

NATIVE TITLE MANAGER ADVICE  
(pursuant to section 8.7 of the *Crown Land Management Act 2016*)

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**Date of advice:** 9 October 2023

**Acronyms used in this advice:**

NTA - means Native Title Act 1993

LGA - means Local Government Act 1993

CLMA - means Crown Land Management Act 2016

ILUA – Indigenous Land Use Agreement

**BASIS OF ADVICE**

Relevant land	Listed in Annexure 1
Proposed Act	Create and adopt a Plan of Management
Lithgow City Council's responsibility for the land	Lithgow City Council is the appointed Crown Land Manager of the relevant land
Is the relevant land subject to an ILUA?	No
Is the relevant land affected by a current native title claim?	Yes, the relevant land is the subject of <u>active</u> native title application NC2018/002 filed in the Federal Court of Australia by Warrabinga-Wiradjuri #7. The claimed area extends to the boundaries of Lithgow LGA and beyond, but excludes areas that fall within certain categories under the NT Act and any area in relation to which native title rights and interests have otherwise been wholly extinguished.
Is the relevant land affected by a current Aboriginal land claim?	No
Is the land excluded land?	No
Is the Proposed Act a Past Act	No
Will or might the Proposed Act affect Native Title?	Yes, the Proposed Act might affect Native Title pursuant to section 226(2)(d) and 227 of the NTA
Future Act Regime	As listed in Annexure, section 24JA of the NTA is relevant to the Proposed Act insofar as it relates to 26 of the Crown reserves listed in Annexure A. Section 24LA is relevant to the Proposed Act insofar as it affects one of the Crown reserves listed in Annexure A.  The following requirements under section 24JA are satisfied:

	<p><b>1. The reservation (the earlier act) was created on or before 23 December 1996 (s. 24JA(1)(a)).</b></p> <p>Yes, the reservations for the relevant land were created on the date listed in Annexure A, prior to 23 December 1996.</p> <p><b>2. The reservation (the earlier act) was valid (s. 24JA (1)(b)).</b></p> <p>Yes, the reservations were valid pursuant to section 19 of NTA and section 8 of <i>Native Title (New South Wales) Act 1994</i>.</p> <p><b>3. The creation of the reservation (the earlier act) was done by the Crown (s. 234JA(1)(c)).</b></p> <p>Yes, the creator of each reservation is identified in the table at Annexure A.</p> <p><b>4. The whole or part of any land or waters under the reservation (the earlier act) was to be used for a particular purpose (s. 24JA(1)(d)).</b></p> <p>Yes, the reservations were for the particular purpose listed in Annexure A.</p> <p><b>5. The later act is done in good faith:</b></p> <ul style="list-style-type: none"><li>– under or in accordance with the reservation; or</li><li>– in the area covered by the reservation, so long as the act's impact on native title is no greater than the impact that any act that could have been done under or in accordance with the reservation would have had (s. 24JA(1)(e)).</li></ul> <p>Yes, the creation of a plan of management is done in good faith. Additionally, the activities authorised by the plan of management will be done in good faith and will have no greater impact on native title than activities would have had under the reserve purpose.</p> <p><b>The following requirements under section 24LA are satisfied:</b></p> <p><b>1. The act takes place before, and does not continue after, an approved determination of native title is made in relation to the land, if the determination is that native title exists.</b></p> <p>At the date of this advice, there is no native title determination in relation to the land.</p> <p><b>2. The act does not consist of, authorise or otherwise involve:</b></p> <ul style="list-style-type: none"><li>- The grant of a freehold estate in any of the land or waters</li></ul>
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	<ul style="list-style-type: none"><li>- The grant of a lease over any of the land or waters</li><li>- The conferral of a right of exclusive possession over any of the land or waters</li><li>- The excavation or clearing of any of the land or waters</li><li>- Mining (other than fossicking by using hand-held implements)</li><li>- The construction or placing on the land, any building, structure, or other thing (other than fencing or a gate), that is a fixture, except for<ul style="list-style-type: none"><li>o excavation or clearing that is reasonably necessary for the protection of public health or public safety; or</li><li>o tree loping, clearing of noxious or introduced animal or plant species, foreshore reclamation, regeneration or environmental assessment or protection activities.</li></ul></li><li>- The disposal or storing, on the land or in the waters, of any garbage or any poisonous, toxic or hazardous substance.</li></ul> <p>The Proposed Act consists of the creation and adoption of a plan of management. The activities authorised by the plan of management insofar as it affects Crown Reserve 1038228 do not include any of the restrictions listed in section 24LA(b) unless exempt by section 24LA(2).</p>
Council is required to comply with the following procedural rights before commencing the Proposed Act	<p><b>Notify and opportunity to comment (NTA, subdivision 24JB(7)(a) and (b))</b></p> <p>(a) notify, in the way determined, by legislative instrument, by the Commonwealth Minister, any representative Aboriginal/Torres Strait Islander bodies, registered native title bodies corporate and registered native title claimants in relation to the land or waters covered by the plan that the act is to be done in relation to the land or waters; and</p> <p>(b) give them an opportunity to comment on the act.</p>
Documents attached in support of this advice	<ol style="list-style-type: none"><li>1. Annexure A</li><li>2. Government Gazette notices for each parcel of relevant land, reserving the land for a particular purpose</li><li>3. Sections 24JA and 24JB of the NTA</li><li>4. Section 24LA of the NTA</li></ol>

#### ADVICE

This advice is limited to the Proposed Act. If any other act is proposed in relation to the relevant land, native title advice is required prior to undertaking the act.

#### Extinguishment of native title rights and interests

The Proposed Act involves the creation and adoption of a plan of management. In my opinion the Proposed Act is valid and will not affect native title rights and interests due to:

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1. section 24JA(3) of the NTA which states *"If the act does not consist of the construction or establishment of a public work, the non-extinguishment principle applies"*; and
2. Section 24LA(3) and (4) of the NTA which states *"If this subdivision applies to a future act, the act is valid and the non-extinguishment principle applies to the act"*.

However, the activities authorised by the plan of management may extinguish native title rights and interests. A separate native title advice must be obtained prior to undertaking any other act.

Compensation

If it is determined in the future that native title rights and interests exist in relation to the relevant land and those rights and interests have been extinguished due to the Proposed Act or any other future act, compensation will arise from the extinguishment of such rights and interests.

Under clause 28 of the *Crown Land Management Regulations 2018* Council will be liable for such compensation. Clause 28 states:

*"A local council is liable to indemnify the State for the whole of any amount of compensation payable by the State of the impact of relevant conduct (as defined in Division 8.4 of the Act) by the Council on native title rights and interests"*.

Compliance with the Native Title Act 1993

The Proposed Act is a valid future act under section 24JA(1) and 24LA(3) of the NTA. Therefore, the plan of management and the activities authorised by the plan of management comply with the NTA.

**Sandra Politi**  
**Native Title Manager**  
**Lithgow City Council**



# ANNEXURE A – RELEVANT LAND

RESERVE NO	RESERVE NAME	LOTS	GAZETTED DATE	RESERVE PURPOSE	APPLICABLE SUBDIVISION UNDER FUTURE ACTS REGIME – NATIVE TITLE ACT 1993
59812	WALLERAWANG SPORTS GROUND	Lot 2 DP 727021	15/07/1927	Public Recreation	Section 24JA
49823	THOMPSON STREET RESERVE PORTLAND	Lot 1 DP 1015942	08/04/1914	Public Recreation	Section 24JA
40981	KREMER PARK PORTLAND	Lot 531 DP 902158, Lots 7002-7003 DP 1075853	17/10/1906	Public Recreation	Section 24JA
590046	TONY LUCHETTI SPORTS PRECINCT	Lot 1 DP 1123449	7/05/1913	Public Park	Section 24JA
78970	LIDSDALE RECREATION PARK (TENNIS COURTS)	Lot 133 DP751651	12/10/1956	Public Recreation	Section 24JA
190078	GLEN ALICE RECREATION RESERVE	Lots 1-2 Section 4 DP758445, Lot 7003 DP1124865	22/12/1989	Public Recreation	Section 24JA
1000398	ZIG ZAG OVAL	Lot 7025 DP 1020348	01/11/1929	Public Recreation	Section 24JA
97696	PORTLAND COMMON	Lot 95 DP755767	22/02/1985	Public Recreation	Section 24JA
46129	ROXBURGH STREET RESERVE PORTLAND	Lot 349 DP729077	21/12/1910	Public Recreation	Section 24JA
97514	RYDAL RECREATION RESERVE	Lot 13 Section 38 DP758890 - 33 Railway Street, Rydal	02/11/1984	Public Recreation	Section 24JA
81486	GLEN ALICE PUBLIC RESERVE	Lots 7-8 Section 1 DP758445, Lots 5-15 Section 4 DP758445, Lot 7001 DP1050948	20/03/1959	Public Recreation	Section 24JA
1002886	LIDSDALE ST RESERVE	Lot 7040 DP 1006869	03/12/1999	Public Recreation	Section 24JA
91537	BEN BULLEN RESERVE	Lot 1 DP 1155042	17/08/1979	Public Recreation	Section 24JA
66417	LONDONDERRY RESERVE	Lot 7044 DP 93986, Lots 7012-7013 DP93987	20/11/1936	Public recreation	Section 24JA
51028	LIMESTONE CREEK RESERVE	Lot 7006 DP1055485, Lot 7342 DP1150429	01/12/1915	Public Recreation	Section 24JA
59960	BLACKMAN'S FLAT CROWN RESERVE	Lots 304-305 DP 751636, Lot 7004 DP 1026541; Part: Lots 306-307 DP 751636	02/09/1927	Public Recreation	Section 24JA

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84837	LIDSDALE PUBLIC RESERVE	Lot 7326 DP1150037	10/04/1964	Resting Place	Section 24JA
72786	BLACKMAN'S FLAT PLAYGROUND	Lot 310 DP751636	16/07/1948	Children's Playground	Section 24JA
69115	CAPERTEE PUBLIC RESERVE	Lot 1 Section 10 DP 758222	21/03/1940	Public Recreation	Section 24JA
79494	HARTLEY RESTING PLACE	Lot 7029 DP 1028434	5/04/1957	Resting Place	Section 24JA
83012	JEW'S CREEK RESERVE	Whole: Lots 60-62, 66 DP 755759	20/01/1961	Resting Place	Section 24JA
91601	PITTS CORNER PUBLIC RESERVE	Whole: Lot 8 DP 252075 and Lot 4 DP252075	26/10/1979	Public Recreation	Section 24JA
95074	HYDE PARK RESERVE	Whole: Lot 342 DP 41316, Lot 7010 DP 1028429	5/06/1981	Public Recreation	Section 24JA
26013	BLUNDER STREET RESERVE	Part Lot 310 DP751650	22/05/1987	Public Recreation	Section 24JA
1038228	PEARSON'S LOOKOUT	Whole: Lot 7308 DP 1130828	6/06/2014	Access; Environmental Protection	Section 24LA
53410	THE CROWN RSRVE	Whole: Lots 7007-7009 DP 1124442	8/08/1919	Public recreation	Section 24JA
80616	BINDO PUBLIC RESERVE	Whole: Lots 7009-7011 DP 1075845, Lots 7002-7003 DP 1075865	2/05/1958	Public Recreation	Section 24JA

[7347]

Sydney, 15th July, 1927.

**RESERVE FROM SALE AND LEASE  
GENERALLY.**

IT is hereby notified that, in pursuance of the provisions of the 28th and 29th sections of the Crown Lands Consolidation Act, 1913, the Crown Lands hereunder described shall be reserved from sale for the public purpose hereinafter specified, and reserved and exempted from lease generally, and they are hereby reserved and exempted accordingly.

E. M. HORSINGTON, Minister for Lands.

**For Public Recreation.**

**EASTERN DIVISION.**

**LAND DISTRICT OF LITHGOW, AND BLAXLAND SHIRE.**

**No. 59,812** from sale (59,813 from lease generally).  
County of Cook, parish of Lidsdale, containing an area of 10 acres. The Crown lands within the boundaries of measured portion broad-arrow over Res.,—as shown on plan catalogued Ms. 1,964 Oe.  
[Ms. 1927-1,573]

peomans, portion 322, and 60 acres to John Ford, portion 325.

[Ms. 1914-1,673]

### **For Night-soil Depôt.**

#### **METROPOLITAN LAND DISTRICT, AND MUNICIPALITY OF CONCORD.**

No. 49,817 from sale (49,818 from lease generally). County of Cumberland, parish of Concord, containing an area of 6 acres 1 rood 22 perches. The Crown Lands within the boundaries of measured portion 261,—shown on plan catalogued C. 2,901-2,030.

NOTE.—Includes part of railway reserve 75, notified 9th January, 1882, which part is hereby revoked.

[Ms. 1914-2,407]

### **For Public Recreation.**

#### **LAND DISTRICT OF LITHGOW, AND BLAXLAND SHIRE.**

No. 49,823 from sale (49,824 from lease generally). County of Roxburgh, parish of Cullen Bullen, town of Portland, containing an area of 6 acres 1 rood 10 perches. The Crown Lands within the following boundaries: Commencing at the intersection of the northern side of Russell-street with the western side of Humphrey-street; thence bounded by the western side of Humphrey-street northerly, the southern side of Thompson-street westerly, the eastern side of Corlette-street southerly to the northern side of Russell-street aforesaid; and by that side of that street easterly, to the commencing point. Portland 31.

[Ms. 1914-4,111]

### **CENTRAL DIVISION.**

### **For Night-soil Depôt.**

#### **LAND DISTRICT OF WARIALDA, AND WARIALDA MUNICIPALITY.**

Within the suburban boundaries of the village of Warialda.

No. 49,815 from sale (49,816 from lease generally). County of Burnett, parish of Warialda, containing an area of 20 acres. The Crown Lands within the boundaries of measured portion 218,—as shown on plan catalogued B. 2,523-1,951.

[Ms. 1914-4,405]

For Public School Purposes



[2161]

Department of Lands,  
Sydney, 17th October, 1906.

#### RESERVES FROM SALE AND LEASE.

**H**IS Excellency the Governor, with the advice of the Executive Council, directs it to be notified that, in pursuance of the provisions of the 101st section of the Crown Lands Act of 1884 and the 39th section of the Crown Lands Act of 1889, the lands hereunder described shall be reserved from sale pending determination of the portions to be set apart for the public purposes hereinafter respectively specified, and reserved and exempted from lease generally, and they are hereby reserved and exempted accordingly.

JAMES ASHTON.

#### For Public Recreation.

#### EASTERN DIVISION.

#### LAND DISTRICT OF LITHGOW.

**No. 40,931** from sale (40,982 from lease generally). County of Roxburgh, parish of Cullen Bullen, town of Portland, containing an area of 9 acres 1 rood 30 perches. The Crown Lands within the boundaries of section 53,—shown on plan catalogued Portland 64.

[Ms. 1906-16,291]

PROCLAMATION

NEW SOUTH WALES, }  
to wit. }  
(L.S.)  
G. STRICKLAND,  
Governor.

By His Excellency Sir GERALD STRICKLAND, Count della Catena, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Governor of the State of New South Wales and its Dependencies, in the Commonwealth of Australia.

WHEREAS by the Public Parks Act, 1912, it is enacted that it shall be lawful for the Governor to declare that any land resumed for public parks or grounds for public recreation or as places for bathing shall be as to the whole or any portion of such land subject to the provisions of this Act: Now, therefore, I, Sir GERALD STRICKLAND, Count della Catena, the Governor aforesaid, with the advice of the Executive Council, do, by this my Proclamation, declare the land at Lithgow, area 65 acres, resumed for the purpose of a public park by notification in the Government Gazette of 23rd October, 1912, and hereinafter described, to be a public park within the meaning of the Public Parks Act, 1912, and that it be known by the name of "Lithgow Recreation Ground," that is to say:—

DESCRIPTION.

Area 65 acres, parish of Lett, county of Cook: Commencing on the left bank of Farmer's Creek, at a point bearing south 7 degrees 25 minutes and 45 seconds east, and distant 28 chains 10 $\frac{1}{2}$  links from the north-west corner of portion 1A, parish of Marangaroo; and bounded thence by a line south 19 chains 80 links to the fence on the northern side of the Great Western Railway line; thence by the fence on that side of that railway line generally easterly to the fence at junction of the railway line from Hermitage Flat Colliery; thence by that fence on the south-western side of the last-mentioned railway line generally north-westerly to the left bank of Farmer's Creek aforesaid; and thence by that creek downwards, to the point of commencement,—being parts of portions 35 and 45, originally granted to Andrew Brown.

[Misc. 1913-6,360]

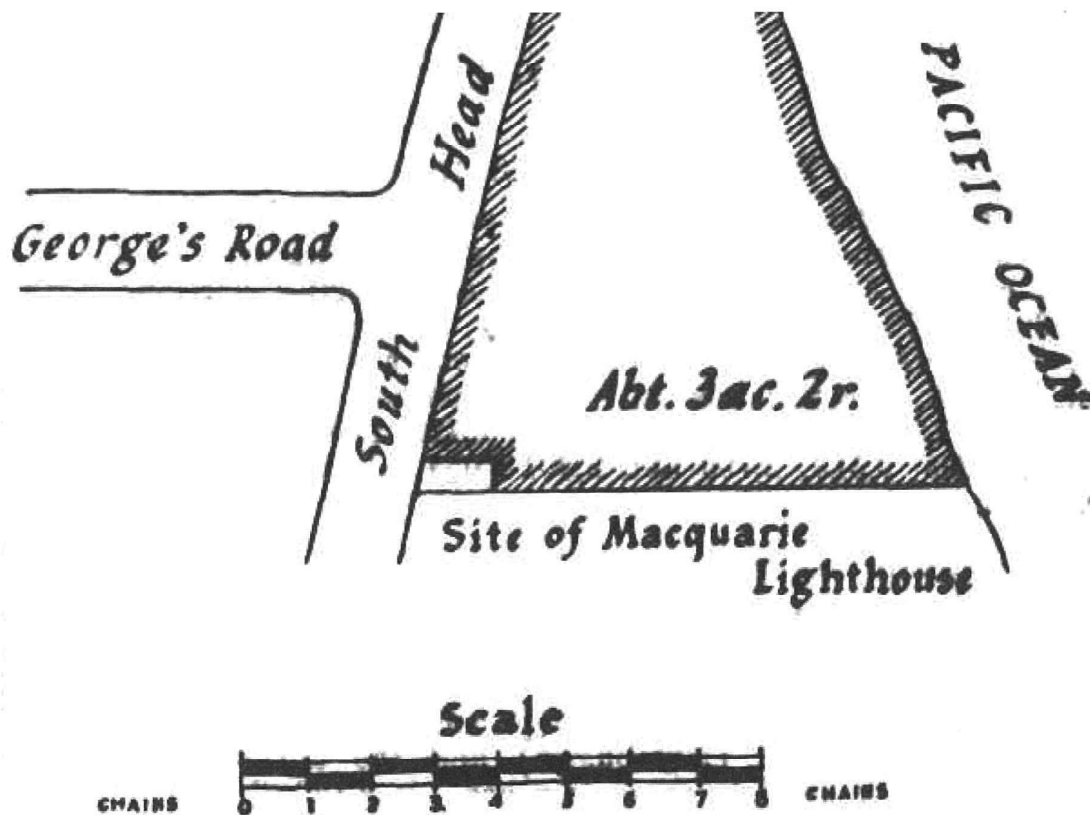
Given under my Hand and Seal of the said State, at Sydney, this sixth day of May, in the year of our Lord one thousand nine hundred and thirteen, and in the third year of His Majesty's Reign.

By His Excellency's Command,  
CAMPBELL CARMICHAEL.

[6799]

GOD SAVE THE KING!

RS90046



**LAND DISTRICT—MOLONG; SHIRE—BOREE.**

No. 78,950 from sale (78,951 from lease generally). Parish Cargo, county Ashburnham, 3 acres 3 roods (about), suburban lands of town of Cargo; bounded by portion 41, Fisher-street and public road, 150 links wide. P. 55-8,642,

**LAND DISTRICT—INVERELL; SHIRE—MACINTYRE.**

No. 78,958 from sale (78,959 from lease generally). Parish Nulamanna, county Arrawatta, 7 acres 3 perches, being portion 54 and the roads 1 chain wide on the north-west and south-west closed by Gazette of 7th October, 1955. P. 55-5,441.

**LAND DISTRICT—LITHGOW; SHIRE—BLAXLAND.**

No. 78,970 from sale (78,971 from lease generally). Parish Lidsdale, county Cook, 27 acres 3 roods 20 perches, portions 107 and 138. O. 1,986, 2,197-1,507. P. 56-4,925.

**LAND DISTRICT—GOSFORD; SHIRE—WYONG.**

No. 78,976 from sale (78,977 from lease generally). Parish Wallarah, county Northumberland, about 1 acre 2 roods 34

**ORANGE LANDS OFFICE**  
**Cnr. Kite and Anson Sts.**  
**P. O. Box 53**  
**Ph. (063) 63-8300**  
**FAX (063) 63-8389**

**RESERVE FROM SALE**

**IN pursuance of the provisions of section 28,  
Crown Lands Consolidation Act, 1913, I declare  
that Crown land described hereunder shall be  
reserved from sale for the public purpose  
specified and such land is reserved accordingly.**

**I. R. CAUSLEY, Minister for Natural Resources.**

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**FOR PUBLIC RECREATION**

**Land District and Shire - Rylstone**

**No. 190078, Parish Umbiella, County Roxburgh,  
2276 square metres at Glen Alice being allotments  
1 and 2, Section 4 and lane east of those  
allotments.**



**allotments.**

**OE80 N 1020.**

[2366]

Sydney, 1st November, 1920.

**NOTIFICATION OF DEDICATION OF LANDS FOR PUBLIC PURPOSES UNDER THE CROWN LANDS  
CONSOLIDATION ACT, 1913, AND THE PUBLIC TRUSTS ACT, 1897.**

AN abstract of the intended dedication of the areas of Crown Lands described in the Schedule hereto, for the public purposes therein mentioned, having been duly laid before both Houses of Parliament of the State of New South Wales, in accordance with the provisions of the 24th section of the Crown Lands Consolidation Act, 1913, and the 8th section of the Public Trusts Act, 1897, it is hereby notified that the various areas of Crown Lands hereinbefore mentioned and as more particularly described in the Schedule hereto, are hereby dedicated for the respective public purposes specified in connection therewith.

(Ms. 1929-10,392)

R. T. BALL, Minister for Lands.

## SCHEDULE.

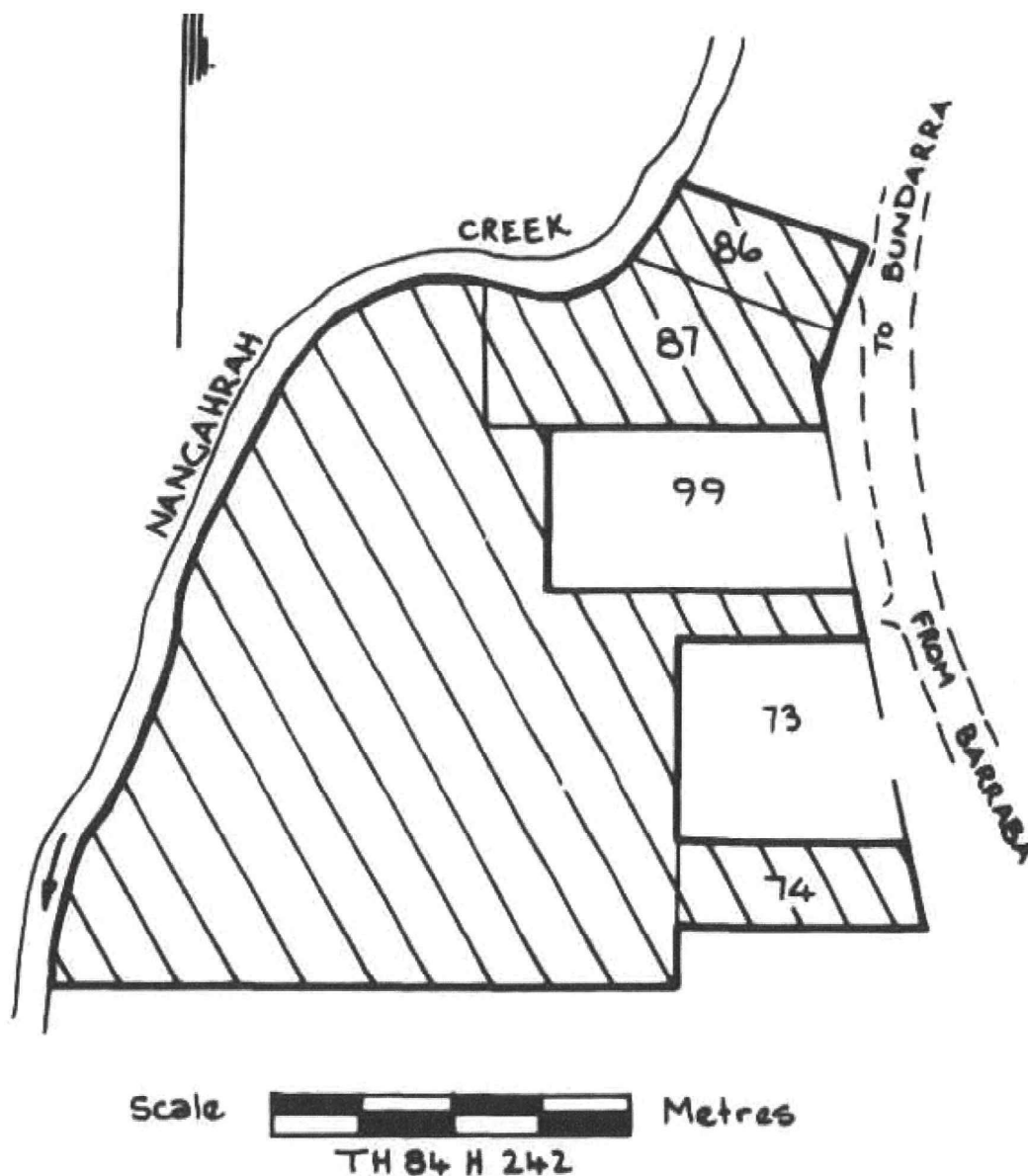
List No. 2 of 1929.

Place.	County.	Portion.	Allotment.	Section.	Locality.	Area	Purpose of Dedication.	No. of Papers.	Est. No. of Plans.
Belardery (Parish of)	Kennedy	.....	.....	.....	Parish of Belardery	A. R. P. 2 2 0	Public Road	Rds 1925-1,017	R. 17,193-1,008.
Benelabri State Forest No 715.	Postfinger	.....	.....	.....	Parish of Benelabri	8 2 21	Public Road	Ms. 1929-5,663	R. 16,422-1,603.
Den Venue	Sandon	738	.....	.....	Parish of Armistale	4 0 0	Public School Site	Ms. 1929-3,859	R. 4,071-1,600.
Berrima	Camden	.....	.....	20	Town of Berrima	7 3 31	Public School Site	Ms. 1919-4,374	B. 68 801.
Bolagany	.....	.....	.....	.....	Parish of Bolagany	2 0 0	Public School Site	Ms. 1929-1,852	G. 3,000-1,071.
Bondi	Cumberland	.....	.....	.....	Parish of Alexandria	0 0 162	Public Recreation	Ms. 1929-341	Ms. 5,475 Sy.
Bribbarce	Bland	130	.....	.....	Parish of Woodallton	0 0 37	War Memorial	Ms. 1928-9,528	R. 4,892-1,946.
Bulgazy (Parish of)	Mitchell	.....	.....	.....	Parish of Bulgazy	2 2 39	Public Road	Ms. 1929-3,662	R. 17,316-1,603.
Culcalen	Hume	.....	.....	.....	Parish of Round Hill	34 0 0 (about).	Permanent Common (addition).	Ms. 1928-9,290	*
Cullarin siding.	Argyle	.....	.....	.....	Parish of Milbang	0 1 0	Public School Site	Ms. 1929-3,314	R. 17,191-1,603 R.
Edwards Beach (Macman).	Cumberland	.....	.....	.....	Parish of Willoughby	0 3 24	Public Recreation	Ms. 1927-11,501	Ms. 7,861 Sy.
Eusladine (Parish of)	Forbes	.....	.....	.....	Parish of Eusladine	5 0 0	Public Road	Ms. 1929-3,787	R. 17,123-1,603.
Gawah (Parish of)	Ewenmar	47 (part).	.....	.....	Parish of Gawah	8 1 0	Public Road	Ms. 1929-1,361	R. 17,047-1,603.
Grafton	Clarence	.....	21	79	City of Grafton	0 0 384	Ambulance Station	Ms. 1929-8,090	G. 116-1,350.
Gulpa	Townsend	130	.....	.....	Parish of Yaloma	3 0 0	Public School Site	Ms. 1929-296	T. 4,617-1,603.
Koikilbertoo	Cooper	17	.....	.....	Parish of Koikilbertoo East.	2 0 0	Public School Site	Ms. 1929-241	C. 5,634-1,904.
Lismore	Ross	A	.....	.....	Town of Lismore	1 2 27	Public Recreation (addition).	Ms. 1929-2,438	Ms. 1,000 Gln. R.
Do	do	.....	.....	.....	do	0 3 25	Public Road	Ms. 1929-3,438	†
Mallice Point (Up to Mount Elliott P.W.P. No. 36.	Cooper	.....	.....	.....	Parish of Stanbridge	24 0 0	Public Road	Rds. 1919-671	R. 17,738-1,603 R.
Morundah South (Parish of)	Urana	A	.....	.....	Parish of Morundah South	5 1 13	Public Road	Rds. 1929-390	Ms. 1,626 Wgn.
Mullumbimby	Brunswick	.....	3 and 10	8	Village of Mullumbimby	0 1 11	Literary Institute Site	Ms. 1929-8,560	Mullumbimby 16 and 17.
Murwillumbah	Ross	147	.....	.....	Parish of Murwillumbah	0 3 2 (ex. drain).	Show Ground (addition) for the use and general purposes of the Tweed River Agricultural Society.	Ms. 1929-4,969	R. 7,169 1,750.
Myrtle (Parish of)	Richmond	.....	.....	.....	Parish of Myrtle	5 0 0	Public Road	Ms. 1929-4,606	R. 16,816-1,603 R.
Narromine	Narromine	.....	.....	2	Village of Narromine	3 3 35	Public School Site	Ms. 1929-8,836	N.I. 2,304 R.
Oakey Park	Cook	.....	.....	.....	Parish of Latt	1 0 0	Public Recreation	Ms. 1929-1,206	Ms. 154 Oc.
St. Ives	Cumberland	19	.....	.....	Parish of Broken Bay	15 2 0	Show Ground (addition)	Ms. 1929-4,060	C. 3,969-2,030.
Sydney	Cumbezzland	.....	.....	.....	City of Sydney	0 0 9	Hospital (addition)	Ms. 1929-1,029	Ms. 7,334 Sy.
The Pinnacle (Orange).	Wellington	.....	.....	.....	Parish of Towan	1 2 374	Public Recreation	Ms. 1929-6432	Ms. 2,010 Oc.
Do	do	.....	.....	.....	Parish of Baneres	12 3 10	Public Recreation	Ms. 1929-6,432	Ms. 2,011 Oc.
Do	do	.....	.....	.....	Parish of Towan	0 2 14	Public Road	Ms. 1929-4,432	Ms. 2,010 Oc.
Trinkey (Pah. of)	Postfinger	.....	.....	.....	Parish of Trinkey	11 1 0	Public Road	Rds. 1924-721	R. 17,208 1,603.
Wilpie	Sturt	42	.....	.....	Parish of Tabbits	5 0 0	Public School Site	Ms. 1929-5,967	R. 1,047 1,018.
Wollongong	Camden	.....	.....	.....	Town of Wollongong	0 8 35	Public Recreation	Ms. 1929-8,258	Ms. 2,010 Sy.
Woodenbong	Buller and Ross	.....	.....	.....	Parishes of Donaldson and Unungar.	69 0 0 (about).	Public Road	Rds. 1924-272	R. 16,792-1,603 R.
Yarratt State Forest.	Macquarie	.....	.....	.....	Parish of Dawson	12 2 0 (about).	Public Road	Ms. 1929-8,609	R. 16,908-1,603
Yarrabandal	Cunningham	212	.....	.....	Parish of Monemie	2 3 11	Public School Site	Ms. 1929-1,121	C. 2,389 1,917.
Coonabarabran	Gowen	339	.....	.....	Parish of Coonabarabran	10 0 0	Public School Site	Ms. 1929-8,528	G. 2,625-1,797.
Eugodine	Cumberland	676	.....	.....	Parish of Heathcote	0 1 0	Literary Institute Site	Ms. 1929-6,351	C. 3,095 2,030.
Mount Henry	Georgiana	280	.....	.....	Parish of Binda	4 0 26	Public School Site	Ms. 1929-8,575	G. 6,473-1,506.

\* The Crown lands bounded on the north by the permanent common dedicated 5th November, 1926, on the west by Federal-street, on the south-east by Balfour-street, and on the east by the Public Road 2 chains wide, but exclusive of portion 88, Lyne and Reid streets, that part of Creighton-street lying between

\* The Crown lands bounded on the north by the permanent common dedicated 5th November, 1926, on the west by General-street, on the south-east by Dargour-street, and on the east by the Public Road 2 chains wide, but exclusive of portion 84, Lyne and Reid streets, that part of Creighton-street lying between those streets; and a proposed road 50 links wide along the north-eastern boundaries of portions 84 and 85.

† Commencing at the intersection of the north-western side of Moleworth-street with the north-eastern boundary of William Wilson's 15 acres 28 perches, and bounded thence by that boundary bearing 290 degrees 57 minutes 15 seconds 9 chains 23 links to North Richmond River, by that river upwards to the south-western corner of portion A of 1 acre 2 roods 24 perches. Plan Ms. 1,201 Gfn, by the south-western boundary of that portion bearing 110 degrees 57 minutes 15 seconds 6 chains 81 links to Moleworth-street aforesaid, and by that street bearing 201 degrees 19 minutes 20 seconds 1 chain to the point of commencement.



*Land District—Wyalong; Shire—Bland*  
No. 97695, Parish Ungarie, County Gipps, 8.094 hectares,  
being portion 68. OE83 R 166.

**FOR PUBLIC RECREATION**

*Land District—Bathurst; City—Greater Lithgow*  
No. 97696 Parish Coolamigal County Roxburgh. 8.094

**No. 97696, Parish Coolamigal, County Roxburgh, 8 094 square metres, being portion 95. OE81 H 173.**

***Land District—Metropolitan; Municipality—Drummoyne***

**No. 97697, Parish Concord, County Cumberland, 3 510 square metres at Five Dock adjoining Halliday Park, being lots 2 and 3 in plan CN 555 XL (V) registered at the Maritime Services Board of New South Wales. MN84 R 150.**

***Land District and City—Orange***

**No. 97698, Parish Orange, County Wellington, 9.183 hectares at Clover Hill, being lot 100, D.P. 709720. OE81 R 107.**



[4061]

Department of Lands,  
Sydney, 21st December, 1910.

**RESERVES FROM SALE AND LEASE GENERALLY.**

**I**T is hereby notified that, in pursuance of the provisions of the 101st section of the Crown Lands Act of 1884, and the 39th section of the Crown Lands Act of 1889, the lands hereunder described shall be reserved from sale pending determination of the portions to be set apart for the public purposes hereinafter respectively specified, and reserved and exempted from lease generally, and they are hereby reserved and exempted accordingly.

NIEL NIELSEN.

**EASTERN DIVISION.**

**For Public Recreation.**

**LAND DISTRICT OF GLEN INNES, AND GLEN INNES  
MUNICIPALITY.**

No. 46,112 from sale (46,113 from lease generally).  
County of Gough, parish of Glen Innes, containing an area of 149 acres. The Crown Lands within the boundaries of portion 514,—as shown on plan G. 6,605-1,761.

NOTE.—That part (149 acres) of R. 728, notified 2nd June, 1879, within the above is hereby revoked.  
[Ms. 1910-18,739]

**LAND DISTRICT OF LITHGOW, AND BLAXLAND SHIRE.**

No. 46,129 from sale (46,130 from lease generally).  
County of Roxburgh, parish of Cullen Bullen, town of Portland, containing an area of 17 acres 1 rood. The Crown Land within the boundaries of portion 84,—as shown on plan R. 3,526-1,496.

NOTE.—Reserve 40,991 from sale (reserve 40,992 from lease generally) for Public Recreation, notified 24th October, 1906, within the above is hereby revoked.  
[Ms. 1910-19,215]

**For Water Supply.**

**LAND DISTRICT OF GLEN INNES, AND GLEN INNES  
MUNICIPALITY.**

No. 46,114 from sale (46,115 from lease generally).

## FOR PRESERVATION OF HISTORICAL SITES AND BUILDINGS

### *Land District and City—Maitland*

No. 97511, Parish Maitland, County Northumberland, 64.27 hectares at Oakhampton, part of land resumed by notification in the Gazette of 21st June, 1881, shown on plan Ms. 2485 Md., being that part generally easterly from the North Coast Railway Line to the northerly prolongation of the eastern boundary of land within portion 84 resumed for pipeline by notification in the Gazette of 21st October, 1881, exclusive of two parcels of land comprised in Conveyance 284, Book 442 and inclusive of the right-of-way granted by Conveyance 767, Book 3384. MD84 H 908.

NOTE: Section 25A action taken this day in respect of the abovedescribed land.

## FOR PRESERVATION OF NATIVE FLORA AND FAUNA

### *Land District—Blayney; Shire—Evans*

No. 97512, Parish Abercrombie, County Georgiana, 147.6 hectares, being lot 33, D.P. 704744. OE84 H 235.

## FOR PUBLIC HALL

### *Land District—Deniliquin; Shire—Berrigan*

No. 97513, Parish and Town Finley, County Denison, 2 024 square metres, being allotments 1 and 8, section 3. HY83 R 8.

## FOR PUBLIC RECREATION

### *Land District—Lithgow; City—Greater Lithgow*

No. 97514, Parish Lidsdale, County Cook, 1 492 square metres, Village of Rydal, being allotment 13, section 38. OE82 H 878.

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(1159)

Sydney, 20th March, 1959.

## **RESERVES FROM SALE AND LEASE GENERALLY**

IT is hereby notified that in pursuance of the provisions of sections 28 and 29 of the Crown Lands Consolidation Act, 1913, the Crown lands hereunder described shall be temporarily reserved from sale for the public purposes hereinafter specified and temporarily reserved and exempted from lease generally and they are hereby reserved and exempted accordingly.

W. M. GOLLAN, Minister for Lands.

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## **FOR PUBLIC RECREATION**

### **LAND DISTRICT AND SHIRE—RYLSTONE**

No. 81,486 from sale (81,487 from lease generally). Parish Umbiella, county Roxburgh, village of Glen Alice, 5 acres 0 roods 27 perches, allotments 7 to 12, inclusive, section 1, allotments 5 to 16, inclusive, section 4, and street and lanes closed by Gazette notification this day. Glen Alice 1 and 4. P. 58-4,625.

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## **RESERVATION OF CROWN LAND**

**PURSUANT to section 87 of the Crown Lands Act, 1989, the Crown Land specified in Column 1 of the schedule hereunder is reserved as specified opposite thereto in Column 2 of the Schedule.**

**RICHARD AMERY M.P.,  
Minister for Agriculture and  
Minister for Land and Water Conservation.**

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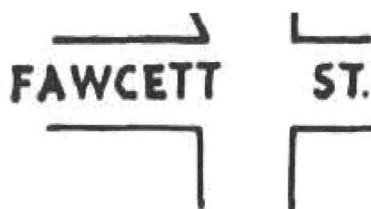
### **SCHEDULE 1**

#### **COLUMN 1**

**Land District: Lithgow  
Local Government Area:  
Lithgow City Council  
Parish: Cullen Bullen  
County: Roxburgh  
Locality: Portland  
Lot    Sec    D.P. No.  
7040   \*    1006869  
Area: 5300m<sup>2</sup>  
File Reference: OE99R2**

#### **COLUMN 2**

**Reserve No. 1002886  
Public Purpose: Public Recreation**



NOTE: R. 81942 for public recreation and resting place notified 11th September, 1959, is revoked.

**FOR PUBLIC RECREATION**

*Land District—Lithgow; City—Greater Lithgow*

**No. 91537, Parish Ben Bullen, County Roxburgh, 8 094 square metres, being portion 72. L.B. 71-9, Orange.**

(8464)

Sydney, 20th November, 1936.

**RESERVES FROM SALE AND LEASE GENERALLY.**

IT is hereby notified that, in pursuance of the provisions of section 28 and 29 of the Crown Lands Consolidation Act, 1913, the Crown Lands hereunder described shall be temporarily reserved from sale for the public purposes hereinafter specified, and temporarily reserved and exempted from lease generally, and they are hereby reserved and exempted accordingly.

E. A. BUTTENSHAW, Minister for Lands.

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**FOR PUBLIC HALL.**

LAND DISTRICT—KEMPSEY; SHIRE—MACLEAY.

No. 66,413 from sale (66,414 from lease generally).  
Parish Lincoln, county Macquarie, 2 roods, portion 22.  
M. 7,715-666. P. 36-9,324.

**FOR PUBLIC RECREATION.**

LAND DISTRICT—LITHGOW; SHIRE—BLAXLAND.

No. 66,417 from sale (66,418 from lease generally).  
Parish Hartley, county Cook, about 33 acres, bounded by portions 68, 244, 46, 25 road to Lithgow and Lett River, but exclusive of portion 48. P. 36-8,734.

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Tumbarumba North.	Central..	37,377	Travelling stock and camping.	12 Mar., 1904	Wynyard..	Bulalga ..	Holbrook Shire	0 1 0	Portion 119. Plan W. 5,469-2,119.	Ms. 1920-10,817.
Wyalong ..	do ..	17,189	Travelling stock ..	25 Jan., 1893	Bland ..	Bimbella ..	Bland Shire ..	242 0 0 (about).	Whole .. ..	Ms. 1920-10,825.
Do ..	do ..	1,328	Water .. ..	22 Feb., 1878	do ..	do ..	do ..	8 0 0 (about).	Part within classification reserve, notified this day.	do
Tumbarumba North.	Central..	33,365	Travelling stock and camping.	8 Feb., 1902	Wynyard..	Humula ..	Kyeamba Shire	210 0 0 (about).	That part within reserve for classification notified this day.	Ms. 1920-10,832.
Cooma ..	Eastern..	52,738	From sale or lease generally.	3 May, 1918	Bereford..	Bunyan ..	Monaro Shire..	0 3 0	Part within approved special lease 1918-22.	Ms. La. 1920-15,273.
Do ..	do ..	22,200	From sale for camping.	9 Mar., 1895	Wallace ..	Grose ..	Dalgety Shire..	105 0 0 (about).	Part within special lease 1919-23, granted Gazette 1st October, 1920.	Ms. La. 1920-14,140.

## REVOCATION OF RESERVES FROM SALE, LEASE, &amp;c.—continued.

Land District.	Division.	Reserve No.	Purpose.	Date of Notification.	County.	Parish.	Shire, &c.	Area.	Part revoked.	Papers No.
Gunning ..	Eastern..	17,347	From sale for camping.	4 Mar., 1893	King ..	Crookwell	Crookwell Shire	a. r. p. 445 0 0 (about).	Part within approved special leases 1920-2, 5, and 6.	Ms. La. 1920-14,706.
Do ..	do ..	17,348	From lease .. ..	4 " "	do ..	do ..	do ..	445 0 0 (about).	do ..	do
Wagga Wagga.	Central..	433	For water supply ..	3 Aug., 1860	Mitchell	Tootool ..	Lockhart Shire	400 0 0 (about).	The whole .. ..	Ms. 1090-10,027.
Do ..	do ..	6	For water supply and camping.	17 April, 1886	do ..	do ..	do ..	160 0 0 (about).	That part west of a line parallel to and distant about 31 chains easterly from the eastern boundary of portion 65.	do
Milton ..	Eastern..	46,460	From sale generally	5 April, 1911	St. Vincent	Woodburn and Ulladulla.	.....	1,060 0 0	The whole .. ..	Ms. 1920-9,813.
Narrandera	Central..	700	From sale for travelling stock.	15 Sept., 1876	Bourke ..	Bourke ..	Yanco Shire ..	640 0 0 (about).	"	Ms. 1920-8,735.
Do ..	do ..	700	do ..	15 " "	do ..	do ..	do ..	380 0 0 (about).	†	do
<p>* Part bounded by the north-easterly prolongation of the north-western boundary of portion 29, parish of Bogolong, to meet lines parallel to and 10 chains rectangularly distant south-easterly of the south-eastern boundaries of portion 141, parish of Wattil, and portions 54, 76, and 77, parish of Fennel, to the west boundary of Bull Oak Tank, P.W.P. 457; by that boundary and a line south to the north-western corner of portion 56, and by portions 39 and 24, parish of Bourke, and portions 50 and 29 aforesaid, parish of Bogolong.</p> <p>† Part bounded by travelling stock and camping reserve 47,814, notified 29th May, 1912, portions 42, 40, 23, 42, and 54, water reserve 444, notified 6th May, 1879, and by lines parallel to and 10 chains rectangularly distant southerly and south-easterly of the southern and south-eastern boundaries of portions 64, 1, 2, and 3, parallel to and 10 chains rectangularly distant west of the west boundary of portion 3 aforesaid, to meet a line parallel to and 10 chains rectangularly distant south-easterly of the south-eastern boundary of portion 65; by that line and by lines parallel to and 10 chains rectangularly distant south-easterly of the south-eastern boundaries of portions 60, 60, and 112.</p>										
Narrandera.	Central..	790 extension.	From sale for travelling stock.	2 April, 1883	Bourke ..	Fennel ..	Yanco Shire ..	20 0 0 (about).	Part south of a line parallel to and 10 chains rectangularly distant south of the north boundary of portion 4. Plan B. 198-1,806.	Ms. 1920-8,735.
Lithgow ..	Eastern..	51,038	From sale for public recreation.	1 Dec., 1915	Roxburgh	Cullen Bullen. (Suburbs of Portland).	Blaxland Shire	1 0 0 (about).	Part east of Special Lease 1918-16, and part between Special Lease 1918-16 and Cement-street.	Ms. 1090-10,373.
Do ..	do ..	51,029	From lease generally.	1 " "	do ..	do ..	do ..	1 0 0 (about).	do ..	do
Do ..	do ..	25,760	From sale for public school purposes.	3 April, 1897	Roxburgh.	Cullen Bullen. (Town of Portland).	Blaxland Shire.	0 1 0	Part within allotment 7, section 3. Plan Portland 71.	Ms. 1920-10,373.
Note.—Dedicated for Mechanics Institute site.										
Kempsey ..	Eastern..	32,485	Water reserve ..	18 May, 1901	Macquarie.	Arakoon ..	Macleay Shire.	1 3 9 (about).	Within portions 310 and 311 and intervening road.	Aln. 1920-7,656.
Wyalong ..	Central..	49,617	Travelling stock and camping.	21 Jan., 1914	Dowling ..	Curriha ..	Lachlan Shire..	70 0 0 (about).	The part south west of the north-east side of the road Wyalong to Cargellico.	Misc. 1920-10,584.
Do ..	do ..	49,620	Travelling stock reserve.	21 July, "	do ..	do ..	do ..	210 0 0 (about).	do ..	do
Moree ..	do ..	37,742	Travelling stock and camping.	11 May, 1904	Benarha ..	Narrawall..	Boomi Shire ..	4 0 0	Within portion 49. Plan B. 2,114 1,901.	Ms. 1920-7,475.
Narrandera	do ..	26,588	From sale for public school purposes.	2 Oct., 1897	Mitchell ..	Faithfull ..	Yanco Shire ..	3 0 0	Part within portion 117. Plan M. 2,000 1,883.	Ms. 1920-7,374.



### **For Public Recreation.**

#### **LAND DISTRICT OF LITHGOW, AND BLAXLAND SHIRE.**

**No. 59,960.** County of Cook, parish of Cox, containing an area of about 17 acres. The Crown Lands within portions 304, 305, a strip about 2 chains wide within portions 306 and 307 along their east boundaries, and the road separating portions 304 and 305 from 307 and 306. Plan C. 569-1,507 R.  
[Ms. 1927-1,740]

### **For Village Purposes.**

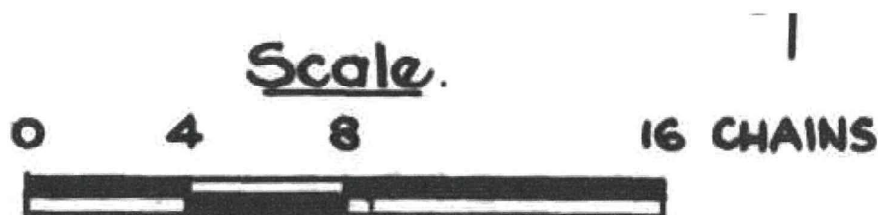
**No. 59,961.** County of Cook, parish of Cox, containing an area of about 43 $\frac{1}{4}$  acres. The Crown Lands within portions 306 to 312 inclusive, exclusive of a strip about 2 chains wide along the east boundaries of portions 306 and 307. Plan C. 569-1,507 R. .  
[Ms. 1927-1,740]

### **For Camping.**

#### **CENTRAL DIVISION.**

#### **LAND DISTRICT OF GUNNEDAH, AND LIVERPOOL PLAINS SHIRE.**

**No. 59,963.** County of Pottinger, parish of Wondoba, containing an area of about 170 acres. The Crown Lands bounded by portion 57, an eastern boundary of Wondoba State Forest No. 196, dedicated 28th January, 1915, and its southerly prolongation; portion 41 and portion 3, parish of Digby; Improvement Lease 1,861, and a line being the easterly prolongation of the southern boundary of portion 57 abovementioned.  
[Ms. 1927-6,710]



### FOR RESTING PLACE

LAND DISTRICT—LITHGOW; SHIRE—BLAXLAND

No. 84,837. Parish Lidsdale, county Cook, about 5 acres, bounded by portions 139 and 59, Cox's River and the Mudgee-Sydney road. C. 220-1,507. P. 59-2,585.

### FOR PRESERVATION OF GRAVES

LAND DISTRICT—MOLONG; SHIRE—WELLINGTON

No. 84,834. Parish Veech, county Gordon, 2 roods, being portion 136. Plan Ms. 141 Oe. P. 63-1,795.

### FOR FUTURE PUBLIC REQUIREMENTS AND ACCESS

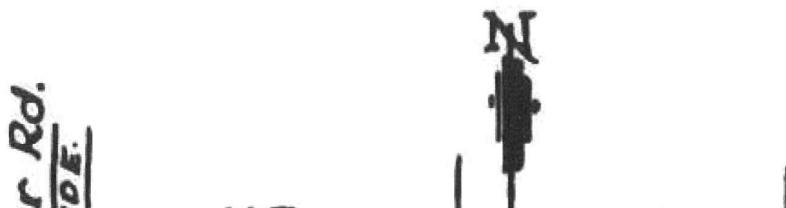
LAND DISTRICT—COONAMBLE; SHIRE—GILGANDRA

No. 84,832. Parish Breelong, county Gowen, about 5 acres 2 roods, bounded by portion 88, Wallumburrawang Creek, Castlereagh River, portion 7 and end of road. T. 62-5,383.

### FOR RUBBISH DEPOT

LAND DISTRICT—TAREE; SHIRE—MANNING

No. 84,838. Parish Bohnock, county Gloucester, about 5 acres, shown by black hatching on diagram hereunder. G. 5,084-1,497. P. 64-467.



(2040)

Sydney, 16th July, 1948.

### **RESERVES FROM SALE.**

IT is hereby notified that, in pursuance of the provisions of section 28 of the Crown Lands Consolidation Act, 1913, the Crown lands hereunder described shall be reserved from sale for the public purposes hereinafter specified, and they are hereby reserved accordingly.

**W. F. SHEAHAN**, Minister for Lands.

### **FOR FUTURE PUBLIC REQUIREMENTS.**

**LAND DISTRICT—RYLSTONE; SHIRE—RYLSTONE.**

No. 72,776 from sale. Parish Morundurey, county Roxburgh, 33 acres 3 roods 10 perches, portion 58. R. 4,500-1,496. P. 48-5,025.

### **FOR HOSPITAL.**

**LAND DISTRICT—METROPOLITAN; SHIRE—HORNSBY.**

No. 72,781 from sale. Parish South Colah, county Cumberland, about 40 acres; bounded by Reserve 63,938 from sale (63,939 from lease generally) for public recreation, notified 19th May, 1933, the western side of the boundary road on the east of portions 594, 596, 592, 598 and 600; the northern

side of road south of portions 600 and 601; end of road and the westerly prolongation of the southern side of the aforesaid road south of portions 600 and 601. C. 4,524, 4,525, 4,526, 4,527 and 4,528, 2,030 rolls. P. 48-4,500.

### **FOR CHILDREN'S PLAYGROUND.**

**LAND DISTRICT—LITHGOW; SHIRE—BLAXLAND.**

No. 72,786 from sale. Parish Cox, county Cook, 2 acres, being portion 310. C. 569-1,507 R. P. 48-4,454.



public road northerly to Reserve 69,106 from sale for Future Public Requirements, notified this day. P. 40-2,153.

**FOR PUBLIC RECREATION.**

**LAND DISTRICT—RYLSTONE; SHIRE—BLAXLAND.**

**No. 69,115 from sale (69,116 from lease generally). Parish Bandamora, county Roxburgh, 3 acres 1 rood 11 perches, section 10, village of Capertee. C. 1-2,811. P. 39-10,645.**



(4377)

Sydney, 5th April, 1957.

**RESERVES FROM SALE AND LEASE GENERALLY.**

IT is hereby notified that, in pursuance of the provisions of section 28 and 29 of the Crown Lands Consolidation Act, 1913, the Crown lands hereunder described shall be temporarily reserved from sale for the public purpose hereinafter specified and temporarily reserved and exempted from lease generally, and they are hereby reserved and exempted accordingly.

**ROGER NOTT, Minister for Lands.**

**FOR DRAINAGE.**

**LAND DISTRICT—GRAFTON; CITY OF GRAFTON.**

No. 79,490 from sale (79,491 from lease generally). Parish Southampton, county Clarence (Suburban Lands, Town of South Grafton), 3 r. 5½ p. (in two parts), being the area revoked this day from R. 71,219 from Sale (R. 71,220 from Lease Generally) for Public School, notified 12th May, 1944. P. 52-9,136.

**FOR FUTURE PUBLIC REQUIREMENTS.**

**LAND DISTRICT—PICTON; SHIRE—WOLLONDILLY.**

No. 79,492 from sale (79,493 from lease generally). Parish Cburidjah, county Camden, about 17 acres, bounded by portions 275 and 58, Matthew's Creek and road 150 links wide. C. 1,514, 2,041 R. P. 57-1,593.

**FOR RESTING PLACE.**

**LAND DISTRICT—LITHGOW; SHIRE BLAXLAND.**

No. 79,494 from sale (79,495 from lease generally). Parish Hartley, county Cook, about 1 acre, being the area withdrawn this day from R. 18,739 from sale for water supply for the purpose of resting place. P. 56-4,781.

**FOR RESERVOIR.**

**LAND DISTRICT—BATHURST; SHIRE OBERON.**

No. 79,496 from sale (79,497 from lease generally). Parish

**FOR PUBLIC HALL AND PUBLIC RECREATION**

**LAND DISTRICT—DUBBO; SHIRE—TALBRAGAR**

**No. 83,018 from sale. Parish Coolbaggie, county Lincoln, about 14 acres 1 rood 5 perches, portions 22, 162 and 163 and closed road west of portion 22. L. 2,145 and 3,554-1,566. P. 59-2,731.**

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**FOR RESTING PLACE**

**LAND DISTRICT—LITHGOW; SHIRE—BLAXLAND**

**No. 83,012 from sale. Parish Ben Bullen, county Roxburgh, about 12 acres 2 roods 30 perches exclusive of roads within portions 60, 61, 62 and 66. R. 1,958 and R. 1,987-1,496. P. 60-4,332.**

**FOR ROAD PURPOSES**

**LAND DISTRICT—CASINO; SHIRE—WOODBURN**

**No. 83,013 from sale. Parishes Ellangowan and Darke, county Richmond, about 10 acres, being the strips of land 1 chain wide shown by dark-brown colour on plans catalogued R. 26,426-1,603 R. and R. 26,427-1,603. R. 56-163.**

**FOR ROADWAY**

**LAND DISTRICT—KEMPSEY; SHIRE—MACLEAY**

**No. 83,014 from sale. Parish Lincoln, county Macquarie, about 6 acres, being the strip of land 1 chain wide within portion 17 shown by dark-brown colour on plan catalogued R. 25,396-1,603 R. R. 56-759.**

**FOR TRAVELLING STOCK**

**LAND DISTRICT—GUNDAGAI; SHIRE—DEMONDRILLE**

**No. 83,015 from sale. Parish Jugiong, county Harden, 13 acres 1 rood 15 perches ex road, portion 341. H. 6,841-1,716 R. T. 59-3,769.**

**No. 83,016 from sale. Parish Jugiong, county Harden, 5 acres 3 roods 34 perches, formerly part of freehold portion 120. Ms. 3,127 Wga. T. 59-3,769.**

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(6364)

Sydney, 26th October, 1979.

### RESERVES FROM SALE

IN pursuance of the provisions of section 28, Crown Lands Consolidation Act, 1913, I declare that the Crown lands described hereunder shall be reserved from sale for the public purposes specified and such lands are reserved accordingly.

W. F. CRABTREE, Minister for Lands.

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### FOR RUBBISH DEPOT

*Land District and Shire—Mudgee*

No. 91600, Parish Wyaldra, County Phillip, 4.095 hectares at Home Rule, being lot 153, D.P. 39868. L.B. 76-167, Dubbo.

NOTE: The affected part of R. 75981 for Future Public Requirements, notified 12th June, 1953, is hereby revoked.

### FOR PUBLIC RECREATION

*Land District—Lithgow; Shire—Blaxland*

No. 91601, Parishes Antonio and Thornshope, County Westmoreland, 2 310 square metres, being lots 4 and 8, D.P. 252075 (R. 34780-1603). Rds 74-1842.

*Land District—Kiama; City—Wollongong*

No. 91607, Parish Kembla, County Camden, 50.25 hectares, being lot 1, D.P. 600073, including easements. Pks 79-165.

### FOR TRAVELLING STOCK

*Land District—Forbes; Shire—Jemalong*

No. 91602, Parish Nanima, County Forbes, 6.676 hectares, being lot 2, Deposited Plan 600418. L.B. 78-2427, Orange.

### FOR FUTURE PUBLIC REQUIREMENTS

*Land District—Quirindi; Shire—Murrurundi*

No. 91603, Parish Murrurundi, County Brisbane, 346.4 hectares, being portion 96. L.B. 79-107, Tamworth.

*Land District—Forbes; Shire—Jemalong*

No. 91604, Parish Forbes, County Ashburnham, 2.193 hectares, being portion 1663. L.B. 78-2307, Orange.

*Land District—Lismore; Shire—Ballina*

No. 91605, Parish ... ..

(615)

Sydney, 5th June, 1981.

### RESERVES FROM SALE

IN pursuance of the provisions of section 28, Crown Lands Consolidation Act, 1913, I declare that the Crown lands described hereunder shall be reserved from sale for the public purposes specified and such lands are reserved accordingly.

A. R. L. GORDON, Minister for Lands.

### FOR AMBULANCE STATION

*Land District and City—Armidale*

No. 95071, Parish Armidale, County Sandon, 2 581 square metres, being lot 3, D.P. 41797. AE80 H 730.

### FOR BUSH FIRE BRIGADE PURPOSES

*Land District—Armidale; Shire—Dumaresq*

No. 95072, Parish Cunawarra, County Clarke, 266.5 square metres, being lot 36, D.P. 42024, at Point Lookout. AE80 R 27.

### FOR PUBLIC RECREATION

*Land District and Shire—Bellingen*

No. 95073, Parish Newry, County Raleigh, 2.63 hectares, being portion 25 at Urunga. GF81 H 203.

NOTE: R. 86139 for Future Public Requirements, notified 13th January, 1967, is hereby revoked.

*Land District—Lithgow; City—Greater Lithgow*

No. 95074, Parish Lett, County Cook, 8.868 hectares, being lot 342, D.P. 41316, and the area bounded by lots 342 and 343, D.P. 41316, end of road, portion 282, and the River Lett. OE80 H 916.

NOTE: The whole of R. 85251 for Future Public Requirements, notified 5th March, 1965, is revoked.

### FOR SHELTERED WORKSHOP

*Land District and Shire—Gunnedah*

No. 95075, Parish Gunnedah, County Pottinger, about 1.69 hectares at Gunnedah, shown by hatching on diagram hereunder. TH81 R 2.



[10545]

Department of Lands,  
Sydney, 22nd May, 1897.

**RESERVES FROM SALE FOR PUBLIC RECREATION.**

**H**IS Excellency the Governor, with the advice of the Executive Council, directs it to be notified that, in pursuance of the provisions of the 101st section of the Crown Lands Act of 1884, the land hereunder described shall be reserved from sale pending determination of the portions to be set apart for public recreation, and is hereby reserved accordingly.

**J. H. CARRUTHERS.**

**EASTERN DIVISION.**

**LAND DISTRICT OF BELLINGEN.**

**No. 25,986.** County of Raleigh, parish of Newry, village of Urunga, containing an area of 2 acres 1 rood. The Crown Lands within the boundaries of allotments 9, 10, 11, and 12

of section 3, containing 1 rood 8 perches each, and allotments 1, 2, and 3 of section 8 of 1 rood 16 perches each, village of Urunga,—as shown on plans catalogued Urunga 4 and 6.

Includes part of reserve 23,646 cancelled this day.

[Ms. 97-1,695 Dep.]

**LAND DISTRICT OF LITHGOW.**

**No. 26,013.** County of Cook, parish of Lett, village of Bowenfels, containing an area of about 3 roods. The Crown Lands within the following boundaries: Commencing at the intersection of the north side of Blunder-street with the east side of Hollow-street; and bounded thence on the west by part of that east side of the latter street bearing north 3 chains; thence on the north-west by a line perpendicular to the south-western side of Bridge-street bearing north-easterly to that side; thence on the north-east by that side of that street bearing south-easterly 5 chains; thence on the south-east by a line at right angles to that side of that street bearing south-westerly to the north side of Blunder-street aforesaid; and thence on the south by part of that side of that street bearing west about 4 chains to the point of commencement,—being section 9, as shown on village maps of Bowenfels (amended design).—[Ms. 97-2,718 Dep.]

**LAND DISTRICT OF MORUYA.**

**No. 26,010.** County of Dampier, parish of Deua and Uran-

## ORANGE OFFICE

92 Kite Street (PO Box 2146), Orange NSW 2800

Phone: (02) 6391 4300 Fax: (02) 6362 3896

## RESERVATION OF CROWN LAND

PURSUANT to section 87 of the Crown Lands Act 1989, the Crown land specified in Column 1 of the Schedule hereunder, is reserved as specified opposite thereto in Column 2 of the Schedule.

KEVIN HUMPHRIES, M.P.,  
Minister for Natural Resources, Lands and Water

## SCHEDULE

## Column 1

Land District: Rylstone.  
Local Government Area:  
Lithgow City Council.  
Locality: Capertee.  
Lot 7308, DP No. 1130828,  
Parish Bandamora,  
County Roxburgh.  
Area: About 21.91 hectares.  
File No.: 14/04238.

## Column 2

Reserve No.: 1038228.  
Public Purpose: Environmental  
protection and access.

Note: This reservation revokes that part of Reserve 755758 being Lot 7308, DP 1130828 an area of 21.91 hectares.

## ESTABLISHMENT OF RESERVE TRUST

PURSUANT to section 92(1) of the Crown Lands Act 1989, the reserve trust specified in Column 1 of the Schedule hereunder, is established under the name stated in that Column and is appointed as trustee of the reserve specified opposite thereto in Column 2 of the Schedule.

KEVIN HUMPHRIES, M.P.,  
Minister for Natural Resources, Lands and Water

## SCHEDULE

## Column 1

Pearson's Lookout  
Reserve Trust.

## Column 2

Reserve No.: 1038228.  
Public Purpose: Environmental  
protection and access.  
Notified: This day.  
File No.: 14/04239.

## APPOINTMENT OF CORPORATION TO MANAGE RESERVE TRUST

PURSUANT to section 95 of the Crown Lands Act 1989, the corporation specified in Column 1 of the Schedule hereunder, is appointed to manage the affairs of the reserve trust specified opposite thereto in Column 2, which is trustee of the reserve referred to in Column 3 of the Schedule.

KEVIN HUMPHRIES, M.P.,  
Minister for Natural Resources, Lands and Water

## SCHEDULE

## Column 1

Lithgow City  
Council.

## Column 2

Pearson's Lookout  
Reserve Trust.

## Column 3

Reserve No.: 1038228.  
Public Purpose:  
Environmental protection  
and access.  
Notified: This day.  
File No.: 14/04239.

For a term commencing the date of this notice.

Lithgow City Council

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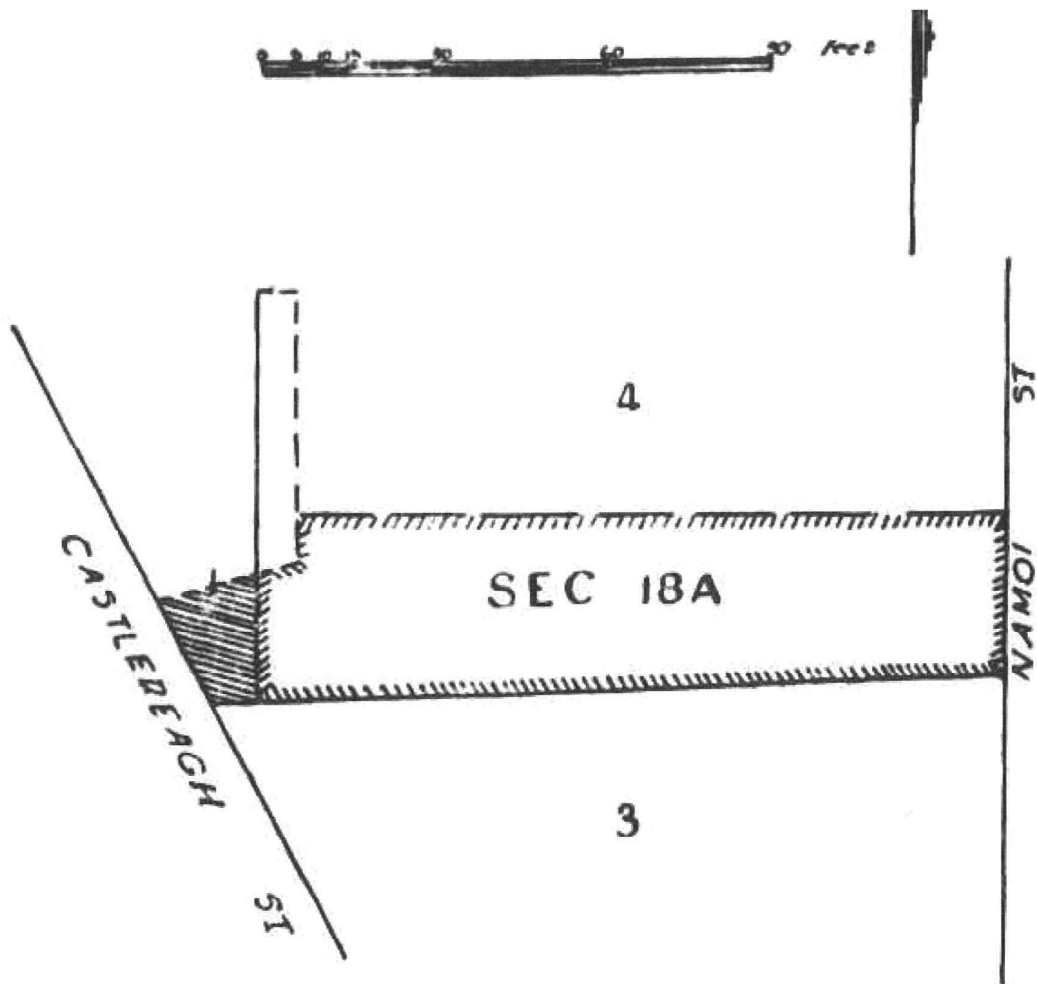
Yours: .....

LAND DISTRICTS OF LITHGOW AND RYLSTONE, AND  
BLAXLAND SHIRE.

**No. 53,410.** County of Roxburgh, parish of Bandamora, containing an area of about 240 acres. The Crown Lands within the following boundaries: Commencing on the north boundary of portion 80, at a point 30 chains distant from the north-east corner of that portion; and bounded thence by a line north 60 chains; thence by a line east to the road from Capertee to Wallerawang; by that road and the railway line north-westerly to a point north of a point 30 chains east of the north-west corner of portion 80; by lines south about 59 chains, west about 30 chains, and south about 30 chains, to the north-west corner of portion 80 aforesaid; and by part of the north boundary of that portion east, to the point of commencement.

[Ms. 1919-6,371]





### FOR PUBLIC RECREATION

LAND DISTRICT—LITHGOW; SHIRE—BLAXLAND

No. 80,616 from sale (80,617 from lease generally). Parish Bindo, county Westmoreland, about 155 acres, ex. road, shown by hatching on diagram hereunder. P. 58-689.







## Commonwealth Consolidated Acts

**NATIVE TITLE ACT 1993 - SECT 24JA Acts covered by this Subdivision****NATIVE TITLE ACT 1993 - SECT 24JA****Acts covered by this Subdivision**

Reservations etc.

(1) This Subdivision applies to a future act (the **later act** ) if:

(a) an act (the **earlier act** ) took place before the later act and on or before 23 December 1996; and

(b) the earlier act was valid (including because of Division 2 or 2A); and

(c) the earlier act:

(i) was done by the Crown in right of the Commonwealth, a State or Territory; or

(ii) consisted of the making, amendment or repeal of legislation by the Commonwealth, a State or Territory: and

(d) the earlier act contained, made or conferred a reservation, proclamation, dedication, condition, permission or authority (the **reservation** ) under which the whole or part of any land or waters was to be used for a particular purpose; and

(e) the later act is done in good faith:

(i) under or in accordance with the reservation; or

(ii) in the area covered by the reservation, so long as the act's impact on native title is no greater than the impact that any act that could have been done under or in accordance with the reservation would have had.

Example 1: A future act consisting of the creation of a national park management plan might be covered by subparagraph (e)(i), if the land concerned was reserved for the establishment of the national park before 23 December 1996.

Example 2: A future act consisting of the grant of a forestry licence might be covered by that subparagraph, if the grant is done under or in accordance with a dedication for forestry purposes made before 23 December 1996.

Example 3: Subparagraph (e)(ii) might apply if particular land was reserved as a hospital site before 23 December 1996, and instead a school is later built on the land.

## Leases

(2) This Subdivision also applies to a future act (the **later act** ) if:

(a) an act (the **earlier act** ) took place before the later act and on or before 23 December 1996; and

(b) the earlier act was valid (including because of Division 2 or 2A); and

(c) the earlier act was done by the Crown in right of the Commonwealth, a State or a Territory; and

(d) the earlier act consisted of the grant of a lease to a statutory authority of the Commonwealth, the State or the Territory, where:

(i) under the lease, the whole or part of any land or waters covered by the lease was to be used for a particular purpose; or

(ii) there is written evidence, created at any time on or before 23 December 1996 by the Commonwealth, the State or the Territory, that the whole or part of any land or waters covered by the lease was to be used for a particular purpose; and

(e) the later act is done in good faith and consists of the use, by the statutory authority or any person, of the land or waters for the particular purpose.

**Commonwealth Consolidated Acts****NATIVE TITLE ACT 1993 - SECT 24JB Treatment of acts covered by section 24JA****NATIVE TITLE ACT 1993 - SECT 24JB****Treatment of acts covered by section 24JA**

## Validation of act

- (1) If this Subdivision applies to a future act, the act is valid.

## Extinguishment consequences--public works

- (2) If the act consists of the construction or establishment of a public work:

(a) the act extinguishes any native title in relation to the land or waters on which the public work (on completion of its construction or establishment) is situated; and

(b) the extinguishment is taken to have happened when the construction or establishment of the public work began.

## Extinguishment consequences--not public works

- (3) If the act does not consist of the construction or establishment of a public work, the non-extinguishment principle applies to the act.

## Compensation

- (4) The native title holders are entitled to compensation for the act in accordance with Division 5.

## Who pays compensation

- (5) The compensation is payable by:

(a) if the act is attributable to the Commonwealth--the Crown in right of the Commonwealth; or

(b) if the act is attributable to a State or Territory--the Crown in right of the State or Territory.

## Notification of public works

(6) If the act consists of the construction or establishment of a public work, then, before the act is done, the person proposing to do the act must:

(a) notify, in the way determined, by legislative instrument, by the Commonwealth Minister, any representative Aboriginal/Torres Strait Islander bodies, registered native title bodies corporate and registered native title claimants in relation to the land or waters covered by the reservation or lease that the act, or acts of that class, are to be done in relation to the land or waters; and

(b) give them an opportunity to comment on the act or class of acts.

Notification of national, State and Territory park management plans

(7) If the act consists of the creation of a plan for the management of a national, State or Territory park intended to preserve the natural environment of an area, then, before the act is done, the person proposing to do the act must:

(a) notify, in the way determined, by legislative instrument, by the Commonwealth Minister, any representative Aboriginal/Torres Strait Islander bodies, registered native title bodies corporate and registered native title claimants in relation to the land or waters covered by the plan that the act is to be done in relation to the land or waters; and

(b) give them an opportunity to comment on the act.



**Commonwealth Consolidated Acts****NATIVE TITLE ACT 1993 - SECT 24LA Low impact future acts****NATIVE TITLE ACT 1993 - SECT 24LA****Low impact future acts**

(1) This Subdivision applies to a future act in relation to particular land or waters if:

(a) the act takes place before, and does not continue after, an approved determination of native title is made in relation to the land or waters, if the determination is that native title exists; and

(b) the act does not consist of, authorise or otherwise involve:

- (i) the grant of a freehold estate in any of the land or waters; or
- (ii) the grant of a lease over any of the land or waters; or
- (iii) the conferral of a right of exclusive possession over any of the land or waters; or
- (iv) the excavation or clearing of any of the land or waters; or
- (v) mining (other than fossicking by using hand-held implements); or
- (vi) the construction or placing on the land, or in the waters, of any building, structure, or other thing (other than fencing or a gate), that is a fixture; or
- (vii) the disposal or storing, on the land or in the waters, of any garbage or any poisonous, toxic or hazardous substance.

Exclusion for public health or safety etc.

(2) Subparagraph (1)(b)(iv) does not apply to:

- (a) excavation or clearing that is reasonably necessary for the protection of public health or public safety; or
- (b) tree lopping, clearing of noxious or introduced animal or plant species, foreshore reclamation, regeneration or environmental assessment or protection activities.

### Validation of act

- (3) If this Subdivision applies to a future act, the act is valid.

### Non-extinguishment

- (4) The non-extinguishment principle applies to the act.