

11.5 REQUEST FOR ROAD CLOSURE AND SALE - LOT 6 DP 255952 - OFF SNOWY MOUNTAINS HIGHWAY, TUMUT - ATTACHMENT

Attachment Titles:

1. 20250124 - Private Acquisition of Lot 6 DP 255952 Snowy Mountains Highway Tumut - Redacted
2. 20250620 - Title Property Report by Infotrack for Lot 6 DP 255952_Redacted

Attachment 1 - 20250124 - Redacted - Private Acquisition of Lot 6 DP 255952 Snowy Mts Hwy Tumut

From: [REDACTED]
Sent: Fri, 24 Jan 2025 14:10:46 +1000
To: "Cheryl Klein" <cklein@svc.nsw.gov.au>; "Duncan Mitchell" <dmitchell@svc.nsw.gov.au>
Subject: Private Acquisition of Lot 6 DP 255952 Snowy Mts Hwy Tumut NSW
Attachments: [REDACTED].pdf

Hi Cheryl and Duncan,

I met with Andrew Vaz and Nick Windsor today and had a positive discussion regarding a proposed [REDACTED].

Andrew was happy for Lot 6 DP 255952 to be closed as a dedicated road and did not see any reason why council would need to retain this lot.

Can I make a formal request to purchase Lot 6 from Snowy Valley Council please.

I look forward to your prompt response.

Kind Regards,

[REDACTED]

[REDACTED]

[REDACTED]

Attachment 2 - 20250620 - Title Property Report by Infotrack for Lot 6 DP 255952_Redacted

ABN: 36 092 724 251
 Ph: 02 9099 7400
 (Ph: 0412 199 304)

Level 14, 135 King Street, Sydney
 Sydney 2000
 GPO Box 4103 Sydney NSW 2001
 DX 967 Sydney

Report

Re: - Lot 6 D.P. 255952 at Tumut

Summary information

<u>Parcel Description</u>	<u>Details</u>	<u>Title Reference</u>
<u>As regards the part of Lot 6 D.P. 255952 tinted blue on the attached copy of D.P. 255952.</u>	Council Public Road (Main Roads Act of 1924 & Transport (Division of Functions) Act, 1932)	Certificate of Title Volume 11360 Folio 132
<u>As regards the part of Lot 6 D.P. 255952 tinted green on the attached copy of D.P. 255952.</u>	Council Public Road (Section 38 of the Local Government Extension Act 1906 and Section 119 of the Local Government Act 1906)	Government Gazette 31 st December 1906 Folios 7019 to 7020

Detailed information.**As regards the part of Lot 6 D.P. 255952 tinted blue on the attached copy of D.P. 255952.**

This part of Lot 6 D.P. 255952 was found to form part of former Lot 12 D.P. 576595.

Lot 12 D.P. 576595 was resumed and vested in the Commissioner for Main Roads, declared to be a public road and placed under the control of the Council of the Shire of Tumut by notification published in Government Gazette dated 13th June 1975 Folios 2284 to 2285.

Such action pursuant to:

- Main Roads Act of 1924
- Transport (Division of Functions) Act, 1932.
- Public Works Act of 1912.

In view of my findings and in view of (A) The Main Roads Act of 1924 and (B) The Transport (Division of Functions) Act, 1932, the part of Lot 6 D.P. 255952 tinted blue on the attached Cadastral Records Enquiry Report, will be deemed to be Council Public Road.

Documentary Title

The documentary title to the part of Lot 6 D.P. 255952 tinted blue on the attached Cadastral Records Enquiry Report remains comprised in Certificate of Title Volume 11360 Folio 132.

Certificate of Title Volume 11360 Folio 132 refers to Lot 12 D.P. 576595 vested in the Commissioner for Main Roads.

Request form RP11, along with a copy of the Government Gazette dated 13th June 1975 Folios 2284 to 2285 would be required to be lodged at the Office of NSW LRS to vest former Lot 12 D.P. 576595 in to the name of the Council.

Email: SpecialisedServices@infotrack.com.au

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ABN: 36 092 724 251
Ph: 02 9099 7400
(Ph: 0412 199 304)

Level 14, 135 King Street, Sydney
Sydney 2000
GPO Box 4103 Sydney NSW 2001
DX 967 Sydney

As regards the part of Lot 6 D.P. 255952 tinted green on the attached copy of D.P. 255952.

This part of Lot 6 D.P. 255952 was found to form part of a Crown Road reserved from Portion 6 – See Road Plan 7303-1603.

The Roads Branch Edition of the Parish Map of Werboldera shows this part of the road as Public Works Road Gazette 31.12.1906.

I enclose herewith a copy of Government Gazette dated 31st December 1906 Folios 7019 to 7020.

This gazette classified the road from Cooma, via Kiandra and Tumut to Gundagai as a Main Road in accordance with Section 38 of the Local Government Extension Act 1906 and Section 119 of the Local Government Act 1906. The road subject of your enquiry would seem to form part of this road

The Local Government Act No. 41 of 1919 (now repealed) defines a Public Road as including a road classified as a Main Road in the Gazette dated 31.12.1906

Section 232(1) of the Local Government Act No. 41, 1919 states:

“Except where otherwise expressly provided, every public road, and the soil thereof, and all materials of which the road is composed, shall by virtue of this Act, shall by virtue of this Act vest in fee-simple in the council, and the council, if it so desire, shall by virtue of this Act be entitled to be registered as the proprietor of the road under the provisions of the Real Property Act 1900”

In view of my findings this part of Lot 6 D.P. 255952 tinted green on the attached copy of D.P. 255952 would be deemed to be a Council Public Road.

Documentary Title

The title to this part of Lot 6 D.P. 255952 tinted green on the attached copy of D.P. 255952 has never been held in a Real Property Act (Torrens) Title.

The documentary title to this part of Lot 6 D.P. 255952 tinted green on the attached copy of D.P. 255952 will be the Government Gazette dated 31st December 1906 Folios 7019 to 7020. Government Gazette dated 31st December 1906 Folios 7019 to 7020.

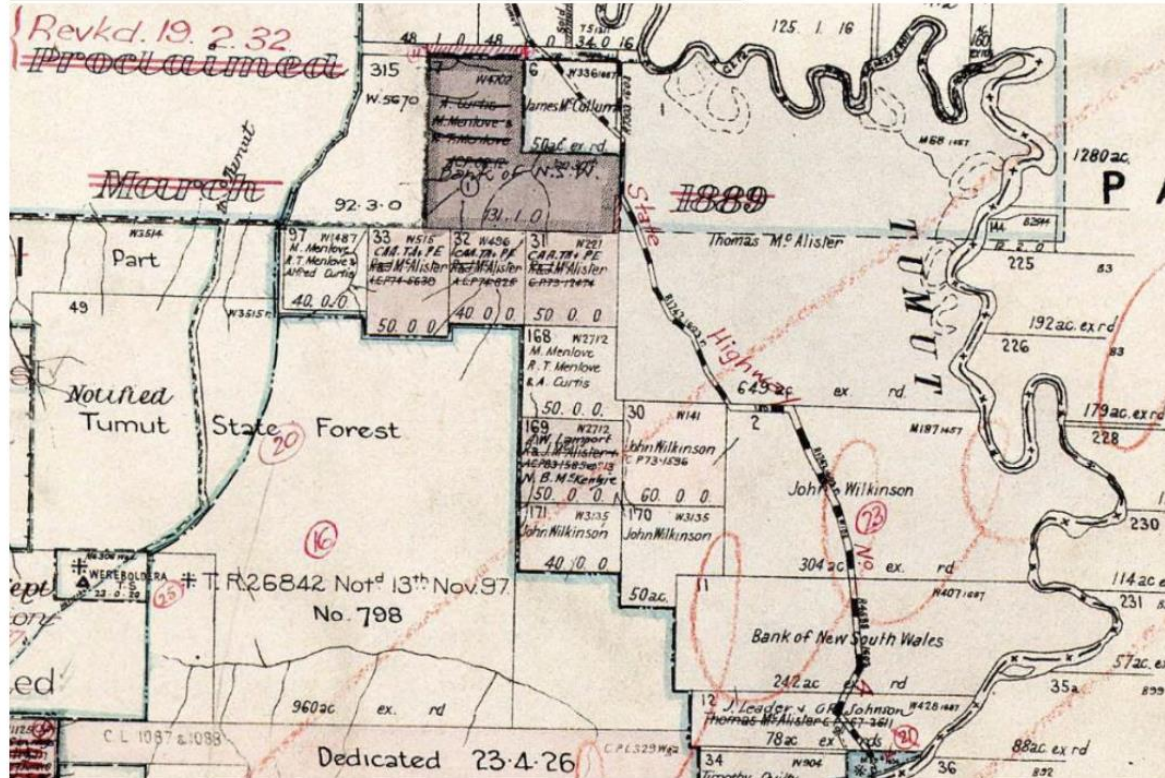
Continued over.



ABN: 36 092 724 251
Ph: 02 9099 7400
(Ph: 0412 199 304)

Level 14, 135 King Street, Sydney
Sydney 2000
GPO Box 4103 Sydney NSW 2001
DX 967 Sydney

EXTRACT - EXTRACT 1917 EDITION PARISH MAP WEREBOLEDERA



Yours Sincerely



Email: SpecialisedServices@infotrack.com.au

3



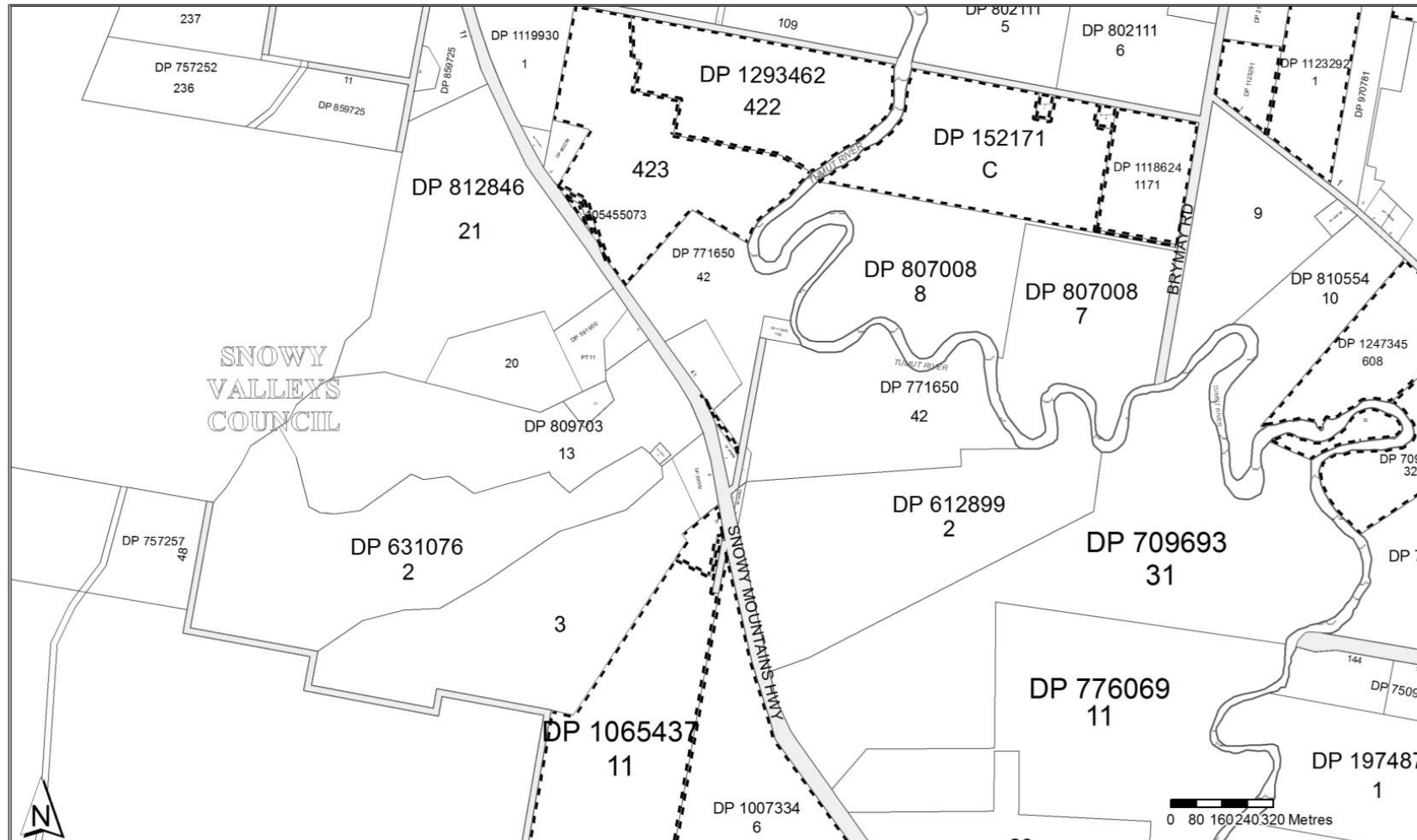
Cadastral Records Enquiry Report : Lot 6 DP 255952

Locality : TUMUT

LGA : SNOWY VALLEYS

Parish : WEREOLDERA

County : WYNARD



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This information is provided as a searching aid only. Whilst every endeavour is made to ensure that current map, plan and titling information is accurately reflected, the Registrar General cannot guarantee the information provided. For ALL ACTIVITY PRIOR TO SEPTEMBER 2002 you must refer to the RGs Charting and Reference Maps

Page 1 of 3

**Cadastral Records Enquiry Report : Lot 6 DP 255952**

Locality : TUMUT

Parish : WEREOLDERA

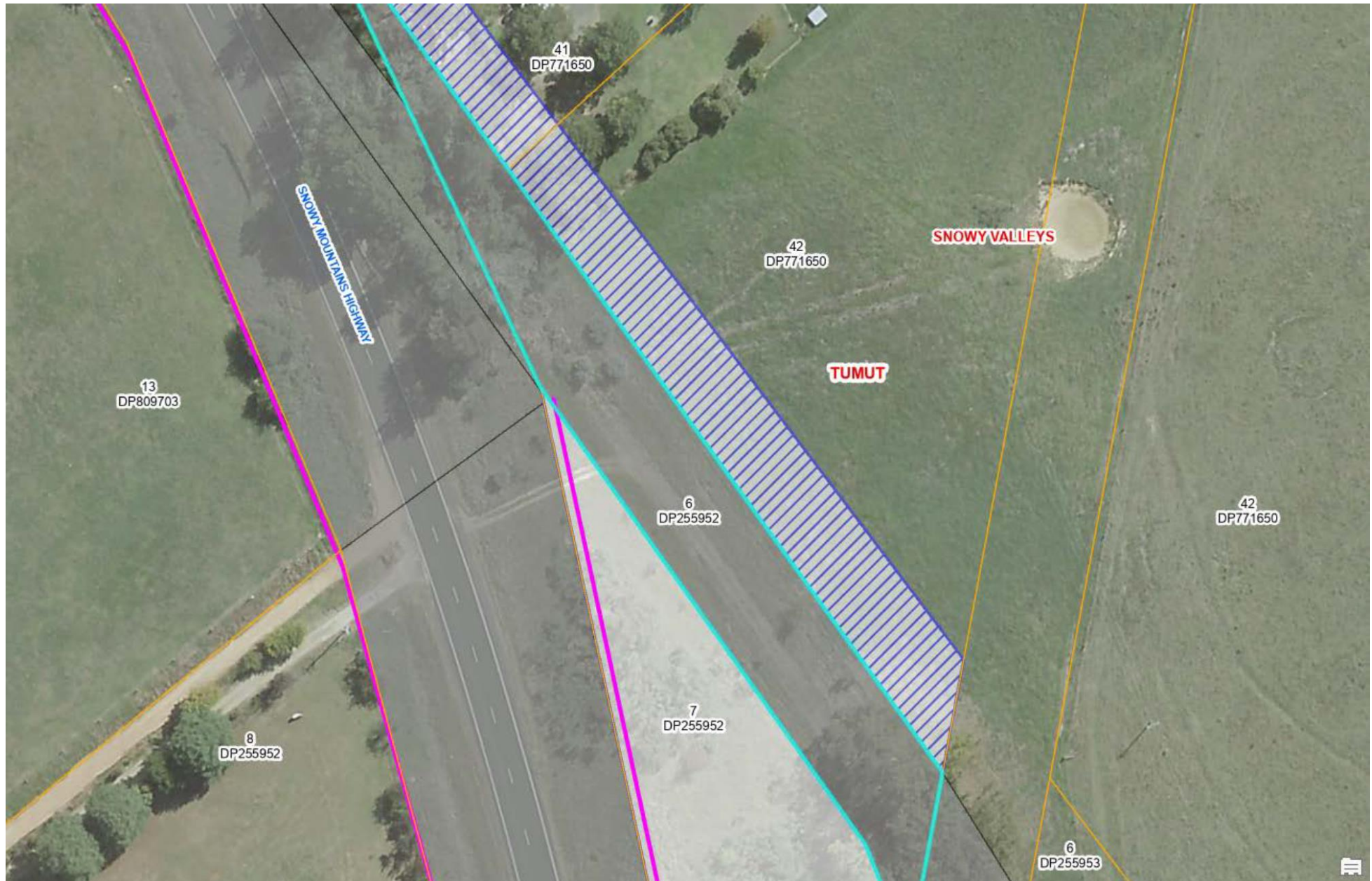
LGA : SNOWY VALLEYS

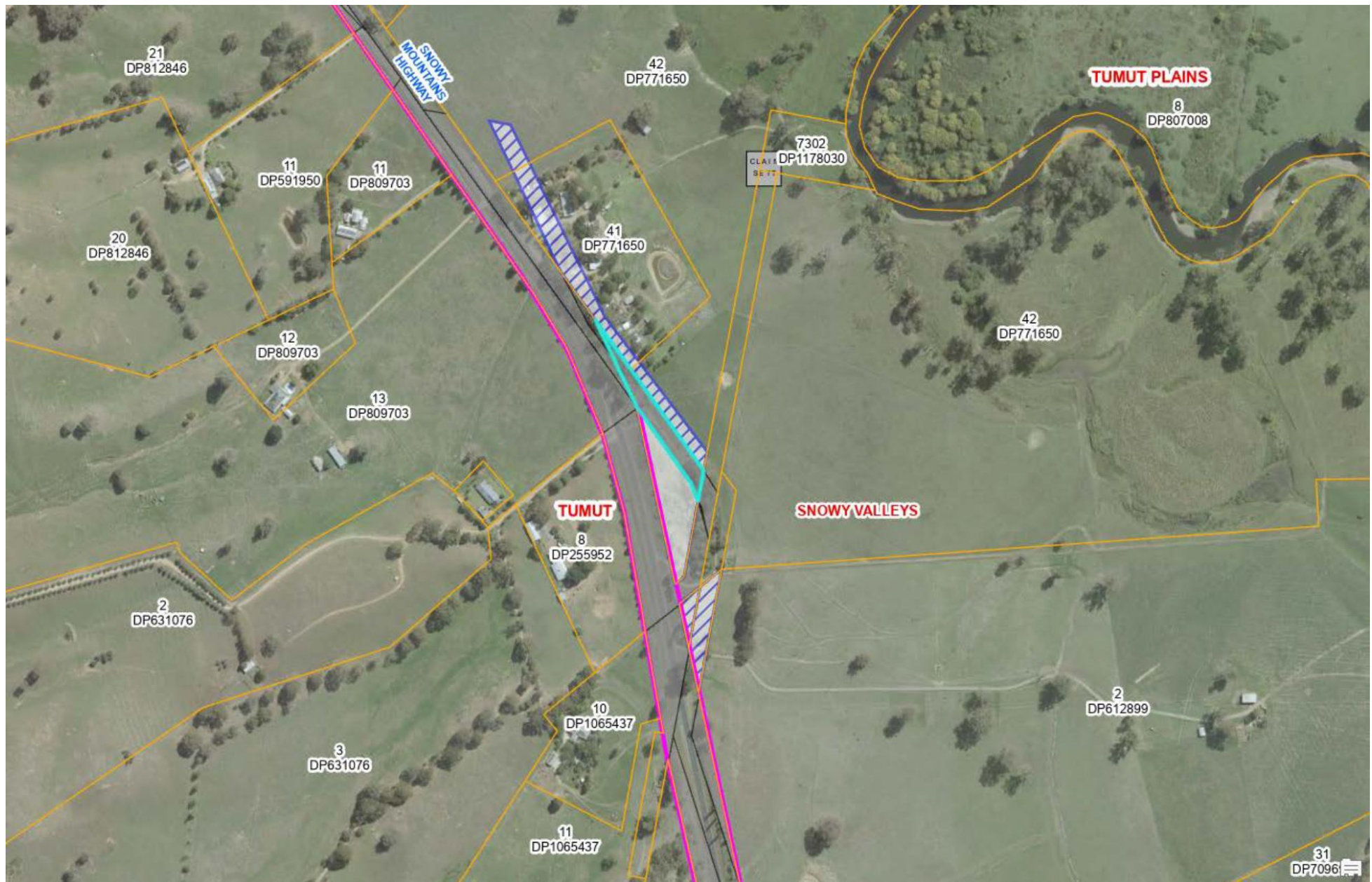
County : WYNYARD

	Status	Surv/Comp	Purpose
DP152171			
Lot(s): C			
CA93675 - LOT C DP152171			
Lot(s): A, B			
CA118495 - LOTS A, B DP152171 AND LOT 1171 DP1118624			
DP255952			
Lot(s): 6			
RESERVED ROAD INTENDED TO BE RESUMED BY COMMISSIONER FOR MAIN ROADS FOR DISPOSAL			
DP709693			
Lot(s): 32			
DP1064091	REGISTERED	SURVEY	EASEMENT
DP1007334			
Lot(s): 6			
DP620831	HISTORICAL	COMPILATION	SUBDIVISION
DP854384	HISTORICAL	SURVEY	SUBDIVISION
DP1065437			
Lot(s): 10, 11			
DP255953	HISTORICAL	SURVEY	ROAD OR MOTORWAY
DP1118089			
Lot(s): 1			
CA115798 - LOT 1 DP1118089			
DP1118624			
Lot(s): 1171			
CA118495 - LOTS A, B DP152171 AND LOT 1171 DP1118624			
DP1123291			
Lot(s): 1			
CA126282 - LOT 1 DP1123291			
DP1123292			
Lot(s): 1			
CA118445 - LOT 1 DP1123292			
CA126282 - LOT 1 DP1123291			
DP1247345			
Lot(s): 608			
DP970989	HISTORICAL	COMPILATION	UNRESEARCHED
DP1103080	HISTORICAL	COMPILATION	LIMITED FOLIO CREATION
CA101720 - LOTS 1-2 DP1103080			
DP1293462			
Lot(s): 422, 423			
DP237585	HISTORICAL	SURVEY	SUBDIVISION
DP602299	HISTORICAL	SURVEY	SUBDIVISION
CA119085 - LOT 3 DP237585			
Unidentified			
Polygon Id(s): 105455073			
NSW GAZ.	16-01-1942		Folio : 148
CLOSED ROAD			
AFFECTING LAND SHADED BLUE IN CROWN PLAN 21643-1603			

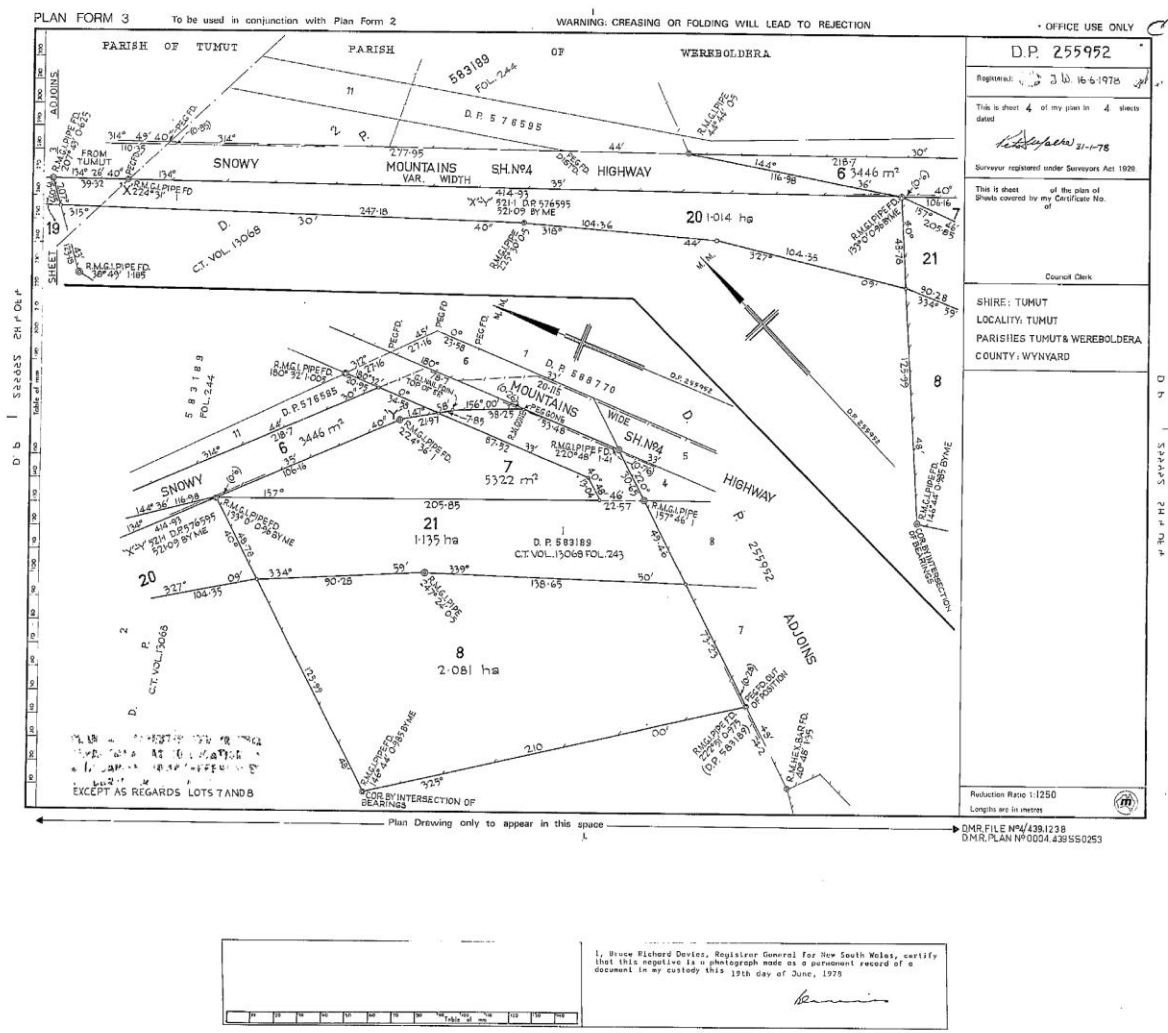
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ACTIVITY PRIOR TO SEPTEMBER 2002 you must refer to the RGs Charting and Reference Maps.



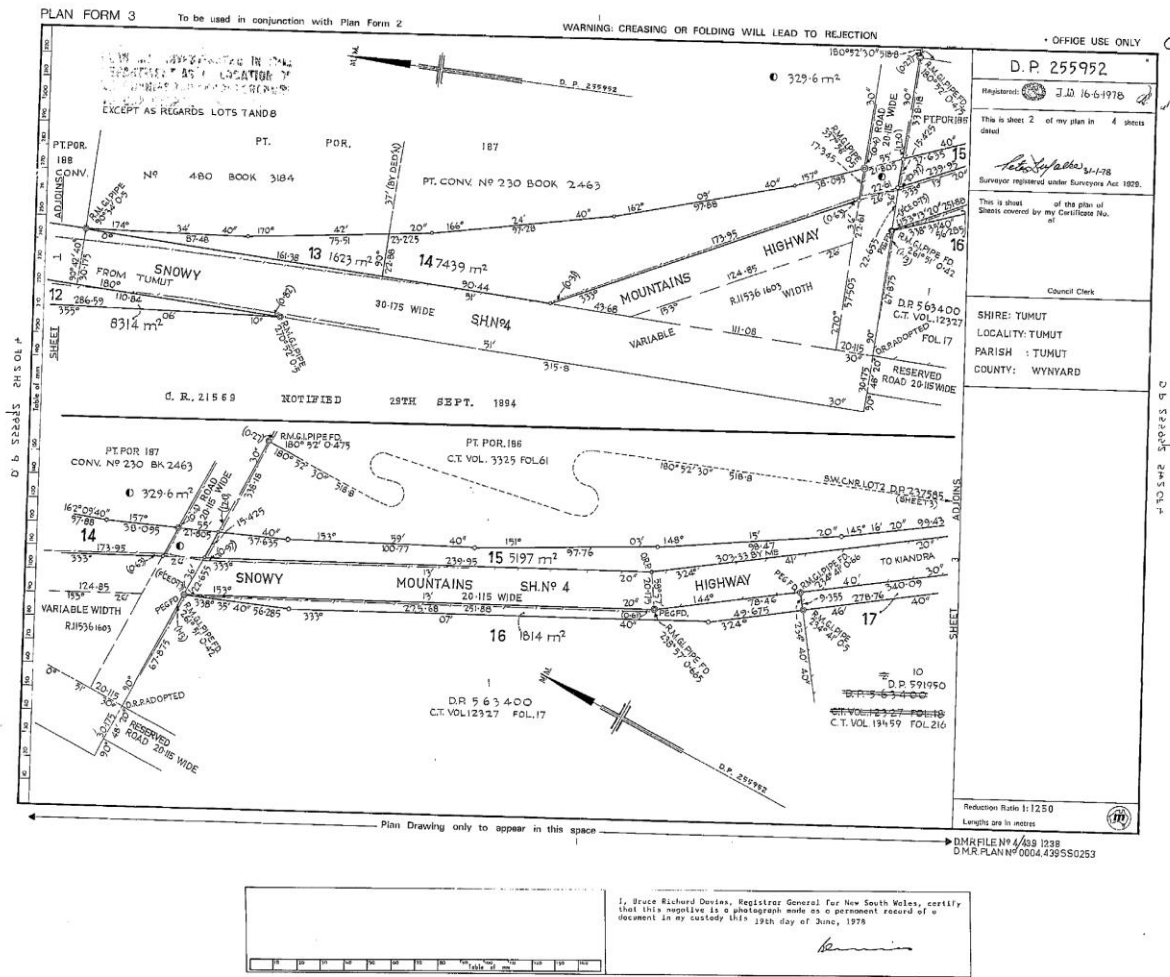


Req:R628159 /Doc:DP 0255952 P /Rev:24-Jun-1992 /NSW LRS /Egs:ALL /Prt:13-Jan-2025 18:06 /Seq:4 of 4
© Office of the Registrar-General /Src:InfoTrack /Ref:P.0075877.03.001

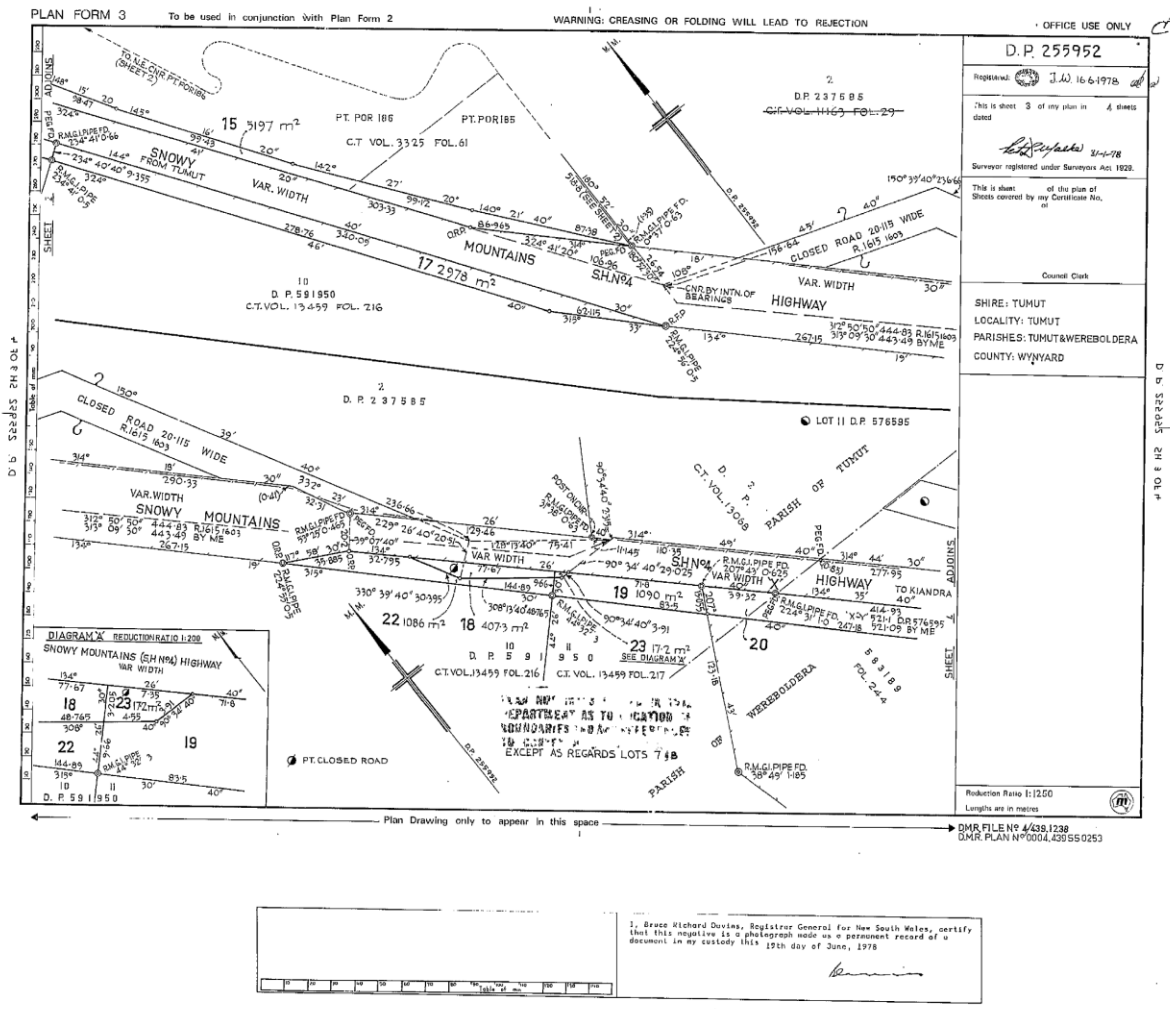


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Req:R628159 /Doc:DP 0255952 P /Rev:24-Jun-1992 /NSW LRS /Fgs:ALL /Prt:13-Jan-2025 18:06 /Seq:3 of 4
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Req:R628152 /Doc:DP 0576595 P /Rev:31-Oct-1992 /MSW LRS Pgs:ALL /Prt:13-Jan-2025 18:04 /Seq:1 of 1
Office of the Registrar-General /Src:Infotrack /Ref:P.0075877.03.001

Req:R628152 /Doc:DP 0576595 P /Rev:31-Oct-1992 /NSW LRS /Egs:ALL /Prt:13-Jan-2025 18:04 /Seq:1 of 1
© Office of the Registrar-General /Src:InfoTrack /Ref:P.0075877.03.001

PLAN FORM 2a

Signatures and seals only.

PLAN Drawing only to appear in this space

D. P. 576595

Registered: 5.5.1975

Title System: TORRENS & CROWN LAND

Purpose: PROPOSED ROAD & RESUMPTION

Ref. Map: PARISH

Last Plan (D.P. 237585) D.P. 542183

PLAN OF LAND TO BE ACQUIRED FOR THE PURPOSES OF THE MAIN HUALUS ALI, 1824.

Reduction Ratio: 2003

Location: TUMUT

Locality: TUMUT

Parish: WEREBOLDERA

County: WYNWARD

1. Officer: Lesley Walker
Department of Main Roads, NSW.
a surveyor registered under the Surveyors Act, 1932, as amended.
I hereby certify that the survey represented in this plan was made by me or under my supervision in accordance with the provisions of the Surveyors Act, 1932, and was completed on 22-11-1973.

Signature: [Signature]
Date: 22-11-1973

Surveyor registered under Surveyors Act, 1932, as amended.
I hereby certify that the survey represented in this plan was made by me or under my supervision in accordance with the provisions of the Surveyors Act, 1932, and was completed on 22-11-1973.

Signature: [Signature]
Date: 22-11-1973

Panel for use only for statements of intention to dedicate public roads or to create public reserves, drainage reserves, easements or restrictions as to use.

at 12 delineated there is to be reserved for road and there is an objection to such the thing shown as road on my Certificate of title (the estate) or lot more leave for adjoining land, after resumption.

Lot 12 delineated herein, being part of an unincorporated road, is to be resumed on the resumption of the road, and the share of this estate and the share of a Certificate of title in the Commission, will be disposed of to the owner of adjoining land.

APPROVED: [Signature]
FOR DEPUTY PRINCIPAL SURVEYOR AND PROPERTY OFFICER, DEPARTMENT OF MAIN ROADS.

D.M.R. PLAN: 0004 439 55 0246

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

D.M.R. FILE: 4/439-543

I, Jack Hayward Watson, 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 6th day of May, 1975.

[Signature]

2284

NEW SOUTH WALES GOVERNMENT GAZETTE No. 83

[13 JUNE, 1975]

for Main Roads made as aforesaid, the said land is hereby placed under the control of the Council of the Shire of Warringham.

Signed and sealed at Sydney, this twenty-eighth day of May, 1975.

By His Excellency's Command,

WAL. FIFE, Minister for Transport and Highways.
GOD SAVE THE QUEEN!

DESCRIPTION OF THE LAND REFERRED TO

All that piece or parcel of land situate in the Shire of Warringham, Parish of Narrabeen, County of Cumberland and State of New South Wales, being the whole of lot 1, Deposited Plan 551589, being a plan registered at the Department of Main Roads, Sydney, and numbered 174.S.108, having an area of 9½ perches (240.2 square metres) or thereabouts, and said to be in the possession of the Council of the Shire of Warringham and the Crown. (D.M.R. Papers 479.11508) (813)

MAIN ROADS ACT, 1924.—PROCLAMATION ACQUISITION OF LAND AT LISMORE IN THE SHIRE OF GUNDURIMBA

(L.S.) A. R. CUTLER, Governor.

I, Sir ARTHUR RODEN CUTLER, Governor of the State of New South Wales, with the advice of the Executive Council and on the application of The Commissioner for Main Roads, made by virtue of the powers conferred in him by the Transport (Division of Functions) Act, 1932, do, in pursuance of the provisions of the Main Roads Act, 1924, by this my Proclamation, declare that so much of the land hereunder described as is Crown land is hereby appropriated and so much thereof as is private property is hereby resumed under the provisions of the Public Works Act, 1912, for the purposes of the Main Roads Act, 1924, and that the land hereunder described is hereby vested in The Commissioner for Main Roads.

Signed and sealed at Sydney, this twenty-eighth day of May, 1975.

By His Excellency's Command,

WAL. FIFE, Minister for Transport and Highways.
GOD SAVE THE QUEEN!

DESCRIPTION OF THE LAND REFERRED TO

All those pieces or parcels of land situate in the Shire of Gundurimba, Parish of South Lismore, County of Rous and State of New South Wales, being the whole of lots 2 and 3, Deposited Plan 238512, being a plan registered at the Department of Main Roads, Sydney, and numbered 16.S.191, having a total area of 2 acres 3 roods 12½ perches (1.144 hectares) or thereabouts and said to be in the possession of the Council of the Shire of Gundurimba and the Crown. (D.M.R. Papers 16/179.1113) (307)

MAIN ROADS ACT, 1924.—PROCLAMATION ACQUISITION OF LAND AT EAST SYDNEY IN THE CITY OF SYDNEY

(L.S.) A. R. CUTLER, Governor.

I, Sir ARTHUR RODEN CUTLER, Governor of the State of New South Wales, with the advice of the Executive Council and on the application of The Commissioner for Main Roads, made by virtue of the powers conferred in him by the Transport (Division of Functions) Act, 1932, do in pursuance of the provisions of the Main Roads Act, 1924, by this my Proclamation, declare that so much of the land hereunder described as is Crown land is hereby appropriated and so much thereof as is private property is hereby resumed under the provisions of the Public Works Act, 1912, for the purposes of the Main Roads Act, 1924, and that the land hereunder described is hereby vested in The Commissioner for Main Roads.

Signed and sealed at Sydney, this twenty-eighth day of May, 1975.

By His Excellency's Command,

WAL. FIFE, Minister for Transport and Highways.
GOD SAVE THE QUEEN!

DESCRIPTION OF THE LAND REFERRED TO

All that piece or parcel of land situate in the City of Sydney, Parish of Alexandria, County of Cumberland and State of New South Wales, being the whole of lot 50, shown on a plan registered at the Department of Main Roads, Sydney, and numbered X7.S.4 and being also the whole of the land described in Conveyance No. 484 Book 2938, having an area of 4½ perches (120.2 square metres) or thereabouts, and said to be in the possession of J.V. Properties Pty Limited. (D.M.R. Papers F7/412.1695) (816)

MAIN ROADS ACT, 1924.—PROCLAMATION ACQUISITION OF LAND AT BULLI PASS IN THE CITY OF WOLLONGONG

(L.S.) A. R. CUTLER, Governor.

I, Sir ARTHUR RODEN CUTLER, Governor of the State of New South Wales, with the advice of the Executive Council and on the application of The Commissioner for Main Roads, made by virtue of the powers conferred in him by the Transport (Division of Functions) Act, 1932, do, in pursuance of the provisions of the Main Roads Act, 1924, by this my Proclamation, declare that so much of the land hereunder described as is Crown land is hereby appropriated and so much thereof as is private property is hereby resumed under the provisions of the Public Works Act, 1912, for the purposes of the Main Roads Act, 1924, but only to a depth of 30.48 metres below the surface thereof and that the land hereunder described to the depth aforesaid is hereby vested in The Commissioner for Main Roads.

Signed and sealed at Sydney, this twenty-eighth day of May, 1975.

By His Excellency's Command,

WAL. FIFE, Minister for Transport and Highways.
GOD SAVE THE QUEEN!

DESCRIPTION OF THE LAND REFERRED TO

All that piece or parcel of land situate in the City of Wollongong, Parish of Southend, County of Cumberland and State of New South Wales, being the whole of lot 9, Deposited Plan 248632, being a plan registered at the Department of Main Roads, Sydney, and numbered 6006.497.SS.0112, having an area of 8 880 square metres or thereabouts and said to be in the possession of the Council of the City of Wollongong and the Crown. (D.M.R. Papers F6/497.182) (29)

MAIN ROADS ACT, 1924.—PROCLAMATION ACQUISITION OF LAND AT ALECTOWN IN THE SHIRE OF GOOBANG

(L.S.) A. R. CUTLER, Governor.

I, Sir ARTHUR RODEN CUTLER, Governor of the State of New South Wales, with the advice of the Executive Council and on the application of The Commissioner for Main Roads, made by virtue of the powers conferred in him by the Transport (Division of Functions) Act, 1932, do in pursuance of the provisions of the Main Roads Act, 1924, by this my Proclamation, declare that so much of the land hereunder described as is Crown land is hereby appropriated and so much thereof as is private property is hereby resumed under the provisions of the Public Works Act, 1912, for the purposes of the Main Roads Act, 1924, and that the land hereunder described is hereby vested in The Commissioner for Main Roads, and I hereby further declare the land hereunder described to be a public road and, in accordance with a recommendation of The Commissioner for Main Roads made as aforesaid, the said land is hereby placed under the control of the Council of the Shire of Goobang.

Signed and sealed at Sydney, this twenty-eighth day of May, 1975.

By His Excellency's Command,

WAL. FIFE, Minister for Transport and Highways.
GOD SAVE THE QUEEN!

DESCRIPTION OF THE LAND REFERRED TO

All those pieces or parcels of land situate in the Shire of Goobang, Parish of Houston, County of Kennedy and State of New South Wales, being the whole of lots 3 and 4, Deposited Plan 233649, being a plan registered at the Department of Main Roads, Sydney, and numbered 17.S.192, having a total area of 10½ perches (265.5 square metres) or thereabouts, and said to be in the possession of N. R. Unger and Z. M. Morrison. (D.M.R. Papers 17/169.138) (814)

MAIN ROADS ACT, 1924.—PROCLAMATION ACQUISITION OF LAND AT TUMUT IN THE SHIRE OF TUMUT

(L.S.) A. R. CUTLER, Governor.

I, Sir ARTHUR RODEN CUTLER, Governor of the State of New South Wales, with the advice of the Executive Council and on the application of The Commissioner for Main Roads, made by virtue of the powers conferred in him by the Transport (Division of Functions) Act, 1932, do in pursuance of the provisions of the Main Roads Act, 1924, by this my Proclamation, declare that so much of the land hereunder described in Schedules 1 and 2 as is Crown land is hereby appropriated and so much thereof as is private property is hereby resumed

13 JUNE, 1975]

NEW SOUTH WALES GOVERNMENT GAZETTE No. 83

2285

under the provisions of the Public Works Act, 1912, for the purposes of the Main Roads Act, 1924, and that the land described in Schedules 1 and 2 hereunder is hereby vested in The Commissioner for Main Roads, and I hereby further declare the land described in Schedule 1 hereunder to be a public road and, in accordance with a recommendation of The Commissioner for Main Roads made as aforesaid, the said land described in the said Schedule 1 is hereby placed under the control of the Council of the Shire of Tumut.

Signed and sealed at Sydney, this twenty-eighth day of May, 1975.

By His Excellency's Command,

WAL. FIFE, Minister for Transport and Highways.
GOD SAVE THE QUEEN!

DESCRIPTION OF THE LAND REFERRED TO
SCHEDULE 1

All that piece or parcel of land situate in the Shire of Tumut, Parish of Wereldora, County of Wynyard and State of New South Wales, being the whole of lot 12, Deposited Plan 576595, being a plan registered at the Department of Main Roads, Sydney, and numbered 0004.439.ss.0246, having an area of 9 211 square metres or thereabouts, and said to be in the possession of Stubbs Enterprises Pty Limited.

SCHEDULE 2

All that piece or parcel of land situate in the Shire of Tumut, Parish of Wereldora, County of Wynyard and State of New South Wales, being the whole of lot 11, Deposited Plan 576595, being a plan registered at the Department of Main Roads, Sydney, and numbered 0004.439.ss.0246, having an area of 6 981 square metres or thereabouts, and said to be in the possession of the Council of the Shire of Tumut and the Crown. (D.M.R. Papers: 4/439.543) (806)

MAIN ROADS ACT, 1924.—PROCLAMATION

ACQUISITION OF LAND AT CARCOAR IN THE SHIRE OF LYNDBURST
(L.S.) A. R. CUTLER, Governor.

I, Sir ARTHUR RODEN CUTLER, Governor of the State of New South Wales, with the advice of the Executive Council and on the application of The Commissioner for Main Roads, made by virtue of the powers conferred in him by the Transport (Division of Functions) Act, 1932, do in pursuance of the provisions of the Main Roads Act, 1924, by this my Proclamation, declare that so much of the land hereunder described as is Crown land is hereby appropriated and so much thereof as is private property is hereby resumed under the provisions of the Public Works Act, 1912, for the purposes of the Main Roads Act, 1924, and that the land hereunder described is hereby vested in The Commissioner for Main Roads.

Signed and sealed at Sydney, this twenty-eighth day of May, 1975.

By His Excellency's Command,

WAL. FIFE, Minister for Transport and Highways.
GOD SAVE THE QUEEN!

DESCRIPTION OF THE LAND REFERRED TO

All those pieces or parcels of land situate in the Shire of Lyndhurst, Parish of Errol, County of Bathurst and State of New South Wales, being the whole of allotments 9 and 10, section 21, Town of Carcoar, being also shown on a plan registered at the Department of Main Roads, Sydney, and numbered 0006.262.SS.0303, having a total area of 3 175 square metres or thereabouts, and said to be in the possession of Mary Robinson and P. J. Byrne. (D.M.R. Papers: 6/262.1220) (815)

MAIN ROADS ACT, 1924.—PROCLAMATION

ACQUISITION OF LAND AT EUSTON IN THE SHIRE OF BALRANALD
(L.S.) A. R. CUTLER, Governor.

I, Sir ARTHUR RODEN CUTLER, Governor of the State of New South Wales, with the advice of the Executive Council and on the application of The Commissioner for Main Roads, made by virtue of the powers conferred in him by the Transport (Division of Functions) Act, 1932, do, in pursuance of the provisions of the Main Roads Act, 1924, by this my Proclamation, declare that so much of the land hereunder described as is Crown land is hereby appropriated and so much thereof as is private property is hereby resumed under the provisions of the Public Works Act, 1912, for the purposes of the Main Roads Act, 1924, and that the land hereunder described is hereby vested in The Commissioner for Main Roads, and I hereby further declare the land hereunder described to be a public road and, in accordance with a recommendation of The

Commissioner for Main Roads made as aforesaid, the said land is hereby placed under the control of the Council of the Shire of Balranald.

Signed and sealed at Sydney, this twenty-eighth day of May, 1975.

By His Excellency's Command,

WAL. FIFE, Minister for Transport and Highways.
GOD SAVE THE QUEEN!

DESCRIPTION OF THE LAND REFERRED TO

All that piece or parcel of land situate in the Shire of Balranald, Parish of Bertram, County of Tailla and State of New South Wales, being the whole of lot 1, Deposited Plan 573838, being a plan registered at the Department of Main Roads, Sydney, and numbered 0014.025.SS.0217, having an area of 8 985 square metres or thereabouts, and said to be in the possession of C. V. and A. T. Neyland and the Crown. (D.M.R. Papers 14/25.1113) (808)

MAIN ROADS ACT, 1924.—PROCLAMATION

ACQUISITION OF LAND AT MORONGLA CREEK IN THE SHIRE OF WAUGOOLA
(L.S.) A. R. CUTLER, Governor.

I, Sir ARTHUR RODEN CUTLER, Governor of the State of New South Wales, with the advice of the Executive Council and on the application of The Commissioner for Main Roads, made by virtue of the powers conferred in him by the Transport (Division of Functions) Act, 1932, do in pursuance of the provisions of the Main Roads Act, 1924, by this my Proclamation, declare that so much of the land hereunder described as is Crown land is hereby appropriated and so much thereof as is private property is hereby resumed under the provisions of the Public Works Act, 1912, for the purposes of the Main Roads Act, 1924, and that the land hereunder described is hereby vested in The Commissioner for Main Roads, and I hereby further declare the land hereunder described to be a public road and, in accordance with a recommendation of The Commissioner for Main Roads made as aforesaid, the said land is hereby placed under the control of the Council of the Shire of Waugoola.

Signed and sealed at Sydney, this twenty-eighth day of May, 1975.

By His Excellency's Command,

WAL. FIFE, Minister for Transport and Highways.
GOD SAVE THE QUEEN!

DESCRIPTION OF THE LAND REFERRED TO

All those pieces or parcels of land situate in the Shire of Waugoola, Parishes of Wattamondara and Neila, County of Forbes and State of New South Wales, being the whole of lots 1 to 7 inclusive, Deposited Plan 249614, being a plan registered at the Department of Main Roads, Sydney, and numbered 0056.481.ss.0166, having a total area of 1.395 hectares or thereabouts, and said to be in the possession of J. L. Wright, M. G. Brown and the Crown. (D.M.R. Papers 481.1144) (805)

FIRE BRIGADES ACT, 1909.—PROCLAMATION

GOVERNOR'S CONSENT TO BORROW AMOUNT OF \$500,000

WHEREAS by the Fire Brigades Act, 1909, it is amongst other things provided that the Board of Fire Commissioners of New South Wales may, with the approval of the Treasurer and the consent of the Governor, borrow on the security of any property of the Board such moneys as the Board deems necessary in order to exercise its powers and perform its duties under that Act, and may, with the like approval and consent, issue debentures under the seal of the Board for the amount so borrowed together with interest thereon at the rate approved by the Governor; and whereas application has been made by the said Board for the Treasurer's approval and the Governor's consent to borrow the sum of five hundred thousand dollars (\$500,000) from the C.B.C. Savings Bank Limited (in addition to the amounts already authorized) for the purpose of enabling it to fulfil its obligations under the Fire Brigades Act for the protection of life and property from fire and the Treasurer has signified his approval to the said loan: Now, therefore, I, Sir ARTHUR RODEN CUTLER, Governor of the State of New South Wales, with the advice of the Executive Council and in pursuance of the provisions of section 17 of the said Act, consent to the said Board borrowing the said amount of money for the purpose aforesaid at interest at the rate of 9.9 per cent per annum by the issue of one (1) debenture at sixteen thousand, six hundred and sixty-six dollars and eighty-six cents (\$16,666.86) and twenty-nine debentures at sixteen thousand, six hundred and sixty-six dollars and sixty-six cents

Req:R862959 /Doc:CT 11360-132 CT /Rev:17-Feb-2011 /NSW LRS /Pgs:ALL /Prt:26-Feb-2025 16:44 /Seq:1 of 2
 © Office of the Registrar-General /Src:InfoTrack /Ref:Tumut



11360132

NEW SOUTH WALES

Crown Grants:-

Vol. 235 Fol. 64 Vol.1896 Fol.
 Vol. 457 Fol.186 Vol.3186 Fol.171
 Vol. 957 Fol.194 Vol.4746 Fol.242
 Vol.1562 Fol.206 Vol.5155 Fol. 49
 Vol.1734 Fol. 21 Vol.5370 Fol. 87
 Prior Title Vol.11163 Fol.30

CERTIFICATE OF TITLE

PROPERTY ACT, 1900, as amended.



Vol. 11360 Fol. 132

Edition issued 8-7-1970

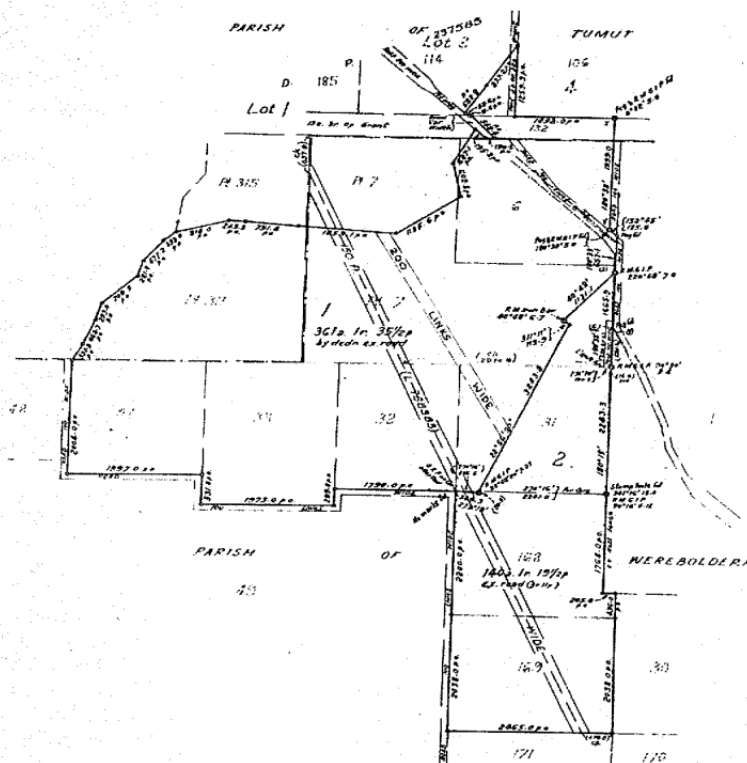
CANCELLED

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.

Witness

Barnes

Jawatson
 Registrar General.

PLAN SHOWING LOCATION OF LANDESTATE AND LAND REFERRED TO

Estate in Fee Simple in Lot 1 in Deposited Plan 542183 at Tumut in the Shire of Tumut Parishes of Tumut and Weriboldera and County of Wynyard. EXCEPTING THEREOUT the road shown in the plan hereon and the minerals reserved by the Crown Grants of Portions 132 and 315 and 4 acres and 32 perches and 13 acres 3 roods (Parish of Tumut) and Portions 7, 31, 32, 33, 97 and 168 (Parish of Weriboldera).

FIRST SCHEDULE

~~KATHLEEN JEAN McALISTER, Widow and BERNARD McALISTER, Farmer and Grazier, both of Tumut, as Tenants in Common in equal shares.~~

SECOND SCHEDULE

1. Reservations and conditions, if any, contained in the Crown Grants above referred to.
2. Restrictions on transfer - see Section 272 Crown Lands Consolidation Act 1913 as regards Portion 315 (Parish of Tumut) (C.F.1926/5 Tumut).
3. Mortgage No. 402688 to Commonwealth Trading Bank of Australia. Entered 30-7-1963. Discharged L970474
4. Encumbrance No. 1387214 of the interest formerly comprised in Certificates of Title Volume 3130 Folio 61, Volume 7162 Folio 9 and Volume 7195 Folio 54 to Ruby Elsie May McAlister, of Tumut, Widow. Entered 27-1-1963. Discharged L 974442
5. Easement for Transmission Line created by Resumption No. L788383 affecting the part of the land above described shown as "150 Ft. Wide" in the plan hereon.

Jawatson
 Registrar General.

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

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

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

Vol. 11360 Fol 132

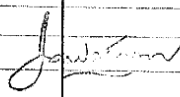
(Page 2 of 2 pages)

V. C. N. BLIGHT, GOVERNMENT PRINTER

FIRST SCHEDULE (continued)

REGISTERED PROPRIETOR	INSTRUMENT			ENTERED	Signature of Registrar-General
	NATURE	NUMBER	DATE		
<i>Kathleen Jean McAlister of 21 St. Helen</i>	<i>Transfer</i>	<i>M52995</i>	<i>14-10-1970</i>	<i>21-11-1970</i>	<i>Jackson</i>
<i>Stubbs Enterprises Pty Ltd</i>	<i>Transfer</i>	<i>M114366</i>	<i>10-12-1970</i>	<i>8-1-1971</i>	<i>Jackson</i>
<i>The Commissioners for Main Roads as regards first being lot 11 in D.P. 576595, and</i>	<i>Resumption</i>	<i>P372041</i>	<i>1952/24/7500</i>	<i>15-9-1975</i>	<i>Jackson</i>
<i>Stubbs Enterprises Pty Ltd as regards the residue</i>					
STUBBS ENTERPRISES PTY LTD	TRANSFER	M114366	<i>8-1-1971</i>	<i>8-1-1971</i>	<i>Jackson</i>
<div style="border: 1px solid black; padding: 5px; width: fit-content;"> NEW CERTIFICATES OF TITLE ISSUED ON 20583189 NO DEALING TO BE REGISTERED WITHOUT REFERENCE TO SURVEY DRAFTING BRANCH </div>					

SECOND SCHEDULE (continued)

NATURE	INSTRUMENT		PARTICULARS	ENTERED	Signature of Registrar-General	CANCELLATION	
	NUMBER	DATE					
<i>Resumption</i>	<i>N610237</i>		<i>Encumbrance for Transmission Lines affecting land shown by broken lines and lots 12 and 13 in the plan hereon.</i>				
<i>Resumption</i>	<i>P372041</i>		<i>of part of the land within described being lot 12 in D.P. 576595, is now road vested in the Commissioners for Main Roads.</i>	<i>27-3-1974</i>	<i>Jackson</i>		
				<i>15-9-1975</i>	<i>Jackson</i>		
<div style="border: 1px solid black; padding: 10px;"> This deed is cancelled as to <i>whole of road</i> New Certificates of Title have issued on <i>16-6-1976</i> for lots in <i>Defunct</i> Plan No. <i>583189</i> Lots <i>1 & 2</i> in <i>13068</i> <i>243 & 244</i> respectively. </div>				The residue of land in this folio comprises <i>road</i> <div style="text-align: center;">  REGISTRAR GENERAL </div>			

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

Reg: R862959 / Doc: CT 11360-132 CT / Rev: 17-Feb-2011 / NSW LRS / Pgs: ALL / Prt: 26-Feb-2023 16:44 / Seq: 2 of 2
Office of the Registrar-General, Sydney, New South Wales

6970000
591111
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M114366
had effect
by agreement
of 12/12/70
Corr 27-04-1971
Fol 114366
N610237
officer
DPS 76595
Resumption of
in Commission
for Main Roads
as to 12-12-70
fol 114366
20583189
243 & 244
13068
1 & 2
16-6-1976
583189
243 & 244
13068
1 & 2

Req:R863004 /Doc:DL P372041 /Rev:01-Sep-2011 /NSW LRS /Pgs:ALL /Prt:26-Feb-2025 16:47 /Seq:1 of 3
 © Office of the Registrar-General /Src:InfoTrack /Ref:Tumut

RP 44



6 PM 2 27
 NEW SOUTH WALES

P 3 7 2 0 4 1

OFFICE USE ONLY

B	-	-
✓	\$	18

RESUMPTION APPLICATION

SECTION 31A, REAL PROPERTY ACT, 1900

(For use where the land resumed is under the provisions of the Real Property Act, 1900)

THE COMMISSIONER FOR MAIN ROADS

in consequence of the resumption notified in Government Gazette dated 13th June 2284,
 , 19 75, folio 2285 , a true copy whereof is hereunto
 annexed, hereby applies to the Registrar General to make all recordings in the Register necessary to give effect to the resumption so far
 as it relates to the land described in the following schedule:

Reference to title		Whole or Part	Description of land if part only	County	Parish
Volume	Folio				
11360 /	132 /	<u>PART</u> /	Lots 11 and 12 D.P. 576595 /	<u>WYNARD</u> /	<u>WEREBOLDERA</u>

* If it is desired that a new certificate of title issue for the resumed land, add:-

"and to issue a new certificate of title for the resumed land".

Dated at Sydney this 28th day of July 1975.

Signed in my presence by an authorised officer of the applicant:

Denis Martin
 Signature of witness

DENIS MARTIN
 Name of witness (BLOCK LETTERS)

Certified correct for the purposes of the Real Property Act, 1900.

R. J. MCKAY
 State Crown Solicitor
 per

Signature

Reg:R863004 /Doc:DL P372041 /Rev:01-Sep-2011 /NSW LRS /Pgs:ALL /Prt:26-Feb-2025 16:47 /Seq:2 of 3
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[Published in Government Gazette No. 83 of 13th
 June, 1975, on page Nos 2284, 2285.]

MAIN ROADS ACT, 1924.—PROCLAMATION
ACQUISITION OF LAND AT TUMUT IN THE SHIRE OF TUMUT
 (L.S.) A. R. CUTLER, Governor.

I, Sir ARTHUR RODEN CUTLER, Governor of the State of New South Wales, with the advice of the Executive Council and on the application of The Commissioner for Main Roads, made by virtue of the powers conferred in him by the Transport (Division of Functions) Act, 1932, do in pursuance of the provisions of the Main Roads Act, 1924, by this my Proclamation, declare that so much of the land hereunder described in Schedules 1 and 2 as is Crown land is hereby appropriated and so much thereof as is private property is hereby resumed under the provisions of the Public Works Act, 1912, for the purposes of the Main Roads Act, 1924, and that the land described in Schedules 1 and 2 hereunder is hereby vested in The Commissioner for Main Roads, and I hereby further declare the land described in Schedule 1 hereunder to be a public road and, in accordance with a recommendation of The Commissioner for Main Roads made as aforesaid, the said land described in the said Schedule 1 is hereby placed under the control of the Council of the Shire of Tumut.

Signed and sealed at Sydney, this twenty-eighth day of May, 1975.

By His Excellency's Command,
 WAL. PIPE, Minister for Transport and Highways.
 GOD SAVE THE QUEEN!

DESCRIPTION OF THE LAND REFERRED TO
SCHEDULE 1

All that piece or parcel of land situate in the Shire of Tumut, Parish of Wercholders, County of Wynyard and State of New South Wales, being the whole of lot 12, Deposited Plan 576595, being a plan registered at the Department of Main Roads, Sydney, and numbered 0004.439.ss.0246, having an area of 9 211 square metres or thereabouts, and said to be in the possession of Stubbs Enterprises Pty Limited.

PUBLIC ROAD

SCHEDULE 2

All that piece or parcel of land situate in the Shire of Tumut, Parish of Wercholders, County of Wynyard and State of New South Wales, being the whole of lot 11, Deposited Plan 576595, being a plan registered at the Department of Main Roads, Sydney, and numbered 0004.439.ss.0246, having an area of 6 981 square metres or thereabouts, and said to be in the possession of the Council of the Shire of Tumut and the Crown. (D.M.R. Papers: 4/439.543) (806)

D.M.R.

D. West, Government Printer, New South Wales—1975

This is the copy of the Gazette notification referred to in the within Application.

[Signature]

Authorized Officer

[Signature]

Witness

P 372041

DEPARTMENTAL USE ONLY		TO BE COMPLETED BY LODGING PARTY	
RESUMPTION APPLICATION		Lodged by: STATE CROWN SOLICITOR.	
		Address: 8-12, Chifley Square, Sydney.	
		Phone No.: 258 7401.	
		Documents lodged herewith	
		1. _____	
		2. _____	
		3. _____	
		4. _____	
		5. _____	
Checked <i>King</i>	REGISTERED	Received Documents	Receiving Clerk
Passed <i>for</i>	15.9.1975		
Signed <i>for</i>	<i>Jamieson</i> Registrar General		

BY 6565 D. WEST. GOVERNMENT PRINTERS

*No Recording of this Resumption has been
made on Certificate of Title*

Volume 11360 Folio 132.

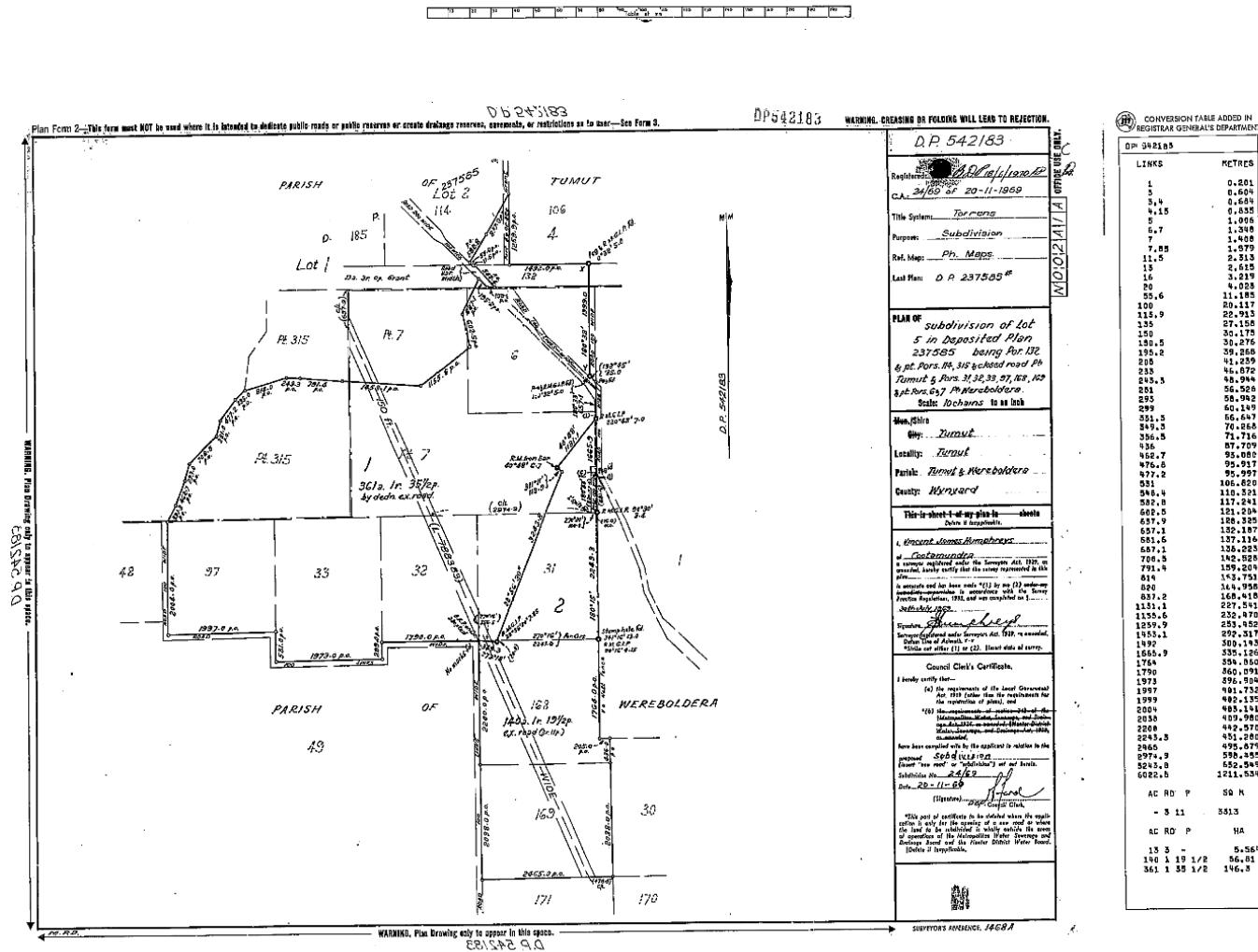
Jamieson
Registrar General.

M.P.O.

Reg:R863004 / Doc:DL P372041 / Rev:01-Sep-2011 / NSW LRS / Pgs:ALL / Prt:26-Feb-2025 16:47 / Seq:3 of 3
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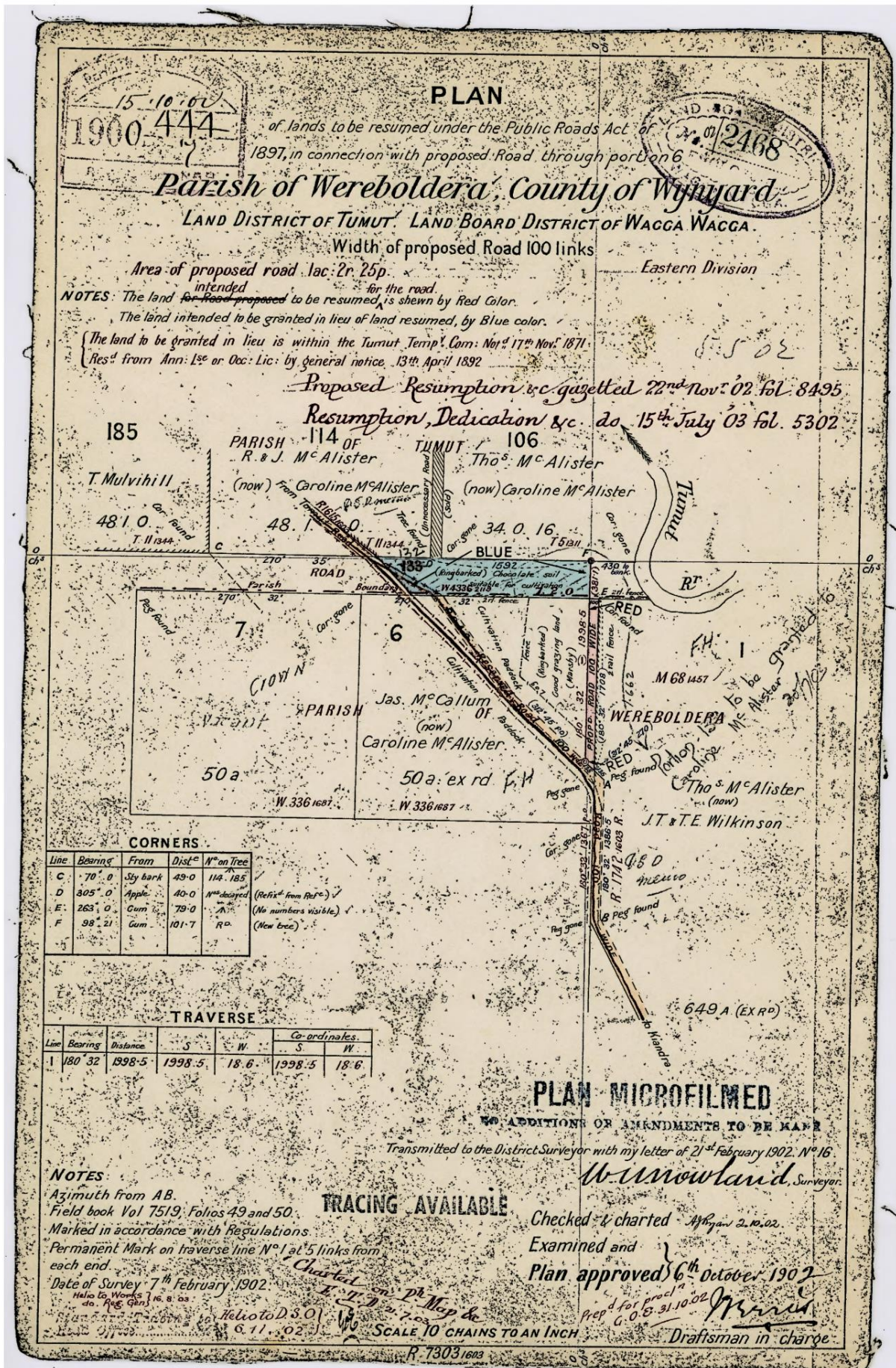


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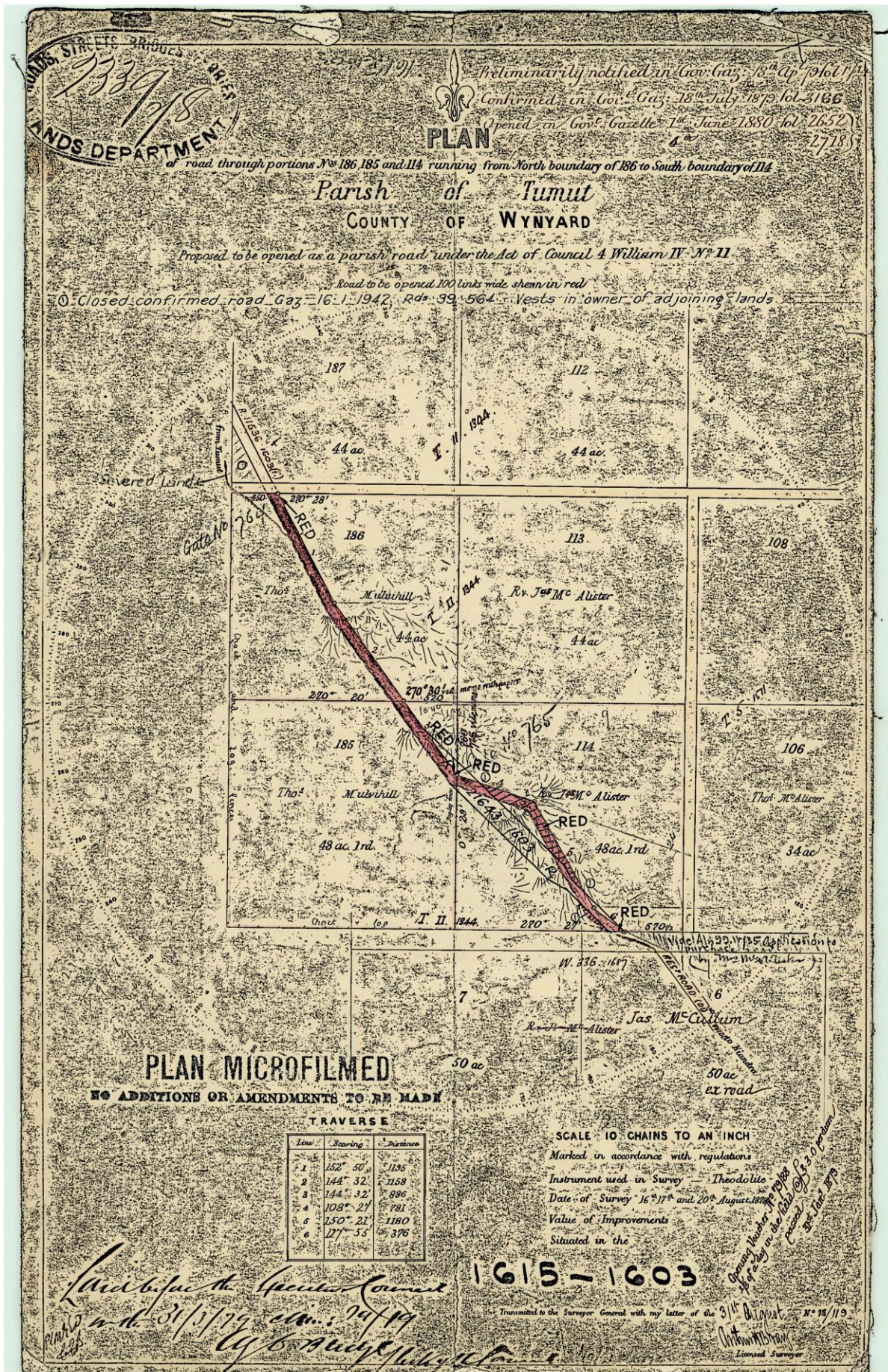


I, Jack Hayward Watson, Registrar General for New South Wales, certify that this negative is a photograph made as a permanent record of a document in my custody this 26th day of July, 1976.

Req:R863117 /Doc:CP 07303-1603 P /Rev:25-Nov-2012 /NSW LRS /Prt:26-Feb-2025 16:58 /Seq:1 of 1
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31 DEC., 1906.]

NEW SOUTH WALES GOVERNMENT GAZETTE

7019

PROCLAMATION

NEW SOUTH WALES, } By His Excellency Sir HARRY HOLDSWORTH
to wit. } WORTH RAWSON, Admiral in the Royal
(L.S.) } Navy, Knight Grand Cross of the Most
Honorable Order of the Bath, Governor
of the State of New South Wales and
HARRY H. RAWSON, } its Dependencies, in the Commonwealth
Governor. } of Australia.

WHEREAS the Local Government Extension Act, 1906, provides that the same shall, except where otherwise in the Act provided, commence and come into operation on a day within six months from its passing, to be proclaimed by the Governor: Now, therefore, I, Sir HARRY HOLDSWORTH RAWSON, the Governor aforesaid, in pursuance of the provisions of the said Local Government Extension Act, 1906, and with the advice of the Executive Council, do, by this my Proclamation, declare that the said Act shall commence and come into operation on the thirty-first day of December, 1906.

Given under my Hand and the Seal of the State, this twenty-eighth day of December, in the year of our Lord one thousand nine hundred and six, and in the sixth year of His Majesty's Reign.

By His Excellency's Command,
CHARLES A. LEE.

[3829] GOD SAVE THE KING:

[3811] Department of Public Works,
Sydney, 31st December, 1906.
INSPECTION OF MAIN ROADS.

I, THE HONORABLE CHARLES ALFRED LEE, the Secretary for Public Works for the time-being in and for the State of New South Wales, in the Commonwealth of Australia, in accordance with section 38 of the Local Government Extension Act, 1906, and section 119 of the Local Government Act, 1906, do hereby notify that the roads named in the Schedule hereto were, on the 10th December, 1906, classified by me as Main Roads within the meaning of the said sections of the said Local Government Extension Act, 1906, and the said Local Government Act, 1906.

CHARLES A. LEE,
Secretary for Public Works.

SCHEDULE OF ROADS CLASSIFIED AS MAIN ROADS.

Great Northern Road, Morpeth to Maryland.
Great Southern Road, Ashfield Cross Roads to Albury.
Great Western Road, Sydney to Warren.
Albury to Boomanoomana, and branch to Murray River at Corowa.
Ballina to Tenterfield.
Bathurst, via Blayney and Cowra, to Grenfell.
Bombala, via Tantawangle, to Merimbula.
Goulburn to Cooma.
Grafton, via Glen Innes, to Inverell.
Main South Coast Road (Campbelltown, via Wollongong, Ulladulla, and Punkalla, to Bega).
Milson's Point, via Lane Cove Road, to Peat's Ferry Road.
Orange to Forbes.
South Grafton, via Hillgrove, to Armidale.
Tarago to Braidwood.
Wallerawang to Mudgee.
Albury to Urana.
Albury and Corowa Road to Urana.
Corowa to Cooreen and Jerilderie Road at Momalong.
Howlong to Walbundrie.
Mulwala, via Savernake, to Momalong.
Albury, via Wagra and Jingellie, to Tumbarumba.
Tumbarumba to Little Billabong.
Tumut, via Adelung, to Tumbarumba.
Tumut, via Tomorrana, to Yass.
Cooma, via Kiandra and Tumut, to Gundagai.
Cooma, via Jindabyne, to Kosciusko.
Cooma to Big Badja.
Adaminaby to Billylingra.
Adaminaby to Jindabyne.
Bombala to Delegate.
Bombala, via Nimitybelle, to Cooma.
Cathcart Junction, via Pambula, to Eden.
Towamba, via Bondi, to Maharatta Bridge.
Tathra, via Bega, to Nimitybelle.
Bemboka to Wyndham.
Bernagui to Yourie.
Braidwood, via Nelligen, to Bateman's Bay.
Braidwood, via Nerriga, to Nowra.
Braidwood, via Araluen and Kiara, to Moruya.
Bowral to Robertson and Fitzroy Falls.

No. 286, 31 DECEMBER, 1906. - 2.

Moss Vale, via Barrengarry, to Nowra.
Moss Vale, via Robertson, to Albion Park.
Moss Vale, via Meryla, to Barrngarry.
Mittagong, via Wombeyan Caves, to Taralga.
Sutton Forest, via Exeter, to Barber's Creek.
Camden to the Peaks.
Rocky Point Road.
Sydney, via Dover Point, to Bulli Pass.
Hartley, via Jenolan, to Tarana.
Goulburn, via Kippilaw and Gunning, to Burrows.
Goulburn, via Narrawa, to Burrows.
Marulan, via Bannaby and Taralga, to Crookwell.
Queanbeyan, via Brindabella, to Diamond Hill.
Queanbeyan, via Upper Gundaroo, to Yass.
Great Southern Road, via Burrows and Narrawa, to Dalton.
Grenfell, via Marsden and Stockinbingal, to Cootamundra.
Temora, via Young, to Koorawatha.
Cootamundra to Binalong and Burrows.
Cootamundra, via Temora and Wyalong, to Cudgellico.
Junee, via Ganmain, to Narrandera.
Wagga, via Kyamba and Humula, to Tumbarumba.
Wagga, via Narrandera, to Hay.
Deniliquin to Boomanoomana.
Carrathool to Hillston.
Forbes, via Goolagong and Canowindra, to Woodstock.
Forbes, via Marsden, to Wyalong.
Forbes to South Condobolin.
Parkes, via Bolderogery, to Cumnock.
Parkes, via Condobolin and Eubalong, to Cudgellico.
Cowra, via Breakfast Creek, to Burrows.
Cowra, via Canowindra, to Eugowra.
Cowra, via Goolagong, to Grenfell.
Lyndhurst via Bigga, to Crookwell.
Bathurst, via Rockley, to Burruga.
Bathurst, via Newbridge and Tuena, to Goulburn.
Kelso to Monkey Hill.
Kelso, via Oberon, to Taralga and Goulburn.
Kelso, via Palmer's Oak, to Sofala.
Bridgewater to Yeoval.
Orange to Canowindra.
Wellington to Ulundry.
Dubbo, via Gilgandra, to Cobbarah.
Dubbo, via Parkes and Forbes, to Young.
Dubbo to Denison Town.
Wellington, via Goolma, to Gulgong.
Belah, via Tooraweenah, to Gilgandra.
Coonabarabran to Gunnedah.
Coonabarabran, via Munderooran, to Mudgee.
Mudgee, via Denison Town, to Mullaley.
Coonamble, via Tooraweenah, to Munderooran.
Walgett, via Coonamble, to Gilgandra.
Walgett, via Bugilbone, to Pilliga.
Moree, via Boggabri and Gunnedah, to Quirindi.
Moree to Mungindi.
Moree, via Goomal, to Mogil Megil.
Sarrabri, via Rocky Creek, to Cobbedah.
Warialda, via Gunyerwarildi and Yallaroi, to Yetman.
Inverell, via King's Plains, to Glen Innes.
Inverell, via Strathbogie, to Deepwater.
Inverell to Texas.
Inverell to Wallangra and Ashford.
Inverell, via Warialda and Bogamildil, to Moree.
Inverell, via Tingha and Kangaroo Camp, to Guyra.
Tamworth, via Barraba and Warialda, to Goondiwindi.
Walcha, via Nowendoc, to Taree.
Blandford, via Timor, to Gundy.
Tamworth to Gunnedah.
Quirindi to Bomera and Coonabarabran.
Muswellbrook, via Cassilis, to Coolah and Coonabarabran.
Muswellbrook (back road) to Wollar and Cudgegong.
Scone, via Barry and Nundle, to Tamworth.
Singleton, via Maison Dieu, to Denman.
Wollombi, via Broke, to Whittingham.
Wollombi, via Yarramalong, to Wyong.
Singleton, via Warkworth and Putty, to Bell's Line.
Richmond Bridge to Mount Wilson.
Windsor, via Sackville, to Wiseman's Ferry and Gentleman's Halt.
Round Corner at Dural, via Wiseman's Ferry and St. Albans, to Warkworth.
Gosford, via Cooranbong, to Wallsend.
Wyong, via Jillyby and Mandalong, to Morrisett.
North Coast Road (Hexham to South Grafton).
Stockton to Nelson's Bay.
East Maitland to Awaba.
Morpeth, via Dungog, to North Coast Road at Weismantels.
West Maitland, via Eccleston, to Upper Allyn.
West Maitland, via Kurri Kurri and Cessnock, to Wollombi.
Booral, via Bullah Delah and Cooloolonglook, to Taree.
Bullah Delah to Larry's Flat.
Laurieton to Comboyne.
Port Macquarie to Walcha Road.
Kempsey, via Jeogla Mountain, towards Armidale.
Uralla, via Balala, to Bundarra and Inverell.

7020

NEW SOUTH WALES GOVERNMENT GAZETTE [31 Dec., 1906.

Armidale, via Yarrowick, to Bundarra and Bingara.
Tenterfield to Mingoola, and Bonshaw.
Deepwater, via Nine-mile, to Tent Hill.
Murwillumbah, via Cudgen Wharf, to Terranora.
Byron Bay, via Mullumbimby, to Hainesville.
Lismore, via Federal, to Murwillumbah.
Lismore to Nimbin and Jigg.
South Lismore, via Wyalah, to Rous.
Woodburn, via Tucki, to Rous.
Woodburn to Harwood.
Casino to Coraki.
Casino, via Myall Creek, to Lawrence.
Casino to Woodenbong.
Casino, via Ettick, to Kyogle.
Arnolds, via Apple tree Flat, to Cungi.
Greberts to Solferino.
Grafton to Southgate to Broadwater.
McIntock's, via Kangaroo Creek, to Nymboida.
South Grafton via Sharpes, to Coff's Harbour.
North Coast Road, via Vorrigo, to Perretts.
Sharpes to Moonee and Woolgoonga.
Coramba, via Dorrigo, to Armidale Road.

[3903] Department of the Attorney-General and of Justice,
Sydney, 28th December, 1906.

REGULATION UNDER THE "GAMING AND
BETTING ACT, 1906."

HIS Excellency the Governor, with the advice of the Executive Council, has been pleased to approve of the cancellation of Regulation No. 7 of the Regulations under the "Gaming and Betting Act, 1906," published in the Government Gazette of the 14th November last, and of the substitution of the following Regulation therefor:—

If betting or wagering takes place at any sports other than horse or pony races or trotting contests held on a licensed racecourse, the license of such racecourse will be liable to be cancelled.

C. G. WADE.



SYDNEY:

Printed and Published by WILLIAM APPLEGATE GULLICK, Government Printer and Publisher of the State of
New South Wales, at Phillip-street, 31st December, 1906.

[Price, 6d.]

138

Act No. 33, 1905.***Local Government (Shires).***

	road, bridge, ford, dam, jetty, or other like structure, or to divert, interfere with, or interrupt the course of any river or creek.
Compensation for materials taken.	(11) The council shall pay to the owner of any land the value of any materials taken therefrom, and shall pay to the owner and occupier of any land compensation for any damage they may sustain through the exercise of any of the powers conferred by this section.
New public roads—widening, raising, lowering roads.	(d) A council may within its shire open new public roads, divert any road, alter or increase the width of any public road, or cause the level or surface of any public road or footpath to be raised or lowered. Any land required for the purpose of carrying out the provisions of this paragraph shall be acquired under the Public Roads Act, 1902. Any sum paid as compensation or as part compensation for such land, with interest thereon and all necessary expenses incidental to the appropriation, exchange, or resumption thereof shall be provided by the council. The Governor shall, before authorising the appropriation, exchange, or resumption, satisfy himself that the council has made such provision.
Power to close road.	(e) For such time as is necessary for making, improving, maintaining, repairing, altering, or increasing the width, or causing to be raised or lowered the level or surface of any public road within any shire, the council may close such road and stop all traffic thereon.
Temporary roads	(f) A council may make a temporary road through any land within its shire which is not the site or curtilage of a house or a garden, lawn, yard, court, park, plantation, planted walk, avenue, or nursery for trees for use as a public highway during such time as a road is closed under the preceding subsection.
Fencing temporary roads.	(g) Where a council makes a temporary road as aforesaid through any fenced land, it shall erect a sufficient fence on such road, and shall keep such fences in repair during the time such road is used.
Recovery of half cost of forming and guttering footways.	(h) Where a council has kerbed, paved, or asphalted the footway or guttered the carriage-way of a public street in a village or town, it may, in any court of competent jurisdiction, recover from the owner of any land opposite to and on the same side of the street as the place where the said work has been done a sum, to be fixed by the council, not exceeding one-half the expense of the said work.
Encroachments on public roads to be removed.	(i) If before or after the setting out and marking of the footway of a public road in any shire, any erection or building, or any hedge or other fence, or any drain or watercourse, has, after the commencement of this Act, been constructed or made so as

Act No. 33, 1905.

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Local Government (Shires).

as to encroach on such road, or obstruct the free use thereof, the council may cause notice to be placed upon such encroachment or obstruction, or on the land immediately adjoining thereto, and also to be published in the Gazette, and twice in some newspaper circulating in the shire, requiring that such encroachment or obstruction be removed within sixty days after the date of such notice.

(j) If such encroachment or obstruction is not effectually removed within the said time the council may cause it to be removed.

(k) No road or part of a road shall be closed, nor shall the position of a reserved road within an incomplete purchase from the Crown or conditional lease be altered within a shire in pursuance of the Public Roads Act, 1902, unless the consent in writing of the council of the shire has been first obtained. Power to close road.

(l) A council may, with the approval of the Governor, lease to any person or permit any person to use or occupy any of its buildings, works, or undertakings. Power to lease buildings, wharfs, markets, &c.

(m) A council may, in lieu of directly undertaking the performance of any of its duties under this Act, enter into a contract with any person or persons for such performance. Power to contract for public services.

(n) A council may do any acts not otherwise unlawful, which may be necessary to the proper exercise and performance of its powers and duties. Power to do any necessary acts.

(o) A council may plant trees in any public road or street in its area, and erect tree-guards or fences to protect them, and may set apart and fence portions of public roads or streets as free reserves, provided that in such cases the portion of such road remaining available for public traffic, including footpaths, shall in no case be thereby reduced to less than forty-four feet, and that such reserves shall be so arranged as not to interfere with reasonable access to premises. Tree planting. Tree reserves.

(p) Any references in the Public Roads Act, 1902, to a municipality or to the council of a municipality shall be deemed to refer also to a shire or its council. References.

Impounding.

11. (1) Every council shall, in and for its area, alone have and exercise the following powers which by the Impounding Act, 1898, may be or are required to be exercised in and for any district by the court of petty sessions of such district or a majority of the justices assembled in such court, that is to say, powers relating to—

- (a) the establishment of pounds;
- (b) the appointment of poundkeepers;
- (c) the determination of the amount of security to be given by each poundkeeper;
- (d)

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Act No. 56, 1906.

Local Government.

Power to close road. Shires, s. 10. Extension, s. 25.	79. For such time as is necessary for making, improving, maintaining, repairing, altering, or increasing the width, or causing to be raised or lowered the level or surface of any public road within any area, the council may close such road and stop all traffic thereon.
Temporary roads. Shires, s. 10. Extension, s. 25.	80. (1) A council may make a temporary road through any land within its area which is not the site or curtilage of a house or a garden, lawn, yard, court, park, plantation, planted walk, avenue, or nursery for trees for use as a public highway during such time as a road is closed under the preceding section. (2) Where a council makes a temporary road as aforesaid through any fenced land, it shall erect a sufficient fence on such road, and shall keep such fences in repair during the time such road is used, and may remove such fence when no longer required.
Fencing temporary roads.	81. Where a council has kerbed, paved, or asphalted the footway or guttered the carriage-way of a public street in a village or town, it may, in any court of competent jurisdiction, recover from the owner of any land opposite to and on the same side of the street as the place where the said work has been done a sum, to be fixed by the council, not exceeding one-half the expense of the said work.
Recovery of half cost of forming and guttering footways. Extension, s. 25. Shires, s. 10.	82. (1) If before or after the setting out and marking of the footway of a public road in any area any erection or building, or any hedge or other fence, or any drain or watercourse, has, after the commencement of this Act, been constructed or made so as to encroach on such road, or obstruct the free use thereof, the council may cause notice to be placed upon such encroachment or obstruction, or on the land immediately adjoining thereto, and also to be published in the Gazette, and twice in some newspaper circulating in the area, requiring that such encroachment or obstruction be removed within sixty days after the date of such notice. (2) If such encroachment or obstruction is not effectually removed within the said time the council may cause it to be removed.
Encroachments on public roads to be removed. Shires, s. 10. Extension, s. 25.	83. No road or part of a road shall be closed, nor shall the position of a reserved road within an incomplete purchase from the Crown or conditional lease be altered within an area in pursuance of the Public Roads Act, 1902, unless the consent in writing of the council of the area has been first obtained.
Power to close road. Shires, s. 10. Extension, s. 25.	84. A council may plant trees in any public road or street in its area, and erect tree-guards or fences to protect them, and may set apart and fence portions of public roads or streets as tree reserves, provided that in such cases the portion of such road remaining available for public traffic, including footpaths, shall in no case be thereby reduced to less than forty-four feet, and that such reserves shall be so arranged as not to interfere with reasonable access to premises.
Tree planting.	85. A council may, with the approval of the Governor, lease to any person or permit any person to use or occupy any of its buildings, works, or undertakings.
Tree reserves. Shires, s. 10. Extension, s. 25.	86.
Power to lease buildings, wharfs, markets, &c. Shires, s. 10. Extension, s. 25.	

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Local Government Act.**George V,
No. 41.**Vide L.G.
Acts, 1903-8,
s. 73 (3).
See also
s. 224 post.

"Public road" means road which the public are entitled to use, and includes any road dedicated as a public road by any person or notified, proclaimed or dedicated as a public road under the authority of any Act, including this Act, or classified as a main road in the Gazette of the thirty-first day of December, one thousand nine hundred and six.

"Public vehicle" means a vehicle which is plied for hire.

"Ratable person," "person ratable," and similar expressions include the Crown and mean—

- (a) an owner in any case where this Act provides that a rate shall be paid to the council by the owner;
- (b) a holder of a lease in any case where this Act provides that a rate shall be paid to the council by the holder of the lease.

"Rate notice" means rate notice under this Act, but in relation to a rate under any other Act includes a corresponding notice thereunder.

"Ratepayer" means person on the roll of ratepayers.

"Regulation" means regulation in force under any other Act and regulation continued in force under this Act.

"Returning officer" means person appointed to conduct an election or poll under this Act.

"Road" means road, street, lane, highway, pathway, or thoroughfare, including a bridge, culvert, causeway, road-ferry, ford, crossing, and the like on the line of a road through or over a watercourse.

"Roll" means roll under this Act.

"School of Arts" means a public institution for use by the persons who subscribe thereto as a book club or reading room or for lectures or for indoor recreation or amusement.

"Schedule" means Schedule to this Act.

"Servant" means a servant of a council under this Act.

"Sewer"

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Local Government Act.**George V,
No. 41.****DIVISION 5.—*Fee-simple of roads.***

Fee-simple,
cf. N.Z. Muni-
cipal Cor-
poration Act,
1908, s. 153,
cf. S.C. Act,
1902, s. 74.
(Exceptions,
see sec. 273
post.)

cf. *Finchley
Co. v. Finch-
ley Council*
[1903], 1 Ch.
437.
See also
s. 338.

232. (1) Except where otherwise expressly provided, every public road, and the soil thereof, and all materials of which the road is composed, shall by virtue of this Act vest in fee-simple in the council, and the council, if it so desire, shall by virtue of this Act be entitled to be registered as the proprietor of the road under the provisions of the Real Property Act, 1900.

(2) The vesting in fee-simple under this section shall be deemed to be not merely as regards so much of the soil below and of the air above as may be necessary for the ordinary use of the road as a road, but so as to confer on the council subject to the provisions of this Act the same estate and rights in and with respect to the site of the road as a private person would have if he were entitled to the site as private land held in fee-simple with full rights both as to the soil below and to the air above.

(3) Unless otherwise expressly provided nothing in this section shall be deemed—

- (a) to affect any express or implied dedication to the public;
- (b) to affect any existing right of the Crown or of any person in respect of any easement or under the provisions of any Act, except in so far as the council is authorised by or under this Act to control and regulate the digging up of public roads;
- (c) to affect any right of the Crown or of any person in respect of any minerals below the surface of any road;
- (d) to authorise the council to grant, demise, dispose of, or alienate the road or the soil or materials thereof;
- (e) to impose on the council any liability in respect of any rate under any Act or in respect of any dividing fence under the Dividing Fences Act, 1902, or any liability in any case where the council would not be subject to the liability if this Act conferred on the council the care, control,

See ss. 233
(6) and 277.

Local Government Act.

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265. The provisions of this Act with respect to levels of roads shall, unless inconsistent with the context, be deemed to include alteration and refixing of levels.

George V.
No. 41.

Refixing
roads.

266. Notwithstanding the provisions of the Public Works Act, 1912, the Government Railways Act, 1912, or any Act, a tramway shall not be constructed in any public road otherwise than in accordance with the level of the road, unless the council consents.

Altering
levels for
tramway
purposes.
See Division
11 of Part
XXX for
settlement of
disputes.

DIVISION 12.—Obstructions and encroachments on roads.

267. (1) The council may order that any obstruction or encroachment upon a public road be removed therefrom.

Removal of
obstructions,
cf. L.G. Act,
1906, s. 82.

(2) The order shall—

- (a) be directed to the person causing the obstruction or encroachment or the owner of the land or premises to which such obstruction or encroachment appertains or adjoins so as to be used or to be able to be used in connection therewith;
- (b) be served on such person or owner; and
- (c) be placed upon the obstruction or encroachment or on the land immediately adjoining the same.

(3) If the obstruction or encroachment came into existence before the alignment of the road, or if the road has not been aligned, the order shall allow sixty days or such longer period as the council may decide for the removal.

(4) If the obstruction or encroachment came into existence after the alignment of the road and before the commencement of this Act the order shall allow seven days or such longer period as the council may decide for the removal.

(5) If the obstruction or encroachment come into existence after the commencement of this Act the order may allow such time as the council shall think fit for the removal.

(6)

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Local Government Act.**George V.
No. 41.**

(6) In the following cases, that is to say, where the obstruction or encroachment came into existence before the alignment and before the commencement of the Local Government Act, 1906, the council shall, subject to the provisions of this section, pay reasonable compensation for the removal.

(7) Compensation shall not be paid where an agreement to that effect is made nor in the case of an obstruction or encroachment of the following description, that is to say: hedge, fence, wall in the nature of a fence, post, steps, tree, awning, verandah, post supporting an awning or verandah, drain, watercourse, and any structure of wood, iron, bark, ruberoid, canvas, or other like material.

(8) The preceding provisions of this section shall not apply to obstructions or encroachments placed on any road by virtue of any statute.

(9) Where, by virtue of any statute, any obstruction or encroachment (and particularly any obstruction or encroachment such as an embankment, railway or tramway rails sewer man-hole covers, and the like) has been placed upon any public road by any statutory body or by any person, the body or person having the charge, use, or enjoyment of the object which is or causes the obstruction or encroachment shall maintain it in good order and repair in such state as to permit and promote the free use and passage of the public upon the public road; and shall construct and maintain the road surface within and for a reasonable distance in all directions (beyond the obstruction or encroachment) at the same height as the obstruction or encroachment (and thence a reasonable slope not steeper than one in fifteen to the level of the road) for the purpose of providing for the smooth passage of wheeled vehicles.

*Sand.**cf. L.G. Acts,
1906-8, s. 98.*

268. Where any land is in such a condition that sand blown or falling from it causes obstruction to any public road, the council may order the owner thereof to do all things necessary to remove and prevent the recurrence of the obstruction,

DIVISION



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PLAN FORM 2

Signatures and seals only.

James Walker
(Member of the Mt of Tumut Council)

Donner J. Woot
The Council of the District of Snowy Mountains
Shire, hereinafter called the Council, do hereby certify that the above is a true and correct copy of the original of the same as the same is contained in the records of the Council.

James Walker
Mayor

Donner J. Woot
Secretary

11.5 REQUEST FOR ROAD CLOSURE AND SALE - LOT 6 DP 255952 - OFF SNOWY MOUNTAINS HIGHWAY, TUMUT - ATTACHMENT

PLAN OF SUBDIVISION OF PART 583189, PART LOT 1 D.P. 588770, LOT 1 D.P. 554924 AND LOTS 1-5 D.P. 554924, LOT 4 D.P. 237585.

Reduction Ratio 1:10 000

Map/Chir: TUMUT

Locality: BLOWERING

Parish: TUMUT & WEREOLDERA

County: WYNYARD

This sheet is of my plan (Delete if inapplicable).

MALCOLM LOUIS GRAY

I, Surveyor registered under the Surveyors Act, 1920, as amended, hereby certify that the survey represented on this plan is accurate and has been made in accordance with the Survey Practice Regulations, 1933, and was completed on 11th September, 1979.

Signature: *M. J. Gray*

Surveyor registered under the Surveyors Act, 1920, as amended. (Delete if inapplicable).

Strike out either 177 or 178, whichever date of survey.

Panel for use only for statements of intention to declare public roads or to create public reserves, drainage reserves, easements or restrictions as to use.

LOTS 1 & 4 HAVE BEEN PARTLY COMPLETED FROM INFORMATION SUBMITTED ON D.P. 554924 & D.P. 554925, 554924, 554925.

TRAVERSE

LINE	BEARING	DISTANCE
1	90° 31' 40"	122.8
2	100° 27' 40"	92.29
3	64° 29' 40"	97.12
4	36° 52' 40"	114.82
5	106° 32'	40.86
6	184° 12'	102.86
7	104° 40'	78.58
8	20° 37' 40"	199.4
9	75° 36' 40"	47.6
10	112° 21' 20"	51.22
11	180° 25' 00"	137.07
12	152° 12' 30"	70.43
13	104° 12' 30"	73.2
14	120° 12' 30"	119.8
15	87° 12'	19.18
16	60° 40'	44.855
17	20° 43' 20"	79.82
18	337° 25'	73.45
19	7° 20' 40"	44.49
20	65° 12'	19.99
21	20° 58' 30"	65.7
22	121° 12'	25.995
23	183° 35' 20"	45.7
24	168° 30'	64.87

SCHEDULE OF REFERENCE MARKS

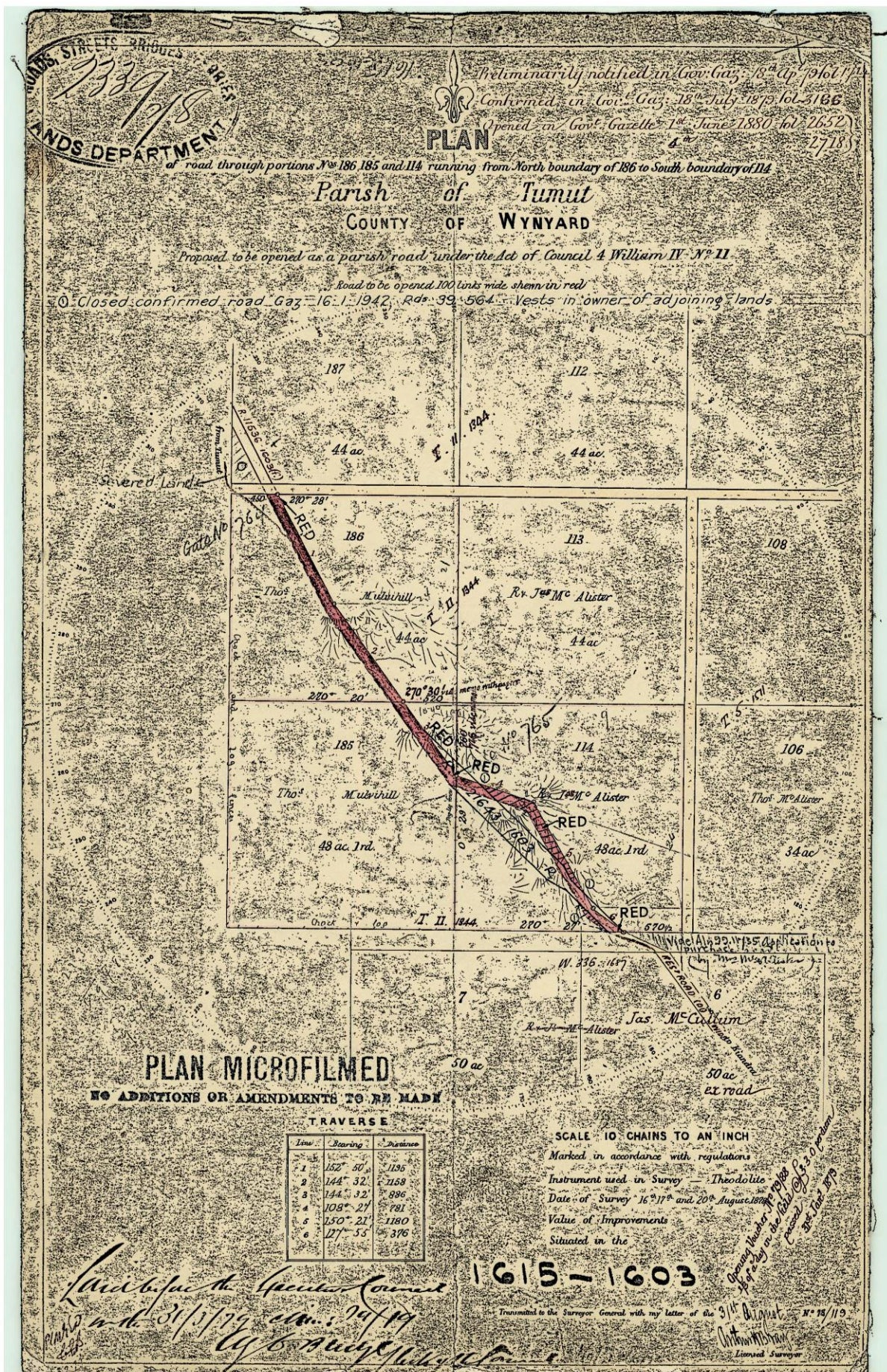
LINE	REFERENCE	BEARING	DISTANCE
A	RHGP. PD. D.P. 554925	100° 00'	0.765
B	RHGP.	87° 21'	0.775
C	2MGP.	256° 32'	2
D	RHGP.	121° 41'	2
E	RHGP. PD. D.P. 255953	177° 46'	0.5
F	RHGP. PD. D.P. 255953	27° 46'	0.5
G	RHGP. PD. D.P. 255953	68° 08'	0.5
H	RHGP.	244° 25'	1.03
I	RHGP.	287° 44'	1
J	RHGP.	337° 44'	1
K	RHGP. PD. R 21642 1603	90° 31'	0.665
L	RHGP.	170° 15'	1
M	RHGP.	240° 51'	1
N	RM TREE S/N IN GUM	137° 46'	23.49

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

1, 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.

16th July, 1981

Req:R863136 /Doc:CP 01615-1603 P /Rev:25-Nov-2012 /NSW LRS /Prt:26-Feb-2025 17:01 /Seq:1 of 1
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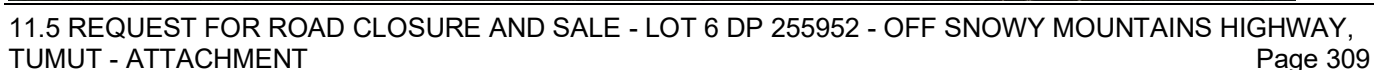


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 @ Office of the Registrar-General /Src:InfoTrack /Ref:tumut

[illegible]

This negative is a photograph made as a permanent record of a document in the custody of the Registrar General this day.

17th December, 1987



31 DEC., 1906.]

NEW SOUTH WALES GOVERNMENT GAZETTE

7019

PROCLAMATION

NEW SOUTH WALES, } By His Excellency Sir HARRY HOLD-
to wit. } WORTH RAWSON, Admiral in the Royal
(L.S.) } Navy, Knight Grand Cross of the Most
Honorable Order of the Bath, Governor
of the State of New South Wales and
HARRY H. RAWSON, } its Dependencies, in the Commonwealth
Governor. } of Australia.

WHEREAS the Local Government Extension Act, 1906, provides that the same shall, except where otherwise in the Act provided, commence and come into operation on a day within six months from its passing, to be proclaimed by the Governor: Now, therefore, I, Sir HARRY HOLDSWORTH RAWSON, the Governor aforesaid, in pursuance of the provisions of the said Local Government Extension Act, 1906, and with the advice of the Executive Council, do, by this my Proclamation, declare that the said Act shall commence and come into operation on the thirty-first day of December, 1906.

Given under my Hand and the Seal of the State, this twenty-eighth day of December, in the year of our Lord one thousand nine hundred and six, and in the sixth year of His Majesty's Reign.

By His Excellency's Command,
CHARLES A. LEE.

[3829] GOD SAVE THE KING:

[3811] Department of Public Works,
Sydney, 31st December, 1906.

INSPECTION OF MAIN ROADS.

I, THE HONORABLE CHARLES ALFRED LEE, the Secretary for Public Works for the time-being in and for the State of New South Wales, in the Commonwealth of Australia, in accordance with section 38 of the Local Government Extension Act, 1906, and section 119 of the Local Government Act, 1906, do hereby notify that the roads named in the Schedule hereto were, on the 10th December, 1906, classified by me as Main Roads within the meaning of the said sections of the said Local Government Extension Act, 1906, and the said Local Government Act, 1906.

CHARLES A. LEE,
Secretary for Public Works.

SCHEDULE OF ROADS CLASSIFIED AS MAIN ROADS.

Great Northern Road, Morpeth to Maryland.
Great Southern Road, Ashfield Cross Roads to Albury.
Great Western Road, Sydney to Warren.
Albury to Boomanoomana, and branch to Murray River at Corowa.
Ballina to Tenterfield.
Bathurst, via Blayney and Cowra, to Grenfell.
Bombala, via Tantawangle, to Merimbula.
Goulburn to Cooma.
Grafton, via Glen Innes, to Inverell.
Main South Coast Road (Campbelltown, via Wollongong, Ulladulla, and Punkalla, to Bega).
Milson's Point, via Lane Cove Road, to Peat's Ferry Road.
Orange to Forbes.
South Grafton, via Hillgrove, to Armidale.
Tarago to Braidwood.
Wallerawang to Mudgee.
Albury to Urana.
Albury and Corowa Road to Urana.
Corowa to Cooreen and Jerilderie Road at Momalong.
Howlong to Walbundrie.
Mulwala, via Savernake, to Momalong.
Albury, via Wagra and Jingellie, to Tumbarumba.
Tumbarumba to Little Billabong.
Tumut, via Adelung, to Tumbarumba.
Tumut, via Tomorrana, to Yass.
Cooma, via Kiandra and Tumut, to Gundagai.
Cooma, via Jindabyne, to Kosciusko.
Cooma to Big Badja.
Adaminaby to Billylingra.
Adaminaby to Jindabyne.
Bombala to Delegate.
Bombala, via Nimitybelle, to Cooma.
Cathcart Junction, via Pambula, to Eden.
Towamba, via Bondi, to Maharatta Bridge.
Tathra, via Bega, to Nimitybelle.
Bemboka to Wyndham.
Bernagui to Yourie.
Braidwood, via Nelligen, to Bateman's Bay.
Braidwood, via Nerriga, to Nowra.
Braidwood, via Araluen and Kiara, to Moruya.
Bowral to Robertson and Fitzroy Falls.

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Moss Vale, via Barrengarry, to Nowra.
Moss Vale, via Robertson, to Albion Park.
Moss Vale, via Meryla, to Barrngarry.
Mittagong, via Wombeyan Caves, to Taralga.
Sutton Forest, via Exeter, to Barber's Creek.
Camden to the Peaks.
Rocky Point Road.
Sydney, via Dover Point, to Bulli Pass.
Hartley, via Jenolan, to Tarana.
Goulburn, via Kippilaw and Gunning, to Burrows.
Goulburn, via Narrawa, to Burrows.
Marulan, via Bannaby and Taralga, to Crookwell.
Queanbeyan, via Brindabella, to Diamond Hill.
Queanbeyan, via Upper Gundaroo, to Yass.
Great Southern Road, via Burrows and Narrawa, to Dalton.
Grenfell, via Marsden and Stockinbingal, to Cootamundra.
Temora, via Young, to Koorawatha.
Cootamundra to Binalong and Burrows.
Cootamundra, via Temora and Wyalong, to Cudgellico.
Junee, via Ganmain, to Narrandera.
Wagga, via Kyamba and Humula, to Tumbarumba.
Wagga, via Narrandera, to Hay.
Deniliquin to Boomanoomana.
Carrathool to Hillston.
Forbes, via Goolagong and Canowindra, to Woodstock.
Forbes, via Marsden, to Wyalong.
Forbes to South Condobolin.
Parkes, via Bolderogery, to Cumnock.
Parkes, via Condobolin and Eubalong, to Cudgellico.
Cowra, via Breakfast Creek, to Burrows.
Cowra, via Canowindra, to Eugowra.
Cowra, via Goolagong, to Grenfell.
Lyndhurst via Bigga, to Crookwell.
Bathurst, via Rockley, to Burriga.
Bathurst, via Newbridge and Tuena, to Goulburn.
Kelso to Monkey Hill.
Kelso, via Oberon, to Taralga and Goulburn.
Kelso, via Palmer's Oak, to Sofala.
Bridgewater to Yeoval.
Orange to Canowindra.
Wellington to Ulundry.
Dubbo, via Gilgandra, to Cobbarah.
Dubbo, via Parkes and Forbes, to Young.
Dubbo to Denison Town.
Wellington, via Goolma, to Gulgong.
Belah, via Tooraweenah, to Gilgandra.
Coonabarabran to Gunnedah.
Coonabarabran, via Mundooran, to Mudgee.
Mudgee, via Denison Town, to Mullaley.
Coonamble, via Tooraweenah, to Mundooran.
Walgett, via Coonamble, to Gilgandra.
Walgett, via Bugilbone, to Pilliga.
Moree, via Boggabri and Gunnedah, to Quirindi.
Moree to Mungindi.
Moree, via Goomal, to Mogil Mogil.
Sarrabri, via Rocky Creek, to Cobbedah.
Warialda, via Gunyerwarildi and Yallaroo, to Yetman.
Inverell, via King's Plains, to Glen Innes.
Inverell, via Strathbogie, to Deepwater.
Inverell to Texas.
Inverell to Wallangra and Ashford.
Inverell, via Warialda and Bogamild, to Moree.
Inverell, via Tingha and Kangaroo Camp, to Guyra.
Tamworth, via Barraba and Warialda, to Goondiwindi.
Walcha, via Nowendoc, to Taree.
Blandford, via Timor, to Gundy.
Tamworth to Gunnedah.
Quirindi to Bomera and Coonabarabran.
Muswellbrook, via Cassilis, to Coolah and Coonabarabran.
Muswellbrook (back road) to Wollar and Cudgegong.
Scone, via Barry and Nundle, to Tamworth.
Singleton, via Maison Dieu, to Denman.
Wollombi, via Broke, to Whittingham.
Wollombi, via Yarramalong, to Wyong.
Singleton, via Warkworth and Putty, to Bell's Line.
Richmond Bridge to Mount Wilson.
Windsor, via Sackville, to Wiseman's Ferry and Gentleman's Halt.
Round Corner at Dural, via Wiseman's Ferry and St. Albans, to Warkworth.
Gosford, via Cooranbong, to Wallsend.
Wyong, via Jillyby and Mandalong, to Morrisett.
North Coast Road (Hexham to South Grafton).
Stockton to Nelson's Bay.
East Maitland to Awaba.
Morpeth, via Dungog, to North Coast Road at Weismantels.
West Maitland, via Eccleston, to Upper Allyn.
West Maitland, via Kurri Kurri and Cessnock, to Wollombi.
Booral, via Bullah Delah and Coolesonglook, to Taree.
Bullah Delah to Larry's Flat.
Laurieton to Comboyne.
Port Macquarie to Walcha Road.
Kempsey, via Jeogla Mountain, towards Armidale.
Uralla, via Balala, to Bundarra and Inverell.

7020

NEW SOUTH WALES GOVERNMENT GAZETTE [31 Dec., 1906.

Armidale, via Yarrowick, to Bundarra and Bingara.
Tenterfield to Mingoola and Bonshaw.
Deepwater, via Nine-mile, to Tent Hill.
Murwillumbah, via Cudgen Wharf, to Terranora.
Byron Bay, via Mullumbimby, to Hainesville.
Lismore, via Federal, to Murwillumbah.
Lismore to Nimbin and Jigg.
South Lismore, via Wyalah, to Rous.
Woodburn, via Tucki, to Rous.
Woodburn to Harwood.
Casino to Coraki.
Casino, via Myall Creek, to Lawrence.
Casino to Woodenbong.
Casino, via Ettick, to Kyogle.
Arnolds, via Apple tree Flat, to Cungi.
Greberts to Solferino.
Grafton to Southgate to Broadwater.
McIntock's, via Kangaroo Creek, to Nymboida.
South Grafton via Sharpes, to Coff's Harbour.
North Coast Road, via Vorrigo, to Perretts.
Sharpes to Moonee and Woolgoonga.
Coramba, via Dorrigo, to Armidale Road.

[3903] Department of the Attorney-General and of Justice,
Sydney, 28th December, 1906.

REGULATION UNDER THE "GAMING AND
BETTING ACT, 1906."

HIS Excellency the Governor, with the advice of the Executive Council, has been pleased to approve of the cancellation of Regulation No. 7 of the Regulations under the "Gaming and Betting Act, 1906," published in the Government Gazette of the 14th November last, and of the substitution of the following Regulation therefor:—

If betting or wagering takes place at any sports other than horse or pony races or trotting contests held on a licensed racecourse, the license of such racecourse will be liable to be cancelled.

C. G. WADE.



SYDNEY:

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Act No. 33, 1905.***Local Government (Shires).***

	road, bridge, ford, dam, jetty, or other like structure, or to divert, interfere with, or interrupt the course of any river or creek.
Compensation for materials taken.	(11) The council shall pay to the owner of any land the value of any materials taken therefrom, and shall pay to the owner and occupier of any land compensation for any damage they may sustain through the exercise of any of the powers conferred by this section.
New public roads—widening, raising, lowering roads.	(d) A council may within its shire open new public roads, divert any road, alter or increase the width of any public road, or cause the level or surface of any public road or footpath to be raised or lowered. Any land required for the purpose of carrying out the provisions of this paragraph shall be acquired under the Public Roads Act, 1902. Any sum paid as compensation or as part compensation for such land, with interest thereon and all necessary expenses incidental to the appropriation, exchange, or resumption thereof shall be provided by the council. The Governor shall, before authorising the appropriation, exchange, or resumption, satisfy himself that the council has made such provision.
Power to close road.	(e) For such time as is necessary for making, improving, maintaining, repairing, altering, or increasing the width, or causing to be raised or lowered the level or surface of any public road within any shire, the council may close such road and stop all traffic thereon.
Temporary roads	(f) A council may make a temporary road through any land within its shire which is not the site or curtilage of a house or a garden, lawn, yard, court, park, plantation, planted walk, avenue, or nursery for trees for use as a public highway during such time as a road is closed under the preceding subsection.
Fencing temporary roads.	(g) Where a council makes a temporary road as aforesaid through any fenced land, it shall erect a sufficient fence on such road, and shall keep such fences in repair during the time such road is used.
Recovery of half cost of forming and guttering footways.	(h) Where a council has kerbed, paved, or asphalted the footway or guttered the carriage-way of a public street in a village or town, it may, in any court of competent jurisdiction, recover from the owner of any land opposite to and on the same side of the street as the place where the said work has been done a sum, to be fixed by the council, not exceeding one-half the expense of the said work.
Encroachments on public roads to be removed.	(i) If before or after the setting out and marking of the footway of a public road in any shire, any erection or building, or any hedge or other fence, or any drain or watercourse, has, after the commencement of this Act, been constructed or made so as

Act No. 33, 1905.

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Local Government (Shires).

as to encroach on such road, or obstruct the free use thereof, the council may cause notice to be placed upon such encroachment or obstruction, or on the land immediately adjoining thereto, and also to be published in the Gazette, and twice in some newspaper circulating in the shire, requiring that such encroachment or obstruction be removed within sixty days after the date of such notice.

- (j) If such encroachment or obstruction is not effectually removed within the said time the council may cause it to be removed.
- (k) No road or part of a road shall be closed, nor shall the position of a reserved road within an incomplete purchase from the Crown or conditional lease be altered within a shire in pursuance of the Public Roads Act, 1902, unless the consent in writing of the council of the shire has been first obtained. Power to close road.
- (l) A council may, with the approval of the Governor, lease to any person or permit any person to use or occupy any of its buildings, works, or undertakings. Power to lease buildings, wharfs, markets, &c.
- (m) A council may, in lieu of directly undertaking the performance of any of its duties under this Act, enter into a contract with any person or persons for such performance. Power to contract for public services.
- (n) A council may do any acts not otherwise unlawful, which may be necessary to the proper exercise and performance of its powers and duties. Power to do any necessary acts.
- (o) A council may plant trees in any public road or street in its area, and erect tree-guards or fences to protect them, and may set apart and fence portions of public roads or streets as free reserves, provided that in such cases the portion of such road remaining available for public traffic, including footpaths, shall in no case be thereby reduced to less than forty-four feet, and that such reserves shall be so arranged as not to interfere with reasonable access to premises. Tree planting. Tree reserves.
- (p) Any references in the Public Roads Act, 1902, to a municipality or to the council of a municipality shall be deemed to refer also to a shire or its council. References.

Impounding.

11. (1) Every council shall, in and for its area, alone have and exercise the following powers which by the Impounding Act, 1898, may be or are required to be exercised in and for any district by the court of petty sessions of such district or a majority of the justices assembled in such court, that is to say, powers relating to—
- (a) the establishment of pounds;
 - (b) the appointment of poundkeepers;
 - (c) the determination of the amount of security to be given by each poundkeeper;
 - (d)

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Act No. 56, 1906.

Local Government.

Power to close road. Shires, s. 10. Extension, s. 25.	79. For such time as is necessary for making, improving, maintaining, repairing, altering, or increasing the width, or causing to be raised or lowered the level or surface of any public road within any area, the council may close such road and stop all traffic thereon.
Temporary roads. Shires, s. 10. Extension, s. 25.	80. (1) A council may make a temporary road through any land within its area which is not the site or curtilage of a house or a garden, lawn, yard, court, park, plantation, planted walk, avenue, or nursery for trees for use as a public highway during such time as a road is closed under the preceding section. (2) Where a council makes a temporary road as aforesaid through any fenced land, it shall erect a sufficient fence on such road, and shall keep such fences in repair during the time such road is used, and may remove such fence when no longer required.
Fencing temporary roads.	81. Where a council has kerbed, paved, or asphalted the footway or guttered the carriage-way of a public street in a village or town, it may, in any court of competent jurisdiction, recover from the owner of any land opposite to and on the same side of the street as the place where the said work has been done a sum, to be fixed by the council, not exceeding one-half the expense of the said work.
Recovery of half cost of forming and guttering footways. Extension, s. 25. Shires, s. 10.	82. (1) If before or after the setting out and marking of the footway of a public road in any area any erection or building, or any hedge or other fence, or any drain or watercourse, has, after the commencement of this Act, been constructed or made so as to encroach on such road, or obstruct the free use thereof, the council may cause notice to be placed upon such encroachment or obstruction, or on the land immediately adjoining thereto, and also to be published in the Gazette, and twice in some newspaper circulating in the area, requiring that such encroachment or obstruction be removed within sixty days after the date of such notice. (2) If such encroachment or obstruction is not effectually removed within the said time the council may cause it to be removed.
Encroachments on public roads to be removed. Shires, s. 10. Extension, s. 25.	83. No road or part of a road shall be closed, nor shall the position of a reserved road within an incomplete purchase from the Crown or conditional lease be altered within an area in pursuance of the Public Roads Act, 1902, unless the consent in writing of the council of the area has been first obtained.
Power to close road. Shires, s. 10. Extension, s. 25.	84. A council may plant trees in any public road or street in its area, and erect tree-guards or fences to protect them, and may set apart and fence portions of public roads or streets as tree reserves, provided that in such cases the portion of such road remaining available for public traffic, including footpaths, shall in no case be thereby reduced to less than forty-four feet, and that such reserves shall be so arranged as not to interfere with reasonable access to premises.
Tree planting.	85. A council may, with the approval of the Governor, lease to any person or permit any person to use or occupy any of its buildings, works, or undertakings.
Tree reserves. Shires, s. 10. Extension, s. 25.	86.
Power to lease buildings, wharfs, markets, &c. Shires, s. 10. Extension, s. 25.	

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Local Government Act.**George V,
No. 41.**Vide L.G.
Acts, 1903-8,
s. 73 (3).
See also
s. 224 post.

"Public road" means road which the public are entitled to use, and includes any road dedicated as a public road by any person or notified, proclaimed or dedicated as a public road under the authority of any Act, including this Act, or classified as a main road in the Gazette of the thirty-first day of December, one thousand nine hundred and six.

"Public vehicle" means a vehicle which is plied for hire.

"Ratable person," "person ratable," and similar expressions include the Crown and mean—

- (a) an owner in any case where this Act provides that a rate shall be paid to the council by the owner;
- (b) a holder of a lease in any case where this Act provides that a rate shall be paid to the council by the holder of the lease.

"Rate notice" means rate notice under this Act, but in relation to a rate under any other Act includes a corresponding notice thereunder.

"Ratepayer" means person on the roll of ratepayers.

"Regulation" means regulation in force under any other Act and regulation continued in force under this Act.

"Returning officer" means person appointed to conduct an election or poll under this Act.

"Road" means road, street, lane, highway, pathway, or thoroughfare, including a bridge, culvert, causeway, road-ferry, ford, crossing, and the like on the line of a road through or over a watercourse.

"Roll" means roll under this Act.

"School of Arts" means a public institution for use by the persons who subscribe thereto as a book club or reading room or for lectures or for indoor recreation or amusement.

"Schedule" means Schedule to this Act.

"Servant" means a servant of a council under this Act.

"Sewer"

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Local Government Act.**George V,
No. 41.****DIVISION 5.—*Fee-simple of roads.***

Fee-simple,
cf. N.Z. Muni-
cipal Cor-
poration Act,
1908, s. 153,
cf. S.C. Act,
1902, s. 74.
(Exceptions,
see sec. 273
post.)

cf. *Finchley
Co. v. Finch-
ley Council*
[1903], 1 Ch.
437.
See also
s. 338.

232. (1) Except where otherwise expressly provided, every public road, and the soil thereof, and all materials of which the road is composed, shall by virtue of this Act vest in fee-simple in the council, and the council, if it so desire, shall by virtue of this Act be entitled to be registered as the proprietor of the road under the provisions of the Real Property Act, 1900.

(2) The vesting in fee-simple under this section shall be deemed to be not merely as regards so much of the soil below and of the air above as may be necessary for the ordinary use of the road as a road, but so as to confer on the council subject to the provisions of this Act the same estate and rights in and with respect to the site of the road as a private person would have if he were entitled to the site as private land held in fee-simple with full rights both as to the soil below and to the air above.

(3) Unless otherwise expressly provided nothing in this section shall be deemed—

- (a) to affect any express or implied dedication to the public;
- (b) to affect any existing right of the Crown or of any person in respect of any easement or under the provisions of any Act, except in so far as the council is authorised by or under this Act to control and regulate the digging up of public roads;
- (c) to affect any right of the Crown or of any person in respect of any minerals below the surface of any road;
- (d) to authorise the council to grant, demise, dispose of, or alienate the road or the soil or materials thereof;
- (e) to impose on the council any liability in respect of any rate under any Act or in respect of any dividing fence under the Dividing Fences Act, 1902, or any liability in any case where the council would not be subject to the liability if this Act conferred on the council the care, control,

See ss. 233
(6) and 277.

Local Government Act.

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265. The provisions of this Act with respect to levels of roads shall, unless inconsistent with the context, be deemed to include alteration and refixing of levels.

**George V.
No. 41.**

*Refixing
levels.*

266. Notwithstanding the provisions of the Public Works Act, 1912, the Government Railways Act, 1912, or any Act, a tramway shall not be constructed in any public road otherwise than in accordance with the level of the road, unless the council consents.

*Altering
levels for
tramway
purposes.
See Division
11 of Part
XXX for
settlement of
disputes.*

DIVISION 12.—Obstructions and encroachments on roads.

267. (1) The council may order that any obstruction or encroachment upon a public road be removed therefrom.

**Removal of
obstructions,
cf. L.G. Act,
1995, s. 82.**

(2) The order shall—

- (a) be directed to the person causing the obstruction or encroachment or the owner of the land or premises to which such obstruction or encroachment appertains or adjoins so as to be used or to be able to be used in connection therewith;
- (b) be served on such person or owner; and
- (c) be placed upon the obstruction or encroachment or on the land immediately adjoining the same.

(3) If the obstruction or encroachment came into existence before the alignment of the road, or if the road has not been aligned, the order shall allow sixty days or such longer period as the council may decide for the removal.

(4) If the obstruction or encroachment came into existence after the alignment of the road and before the commencement of this Act the order shall allow seven days or such longer period as the council may decide for the removal.

(5) If the obstruction or encroachment come into existence after the commencement of this Act the order may allow such time as the council shall think fit for the removal.

(6)

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Local Government Act.**George V.
No. 41.**

(6) In the following cases, that is to say, where the obstruction or encroachment came into existence before the alignment and before the commencement of the Local Government Act, 1906, the council shall, subject to the provisions of this section, pay reasonable compensation for the removal.

(7) Compensation shall not be paid where an agreement to that effect is made nor in the case of an obstruction or encroachment of the following description, that is to say: hedge, fence, wall in the nature of a fence, post, steps, tree, awning, verandah, post supporting an awning or verandah, drain, watercourse, and any structure of wood, iron, bark, ruberoid, canvas, or other like material.

(8) The preceding provisions of this section shall not apply to obstructions or encroachments placed on any road by virtue of any statute.

(9) Where, by virtue of any statute, any obstruction or encroachment (and particularly any obstruction or encroachment such as an embankment, railway or tramway rails sewer man-hole covers, and the like) has been placed upon any public road by any statutory body or by any person, the body or person having the charge, use, or enjoyment of the object which is or causes the obstruction or encroachment shall maintain it in good order and repair in such state as to permit and promote the free use and passage of the public upon the public road; and shall construct and maintain the road surface within and for a reasonable distance in all directions (beyond the obstruction or encroachment) at the same height as the obstruction or encroachment (and thence a reasonable slope not steeper than one in fifteen to the level of the road) for the purpose of providing for the smooth passage of wheeled vehicles.

*Sand.**cf. L.G. Acts,
1906-8, s. 98.*

268. Where any land is in such a condition that sand blown or falling from it causes obstruction to any public road, the council may order the owner thereof to do all things necessary to remove and prevent the recurrence of the obstruction,

DIVISION