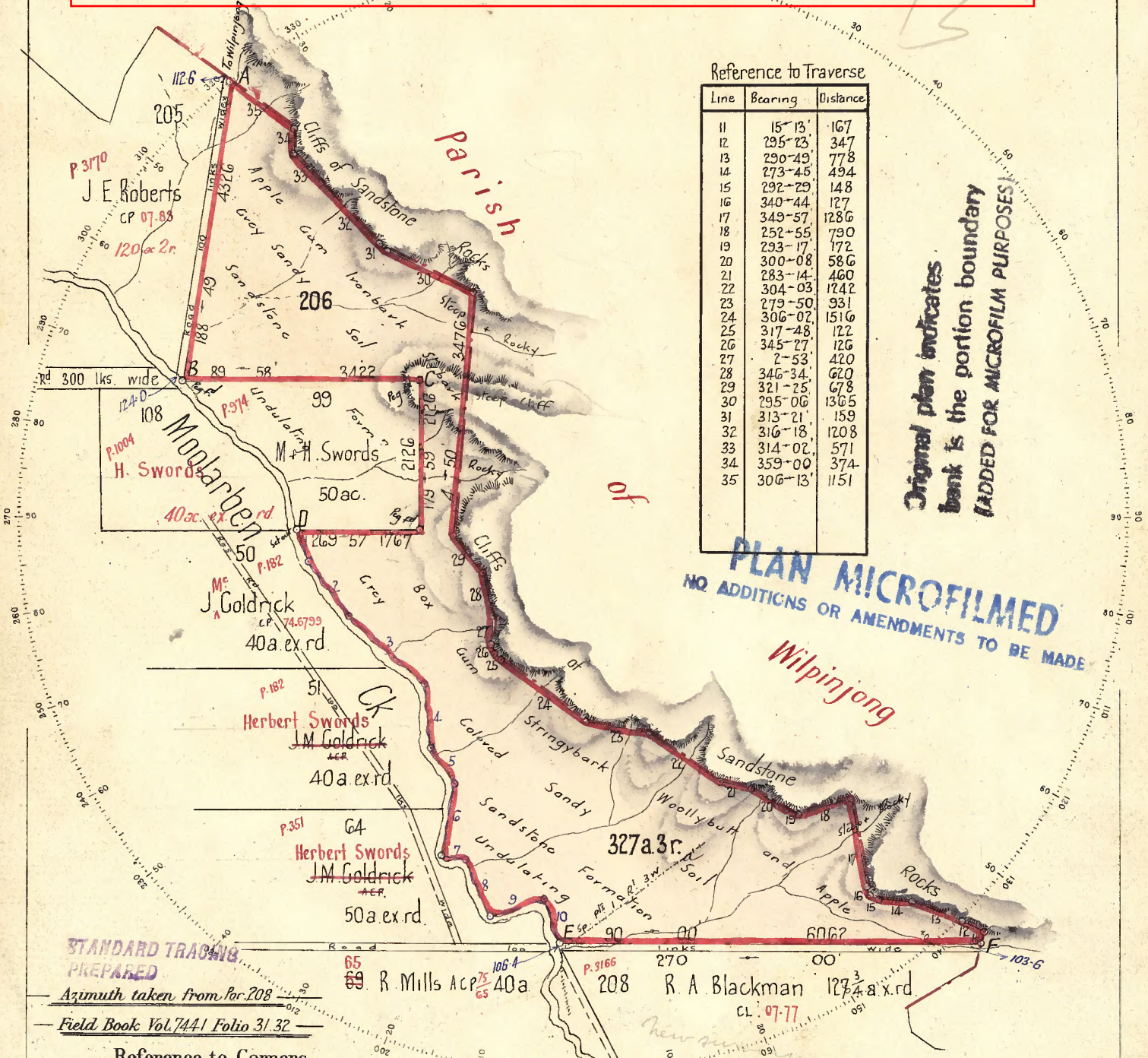




**PLAN OF PORTION 206**  
*County of Phillip Parish of Moolarben*

Land District Mudgee Land Board District Orange Eastern Division  
**RESUMED AREA N° PASTORAL HOLDING**

Applied for under the 48<sup>th</sup> Section of the Crown Lands Act of 1884. by James Edward Roberts  
 CL 0760 of 22<sup>nd</sup> Aug.  
 Within area set apart for OCP at 15/- per acre or C.L. 24<sup>th</sup> July 1907



Reference to Traverse

Line	Bearing	Distance
11	15° 13'	167
12	295° 23'	347
13	290° 49'	778
14	273° 45'	494
15	292° 29'	148
16	340° 44'	127
17	349° 57'	128.6
18	252° 55'	790
19	293° 17'	172
20	300° 08'	58.6
21	283° 14'	460
22	304° 03'	124.2
23	279° 50'	931
24	306° 02'	151.6
25	317° 48'	122
26	345° 27'	126
27	2° 53'	420
28	346° 34'	620
29	321° 25'	678
30	295° 06'	136.5
31	313° 21'	159
32	316° 18'	120.8
33	314° 02'	571
34	359° 00'	374
35	306° 13'	1151

Original plan indicates  
 bank is the portion boundary  
 (ADDED FOR MICROFILM PURPOSES)

**PLAN MICROFILMED**  
 NO ADDITIONS OR AMENDMENTS TO BE MADE

STANDARD TRACING  
 PREPARED  
 Azimuth taken from Par. 208  
 Field Book Vol. 7441 Folio 31.32

Reference to Corners.

Corner	Bearing	From	Links	N° on Tree
A	83° 14'	Apple	20.8	206
B	26° 45'	Gum	5.4	99.206
C	284° 54'	Ironbk	78.4	99.206 (not 195.20)
D	173° 52'	Apple	114.0	99.206
E	161° 51'	Gum	48.1	206
F	246° 00'	Apple	34.7	206

Reference to Traverse

Line	Bearing	Distance
1	159° 25'	470.8
2	143° 35'	974.5
3	131° 14'	1442.7
4	174° 48'	926.9
5	146° 04'	627.8
6	190° 06'	1042.5
7	100° 35'	353.3
8	156° 22'	864.7
9	72° 35'	815.8
10	160° 01'	664.5

I hereby certify that I in person made and completed the survey represented on this plan on the 22<sup>nd</sup> August 1908 and I declare that the bearings and lengths of the lines measured by me and the survey has been executed in accordance with the regulations published for the guidance of Licensed Surveyors and the practice of the Department of Lands.

**3171.2125**  
 William Abernethy Licensed Surveyor  
 Transmitted to the District Surveyor with my letter of 29<sup>th</sup> August N° 08 67.

Voucher N° 08.67 Passed (£21.1.2.) 15.9.1908  
 Calculation Book N° Folio  
 Checked and Charted  
 Examined  
 Plan approved

Improvements Fencing (E-a) abt 24 ch. Sp Pl  
 1 R. 3 w. at 21 per. ch. £2.8.0

Scale 20 Chains to an Inch

Cat. N° P. 3171 2125



HOLDING ..... CONDITIONAL LEASE 1907/60		LAND DISTRICT ..... MUDGEE		PORTION ..... 206						
PARISH ..... MOOLARBEN		COUNTY ..... PHILLIP		MUNICIPALITY/SHIRE .....						
CONVERSION ) SUBDIVISION ) OF .....		FORMERLY .....		DATE APPLIED FOR 22-8-07 DATE APPROVED/CONFIRMED/ GRANTED 20-10-08						
PAPERS L.B. ....		H.O. ....		ADP ACCOUNT 122473						
NATURE OF TRANSFER	HOLDER	DATE OF TRANSFER	RECORD	AREA	C.V. \$ c	INSTALLMENT \$ RENT c	EFFECTIVE DATE	GAZETTE OR AUTHORITY		
	ROBERTS, James Edward			0 132.6 ha	382-67	20-00(min)				
Rel Mge	Intervening transfers			1						
Reg.314 (	THOMAS, Edward CSC37-20692	13-1-37	-7958	2						
(	THOMAS, Lillian Maude, exx. of will of Edward	20-11-47	CSC48-1051	3						
	Thomas, decd. holder only			4						
Sale	ROBERTS, Francis Patrick CSC49-11421	30-8-49	-5801	5						
Mge	Commonwealth Bank of Australia	30-8-49	-5803	6						
Rel Mge	ROBERTS, Francis Patrick	11-11-53	53-10026	CLASSIFIED AREA		CROWN IMPROVEMENTS		ROAD CONSTRUCTION COSTS		
Sale	BAKER, Cyril Ernest	13-11-53	53-10028	AREA NO.	C.V. \$ c	EFFECTIVE DATE	C.V. \$ c	EFFECTIVE DATE		
Mge	The Commercial Banking Company of Sydney Limited	21-12-53	54-15	GAZ.						
Rel Mge	BAKER, Cyril Ernest	30-9-55	-10149	AVAIL.						
Sale	CARTER, William David	30-9-55	-10152	C.V.						
Mge	The Commercial Banking Company of Sydney Limited	1-11-55	-10155	GENERAL NOTATIONS					LEASE IN PERPETUITY G.G. 25-3-49 RENT REAPPRAISEMENT NOT DUE	
Rel Mge	CARTER, William David	23-8-63	-6944						MINISTER'S CONSENT IS NOT REQUIRED	
Sale	MAYBERRY, Edward Charles	8-10-63	-6945						BASAL HOLDING CP1907/83	
Sale	ROBERTS, Linden George	24-6-64	64-7634						CERTIFICATE OF CONFORMITY ISSUED ON 3-4-18	
Mge	Rural Bank of New South Wales	25-6-64	64-7635						TO	
Rel Mge	ROBERTS, Linden George	7-9-73	C74-5037						LEASE INSTRUMENT NOT ISSUED PERPETUAL LEASE	
Sale (	GARNER, Kevin Leslie	8-11-73	C74-5038						CROWN GRANT TO R.G.O. ON 31-3-1981 VOL 14366 FOL 165	
(	JONES, Andrew Findley Morrison								SURVEY COMPLETED/DEFERRED	
(	as tenants in common in equal shares								MORTGAGEE'S ADDRESS	
	Perp. Lease Grant Inst'n No. 87253		Authorised 19 FEB 1981						HOLDER'S ADDRESS	
	NOW C.P. 1984/2									
	UNFINALISED DEALINGS (Pencil notations only)									



[4077]

Department of Lands,  
Sydney, 13th January, 1909.

## CONDITIONAL LEASES.

NOTICE is hereby given that the rents for the Conditional Leases, as particularised in the following Schedule, have been determined at the respective rates per acre stated.

~~Any difference of rent found to be due to the Crown between the provisional rent and the rent as now determined (together with any arrears of rent now due) must be paid within one month from the date of this notice to the Land Agent of the District or to the State Treasurer.~~

The renewal rent on any lease must be paid yearly in advance, either to the Land Agent of the District or to the State Treasurer, not later than the last day of the annual term of the lease, but it will be accepted at any time prior to that date, if tendered.

Any rent paid after the due date will, in accordance with the provisions of section 11 of the Act of 1899, bear interest accruing due day by day.

S. W. MOORE.

No. of Con. Lease.	No. of Papers.		Applicant.	Address.	Date of Application.	Date of Confirmation.	Division of the State.	County.	Parish.	Portion.	Catalogue No.	Area applied for.	Area granted.	Rate per Acre.	Annual Rent.	Amount paid.	Balance due.	Date when Interest commenced on arrears.	Basal Conditional Purchase.		Shire.
	Land Agent's No. of Application.	Registration No.																	Number and Date.	Area.	
<b>LAND DISTRICT OF ARMIDALE.</b>																					
1907-10	C.S. 1908-32352	Schaefer Ethel Selina ...	Brockly, Guyra	1907. 14 Feb.	1908. 12 Oct.	E	Clarke	Nowland	73	C. 2113-1867...	204	109	2½	£ 1 2 11	£ 1 14 0	£ 0 2 8*	14 Feb., 1908	1907-50, 14 Feb.	50	Guyra.	
49	32351	Wright Weeta May ...	Wongwebinda, Armidale.	6 June	17 Aug.	E	do	Brown	9	C. 2038-1867...	640	640	2½	6 13 4	5 6 8	5 6 8*	6 June, 1908	1906-17, 1 Mar.	320	do	
63	32350	Smitheringale John William, care of Ashton Bros., Armidale.	George's Creek, Wollomombi.	18 July	12 Oct.	E	do	Big Hill	30	C. 2120-1867...	100	123½	2	1 0 7	0 14 6	.....	.....	1904-58, 11 Aug.	60	Dumaresq.	
<b>LAND DISTRICT OF GLEN INNES.</b>																					
1907-14	C.S. 1908-32640	Key Albert William ...	Red Range	1907. 4 April	1908. 27 July	E	Gough	Yarrow	135	G. 6307-1761...	375	375	2½	3 10 4	3 2 6	0 15 8	.....	1907-15, 4 April	125	Severn.	
47	32638	Nowlan Jeremiah ...	Bryan's Gap, Tenterfield.	12 Sept.	27 "	E	Clive	Moogem	49	C. 2885-1809...	600	600	3	7 10 0	5 0 0	5 0 0*	12 Sept., 1908	63, 12 Sept.	230	do	
52	32637	Australian Joint Stock Bank (Limited), applied for by Alexander Wetherspoon, Mount Mitchell.	Sydney	19 "	26 Sept.	E	Gough	Yarrow	138	G. 6325-1761...	200	173	2	1 8 10	1 13 4	1 4 4*	19 Sept., 1908	99-22, 27 July	40	do	
64	32636	Cheney William Irvine...	Red Range	28 Nov.	25 July.	E	do	do	125	G. 6061-1761...	308	308	2½	2 17 9	2 11 4	2 11 4*	28 Nov., 1908	82, 28 Nov.	105	do	
66	32635	Hartmann Hermann jun.	Beulah, Dundee.	28 "	26 Sept.	E	Clive	Lewis	30	C. 2908-1839...	450	450	2	3 15 0	3 15 0	3 15 0*	28 Nov., 1908	83, 28 "	150	do	
1908-10	32634	Bank of New South Wales applied for by Alfred Proctor, of Bald Nob.	Sydney	1908. 6 Feb.	25 "	E	do	Eastern Water.	17	C. 2911-1809...	654	609½	2	5 1 7	5 9 0	4 14 2*	6 Feb., 1909	89-1, 28 Feb.	100	do	
31	32633	Arndell, Thomas ...	Oban	4 June	28 "	E	Clarke	Towagal	68	C. 2117-1867...	860	860	2	7 3 4	7 3 4	.....	.....	1908-34, 4 June	400	Guyra.	
<b>LAND DISTRICT OF INVERELL.</b>																					
1907-67	C.S. 1908-32643	Cox, Samuel Edward ...	Ashford	1907. 26 Sept.	1908. 8 Sept.	E	Arrawatta	Ashby	83	A. 2653-1847...	480	480	2½	4 10 0	4 0 0	1 0 0	.....	1907-58, 26 Sept.	160	Ashford.	
74	32642	Wells, George Henry Colln.	do	5 Dec.	8 "	E	do	Astley	23	A. 2664-1847...	960	960	2½	9 0 0	8 0 0	8 0 0*	5 Dec., 1908	1907-08, 5 Dec.	320	do	
75	32641	Wells Mary Ann Pearl ...	do	5 "	8 "	E	do	do	25	A. 1665-1847...	120	120	2½	1 5 0	1 0 0	1 0 0*	5 Dec., 1908	99, 5 "	40	do	

The title to and rent of the above leases commence from the date of application.

13 JAN., 1909.]

NEW SOUTH WALES GOVERNMENT GAZETTE, No. 5.

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## CONDITIONAL LEASES—continued.

No. of Con. Lease.	No. of Papers.		Applicant.	Address.	Date of Application.	Date of Confirmation.	Division of the State.	County.	Parish.	Portion.	Catalogue No.	Area applied for.	Area granted.	Rate per Acre.	Annual Rent.	Amount paid.	Balance due.	Date when interest commenced on arrears.	Basal Conditional Purchase.		Shire.
	Land Agent's No. of Application.	Registration No.																	Number and Date.	Area.	
<b>LAND DISTRICT OF TENTERFIELD.</b>																					
1907-33	C.S. 1908-32644		Adam David Robert	Tenterfield	1907. 25 April	1908. 5 Oct.	E	Clive	Hillcrest	14	C. 2811-1809	240	240	2½	2 10 0	2 0 0	1 0 0	.....	1901-44 30 Oct. 60	.....	Tenterfield.
74	32645		Winterton William	Drake	13 June	27 May	E	Buller	Colongon	2	B. 1448-1741	255	268	2	2 4 8	2 7 6	2 1 10*	13 June, 1908	76, 13 June	200	do
<b>LAND DISTRICT OF FORBES.</b>																					
1905-7	C.S. 1908-33582		Judd Henry Edward	Forbes	1905. 26 Oct.	1908. 1 Oct.	C	Ashburnham	Yarragong	64	A. 5931-1770	810	810	4	13 10 0	6 15 0	6 15 0*	26 Oct., 1907	1904-10, 27 Oct. 104	.....	Jemalong.
																		26 " 1908	1905-29, 26 " 167		
<b>LAND DISTRICT OF COOMA.</b>																					
1907-41	C.S. 1908-32810		Scarlett Ernest	Cooma	1907. 4 July	1908. 11 Jan.	E	Beresford	{ Bunyan ... 183 B. 3645-1765 } { Cooma ... 286 B. 3645-1765 }	259½	259½	16		17 5 8	2 3 3	2 3 3*	4 July, 1908	1907-49, 4 July	87	Dalgely and Moura.	
<b>LAND DISTRICT OF GUNNING.</b>																					
1907-70	C.S. 1908-32817		Southwell Samson	Coowalla, Dalton	1907. 21 Nov.	1908. 28 May	E	King	Bunton	3.8	K. 6209-1995	150	107	2½	1 2 4	1 5 0	0 10 8*	21 Nov., 1908	1907-80, 21 Nov. 50	.....	Gunning.
1908-13	32818		Armour John	Gunning	1908. 19 Mar.	26 "	E	do	Lerida	{ 116 K. 5468-1995 } { 117 K. 5469-1995 }	355½	355½	2½	4 1 5	2 19 2	1 2 3	.....	88-82, 26 July 46	.....	do	
																		1908-9, 19 Mar.	136		
<b>LAND DISTRICT OF MOSS VALE.</b>																					
1908-4	C.S. 1908-33286		McCarthy James Cunningham	Care Crown Land Agent, Moss Vale.	1908. 16 Jan.	1908. 11 July	E	Camden	Bundanoon	4	C. 1526-2041	339	234	2	2 7 4	2 16 6	1 18 *	16 Jan., 1909	83-106, 13 Dec. 40 90-16, 8 May 40 1908-3, 16 Jan. 95	.....	Wingecarribee.
																			Freehold, portion 22, parish Corabare, county North m b rland.	30	
																			Freehold, portion 23, parish Corabare.	30	
<b>LAND DISTRICT OF MAITLAND.</b>																					
1907-20	C.S. 1908-29890		Sweetman Richard	Thomas Sweetman Creek, Wollombi.	1907. 2 May	1908. 14 Aug.	E	Northumberland	Corrabare	127	N. 4261-2111	40	40	3	0 10 0	0 6 8	0 6 8	.....	.....	.....	Cessnock.
55	29875		Harris Richard Benjamin	Wattagan Creek, Wollombi.	19 Dec.	14 "	E	do	do	186	N. 4258-2111	100	93	2½	0 19 5	0 16 8	0 14 4*	19 Dec., 1908	1907-57, 19 Dec. 40	.....	do
1908-5	29873		Moore Walter Edward	Wollombi	1908. 29 Feb.	14 "	E	do	Yango	147	N. 4237-2111	117	123	2½	1 6 1	0 19 6	0 6 7	.....	Freehold, portion 78, parish Yango, county Northumberland.	100	Cessnock and Patrick Plains.
<b>LAND DISTRICT OF WARIALDA.</b>																					
1908-2	C.S. 1908-33131		Maidens Gwydir Horace	Yagobie, Warialda.	1908. 16 Jan.	1908. 15 Oct.	C	Burnett	Monsoon	13	R. 2323-1951	1920	1923	1	8 0 0	16 0 0	.....	.....	1908-2, 16 Jan.	640	Yallaroi.

NOTE.—The title to and rent of the above leases commence from the date of application.

CONDITIONAL LEASES

CONDITIONAL LEASES—continued

No. of Con. Leases.	No. of Papers.		Applicant.	Address.	Date of Application.	Date of Confirmation.	Division of the State.	County.	Parish.	Portion.	Catalogue No.	Area applied for.	Area granted.	Rate per Acre.	Annual Rent.	Amount paid.	Balance due.	Date when Interest commenced on arrears.	Basal Conditional Purchase.		Shire.
	Land Agent's No. of Application.	Registration No.																	Number and Date.	Area.	
LAND DISTRICT OF CARCOAR.																					
1907-23	C.S. 1908-32853	Drain William	Barrigans Mount, Burraga, Sydney	1907. 28 Mar.	1908. 14 Oct.	E	Georgiana	Bucumba	47	G. 5510-1506...	50	76½	2½	0 16 0	0 8 4	0 15 4	1907-25, 28 Mar.	40	Abercrombie.		
30	32852	Commercial Banking Co. of Sydney (Limited), applied for by Joseph Drain, of Burraga.		9 May	14 "	E	do	do	48	G. 5511-1506...	100	100	3	1 5 0	0 16 8	0 16 8	96-1, 2 Jan. 1904-31, 2 June 1905-45, 30 Nov.	150 51 450	do		
35	32854	Walsh Richard	Mile Gully, Burraga.	20 June	14 "	E	do	do	51	G. 5512-1506...	180	180	2½	1 13 9	1 10 0	0 7 6	70-3850, 3 Nov. 1902-34, 9 Oct.	40 60½	do		
LAND DISTRICT OF MUDGEES.																					
1907-5	C.S. 1908-32659	Leven Frederick William Charles.	Upper Meroo, Carcoar.	1907. 7 Feb.	1908. 12 May	E	Wellington	Tunnabidgee	{ 130 131 132	{ W. 2730-1984 W. 2731-1984 W. 2732-1984	240	240	2½	2 15 0	2 0 0	2 0 0	7 Feb., 1908 7 " 1909	1900-58, 29 Nov. 1907-6, 7 Feb.	100 60	Meroo	
57	3 515	Giles Francis Henry	Crudine	8 Aug.	20 Oct.	E	do	Tunnabidgee	207	W. 4562-2091...	60	18	6½	0 10 0	2 5 0		62-867, 21 Jan. (Rylstone). 79-55, 2 Oct. (Rylstone). 1905-8, 16 Feb. (Mudgee)	40 40 100	do		
59	33515	Commercial Banking Co. of Sydney (Limited), applied for by Clarence Barton, of Moolarben.	Sydney	15 "	20 "	E	Phillip	Moolarben	112	P. 1208-2125...	73½	79½	3	0 19 11	0 13 3	0 11 5*	15 Aug., 1908	89-7, 24 Jan. 49, 16 Aug.	81 41	do	
60	33517	Roberts James Edward	Moolarben, Mudgee.	22 "	20 "	E	do	do	206	P. 3171-2125...	300	327½	2½	3 15 2	2 10 0	2 10 0	22 Aug., 1908	1907-83, 22 "	120½	do	
74	33518	Lovegrove Joseph Allan	Cassilis	26 Sept.	22 "	E	Bligh	Cunna	42	B. 3747-1670...	480	630	2½	6 11 3	4 0 0	4 0 0	26 Sept., 1908	96, 26 Sept.	210	Merriwa.	
77	33519	Blackman Richard Arthur.	Mudgee	10 Oct.	20 "	E	Phillip	Moolarben	208	P. 3166-2125...	300	127½	3	1 12 0	2 10 0	0 14 0		98, 10 Oct.	100	Meroo.	
82	33520	Lennex Thomas Laurence.	Moolarben, Mudgee.	22 Aug.	20 "	E	do	do	211	P. 3169-2125...	120	103½	3½	1 10 2	1 0 0	1 5 10	22 Aug., 1908	101, 22 Aug.	40	do	
83	33521	Commercial Banking Co. of Sydney (Limited), applied for by Clarence Barton, of Moolarben.	Sydney	22 "	20 "	E	do	do	209	P. 3167-2125...	220	225½	1½	2 1 2	1 16 8	2 9 0	22 Aug., 1908	89-7, 24 Jan. 49, 15 Aug.	81 41	do	
85	33522	Chapman John	Upper Pyramul.	29 "	20 "	E	Wellington	Tunnabidgee	214	W. 4560-2091...	200	120	2½	1 5 0	1 13 4	0 6 8*	29 Aug., 1908	1907-88, 29 "	50	do	
86	33523	Johnson Annie, administratrix of estate late Henry Pow.	Crudine	29 "	20 "	E	do	do	206	W. 4562-2091...	297½	236½	3	2 19 2	2 9 7	1 9 5*	29 Aug., 1908	65-1000, 22 June	40a. 1r. 20p.	do	
1908-7	33525	Bailey Thomas	Ulan	1908. 6 Feb.	20 "	E	Phillip	Wilpinjong	70	P. 3173-2125...	120	120	2	1 0 0	1 0 0	1 0 0	6 Feb., 1909	88-8, 16 Feb.	40	do	
11	33513	Bennett Charles	Slajdash, Guigong.	13 "	20 "	E	do	Wyaldra	104	P. 3160-2125...	240	240	3	3 0 0	2 0 0	2 0 0	13 Feb., 1909	1907-115, 12 Dec. 1908-12, 13 Feb.	40 40	Wyaldra.	
17	29674	Moir William Henry	Ulan	2 April	20 "	E	do	Lennex	12	P. 3162-2125...	240	240	2½	2 5 0	2 0 0	0 5 0		94-16, 8 Mar. 1908-18, 2 April	100 60	Meroo.	

The title to and rent of the above leases commence from the date of application.

### **3. Supporting Documentation for Lot 37 in DP750156**

**[Example of PEPA by Crown Grant]**



FOLIO: 37/750156

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SEARCH DATE	TIME	EDITION NO	DATE
18/9/2018	10:07 AM	-	-

VOL 7060 FOL 180 IS THE CURRENT CERTIFICATE OF TITLE

LAND

-----

LOT 37 IN DEPOSITED PLAN 750156  
LOCAL GOVERNMENT AREA CABONNE  
PARISH OF EDINBURGH COUNTY OF ASHBURNHAM  
(FORMERLY KNOWN AS PORTION 37)  
TITLE DIAGRAM CROWN PLAN 8254.1770

FIRST SCHEDULE

-----

HER MOST GRACIOUS MAJESTY QUEEN ELIZABETH THE SECOND (T S640359)

SECOND SCHEDULE (2 NOTIFICATIONS)

-----

- 1 LAND EXCLUDES MINERALS AND IS SUBJECT TO RESERVATIONS AND CONDITIONS IN FAVOUR OF THE CROWN - SEE CROWN GRANT(S)
- \* 2 LAND EXCLUDES THE ROAD(S) SHOWN IN THE TITLE DIAGRAM

NOTATIONS

-----

THIS LAND MAY BE SUBJECT TO SUBSISTING INTERESTS THAT HAVE NOT BEEN RECORDED. BEFORE DEALING WITH THIS LAND INQUIRIES SHOULD BE MADE WITH FORESTRY CORPORATION OF NEW SOUTH WALES

UNREGISTERED DEALINGS: NIL

\*\*\* END OF SEARCH \*\*\*



NEW SOUTH WALES LAND REGISTRY SERVICES - HISTORICAL SEARCH

SEARCH DATE

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18/9/2018 10:08AM

FOLIO: 37/750156

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First Title(s): SEE PRIOR TITLE(S)  
Prior Title(s): VOL 7060 FOL 180

Recorded	Number	Type of Instrument	C.T. Issue
-----	-----	-----	-----
22/2/1989		TITLE AUTOMATION PROJECT	LOT RECORDED FOLIO NOT CREATED
11/5/1989		CONVERTED TO COMPUTER FOLIO	FOLIO CREATED CT NOT ISSUED
14/3/2012	AG869831	DEPARTMENTAL DEALING	
10/2/2016	AJ973966	DEPARTMENTAL DEALING	

\*\*\* END OF SEARCH \*\*\*



A.C.P.  
Since 1 Feb., '09.

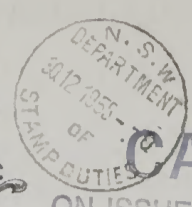
No. 19 55/1499  
Trust

£5.  
EE3575

NEW SOUTH WALES  
*Five pounds*  
STAMP DUTY  
SYDNEY, N.S.W.

# State of New South Wales

26249 B.55 K 2287  
[LAND GRANT]



REGISTER BOOK  
VOL. 7060 Fol. 180

**CANCELLED** [W]

ON ISSUE OF NEW FOLIO 37/750156

## GRANT OF LAND PURCHASED BY CONDITIONAL SALE

C.P. 1924/48  
MOLONG

**ELIZABETH the SECOND**, by the Grace of God of the United Kingdom, Australia and Her other Realms and Territories Queen, Head of the Commonwealth, Defender of the Faith:-  
**TO ALL** to whom these Presents shall come, Greeting:-

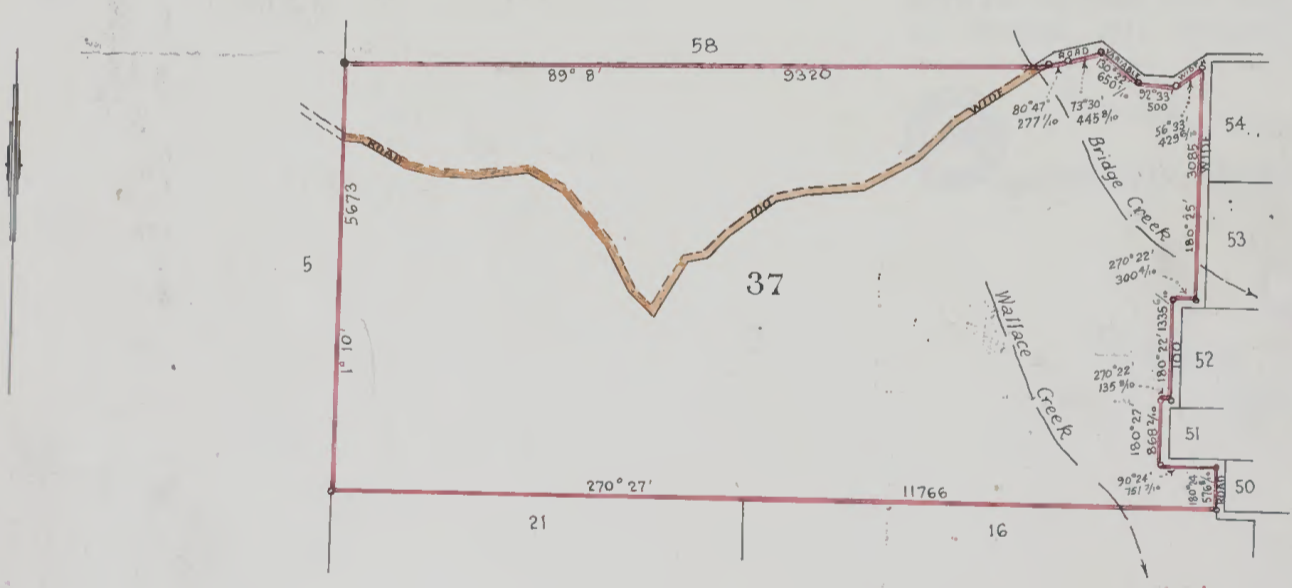
**Whereas** JOHN REUBEN PEKEN of Gordon

in Our State of New South Wales claims to be entitled to the Parcel of Land hereinafter described in right of an Additional Conditional Purchase of the same applied for on the sixth day of December 1924

in virtue of an Original Conditional Purchase applied for on the twelfth day of September 1872 under the Provisions of the Crown Lands Alienation Act of 1861 and a certificate of compliance with the conditions applicable to such Additional Conditional Purchase has been issued And Whereas the sum of three hundred and seventy four pounds ten shillings sterling being the purchase money payable for the said Land has been duly paid into the Office of the Treasurer of Our said State And all things required by law to be done to entitle the said JOHN REUBEN PEKEN

to a Grant of the fee simple of the said Land subject to the Reservations and Exceptions hereinafter contained have been done and performed Now Know Ye That for and in consideration of the said sum for and on Our behalf well and truly paid into the Treasury of Our said State before these Presents are issued and of all and singular the premises WE HAVE GRANTED and for Us Our Heirs and Successors DO HEREBY GRANT unto the said JOHN REUBEN PEKEN his

Heirs and Assigns Subject to the Reservations and Exceptions hereinafter contained ALL THAT Piece or Parcel of Land in Our said State containing by admeasurement six hundred and forty two acres be the same more or less situated in the County of Ashburnham and Parish of Edinburgh Portion 37 as shown in plan catalogued No. A.8254-1770 in the Department of Lands excepting out of the said piece or parcel of land the road coloured brown in the plan hereon the area of which is not included in the above stated area



Area 642 acres.  
This area does not include the area of the road coloured brown.  
Scale 20 Chains to an Inch

As per Plan hereon With all the Rights and Appurtenances whatsoever thereto belonging To Hold unto the said JOHN REUBEN PEKEN

his Heirs and Assigns for ever ~~Provided~~ ~~Notwithstanding~~ AND WE DO HEREBY RESERVE AND EXCEPT unto Us Our Heirs and Successors all minerals which the said Land contains with full power and authority for Us Our Heirs and Successors and such person or persons as shall from time to time be authorised by Us or Them to enter upon the said Land and to search for mine dig and remove the said minerals And also all such parts and so much of the said Land as may hereafter be required for public ways viaducts canals railways tramways dams sewers or drains in over and through the same to be set out by Our Governor for the time being of Our said State or some person by him authorised in that respect And also all sand clay stone gravel and indigenous timber and all other materials the natural produce of the said Land which may be required at any time hereafter for the construction and repair of any public ways bridges or canals or for naval purposes or railways and tramways or any fences omhankments viaducts dams sewers or drains necessary for the same together with the right of taking and removing all such materials by such person or persons as may be authorised in that behalf by Our Governor as aforesaid ~~Provided~~ ~~Notwithstanding~~ **Firstly** AND WE DO HEREBY RESERVE for Us Our Heirs and Successors and for Our Governor as aforesaid by such person or persons as shall be by Us Them or him authorised in that behalf full power to make and conduct through in under upon or over the said Land or any portion thereof all public ways viaducts railways tramways canals and all common or public drains and sewers which may be deemed expedient And the right of full and free ingress egress and regress into out of and upon the said Land for the several purposes aforesaid or any of them In Testimony Whereof We have caused this Our Grant to be Sealed with the Seal of Our said State the plan number "A.8254-1770" on the nineteenth line hereof having been previously typed over an erasure

*Northcott*  
**Witness** Our Trusty and Well-beloved SIR JOHN NORTHCOTT, Knight Commander of Our Most Distinguished Order of Saint Michael and Saint George, Knight Commander of Our Royal Victorian Order, Companion of Our Most Honourable Order of the Bath, Lieutenant-General on the Retired List of Our Australian Military Forces, Governor of Our State of New South Wales and its Dependencies in the Commonwealth of Australia, at Sydney in Our said State, this *fifteenth* day of *December* in the fourth year of Our Reign, and in the year of Our Lord one thousand nine hundred and fifty-five.

*Northcott*  
Governor.

15  
December  
1955

RECORDED and ENROLLED in the Registrar General's Office, at Sydney, in New South  
Wales, this *Fourth* day of *January* 19*56*.

*J. H. Pells*  
Registrar General.

*RG 437520*  
No. *G 437520* CAVEAT by the Registrar General.  
Entered *19 January 1956*  
*J. H. Pells*  
REGISTRAR GENERAL.

The within Caveat No. *G 437520* is hereby withdrawn  
Entered 20th February 1970

*Jawatson*  
REGISTRAR GENERAL

BRUCE ANDREW HOLCOMBE of Sydney, Solicitor  
is now the registered proprietor of the land within described.  
See TRANSFER No. L 685471 Dated 15th December 1969  
Entered 20th February 1970.

*Jawatson*  
REGISTRAR GENERAL

No. L 685472 MORTGAGE Dated 15th December 1969  
to AUSTRALIA AND NEW ZEALAND BANK LIMITED  
Entered 20th February 1970.

*Jawatson*  
REGISTRAR GENERAL

REGISTERED PROPRIETOR HER MOST GRACIOUS  
MAJESTY QUEEN ELIZABETH THE SECOND by  
TRANSFER S 640359.  
Registered 3-9-1981.

*Ben*  
REGISTRAR GENERAL

NO FURTHER  
COMPUTER FOLIO  
DEALINGS TO BE REGISTERED.

*RGX*  
*L 685471 T - RM*  
*576201/11/11*  
*5640359/11*  
DEDICATED AS  
STATE FOREST  
GAZ. 16-4-82  
Vol. 1656

**4. Supporting documentation for Lot 5 in  
DP875253 [Example of PEPA by various Crown  
Grants]**



FOLIO: 5/875253

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SEARCH DATE	TIME	EDITION NO	DATE
-----	----	-----	----
18/7/2018	10:43 AM	4	21/6/2017

LAND

----

LOT 5 IN DEPOSITED PLAN 875253  
 AT CADIA  
 LOCAL GOVERNMENT AREA CABONNE  
 PARISH OF WALDEGRAVE COUNTY OF BATHURST  
 TITLE DIAGRAM DP875253

FIRST SCHEDULE

-----

HER MOST GRACIOUS MAJESTY QUEEN ELIZABETH THE SECOND ON  
 BEHALF OF THE MINISTER FOR NATURAL RESOURCES FOR FORESTRY  
 COMMISSION

SECOND SCHEDULE (3 NOTIFICATIONS)

-----

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 I265513 DEDICATED AS A STATE FOREST KNOWN AS CANOBOLAS  
STATE FOREST NO 901, NO. 13 EXTENSION
- 3 AC111321 FORESTRY RIGHT (CARBON SEQUESTRATION) TO FORESTRY  
COMMISSION OF NEW SOUTH WALES

NOTATIONS

-----

THIS LAND MAY BE SUBJECT TO SUBSISTING INTERESTS THAT HAVE NOT BEEN  
 RECORDED. BEFORE DEALING WITH THIS LAND INQUIRIES SHOULD BE MADE  
 WITH FORESTRY CORPORATION OF NEW SOUTH WALES

UNREGISTERED DEALINGS: NIL

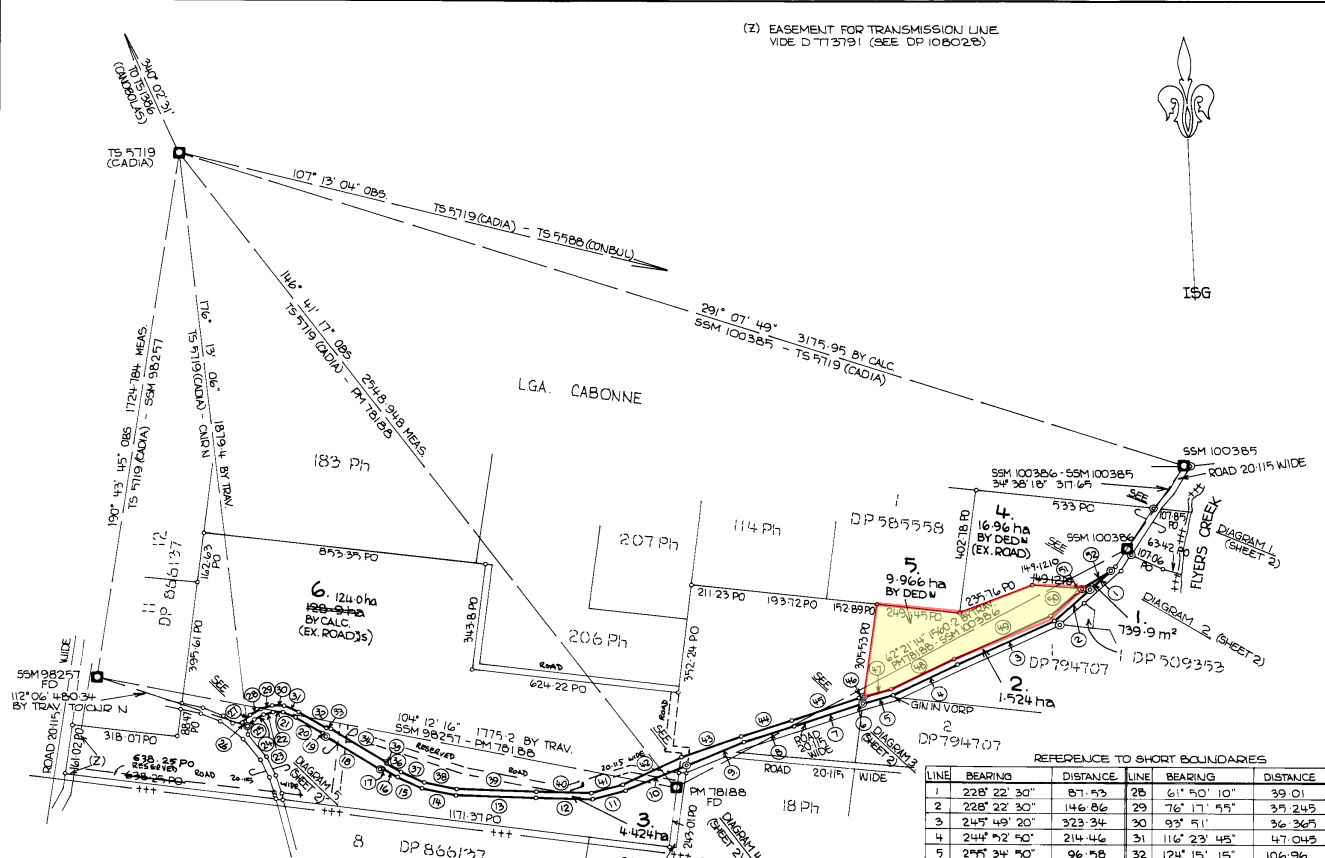
\*\*\* END OF SEARCH \*\*\*

PLAN FORM 2

Plan Drawing only to appear in this space

OFFICE USE ONLY

SIGNATURES, SEALS AND STATEMENTS of Intention to dedicate public roads or to create public reserves, drainage reserves, easements, restrictions on the use of land or positive covenants.



DP 875253

Registered: 9.3.1998

C.A.:

Title System: TORRENS

Purpose: ROADS ACT 1993

Ref. Map: PARISH

Last Plan: DP 866137 & OTHERS

PLAN OF LAND TO BE ACQUIRED FOR THE PURPOSES OF THE ROADS ACT 1993

Lengths are in metres. Reduction Ratio 1:10,000

LGA CABONNE

Locality: WALDEGRAVE

Parish: WALDEGRAVE

County: BATHURST

This is sheet 1 of my plan in 2 (TWO) sheets. (Delete if inapplicable)

RAYMOND MORELAND TODD (RM: TODD RM) of PO BOX 693, BATHURST, 2795

a surveyor registered under the Surveyors Act 1928, hereby certify that the survey represented in this plan is accurate, has been made in accordance with the Survey Practice Regulation 1990 and was completed on 20<sup>th</sup> OCTOBER, 1997. ZONE: RURAL

(Signature) \_\_\_\_\_  
TS 5719 - TS 1386 (CADIA) (CANOBOLAS) Surveyor registered under the Surveyors Act 1928

Plans used in preparation of survey/compilation:

1073-2009	DP 313186
1114-2009	DP 109333
1178-2009	DP 585558
1796-2009	DP 776675
1814-2009	DP 776676
5123-2009	DP 866137

PANEL FOR USE ONLY for statements of intention to dedicate public roads or to create public reserves, drainage reserves, easements, restrictions on the use of land or positive covenants.

LOTS 1 TO 3 INCLUSIVE ARE REQUIRED FOR ROAD PURPOSES AND AFTER CONSTRUCTION WILL BE DEDICATED AS PUBLIC ROAD UNDER SECTION 10 OF THE ROADS ACT 1993.

Crown Lands Office Approval

PLAN APPROVED: \_\_\_\_\_ Authorised Officer

Land District: \_\_\_\_\_

Paper No.: \_\_\_\_\_

Field Book: \_\_\_\_\_ pages

Council's Certificate

I hereby certify that -

(a) the requirements of the Local Government Act, 1919 (other than the requirements for the registration of plans); and

(b) the requirements of 1 Part 3 Division 2 of the Water Board Act 1967, or 1 Part 3 Division 7 of the Hunter Water Board (Consolidation) Act 1991.

is/are being complied with by the applicant in relation to the proposed: **SUBDIVISION**

subdivision No. **DA-97-173**

date **11.12.97**

(Signature) \_\_\_\_\_ General Manager/Authorised Person

Council File No. **DA-97-173**

\*This part of the certificate to be deleted where the application is only for a consolidated lot or the opening of a new road or where the lot to be subdivided is wholly outside the areas of operations of the Water Board and the Hunter Water Corporation Ltd.

1 Delete if inapplicable

REFERENCE MARK SCHEDULE

CUR	BEARING	DISTANCE	FROM	ORIGIN
A	19° 14'	3.5	REF. TREE FD	5123-2009
B	218° 36'	1.0	RM GIP FD	DP 585558
C	298° 34'	0.98	DM GIP FD	DP 585558
D	116° 57'	1.015	RM GIP	
E	276° 46'	2.3	RM GIP FD	DP 585558
F	93° 31'	0.98	RM GIP FD	
G	99° 14'	1.005	RM GIP FD	DP 509353
H	189° 39'	1.0	RM GIP FD	DP 585558
J	13° 18'	0.995	RM GIP	
K	153° 28'	1.095	RM GIP	
L	268° 50'	6.11	RM GIP	
M	23° 36'	4.885	RM GIP	
N	180° 18'	0.915	RM GIP	

CUR B - CUR E 218° 11' 15" 325.3 ME  
208° 53' 05" 327.22 DP 585558

CUR E - CUR H 234° 08' 50" 773.72 DP 585558

CUR H - CUR K 281° 23' 35" 564.28 ME  
242° 00' 20" 564.32 DP 776675

SURVEYORS PRACTICE REGULATION 1996: CLAUSE 32(2)

MARK	EASTING	NORTHING	ZONE	ACC.
TS 5719 (CADIA)	302139.469	1298348.144	55B	1
TS 5588 (CONBULL)	317151.342	1293696.114	55B	1
TS 1386 (CANOBOLAS)	298234.185	1309102.290	55B	1
PM 78188	303539.009	1286218.421	55B	3

COMBINED SEA LEVEL SCALE FACTOR = 0.99979

SOURCE: I.S.G. CO-ORDINATES ADOPTED FROM S.C.I.M.S. DEPT. C.A.L.M. 20-10-97

REFERENCE TO SHORT BOUNDARIES

LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE
1	228° 22' 30"	87.53	28	61° 50' 10"	39.01
2	228° 22' 30"	146.86	29	76° 17' 55"	35.245
3	245° 49' 20"	323.34	30	93° 51'	36.365
4	244° 52' 50"	214.46	31	116° 23' 45"	47.045
5	244° 52' 50"	96.58	32	124° 15' 15"	106.96
6	244° 52' 50"	2.075	33	73° 15' 15"	7.07
7	282° 43' 15"	217.76	34	125° 26' 40"	194.93
8	283° 35' 15"	158.82	35	168° 58' 35"	7.07
9	241° 55' 15"	186.44	36	123° 58' 45"	51.22
10	248° 49' 50"	203.67	37	119° 30' 45"	78.38
11	246° 13' 50"	104.36	38	105° 31' 05"	100.43
12	273° 34' 10"	166.97	39	94° 35' 15"	238.79
13	274° 34' 15"	240.88	40	93° 34' 10"	163.75
14	285° 31' 05"	104.8	41	76° 13' 50"	99.46
15	299° 30' 45"	81.61	42	65° 38' 20"	198.77
16	303° 58' 55"	52	43	71° 16' 40"	191.43
17	298° 58' 55"	7.07	44	73° 35' 15"	159.66
18	305° 26' 40"	194.98	45	72° 43' 15"	218.11
19	349° 15' 15"	7.07	46	75° 34' 50"	11.51
20	304° 15' 15"	105.68	47	75° 34' 50"	85.77
21	296° 23' 45"	41.685	48	64° 52' 50"	212.75
22	273° 51'	29.29	49	69° 49' 20"	320.43
23	246° 17' 55"	29.62	50	48° 22' 30"	110.04
24	241° 50' 10"	33.61	51	57° 44' 20"	19
25	225° 29' 45"	28.535	52	57° 44' 20"	103.93
26	311° 56'	20.04			
27	45° 29' 45"	32.72			

RESERVE ROADS ENCLOSED AT SURVEYORS REQUEST 43.778

Table of mm 210 220 230 240 250 260 270 280 290 300 310 320 330 340 350 360 370 380 390

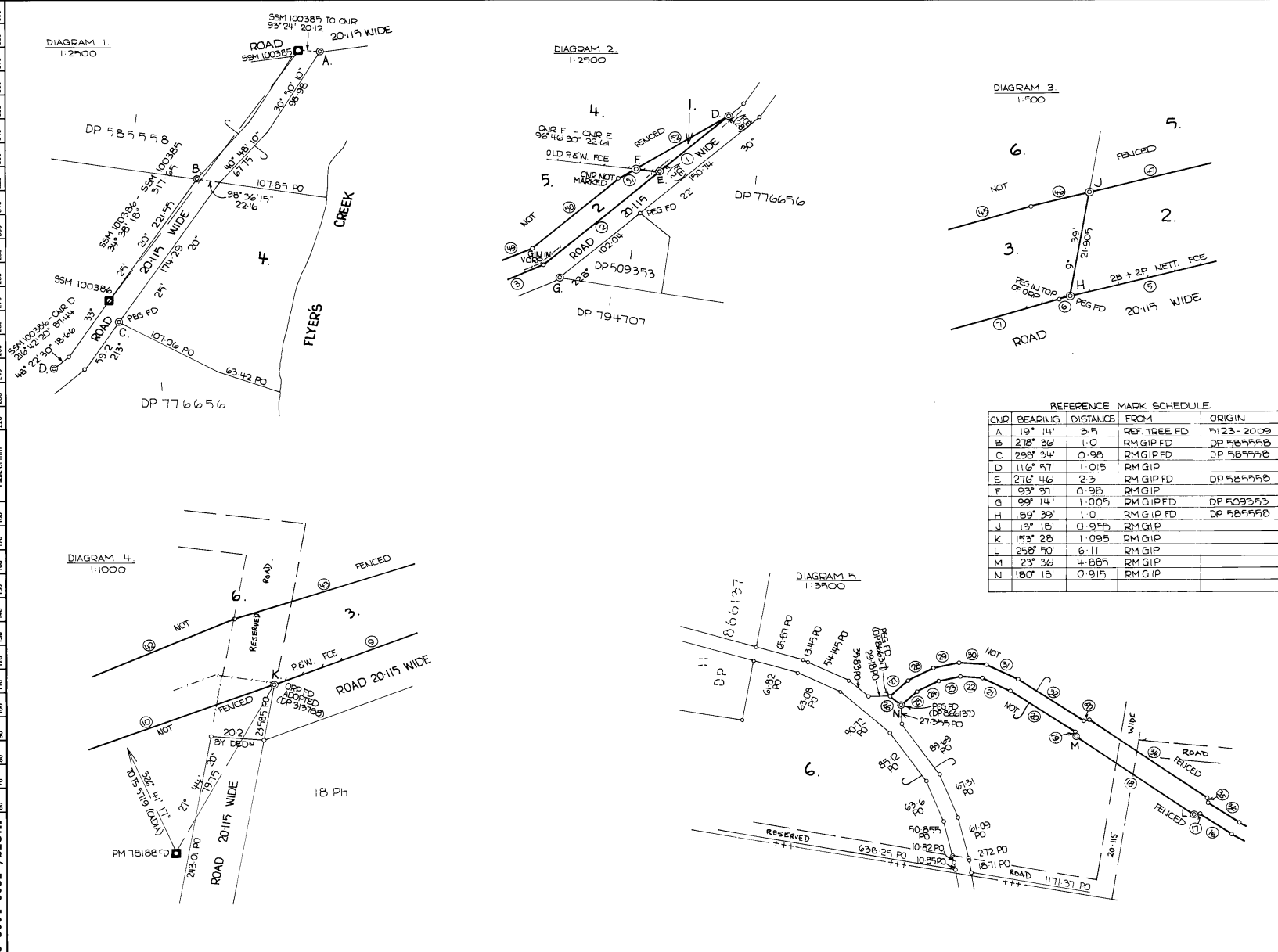
URVEYOR'S REFERENCE: 5197/258.

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

Rec: 3945214 / Doc: DP 0875253 P / Rev: 01-Apr-1998 / Sts: OK, OK / Pgs: ALL / Prt: 19-Jul-2018 13:39 / Seq: 1 of 2

DP 875253

Reg: 8945214 / Doc: DP 0875253 P / Rev: 01-Apr-1998 / Sts: OK, OK / Pgs: ALL / Prt: 19-Jul-2018 13:39 / Seq: 2 of 2  
 Ref: 03 3004 8032 / Sec: N



DP 875253

Registered: *[Signature]* 9.3.1998

This is sheet 2 of my plan in 2 sheets dated 20th OCTOBER, 1997

Surveyor registered under Surveyors Act 1929

This is sheet 2 of the plan of Subdivision sheets covered by my Certificate No. DP-97-173 of Road Widening

*[Signature]*  
General Manager/Authorised Person

For use where space is insufficient in any panel on Plan Form 2.

Reduction Ratio 1:

SURVEYOR'S REFERENCE: 5971258



NEW SOUTH WALES LAND REGISTRY SERVICES - HISTORICAL SEARCH

SEARCH DATE

-----  
18/7/2018 10:45AM

FOLIO: 5/875253

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First Title(s): OLD SYSTEM

Prior Title(s): 2/776656

Recorded	Number	Type of Instrument	C.T. Issue
-----	-----	-----	-----
9/3/1998	DP875253	DEPOSITED PLAN	LOT RECORDED FOLIO NOT CREATED
12/12/2005	AB940990	REQUEST	FOLIO CREATED EDITION 1
17/2/2006	AC111321	TRANSFER CREATING PROFIT A PRENDRE OR FORESTRY RIGHT	EDITION 2
29/6/2006	AC403378	REQUEST	EDITION 3
24/9/2012	AH256603	DEPARTMENTAL DEALING	
10/2/2016	AJ973966	DEPARTMENTAL DEALING	
21/6/2017	AM357846	RELEASE OR EXTINGUISHMENT OF RESTRICTION ON THE USE OF LAND	EDITION 4

\*\*\* END OF SEARCH \*\*\*



SEARCH DATE

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18/7/2018 10:47AM

FOLIO: 2/776656

-----

First Title(s): OLD SYSTEM

Prior Title(s): 3/585558

Recorded	Number	Type of Instrument	C.T. Issue
-----	-----	-----	-----
19/7/1988	DP776656	DEPOSITED PLAN	LOT RECORDED FOLIO NOT CREATED
9/6/1989	X939271	TRANSFER	FOLIO CREATED EDITION 1
30/6/1989		AMENDMENT: CT DELIVEREE	
28/4/1993	I265513	APPLICATION	
9/3/1998	DP875253	DEPOSITED PLAN	
12/4/1999	5740624	DEPARTMENTAL DEALING	
23/11/2000	7239488	DEPARTMENTAL DEALING	
12/12/2005	AB940990	REQUEST	FOLIO CANCELLED RESIDUE REMAINS

\*\*\* END OF SEARCH \*\*\*





SEARCH DATE

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18/7/2018 10:48AM

FOLIO: 3/585558

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First Title(s): SEE PRIOR TITLE(S)  
Prior Title(s): VOL 13290 FOL 138

Recorded	Number	Type of Instrument	C.T. Issue
-----	-----	-----	-----
28/3/1988		TITLE AUTOMATION PROJECT	LOT RECORDED FOLIO NOT CREATED
13/9/1988		CONVERTED TO COMPUTER FOLIO	FOLIO CREATED CT NOT ISSUED
6/10/1988	X829015	DISCHARGE OF MORTGAGE	EDITION 1
1/2/1989	X921595	WITHDRAWAL OF CAVEAT	
1/2/1989	X921596	REQUEST	
1/2/1989	X921597	TRANSFER	
1/2/1989	X939271	TRANSFER	EDITION 2
9/6/1989	Y252281	DEPARTMENTAL DEALING	FOLIO CANCELLED
22/7/1993		AMENDMENT: LOCAL GOVT AREA	
18/5/2000	6793634	DEPARTMENTAL DEALING	

\*\*\* END OF SEARCH \*\*\*

# CERTIFICATE OF TITLE



13290138

NEW SOUTH WALES

PROPERTY ACT, 1900

IVA No.22422

Vol. 13290 Fol. 138

EDITION ISSUED

30 3 1977



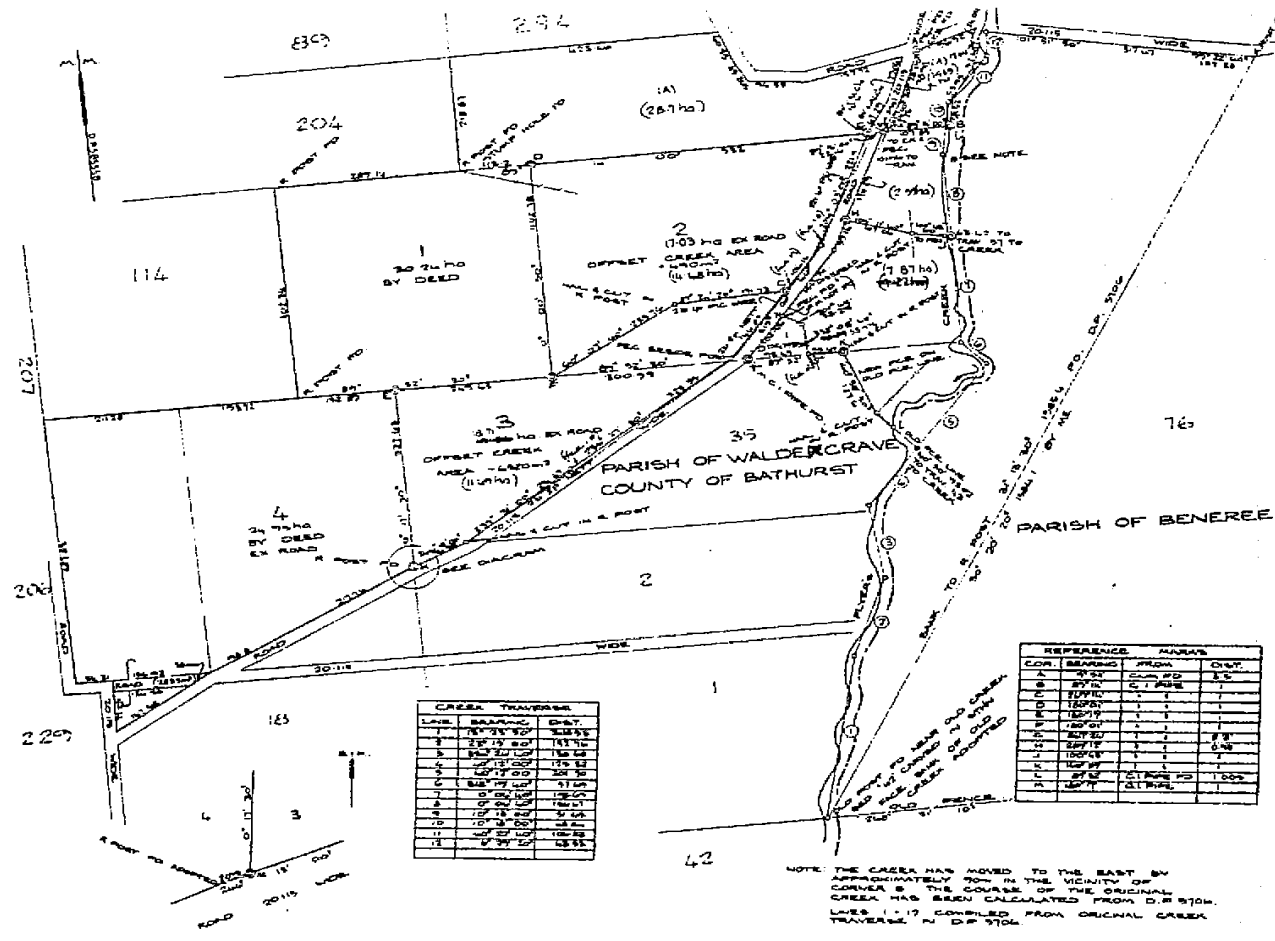
I certify that the person described in the First Schedule is the registered proprietor of the undermentioned estate in the land within described subject nevertheless to such exceptions encumbrances and interests as are shown in the Second Schedule.

**CANCELLED**  
 Registrar General.

**PLAN SHOWING LOCATION OF LAND**

SEE AUTO FOLIO

LENGTHS ARE IN METRES



PERSONS ARE CAUTIONED AGAINST ALTERING OR ADDING TO THIS CERTIFICATE OR ANY NOTIFICATION HEREON

WARNING: THIS DOCUMENT MUST NOT BE REMOVED FROM THE LAND TITLES OFFICE.

1976M7

ESTATE AND LAND REFERRED TO

Estate in Fee Simple in Lot 3 in Deposited Plan 585558 at Waldergrave in the Shire of Canobolas Parish of Waldergrave and County of Bathurst being part of Portion 33 granted to Henry Coppock on 4-12-1856 and part of Portion 34 granted to William Stevens on 4-12-1856 and part of Portion 35 granted to Thomas Reynolds on 4-12-1856 and part of Portion 2 granted to Thomas Reynolds on 9-12-1861.  
 \* Waldergrave

FIRST SCHEDULE

~~YATES HARRIS (HOLDINGS) PTY. LIMITED.~~

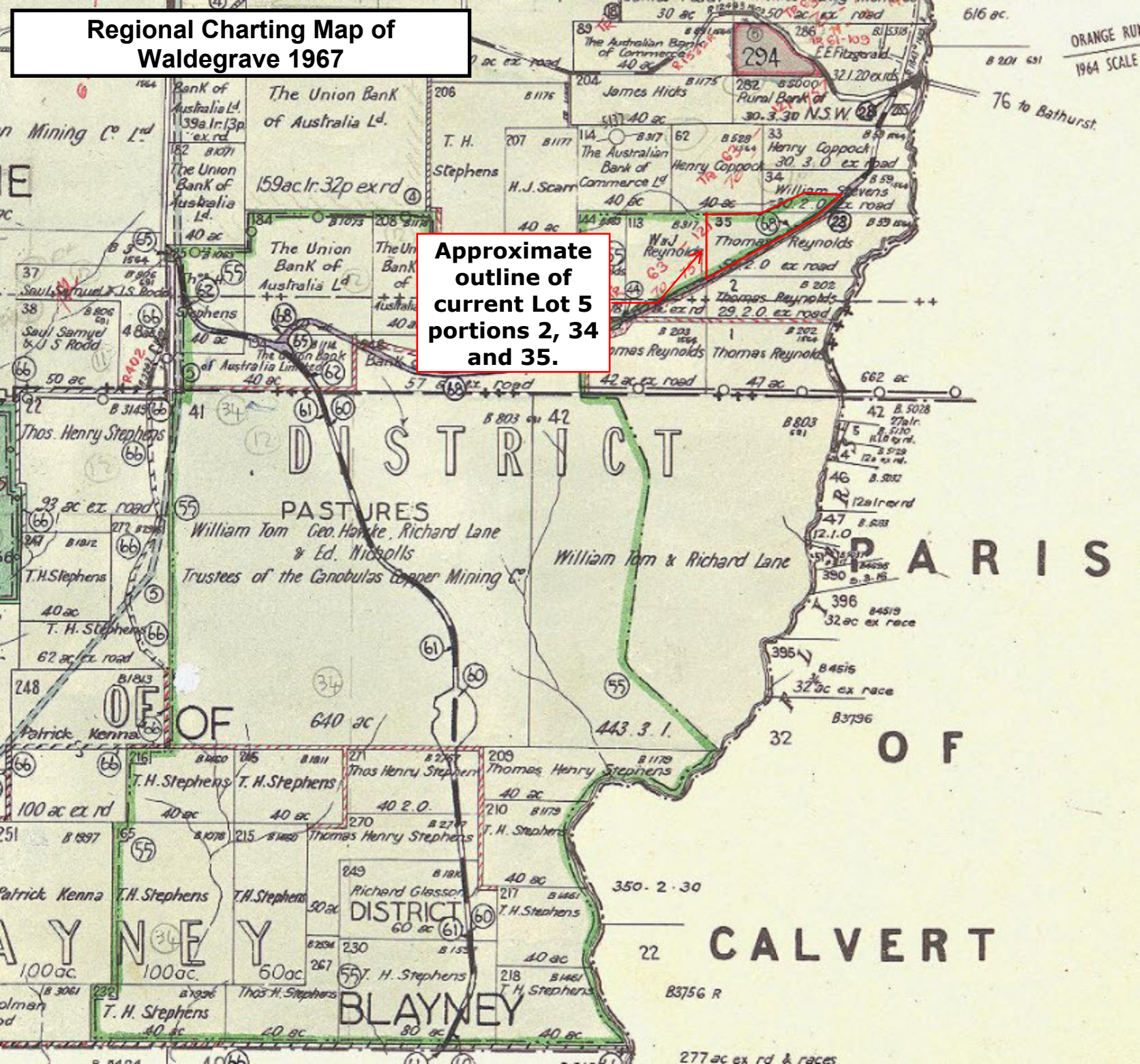
SECOND SCHEDULE

- Reservations and conditions, if any, contained in the Crown Grants above referred to.
- CAUTION. The land within described is held subject to any subsisting interest (as defined in section 28A of the Real Property Act, 1900). 30-3-1977



# Regional Charting Map of Waldegrave 1967

Approximate  
outline of  
current Lot 5  
portions 2, 34  
and 35.



1967 Regional Charting  
Map - Parish Numbers Used

Por.	Plan	Loc.	Vol. OR DATE	Fol.			
6 1	B 202 1564	S.E.	11- 1-1860		51	B 7 1564	N.W.
2	202 1564	S.E.	9-12-1861		76 52	7 1564	N.W.
3					53	8 1564	N.W.
4					140 54	426 1564	N.E.
8 5	B 201 1564	S.E.	749   27		55	427 1564	N.W.
6 } 161	201 1564	S.E.	9-10-1861		9 56	532 1564	N.E.
7	201 1564	S.E.	11- 1-1860		10 57	539 1564	N.W.
8	201 1564	S.E.	22-12-1859		11 58	540 1564	N.W.
9	201 1564	S.E.	22-12-1859		12 59	544 1564	N.W.
4 10	230 1564	N.E.	763 * 235		160 60	537 1564	N.E.
11	230 1564	N.E.	763   235		14 61	538 1564	S.E.
12	230 1564	N.E.			15 62	528 1564	S.E.
13	230 1564	N.E.	210   110		63	771 1564	N.E.
14	3014	N.W.	3016   87		16 64	771 1564	N.E.
76 15	231 1564	N.E.	12- 5-1860		17 65	772 1564	N.E.
5 16	531 1564	N.E.	2103   122		18 66	551 1564	N.E.
17	204 1564	S.E.	22-12-1859		67	711 1564	N.E.
62 18	203 1564	S.E.	84   196		19 68	711 1564	N.E.
155 19	3023	N.W.			69	711 1564	N.E.
20	3061	S.W.	3428   62		20 70	712 1564	N.E.
156 21	3214	S.W.			21 71	597 1564	N.E.
22	3149	S.E.	1706   153		72	735 1564	N.E.

**1967 Regional Charting  
Map - Parish Numbers Used**

26	3293		N.W.				
27	3 1564		S.W.	210			
28	3 1564		S.W.	19- 5-1859		78	740 1564
29	5 1564		S.W.	218	151	87 79	738 1564
30	5 1564		S.W.	215	79	24 80	773 1564
31	57 1564		N.E.	28-12-1859		71 81	742 1564
32	57 1564		N.E.	2-12-1856		82	741 1564
33	59 1564		S.E.	4-12-1856		77 83	3 1564
34	59 1564		S.E.	4-12-1856		84	743 1564
35	59 1564		S.E.	4-12-1856		85	744 1564
36	58 1564		N.W.	28- 8-1857		86	4 1564
37	806 691		S.E.	16- 7-1856		87	4 1564
38	806 691		S.E.	16- 7-1856		77 88	745 1564
39	941 691		N.E.	28- 4-1857		154 89	891 1564
40	941 691		S.E.	3- 9-1855		28 90	885 1564
41	803 691		S.E.			91	880 1564
42	803 691		S.E.			129 92	881 1564
43	942 691		N.E.	13- 7-1855		105 93	892 1564
44	942 691		N.E.	13- 7-1855		94	884 1564
45	1107		N.W.	2290	85	26 95	34
46	306 1564		N.E.	19- 9-1861		24 96	35
47	306 1564		N.E.	19- 9-1861		56 97	33
48	306 1564		N.E.	1973	244	27 98	886 1564
49	306 1564		N.E.	1908	142	99	32
50	306 1564		N.E.	17-10-1861		100	882 1564

Crown Grant of Portion 33 to Henry Coppock

NEW SOUTH WALES.

A. LAND PURCHASE.

5/2896

County Bathurst

Parish Waldgrave

Date of Purchase 23 July 1856

Area 30 or so

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, and so forth:—

TO ALL to whom these Presents shall come, Greeting:—

WHEREAS in conformity with the Regulations now in force for the Sale of Crown Lands in Our Territory of NEW SOUTH WALES, Henry Coppock

of Carcar

has become the Purchaser of the Land hereinafter described, for the Sum of forty one pounds ten shillings and three pence Sterling; Now Know Ye, That for and in consideration of the said Sum for and on Our behalf, well and truly paid into the Colonial Treasury of Our said Territory, before these Presents are issued, And in further consideration of the Quit-Rent hereinafter Reserved, WE, with the advice of OUR Executive Council of NEW SOUTH WALES, HAVE GRANTED, and for Us, Our Heirs and Successors, DO HEREBY GRANT unto the said Henry Coppock

his Heirs and Assigns, Subject to the several and respective Reservations hereinafter mentioned, AND THAT Piece or Parcel of Land in Our said Territory, containing by Admeasurement thirty acres three rods

be the same more or less, situated in the County of Bathurst and Parish of Waldgrave commencing on Flyers Creek at the North Eastern corner of a measured portion of thirty acres two rods, and bounded on the South by the Northern boundary of that land being a line bearing West thirty one chains fifty links; on the West by a line bearing North ten chains; on the North by a line bearing East to Flyers Creek thirty two chains fifty links; and on the East by that Creek downwards to the North East corner of the thirty acres two rods aforesaid. Exclusively of a road one chain wide passing through this land from a point twenty four chains twenty links East from its South Western corner to a point twenty seven chains East from its North Western corner the area of which has been deducted from the total area. Being the Land sold as Lot 22 in pursuance of the Proclamation of 9<sup>th</sup> June 1856.

with all the Rights and Appurtenances whatsoever thereto belonging: TO HOLD unto the said

Henry Coppock

his Heirs and Assigns

for ever, YIELDING and Paying therefore Yearly unto Us, Our Heirs and Successors, the Quit-Rent of One Peppercorn for ever, if demanded; PROVIDED NEVERTHELESS, AND WE DO HEREBY RESERVE unto Us, Our Heirs and Successors, all such parts and so much of the said Land as may hereafter be required for making Public Ways, Canals, or Railroads, in, over, and through the same, to be set out by Our Governor for the time-being of Our said Territory, or some person by him authorised in that respect; AND ALSO, all Sand, Clay, Stone, Gravel, and Indigenous Timber, and all other Materials, the natural produce of the said Land, which may be required at any time or times hereafter, for the construction and repair of any Public Ways, Bridges, Canals, and Railroads, or any Fences, Embankments, Dams, Sewers, or Drains, necessary for the same, together with the right of taking and removing all such Materials; AND WE DO HEREBY FURTHER RESERVE unto Us, Our Heirs and Successors, the right of full and free ingress, egress, and regress, into, out of, and upon the said Land, for the several purposes aforesaid: In Testimony Whereof, We have caused this Our Grant to be Sealed with the Seal of Our said Territory.

WITNESS Our Trusty and Well-beloved SIR WILLIAM THOMAS DENISON, Knight, Governor General in and over all Our Colonies of NEW SOUTH WALES, TASMANIA, VICTORIA, SOUTH AUSTRALIA, and WESTERN AUSTRALIA, and Captain General and Governor-in-Chief of Our Territory of NEW SOUTH WALES and its Dependencies, at Government House, Sydney, in NEW SOUTH WALES aforesaid, this fourth day of December in the twentieth Year of Our Reign; And in the Year of Our Lord One Thousand eight hundred and fifty-six

L.S. (Signed)

W. Denison

4 December 1856

mem

mem

mem

3/2/57

NEW SOUTH WALES.

A. LAND PURCHASE.

5/12/897

County Bathurst

Parish Waldegroun

Date of Purchase } 25<sup>th</sup> July 1856

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, and so forth:—

Area 300 2r 0p

TO ALL to whom these Presents shall come, Greeting:—

WHEREAS in conformity with the Regulations now in force for the Sale of Crown Lands in Our Territory of New SOUTH WALES, *William Stevens*

of *Carcon*

has become the Purchaser of the

Land hereinafter described, for the Sum of *forty five pounds fifteen shillings* Sterling; **Now Know Ye**, That for and in consideration of the said Sum for and on Our behalf, well and truly paid into the Colonial Treasury of Our said Territory, before these Presents are issued, And in further consideration of the Quit-Rent hereinafter Reserved, WE, with the advice of OUR Executive Council of NEW SOUTH WALES, HAVE GRANTED, and for Us, Our Heirs and Successors, DO HEREBY GRANT unto the said *William Stevens*

*his* Heirs and Assigns, Subject to the several and respective Reservations hereinafter mentioned, ALL THAT Piece or Parcel of Land in Our said Territory, containing by Admeasurement *thirty acres two rods* be the same more or less, situated in the County of *Bathurst*

and Parish of *Waldegroun* commencing on *Flyers Creek*

at the North Eastern corner of a measured portion of fifty two acres two rods and bounded on the South by part of the Northern boundary of that Land being a line bearing West thirty two chains on the West by a line bearing North ten chains on the North by the Southern boundary of a measured portion of thirty acres three rods being a line bearing East to *Flyers Creek* thirty one chains fifty links and on the East by that *Creek* downwards to the North East corner of the fifty two acres two rods aforesaid Exclusively of a road of one chain wide passing through this Land from a point fourteen chains fifty links East from its South Western corner to a point twenty four chains seventy links East from its North Western corner the area of which has been deducted from the total area, being the Land sold as Lot 11 in pursuance of the Proclamation of 9<sup>th</sup> June 1856,

with all the Rights and Appurtenances whatsoever thereto belonging: **To Hold** unto the said

*William Stevens*

*his* Heirs and Assigns

for ever, YIELDING and Paying therefore Yearly unto Us, Our Heirs and Successors, the Quit-Rent of One Peppercorn for ever, if demanded; **Provided Nevertheless**, AND WE DO HEREBY RESERVE unto Us, Our Heirs and Successors, all such parts and so much of the said Land as may hereafter be required for making Public Ways, Canals, or Railroads, in, over, and through the same, to be set out by Our Governor for the time-being of Our said Territory, or some person by him authorised in that respect; AND ALSO, all Sand, Clay, Stone, Gravel, and Indigenous Timber, and all other Materials, the natural produce of the said Land, which may be required at any time or times hereafter, for the construction and repair of any Public Ways, Bridges, Canals, and Railroads, or any Fences, Embankments, Dams, Sewers, or Drains, necessary for the same, together with the right of taking and removing all such Materials; AND WE DO HEREBY FURTHER RESERVE unto Us, Our Heirs and Successors, the right of full and free ingress, egress, and regress, into, out of, and upon the said Land, for the several purposes aforesaid: **In Testimony Whereof**, We have caused this Our Grant to be Sealed with the Seal of Our said Territory.

Commander of the Most Honourable Order of the Bath  
WITNESS Our Trusty and Well-beloved SIR WILLIAM THOMAS DENISON, Knight, Governor General in and over all Our Colonies of NEW SOUTH WALES, TASMANIA, VICTORIA, SOUTH AUSTRALIA, and WESTERN AUSTRALIA, and Captain General and Governor-in-Chief of Our Territory of NEW SOUTH WALES and its Dependencies, at Government House, Sydney, in NEW SOUTH WALES aforesaid, this *fourth* day of *December* in the *twentieth* Year of Our Reign; And in the Year of Our Lord One Thousand eight hundred and fifty-*six*

*Copy of Deed  
3/2/57  
W. L. Stevens*

L.S. (Signed)

*W. T. Denison*

4 December 1856



NEW SOUTH WALES.

A. LAND PURCHASE.

59/3898

County Bathurst

Parish Waldgrave

Date of Purchase } 28 July 1856

Area 52 A 2 R 4 P

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, and so forth:—

TO ALL to whom these Presents shall come, Greeting:—

WHEREAS in conformity with the Regulations now in force for the Sale of Crown Lands in Our Territory of New SOUTH WALES, Thomas Reynolds of Long Swamp

Land hereinafter described, for the Sum of fifty two pounds ten shillings Sterling; **Now Know Ye**, That for and in consideration of the said Sum for and on Our behalf, well and truly paid into the Colonial Treasury of Our said Territory, before these Presents are issued, And in further consideration of the Quit-Rent hereinafter Reserved, WE, with the advice of OUR Executive Council of NEW SOUTH WALES, HAVE GRANTED, and for Us, Our Heirs and Successors, DO HEREBY GRANT unto the said Thomas Reynolds

his Heirs and Assigns, Subject to the several and respective Reservations hereinafter mentioned, ALL THAT Piece or Parcel of Land in Our said Territory, containing by Admeasurement fifty two acres two roods be the same more or less, situated in the County of Bathurst

and Parish of Waldgrave commencing at its South Eastern corner, on Flyers Creek being a point distant twenty eight chains fifty links North, and one chain twenty five links East from the southern extremity of the Western boundary of R. Bell's six hundred and sixty acres and bounded on the South by a line bearing West thirty two chains; on the West by a line bearing North fourteen chains fifty links; on the North by a line bearing East to Flyers Creek forty four chains forty links dividing it in part from a measured portion of thirty acres two roods, and on the East by that Creek downwards to the corner of commencing a point, Exclusively of a road one chain wide passing through this land from a point twenty six chains fifty links West from its South Eastern corner to a point twenty seven chains East from its North Western corner the Area of which has been deducted from the total area. Being the Land sold as Lot 2 in pursuance of the proclamation of 9<sup>th</sup> June 1856.

with all the Rights and Appurtenances whatsoever thereto belonging: **To Hold** unto the said Thomas Reynolds his Heirs and Assigns

for ever, YIELDING and Paying therefore Yearly unto Us, Our Heirs and Successors, the Quit-Rent of One Peppercorn for ever, if demanded; **Provided Nevertheless**, AND WE DO HEREBY RESERVE unto Us, Our Heirs and Successors, all such parts and so much of the said Land as may hereafter be required for making Public Ways, Canals, or Railroads, in, over, and through the same, to be set out by Our Governor for the time-being of Our said Territory, or some person by him authorised in that respect; AND ALSO, all Sand, Clay, Stone, Gravel, and Indigenous Timber, and all other Materials, the natural produce of the said Land, which may be required at any time or times hereafter, for the construction and repair of any Public Ways, Bridges, Canals, and Railroads, or any Fences, Embankments, Dams, Sewers, or Drains, necessary for the same, together with the right of taking and removing all such Materials; AND WE DO HEREBY FURTHER RESERVE unto Us, Our Heirs and Successors, the right of full and free ingress, egress, and regress, into, out of, and upon the said Land, for the several purposes aforesaid: **In Testimony Whereof**, We have caused this Our Grant to be Sealed with the Seal of Our said Territory.

WITNESS Our Trusty and Well-beloved SIR WILLIAM THOMAS DENISON, Knight, Governor General in and over all Our Colonies of NEW SOUTH WALES, TASMANIA, VICTORIA, SOUTH AUSTRALIA, and WESTERN AUSTRALIA, and Captain General and Governor-in-Chief of Our Territory of NEW SOUTH WALES and its Dependencies, at Government House, Sydney, in NEW SOUTH WALES aforesaid, this fourth day of December in the twentieth Year of Our Reign; And in the Year of Our Lord One Thousand eight hundred and fifty-six. The Word "North" having been previously interlined between the eighth and seventh lines after the word "links" W.T.D.

L.S. (Signed) W.T. Denison

4 December 1856

*Copy Made  
3/2/57*

[1.]

NEW SOUTH WALES.

A. LAND PURCHASE.

61.

2262

County Bathurst

Parish Waldegrave

Date of Purchase 8<sup>th</sup> August 1861

Area 29<sup>a</sup> 2<sup>r</sup>

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, and so forth:—

TO ALL to whom these Presents shall come, Greeting:—

WHEREAS in conformity with the Regulations now in force for the Sale of Crown Lands in Our Colony of NEW SOUTH WALES,

Thomas Reynolds of Long Swamp has become the Purchaser of the Land hereinafter described, for the Sum of Twenty nine pounds ten shillings

Sterling: Now Know Ye, That for and in consideration of the said Sum for and on Our behalf, well and truly paid into the Colonial Treasury of Our said Colony, before these Presents are issued, And in further consideration of the Quit-Rent hereinafter Reserved, WE, with the advice of Our Executive Council of NEW SOUTH WALES, HAVE GRANTED, and for Us, Our Heirs and Successors, DO HEREBY GRANT unto the said

Thomas Reynolds his Heirs and Assigns, Subject to the several and respective Reservations hereinafter mentioned, ALL THAT Piece or Parcel of Land in Our said Colony, containing by Admeasurement twenty nine acres two roods be the same more or less, situated in the County of Bathurst and Parish of Waldegrave Portion two

Commencing at its South Eastern corner of Flyers Creek at a point where the North side of a road one chain wide dividing it from portion one of forty seven acres meets that creek and bounded thence on the South by that road bearing West twenty seven chains on the West by a line bearing North ten chains on the North by the Southern boundary of Thomas Reynolds fifty two acres two roods bearing East thirty two chains to Flyers Creek and on the East by that Creek dividing it from part of J. L. Telle six hundred and sixty two acres downwards to the point of commencement Exclusively of the existing road one chain wide from Flyers Creek to Summerhill passing through the land in a North Easterly

direction the area of which has been deducted from the total area. Being the Land sold as lot 4 in pursuance of the proclamation of 18<sup>th</sup> June 1861 with all the Rights and Appurtenances whatsoever thereto belonging: TO HOLD unto the said

Thomas Reynolds his Heirs and Assigns for ever, YIELDING and Paying therefore Yearly unto Us, Our Heirs and Successors, the Quit-Rent of One Peppercorn for ever, if demanded: PROVIDED NEVERTHELESS, AND WE DO HEREBY RESERVE Unto Us, Our Heirs and Successors, all such parts and so much of the said Land as may hereafter be required for making Public Ways, Canals, or Railroads, in, over, and through the same, to be set out by Our Governor for the time-being of Our said Colony, or some person by him authorized in that respect; AND ALSO, all Sand, Clay, Stone, Gravel, and Indigenous Timber, and all other Materials, the natural produce of the said Land, which may be required at any time or times hereafter, for the construction and repair of any Public Ways, Bridges, Canals, and Railroads, or any Fences, Embankments, Dams, Sewers, or Drains, necessary for the same, together with the right of taking and removing all such Materials; AND WE DO HEREBY FURTHER RESERVE unto Us, Our Heirs and Successors, the right of full and free ingress, egress, and regress, into, out of, and upon the said Land, for the several purposes aforesaid: In Testimony Whereof, We have caused this Our Grant to be Sealed with the Seal of Our said Colony.

WITNESS Our Right Trusty and Well-beloved Councillor SIR JOHN YOUNG, Baronet, Knight Commander of Our Most Honorable Order of the Bath, Knight Grand Cross of Our Most Distinguished Order of St. Michael and St. George, Our Captain General and Governor-in-Chief of Our Colony of NEW SOUTH WALES, at Government House, Sydney, in NEW SOUTH WALES aforesaid, this Ninth day of December in the twentieth fifth Year of Our Reign; And in the Year of Our Lord One Thousand eight hundred and sixty-one.

L.S.

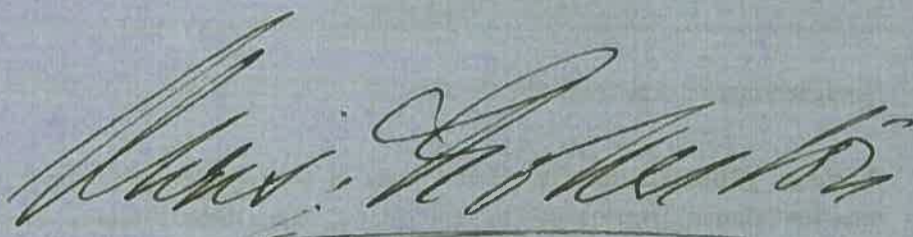
(Signed)

John Young

9 December 1861

*Handwritten notes and signatures in the bottom left corner, including 'L.S.' and '3/4/61'.*

RECORDED and ENROLLED in the General Registry Office, at Sydney, New South Wales,  
in the Register of Land Purchases A, Page 2262 ————— this  
13<sup>th</sup> day of April ————— 1862.



REGISTRAR GENERAL.

ENTERED in the Register of LAND PURCHASES A, Folio \_\_\_\_\_ in the Surveyor General's  
Office, Sydney, this \_\_\_\_\_ day of \_\_\_\_\_ 1861.

## **5. Supporting Documentation for Thistle Road**

**[Example of PEPA by dedication of a public road]**



REFERENCE NOTES

- ① Closed Road 11a 1r 10p. J. F. Baker. Vol. 4384. Fol. 174
- ② R 81916 fm. Sale for future Public Requirements Notd. 4-9-59. Rev'd Gaz 13-4-84 (Fol. 2111)
- ③ W R 15722 Notd. 28<sup>th</sup> May 1892. - Revoked Gaz. 19-4-68 fol. 1570
- ④ Closed Rd 3r 24p. Canomodine Ltd.
- ⑤
- ⑥ <sup>For 32 Rev. 23-10-59</sup> P<sup>er</sup> R 14175 fm Con Sale Notd 18.91 Pt. within por? 15. £18. rev. Gaz. 22-11-63.
- ⑦ Closed Road 0a 1r 31p. H. Beinssen Pty Ltd.
- ⑧ Public Rd. G17-6-60
- ⑨ Rd closed & to be granted to J. S. Proud. Gaz 19/4/68 To Coolamalong Pastoral Co  
RDS. 62/292 - (in all 5A 1r 30p) (See Ph. Canobolas also.) AIn Sht 1-10-68
- ⑩ Resumed for State Forest Gaz. 30-10-81 fol. 5569
- ⑪ Res. m., ded.<sup>d</sup> & decl.<sup>d</sup> pub. Road. Gaz. 24-12-81 fol. 6794 (Lot 6 & 7 D.P. 62916)
- ⑫ ded.<sup>d</sup> & decl.<sup>d</sup> pub. Rd. Gaz. 24-12-81 fol. 6794 (Lot 9 D.P. 62916)
- ⑬ Res. m. severed land. Gaz. 24-12-81 fol. 6794 (Lot 13 D.P. 62916) <sup>Coolamalong Past. Co. Pty Ltd</sup> Vol. 15189 fol. 159
- ⑭ Road. Closed Gaz. 24-12-81 fol. 6794 (Lot 8 D.P. 62916) Sir J. S. Proud (C.T. Vol. 14769 Fol. 156)
- ⑮ Canobolas State Forest No. 901 Ext. No. 11. Gaz. 16-4-82 Excl. Pub. Res. Rd.
- ⑯ P.O. 83-2 H. J. Bliss (abt. 4.856 ha) De 82H1283
- ⑰ P.O. 83-4 T. J. & R. M. Christopherson abt. 6.28 ha.
- ⑱ ~~Sp. L. 59-6 A. E. Field withdrawn Gaz 13-4-84 (Fol. 2111)~~
- ⑲ ~~P.O. 83-11 E. J. & I. A. Pascoe~~
- ⑳ ~~P.O. 83-11 E. J. Silvine & Jean Claude sicut abt 1ha. Termd 17-9-90~~
- ㉑ P.O. 83-12 Checkers Pastoral Co. Pty. Ltd. abt. 3.60 ha.
- ㉒ P.O. 83-15 C. H. & S. M. Williams abt 4.03 ha.
- ㉓ ~~R. 97217 For Access Notd. 13-4-84 (Fol. 2111) Lot 91  
D.P. 45389 & Lots 1 & 2 D.P. 632384 OE 80 H 619. Rev'd 1-2-85.~~
- ㉔ Lots 1 & 2 D.P. 632384 surrendered as crown Land (Sec. 197) OE 80 H 619/2
- ㉕ Lot 92 to be granted to A. E. Field (Sec. 197) EXCH. OE 80 H 619/2
- ㉖ (167) Added Gaz 1-8-86 (Fol. 3772) to R. Blumie Rev'd Public Recreation. Notd 20-2-59 OE 86 RPT
- ㉗ P.P.B. Boundary Altered Gaz 13-12-85.
- ㉘ Canobolas State Forest No 901. Ext<sup>n</sup> No 12 (Abt. 925-1 ha.)  
Ded<sup>d</sup> Gaz. 3-6-88 (Fol. 296B) Lot 2, D.P. 713713.

SHIP

PART 125

(8685) Sydney, 8th June, 1960.

**DECLARATION OF ROADS TO BE PUBLIC ROADS UNDER PROVISIONS OF SECTION 18, PUBLIC ROADS ACT, 1902**

I, Lieutenant-General Sir ERIC WINSLOW WOODWARD, Governor of the State of New South Wales, with the advice of the Executive Council, do hereby notify that the roads hereunder described, in pursuance of the provisions of section 18, Public Roads Act, 1902, are hereby declared to be public roads and dedicated to the public accordingly.

E. W. WOODWARD, Governor.  
JOHN McMAHON, for Minister for Lands.

**Descriptions****LAND DISTRICT—METROPOLITAN; SHIRE—WARRINGAH**

Roads known as Tooronga-road extending between Booralie-road and Kallaroo-road; Cooyong-road extending from Laitoki-road to a point on the northern boundary of portion 299 distant one chain from the north-eastern corner of that portion; Coonawarra-road extending from Cooyong-road to portion 308; Larool-road extending between Cooyong-road and the easterly prolongation of the southern side of Coolowie-road; Coolowie-road extending from Larool-road to a point on the northern boundary of portion 259 distant one chain from the north-eastern corner of that portion; Aumuna-road extending from Myoora-road to a point on the north-eastern boundary of portion 257 distant one chain from the most eastern corner of that portion; Kinka-road extending between the north-westerly prolongation of the south-western boundary of portion 313 and the south-westerly prolongation of the north-eastern boundary of portion 249; road extending between the easternmost western boundary of portion 312 and Kinka-road; Weemala-road extending from Kinka-road to the south-westerly prolongation of the north-western boundary of portion 279; road of variable width not already public road at the junction of Booralie-road, Kinka-road and Tooronga-road; all splays at corners of the afore-described roads, at Terry Hills, parish Broken Bay, county Cumberland.

NOTE.—Declaration is limited to the surface and land below thereof to a depth of 50 feet. R. 59-723.

**LAND DISTRICT—COONABARRABRAN; SHIRE—COONABARABRAN**

Road separating portions 19, 20 and end of road from portion 25, parish Worrigal, county Baradine. R. 56-86.

**LAND DISTRICT AND SHIRE—NARRANDERA**

Road separating portion 57, end of road, portions 75 and 76 from portions 56, 55 and 79; road east of portion 62, parish Bolaro, county Cooper. R. 58-960.

**LAND DISTRICT—GUNNEDAH; SHIRE—LIVERPOOL PLAINS**

Road west of portion 43, parish Babbinsboon, county Buckland. R. 59-27.

**LAND DISTRICT—DENILQUIN; SHIRE—WINDOURAN**

Road separating portions 36 and 33 from portion 35 and end of road, parish Monimail, county Townsend. R. 59-285.

**LAND DISTRICT—DENILQUIN; SHIRE—WINDOURAN**

Parish Monimail, county Townsend. Road separating portion 6 from end of road, portions 38, 8 and 7; parish Boonoke, county Townsend. Non-public road south of portions 66, 67, end of road, portions 68 and 69. R. 59-475.

**LAND DISTRICT—WAGGA WAGGA; SHIRE—KYEAMBA**

Reserved road within portions 172 and 156, extending northerly from public road R. 24,372-1,603, parish Tywong, county Wynyard. R. 59-1,098.

**LAND DISTRICT—BELLINGEN; SHIRE—NAMBUCCA**

The road shown by red and dark-brown colour on plan R. 24,722-1,603, parish Missabotti, county Raleigh. R. 59-1,241. R. 60-477.

**LAND DISTRICT—DENILQUIN; SHIRE—JERILDERIE**

Road north of portion 165, parish Coree South, county Urana. R. 55-1,352.

**LAND DISTRICT—PARKES; SHIRE—LACHLAN**

Road separating portions 8, 9 and 12 from portion 25, end of road, and portion 26; road generally north-east of portions 26, 17, 27 and 2; road south of portion 29, parish Cavendish, county Kennedy. R. 56-1,270.

**LAND DISTRICT—CONDOBOLIN; SHIRE—LACHLAN**

Road separating portions 8, 7 and 9 from portions 16 and 47; road north of portion 32; road separating portions 4 and 3 from portion 33, end of road, portion 34, end of road and portion 41 (parish Sebastopol); road east of portions 34, 35, end of road, portion 39 and end of road; road generally south of portions 39, 45, 44 and 46, parish Murga, county Cunningham. R. 57-40.

**LAND DISTRICT—PARKES; SHIRE—LACHLAN**

The strip 75 links wide, embracing the track in use, of the road north-west of end of road, portions 20, 22 and end of road; the strip 75 links wide, embracing the track in use, of the road generally north-east of portions 20, 7 and end of road; road separating portions 7 and 21 from portions 47 (parish Hawarden) and 23; non-public road south-east of portions 13 and 12, parish Hartington, county Kennedy. R. 57-44.

**LAND DISTRICT AND SHIRE—TUMBARUMBA**

Parish Tumbarumba, County Selwyn.—Road separating portions 524 and 200 from portion 525; reserved road within portion 182.

Parish Burra, County Selwyn.—Road separating portions 52, 116, end of road, and portion 117 from portions 123 and 84; reserved road within portions 70, 71, 95, 77, 76 and 64; road separating portion 95 from portion 71 east of the southerly prolongation of the western side of reserved road within portion 95. R. 57-865.

**LAND DISTRICT AND SHIRE—COONAMBLE**

The strip 1 chain wide, embracing the track in use, of the road separating portion 57 from end of road, portions 29, 51, end of road and portion 6 (parish Thara) extending from the northern boundary of portion 59 to the northerly prolongation of the eastern side of the reserved road within portion 57 aforesaid; the strip 1 chain wide, embracing the track in use, of the reserved road within portion 57; the strip 1 chain wide, embracing the track in use, of the road west of portions 56, 58 and 60 and south-west of portions 60, 65 and 66 extending from the reserved road within portion 57 to southernmost corner of portion 66, parish Tahrone, county Leichhardt. R. 58-353.

**LAND DISTRICT—BOMBALA; SHIRE—BIBBENLUKE**

Road separating portion 56 from portions 50 and 7 extending from public road R. 3,775-1,603 to the north-easterly prolongation of the north-western side of reserved road within portion 7 aforesaid; reserved road within portions 7, 102 and 9, parish Wangellic, county Wellesley. R. 58-1,667.

**LAND DISTRICTS—MOLONG AND ORANGE; SHIRE—CANOBOLAS**

Parish Edinburgh, County Ashburnham.—Reserved road within portions 6 and 60; road separating portion 32 from portion 47; reserved road within portions 28, 5 and 37 extending generally easterly from the last described road to the northern boundary of portion 37; road separating portion 58 from portion 37, end of road, and portion 54 extending from the last described road to the reserved road within portion 54; reserved road within portions 54, 53 and 52.

Parish Clarendon, County Bathurst.—Reserved road within portion 74 extending generally south-easterly from Panuara Rivulet to the eastern boundary of that portion; reserved road within portion 141 and its extension south-easterly to the public road south of that portion. R. 59-957, R. 60-478.

(8793) Sydney, 8th June, 1960.

**NOTIFICATION OF CLOSING OF ROADS AND APPROVAL OF THE SALE OF THE LANDS COMPRISED THEREIN UNDER ROAD PURCHASE APPLICATIONS**

I, Lieutenant-General Sir ERIC WINSLOW WOODWARD, Governor of the State of New South Wales, with the advice of the Executive Council, do hereby notify that, in pursuance of the provisions of the 20th section, Public Roads Act, 1902, the roads described hereunder are hereby closed and the lands comprised therein are to be granted to the persons mentioned.

E. W. WOODWARD, Governor.

JOHN McMAHON, for Minister for Lands.

**DESCRIPTIONS****LAND DISTRICT—WAGGA WAGGA; SHIRE—KYEAMBA**

Ronald Lewington, 8 acres 10 perches. Road east of portion 97; road north of portion 113, parish Pearson, county Mitchell. R. 57-809.

NOTE.—Road Permits 24-13, 37-22 and 48-2 are affected by this notification as from 29th March, 1960.

**LAND DISTRICT—WAGGA WAGGA; SHIRE—LOCKHART**

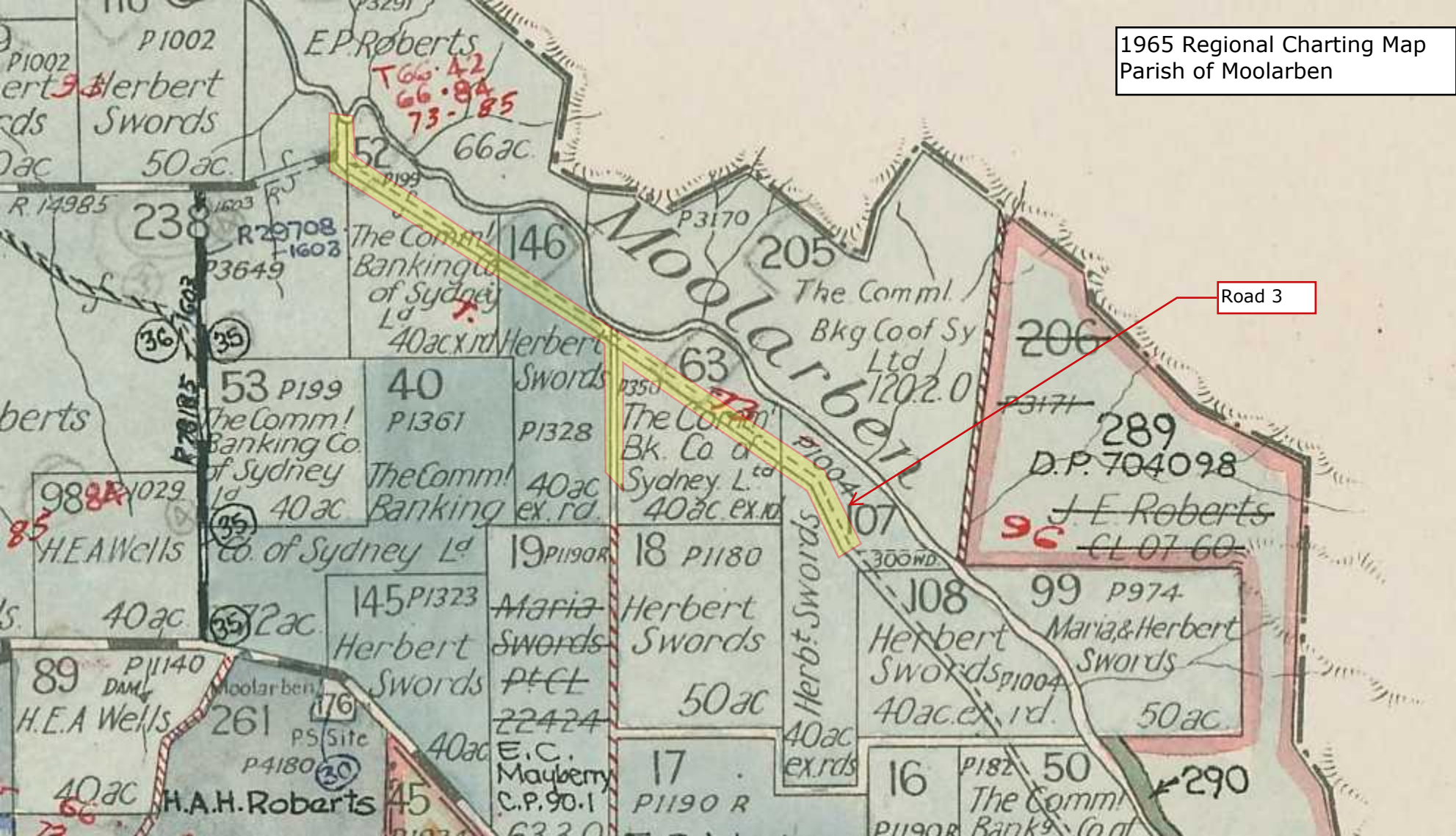
Gordon James Thompson, 2 acres 5 perches. Reserved road within portion 12, parish Tootool, county Mitchell. R. 57-1,291.

NOTE.—Road Permit 37-84 is affected by this notification as from 4th April, 1960.

**6. Supporting documentation for Crown Road A**



1965 Regional Charting Map  
Parish of Moolarben



Road 3

1965 Regional Charting Map  
Notations

~~(47) P.93081 for Fut Public Req<sup>ts</sup> Not<sup>d</sup> Gaz 26.9.80 folio 5065 11.7 ha revoked Gaz 26.8.83 Folio 4016. LI 312393 - SZYn  
Gaz. 14.12.84 fol. 6210. Pt. R. 120020 for Travelling Stock under P.P Board Control Gaz. 23.1.87 (Fol. 352, 363) See lot 2~~

(48) Declared Public Rd. Gaz. 10-5-85 (fol 2052)

(49) Public Roads vide DP<sup>s</sup> 624327 & 624836

~~(50) ~~Per. Dec. 85/20 - Abt 175ha - Barkham Station Pty. Ltd. LI 325206 WD & MS BRY~~~~

(51) R120004 for Fut Pub. Req<sup>ts</sup> Not<sup>d</sup> 6-6-86 Fol. 2635

(52) Lot 268. Road closed gaz 13-2-87 (fol. 827) (D.P. 721221) DB 83 H 144

(53) Pt. Closed roads, Gaz 16.4.87 (fol. 2005) Lots 1 & 2, D.P. 722879, Lots 1 to 4, DP 722880 & Lot 1, DP 722881 - See also Ph. Lennox. (DB 84 H 341)

(54) Road Closed Gaz. 20.10.1989 Lots 1 & 2 D.P. 728749 D.J.B. Swords  
(Altered Gaz. 8.12.89)

(55) Pors. 45 & 172 E.C. Mayberry Pt. C.P. 90.2

~~(56) LI 198142 P.P. LIBERTIS~~

~~(57) LI 199100 J.T. & Y.R. Jones. Term<sup>d</sup> 10.10.94~~

~~(58) LI 199273 J.T. & Y.R. Jones (formerly P.O. 79.3 & L.I. 199100~~

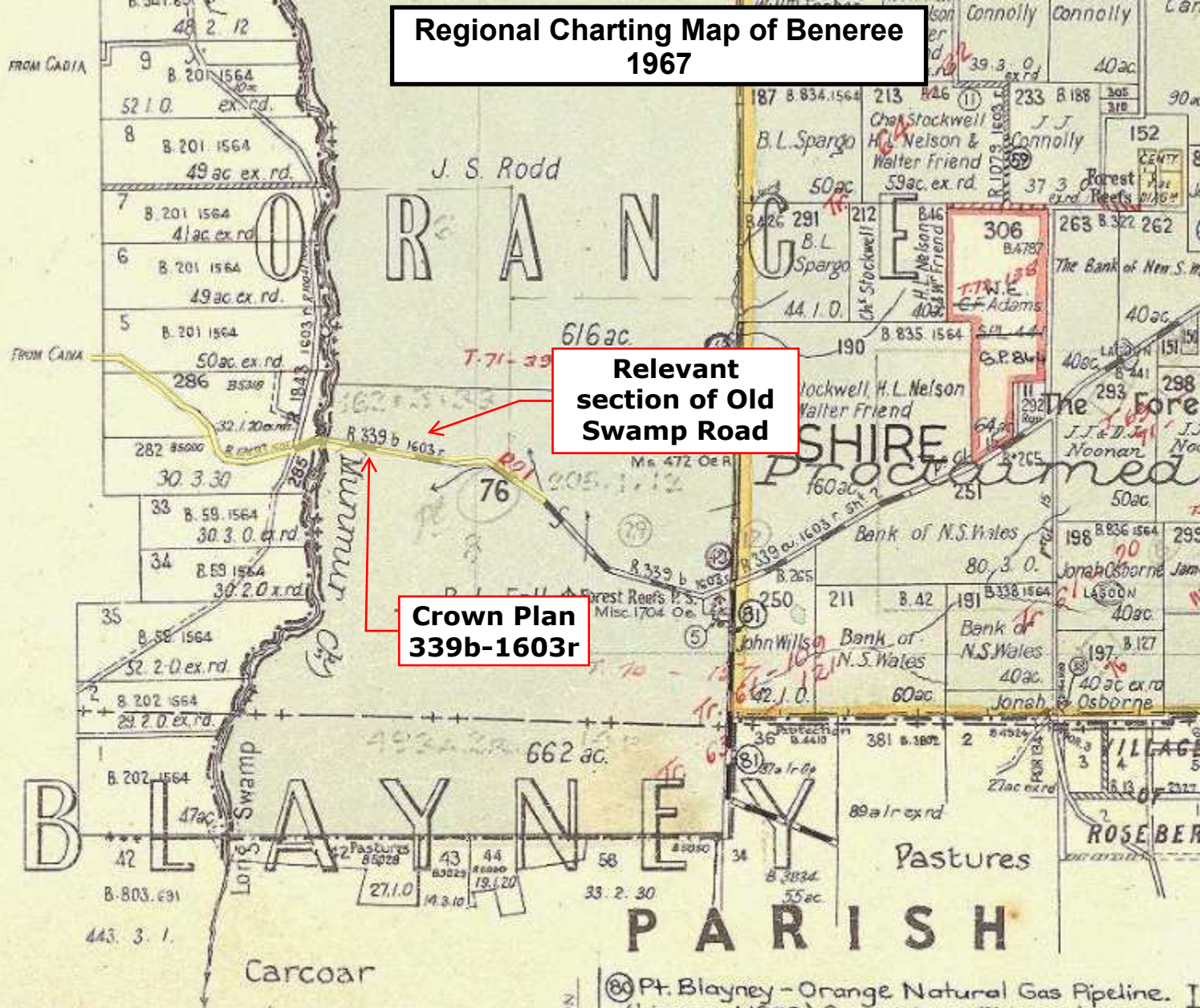
(59) Transferred to Mudgee Shire Gaz. 21-11-97 folio 9406

(60) LI 313840 K&ST THOMPSON DB991130 Lot 283 DP 46123

(61) SOIL CONSERVATION WORKS BY SOIL CONSERVATION SERVICE AND MUDGEE SHIRE  
"RYAN'S CREEK" PROJECT AREA.

## **7. Supporting Documentation for old Swamp Road**

# Regional Charting Map of Beneree 1967



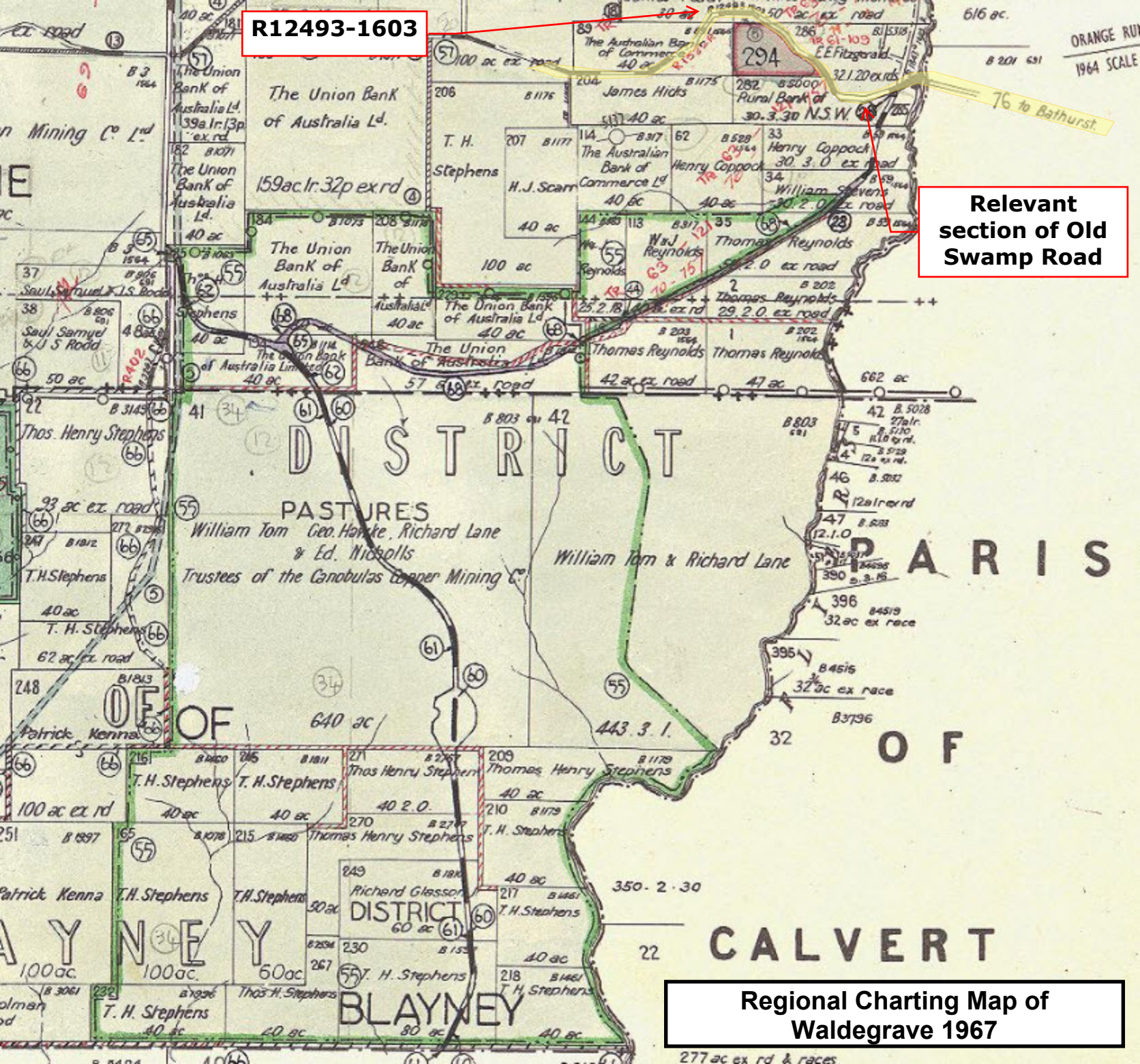
**Relevant section of Old Swamp Road**

**Crown Plan 339b-1603r**

- 1. 194734. R. J. Davis. (13.5 ha) OE91 R 9 (37)
- 1. 197082. Mark Lindfield. (7082 m<sup>2</sup>) OE80 H 797/2. Term 29-9-99
- 1. 204123. G. J. & N. J. Spinks. (7082 m<sup>2</sup>) OE80 H 797/2. Term 10-5-99
- 1. 204110. S. J. Willis. (Par. 309) OE95 H 180.
- 1. 204111. S. J. Willis. (Par. 308) OE95 H 181.
- (80) Pt. Blayney - Orange Natural Gas Pipeline. (Licence N<sup>o</sup> 22) Gaz. 13-6-97 (Fol. 4337) OP499030
- (81) Road Transferred to Blayney Shire Council. Gaz. 3
- (82) Closed Road. Gazette 29-10-99 (Fol. 10331) L
- (83) Closed Road. Gaz. 10-12-99 (Fol. 11789) Lots 1 &
- (84) L.L. 317045. A.S. Broom & I.G. Rawson. (1.81
- (85) 1. 187085 A.L. & B.L. Willis. (2.12

R12493-1603

Relevant section of Old Swamp Road



Regional Charting Map of Waldegrave 1967

**R12493-1603**

DEPARTMENT OF LANDS  
 22.9.15  
 15 350  
 3  
 ROAD BRANCH

LAND BOARD OFFICE  
 NO. 15.1748  
 Concloude  
 ORANGE

**PLAN**

and withdrawn  
 of lands to be resumed under the Public Roads Act 1902 in connection  
 with the proposed road deviation through portions 3, 4, 5, 17, 89.

County of Bathurst — Parish of Waldegrave

Land District of Orange x Land Board District of Orange

Width of Proposed Road 100 links

Scale 10 chains to an inch

**CANOBOLAS SHIRE**

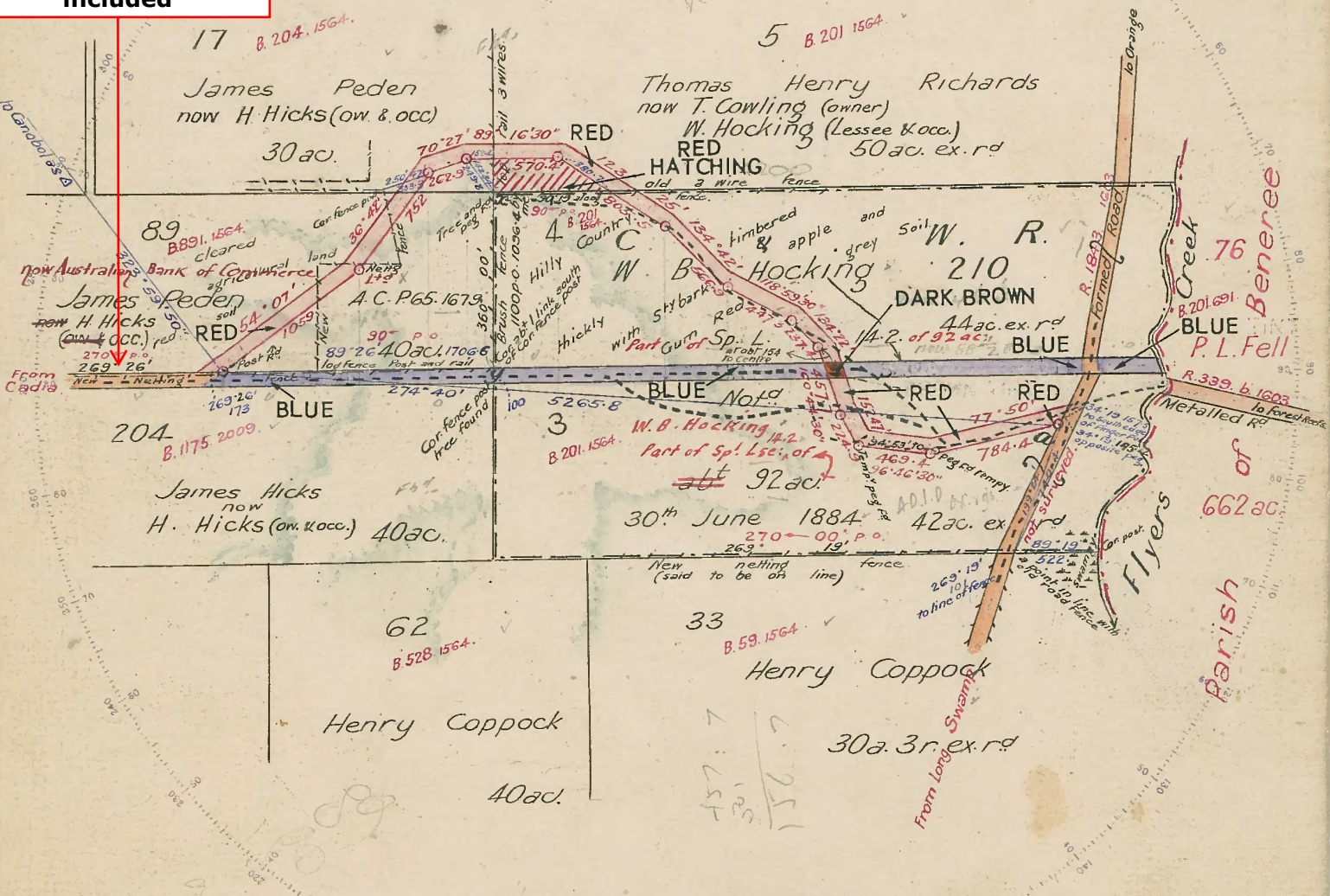
Lands proposed to be resumed are shown by red color  
 Lands proposed to be granted in lieu are shown by blue color  
 Land proposed to be resumed as severed land is shown by red hatching

Part of road to be declared to be public road shown by dark brown color.  
 Area to be resumed from freehold portion 5: 2a Or. 10p. (3r. 20p. for Rd & 1a Or. 30p. as severed area)  
 17: 2r. 20p.

Proposed resumption, withdrawal and closing Gaz. 17.11.15 fol. 6829.

Resumption Withdrawal Dedication & Closing Gaz. 3.3.16 fol. 1431.

**NB: Road along southern boundary of portion 89 not included**



**PLAN MICROFILMED**

NO ADDITIONS OR AMENDMENTS TO BE MADE

Reference to Corners.

Corner	Bearing	From	Links	No. on Tree
X	154° 41'	stump	41.7	
	53° E	stump	42.0	89 XVII p. O. Peg Pl and renewed. IV. V.
	52 1/2° E by compass			
Y	160° 00'	stump	34.0	89 1' cut off tree.
	(compass)			
Z	245° 21'	Gum	121.9	1' Rd.

Azimuth taken from X. Y.  
 Field Book Vol. 80 fol. 43.  
 Survey executed in accordance with regulations of 1901  
 13th July 1915.  
 Transmitted to the District Surveyor with my letter of July 30th No 15/31  
 Voucher No — Passed — Staff —  
 Calculation Book No 89 folio 16  
 Checked and Charted D. C. Millar 6.9.15  
 Examined J. M. King 9th September 1915  
 Plan approved 13th September 1915  
 G. Gordon Langhorne  
 Surveyor  
 Draftsman-in-Charge

30.10.15

R 12493.1603  
 Helio to Works & R.G. 19.8.16

Charted by 28/3.15.3.16  
 57  
 2 for 902  
 W. H. C. 26/10/16  
 26.10.15

Government Gazette of the State of New South Wales (Sydney, NSW : 1901 - 2001), Friday 3 March 1916 (No.43), page 1431

[5472] Department of Lands,

Sidney, 3rd Mareh, 1916.

NOTIFICATION, UNDER THE PUBLIC ROADS ACT, 1902, OF RESUMPTION OE  
WITHDRAWAL AND DEDICATION

OF LANDS FOR ROADS, AND OF THE CLOSING OF ROADS OR PARTS OF ROAD3 DEEMED  
TO BE UNNECESSARY, AND PARTS OF ROAD DECLARED TO BE PUBLIC ROAD,

HIS Excellency the Governor, with the advice of the Executive Council, directs it to be notified that, in  
pursuance of the Public

Roads Act, 1902, the lands hereunder described (in respect of which lands notice of proposal to  
resume or withdraw the same

has duly been given) shall be and are hereby resumed or withdrawn for the several roads hereunder  
specified; anl that the said lands shall be and are hereby dedicated as roads; also, that the road or parts  
of roads hereunder specified, which are deemed to be unnecessary (in respect of which notice of  
proposal to close the same has duly been given), shall be and are hereby closed.

W. G. ASHFOED, Minister for Lands. Description of Road opened :—Road from the Orange-Long  
Swamp road towards Cadia, parish of Waldegrave,

county of Bathurafr, Canobolas Shire\*

[Registration No. of Papers—Roads 1915\*350-14; Catalogue No. of Plan—R. 12,493-1,603.]

Description of lands now resumed or withdrawn for the road specified above, and dedicated as a public  
road, and of road or part of

road deemed to be unnecessary, which are now closed.

A proposal to resume or withdraw the lands referred to for the road in question, and to close the road  
or part of road deemed to

be unnecesBarv. was published in the Government Gazette of 19th November. 1915. folio 6829.

Lavs Distbiox of Obakge.

Parish Ko.

Area.

a. r.

P.

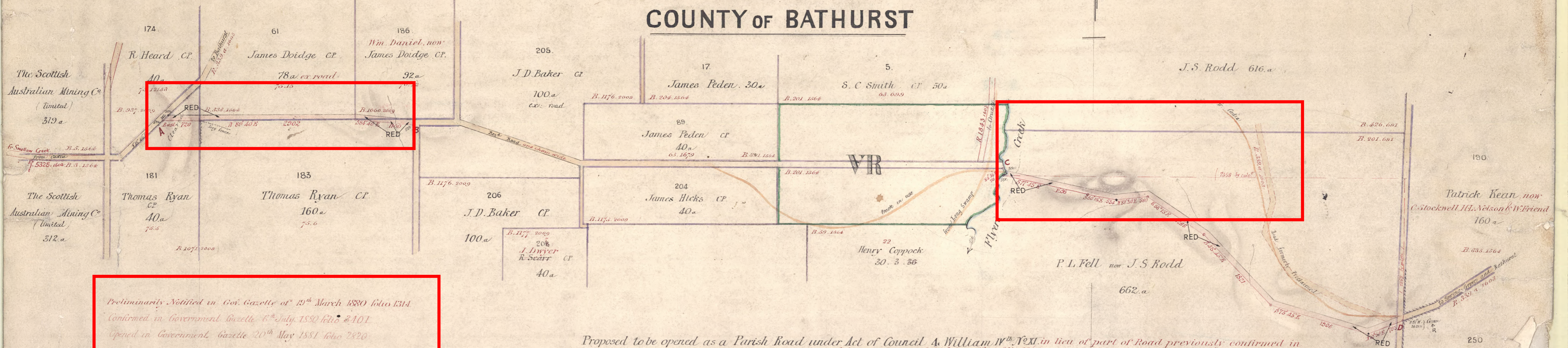
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**Crown Plan  
339b-1603**

*Plan before the Spectator's Commission  
with the enclosed 1880  
clin: 80/10  
W. G. S. [unclear]  
[unclear]*

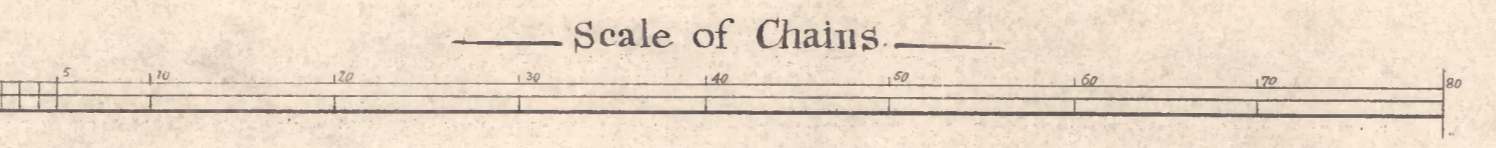
PLAN  
Of a Deviation in the Road from  
**CADIA TO BATHURST**  
PARISHES OF WALDEGRAVE AND BENEREE  
**COUNTY OF BATHURST**



Preliminarily Notified in Gov. Gazette of 19<sup>th</sup> March 1880 folio 1314  
Confirmed in Government Gazette 6<sup>th</sup> July 1880 folio 2401  
Opened in Government Gazette 20<sup>th</sup> May 1881 folio 2820

Proposed to be opened as a Parish Road under Act of Council A. William IV<sup>th</sup> No. XI. in lieu of part of Road previously confirmed in Government Gazette of 20<sup>th</sup> Sept. 1867, folio 2267.  
Road to be opened shown in Red One Chain wide throughout.

NOTES - Date of Survey 5<sup>th</sup> June  
Instrument used in Survey Theodolite  
Marked in accordance with regulations  
Length of Road from A to B 4722  
C. D. 3405  
13127 = 1 mile 51 chains 27 links.



PLAN MICROFILMED  
NO ADDITIONS OR AMENDMENTS TO BE MADE

Transmitted to the Surveyor General with my Book of Reference and letter of the 17<sup>th</sup> June 1879

339 B - 1603

*Wm. J. P. [unclear]*

Plotting by  
25th July 1879

Teacher No. 5  
[unclear]



[3027]

Department of Mines,  
Sydney, 20th May, 1881.

FORMAL OPENING OF PARISH ROADS.

NOTICE is hereby given that the lines of Parish Road mentioned in the annexed Schedule have been formally marked and opened by the proper officer, and that the same are now open for public use.

E. A. BAKER.

SCHEDULE.

Roads No.	Description of Roads.	Date of Gazette of last Notice.	Plan, &c., lodged at the Police Office at—
81-1436 81-778-1 S.G. R. 1486	Road from the south-east corner of portion No. 91, H. Bell's 40 acres, to the south-west corner of portion No. 131, H. Bell's 57 acres, within the Kanimbria Valley, including the Kanimbria Pass, parish of Hartley, county of Cook.	15 August, 1879, folio 3586.	Hartley.
81-1439 81-777-1 S.G. R. 339b	Deviation in road from Cadla to Bathurst, viz.:—From the north-west boundary of T. Ryan's 40 acres, C.P., portion No. 181, to the north-east corner of T. Ryan's 160 acres, C.P., portion No. 183, and from the left bank of Flyer's Creek, to the east boundary of P. L. Fell's (now J. S. Rodd's) 662 acres, parishes of Waldegrave and Beneree, county of Bathurst,—in lieu of part of road previously confirmed in Government Gazette of 20th September, 1867, folio 2267	6 July, 1880, folio 3401	Carcoar and Orange.

[2823]

Department of Mines,  
Sydney, 6th May, 1881.

NOTICE TO APPLICANTS FOR GOLD-MINING LEASES.

NOTICE is hereby given that unless the Lessees execute and take delivery of the undermentioned Gold-mining Lease within thirty days from this date, it will be declared void.

E. A. BAKER.

MUDGEE MINING DISTRICT.

No.	Name.	Portion No.	Locality.	Area.	Application No.
162	W. C. Reynolds and others ...	189	Red Lead, Home Rule, parish of Wialdra	a. r. p. 5 0 0	Gulgong 166

[3052]

Department of Mines,  
Sydney, 20th May, 1881.

NOTICE TO APPLICANTS FOR MINERAL LEASES.

NOTICE is hereby given that the undermentioned applications for Mineral Leases of Crown Lands have been approved by His Excellency the Governor and the Executive Council.

E. A. BAKER.

[81-1,774]

Application No.	Lease No.	Name.	Locality.	Area.	Date of commencement of Rental.	Date of Application.
Veg. Creek 409	978	W. J. Weston .....	County of Clive, parish of Annandale.	a. r. p. 40 0 0	23 Feb., 1881	23 July, 1880
Tingha 411	979	Do .....	do do ...	40 0 0	23 " "	23 " "
323	980	W. A. Cross and another.	County of Gough, parish of Clive.	20 0 0	23 " "	30 " "
324	981	S. W. Moore .....	County of Hardinge, parish of Swinton.	20 0 0	23 " "	30 " "
Orange 1M	982	S. R. Baker and others.	County of Wellington, parish of Mulyan.	40 0 0	23 " "	10 Sept., 1879

[3053]

Department of Mines,  
Sydney, 20th May, 1881.

NOTICE TO APPLICANTS FOR GOLD-MINING LEASES.

NOTICE is hereby given that the undermentioned application for a Gold-mining Lease of Crown Lands has been refused.

E. A. BAKER.

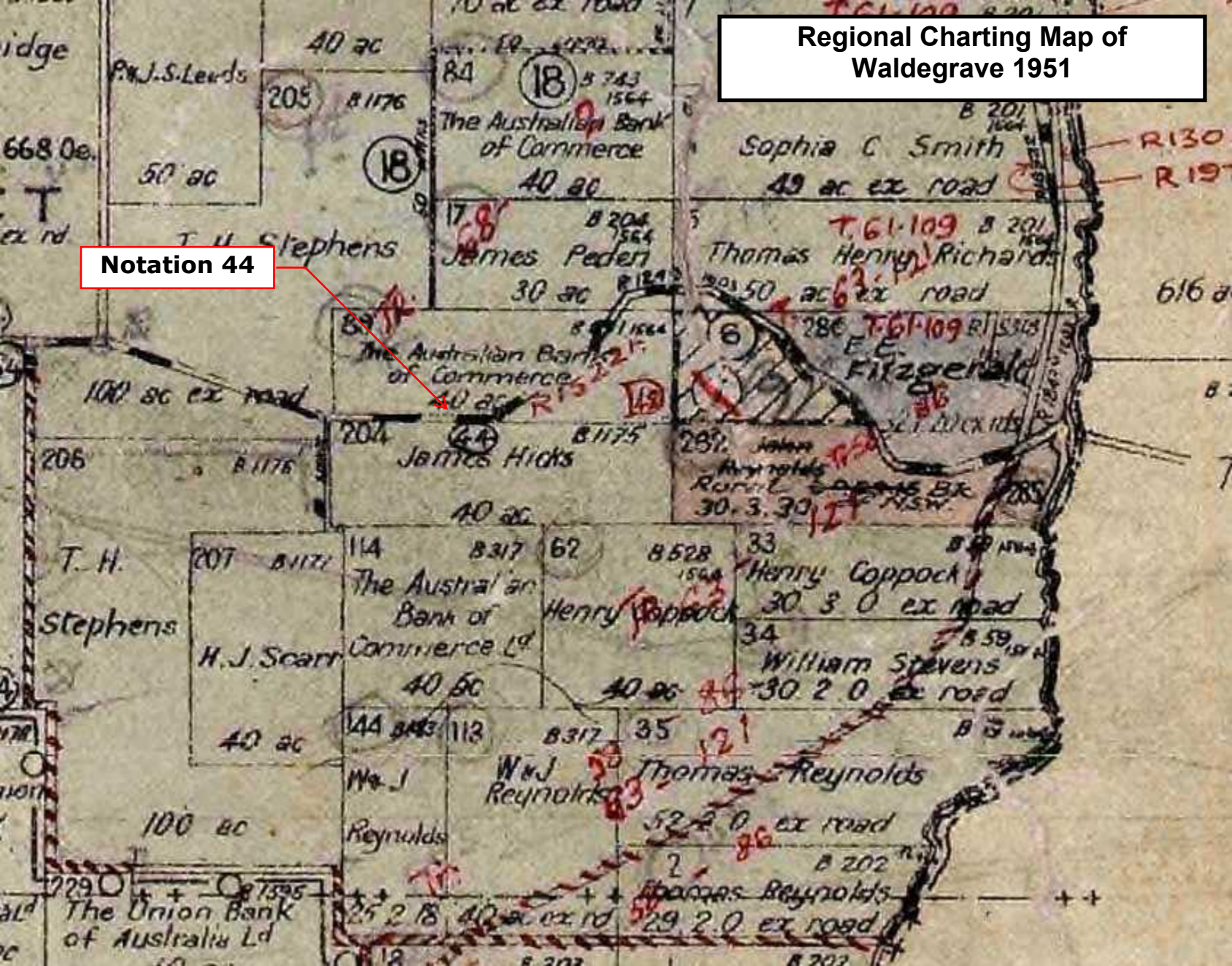
[81-3,547]

LACHLAN MINING DISTRICT.

No.	Name.	Locality.	Area.	Date of Application.
Young 80-1	H. T. Minter, E. T. Hotton, J. Faro, W. McIntosh, and T. R. Hughes.	O'Mealey's Flat, Burrangong Creek .....	a. r. p. 15 0 0	25 March, 1881

Regional Charting Map of  
Waldegrave 1951

Notation 44



**Regional Charting Map of  
Waldegrave 1951**

Areas Proclaimed 17.1.96, 2.5.19 & 10.7.31

Within an area proclaimed as a Bird & Animal Sanctuary, Gazette 2.12.32

Partly within Burrendong Catchment Area Ms.2124 Oe. Not<sup>d</sup> 5<sup>th</sup> Oct<sup>r</sup>, 1945,  
under the Soil Conservation Act 1938.

Partly (N.E. Corner) Within Water Supply & Catchment Area (Surna Park) <sup>Prod<sup>d</sup> Gaz 5.7.62</sup>

**Carcoar & Bathurst Pastures Protection District**

~~Acquired for Canobolas State Forest vested G.17.55 (Pt. 558ac.tr)~~

~~Rd. Closed Gaz. 16.9.55. (7a. 2r. 25p) Sold to J.S. Burn Atn. Sh. 1.11.57.~~

~~R.73,002 from Sle. for Timber. Gaz 13.4.56.~~

~~Ms 3463 Oe 2a.3r.38 1/2 p.~~

~~Ms. 3462. Oe. 2r. 12 1/2 p.~~

~~W.&C.R.39370 Notified 1<sup>st</sup> July, 1905. Pt. abt. 1 1/2 ac. revkd. for Rdway G.7.2.58.~~

~~Por. 230 R80233 from Sale or Lease genly. Notd. 14.2.58. Revkd. G.28.2.58.~~

**44 Declared to be Public Road G. 3. 4. 58.**

~~45 Road closed Gaz 22.8.58.~~

~~46 Road opened & declared public G.27.2.59.~~

~~47 Road closed proposed to be granted as comp. G.27.2.59 F.H. & R.C. Smith & F.H.~~

**USED**

PLAN	LOC	VOL	FOL	Nº	PLAN	LOC	VOL	FOL	Nº	PLAN	LOC	VOL	FOL	Nº	PLAN	LOC	VOL	FOL
882 136a	SW	5204	154	151	B.79 151	SW			201	B. 1173	SE	1601	110	251	B. 1997 41	SE	1950	168
883	NE	3052	194	152	30 704a	NE	2809	208	202	do.	SE	1601	111	252	1995 43	SW	1796	141
887	NW	1868	99	153	89 705a	NW	1637	240	203	1174	SE	1566	11	253	2004 44	SW	1627	236
108	NE	1601	133	154	do.	NW	1857	240	204	1171 75	SE	1852	42	254	2108 46	SW	3082	87
126	NE	3326	128	155	196	SW			205	1176	SE	1667	88	255	2184 47	SW	1734	37
213	SE	1616	202	156	707a	NE	1616	202	206	116 do.	SE	1655	59	256	2185 47	SW	2110	210
215	NE	2296	96	157	708a	NE	1601	109	207	1177	SE	2088	19	257	2397 131	SW	2477	10
214	NE	1624	134	158	90 709a	NW	2290	87	208	1178	SE	1630	101	258	2396 48	SW	2110	211
212	NE	2452	188	159	106 933	SW	66	18	209	64 1179	SE	1699	230	259	2448	NW	1939	31
211	NE	4424	233	160	711	NW	2143	139	210	64 do.	SE	1699	230	260	2589	NW	1989	195
271	NW	2250	229	161	710	NW	2236	53	211	1180	SW	1752	17	261				

PENCIL NOTES  
 1 Prop. Rd. classifi  
 2 Sp. L. 60/8 L. J. D.  
 3 PPA, P.G. X. Har  
 4 PPA - M.G. Stev  
 5 1860 705. Re  
 6 T. Ford Rd. Cl  
 7 Obj. Inv. Gaz. 1  
 8 M.L. 897 - Dranda - C.R.D.

REFERENCE  
 48 Offer with  
 49 Permissive  
 50 Reserve Am. S  
 51 Pt. Surna Park  
 52 Gaz 5<sup>th</sup> July 196  
 53 Canobolas Stat  
 54 Gaz 30<sup>th</sup> Augu  
 55 Road closed - P.G.Y.  
 56 Por. 287 - P.O. C  
 57 Rd. Closed & A  
 58 Road Closed  
 59

(1156) Sydney, 14th March, 1958.

**OBJECTIONS TO SPECIAL PURCHASE**

IT is hereby notified that an application has been lodged for the purchase of the area particularised below. Any objections should be accompanied by a deposit of £10 and lodged with the District Surveyor, East Maitland, on or before 11th April, 1958.

A. R. JONES, Under Secretary for Lands.

**LAND DISTRICT—GOSFORD; SHIRE—GOSFORD**

Special Purchase 56-63; parish Patonga, county Northumberland, below high-water mark of Brisbane Water fronting lot 33, deposited plan 14,946, of an area of about 3.39 perches. Applicants, William Henry Blackley and Lena Frances Kelly. Tenure 56-9,196.

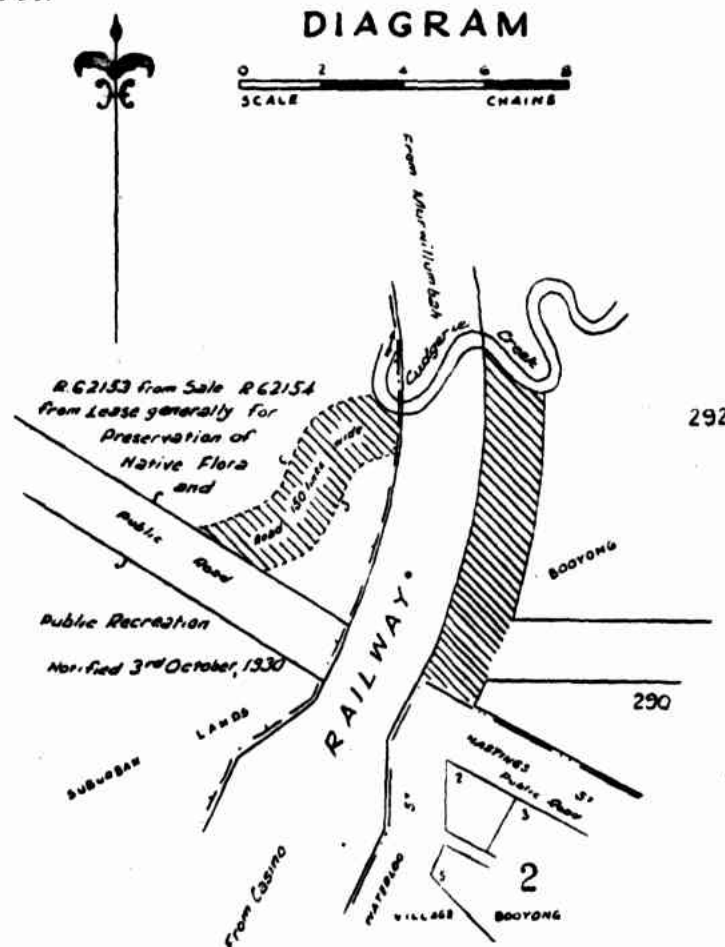
(860) Sydney, 19th March, 1958.

**DECLARATION OF ROADS TO BE PUBLIC ROAD UNDER PROVISIONS OF SECTION 18, PUBLIC ROADS ACT, 1902**

I, Lieutenant-General Sir ERIC WINSLOW WOODWARD, Governor of the State of New South Wales, with the advice of the Executive Council, do hereby notify that the roads hereunder described, in pursuance of the provisions of section 18, Public Roads Act, 1902, are hereby declared to be a public road and dedicated to the public accordingly.

E. W. WOODWARD, Governor.  
W. M. GOLLAN, Minister for Lands.**DESCRIPTION****LAND DISTRICT—LISMORE; SHIRE—BYRON**

Roads shown by black hatching on diagram hereunder, suburban lands Booyong, parish Teven, county Rous. R. 51-51.

**DIAGRAM**

(863) Sydney, 19th March, 1958.

**DECLARATION OF ROADS TO BE PUBLIC ROADS UNDER PROVISIONS OF SECTION 18, PUBLIC ROADS ACT, 1902**

I, Lieutenant-General Sir ERIC WINSLOW WOODWARD, Governor of the State of New South Wales, with the advice of the Executive Council, do hereby notify that the roads hereunder described, in pursuance of the provisions of section 18, Public Roads Act, 1902, are hereby declared to be public roads and dedicated to the public accordingly.

E. W. WOODWARD, Governor.  
W. M. GOLLAN, Minister for Lands.**DESCRIPTIONS****LAND DISTRICT—FORBES; SHIRE—LACHLAN**

Reserved roads within portion 113; road separating portion 113 from portion 118, parish Cadow, county Gipps. R. 58-5.

**LAND DISTRICT—BELLINGEN; SHIRE—NAMBUCCA**

Non-public road known as Dickson-street together with splayed corner; roads (lanes) within section 23; road known as Leonard-street; road known as Ellis-avenue together with splayed corner; road (lane) within section 19; road, together with splayed corners, generally east of section 19; road, together with splayed corners, generally west of allotment 13, section 14; road known as Hill-street; non-public road, together with splayed corners, south of section 50; road 50 links wide generally south of end of road, portions 293, 288, 287, 384, 292, 296, 295, 294, end of road (lane) and portions 289 and 335 and its extension southerly for a width of 50 links to the northern end of Quarry Wharf; road known as Boronia-street, together with splayed corner; road known as Small-street together with splayed corners; road known as Excelsior-street together with splayed corner; road known as Pacific-street together with splayed corner north of allotments 4 to 9 inclusive, section 51; road known as Valla-street together with splayed corners; road known as Sport-street being that part north of end of Valla-street, allotment 1, section 35, and its extension easterly to Liston-street; road known as Reed-street together with splayed corners; road, together with splayed corner, south-west of allotments 1, 2 and 3, section 42; road generally west of allotments 9, 8 and 7, section 39, end of Bemago-street, section 41 and Reserve for Plantation and Access; road known as Bemago-street together with splayed corner and its extension generally northerly for a width of 1 chain to road north-east of portion 246; road generally north-east of portions 246, 271, 272, 273, 274, 275, 276, 277, 278, 279 and 418, village, suburban lands and parish Nambucca, county Raleigh. R. 57-318.

**LAND DISTRICT AND MUNICIPALITY—DUBBO**

Road 150 links wide, together with 8 feet splay, east of and adjoining railway land and extending southerly from the public road south of portion 151 to Main Road No. 206, parish Dubbo, county Lincoln. P. 57-3,506.

**LAND DISTRICT—MOREE; SHIRE—BOOLOORO**

Reserved road within portion 11; boundary road separating portion 11 from portion 12 and end of road; road 150 links wide embracing the track in use within T.S.R. 37,256 and T.S. & C.R. 37,255 extending from the last described road to the public road within T.S. & C.R. 37,255; parish Campbell, county Courallie. R. 42-4.

**LAND DISTRICT—ORANGE; SHIRE—CANOBOLAS**

Road generally west of portions 128 and 118, end of road and portions 127 and 212; road generally north of portion 95; reserved roads within portions 96 and 75; road separating portion 134 from portion 75 and end of road; reserved road within portion 65; road generally south of portion 212, end of road and portion 110 and its extension generally south-westerly adjoining portion 138 to the reserved road within portion 49; reserved road within portion 49; road west of portion 138, end of road and portion 46; reserved road within portion 80 and its extension, adjoining end of road and portion 153, generally south-westerly for a distance of 3 chains; the north-westernmost 150 links of road south-west of public road R. 12,315-1,603 within portion 227; the part of road generally south-west and south-east of portion 227 extending generally north-westerly and thence south-westerly from the last described road; reserved road within portion 280 and its extension south-westerly to public road within portion 51; road extending generally south-westerly from public road within portion 52 to reserved road within portion 81; reserved road within portion 81; road north-west of portion 74 and its extension south-westerly to the reserved road within portion 95; reserved road within portion 95; road extending generally south-westerly and thence south-easterly from the last described road to the road east of portion 30 and being within portion 63, generally north-west of portion 112, generally west of portion 102, end of road, portion 195 and end of road, within portions 60, 54, 70 and 167, again within portion 54 and within and east of portion 29; road east of portion 30 and end of road; road extending easterly, north-easterly and thence easterly from the last described road to the eastern boundary of portion 61 and being north of, north-west of and within portion 181 and within portion 61; road within portions 186 and 183 and south of portion 186 and end of road; reserved

road within portion 205; road south of portion 102; reserved road within portion 198; road south of end of road, portion 176 and end of road; road south of end of closed road and portion 10; road west of portions 198 and 197, end of road, portions 120, 104, 157, 201 and 202 and end of road; road generally north of portion 147; the north-easternmost 7 chains of road north-west of portion 90; parish Waldegrave, county Bathurst. R. 47-128.

LAND DISTRICT—COOMA; SHIRE—SNOWY RIVER

Parish Middlingbank: non-public road generally south-west of portion 191; road separating portion 187 from portion 1; parish Buckenderra: road north-west of portion 69; road south of portion 148, end of road and portion 11; road generally north-east of portion 161; the more northerly reserved road within portion 157; parish Gygederick: road separating portions 184, 231 and 241, end of road and portions 161, 17 and 142 from portions 162 and 72, end of road, and portion 208, 53, 140, 16, 137 and 138; the reserved road within portion 147 extending generally easterly from the last described road to the more northerly reserved road within portion 128; the more northerly reserved road within portion 128 and its extension generally south-easterly as reserved road within portion 127 to public reserved road R. 6,092-1,603 within that portion; reserved road within portions 122 and 153 and its extension generally southerly as reserved road within portion 260 to road west of portion 176; road generally west of portions 176, 117, 115 and 12; reserved road within portion 115; non-public road generally north of portions 197 and 198 and its extension generally south-westerly as reserved road to road separating portion 175 from portion 176; road separating portions 175 and 185 from portions 176, 117 and 115; road extending generally south-easterly from the last described road to Wullwey Creek and being within portions 185, 114, 160, 244, 110 and 109; parish Myack: the more northerly reserved road within portion 39 and its extension south-easterly as reserved road within portion 14 to the north-westerly prolongation of the north-eastern side of public road R. 6,793-1,603 within that portion; reserved road within portions 62 and 61 and its extension westerly as reserved road within portion 63 to public reserved road within that portion; parish Mowamba: reserved road within portions 25, 4 and 10 and its extension easterly to public road R. 15,305-1,603 within portion 5; parish Numbra: non-public reserved road within portion 80; parish Matong: road west of portion 8 and end of road; reserved road within portion 61 and its extension northerly to reserved road within portion 67; reserved road within portion 67 and its extension easterly being north of portion 67, end of road and portion 73; reserved road within portion 114; road adjoining the more westerly south-western boundary of portion 115; county Wallace. R. 48-500.

LAND DISTRICT—ARMIDALE; SHIRE—DUMARESQ

Non-public road south-west of portion 258, end of road and portion 257; road R. 19,310-1,603 within portion 257; road west of portion 125; road south of end of road and portion 125; parish Butler, county Sandon. R. 58-21. R. 58-72.

(1368) Sydney, 3rd April, 1958.

PROPOSED CLOSING OF ROADS

NOTICE is hereby given that the Minister for Lands is of opinion that it is expedient to close, under the provisions of the 19th and 20th sections of the Public Roads Act, 1902, the roads hereunder described, and all persons interested are hereby called upon to set forth in writing, addressed to the Minister for Lands, within one month from the date of this notice, any objections which may appear to them to exist to the closing thereof.

W. M. GOLLAN, Minister for Lands.

DESCRIPTIONS

LAND DISTRICT—DENILQUIN; SHIRE—JERILDERIE

The roads east of portions 43, 46, 42 and 44, parish Broome, county Urana.

NOTE.—If closed, the abovedescribed roads are proposed to be granted in connection with compensation for resumption for road. R. 25,229-1,603 R. R. 53-794.

LAND DISTRICT—DENILQUIN; SHIRE—JERILDERIE

That part of public road 100 links wide north of portion 22, west of the prolongation north-easterly of the north-western side of proposed new road R. 25,630-1,603, parish Mairjimmy, county Urana.

NOTE.—If closed, the abovedescribed road is proposed to be dedicated as addition to Mairjimmy State Forest No. 492. R. 55-180.

LAND DISTRICT—CASINO; SHIRE—KYOGLE

The part of public road R. 14,624-1,603 within portion 57 extending generally north-easterly from road R. 22,957-1,603 and non-public reserved road within portion 57 extending north-easterly from the lastdescribed road.

NOTE.—The abovedescribed roads, if closed, are proposed to be granted in connection with compensation for land to be resumed for road R. 25,521-1,603. R. 57-859.

(1369) Sydney, 3rd April, 1958.

APPLICATIONS FOR THE CLOSING AND PURCHASE OF ROADS

NOTICE is hereby given that applications have been made under the Public Roads Act, 1902, for the closing and purchase of the roads described hereunder, and that it is intended to close same, unless valid objections are found to exist. Any person desiring to lodge objections should forward them in writing addressed to the Minister for Lands within one month from the date of this notice.

W. M. GOLLAN, Minister for Lands.

DESCRIPTIONS

LAND DISTRICT AND MUNICIPALITY—PARKES

C. M. Cordaiy and Son Pty. Ltd., 12½ perches. Part public road R. 12,412-1,603 (lane) north-east of portion 817, suburban lands, town Parkes, parish Currajong, county Ashburnham. R. 57-1,276.

LAND DISTRICT—METROPOLITAN; MUNICIPALITY—KU-RING-GAI

John Tyrrel Gregory and Joy Lyall Gregory, 12½ perches. Public road (part Myall-avenue) extending north-westerly from the westerly prolongation of the southern boundary of lot 10, Deposited Plan 9,991, parish Gordon, county Cumberland. R. 57-655.

LAND DISTRICT—MURWILLUMBAH; SHIRE—BYRON

Lindsay Graeme Tullock, 10 acres 20 perches. Road separating portion 90 from portions 94 and 28; reserved road within portions 90, 89 and 38; road separating portion 90 from portion 89, and the reserved road (track 50 links wide) within portion 38, parish Brunswick, county Rous. R. 51-306

LAND DISTRICT—WAGGA WAGGA; MUNICIPALITY—JUNEE

Athol James Williams, 1 rood 1½ perches. Public roads (lanes) separating lots 1 to 17 inclusive from lot 3 (Deposited Plan 1,554) and lot 22 extending westerly from a line drawn from the north-eastern corner of lot 22 to the south-eastern corner of lot 17, deposited plan 13,547, parish South Jewnee, county Clarendon. R. 57-683.

(6326) Sydney, 3rd April, 1958.

ALTERATION OF LAND DISTRICT BOUNDARIES.

IT is hereby notified that, in pursuance of section 8 of the Crown Lands Consolidation Act, 1913, the lands described hereunder, within the Land District of Gundagai, shall be and are hereby declared to be within the Land District of Tumut. W.S. 6,862/B./3.

W. M. GOLLAN, Minister for Lands.

County of Buecleuch, parish of Wagara, the lands within portions 78, 220, 57, 108, 107, 341, 27 and intersecting roads.

## **8 Supporting documentation for Moolarben Creek**



FOLIO: AUTO CONSOL 12516-184

SEARCH DATE	TIME	EDITION NO	DATE
8/10/2020	1:01 PM	4	15/8/2019

LAND

LAND DESCRIBED IN SCHEDULE OF PARCELS  
LOCAL GOVERNMENT AREA MID-WESTERN REGIONAL  
PARISH OF MOOLARBEN COUNTY OF PHILLIP  
TITLE DIAGRAM CROWN PLAN 1002.2125

FIRST SCHEDULE

IN 85/100 SHARE  
IN 10/100 SHARE  
IN 5/100 SHARE  
AS TENANTS IN COMMON (TZ AP356267)

SECOND SCHEDULE (1 NOTIFICATION)

1 LAND EXCLUDES MINERALS AND IS SUBJECT TO RESERVATIONS AND  
CONDITIONS IN FAVOUR OF THE CROWN - SEE CROWN GRANT(S)

NOTATIONS

UNREGISTERED DEALINGS: NIL

SCHEDULE OF PARCELS

LOTS 109-110 IN DP755442.

\*\*\* END OF SEARCH \*\*\*

Crown Plan 1002.2125

Mudgee



**PLAN**  
 of 2 portions Nos 109 & 110  
 Parish of Moolarben  
 County of Phillip

Applied for under the 21<sup>st</sup> clause of the Crown Lands Alienation Act of 1861 by  
*John Joseph Swords (Junr)* ✓

P 1002 - 2125

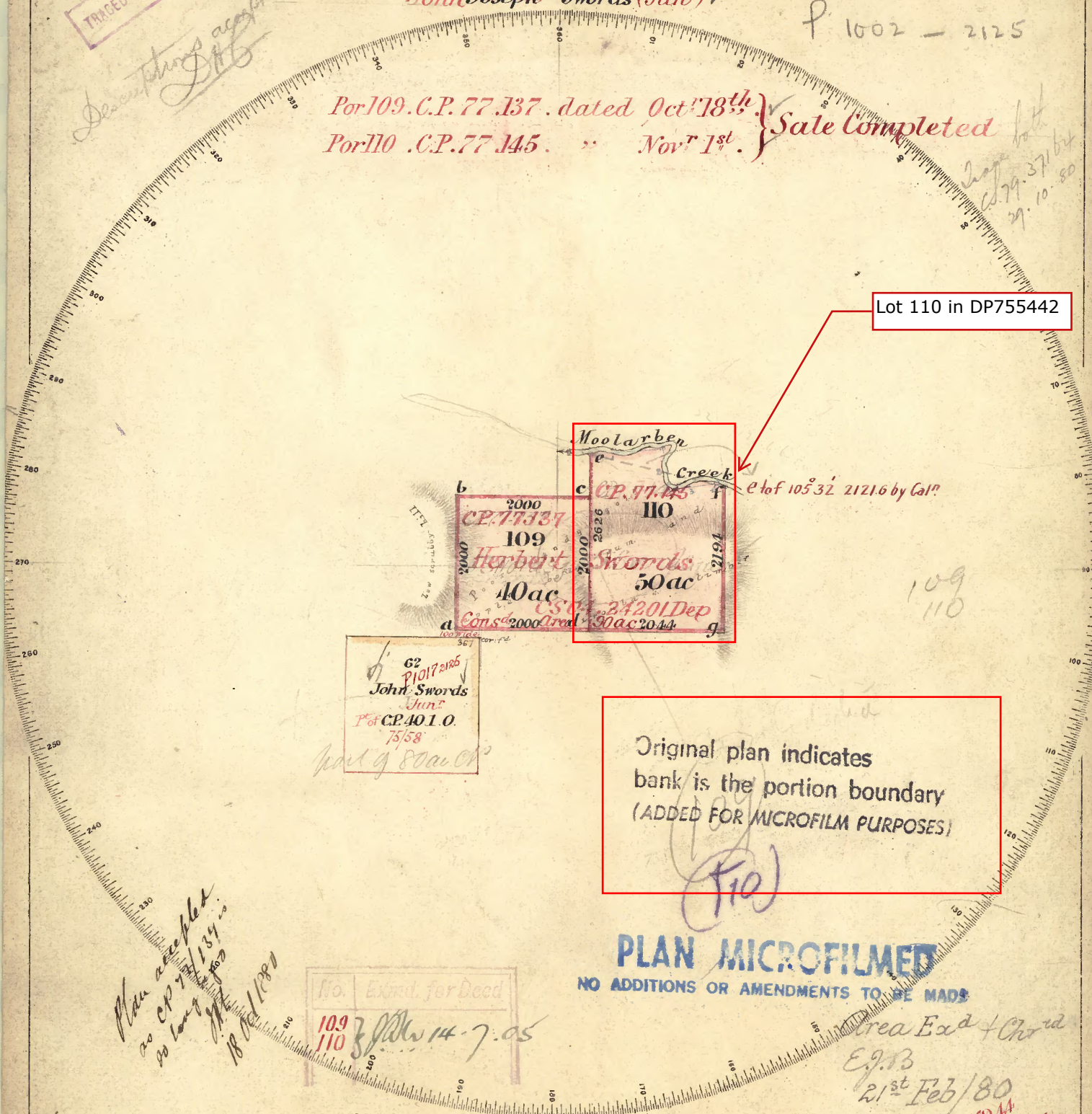
TRACED FOR L.S.O.

*Descriptions accepted*

Por 109 .C.P. 77.137. dated Oct<sup>r</sup> 18<sup>th</sup> } **Sale Completed**  
 Por 110 .C.P. 77.145. " Nov<sup>r</sup> 1<sup>st</sup> }

*29.10.80*

Lot 110 in DP755442



62  
 P1017 2105  
 John Swords  
 Junr  
 P of CP 40.1.0.  
 7/5/58  
*part of 80 ac. CP*

Original plan indicates  
 bank is the portion boundary  
 (ADDED FOR MICROFILM PURPOSES)

**PLAN MICROFILMED**  
 NO ADDITIONS OR AMENDMENTS TO BE MADE

No. Extd. for Deed  
 109  
 110  
*14.7.05*

*Now accepted  
 as CP 77.137 & 138  
 as long as  
 18/11/1880*

Area Exd + Chrd  
 E.g. B  
 21<sup>st</sup> Feb/80  
 You 12.11.11  
 1 Sep. & 1 Cor.

Reference to Corners

Corner	Bearing	From	Links	N <sup>o</sup> on Tree
a	257° 20'	Gum	38	109
b	146° 4'	"	15	"
c	48° 23'	apple	64	"
d	245° 30'	St bark	32	109, 110
e	83° 50'	gum	27	110
f	219° 10'	St bark Apple	27.8	by P. 364.9
g	172° 20'	St bark	36	110

Reference to Traverse

Line	Bearing	Distance
1	85° 54'	11.15
2	170° 01'	6.06
3	80° 40'	7.16
4	104° 42'	1.25

Scale 20 Chains to an Inch

Marked in accordance with regulations  
 Instrument used in Survey Theodolite  
 Date of Survey 3<sup>rd</sup> June 1879  
 Value of improvements Nil  
 Situated in the Mudgee Police District

1002.2125

Transmitted to the Surveyor General with my letter of the 6<sup>th</sup> August N<sup>o</sup> 79/126

*James Hunter*  
 Licensed Surveyor





SEARCH DATE

8/10/2020 1:21PM

FOLIO: 110/755442

First Title(s): SEE PRIOR TITLE(S)  
Prior Title(s): VOL 12516 FOL 184

Recorded	Number	Type of Instrument	C.T. Issue
4/12/1988		TITLE AUTOMATION PROJECT	LOT RECORDED FOLIO NOT CREATED
29/10/1991		CONVERTED TO AUTO CONSOL 12516-184	CONSOL CREATED CT NOT ISSUED

\*\*\* END OF SEARCH \*\*\*

Volume 12516 Folio 184  
Certificate of Title  
20 August 1974



# CATE OF TITLE

PROPERTY ACT, 1900



12516184

Vol. 12516 Fol. 184

Edition issued 20-8-1974.



Prior Title (Crown Grant)  
Vol.2076 Fol.179

I certify that the person described in the First Schedule is the registered proprietor of the undermentioned estate in the land within described subject nevertheless to such exceptions encumbrances and interests as are shown in the Second Schedule.

*Jawatson*  
Registrar General.

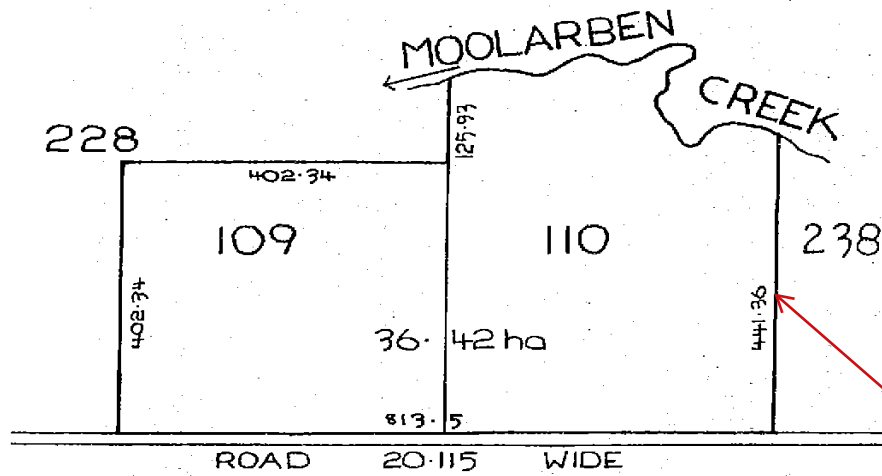


### PLAN SHOWING LOCATION OF LAND

LENGTHS ARE IN METRES

CANCELLED

SEE AUTO FOLIO



Lot 110 in  
DP755442

N 917531  
73.

REDUCTION RATIO 1:800

#### ESTATE AND LAND REFERRED TO

Estate in Fee Simple in Portions 109 and 110 in the Shire of Gudgegong Parish of Moolarben and County of Phillip. EXCEPTING THEREOUT the minerals reserved by the Crown Grant.

#### FIRST SCHEDULE

~~KEVIN LESLIE GARNER Signwriter and ANDREW FINN MORRISON JONES Farmer, both of Condell Park, as Tenants in Common in equal shares.~~

#### SECOND SCHEDULE

1. Reservations and conditions, if any, contained in the Crown Grant above referred to.

PERSONS ARE CAUTIONED AGAINST ALTERING OR ADDING TO THIS CERTIFICATE OR ANY NOTIFICATION HEREON

WARNING: THIS DOCUMENT MUST NOT BE REMOVED FROM THE LAND TITLES OFFICE.

53928207

Vol. 12516 Fol. 184

FIRST SCHEDULE (continued)

REGISTERED PROPRIETOR

INSTRUMENT

NATURE NUMBER DATE

ENTERED

Signature of Registrar General

Malcolm James Swords by Transfer 5392820. Registered 10/4/1981

*[Signature]*

**CANCELLED**

SEE AUTO FOLIO

SECOND SCHEDULE (continued)

INSTRUMENT

NATURE NUMBER DATE

PARTICULARS

ENTERED

Signature of Registrar General

CANCELLATION

(Page 2 of 2 pages)

NOTE: ENTRIES RULED THROUGH AND AUTHENTICATED BY THE SEAL OF THE REGISTRAR GENERAL ARE CANCELLED

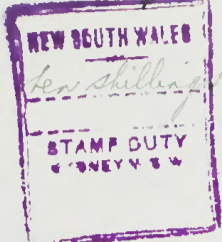
Volume 2075 Folio 179  
Grant of Land Purchased by Conditional  
Sale Without Competition  
26 July 1910

Consolidated Grant.

No. 1905/6328.

State of New South Wales.

[LAND GRANT.] B



REGISTER BOOK,  
VOL. 2076 FOL. 179  
CANCELLED

84 7662

# GRANT OF LAND PURCHASED BY CONDITIONAL SALE WITHOUT COMPETITION.

(UNDER SECTIONS 13 AND 21 OF THE CROWN LANDS ALIENATION ACT OF 1861.)

GEORGE V, by the Grace of God, of the United Kingdom of Great Britain and Ireland, and of the British Dominions beyond the Seas, King, Defender of the Faith, Emperor of India:—  
TO ALL to whom these Presents shall come, Greeting:—

WHEREAS *Herbert Swords, of Moolarben*

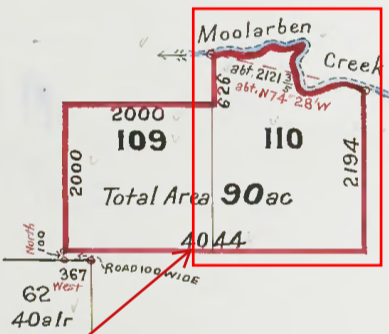
in Our State of New South Wales, claims to be entitled, in respect of certain purchases by Conditional Sale, without competition, under the 13th and 21st Sections of the Crown Lands Alienation Act of 1861, to certain parcels of land, together making up the parcel of land hereinafter described; and the declarations in respect of each of the said purchases, as by law required, have been made, and the Minister for the time being charged with the administration of the Public Lands is satisfied that all things required by law to be done to entitle the said *Herbert Swords*

to a grant of the fee simple of the said Land, subject to the reservations hereinafter contained, have been done and performed: And whereas the sum of *Ninety pounds* sterling, being the purchase money payable for the said Land, has been duly paid into the Office of the Treasurer of Our said State: Now Know Ye, That for and in consideration of the said sum, for and on Our behalf well and truly paid into the Treasury of Our said State, before these presents are issued, and of all and singular the premises, We, for Us, Our Heirs and Successors, DO HEREBY GRANT unto the said *Herbert Swords*

his Heirs and Assigns, subject to the several and respective Reservations hereinafter mentioned, ALL THAT Piece or Parcel of Land in Our said State, containing by Admeasurement *Ninety acres* be the same more or less, situated in the County of *Phillip* Parish of *Moolarben*

*Portions 109 and 110*

Commencing on the northern side of a road one chain wide dividing this land from portion sixty two of forty acres one rood at a point distant three chains sixty seven links West and thence one chain North from the North Eastern corner of that portion and bounded thence on the South by that road and a line in all bearing East forty chains forty four links on the East by a line bearing North twenty one chains ninety four links to the left bank of Moolarben Creek generally on the North by that bank downwards to a point bearing about North seventy four degrees twenty eight minutes West and distant about twenty one chains twenty one links and three fifths of a link from the Northern end of the last described boundary on the West by a line bearing South six chains twenty six links again on the North by a line bearing West twenty chains and again on the West by a line bearing South twenty chains to the point of commencement



Lot 110 in DP755442

Scale 20 Chains to an Inch.

As per plan in the margin hereof: with all the Rights and Appurtenances whatsoever thereto belonging: To Hold unto the said *Herbert Swords* his Heirs and Assigns for ever:

Subject nevertheless to the several and respective reservations hereinafter contained, that is to say: Provided nevertheless, AND WE DO HEREBY RESERVE unto Us, Our Heirs and Successors, all Minerals which the said Land contains, with full power and authority for Us, Our Heirs and Successors, and such person or persons as shall from time to time be authorized by Us, Our Heirs and Successors, or by the Governor for the time being of Our said State, to enter upon the said Land, and to search for, mine, dig, and remove the said Minerals, with full right of ingress, egress, and regress, for the purposes aforesaid: Provided Also, AND WE DO HEREBY FURTHER EXCEPT AND RESERVE unto Us, Our Heirs and Successors, all such parts and so much of the said Land as may hereafter be required for a Public Way, or Public Ways, Canals, or Railroads, in, over, and through the same, to be set out by Our Governor for the time being of Our said State, or some person by him authorized in that respect. AND ALSO all Sand, Clay, Stone, Gravel, and Indigenous Timber and all other Materials, the natural produce of the said Land, which may be required at any time or times hereafter by the Government of Our said State, for the construction and repair of any Public Ways, Bridges, or Canals, or for Naval purposes, or Railroads, or any Fences, Embankments, Dams, Sewers, or Drains, necessary for the same, together with the right of taking and removing all such materials: AND ALSO the right of full and free ingress, egress, and regress, into, out of, and upon the said Land, for the several purposes aforesaid, or any of them: In Testimony Whereof, We have caused this Our Grant to be Sealed with the Seal of Our said State.

WITNESS Our Right Trusty and Well-beloved FREDERIC JOHN NAPIER, BARON CHELMSFORD, Knight Commander of Our Most Distinguished Order of Saint Michael and Saint George, Our Governor of Our State of New South Wales and its Dependencies, in the Commonwealth of Australia, at Sydney, in Our said State, this *twenty sixth* day of *July* in the first year of Our Reign, and in the year of Our Lord One thousand nine hundred and ten.

*[Signature]*  
Governor.

RECORDED and ENROLLED in the Registrar General's Office, at Sydney, in New South

Wales, this 16th day of August 1980

*J. Pearce*  
Deputy Registrar General.

No. A18692 TRANSFER dated 9<sup>th</sup> December 1913  
from the said Herbert Swords, Joseph Christopher Swords of Moorabben Grazier  
of the land within described  
Produced and entered 9<sup>th</sup> April 1913  
at 2 1/4 mts pt 10 o'clock in the fore noon  
*R. Keliaus*  
REGISTRAR GENERAL

No. A18700 MORTGAGE dated 2<sup>nd</sup> February 1913  
from the said Joseph Christopher Swords to the Commercial Banking Company of Sydney Limited  
Produced and entered 9<sup>th</sup> April 1913  
at 10 o'clock in the fore noon.  
*R. Keliaus*  
REGISTRAR GENERAL

No. C361970 DISCHARGE of within mortgage  
No. A18700 dated 19<sup>th</sup> July 1935  
as regards the land in this above grant.  
Produced 14<sup>th</sup> August 1935 entered 14<sup>th</sup> August 1935  
at 59 mts pt 2 o'clock in the after noon.  
*Ray W. Miles*  
REGISTRAR GENERAL

No. C361970 TRANSFER dated 5<sup>th</sup> July 1935  
from the said Joseph Christopher Swords to George Albert Roberts of Cooks Gap Moorabben Grazier  
of the land within described  
Produced and entered 14<sup>th</sup> August 1935  
at 59 mts pt 2 o'clock in the after noon.  
*Ray W. Miles*  
REGISTRAR GENERAL

No. F108857 APPLICATION BY TRANSMISSION  
from Lawrence James Roberts of Bangalow Taxi Driver and Linden George Roberts of Cooks Gap near Mudgee FRANCHISE near Mudgee FRANCHISE near Mudgee the registered Proprietors of the land within described in pursuance of the above Application  
Produced 10<sup>th</sup> November 1949 and entered 25<sup>th</sup> November 1949  
at 12 o'clock in the noon.  
*S. H. Pells*  
REGISTRAR GENERAL

No. F108858 CAVEAT dated 10<sup>th</sup> November 1949  
by the Registrar General.  
Produced 10<sup>th</sup> November 1949 and entered 25<sup>th</sup> November 1949  
at 12 o'clock in the noon.  
*S. H. Pells*  
REGISTRAR GENERAL

The within Caveat No. F108858 is hereby withdrawn  
Dated 1<sup>st</sup> February 1961.  
*Jawatson*  
REGISTRAR GENERAL

Harry Meredith Seven of Mudgee Grazier is  
now the registered proprietor of the land within described.  
See TRANSFER No. H702704 dated 31<sup>st</sup> December 1960.  
Entered 7<sup>th</sup> February 1961.  
*Jawatson*  
REGISTRAR GENERAL

Linden George Roberts of Mudgee Grazier is  
now the registered proprietor of the land within described.  
See TRANSFER No. H982975 dated 15<sup>th</sup> January 1962.  
Entered 26<sup>th</sup> February 1962.  
*Jawatson*  
REGISTRAR GENERAL

No. J712985 MORTGAGE dated 26<sup>th</sup> June 1964  
to RURAL BANK OF NEW SOUTH WALES  
Entered: 9<sup>th</sup> September 1964  
*Jawatson*  
REGISTRAR GENERAL  
*Discharged N917528 17.7.1974*

No. J712986 MORTGAGE dated 26<sup>th</sup> June 1964  
to RURAL BANK OF NEW SOUTH WALES  
Entered: 9<sup>th</sup> September 1964  
*Jawatson*  
REGISTRAR GENERAL

MORTGAGE No. J712986 has been discharged.  
See K408823 Entered 25<sup>th</sup> August 1966.  
*Jawatson*  
REGISTRAR GENERAL

No. K408824 MORTGAGE dated 22nd July 1966  
to Rural Bank of New South Wales  
Entered 25<sup>th</sup> August 1966  
*Jawatson*  
REGISTRAR GENERAL  
*Discharged N917529 17.7.1974*

No. N558295 CAVEAT dated 26th October 1973  
Registered 26th November 1973.

*Jawatson*  
REGISTRAR GENERAL

\* KEVIN LESLIE GARNER Signwriter and ANDREW FINDLEY MORRISON JONES Farmer both of Condell Park as tenants in common in equal shares are now the registered proprietors of the land within described  
See TRANSFER No. N917531 dated 8th November 1973  
Registered 12th July 1974.  
*Jawatson*  
REGISTRAR GENERAL  
*to land in this grant the caveats are cancelled and new Certificates issued Vol 1231 Fol. 154*

D 36970

T 990

Alan

Dep. Reg. Gen. 14.3.61

*Handwritten notes:*  
710700  
2108857  
1588016

*Handwritten notes:*  
Mortgage Bk 1975  
Mortgage Bk 996

*Handwritten notes:*  
N 917 528 9/60  
N 417 529 20/64  
- 31/10/30/

**9. Supporting Documentation for Lot 1 in DP616317**

**[Example of extinguishment by Native Title  
Determination]**

## TITLE SEARCH

**Guidance from MEG:** Applicants are required to include a title search for every parcel of land included in an extinguishment assessment including where a determination is relied on. Accordingly, for this example, a title search for Lot 1 in DP616317 would be required.

# FEDERAL COURT OF AUSTRALIA

## Yaegl People #1 v Attorney General of New South Wales [2015] FCA 647

Citation: Yaegl People #1 v Attorney General of New South Wales [2015] FCA 647

Parties: **YA EGL PEOPLE #1 v ATTORNEY GENERAL OF NEW SOUTH WALES**  
**YA EGL PEOPLE #2 v ATTORNEY GENERAL OF NEW SOUTH WALES**

File number(s): NSD 6052 of 1998  
NSD 168 of 2011

Judge(s): **JAGOT J**

Date of judgment: 25 June 2015

Catchwords: **NATIVE TITLE** – consent determination

Legislation: *Native Title Act 1993* (Cth) ss 56(2), 57(1), 87, 87A, 94A

Cases cited: *Lander v South Australia* [2012] FCA 427  
*Munn v Queensland* [2001] FCA 1229; (2001) 115 FCR 109

Date of hearing: 25 June 2015

Place: Yamba, NSW

Division: GENERAL DIVISION

Category: Catchwords

Number of paragraphs: 11

Solicitor for the Applicant: Ms M Holt and Ms C Di Giusto of NTSCORP Limited

Counsel for the Attorney General of New South Wales: Mr V Hughston SC

Solicitor for the Attorney General of New South Wales: NSW Crown Solicitor's Office



Solicitor for New South  
Wales Aboriginal Land  
Council, Birrigan Gargle  
Local Aboriginal Land  
Council and Yaegl Local  
Aboriginal Land Council

Mr J Behrendt of Chalk & Fitzgerald

**IN THE FEDERAL COURT OF AUSTRALIA  
NEW SOUTH WALES DISTRICT REGISTRY  
GENERAL DIVISION**

**NSD 6052 of 1998**

**BETWEEN:**               **SELENA BLAKENEY, JUDY BRECKENRIDGE, JOYCE  
CAROLINE CLAGUE, JACQUELINE FREEBURN, RON  
HERON, THELMA KAPEEN, VIVIENNE KING, EILEEN  
MCLEAY, DEIDRA ANN RANDALL, WILLIAM WALKER  
AND LILLIAN WILLIAMS ON BEHALF OF THE YAEGL  
PEOPLE #1  
Applicant**

**AND:**                   **ATTORNEY GENERAL OF NEW SOUTH WALES  
CLARENCE VALLEY COUNCIL  
NTSCORP LIMITED  
CLARENCE RIVER FISHERMEN'S CO-OP LTD  
RICHARD CROFTON  
TELSTRA CORPORATION LIMITED  
Respondents**

**JUDGE:**               **JAGOT J**  
**DATE OF ORDER:**   **25 JUNE 2015**  
**WHERE MADE:**      **YAMBA, NSW**

**BEING SATISFIED** that a determination of native title in the terms sought by the parties is within the power of the Court, and it appearing appropriate to do so by consent of the parties,

**PURSUANT TO SS 87(1) AND (2) AND 94A OF THE *NATIVE TITLE ACT 1993* (CTH), THE COURT ORDERS THAT:**

1. There be a determination that native title exists in the terms set out below (the **Determination**).
2. The native title as determined is to be held on trust by Yaegl Traditional Owners Aboriginal Corporation RNTBC.
3. Yaegl Traditional Owners Aboriginal Corporation RNTBC is to:
  - (a) be the prescribed body corporate for the purposes of s 57(1) of the *Native Title Act 1993* (Cth) (the **NTA**); and

(b) perform the functions set out in s 57(1) of the NTA and the *Native Title (Prescribed Bodies Corporate) Regulations 1999* (Cth).

4. There be no order as to costs.

**THE COURTS NOTES THAT:**

- A. On 27 November 1996, the Applicant in proceeding NSD6052 of 1998 made a native title determination application ('Yaegl People's #1 Application') that relates to an area of land and waters including the waters and estuaries of the Clarence River from Harwood to the mouth of the river at Yamba on the north coast of New South Wales, the subject of a proposed determination of native title ('Claim Area').
- B. The parties have reached an agreement as to the terms of the determination of native title to be made in relation to the Claim Area.
- C. The terms of the agreement involve the making of orders by consent for a determination pursuant to sections 87 and 94A of the NTA that native title exists in relation to certain land or waters in the Claim Area.
- D. Pursuant to sections 87 and 94A of the NTA, the parties have filed a Minute of Proposed Consent Determination of Native Title which reflects the terms of the agreement reached by them.
- E. The Applicant has nominated the Yaegl Traditional Owners Aboriginal Corporation RNTBC pursuant to section 56(2) of the NTA to hold the determination native title on trust for the common law native title holders.
- F. The Yaegl Traditional Owners Aboriginal Corporation RNTBC has consented in writing to hold the rights and interests comprising the native title on trust for the common law holders and to perform the functions of a registered native title body corporation under the NTA.

Note: Entry of orders is dealt with in Rule 39.32 of the *Federal Court Rules 2011*.

## **THE DETERMINATION**

### **Existence of native title**

1. The Determination Area comprises the areas of land or waters described in Schedule One and shaded green on the plan in Schedule Two.
2. Native title exists in relation to the areas of land or waters in the Determination Area in the manner set out in paragraphs 5 to 8.
3. Native title has been extinguished in the land and waters described in Schedule Three ('the Extinguished Areas').

### **Native title holders**

4. Native title in the Determination Area is held by the Yaegl People who comprise all the descendants of the following apical ancestors:
  - (a) Dugald Cameron (who was born in Chatsworth Island around 1870);
  - (b) Jack Freeburn (who was born in Yamba around 1868);
  - (c) Sailor Morris (who was born in Chatsworth Island around 1831);
  - (d) Nodo Combo (who was born in Yamba around 1859); and
  - (e) Rose Combo nee Yamba and also known as Rosie Yamba (who was born in Yamba around 1856);

and persons adopted or incorporated into the families of those persons and who identify as and are accepted as Yaegl People in accordance with Yaegl traditional laws and customs (and the biological descendants of any such adopted or incorporated persons).

### **Nature and extent of native title rights and interests**

5. Subject to paragraphs 6 to 8, the nature and extent of the native title rights are:
  - (a) the right to enter, travel over and remain on a non-permanent basis on the Determination Area;
  - (b) the right to live on the land, to camp, to erect shelters, and to move about the land in the Determination Area but not extending to a right to permanently occupy or possess the land;
  - (c) the right to engage in cultural activities, to conduct ceremonies, to hold meetings, and to participate in cultural practices relating to birth and death in the Determination Area;

- (d) the right to hunt in the Determination Area;
- (e) the right to fish in the Determination Area;
- (f) the right to take and use the water of the Determination Area for personal, domestic and communal purposes (including cultural purposes) but not extending to a right to control the use and flow of the water in any rivers or lakes which flow through or past or are situated within the land of two or more occupiers;
- (g) the right to gather and use the natural resources in the Determination Area including food, medicinal plants, timber, stone, charcoal, ochre and resin as well as materials for fabricating tools and hunting implements and making artwork and musical instruments;
- (h) the right to light fires on the Determination Area for domestic purposes, but not for the clearance of vegetation;
- (i) the right to share, offer and exchange traditional resources derived from the Determination Area;
- (j) the right to have access to, maintain and protect from physical harm, sites and places of importance in the Determination Area which are of significance to Yaegl People under their traditional laws and customs;
- (k) the right to teach on the Determination Area the physical, cultural and spiritual attributes of places and areas of importance on or in the Determination Area; and
- (l) the right to be accompanied on the Determination Area by persons who, though not native title holders, are:
  - (i) spouses, partners or parents of native title holders, together with their children and grandchildren;
  - (ii) people whose presence is required under traditional laws and customs for the performance of cultural activities, practices or ceremonies; and
  - (iii) people requested by the native title holders to assist in, observe or record cultural activities, practices or ceremonies.

6. The native title rights and interests referred to in paragraphs 5(a) to (l) are not exclusive.

**General qualifications on native title rights and interests**

7. Native title does not exist in:
  - (a) minerals as defined in the *Mining Act 1992* (NSW) and the *Mining Regulation 2010* (NSW); and
  - (b) petroleum as defined in the *Petroleum (Onshore) Act 1991* (NSW) and the *Petroleum (Submerged Lands) Act 1982* (NSW).
8. The native title rights and interests in the Determination Area do not confer:
  - (a) possession, occupation, use or enjoyment to the exclusion of all others; and
  - (b) any right to control public access to, or public use of, the land or waters in the Determination Area.
9. The native title rights and interests in the Determination Area are subject to and exercisable in accordance with:
  - (a) the laws of the State of New South Wales and of the Commonwealth;
  - (b) the traditional laws acknowledged and traditional customs observed by the Yaegl People; and
  - (c) the terms of any Indigenous Land Use Agreement which may at any time be registered by the National Native Title Tribunal in respect of any part of the Determination Area.

**Nature and extent of other interests**

10. The other interests in relation to the Determination Area are the interests described in Schedule Four ('Other Interests').

**Relationship between native title rights and other interests**

11. The relationship between the native title rights and interests in the Determination Area and the Other Interests is that:
  - (a) the Other Interests continue to have effect;
  - (b) the Other Interests co-exist with the native title rights and interests;
  - (c) the native title holders do not have the right to control access to or the use of the land or waters by the holders of the Other Interests, acting in accordance with those Other Interests; and
  - (d) to the extent of any inconsistency, the Other Interests and any activity that is required or permitted by or under the exercise of a right conferred or held under the Other Interests, while they are in existence, prevail over but do not

extinguish the native title rights and interests and any exercise of those native title rights and interests.

## Definitions

12. In this Determination and the associated orders, unless the contrary intention appears:
- ‘Claim Area’** means the land or waters subject to native title determination application NSD6052 or 1998 (The Yaegl People’s #1 Application).
- ‘Determination Area’** means the land and waters described in Schedule One and depicted on the plan in Schedule Two.
- ‘Extinguished Areas’** means the land and waters described in Schedule Three and depicted on the plan in Schedule Two.
- ‘laws of the State of New South Wales and of the Commonwealth’** include statutes, regulations and other subordinate legislation and the common law.
- ‘Native Title Act’** means the *Native Title Act 1993* (Cth).
- ‘native title rights and interests’** means the rights and interests described in paragraph 5.
- ‘Other Interests’** means the described in Schedule Four.
- ‘validated’** means acts validated in accordance with the *Native Title Act* or the *Native Title (New South Wales) Act 1994* (NSW).
- ‘Yaegl People’** means the native title holders described in paragraph 4.
- ‘Yaegl Traditional Owners Aboriginal Corporation RNTBC’** means Yaegl Traditional Owners Aboriginal Corporation RNTBC incorporated under the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* (Cth).
13. If a word or expression is not defined in the Determination or the associated orders, but is defined in the *Native Title Act*, then it has the meaning given to it in the *Native Title Act*.

## Schedule One

### Description of the Determination Area

1. The Determination Area is comprised of the areas of land and waters identified in paragraph 4 below.
2. The Determination Area is also depicted on the plan in Schedule Two. For the sake of clarity, it is confirmed that the Determination Area does not include the unclaimed areas of land or waters in respect of which native title does not exist by reason of extinguishment.
3. In the event of any inconsistency between the written description provided in paragraph 4 in this Schedule and the plan in Schedule Two, the written description shall prevail.
4. The area covered by the Determination is the lands and waters including the tidal water within the described area below:

*Note for interpretation of description: In this description all references to river banks (right, left or by cardinal points), foreshores and the South Pacific Ocean relate to their position at the Mean High Water Mark. All references to river banks relate to the right or left bank as the river flows. Due to the number of channels and lagoons that are tidal and do not flow in a specific direction reference to their banks is by cardinal points. DP refers to Deposited Plan.*

- (a) Commencing on the right bank of the Clarence River at the eastern extremity of the breakwater that meets the South Pacific Ocean. Thence by the general right bank of the Clarence River, aforesaid, upwards to the general eastern bank of Oyster Channel. By the general eastern bank generally southerly and the foreshore of Wooloweyah Lagoon to the general south western bank of Palmer Channel. By that general south western bank generally north westerly to the general right bank of Clarence River, aforesaid. Again, by the general right bank of Clarence River and the right bank of James Creek upwards to its intersection with the prolongation of the general southern boundary of lot 1 of DP650930 (being the tidal limit of James Creek). By that prolongation generally north westerly to the left bank of James Creek, aforesaid. By that left bank downwards to again the general right bank of Clarence River upwards to its intersection with the eastern edge of Pacific Highway. By that eastern edge of the Pacific Highway, aforesaid, to the general left bank of Clarence River.



By that left bank downwards and the general southern and western banks of Palm Channel generally westerly and generally northerly and the general right bank of Narho Creek upwards to the north west corner of lot 2 of DP594030.

Thence by an unnamed road generally north easterly to the left bank of Narho Creek, aforesaid. By that left bank downwards and the general western bank of Palm Channel, aforesaid, generally northerly to the general left bank of Clarence River. By that general left bank downwards to the general southern bank of Middle Channel. By that general southern bank generally westerly and the general south eastern bank of Serpentine Channel generally south westerly to its intersection with the general north eastern edge of Pacific Highway, aforesaid. By that general north eastern edge generally north westerly to the general north western bank of Serpentine Channel. By that general north western bank generally north easterly to the general western bank of Middle Channel, aforesaid. By that general western bank generally northerly to the right bank of North Arm. By that right bank upwards to its intersection with the north eastern edge of Pacific Highway, aforesaid (at Mororo Bridge). By that north eastern edge north westerly to the left bank of North Arm. By that left bank, the foreshore of Shallow Inlet and again the left bank of North Arm downwards and the right bank of Woolpack Gully upwards to the southern edge of Iluka Road. By that southern edge easterly to the left bank of Woolpack Gully. By that left bank and again the left bank of north arm downwards, the right bank of Esk River upwards to the general northern boundary of lot Pt.94 of DP751394 (at Billy Weily Bridge). By the prolongation of that northern boundary easterly to the left bank of Esk River, aforesaid.

By that left bank downwards, the general northern boundary of Woram Channel easterly, the left bank of North Arm downwards, the foreshore of Saltwater Inlet, again the left bank of North Arm and the left bank of Clarence River downwards to the foreshore of Iluka Bay. By that foreshore and again the left bank of Clarence River downward to the eastern end of the northern breakwater at the South Pacific Ocean.

Thence by a line to the point of commencement.

- (b) The following islands that lie within the above definition are excluded from the Determination Area:
- (i) Dart Island, Wangainan Island, Periko Island, Ano Island, Corokos Island, Joss Island, Micalo Island, Palmers Island, Panibona Island, Tomayen Island, Romiaka Island, Maritzos Island, Thorny Island, Eureka Island, Ungandam Island, Yargai Island, Whyuna Island, Sleeper Island, Arael Island, Turkey Island, Gourd Island, Palm Island, Goodwood Island, Freeburn Island, Rabbit Island, Arris Island, Bolorobo Island, Esk Island, Nihill Island, Narrabarribi Island, Garden Island, Woolbin Island; and
  - (ii) three unnamed islands:
    - (A) An unnamed island enclosed by the tidal waters of North Arm, Esk River and Woram Channel;
    - (B) An unnamed island within Micalo Channel situated south west of Panibona Island and north east of Palmers Island; and
    - (C) An unnamed island within Clarence River situated south east of Palm Island.



**Schedule Three**  
**Extinguished Areas**

1. The Extinguished Areas comprise:
- (a) any land or waters within the Claim Area on which there is or has been constructed or established valid or validated public works (including any adjacent land or waters as described in section 251D of the *Native Title Act* which were constructed or established prior to 23 December 1996 or were commenced to be constructed or established on or before that date);
  - (b) without detracting from the generality of paragraph (a), any land or waters upon which a public road is or was commenced to be constructed or established, on or before 23 December 1996;
  - (c) any roads established under statute or common law prior to 23 December 1996; and
  - (d) the following land or waters:

Extinguished Parcels			
Area	ID	Description of Land	Other comments
A - Locality of Yamba	3	The land is the Gantry Wall which is shown on the Status Branch Town Map. This is below the Mean High Water Mark and therefore would have been part of the waterway at settlement. This structure is partly within Lot 1 in DP 804302 and Lot 1 in DP 814966.	Subject to a number of leases and sub-leases. Head lease 2214217 to Dolphin Cove Developments
A - Locality of Yamba	6	164/751395; Part of this ID is land and part of this ID is below the mean high water mark	Special Lease 1963-51
A - Locality of Yamba	25	1/616317	Registered proprietor of land is "The Maritime Services Board of NSW"
F - Locality of Harwood	1	Crown Land below MHWL of the Clarence River adjoining part lot 93 in the Deposited Plan 751373 and lot 188 in Deposited Plan 751373. Land is known as Permissive Occupancy 147446	Special Lease 1907-18

2. Any land covered by past or present freehold title or by previous exclusive possession acts as defined by section 23B of the *Native Title Act* (1993) (Cth) as follows:
  - (a) a scheduled interest;
  - (b) a freehold estate;
  - (c) a commercial lease that is neither an agricultural nor a pastoral lease;
  - (d) an exclusive agricultural lease or an exclusive pastoral lease;
  - (e) a residential lease; and
  - (f) a community purpose lease.
3. The Extinguished Areas are also depicted on the plan in Schedule Two.
4. In the event of an inconsistency between the written description provided in this Schedule and the plan in Schedule Two, the written description shall prevail.

## **11. Western Lands Lease**

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - TITLE SEARCH  
-----

FOLIO: 66/760471  
-----

SEARCH DATE	TIME	EDITION NO	DATE
-----1	----	-----	----
4/9/2022	1:54 PM	3	2/11/1999

LAND  
-----

LOT 66 IN DEPOSITED PLAN 760471  
LOCAL GOVERNMENT AREA BALRANALD  
PARISH OF LAWRENCE COUNTY OF CAIRA  
TITLE DIAGRAM WESTERN LANDS PLAN 470 FILED AS DP760471

FIRST SCHEDULE  
-----

ESTATE: PERPETUAL LEASE

JANE FARMER  
JOHN FARMER  
AS TENANTS IN COMMON IN EQUAL SHARES (T X33544)

SECOND SCHEDULE (6 NOTIFICATIONS)  
-----

- 1 LAND EXCLUDES MINERALS AND IS SUBJECT TO RESERVATIONS AND CONDITIONS IN FAVOUR OF THE CROWN - SEE MEMORANDUM S700000C
- 2 EXCEPTING ANY ROADS AND RESUMED LAND NOT INCLUDED IN THE LEASE
- 3 WESTERN LANDS LEASE 3306
- 4 SUBJECT TO THE PROVISIONS OF THE WESTERN LANDS ACT, 1901 PARTICULARLY AS REGARDS PAYMENT OF ANNUAL RENT AND OTHER DUES, RESTRICTIONS ON DEALINGS AND ON SUBDIVISION - SEE SECTION 18G AND 18FA  
PURPOSE OF LEASE: GRAZING  
AREA OF LEASE: 7155HA
- 5 INQUIRIES, PARTICULARLY IN RESPECT OF LEASE CONDITIONS AND/OR SUBDIVISION OF THE LEASE, SHOULD BE MADE OF THE DEPARTMENT OF PRIMARY INDUSTRIES, CROWN LANDS WEST REGION BEFORE DEALING WITH THIS FOLIO
- 6 4411000 MORTGAGE TO COMMONWEALTH BANK OF AUSTRALIA

NOTATIONS  
-----

NOTE: THE CERTIFICATE OF TITLE FOR THIS FOLIO OF THE REGISTER DOES NOT INCLUDE SECURITY FEATURES INCLUDED ON COMPUTERISED CERTIFICATES OF TITLE ISSUED FROM 4TH JANUARY, 2004. IT IS RECOMMENDED THAT STRINGENT PROCESSES ARE ADOPTED IN VERIFYING THE IDENTITY OF THE PERSON(S) CLAIMING A RIGHT TO DEAL WITH THE LAND COMPRISED IN THIS FOLIO.

UNREGISTERED DEALINGS: NIL

\*\*\* END OF SEARCH \*\*\*

PRINTED ON 14/9/2022

\* Any entries preceded by an asterisk do not appear on the current edition of the Certificate of Title. Warning: the information appearing under notations has not been formally recorded in the Register.

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LAND AND PROPERTY INFORMATION NEW SOUTH WALES - HISTORICAL SEARCH  
-----

SEARCH DATE  
-----

15/9/2022 10:44AM

FOLIO: 66/760471  
-----

First Title(s): 66/760471  
Prior Title(s): CROWN LAND

Recorded -----	Number -----	Type of Instrument -----	C.T. Issue -----
4/12/1986	FI501262	FOLIO INSTRUCTION	FOLIO CREATED EDITION 1
4/8/1987	X223544	TRANSFER	EDITION 2
11/8/1993		AMENDMENT: PARISH-COUNTY	
2/11/1999	6211000	MORTGAGE	EDITION 3
16/12/2002	9210708	DEPARTMENTAL DEALING	
4/11/2003	AA122406	DEPARTMENTAL DEALING	

\*\*\* END OF SEARCH \*\*\*

PRINTED ON 15/9/2022





1241



# WESTERN LANDS LEASE.

**George VI,**  
~~Edward VIII~~, by the Grace of God, of Great Britain, Ireland,  
and of the British Dominions beyond the Seas, King,  
Defender of the Faith, Emperor of India.

To all to whom these presents shall come, Greeting:—

Whereas certain Crown Lands in the Western Division of Our State of New South Wales were duly set apart for disposal by way of lease exclusively to holders of lands under any tenure situated in the Central and/or Western Division within a reasonable working distance of such lands.

for the purpose of grazing  
under the provisions of the Western Lands Act of 1901 as amended by subsequent Acts (hereinafter called the said Acts) AND WHEREAS HUGH CURPHEY, "Hughdale", Balranald

\_\_\_\_\_ in Our said State

\_\_\_\_\_ did on the sixteenth day of February

1944 make an application under the provisions of the said Acts for a Lease of the land hereinafter mentioned and all things required by law have been done to enable a Lease of such land to be duly granted AND WHEREAS

Our Minister for Lands of Our said State has granted to the said HUGH CURPHEY  
a lease of the land hereinafter mentioned in perpetuity at the rent and upon and subject to the exceptions reservations conditions and provisions hereinafter mentioned NOW KNOW YE that in pursuance of the provisions of the said Acts WE DO HEREBY grant unto the said HUGH CURPHEY

( who with his executors administrators and assigns is hereinafter referred to as the Lessee )  
ALL THAT piece or parcel of land ~~containing~~ being Portion W.L. 66 containing

seventeen thousand six hundred and eighty (17,680) acres more or less  
situated in the Parish of \_\_\_\_\_ County of Caira

(being Western Lands Lease No. 3306) as delineated in the diagram catalogued W.L.O. 470 in the Office of the Western Lands Commissioner (hereinafter called the Commissioner) in the City of Sydney in the said State but subject to any modification or adjustment of such diagram consequent upon survey duly authorised by the Commissioner TOGETHER WITH ALL rights easements and appurtenances to the same belonging EXCEPTING AND RESERVING unto US OUR HEIRS and SUCCESSORS all minerals as defined in the Mining Act 1906 or any Act amending the same and all metals gems precious stones coal and mineral oils which may be in under or upon the said land together with full power and authority for US OUR HEIRS and SUCCESSORS and for any person lawfully authorised in that behalf to enter upon the said land and search for work win and remove all or any of the said minerals metals gems precious stones coal and mineral oils: AND FURTHER RESERVING unto US OUR HEIRS and SUCCESSORS the unrestricted right to proclaim Travelling Stock Camping or other Reserves within the said land and to withdraw any land for the purpose of Roads Travelling Stock Camping or other Reserves Also the right to withdraw from this Lease land for a Travelling Stock Route or roads not exceeding ten chains in width without payment of any compensation therefor AND FURTHER RESERVING unto US OUR HEIRS and SUCCESSORS all powers and provisions necessary for the resumption as hereinafter provided of the said lands or any part thereof for mining purposes townships or any public purpose mentioned in or declared as such under the provisions of the Crown Lands Consolidation Act 1913 as amended by subsequent Acts TO HOLD the said land unto the Lessee as

a Western Lands Lease from the second day of October 1944  
in perpetuity

subject to the provisions of the said Acts and the Regulations thereunder and to the Reservations Exceptions Conditions and Provisions herein contained YIELDING AND PAYING therefor the yearly rent of eleven pounds fifteen shillings and nine pence or such other rent as shall be or become payable by reason of the annual rent having been or being fixed or determined in due course of law (whether because of the capital value having been or being re-determined or otherwise) ~~Provided~~ ~~Always~~ that in the event of the said land being found on survey to contain an area in excess of or less than the area as aforesaid the rent hereby reserved shall as from a date to be fixed by the Commissioner increase

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5506

or decrease proportionately to the increase or decrease so found as aforesaid ~~And it is hereby Declared~~ that all conditions and provisions contained in the said Acts and any Regulations made or to be made thereunder are in so far as the same are applicable hereto embodied and incorporated with these presents as conditions and provisions of the lease hereby expressed to be granted ~~And it is hereby Further Declared~~ as follows:—

1. THAT the Lessee shall and will duly pay annually in advance to the Colonial Treasurer of Our said State the rent hereby reserved at the dates appointed for payment of the same in accordance with the provisions of the said Acts without deduction or abatement on any account whatsoever ~~Provided~~ that if the said rent be not paid as aforesaid the Lessee shall pay to the Colonial Treasurer by way of penalty a sum calculated at such rate not to exceed Four per centum per annum as may be prescribed by the regulations under the said Acts for the time being in force or as may be fixed by the Commissioner.

(Intd) J.M.T. ~~2. THAT the Lessee shall subject to and in accordance with the provisions of the said Acts reside on the said land and make it his bona fide residence.~~

3. THAT the Lessee shall hold and use the said land *bona fide* for his own exclusive benefit.

4. THAT the Lessee will not use or permit to be used the said land for any purpose other than grazing.

5. THAT the Lessee shall fence the external boundaries of the said land within such period and with such class of fencing as may be determined by the Commissioner and shall and will well and sufficiently repair and keep repaired the fence so to be erected during the residue of the terms of the Lease ~~Provided~~ that boundaries common to the land hereby granted and to other lands (if any) held by the Lessee need not be fenced as long as such other lands and the land hereby leased are held by the Lessee ~~Provided Also~~ that the Commissioner shall not be entitled under this clause to require rabbit-proof fencing to be erected.

6. THAT the Lessee shall subject to and in accordance with the said Acts and the regulations thereunder pay all survey fees and interest thereon payable in respect of the subject land.

7. THAT the Lessee shall—

(i) within such time as may be specified by the Commissioner take such steps and measures as the Commissioner shall direct to destroy rabbits dogs foxes and such other vermin and such weeds as may from time to time be declared noxious in the Government Gazette and to keep the said land free of such vermin and weeds during the currency of this Lease to the satisfaction of the Commissioner; and

(ii) as Our Minister for Lands of Our said State may from time to time direct foster and cultivate such edible shrubs and plants as the Commissioner may consider can be advantageously and successfully cultivated.

~~Provided~~ that during the currency of this Lease the Lessee shall not be compelled to expend annually for the purposes of destroying vermin and weeds as aforesaid and for the purpose of cultivating edible shrubs as aforesaid a sum exceeding one-farthing per acre of the whole area under Lease such sum to be expended on any of the purposes aforesaid in such proportions and in such manner as the Commissioner may from time to time direct ~~Provided Also~~ that the Commissioner may at any time require proof from the Lessee of the expenditure of all moneys so expended on each or any of the purposes aforesaid the onus to be on the Lessee of proving such expenditure in each case.

8. THAT the Lessee shall keep and preserve sufficient timber on the said land for shade and firebreaks.

9. THAT the Lessee shall not interfere with the timber upon any State Forest, Forest Reserve, or Timber Reserve which may now or hereafter be included within the said land without the permission in writing of the Commissioner and shall not prevent any person or persons duly authorised in that behalf from cutting or removing timber upon such State Forest, Forest Reserve or Timber Reserve or upon the said land.

10. THAT the Lessee shall not ringbark cut or otherwise destroy or permit the destruction of any timber or edible scrub without the written consent of the Commissioner ~~Provided~~ that the Lessee may use in such manner as the Commissioner may from time to time determine edible trees or scrub for stock feeding purposes and may take such timber and other material (not being within a State Forest Forest Reserve or Timber Reserve) as he may require for building and other purposes upon the land hereby leased.

11. THAT the Lessee shall not obstruct or interfere with any reserves roads or tracks or the lawful use thereof by any person.

12. THAT the Lessee shall and will maintain and keep in reasonable repair all improvements on the said land during the currency of this Lease and shall and will permit Our Minister for Lands the Commissioner and any person authorised by Our said Minister or the Commissioner at all times to enter upon and examine the whole or any part of the demised land and the buildings and other improvements thereon.

13. THAT the Lessee shall furnish such returns or statements as the Commissioner may from time to time require in connection with any Lease or License or Freehold or Conditional Purchase held by him or in which he is interested within the Western Division or which are or is worked in conjunction with any Lease or License in the Western Division held by him or in which he is interested and in connection with any sheep or large stock cost of improvements working expenses or any other matter relative to any such holding as aforesaid.

14. THAT the Lessee shall not transfer convey assign or sublet the said land or any portion thereof or mortgage or charge the same <sup>except in conformity with the provisions of the said Acts</sup> with the repayment of moneys advanced on the security thereof without having first obtained the written consent of Our said Minister,

15. THAT the Lessee shall not grant any grazing rights over the said land or agist stock thereon without first having obtained such consent as aforesaid,

16. THAT the Lessee shall not overstock or permit or allow to be overstocked the land hereby demised and that the decision of the Commissioner as to what constitutes overstocking shall be final and that the Lessee shall comply with any directions of the Commissioner to prevent or discontinue overstocking.

17. THAT the Lessee shall permit any person duly authorised in that behalf to enter upon the said land and search for work win and remove all or any minerals metals gems precious stones coal or mineral oils in under or upon the said land.

18. **Provided Always and it is Hereby Agreed and Declared as follows:—**

- (a) That no transfer or assignment of this Lease or any agreement to sublet the said land or any part thereof shall affect any forfeiture incurred or any debt or liability accrued to US OUR HEIRS OR SUCCESSORS under or by virtue of these presents;
- (b) That no transfer of this Lease shall be registered or recognised if any rent payment or other dues to the Crown are in arrear;
- (c) That no public rights now existing or hereafter to be created in and over any Travelling Stock Route Reserve or Camping Reserve which may be included within the said land shall be affected by the granting of this Lease;
- (d) That it shall be lawful for Our Governor of Our said State by notification to be published in the Government Gazette to withdraw from this Lease any lands required for mining purposes townships or any public purpose mentioned in or declared as such under the provisions of the Crown Lands Consolidation Act 1913 or any Act amending the same **Provided** that upon such publication as aforesaid the Lessee shall be entitled to such compensation in respect of the land so withdrawn for the unexpired term of these presents and for the improvements owned by the Lessee upon the land so withdrawn as aforesaid as may be determined by Our said Minister after appraisalment by the Commissioner.

19. **Provided Always** and these presents are upon this express condition that if and whenever the rent hereby reserved or any part thereof shall be in arrear for more than six months after the time hereinbefore for the payment thereof appointed or whenever there shall be a breach or non-observance by the Lessee **or his** \_\_\_\_\_ executors administrators and assigns of any other condition or provision herein contained or incorporated herewith and on the part of the Lessee to be observed and performed it shall be lawful for Our said Minister after report from the Commissioner to declare by notification in the *Government Gazette* that the Lease hereby expressed to be granted is cancelled and forfeited and thereupon these presents shall become of no effect and the term of the Lease hereby granted shall absolutely determine and Our said Minister may enter upon the said land and the Lessee **or his** \_\_\_\_\_ executors administrators and assigns therefrom expel but without releasing the Lessee **or his** \_\_\_\_\_ executors administrators or assigns from liability in respect of the breach or non-observance or non-performance of any covenant condition or stipulation herein contained or incorporated herewith.

20. **Provided Further and it is Hereby Declared** that such of the provisions and conditions of this Lease as require or prescribe any act or thing to be done or not to be done by the Lessee shall in addition to being read and construed as conditions of this Lease be also read and construed as covenant by the Lessee **or his** \_\_\_\_\_ executors administrators and assigns with US OUR HEIRS and SUCCESSORS to observe and perform the said provisions and conditions.

21. The terms "Our Minister for Lands of Our said State" and "Our said Minister" when herein used shall mean and include Our Minister for Lands of Our said State for the time being or other Our Minister of Our said State for the time being charged with the administration of the said Acts.

~~In Testimony whereof we have caused this Our Lease to be sealed with the seal of Our said State.~~

In Testimony whereof We have caused this Our Lease to be executed on Our behalf by Our Minister for Lands of Our State pursuant to the provisions of Section 28c of the said Acts, on the twentieth day of February, 1945

SIGNED SEALED AND DELIVERED by the HONOURABLE

JOHN MORAN TULLY

being the Minister for Lands of the said State on behalf of His Majesty King George VI in the presence of:

(Sgd) J.M. TULLY

(Sgd) A.A. BRITTON  
Western Lands Commissioner.

RECORDED AND ENROLLED IN THE REGISTER OF  
Western Lands Leases, Book 5506 at  
Western Lands Office Sydney New South Wales  
This Second day of March 1945

*Brecker*  
for Secretary.

Pursuant to the adoption of metric units of area, the area of Western Lands Lease No. 5506 has been altered from Seventeen thousand six hundred and eighty (17,680) acres to Seven thousand one hundred and fifty-five (7,155) hectares.  
*Dryden*  
For Secretary, Western Lands Commission.

Transfer by way of Mortgage dated 15/2/1947  
from Hugh Curphey  
to Bank of New South Wales  
of Western Lands Lease No. 5506 registered in the Western Lands Office this 12<sup>th</sup> day of March 1947.  
*J. Sealin*  
For Secretary, Western Lands Office.

Transfer by way of Trusteeship dated 9.8.1976  
from Michael Arthur Curphey and Andrew John Brown, executors of the will of Hugh Curphey, deceased  
To  
Michael Arthur Curphey and Robin Cornelius Poole trustees of the will of Hugh Curphey, deceased  
of Western Lands Lease No. 5506 registered in the office of the Western Lands Commissioner this 23<sup>rd</sup> day of September, 1976.  
*Dryden*  
For Secretary, Western Lands Commission.

Transfer by way of Release dated 11/5/1966  
from Bank of New South Wales to Andrew John Brown and Michael Arthur Curphey as Executors of the Will of Hugh Curphey, deceased  
Wide C.S.C. 66/6427  
of Western Lands Lease No. 5506 registered in the office of the Western Lands Commissioner this 27<sup>th</sup> day of June, 1967.  
*Attrens*  
For Secretary, Western Lands Commission.

Transfer by way of Release dated 3.16.1977  
from Michael Arthur Curphey  
of Western Lands Lease No. 5506 registered in the office of the Western Lands Commissioner this 16<sup>th</sup> day of June, 1977.  
*Dryden*  
For Secretary, Western Lands Commission.

Transfer by way of Mortgage dated 9.12.1968  
from Andrew John BROWN and Michael Arthur CURPHEY as Executors of the Will of Hugh CURPHEY deceased  
to Bank of New South Wales  
of Western Lands Lease No. 5506 registered in the office of the Western Lands Commissioner this 9<sup>th</sup> day of August, 1968.  
*Attrens*  
For Secretary, Western Lands Commission.

Transfer by way of Release dated 3.16.1977  
from Bank of New South Wales  
To  
Robin Cornelius Poole and Michael Arthur Curphey, Trustees of will of Hugh Curphey, deceased  
of Western Lands Lease No. 5506 registered in the office of the Western Lands Commissioner this 29<sup>th</sup> day of June, 1979.  
*Dryden*  
For Secretary, Western Lands Commission.

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(494) Western Lands Office, Sydney, 13th October, 1944.  
IT is hereby notified that under the provisions of section 23 of the Western Lands Act of 1901, a Western Lands Lease of the land specified in the annexed Schedule has been granted to the undermentioned person.

The lease is subject to the general provisions and conditions of the Western Lands Act, 1901, and the Regulations thereunder, and to the covenants, reservations and exceptions set out at the foot of the Schedule.

The land is to be used only for the purpose of grazing for which the lease is granted.

Rent and survey fee are subject to adjustment upon any recalculation of area or any survey.

All amounts due and payable to the Crown must be paid to the Under-Secretary for Lands within one month from date hereof.  
J. M. TULLY, Minister for Lands.

SCHEDULE.

No. of Western Lands Lease.	Reg. No. of Papers.	Name and address of Lessee.	County.	Area.	Term of Lease.		Annual Rent.	Survey Fee.	Pastures Protection District.
					From	To			
LEASE GRANTED OUT OF EXPIRED LEASE—PINE LODGE (HEPWORTH'S HOLDING.)									
3306	W.L.O. 44-5,064	Hugh Curphey, "Hughdale," Balranald.	Caira	Acres. 17,680	1944. 2 Oct. ...	Perpetuity	£ s. d. 11 15 9	£ s. d. 33 12 0	Balranald.

The lease is subject to the undermentioned covenants, reservations and exceptions.

The right is reserved to the Minister to withdraw from any lease, land for a travelling stock route, or for roads not exceeding 10 chains in width, without payment of any compensation therefor.

The lessee shall hold and use the land bona fide for his own exclusive benefit.

The lessee shall not grant any grazing rights over the said land or agist stock thereon without having first obtained the written consent of the Commissioner.

The lessee shall not overstock the lease, the decision as to overstocking to rest with the Commissioner.

The lessee shall within one year from date of commencement of the lease enclose it with a substantial stockproof fence provided that the boundaries common to other lands held in the same interests need not be so fenced as long as such lands remain held in the same interests.

No timber shall be ringbarked or destroyed nor shall any timber be cut or removed from the land for the purpose of sale, except subject to the provisions of the Forestry Act, 1916, and the Regulations thereunder at the time in force.

The lessee may, however, take from the land leased to him such timber and other material for building and other purposes upon such land as may be required by him as tenant thereof provided such land is not comprised within a timber reserve or State Forest.

Should the lease be forfeited all improvements on the land shall become the property of the Crown.

The fact that any lease granted is a lease in perpetuity does not confer on lessee any greater title to the timber on the land than he would have if the lease were only for a short term of years.

(488)

Western Lands Office, Sydney, 13th October, 1944.

GRANTING OF PREFERENTIAL OCCUPATION LICENSES.

IT is hereby notified, for public information, that the Preferential Occupation Licenses shown in the Schedule hereunder published have, under the provisions of the Western Lands Acts, been granted for the areas withdrawn from the holdings specified.

J. M. TULLY, Minister for Lands.

No. of Preferential Occupation License.	Papers.	Holding.	Area Withdrawn.	Name of Licensee.	Annual License Fee.	Date of commencement of License.
1055	W.L.O. 1944-4,893	"Charlton"— W.L.L. 355	a. f. p. 12,016 0 0	Australian Mercantile Land and Finance Company Limited.	£ s. d. 63 1 8	14 Oct., 1944
1056	1944-4,893	W.L.L. 376	12,839 3 20	do do	80 15 9	14 " "
1057	1944-4,893	W.L.L. 1,719	3,093 0 0	do do	19 6 8	14 " "
1058	1944-4,893	W.L.L. 1,720	1,012 0 0	do do	6 6 0	14 " "
1059	1944-4,893	W.L.L. 1,981	1,280 0 0	do do	7 8 3	14 " "
1060	1944-4,893	W.L.L. 2,046	950 3 0	do do	4 19 0	14 " "
1091	1944-4,893	W.L.L. 2,131	3,226 0 0	do do	25 2 9	14 " "
1062	1944-4,893	W.L.L. 362	7,770 0 0	do do	40 9 5	14 " "
1063	1944-4,893	W.L.L. 3,527	580 0 0	do do	3 15 5	14 " "
1064	1944-2,358	"Mallee Cliffs"— W.L.L. 950	40,172 0 0	Neltop Pastoral Company Proprietary Limited.	11 17 8	11 " "
1065	1944-2,358	W.L.L. 3,176	30,377 0 0	do do	9 4 0	14 " "
1066	1944-4,240	"Moorara"— W.L.L. 4,738	52,720 0 0	Lindsay Keith Crozier, Malcolm Vivian Crozier, Nell Kuhnle Crozier and Keith Elliott Crozier.	32 19 0	14 " "
1067	1943-3,542	"Toorang"— W.L.L. 1,257	2,528 0 0	Mary Alice Isabel Giover	13 7 7	14 " "

(493)

Western Lands Office, Sydney, 13th October, 1944.

IT is hereby notified that under the provisions of section 23A of the Western Lands Act of 1901, Western Lands Leases of the land specified in the annexed Schedule have been granted to the undermentioned persons.

The leases are subject to the provisions of the Western Lands Act, 1901, and the Regulations thereunder exclusive of clause 13 of Regulation 24, and the special conditions, provisions, exceptions, covenants, and reservations set out at the foot of the Schedule.

The land to be used only for the purpose for which the leases are granted.

All amounts due and payable to the Crown must be paid to the Under Secretary for Lands within one month from the date hereof.

J. M. TULLY, Minister for Lands.

No. of Western Lands Lease.	Reg. No. of Papers.	Name and Address of Lessee.	Parish.	County.	Situation of Land.	Area.	Purpose of Lease.	Term of Lease.	Annual Rent.	Survey Fee.	Pastures Protection District.
5441	W.L.O. 44-4,709	Henry Wheeler, Leslea Yanda-mina in Mparinka.	Wygab	Evelyn	Portion 1. L. 34	acres. 0,840	Grazing	1944. 15 July 1964. 14 July	£ s. d. 2 9 5	£ s. d. 27 4 0	Mparinka.
5463	44-5,003	Friederick Whitta, Blore, Brimsh Station, Tibooburra.	Hemitage	Tongowoko.	Within Reserve No. 648.	1	Slaughterhouse	1944. 15 June 1958. 14 June	1 0 0	1 0 0	Mparinka.

The following Special Conditions shall attach to Western Lands Lease No. 5,463:—

Operations on the land leased shall be conducted in a cleanly manner so as not to be offensive to persons in the neighbourhood.  
A breach of any of the conditions, or a conviction under the Public Health Act 1902, or the Cattle Slaughtering and Diseased Animals and Meat Act, 1902, or any Act amending those Acts, shall render the lease liable to forfeiture.