

750

AGREEMENT made the 5<sup>th</sup> day of January 1988 BETWEEN BRISBANE CITY COUNCIL a body corporate created by and under the City of Brisbane Act 1924 as amended (hereinafter called "the Council") of the first part AND KENMORE BOWLS CLUB INCORPORATED an Association duly incorporated under the Associations Incorporation Act 1981 (hereinafter called "the Club") of the second part

WHEREAS:

#29/12/88 R/1134888 \$4.00E BRIS  
STAMP DUTIES OFFICER  
#157571 \$0.50

- A. By virtue of an Order in Council published in the Government Gazette of 25th September, 1965 the land described as Portion 7V in the County of Stanley, Parish of Moggill, containing an area of 5 acres (which land is hereinafter called "the said land") was permanently reserved and set apart as a Reserve for Park and Recreation purposes and placed under the control of the Council as Trustee.
- B. By virtue of an Agreement dated the Seventh day of December, 1987 the Council as Lessor agreed to lease the said land to the Club as Lessee in terms of Section 343 of the Land Act 1962 as amended for a term of twenty (20) years commencing on and from the First day of November 1987 and subject to the covenants, agreements, conditions, restrictions, provisoes and reservations set forth in that Agreement.
- C. The Club has requested the Council to construct a polythene sewage rising main (hereinafter called "the main") from the Council's sewerage system to the boundary of the said land to enable the Club to provide a sewerage service to the said land.
- D. The Council has agreed to construct the main as requested, subject to the Club:
  - (a) entering into this Agreement with the Council; and
  - (b) observing, fulfilling and complying with the terms, conditions, provisions and obligations on

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X

the part of the Club herein contained or implied,  
and

- (c) observing, fulfilling and complying with the requirements of the relevant Acts, Regulations, Ordinances and By-laws relating to the provisions of a sewerage service by the Council to land within the City of Brisbane, and
- (d) at its own cost and expense operating and maintaining the main in accordance with the requirements and directions and to the satisfaction of the Council's Manager, Department of Water Supply and Sewerage during the term of the aforesaid Agreement to Lease and any extension or renewal thereof or whilst the Club is otherwise in possession or occupation of the said land.

NOW THIS AGREEMENT WITNESSES that in consideration of the premises and of the Council incurring the cost (estimated to be the sum of Forty thousand dollars (\$40,000.00)) of constructing the main to enable a sewerage service to be provided to the said land the Club DOES HEREBY AGREE with the Council as follows:-

1. To pay to the Council (in addition to all sewerage rates for which the Club is or may become liable as a result of the construction of the main enabling a sewerage service to be provided to the said land) that amount per annum as is designated by the letter A in and ascertained in accordance with the following formula:-

$$A = \frac{B}{10}$$

Where A = amount payable per annum (hereinafter called "the capital charge") and

B = the actual cost at the time of construction as certified by the Council's Manager, Department of

3.

Water Supply and Sewerage (which cost shall include the Council's usual charges for design, supervision, administration and overhead) for the provision, construction and installation of the main generally in that position indicated in red on the plan comprising the Schedule hereto and such other incidental works as are determined to be required by the Council's aforesaid Manager, Department of Water Supply and Sewerage (which cost is hereinafter referred to as "the construction cost").

2. The capital charge may be levied by the Council, and if so levied shall be payable by the Club, at the times and in the manner provided for the payment of sewerage rates under the Council's Ordinances and the Club hereby agrees that the provisions of those Ordinances relating to the payment of interest on unpaid sewerage rates and to the recovery of unpaid sewerage rates and interest thereon shall apply to any capital charge or part thereof with interest thereon unpaid by the Club under this Agreement.

3. In the event of non-payment by the Club of any capital charge or any part thereof the Council may exercise all the other rights and powers available to it under its Ordinances as if such capital charge were sewerage rates duly made assessed and levied by the Council in respect of the said land.

4. The obligations of the Club to pay the capital charge shall continue for a period of ten (10) years from the date upon which sewerage rates first become due and payable in respect of the said land following the construction of the main and until the whole of the construction cost has been paid by the Club to the Council.

Release

4.

5. If the said Club assigns, transfers, demises, sublets or parts with the possession of the premises demised by the aforesaid Agreement for Lease or agrees to assign, transfer, demise, sublet or part with the possession of the premises demised by the aforesaid Agreement for Lease prior to the performance and fulfilment of the provisions of this Agreement or any of them on the part of the Club to be performed and fulfilled any assignment, transfer, demise, subletting or parting with possession or agreement to sell, transfer, demise, sublet or part with possession shall be made subject to compliance with the provisions of this Agreement or such of them as remain unperformed or unfulfilled on the part of the Club and to the proposed assignee, transferee, sublessee or other person entitled to possession of the premises demised by the aforesaid Agreement for Lease entering into a Deed with the Council (in a form satisfactory to the Council's City Solicitor) for the performance and fulfilment of the provisions of this Agreement on the part of the Club to be performed and fulfilled or such of those provisions as shall remain unperformed or unfulfilled and until the assignee, transferee or sublessee or the proposed assignee, transferee, sublessee or other person entitled to possession of the premises demised by the aforesaid Agreement for Lease enters into the aforesaid Deed with the Council or in default of any such assignment, transfer, demise, subletting or parting with possession or agreement to assign, transfer, demise, sublet or part with possession being made in compliance with the foregoing provisions of this clause, the Club shall remain liable for the performance and fulfilment of the provisions of this Agreement.

6. The Club shall at its own cost and expense operate and maintain the main in accordance with the requirements and directions and to the satisfaction of the Council's

Release

Manager, Department of Water Supply and Sewerage during the term of the aforesaid Agreement for Lease and any extension or renewal thereof or whilst the Club is otherwise in possession or occupation of the said land.

7. Should the Club fail to duly perform and fulfil the Club's obligations under paragraph 6 then it shall be lawful but not obligatory upon the Council (without prejudice to any other rights of the Council) to carry out such work as is determined by the Council's Manager, Department of Water Supply and Sewerage to be necessary for the proper operation and maintenance of the main and the amount of all costs incurred by the Council together with all moneys expended by the Council shall be payable by the Club to the Council on demand.

For the purposes in this clause contained, the Council its agents, servants, employees, contractors and subcontractors and servants of contractors and subcontractors shall have the full and free right and liberty to enter upon the said land with all necessary vehicles plant and equipment.

8. The certificate of the Council's Manager, Department of Water Supply and Sewerage that a sum of money is owing by the Club under this Agreement shall be prima facie evidence of the facts therein stated and as to the amount thereof including interest.

9. No waiver of any breach by the Club of any of the provisions of this Agreement shall be implied or be effective unless the same shall be in writing under the hand of the Town Clerk or Deputy Town Clerk for the time being of the Council and no laches or delays by the Council at any time or times in enforcing any of its rights and powers hereunder shall prejudice or affect those rights or powers.

Release

10. Nothing herein contained shall affect, prejudice or derogate from the rights, powers and authorities of the Council under the provision of any Statute, rule, regulation, ordinance or bylaw.

11. A breach of the agreements herein contained on the part of the Club shall be equivalent to a breach of the covenants conditions and restrictions contained in the aforesaid Agreement for Lease on the part of the Lessee thereunder to be observed performed and fulfilled and will give rise to like rights and remedies as are available to the Council in respect of a breach of the covenants provisions and restrictions of the aforesaid Agreement for Lease.

12. The costs, charges and expenses of and incidental to the preparation, completion and stamping of this Agreement and of stamp duties payable on this Agreement and all counterparts thereof shall be borne and paid by the Club.

13. Time shall in all cases be of the essence.

14. The Club warrants to the Council that it has full power and authority to enter into and perform the obligations and do all other things required by this Agreement on its part to be performed and done.

15. This Agreement shall be governed by and interpreted in accordance with the laws of the State of Queensland and the parties hereto agree irrevocably to submit to the jurisdiction of the courts of the State of Queensland and any courts which may hear appeals from them.

16. All notices, requests, demands or other communications to or upon the respective parties to this Agreement shall be deemed to be duly given or made:-

- (a) (in the case of delivery in person) when delivered; or
- (b) (in the case of delivery by post) when the letter containing the notice, request, demand or other

Release

7.

communication would in the ordinary course of post  
be delivered,

to the party to which such notice, request, demand or other  
communication is being given at its address last known to  
the party giving, making or forwarding that notice, request,  
demand or other communication.

IN WITNESS WHEREOF the parties hereto have here-  
unto executed this Agreement.

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Release

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FOR

PURPOSE OF LAND  
SUBSCRIPTION

PROPOSED  
PUMPING  
STATION

NO. 10111

X



8.

The Seal of MASSACHUSETTS CITY COUNCIL  
was hereunto affixed this

5<sup>th</sup> day of January 1989

by me, Bryan William Hicks, J.

being the proper officer to do

such acts in the presence of

A Justice of the Peace

sch4p3(3) Prejudice the protection of an individuals right to privacy

The Common Seal of KENMORE BOWLS  
CLUB INCORPORATED was hereunto

affixed this 10<sup>th</sup> day of

December 1988 by authority

of the Management Committee by

Trevor Leslie BURNHAM

in presence of

W. F. [REDACTED] Management

Committee in the presence of

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

RTI DL RELEASE - DNRM

*Lyubov*

Holding

LR 1394

~~RES 06/12217~~  
~~R2120~~

.91

(Code

Parish of Hoggil  
Area : 2.0234 HA  
Lot 502 on CS.26

RTI DL RELEASE - DNRM

SURRENDERED,  
VIDE No.  
PRODUCED  
REG'D 02 JUL 1957  
REGISTRAR OF DEALINGS

REGISTER ACTION COMPLETE  
RECORDS ATTACH TO FILE.

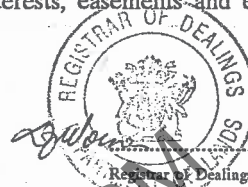
Release

# RECORD OF CROWN RESERVE

Vol. 7721

Fol. 36

The land referred to herein is set apart as a Crown Reserve by Order in Council published in the Government Gazette as indicated. The Reserve is subject to all such lawful interests, easements and encumbrances as are shown. The trustees are recorded in the First Schedule and amendments to interests, easements and encumbrances are registered in the Second Schedule hereto.



COUNTY NO: R2126  
FILE NO: RES 12217  
GAZETTED: 25/09/1965 PG 358  
PURPOSE: PARK AND RECREATION  
DESCRIPTION: LOT 302 ON C8.264  
AREA: 2.0234 HA  
TOWN/CITY: BRISBANE (KENMORE)  
LAND AGENT DISTRICT: BRISBANE  
LOCAL AUTHORITY: BRISBANE  
PARISH: MOGGILL  
COUNTY: STANLEY

## FIRST SCHEDULE

TRUSTEES: BRISBANE CITY COUNCIL

## SECOND SCHEDULE

LR 1394 (SEC 343):  
TERM:  
COMMENCE:

WHOLE OF THE LAND  
20 YEARS  
1 NOV 1987 EXPIRE: 31 OCT 2007  
APPRD: 22 FEB 1988 REG: 11 MAR 1988  
KENMORE BOWLS CLUB INCORPORATED

SURRENDERED  
VIDE No. K658805C  
PRODUCED 4 June 1991  
REGD  
11 MAR 1988  
K. Palmer

65

Release

NOTE: Entries ruled through and authenticated by the Seal of the Registrar are cancelled.

X

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Release

Vol 7721 Fol 36

DEPARTMENT OF LANDS  
RESERVE RECORDS SYSTEM

SINGLE RESERVE REPORT

AS AT 14 JUN 91

COUNTY NO. : <sup>R</sup> 2126  
FILE NO. : RES 12217

GAZETTED: 25/09/1965 PG 358 ~~358~~  
PURPOSE: PARK AND RECREATION

~~LEGAL NAME:~~  
~~ADDRESS:~~

~~USAGE: NOT YET DEVELOPED~~  
~~BY LAWS: N~~

4A DESCRIPTN: LOT 302 <sup>on</sup> CS 264  
LAND AREA: 2.0234HA  
TOWN/CITY: ~~Brisbane~~ <sup>Kenmore</sup>  
DISTRICT: BRISBANE  
AUTHORITY: BRISBANE  
PARISH: MOGGILL  
COUNTY: STANLEY

TRUSTEES: ~~25/09/1965~~ BRISBANE CITY COUNCIL  
SECT. 343: LR 1394 WHOLE 20YRS  
START: 01/11/1987 EXP: 31/10/2007  
APPRVL: 22/02/1988 REG: 11/03/1988  
LESSEE: KENMORE BOWLS CLUB INCORPORATED

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Liability for any errors or omissions in this printout is hereby

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*NOTE*  
*Summary of Documents*  
*Trichinets Lease Copied*  
*by [redacted] on*  
*30/5/91*

[redacted]  
 [redacted]  
 31 MAY 1991

**Form 42**  
**GENERAL REQUEST - DEPARTMENTAL**

To the Registrar  
 of Dealings

Department of Lands  
 (Division of Titles)

Reference(s):

Tenure Type	Ref. No.
Surrender OF S. 343 OF LAND ACT LEASE (LRT 394)	Res. 12217 R. 2126 parcel of Moggill Lessor: BRISBANE CITY LOCAL LESSOR: KENMORE BOWLS CLUB INCORPORATED

I request that the dealing attached be entered on the  
~~above listed titles~~ registered - I enclose  
 duplicate & triplicate lease  
 copies herewith - Original in  
 Cellar 7

Division: *LAND MANAGEMENT*

Action Officer: *S. T. BARNETT (242189)*

--	--

		V/CODE
<div style="border: 1px solid black; padding: 2px; display: inline-block;">CL</div>		
ENTERED IN THE REGISTER BOOK		
VOLUME .....		
FOLIO .....		
AT .....		
AM/PM .....		
REGISTRAR OF TITLES		

CORRESPONDENCE NUMBER .....

REQUISITIONS

<b>BELOW THIS LINE TO BE COMPLETED BY LODGER</b>		LODGER CODE
LODGED BY: <u>BRISBANE CITY</u>		71
ADDRESS: <u>COUNCIL</u>		
<b>CERTIFICATES OF TITLE, DEEDS OF GRANT, DECLARATIONS ETC. LODGED WITH THIS DOCUMENT (TO BE COMPLETED BY LODGING PARTIES)</b>		
1. ....	LODGED BY .....	
2. ....		
3. ....		
<b>BELOW THIS LINE FOR DELIVERY NOTATIONS</b>		
<b>RECEIPT NOTATIONS</b>		<b>OFFICE USE</b>
ITEMS RECEIVED .....		
FIRM NAME: .....		
PER: .....		
DATE: .....		
<b>ITEMS DELIVERED BY POST</b>		
FORWARDED TO LODGER OF THIS DOCUMENT ON .....		
6309-Gen. Purpos. Qld.		

RELEASE - DNRM

Release





:KH

sch4p3(3) Prejudice the protection of an individuals right to privacy

Res 2, Mr Barnes

224 2289

Res. 12217

26th July, 1988

Dear Sir,

Re: Reserve for Park and Recreation R.2126,  
parish of Moggill, County of Stanley.  
Lease (LR1394) in terms of Section 343  
(leasing by trustees) of the Land Act  
1962-1988. Brisbane City Council to  
Kenmore Bowls Club Incorporated

---

I refer to your letter of 1st July, 1988 in the above matter.

It is confirmed that any lease proposal in terms of Section 343 of the Land Act 1962-1988 requires the consent of the Minister for Land Management.

The lease to which you refer (LR 1394) was endorsed with the consent of the Minister for Land Management on 22nd February, 1988 and the lease is now formalised.

Your reference to previous decisions relative to R.2126 has been noted; however, please be advised that the Department of Lands is not bound nor constrained by decisions of previous administrations, although due consideration is given to such decisions in present day dealings.

As trustee of R.2126, Brisbane City Council has control of such Reserve vested in it.



ST BARNES  
**AWAY**  
26 JUL 1988

sch4p3( 3) Prejudice the protection of an individual's right to privacy

 [Redacted]

[Redacted]

[Redacted]

RTI DL RELEASE - DNRM

SUBJECT:

e

sch4p3(3) Prejudice the protection of an individuals right to privacy

May

[Redacted]

Reserves :

RTI DL RELEASE - DNRM

APPROVED

25/7/53

DRAFT ONLY

RES 12217.DFT

Res 2. Mr Barnes

224 2289

sch4p3(3) Prejudice the protection of an individuals right to privacy

Res 12217

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Your reference to previous decisions relative to R.2126 has been noted; however, please be advised that the Department of Lands is not bound nor constrained by decisions of previous administrations, although due consideration is given to such decisions in present day dealings.

../2..

As trustee of R.2126, Brisbane City Council has control of such Reserve vested in it.

All factors regarding prior use made of R.2126 were, no doubt, taken into consideration by Council before the decision was made to grant the subject lease and as the lease purpose was consistent with the reserve purpose (as required under Section 343 of the Land Act), the consent of the Minister for Land Management to the lease was given.

Yours faithfully,

Secretary.

B/c The Town Clerk,  
Brisbane City Council,  
G.P.O. Box 1434,  
BRISBANE QLD 4001

Your ref: (6)420/10  
FG610/43. For your  
information.

Secretary.

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X

BRISBANE

LAND AGENT'S DISTRICT

**SUBJECT:**

**Lease in terms of Section 343 of  
the Land Act 1962-1987  
Brisbane City Council to KENMORE  
BOWLS CLUB INCORPORATED**

Minutes of Meeting held at 10 a.m. on Friday 26th February, 1988.

sch4p3(3) Prejudice the protection of an individual's right to privacy  
[redacted] a concerned local resident called personally today to discuss the Section 343 leasing proposal referred to above.

[redacted] advised that he had been in verbal contact with the Department since learning of the subject leasing proposal - he lodged the yellow "Kenmore Bowls Club" brochure on file, some months ago.

[redacted] advised that he had not written to the Department expressing any objection to the lease proposals as at the time, he had been advised by his contact in the Department that the Council had made no formal approach on the lease proposal and there seemed little point in writing.

I advised [redacted] that Council wrote on 7th January, 1988 to the Department and at that time forwarded Section 343 lease documentation - the lease was allowed on 11th February, 1988 and it was approved by the Honourable Minister's delegate on 22nd February, 1988.

[redacted] expressed regret about his objection not being considered prior to the lease being approved.

Discussion revealed that [redacted] had a sound knowledge of the Department's dealing with the subject land.

I revealed that by Commission Approval dated 8th July, 1965 it was approved to cancel the old Moggill Cemetery Reserve and to redesignate the land as a Reserve for Park and Recreation purposes under Council's control as trustee.

[redacted] then raised certain aspects on the status of the land and leasing proposal. These and my reply thereto are as follows:-

**Question:**

As the land was formerly a Cemetery was the proposed Bowls Club development thereon proper.

**Answer:**

I advised that in 1965 the decision was taken to cancel the Cemetery reserve and place the land contained therein apart as a Park and Recreation Reserve under Council's control, as trustee. This effectively vested in the Council control and management of the new Reserve. I advised that when this decision was taken, it was stipulated that "any application by Council as trustee to lease the area will be considered strictly in accordance with the provisions of the Land Acts,

i.e. the proposed lease must not be inconsistent with the purpose for which the land is reserved. I advised that in this regard the Section 343 lease so conformed.

Insofar as the prior use of the land as a cemetery was concerned the Department's advice in this regard was that records indicate that interments were limited to two children buried over 65 years ago (records in this regard are sketchy - see preamble to Commission approval of 8th July, 1965). I advised that no grave sites were marked (nor apparently does monument exist - (b) of Commission approval of 8th July, 1965 refers).

Question:

Was the Minister appropriately advised on the history of the land before approving the lease.

Answer:

I advised in this regard that the Department's file was always made available for perusal when Section 343 lease documentation was forwarded to the Minister's delegate for approval.

Question:

I believe there is on file a requirement that no structural improvements be allowed on the Reserve.

Answer:

I know of no such requirement.

Question:

The Girl Guides Association were seeking a lease of part of this reserve. What has transpired in that regard.

Answer:

I advised that there had been no correspondence on this matter since 1965 - no Section 343 lease in this regard was ever formalised.

Question:

Is it appropriate for a bowls Club to occupy a Park and Recreation Reserve to the exclusion of the public and did a Bowls Club constitute "Recreation".

Answer:

I advised that in terms of the Land Act all Crown Reserves were set apart for Public Purposes and yes, it was considered that a Bowls Club constituted a form of "Recreation".

In conclusion, the protection of an individual's right to privacy requested to peruse the Departmental file; however I declined.

X .../3

sch4p3(3) Prejudice the protection of an individual's right to privacy did not reveal the exact nature of his objection to the proposed development.

Discussion ended on the basis that [redacted] thought he may seek a legal opinion on the meaning of "Recreation" as it relates to the subject lease proposal. He would then write to the Honourable Minister for Land Management.

I advised that I would prepare a Minute of our meeting and ensure that it was brought to the Chief Executive Officer's attention.

(A copy of the approved lease was handed to [redacted] upon his request).

- 1. B/C Chief Executive Officer to note please.
- 2. B/C Examiners re registration of LR1394.

*Noted*  
[redacted]

7-3-88  
[redacted] 8/3/88

[redacted]

*Res 2.*  
ST BARNES  
ADMINISTRATION OFFICER,  
TENURE MANAGEMENT AND MAINTENANCE  
21 MAR 1988

RTI DL RELEASE - DNRMA

X



SECT. 343 LEASE OF RESERVE

Reserve file No. and District: Res. 12217 Brisbane Lease No.: LR1394

Old Description of Reserve: R. 2126 Reserve for Park and Recreation

Parish of Moggill County of Stanley

LESSOR: Brisbane City Council

LESSEE: Kenmore Bowls Club Incorporated

Area Leased:  Whole Area OR  Part Only

Term of Lease: Twenty (20) years ..... months ..... days

From: 1.11.1987 Expires: 31.10.2007

Registration fee

Stamped

Reserve: Lease lodged in triplicate

Draft Lease approved

Minister's Endorsed Consent

Annual Rent

221 2188.

\$ 487.

(to be used as approval date on computer)

Lodged by: Brisbane City Council

Date: 22/1/88

Section 343 (LR 1394) lease in triplicate herewith.

sch 4p3(3) Prejudice the protection of an individuals right to privacy Register: DATE 26/2/88.

NOTE OR ADVISE

Cards  Leases   
Register  Land Agent   
Computer

REGISTRATION DATE 11/3/88. MAR 1988

Duplicate Lease to:   
Triplicate Lease to:   
Via mail/counter

1. Division of Field Services to note

1 B/C TMM (RES).  
For your action in the 1st instance.

MANAGEMENT & MAINTENANCE  
9 FEB 1988

EXAM. 8/2/88

LEASE ALLOWED.  
I spoke today with Margaret Morgan of B.C.C. & arranged for her to lodge a duly certified copy of lessee's Certificate of Incorporation.

MANAGEMENT & MAINTENANCE  
29 14 88

MANAGEMENT & MAINTENANCE  
FEB 1988  
mim Res (2)

Byc. CEO.

Res 12217.

Section 343 (LR 1394) Leave in  
Duplicate herewith for signing.

the protection of an individuals right to privacy

[Redacted]  
[Redacted] *EXAM.*  
12/2/88.

[Redacted]  
[Redacted] *20288*

RTI DL RELEASE - DNRM

EXAMINATIONS  
25 FEB 1988  
BRANCH

MANAGEMENT

[Redacted]

DATE

X



*Res 12217*  
 Brisbane City Council  
 69 Ann Street  
 Brisbane  
 Queensland  
 GPO Box 1434  
 Brisbane  
 Australia 4001  
 Telex CIVICS AA41910  
 Facsimile 229 1168

Telephone

225 5305

When calling or phoning please ask for

M. Morgan MFM:MFG  
 Your reference *Res 12217*  
~~Res 2126~~ Terry Barnes  
 Our reference

(

DEPT. OF LANDS

07060

11 FEB. 88



BRISBANE

BRISBANE NORTH QUAY . 00

of Reserve for park and recreation R2126

I

*[Handwritten signature]*



(P.P. O'Brien),  
 City Solicitor.



Enc.

*OR EXAMINERS*  
 SECTION 343 LEASE  
 IN FAVOUR OF  
 KENMORE ROWLS CLUB  
 INCORPORATED HEREWITH,  
 IN TRIPPLICATE, FOR  
 REGISTRATION PLEASE.

sch4p3(3) Prejudice the protection of an individuals right to privacy

*[Signature]*  
 T BARNES  
 ADMINISTRATION OFFICER,  
 TENURE OF LANDS AND MAINTENANCE  
 11 FEB 1988

Please address all correspondence to the  
 Town Clerk

X



QUEENSLAND

ASSOCIATIONS INCORPORATION ACT 1981

Section 12  
Regulation 7

No. 3375

CERTIFICATE OF INCORPORATION  
OF AN ASSOCIATION

This is to Certify

that

KENMORE BOWLS CLUB INCORPORATED

is, on and from the sixth day of November, 1987,

incorporated under the Associations Incorporation Act 1981.

I certify this to be a true and correct copy  
of Certificate of Incorporation number 3375  
issued in pursuance of the provisions of the  
Associations Incorporation Act 1981.

Dated at Brisbane this tenth day of February,  
1988.

J. HINCKS

Under Secretary,  
Department of Justice.

Prejudice the protection of an individuals right to privacy

Under Secretary,  
Department of Justice.

X

Telephone  
225 5305

When calling or phoning please ask for  
M.F. Morgan

Your reference  
Res 2126 Terry Barnes  
Our reference

MFM:YJM  
(0)364/48/2-ED740/P75



Brisbane City

Brisbane City Council  
69 Ann Street  
Brisbane  
Queensland  
GPO Box 1434  
Brisbane  
Australia 4001  
Telex CIVICS AA41910  
Facsimile 229 1168

*Res. 2126*

*Res 12217*

*18 JAN 1988*

DEPT. OF LANDS

7th January, 1988

01420

11 JAN 88

sc 41307) Prejudice the protection of an individuals right to privacy

BRISBANE

The Secretary,  
Land Administration Commission,  
P.O. Box 168,  
BRISBANE. NORTH QUAY. 4000

*[Red scribbles]*

RTI DL RELEASE - DNRM

Yours faithfu

*[Redacted signature box]*

*[Redacted box]*

T.J. GRIFFITHS  
(Acting City Solicitor)

Encls.

EXAMINATIONS  
21 JAN 1988  
BRANCH

X

Please address all correspondence to the  
Town Clerk

OFFICE COPY

Land Agent's District

R. 2126  
B.C.C.

STANTONLAND-2 H 00554 CREDIT 50.00  
STANTONLAND-2 H 00554 CREDIT 50.00

YOUR REFERENCE

Land Administration Commission

Telephone

P.O. Box 168, Brisbane North Quay, Q. 4000

Prop. No. .... Date .....

Code

18-22

Section 343  
(B.C.C. & Kenmore bowls (Inc)  
Registration fee 60.00

IMPORTANT

Please forward both copies of this notice together with your payment to the Accountant - Department of Lands, Box 168, North Quay, Brisbane 4000

\$ 60.00

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LEASE OF RESERVE IN TERMS OF SECTION 343  
OF THE LAND ACT 1962-1986

MEMORANDUM OF AGREEMENT made the 7th day

of December One thousand nine hundred and eightyseven

BETWEEN BRISBANE CITY COUNCIL a body corporate created by

and under the City of Brisbane Act 1924 as amended (herein-

after with its successors and assigns called "the lessor")

of the one part AND KENMORE BOWLS CLUB INCORPORATED, an

association duly incorporated under the Associations Incor-

poration Act 1981 (hereinafter called "the lessees") of the

other part WHEREAS by virtue of an Order in Council publi-

shed in the Government Gazette of 25th September 1965 the

land described as Portion 7V in the County of Stanley,

Parish of Moggill, containing an area of 5 acres, as shown

on Plan C.8.264 deposited in the Survey Office, has been

permanently reserved and set apart as a Reserve for Park and

Recreation purposes, being Reserve for Park and Recreation

R.2126, and placed under the control of the lessor as

Trustee AND WHEREAS the lessees have requested the lessor to

grant to them a lease of the whole of the said land which

the lessor has agreed to do.

NOW THIS AGREEMENT WITNESSETH that in considerat-

ion of the rent hereinafter reserved and of the covenants,

agreements, conditions, restrictions, provisoes and reser-

vations hereinafter contained and on the part of the lessees

to be observed and performed the lessor agrees to lease to

the lessees and the lessees agree to take from the lessor

all of the said land which land, together with all build-

ings, structures and improvements and drainage, sewerage,

water supply and electricity installations in relation

thereto which are now on the said land and which may at any

time during the continuance of the term hereby agreed to be

granted be made to or erected on the said land, are herein-

after referred to as "the demised premises" to be held by

the lessees as tenants for the term of twenty (20) years

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commencing from the First day of November, One thousand nine hundred and eighty-seven at an annual rental of Four hundred and eighty-seven dollars (\$487.00) per green payable in advance at the office of the Finance Division of the lessor, Brisbane Administration Centre, 69 Ann Street, Brisbane, on the First day of November in each and every year during the said term PROVIDED however that during the first year of the said term the lessees shall have the use and occupation of the demised premises rent free and the first of the rental payments is to be made on the First day of November, One thousand nine hundred and eighty-eight subject to the following covenants, agreements, conditions, restrictions, provisoes and reservations:

1. (i) The lessees will duly and punctually pay the said rent without any formal or other demand and without any deduction whatsoever at the times and in the manner hereinbefore set out PROVIDED HOWEVER that unless the lessor exercises its rights of election under the following subclause the said rental shall be reappraised by the lessor on the First day of November, 1992 and thereafter for each or any period of five (5) years of this lease, and in the event of the lessor and the lessees being unable to agree upon the amount of the reappraised annual rental payable by the lessees to the lessor during any of the said periods of five (5) years the decision of the lessor shall be final and binding on the lessees and the lessor. On each occasion that the annual rental is reappraised as aforesaid the reappraised annual rental shall as from the commencement of the five (5) yearly period in respect of which the reappraisal is made be paid by the lessees to the lessor at the time and in the manner hereinbefore set out and shall continue to be payable by the lessees to the lessor until the next reappraisal of the annual rental is made in manner



aforesaid or until the expiration of this lease as the case may be.

(ii) Notwithstanding the foregoing provisions of the previous subclause, if at any time during the said term the lessor determines that it requires to synchronise the periods of reappraisal of rentals under leases of the nature of this lease, the lessor may elect to have the rent hereinbefore reserved reappraised for five (5) yearly periods commencing from a common date applicable to all such leases as determined by the lessor and in such event the period or periods for reappraisal of the rent hereby reserved shall be modified to conform to the determination of the lessor made as aforesaid and the provisions of the foregoing subclause shall be varied or modified to the extent necessary to give effect thereto and so that if as a result of the operation of any such election by the lessor the final period for reappraisal immediately preceding the expiration of the said term is less than five (5) years, nevertheless the right to reappraise shall extend to and apply to that final period.

2. The lessees will throughout the term hereby granted punctually pay to the lessor on demand:-

- (a) an amount or amounts equivalent to the water rates at the minimum rate which would be payable if the lessees were the owners of the demised land;
- (b) an amount or amounts equivalent to the charges which would be charged to the lessees if the lessees were the owners of the demised premises for excess consumption of water and water meter rental;
- (c) from and after a sewerage service is connected to the demised premises, an amount or amounts equivalent to the sewerage rates at the minimum rate, which would be payable if the lessees were the

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owners of the demised land;

- (d) an amount or amounts equivalent to the cleansing dues which would be payable to the lessor as the Local Authority if the lessees were the owners of the demised premises.

3. The lessees will duly and punctually pay for all gas, electric light and power consumed or used on the demised premises during the said term, and will replace all electric bulbs, burners and shades which become defective or are damaged or destroyed.

4. The lessees shall at its own cost and expense expend a sum of not less than One hundred thousand dollars (\$100,000.00) prior to the expiration of the fifth year of the term hereof upon the development of the said land including the development of bowling greens and a clubhouse, together with a pumping station and rising main for the provision of a sewerage service, and which development is hereinafter called "the capital improvements".

The capital improvements to be effected under this Clause 4 shall be constructed in all respects in a good and substantial and workmanlike manner and with materials of the best description of their several kinds and in accordance with the plans and specifications previously approved by the lessor's Manager, Department of Recreation and Health, the lessor's Building Surveyor and the lessor's Manager, Department of Works as is hereinafter provided and in positions to be defined by the said Manager, Department of Recreation and Health provided however that prior to the commencement of the provision and carrying out of the capital improvements on the demised premises as in this Clause 4 provided the lessees will submit to the said Manager, Department of Recreation and Health, the lessor's Building Surveyor and the lessor's Manager, Department of Works, plans and speci-

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fications in respect of all capital improvements proposed to be provided and carried out for the approval of the said Manager, Department of Recreation and Health, the said Building Surveyor and the said Manager, Department of Works with or without such amendments, additions, deletions or variations as the said Manager, Department of Recreation and Health and the said Building Surveyor or the said Manager, Department of Works shall think necessary or desirable and otherwise shall be in accordance with the subclause (f) of Clause 5 hereof mutatis mutandis and the lessees agree that in the event of any dispute arising between the parties hereto as to the meaning and application of the term "capital improvements" as used herein the decision of the Town Clerk for the time being of the lessor shall be final and binding on all parties.

5. The lessees hereby covenant and agree with the lessor in manner following that is to say:-

- (a) To keep maintain and on the expiration or sooner determination of the said term yield up to the lessor the demised premises together with all locks, keys and fastenings in good order, repair and condition (including painting), fair wear and tear and damage by fire, flood, storm, tempest, white ants and other vermin, riots, civil disturbances, Queen's enemies, act of War, aerial craft or any act of God not excepted.
- (b) To observe and strictly conform to and cause all members of the said KENMORE BOWLS CLUB INCORPORATED and all the servants, agents, licensees and invitees of the lessees to observe and strictly conform to the covenants, agreements, conditions,

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restrictions, provisoes and reservations herein contained.

(c) To use the demised premises for the purpose of and practising for the game of bowls and not to use the same for any other purpose whatsoever, except with the written permission of the lessor under the hand of the Town Clerk.

(d) Not to carry on nor permit nor suffer to be carried on upon the demised premises or any part thereof any illegal, improper, immoral, noxious or offensive trade, business, occupation, activity or calling nor to do, cause, permit or suffer upon the demised premises anything which may be or become a nuisance, annoyance or grievance or cause damage to the lessor or its tenants or the owners or occupiers of neighbouring premises.

(e) (1) The lessees will not during the continuance of this lease assign, transfer, demise, sublet or part with the possession of the demised premises (or any part thereof) or share with any person, body, firm or corporation the occupation of the whole or any part thereof or by any act or deed procure or attempt to procure the demised premises (or any part thereof) to be assigned, transferred, demise to or sublet unto or put into the possession of or share the possession with any person, body, firm or corporation without the consent in writing of the Minister for Lands, Forestry, Mapping and Surveying and the lessor first had and obtained.

(2) The consent of the lessor to a proposed assignment, transfer, demise or sublease shall not be unreasonably withheld where

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- (A) the lessees not being in default under the covenants and agreements on the lessees' part herein contained propose to assign, transfer, demise or sublet to a bowls club which proves to the satisfaction of the lessor that it is a respectable, responsible, solvent, fit and proper bowls club capable of using the demised premises for the purposes referred to in sub-clause (c) of this Clause 5 to the satisfaction of the lessor and of performing and observing the terms and conditions of this lease;
- (B) the lessees pay to the lessor all proper costs, charges and expenses incurred by the lessor of and incidental to any enquiries which may be made by or on behalf of the lessor as to the respectability, responsibility, solvency, fitness and suitability of any such club;
- (C) the club executes such covenant or covenants binding the club to the due performance of the covenants, conditions and stipulations on the part of the lessees herein to be performed as the lessor's Solicitor shall think necessary or desirable including a Power of Attorney in favour of the lessor;
- (D) the lessees pay the lessor's Solicitor's costs and outlays in respect of the assignment, transfer, demise or sublease and the preparation, execution and stamping of the aforesaid Deed of Covenant and any production fees.

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(3) The use of the demised premises by any social club or charitable organisation for which approval in writing has been granted by the lessor's Manager, Department of Recreation and Health for the purposes referred to in subclause (c) of this Clause 5 shall not constitute a breach of the provisions of subclause (e) of this Clause 5 provided:-

(1) The use of the demised premises by any such social club or charitable organisation is for a period of not more than three (3) continuous days, and

(2) The use of the demised premises by any such social club or charitable organisation is less than sixty (60) days in any one year, and

(3) The aggregate use of the demised premises by all such social clubs and/or charitable organisations is less than sixty (60) days in any one year or such greater number of days in any one year for which approval in writing has been granted by the lessor's Manager, Department of Recreation and Health.

(f) Not to effect any improvements nor make any alterations or additions nor suffer any improvements to be effected nor any alterations nor additions to be made to the demised premises without the written permission of the lessor under the hand of the Town Clerk first had and obtained nor until plans thereof shall have been submitted to and approved by the lessor and all such improvements, alterations or additions shall be carried out in a substantial and workmanlike manner with the best

material of their several kinds and to the satisfaction and subject to the directions of the lessor's Building Surveyor and/or other duly authorised officer of the lessor.

- (g) Not, without the written consent of the lessor under the hand of the Town Clerk first obtained, to mark, paint, drill into, cut, alter, deface or injure any of the doors, walls, partitions, ceilings, floors or timbers, stone or ironwork of the demised premises.
- (h) Not to permit or suffer the water-closets or other water apparatus to be used for any purpose other than those for which they were constructed and not to throw or place or allow to be thrown or placed in such water-closets anything other than faeces water and toilet paper and to bear the cost of making good any damage resulting to such apparatus by misuse or neglect by the lessees their servants, agents, subtenants, licensees, invitees or by any other person or persons, including members of the said KENMORE BOWLS CLUB INCORPORATED.
- (i) Not to enclose the demised premises or erect any fencing thereon without the prior written consent of the lessor being first had and obtained and after having obtained such consent the lessees will enclose the demised premises or erect the fencing thereon to the satisfaction of the said Manager, Parks Branch, Department of Recreation and Health and otherwise in accordance with the provisions of subclause (f) of this Clause 5 PROVIDED HOWEVER that any fencing erected on the boundaries of the demised premises is to be of a low level type and is not to exceed one (1) metre

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in height and is to include suitable gates or openings to allow the public to have free and unrestricted pedestrian access during daylight hours when the demised premises are not required for use by the lessees.

- (j) To keep the demised premises in a cleanly condition and free from any accumulation of useless property or rubbish thereon.
- (k) To cleanse and keep cleansed all drains and water pipes on the demised premises and satisfy all requisitions of the Local and Health Authorities and of any Gas or Electric Supply Authority having jurisdiction with regard to the demised premises.
- (l) To give to the lessor and its caretaker (if any) for the time being prompt notice in writing of any accident to or defects in the water pipes, gas pipes, electric wiring, lights or fittings.
- (m) To indemnify and save harmless the lessor from all loss and damage occasioned by the negligent use, misuse or waste of the water supplied to the demised premises or by the negligent use or misuse of the water fittings or fixtures or of the gas or electric light or of the gas or electric light fittings or fixtures or of the closets or conveniences in or belonging to the demised premises or of which the lessees have the use and at all times to use the lessees' best endeavours to prevent any such negligent use or misuse or waste by any person whomsoever.
- (n) Not to affix, paint, exhibit or operate nor allow to be affixed, painted, exhibited or operated upon any portion of the demised premises any advertising sign, bill, placard, notice or poster without



the permission of the Town Clerk being first obtained in writing, and at the expiration or sooner determination of these presents to clean off and remove all signs, bills, placards, notices and posters which are then on the demised premises.

- (o) To destroy and keep down to the satisfaction of the lessor all noxious weeds and plants and undergrowth that may from time to time be growing on the demised premises.
- (p) Not to use any method of heating in or upon the demised premises other than by gas, steam or electrical energy or by any other method first approved of in writing by the lessor.
- (q) To permit and allow the lessor by its officers, servants, agents and workmen to enter the demised premises at all reasonable times to examine the same and to make such repairs, renewals and alterations as the lessor shall deem necessary for the safety, preservation or improvement of the same or to exercise any of the powers, rights or remedies conferred on the lessor by these presents without being liable to recoup the lessees for any inconvenience, loss or damage howsoever arising which may be suffered by them as a consequence thereof.
- (r) To indemnify the lessor against all losses, damages and expenses which it may sustain, expend or be put to by reason or on account of any neglect, misconduct or misperformance on the part of the lessees of any of the covenants, agreements, conditions, provisoes and reservations herein contained and on their part to be observed and performed, or by reason or on account of any act

default or neglect of any member servant agent licensee or invitee of the lessees or the said KENMORE BOWLS CLUB INCORPORATED.

- (s) Not to conduct or cause nor permit nor suffer to be conducted on the demised premises any betting or games of chance and the lessees shall use their best endeavours to prevent any person from betting or taking part in any games of chance on the demised premises while they are under the control of the lessees in accordance with the provisions of this agreement.
- (t) To conduct the demised premises and any games and practices and training therefor and activities or proceedings carried on upon the same in an orderly and inoffensive manner and from time to time as and when required by the lessor to make rules and regulations for the protection, control and management of the demised premises and for the exclusion of persons of dissolute, disreputable or otherwise undesirable character therefrom as the lessor may consider necessary and proper and at all times to give the officers of the lessor assistance in carrying out any of the lessor's Ordinances, bylaws or regulations at any time and from time to time applicable to the demised premises.
- (u) Not to do or permit or suffer to be done within on or about the demised premises anything whereby the policy or policies of insurance of the demised premises or any part thereof for the time being subsisting may become void or voidable or whereby the rate of premium thereon may be increased and without prejudice to any other rights or remedies

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of the lessor to pay to the lessor all sums paid by way of increased premium and all expenses incurred by it in or about any renewal or continuance of such policy or policies rendered necessary by a breach of this stipulation.

- (v) Not on any Good Friday or Christmas Day or prior to 1.30 p.m. on any Anzac Day to use or permit or suffer any person to use any part of the demised premises for the playing of football, cricket, baseball, softball, tennis, bowls, croquet or any other game, sport or amusement or for training or practising for any such games, sports or amusements.
- (w) Not to quarry nor mine upon the demised premises and not to remove nor permit nor suffer any sand, stone, soil or mineral to be removed therefrom or any part thereof except in so far as may be necessary for the making of any improvements thereon or the erection of any buildings or structures on the demised premises which shall have been approved by the lessor.
- (x) Neither the lessees nor any person deriving title from or under the lessees shall keep, store, supply nor sell nor permit nor suffer any intoxicating liquor to be kept, stored, consumed, supplied or sold upon the demised premises or any part thereof except with the authority of and in accordance with a current licence issued under the Liquor Act 1912 as amended.
- (y) To punctually pay or as the case may be upon demand to reimburse the lessor for the payment of all fees due and payable or assessed or paid as the case may be for the registration of the lessor

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as owner of licensed premises under Section 20A of the Liquor Act 1912 as amended and all other fees due and payable or assessed.

- (z) Neither the lessees nor any person deriving title from or under the lessees shall apply for any licence under the said Act or any alteration of the licensed premises from time to time described in any such licence without first producing to the lessor and obtaining the approval of the lessor to any proposed application for any such licence or alterations of the licensed premises.
- (aa) If the lessees are or any person deriving title from or under the lessees is granted a licence under the Liquor Act 1912 as amended to keep, store, supply or sell intoxicating liquor upon the demised premises or any part or parts thereof, the lessees shall pay to the lessor such additional rental as the lessor may from time to time determine by resolution PROVIDED HOWEVER that in determining such additional rental the lessor shall use a similar formula as it shall use in determining the additional rental in similar circumstances in other leases of a similar nature.
- (ab) If the lessees are granted a licence under the Liquor Act 1912 as amended to keep, store, supply or sell intoxicating liquor upon the demised premises or any part or parts thereof the lessees will during the currency of such licence and the continuance of this lease or any extension or renewal thereof produce to the lessor within seven (7) days after the issue thereof the assessment of annual fees from time to time issued by the Licensing Commission of the State of Queensland in

respect of the licence attaching to the said premises and the lessees HEREBY AUTHORISE the lessor or its nominee or nominees from time to time to inspect and take particulars from or copies of any return or returns of liquor purchases lodged by the lessees and/or the holder for the time being of the said licence with the said Licensing Commission and from time to time to inspect at the office of the said Licensing Commission copies of all assessments and/or to obtain from the said Licensing Commission copies of such assessments and/or particulars thereof and doth hereby acknowledge and declare that the production to the said Licensing Commission and/or any other authority or person of these presents shall be a good and sufficient authority to the said Commission and/or any other authority or person respectively to allow the lessor or its nominee or nominees as aforesaid from time to time to inspect such return or returns and take such particulars or copies as aforesaid and to inspect and obtain copies of such assessment or particulars thereof and the lessees hereby further covenant and agree with the lessor that the lessees and the holder for the time being of the said Licence will when required so to do sign and execute in favour of and hand to the lessor or its nominee or nominees such further or other authorities or orders to the Licensing Commission and/or other authority or person as it may from time to time require or as may be necessary to give effect to the provisions hereof and the lessees hereby further covenant with the lessor that they will

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not during the continuance of this lease or any extension or renewal thereof assign, transfer, demise, sublet or part with the possession of the demised premises (or any part thereof) or share with any person, body, firm or corporation the occupation of the whole or any part thereof or by any act or deed procure or attempt to procure the demised premises (or any part thereof) to be assigned, transferred, demised to or sublet unto or put into the possession of or to share the possession with any person, body, firm or corporation without first having such person, body, firm or corporation execute a covenant with and authority to the lessor in form similar to those contained herein in this subclause (ab).

(ac) From time to time to provide at their own cost sanitary accommodation to the satisfaction of the lessor's Chief Health Surveyor, Department of Recreation and Health. The term "sanitary accommodation" shall be deemed to include additional sanitary accommodation and, if the demised land is or becomes during the term part of a sewerage area, sanitary sewerage accommodation. The lessees will at all times keep the said sanitary accommodation in good repair and cleanly condition to complete satisfaction of the said Chief Health Surveyor and will from time to time at their own cost make such alterations thereto as he shall require.

(ad) Subject to subclause (o) of this Clause 5 not without the written consent of the Manager, Parks Branch, Department of Recreation and Health of the lessor first had and obtained to destroy, cut

down, lop, prune, deface, mutilate or damage or suffer to be destroyed, cut down, lopped, pruned, defaced, mutilated or damaged any tree or shrub which may now or at any time hereafter be growing upon the demised premises.

(ae) To provide and set aside such area and part of the demised premises as the lessor shall determine for the parking of motor vehicles and the lessees shall at its own cost and expense seal the said area with a bituminous or asphaltic concrete surface in accordance with the requirements of and to the satisfaction of the lessor.

(af) To pay all costs and expenses of and incidental to the preparation, completion and stamping of this Agreement including the stamp duty thereon and on all counterparts thereof.

6. The lessor hereby agrees with the lessees that the lessees paying the rent and observing the covenants, agreements, conditions, restrictions, provisos and reservations on their part herein contained and on their part to be performed or adhered to shall during the tenancy quietly enjoy the demised premises without any interruption by the lessor or any person lawfully claiming under or in trust for it.

7. It is hereby mutually agreed by and between the parties hereto as follows:

(a) The demised premises shall during the term hereby granted be subject to the ordinances, bylaws and regulations of the lessor for the time being in force and applicable thereto and the lessees will during the said term at their own cost and expense conform with the provisions of all statutes, ordinances, bylaws, regulations and rules in force in the City of Brisbane, or relating to the demised

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premises or any part thereof and will forthwith and from time to time comply with and satisfy all notices orders requisitions and requirements of all duly constituted Local, Health, Gas or Electric Supply Authorities and other Authorities, including the lessor, the Licensing Commission and any licensing inspector (whether addressed or directed to or served upon or required of the lessor or lessees or both of them) received during the said term with respect to the demised premises or any part thereof and the officers and servants of the lessor shall at all reasonable times have full access to the demised premises in connection with their official duties.

- (b) Any demand, notice or document required or found necessary to be made, given or served to or on the lessees under these presents shall be sufficiently made, given or served if addressed to the Secretary for the time being of the KENMORE BOWLS CLUB INCORPORATED and forwarded through post by prepaid registered letter to the Secretary's last known place of abode or business. Such notice, demand or document shall be deemed to have been received at the time when in due course of post it should have been delivered at the address to which it is directed whether it is actually received or not.
- (c) Notwithstanding anything herein contained the tenancy hereby created shall be deemed to have commenced on the First day of November, 1987 and the lessees shall on the execution of this lease pay to the lessor such sum which together with any amount or amounts theretofore paid by the lessees to the lessor by way of rental or pursuant to

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Clause 2 hereof since the First day of November, 1987 shall be equal to the rental at the rate aforesaid and the amounts payable under Clause 2 hereof.

- (d) The lessees will, during the said term, at their own cost, insure and keep insured with an insurance office approved by the lessor in the name of the lessor to their full insurable value against loss or damage by fire, flood, lightning, storm, tempest and other insurable risk all buildings, structures and other improvements now or at any time hereafter erected or constructed on the demised land capable of being so insured and will submit to the lessor at least once in every twelve months during the term hereby granted without demand a certificate by the insurer that such insurance policy is current and the lessor will in the event of damage to or destruction of the said buildings, structures and other improvements or any part thereof by fire, flood, lightning, storm, tempest or other insurable risk expend the moneys received by it under such insurance in making good such damage or destruction but the lessor shall not be obliged to expend more than the amount received by it in respect of such insurance.
- (e) The provisions of Sections 105 and 107 of the Property Law Act 1974 as amended shall not apply to this lease.
- (f) Notwithstanding the provisions of "The Dividing Fences Act of 1953" and any Act amending or in addition to the same or in substitution therefor, the lessor shall not be responsible to erect or repair any fences on the boundaries of the demised

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land nor to join in or contribute to the erection or repair of any fences on the said boundaries.

- (g) All buildings fences structures fixtures fittings pathways drains water pipes installations and other improvements and things now or hereafter during the term hereby granted erected on or made or affixed to the said land (whether by the lessor or the lessees or partly by the lessor and partly by the lessees) shall form and become part of the demised premises and be subject to the covenants agreements conditions restrictions provisoes and reservations set forth in this lease and shall be and remain the absolute property of the lessor without payment or compensation therefor to the lessees.

8. In consideration of the lease agreed to be hereby granted the lessees do hereby irrevocably make nominate constitute and appoint and in their place and stead put and depute the lessor and the Lord Mayor and the Town Clerk for the time being of the lessor the true and lawful attorney and attorneys of them the lessees at the expense in all things of them the lessees and as their act and deed to make, do, sign, seal, execute and deliver all and every instrument or instruments, deed or deeds as the lessor or the said attorney or attorneys may in the absolute discretion of it them or either of them see fit for further assuring to the lessor the powers rights and privileges hereinbefore conferred or expressed or intended so to be AND ALSO to execute and procure the registration of a Surrender of any lease or any assignment thereof without any payment of compensation to the lessees and from time to time to appoint a substitute or substitutes and such appointment at pleasure

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to revoke and another or others to appoint AND GENERALLY to do, execute and perform all acts, matters and things whatsoever relating to the premises as fully and effectually to all intents and purposes as the lessees could do if the powers herein contained had not been conferred by the lessees they the lessees hereby ratifying and confirming and covenanting to ratify and confirm all and whatsoever the lessor and the said attorney and attorneys and its and their substitute or substitutes shall lawfully do or cause to be done in or about the premises AND ALSO agreeing not to revoke the powers hereby conferred or any of them at any time during the continuance of this Agreement and every lease made in pursuance of this agreement PROVIDED ALWAYS AND IT IS HEREBY AGREED AND DECLARED that the powers conferred by this clause shall not be exercised by the said attorney or attorneys unless default shall have been made in the observance, performance or fulfilment of some one or more of the covenants, agreements, conditions, restrictions, provisos and reservations herein contained or in any lease made in pursuance hereof contained or implied and on the part of the lessees to be observed, performed or fulfilled. Sufficient proof of such default shall for all purposes whether incidental to registration or otherwise be the statutory declaration of any authorised person acting on behalf of the lessor.

9. If the rent hereby made payable or any part thereof shall remain unpaid for one calendar month after any of the days on which the same ought to have been paid whether formally or legally demanded or not, or if all or any part of the moneys payable under Clause 2 hereof shall remain unpaid for a period of Thirty (30) days after demand therefor by the lessor, or if the lessees shall make default in the observance, performance or fulfilment of any of the

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other covenants, agreements, conditions, restrictions or provisos whether positive or negative and whether expressed or implied herein and on the part of the lessees to be observed and performed and if after notice in writing of such default shall have been given by the lessor to the lessees, the lessees shall fail to remedy such default within the period of time prescribed by such notice, or if the KENMORE BOWLS CLUB INCORPORATED be wound up by resolution of its members or shall cease to exist OR if the lessees being individuals in whom for the time this lease is vested in their own rights and not as trustees, shall become bankrupt or assign their estates for the benefit of their creditors or make any compositions with their creditors or bring their estates within the operation of any bankruptcy law for the time being in force in the State of Queensland or elsewhere OR if the lessees being a Company shall be wound up or shall pass a resolution for winding up or if a petition for winding up shall be presented against the Company or if a meeting shall be called for the purpose of considering a resolution for winding up OR if the interest of the lessees in the demised premises shall be taken in execution and sold or attempted to be sold thereunder, then and in any of the said cases it shall be lawful for the lessor (without prejudice to any other rights or remedies against the lessees) by itself or its officers at any time thereafter and notwithstanding the waiver of any previous breach or breaches of the said covenants, agreements, conditions, restrictions, provisos or reservations to re-enter (by force if necessary) into and upon the demised premises or any part thereof in the name of the whole whereupon this agreement shall be ipso facto determined and the demised premises shall be repossessed and enjoyed by the lessor as

Release

of its former estate anything herein contained to the contrary notwithstanding but without prejudice to the rights or remedies of the lessor against the lessees in respect of any breach of the lessees' covenants, agreements, conditions, restrictions or provisoes herein contained which shall have accrued up to the date of such determination or which may accrue by reason of such determination.

10. In the event of the lessees failing to observe, perform, fulfil or keep any of the covenants, agreements, conditions, restrictions or provisoes on their part herein contained and of which the lessees shall have been given notice in accordance with Clause 9 hereof the lessor may at its option and without prejudice to any other rights, remedies and powers which it may have, perform or cause to be performed such covenants, agreements, conditions, restrictions or provisoes and all costs, charges and expenses of so doing shall be recoverable by the lessor from the lessees and be payable by the lessees to the lessor upon demand.

11. It is expressly agreed by the parties hereto that if at any time the Order in Council by which the demised land or the land of which the demised land forms part was reserved and set apart is rescinded by the Governor in Council or varied by the Governor in Council so as to reduce the area of the demised land, or if the demised land or the land of which the demised land forms part, having been granted in trust under the Land Act 1962 as amended, reverts to the Crown under Section 353 of the said Act, as the case may be, this lease shall immediately cease and determine without any further notice on the part of the lessor and without the lessees being entitled to any compensation from the lessor in respect of such determination but the lessees shall be entitled to receive a refund of the proportionate part of the said rent and the moneys payable under Clause 2

Release

hereof paid in advance calculated from the date of such determination.

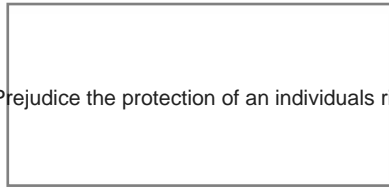
12. Notwithstanding anything herein contained these presents are entered into subject to the approval of the Minister for Lands, Forestry, Mapping and Surveying being obtained under Section 343 of the Land Act 1962-1986 as amended and these presents shall be null and void in the event of such approval being withheld.

13. In the interpretation of these presents unless there be something in the subject matter or context inconsistent therewith:

- (a) Words importing only the singular number include the plural number and vice versa;
- (b) Words importing the masculine gender include the feminine gender and neuter gender and words importing only the neuter gender include the masculine gender and feminine gender;
- (c) Words importing only persons include corporations and/or associations and/or bodies and vice versa in each respective case;
- (d) That reference to Acts and Statutes shall include Acts and Statutes amending or consolidating or in addition to or in substitution for the Acts and Statutes referred to and all regulations, rules, resolutions, orders, bylaws and ordinances issued thereunder;
- (e) That reference to Council officers shall include the officer for the time being appointed to that position and/or charged with the administration of the laws and ordinances relating to the particular work in respect of which the reference is made.

Release

sch4p3( 3) Prejudice the protection of an individuals right to privacy



RTI DL RELEASE - DNRM



DATED 7th day of December 1987.

BRISBANE CITY COUNCIL

Lessor

AND:

KENMORE BOWLS CLUB INCORPORATED

Lessee

MEMORANDUM OF AGREEMENT

RTI DL RELEASE - DIRM

**ORIGINAL**

*On 10/12/87*

*22nd*

*January*

*8.15*

*88*

*LR1394p*

P.P. O'Brien,  
City Solicitor,  
Brisbane Administration Centre,  
69 Ann Street,  
BRISBANE.

Release

M.F.M. (0)364/48/2-ED740/P75



REPORT ON RESERVE OR LAND GRANTED IN TRUST

DISTRICT: Brisbane DISTRICT LAND OFFICE: Brisbane  
 DATE: 27/6/80 19       
 DESCRIPTION: R. 2126 Portion 7V Parish Moggill  
 DEED OF GRANT NO.      Volume      Folio       
 AREA: 2.023 ha Purpose: Park and Recreation  
 DATE OF INSPECTION: 23/6/80 19      MAP: 9442-114

GAZETTED TRUSTEES	ADDRESS	IF THE CASE REQUIRES, STATE IF DECEASED OR LEFT DISTRICT
Brisbane City Council	<u>DEPT. OF LANDS</u> <u>X</u>	<u>X</u>
	<u>32949 -8JUL80</u>	
	<u>BRISBANE</u>	
	<u>18/07/80</u>	
	<u>BRISBANE</u>	
		<u>20 JUL 1980</u>

Name of Person Managing Affairs of Trust, and Address

Are all trustees actively involved in the affairs and management of the trust? If not give details.  
 Yes

Do the trustees maintain proper records and books of account? If not particularise inadequacies.  
 Yes

Use being made of Reserve:  
 Not being used for any purpose. The land has not as yet been developed and is still in its natural state.

Is the area Reserved or granted in excess of the requirements of the Trust? If so give details.  
 No

Is any amendment of the purpose of reservation recommended?  
 No

Are the charges being levied for use of the Reserve or improvements thereon in accordance with approved By-Laws? (If not, give details)

Is any part of the Reserve being used for grazing or other purposes? If so by whom and state whether in terms of a lease issued by the Crown or the trustees. (Indicate on Sketch)

Not used for grazing. Notwithstanding the protection of an individual's right to privacy  
*Awary 12-11-87* *Fated Awary 11.7.80* *Awary 15/1/88*  
 X

RTI/DL RELEASE - DNRM

Improvement.  
Nil

Fencing:  
Not enclosed. None of the boundaries are fenced.

Country:  
Elevated easy sloping open forest of gum, narrowleaf ironbark, and wattle.

Has the land any potential for higher or better use, future subdivision etc?  
(Give details)  
Suitable for subdivision into residential sites.

Zoning of adjacent lands and Development trends:  
Future Urban. Situated within a developing residential area.

Public Utilities: (Indicate on sketch)  
Nil

Roads, Tracks, gates, grids: (Indicate on sketch)  
Bitumen road access.

Noxious Plants:  
Nil

General Remarks:  
Situated adjacent to a closely populated residential area this reserve will be required for its gazetted purpose.

No monument has been erected indicating that the land was formerly a Cemetery Reserve as suggested in previous dealings with the area.

*Circular memo N° 270 refers.  
Recommend no action.*

sch4p3(3) Prejudice the protection of an individuals right to privacy

ASSISTANT LAND COMMISSIONER  
3 JUL 1981



Signature. G.T.K. OGG  
Assistant Land Commissioner

X

N/F

7v

R. 2126

Park & Recn. Res

N/F

N/F

PULLENVALE ROAD (Bitumen)

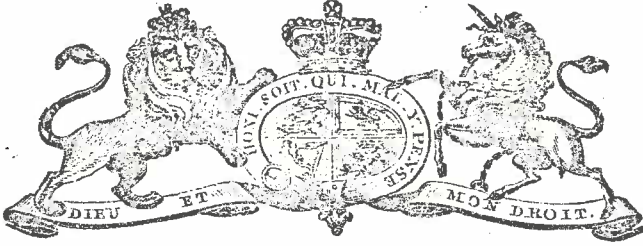
Parish of Moggill

Scale 2 chas. to an inch.

RTI/DL RELEASE - DNRM

X

Res 12217



# Queensland Government Gazette

PUBLISHED BY AUTHORITY.

[Registered at the General Post Office, Brisbane, for Transmission by Post as a Newspaper.]

VOL. CXXXV.]

THURSDAY, 31ST JULY, 1930.

[No. 27.]

### ORDER IN COUNCIL.

At the Executive Buildings, Brisbane, the fifth day of June, 1930.

Present:

His Excellency the Governor in Council.

WHEREAS by "The City of Brisbane Act of 1924" it is amongst other things enacted that on and after a date to be fixed by the Governor in Council by Order in Council every cemetery then established within the City under the "Cemetery Act 1865" shall be placed under the management and control of the Council, and upon the issue of such Order every such cemetery shall be deemed for all the purposes of this Act to have been established by the Council under this Act, and on the same date fixed by the said Order all the trustees of each such cemetery shall retire from office, and such body of trustees shall be dissolved, and shall cease to exercise or perform any of the powers, duties, and authorities which they were authorized or entrusted to exercise or perform under the "Cemetery Act 1865," and the Governor in Council shall, by the same Order in Council by which the aforesaid trusts are abolished, declare, adjust, and determine—

(a) The enactments of the aforesaid Act which shall apply to and be in force within the City and shall be observed and administered by the Council until the Council has made ordinances in that behalf: Provided that such modifications, whether by alteration or enlargement, of any such enactments may be made by such Order as to the Governor in Council seems expedient in order to meet the circumstances, and such enactments as so modified shall apply to and be in force within the City, and be observed and administered by the Council until the Council has made ordinances in that behalf.

(b) Any rights, claims, matters, questions, and disputes which are necessary or proper to be declared, adjusted, and determined, whether as between the trustees concerned or as between them or any of them and any Local Authority or local governing body, or whether as between them or any of them and the Treasurer or any State Department.

Now, therefore, I, Sir THOMAS HERBERT JOHN CHAPMAN GOODWIN, the Governor aforesaid, by and with the advice of the Executive Council, do hereby order and declare that the First day of August, 1930, shall be and is hereby fixed as the date on which the bodies of trustees of the cemeteries mentioned and described in the First Schedule hereto shall be dissolved: And I do further order and declare that the enactments of the "Cemetery Act 1865" set out in the Second Schedule hereto, with the modifications therein appearing, and all Rules and Regulations made under the said Act and in force immediately prior to the date of this Order in Council, with all necessary alterations, and so far as the same are applicable, shall apply to and be in force within the City and shall be observed and administered by the Council until the Council has made ordinances in that behalf.

And the Honourable the Home Secretary is to give the necessary directions herein accordingly.

G. W. WATSON, Clerk of the Council.

### FIRST SCHEDULE.

County of Stanley, parish of Nundah.

(Bald Hills and Sandgate Cemetery.)

Area, 12 acres 2 roods 39.9 perches.

Commencing at the south-east corner of portion 2v, and bounded thence on the east and south by roads bearing 180 degrees 13 minutes 30 seconds six chains eleven links and 270 degrees 18 minutes twenty-one chains four and seven-tenths links, on the west by portion 100 bearing 3 minutes 30 seconds six chains; and on the north by a road and portion 2v bearing east twenty-one chains six and four-tenths links to the point of commencement;—being portion 1v as shown on plan deposited in the Survey Office.—Cat. No. S. 31-2967.

County of Stanley, parish of Enoggera.

(Brisbane General Cemetery.)

Area, 115 acres 2 roods 7 perches.

Commencing at the north-east corner of portion 872, and bounded thence on the west by that portion and Richer street bearing 179 degrees 50 minutes thirteen chains ninety and seven-tenths links, on the north by a line and portion 871 bearing 169 degrees 35 minutes thirteen chains thirty-six and four-tenths links, on the south-west by Mount Coot-tha road bearing 179 degrees 35 minutes twenty-eight and six-tenths links, 166 degrees 50 minutes thirty-four links, 109 degrees 55 minutes seven chains sixty-eight and nine-tenths links, 174 degrees 8 minutes four chains forty-seven links, 109 degrees 22 minutes five chains thirty and one-tenth links, 120 degrees 34 minutes four chains eighty-nine and four-tenths links, 144 degrees 26 minutes four chains forty-two and three-tenths links, 146 degrees 12 minutes four chains forty and four-tenths links, 121 degrees 1 minute three chains forty-nine links, 107 degrees 10 minutes four chains eighty-nine and seven-tenths links, and 88 degrees 59 minutes two chains thirty and eight-tenths links, on the west by a line and Dean street bearing 172 degrees 28 minutes nine chains sixty-nine and six-tenths links and 180 degrees 28 minutes seven chains, on the south by Wool street bearing 90 degrees 25 minutes eight chains forty-seven and three-quarters links, on the east by Miskin and Frederic streets bearing 28 minutes eighteen chains twenty-three links and 5 minutes thirty-nine chains three and a-half links, and again on the north by Birdwood terrace bearing 222 degrees 45 minutes eighty-nine and four-tenths links, 264 degrees 50 minutes four chains ninety and eight-tenths links, 283 degrees 54 minutes five chains one and four-tenths links, 255 degrees 38 minutes three chains sixty-nine and four-tenths links, 195 degrees 55 minutes six chains eighty and six-tenths links, 217 degrees 35 minutes seventy-four and three-tenths links, 239 degrees 16 minutes four chains sixty-six and six-tenths links, 275 degrees 45 minutes four chains sixty-two and two-tenths links, 272 degrees 5 minutes three chains ninety-five and two-tenths links; and 203 degrees 54 minutes three chains ninety-six and six-tenths links to the point of commencement;—exclusive of all roads within these boundaries, and being subdivisions 2 and 5 and resubdivisions 1B and 2 of subdivision 3 of portion 54, as shown on plan deposited in the Survey Office.—Cat. No. 81, 1146.

20 JUN 1980  
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County of Stanley, parish of Indooroopilly.  
(Brookfield Cemetery.)

Area, 10 acres 3 roods.

Commencing at the south-east corner of portion 239A, and bounded thence on the north by that portion bearing west fifteen chains fifty-six links to a creek, on the north-west by that creek south-westerly to Gold Creek road, on the south-west and south by Gold Creek and Brookfield roads bearing 152 degrees one chain eighty-six links, 161 degrees forty-two links, and east eighteen chains forty-one links; and on the east by a road bearing north seven chains sixteen links to the point of commencement;—being portion 61A as shown on plan deposited in the Survey Office.—Cat. No. N. 25-26.

County of Stanley, parish of Enoggera.  
(Cedar Creek Cemetery.)

Area, 5 acres.

Commencing at the south-east corner of portion 495, and bounded thence on the north by that portion bearing west eleven chains one and a-half links, on the west by Cemetery road bearing south four chains fifty-four links, on the south by portion 504 bearing east eleven chains one and a-half links; and on the east by a road bearing north four chains fifty-four links to the point of commencement;—being portion 3v, as shown on plan deposited in the Survey Office.—Cat. No. C. 8-240.

County of Stanley, parish of Kedron.  
(Lutwyche Cemetery.)

Area, 25 acres 1 rood 12 perches.

Commencing on the north-east corner of portion 118, and bounded thence on the south by that portion and portion 102 bearing west twenty-four chains eighty links, and on the west, north, and east by Turner, Kitchener, and Gympie roads bearing north ten chains sixty links, east twenty-three chains forty-five links, 177 degrees five chains sixty-one links; and 167 degrees five chains fifteen links to the point of commencement;—being portions 103, 119, and 120 as shown on plan deposited in the Survey Office.—Cat. No. S. 31-45A.

County of Stanley, parish of Moggill.  
(Moggill (Old) Cemetery.)

Area, 5 acres.

Commencing at a point bearing east and distant fourteen chains seventy-six links from the south-west corner of portion 216, and bounded thence on the west, north, and east by that portion bearing north five chains, east ten chains, and south five chains; and on the south by Pullenvale road bearing west ten chains to the point of commencement;—being portion 7v as shown on plan deposited in the Survey Office.—Cat. No. C. 8-264.

County of Stanley, parish of Moggill.  
(Moggill Cemetery.)

Area, 12 acres 3 roods 12 perches.

Commencing at the south-west corner of subdivision 1 of portion 7, and bounded thence on the north by that subdivision bearing east eighteen chains thirty-one and two-tenths links, on the south-east and south by subdivision 3 of portion 7 and subdivision 1 of portion 8 bearing 206 degrees 30 minutes eight chains seventy-five and nine-tenths links and west fourteen chains forty-one and a-half links; and on the west by a road bearing north seven chains eighty-three and four-tenths links to the point of commencement;—being subdivision 2 of portions 7 and 8 as shown on plan deposited in the Survey Office.—Cat. No. S. 745.

County of Stanley, parish of Yeerongpilly.  
(Mount Gravatt Cemetery.)

Area, 702 acres 1 rood 38 perches.

Commencing at the south-west corner of portion 384, and bounded thence on the north by portions 384, 390, and 388 bearing east ninety-five chains sixty links, 112 degrees 30 minutes eleven chains ninety-five links, and east thirty-seven chains ten links, on the east and south by Mains, Kessells, and Troughton roads and Middle street bearing 181 degrees 30 minutes fifty-four chains fifty links, 270 degrees 45 minutes thirty-four chains thirteen links, 315 degrees 15 minutes one chain thirty-nine links, 270 degrees 57 minutes three chains ninety-five links, 225 degrees 20 minutes one chain forty links, 270 degrees 45 minutes thirty-six chains twenty-eight and a-quarter links, south thirteen chains fifty-three links, and west forty-nine chains two and four-tenths links, and on the west by Orange Grove road, subdivisions 3 and 2 of section 3 of portion 378, Kessells road, a line, portion 387, and Orange Grove road bearing north five chains forty-five links, east ten chains, north seven chains, 90 degrees 45 minutes twenty-two chains thirty-four links, north twenty-five chains thirty-one links, west thirty-two chains, 1 degree 45 minutes nine chains eighty-five links, and 322 degrees twenty-nine chains forty-six links to the point of commencement;—exclusive of, the part of Kessells road within these boundaries, and being portion 392 and subdivision A of portion 378 as shown on plans deposited in the Survey Office.—Cat. Nos. S. 31-158 and S. 31-860.

County of Stanley, parish of Toombul.  
(Nundah Cemetery.)

Area, 3 acres 3 roods 7 perches.

Commencing on Cemetery road at the south corner thereon of portion 136, and bounded thence on the south-west by that road bearing 129 degrees two chains ninety-five links, on the south by a creek and Kedron Brook, on the east by portion 136 bearing north one chain ninety-three links, and on the north-east and north-west by a lagoon to the point of commencement;—being portion 136A as shown on plan deposited in the Survey Office.—Cat. No. M. 31-82.

County of Stanley, parish of Moggill.  
(Pullen Vale Cemetery.)

Area, 10 acres.

Commencing at the south-east corner of portion 254, and bounded thence on the west by that portion bearing north six chains seventy links, on the north and east by portions 252 and 208 bearing east fifteen chains and south six chains seventy links, and on the south by portion 247 and a road bearing west fifteen chains to the point of commencement;—being portion 249 as shown on plan deposited in the Survey Office.—Cat. No. S. 31-920.

County of Stanley, parishes of South Brisbane and Yeerongpilly.  
(South Brisbane Cemetery.)

Area, 26 acres 2 roods 6 perches.

Commencing at the south-west corner of portion 217A parish of South Brisbane, and bounded thence on the north by that portion bearing 83 degrees 45 minutes twenty-three chains ninety-six links, on the north-east by Annerley road bearing 151 degrees 24 minutes four chains sixty-three links and 141 degrees five chains one link, on the south by Cornwall street and R.708 bearing west twenty-eight chains twenty-one links, north two chains, and west sixty-six links, and on the west by the Brisbane River northerly to the point of commencement;—being portions 217 and 220 parish of South Brisbane as shown on plans deposited in the Survey Office.—Cat. Nos. M. 31-122 and B. 3-402.

Also,—

Commencing on the Brisbane River on the south alignment of Cornwall street, and bounded thence on the north by that street bearing east twenty chains thirty links, on the east and south by Fairfield road and Princess street bearing south five chains and west sixteen chains eighty links, and on the south-west by the Brisbane River north-westerly to the point of commencement;—being subdivisions 1 to 20 of section 2 and subdivisions 1 to 7 of section 3 of portion 1 as shown on plan deposited in the Survey Office.—Cat. No. B. 3-382.

County of Stanley, parish of Tingalpa.  
(Tingalpa Cemetery.)

Area, 35 acres 2 roods 14.5 perches.

Commencing at the north-west corner of portion 149, and bounded thence on the east by that portion and portion 346 bearing 179 degrees 53 minutes thirty-four chains eighty-four links, on the south-east by Wynnum road bearing 220 degrees 39 minutes five chains eighty-eight and three-quarters links and 211 degrees six chains twenty-two links, on the south-west and west by a line, portion 41, a line, and Hemmant and Tingalpa road bearing 303 degrees three chains sixty-one links, north ten chains seventy-one links, 76 degrees 30 minutes one chain two links, and north thirty-one chains seventy links; and on the north by Fleming road bearing 89 degrees 53 minutes nine chains to the point of commencement;—exclusive of the part of Hemmant and Tingalpa road within these boundaries, and being portion 148 as shown on plan deposited in the Survey Office.—Cat. No. M. 33-621.

County of Stanley, parish of Oxley.  
(Woiston Cemetery.)

Area, 483 acres.

Commencing at the south-east corner of portion 1A, and bounded thence on the north by that portion, a line, and a road bearing 270 degrees 43 minutes forty-nine chains seventy-two links, 186 degrees 48 minutes one chain and four-tenths of a link, and 270 degrees 50 minutes fifteen chains eight and a-half links, on the west and south by R.593 and roads bearing 180 degrees 5 minutes seventy-two chains fifty-seven and four-tenths links, east sixty-two chains twenty-four and 2/3 chains links, 17 degrees 14 minutes eleven chains thirty and 1/2 chains links, and 107 degrees 40 minutes about 1/2 chains fifteen links, on the south-east by roads bearing 9 degrees 29 minutes ten chains fifteen and 1/2 chains links, 187 degrees 15 minutes eighty-four and six-tenths chains links, and 19 degrees 1 minutes 40 seconds ten chains nine and one-tenth links, and on the north-east and east by a road, a line, R.965, and a road bearing 281 degrees 10 minutes eighteen chains thirty-one and a-quarter links, 325 degrees three chains eight-one and a-half links, 334 degrees 41 minutes five chains twenty-one and a-quarter links, 306 degrees 12 minutes three chains seventy links, 299 degrees 25 minutes eleven chains eight links,

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degrees one chain and four-tenths of a link, 352 degrees 20 minutes five chains eighty and four-tenths links, 82 degrees 20 minutes ten chains thirty-two and three-tenths links, 352 degrees 20 minutes two chains forty-two and seven-tenths links, north six chains forty-two and a-half links, 16 degrees six chains ninety-one and four-tenths links, and 334 degrees four chains thirty-four and eight-tenths links to the point of commencement;—exclusive of portions 388, 389, and 391, and roads.

SECOND SCHEDULE.

Section 3 modified by the substitution of the word "Council" for the words "trustees so appointed and their successors to be appointed as hereinafter mentioned," and by the substitution of the words "the Council" for the word "them" in the third line.

Section 6 modified by the substitution of the word "Council" for the words "trustees of any such cemetery," and by the substitution of the word "Council" for the word "trustees" in the sixth line.

Section 7 modified by the substitution of the word "Council" for the words "trustees of any such cemetery," and by the substitution of the word "ordinances" for the words "rules and regulations."

Section 12 modified by the substitution of the word "Council" for the words "trustees of any such cemetery," and by the substitution of the word "ordinance" for the words "rule or regulation."

Section 13 modified by the substitution of the word "Council" for the words "trustees of the said cemetery."

Section 14 modified by the substitution of the word "Council" for the words "trustees of any such cemetery," and by the substitution of the word "Council" for the word "trustees" in the fifth line.

Section 15 modified by the substitution of the word "Council" for the words "trustees of every such cemetery," and by the substitution of the words "prescribe by ordinance" for the words "with the consent of the Governor in Council make and publish in the Government Gazette" in the first, second, and third lines.

Section 16 modified by the substitution of the word "prescribed" for the words "made and published," by the substitution of the word "Council" for the words "trustees of any such cemetery," by the substitution of the words "the Council" for the word "they" in the fourth line, and by the substitution of the words "the Council" for the word "them" in the fifth line.

Section 17 modified by the substitution of the word "Council" for the words "trustees of such cemetery," by the substitution of the words "and the Council" for the word "who" in the fourth line, and by the deletion of the words "their" and "to them" appearing in the fifth and sixth lines, respectively.

Section 18 modified by the substitution of the word "Council" for the words "trustees of any such cemetery."

Section 19.

Section 20 modified by the substitution of the word "Council" for the words "trustees of any such cemetery."

Section 21 modified by the substitution of the word "Council" for the word "trustees" wherever therein occurring, by the substitution of the words "the Council" for the words "them" and "they" in the fifth line, and the word "them" in the sixth line.

Section 22 modified by the addition of the words "or ordinances" after the word "cemetery" in the fourth line, and by the substitution of the word "Council" for the word "trustees."

Section 23 modified by the substitution of the word "Council" for the words "trustees of the said cemetery," by the substitution of the words "the Council" for the word "them" in the seventh line, and by the substitution of the word "Council" for the word "trustees."

Section 34 modified by the substitution of the word "Council" for the words "trustees of every cemetery."

Section 35 modified by the substitution of the word "Council" for the words "trustees of any cemetery."

Section 36 modified by the substitution of the word "Council" for the word "trustees," and by the substitution of the words "the Council" for the word "them" in the eighteenth line.

Section 37 modified by the substitution of the word "Council" for the word "trustees," and by the substitution of the words "the Council" for the word "them" in the sixteenth line.

Section 38 modified by the substitution of the words "an officer appointed by the Council" for the words "the Home Secretary for the time being," by the substitution of the word "Council" for the words "Governor in Council," by the substitution of the word "Council" for the word "trustees," and by the substitution of the words "the Council" for the word "them" in the twelfth line.

Section 39 modified by the deletion of the words "any trustee or for" and the word "trustee" in the fifth line, and by the substitution of the word "Council" for the word "trustees" in the second line.

Section 40 modified by the substitution of the word "Council" for the words "trustees of the cemetery," and by the deletion of the words "in respect whereof such penalty or forfeiture may have been imposed for the uses of such cemetery" in the third and fourth lines.

Section 41.

Printed and Published by ANTHONY JAMES CUMMING, Government Printer, Brisbane.

RTI DL RELEASE UNDER OIA

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Release

*Cem. 372*  
*12217*

**ORDER IN COUNCIL**

At the Executive Buildings, Brisbane, the twenty-third day of September, 1965

Present :

The Deputy Governor, for and on behalf of His Excellency the Governor, in Council

WHEREAS by the Orders in Council and Proclamations referred to in the Schedule hereto, the lands described therein were reserved for the purposes mentioned: And whereas it is expedient that the said Orders in Council and Proclamations should be amended: Now, therefore, the Deputy Governor, for and on behalf of His Excellency the Governor, acting by and with the advice of the Executive Council, and in pursuance and exercise of the authority vested in him by "The Land Acts, 1962 to 1965," doth order and it is hereby ordered that the said Orders in Council and Proclamations shall be and the same are hereby amended by the deletion therefrom of such parts as relate to the reservation of the land respectively mentioned in the said Schedule.

And the Honourable the Minister for Lands is to give the necessary directions herein accordingly.

R. B. McALLISTER, Clerk of the Council.

**THE SCHEDULE**

Land Agent's District	Parish	Purpose	Area	Date of Order in Council or Proclamation	Date of Gazette	Reference No.
Brisbane .. ..	Moggill .. ..	Reserve for Cemetery (R. 480)	A. R. P. 43 2 0	16 Dec., 1885	19 Dec., 1885	} Cem. 372
			5 0 0	11 Aug., 1898	27 Aug., 1898	
Gayndah .. ..	Gayndah, town of Gayndah	Reserve for School of Arts (R. 27)	0 2 16	5 Apr., 1944	8 Apr., 1944	Res. 11-219
Ipswich .. ..	Mutdapilly .. ..	Reserve for Quarry (R. 142)	80 1 0	18 Dec., 1891	19 Dec., 1891	Res. 91-89
Monto .. ..	Dalgangal .. ..	Reserve for Camping, Water and Road Purposes (R. 78)	About 10 0 0	7 Nov., 1940	9 Nov., 1940	Res. 222
Toowoomba .. ..	Helidon .. ..	Reserve for Show Ground, Helidon	14 3 5	7 Jan., 1902	11 Jan., 1902	Res. 02-107

Gov. Gaz., 25th September, 1965, page 357

RTI/DL RELEASED - DNR

1. Records

2. Inquiry

3. Reservas

sch4p3(3) Prejudicial disclosure of an individual's right to privacy

BRISBANE LAND AGENT'S DISTRICT

SUBJECT: Cancellation of Reserve for Cemetery  
R.480, Moggill.

*See with new  
Reserve*

8.7.65  
See approval to cancel the above Reserve ~~X~~

~~Order to Council prepared~~

14 SEP 1965

(16)

GAZETTE SLIPS DISTRIBUTED  
SLIPS AND PLANS TO LAND AGENT Brisbane

" to Brisbane C/C.

" to Val Jen.

sch4p3(3) Prejudice the protection of an individual's right to privacy

Minute Prepared  
17 SEP 1965

RTI/DL RELEASE - DNRM

X



Com. 372  
No 12217

RESERVES

4 NOV 1965

SECTION

21 OCT 1965

**ORDER IN COUNCIL**

At the Executive Buildings, Brisbane, the twenty-third day of September, 1965

Present:

The Deputy Governor, for and on behalf of His Excellency the Governor, in Council

WHEREAS by "The Land Acts, 1962 to 1965," it is amongst other things enacted that the Governor in Council may, by Order in Council, reserve and set apart any Crown land which, in the opinion of the Governor in Council, is or may be required for public purposes: And whereas by the said Acts it is further enacted that the Governor in Council may, by Order in Council, place any land so reserved under the control of trustees: And whereas in the opinion of the Governor in Council the land described in the Schedule hereto is required for public purposes: Now, therefore, the Deputy Governor, for and on behalf of His Excellency the Governor, acting by and with the advice of the Executive Council, and in pursuance and exercise of the authority vested in him by the said Acts, doth order and it is hereby ordered that the land described in the Schedule hereto shall be reserved and set apart for the purpose stated in each case respectively, and that the said land shall be placed under the control of the Local Authority or person as stated in each case respectively, as trustee.

And the Honourable the Minister for Lands is to give the necessary directions herein accordingly.

R. B. McALLISTER, Clerk of the Council.

**THE SCHEDULE**

**THE BRISBANE LAND AGENT'S DISTRICT**

RESERVE FOR PARK AND RECREATION, BILINGA (R. 942)  
(Under the control of the Council of the City of Gold Coast, as trustee)

County of Ward, parish of Tallebudgera  
Area, about 14 acres

Portion 205 as shown on plan Wd. 2967 deposited in the Survey Office.  
65-40600 S.G.

**RESERVE FOR PARK AND RECREATION (R. 2126)**

(Under the control of Brisbane City Council as trustee)

County of Stanley, parish of Moggill  
Area, 5 acres

Portion 7v as shown on plan C. 8.264 deposited in the Survey Office.  
65-40293 S.G.

Gov. Gaz., 25th September, 1965, page 358

**THE CAIRNS LAND AGENT'S DISTRICT**  
(Within the Mareeba Gold and Mineral Field)

RESERVES FOR DEPARTMENTAL AND OFFICIAL PURPOSES  
(Under the control of the Director-General of Primary Industries, as trustee)

County of Hodgkinson, parish of Masterton, town of Dimbulah

Area, 32 perches (R. 155)

Allotment 6 of section 16 as shown on plan D. 815.19 deposited in the Survey Office.  
65-40684 S.G.

Area, 31.6 perches (R. 156)

Allotment 10 of section 16 as shown on plan D. 815.19 deposited in the Survey Office.  
65-40685 S.G.

**THE CHARLEVILLE LAND AGENT'S DISTRICT**  
RESERVE FOR LOCAL GOVERNMENT (SWIMMING POOL) PURPOSES (R. 39)

(Under the control of the Council of the Shire of Quilpie, as trustee)

County of Nickavilla, parish of Woorbil, town of Quilpie  
Area, 2 roods

Allotments 5 and 6 of section 9 as shown on plan Q. 680.2 deposited in the Survey Office.  
65-40686 S.G.

**THE GAYNDAH LAND AGENT'S DISTRICT**

RESERVE FOR LOCAL GOVERNMENT (SENIOR CITIZENS' CLUB) PURPOSES (R. 235)

(Under the control of the Council of the Shire of Gayndah, as trustee)

County of Mackenzie, parish of Gayndah, town of Gayndah  
Area, 2 roods 16 perches

Allotment 1 of section 2 as shown on plan G. 13.48 deposited in the Survey Office.  
65-40599 S.G.

**THE MONTO LAND AGENT'S DISTRICT**

RESERVE FOR CAMPING AND WATER (R. 78)  
(Under the control of the Council of the Shire of Eidsvold, as trustee)

County of Yarrol, parish of Dalgangal  
Area, about 7 acres 3 roods

Portion 19 as shown on plan Yl. 810 deposited in the Survey Office.  
65-39577 S.G.

- 1. Records  28/10/65
- 2. Inquiry  3/11/65
- 3. Reserves  4/11/65

sch4p3(3) Prejudice the protection of an individuals right to privacy

X

**ORDER IN COUNCIL**

At the Executive Buildings, Brisbane, the twenty-third day of September, 1965

Present:

The Deputy Governor, for and on behalf of His Excellency the Governor, in Council

WHEREAS by "The Land Acts, 1962 to 1965," it is amongst other things enacted that the Governor in Council may, by Order in Council, reserve and set apart any Crown land which, in the opinion of the Governor in Council, is or may be required for public purposes: And whereas by the said Acts it is further enacted that the Governor in Council may, by Order in Council, place any land so reserved under the control of trustees: And whereas in the opinion of the Governor in Council the land described in the Schedule hereto is required for public purposes: Now, therefore, the Deputy Governor, for and on behalf of His Excellency the Governor, acting by and with the advice of the Executive Council, and in pursuance and exercise of the authority vested in him by the said Acts, doth order and it is hereby ordered that the land described in the Schedule hereto shall be reserved and set apart for the purpose stated in each case respectively, and that the said land shall be placed under the control of the Local Authority or person as stated in each case respectively, as trustee.

And the Honourable the Minister for Lands is to give the necessary directions herein accordingly.

R. B. McALLISTER, Clerk of the Council.

**THE SCHEDULE**

**THE BRISBANE LAND AGENT'S DISTRICT**

RESERVE FOR PARK AND RECREATION, BILINGA (R. 942)  
(Under the control of the Council of the City of Gold Coast, as trustee)

*County of Ward, parish of Tallebudgera*  
Area, about 14 acres

Portion 205 as shown on plan Wd. 2967 deposited in the Survey Office.  
65-40600 S.G.

RESERVE FOR PARK AND RECREATION (R. 2126)  
(Under the control of Brisbane City Council, as trustee)

*County of Stanley, parish of Moggill*  
Area, 5 acres

Portion 7v as shown on plan C. 8264 deposited in the Survey Office.  
65-40293 S.G.

Gov. Gaz., 25th September, 1965, page 358

**THE CAIRNS LAND AGENT'S DISTRICT**

(Within the Mareeba Gold and Mineral Field)

RESERVES FOR DEPARTMENTAL AND OFFICIAL PURPOSES  
(Under the control of the Director-General of Primary Industries, as trustee)

*County of Hodgkinson, parish of Masterton, town of Dimbulah*

Area, 32 perches (R. 155)

Allotment 6 of section 16 as shown on plan D. 815.19 deposited in the Survey Office.  
65-40684 S.G.

Area, 31.6 perches (R. 156)

Allotment 10 of section 16 as shown on plan D. 815.19 deposited in the Survey Office.  
65-40685 S.G.

**THE CHARLEVILLE LAND AGENT'S DISTRICT**

RESERVE FOR LOCAL GOVERNMENT (SWIMMING POOL) PURPOSES (R. 39)

(Under the control of the Council of the Shire of Quilpie, as trustee)

*County of Nickavilla, parish of Woorbil, town of Quilpie*  
Area, 2 roods

Allotments 5 and 6 of section 9 as shown on plan Q. 680.2 deposited in the Survey Office.  
65-40686 S.G.

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RESERVE FOR LOCAL GOVERNMENT (SENIOR CITIZENS' CLUB) PURPOSES (R. 235)

(Under the control of the Council of the Shire of Gayndah, as trustee)

*County of Mackenzie, parish of Gayndah, town of Gayndah*  
Area, 2 roods 16 perches

Allotment 1 of section 2 as shown on plan G. 13.48 deposited in the Survey Office.  
65-40599 S.G.

**THE MONTO LAND AGENT'S DISTRICT**

RESERVE FOR CAMPING AND WATER (R. 78)

(Under the control of the Council of the Shire of Eidsvold, as trustee)

*County of Yarrol, parish of Dalgangal*  
Area, about 7 acres 3 roods

Portion 19 as shown on plan Yl. 810 deposited in the Survey Office.  
65-39577 S.G.

X

**ORDER IN COUNCIL**

At the Executive Buildings, Brisbane, the twenty-third day of September, 1965

Present:

The Deputy Governor, for and on behalf of His Excellency the Governor, in Council

WHEREAS by "The Land Acts, 1962 to 1965," it is amongst other things enacted that the Governor in Council may, by Order in Council, reserve and set apart any Crown land which, in the opinion of the Governor in Council, is or may be required for public purposes: And whereas by the said Acts it is further enacted that the Governor in Council may, by Order in Council, place any land so reserved under the control of trustees: And whereas in the opinion of the Governor in Council the land described in the Schedule hereto is required for public purposes: Now, therefore, the Deputy Governor, for and on behalf of His Excellency the Governor, acting by and with the advice of the Executive Council, and in pursuance and exercise of the authority vested in him by the said Acts, doth order and it is hereby ordered that the land described in the Schedule hereto shall be reserved and set apart for the purpose stated in each case respectively, and that the said land shall be placed under the control of the Local Authority or person as stated in each case respectively, as trustee.

And the Honourable the Minister for Lands is to give the necessary directions herein accordingly.

R. R. McALLISTER, Clerk of the Council.

**THE SCHEDULE**

**THE BRISBANE LAND AGENT'S DISTRICT**

RESERVE FOR PARK AND RECREATION, BILINGA (R. 942)  
(Under the control of the Council of the City of Gold Coast, as trustee)

County of Ward, parish of Tallebudgera

Area, about 14 acres

Portion 205 as shown on plan Wd. 2967 deposited in the Survey Office.

65-40600 S.G.

RESERVE FOR PARK AND RECREATION (R. 2126)

(Under the control of Brisbane City Council, as trustee)

County of Stanley, parish of Moggill

Area, 5 acres

Portion 7v as shown on plan C. 8.264 deposited in the Survey Office.

65-40293 S.G.

Gov. Gaz., 25th September, 1965, page 358

**THE CAIRNS LAND AGENT'S DISTRICT**

(Within the Mareeba Gold and Mineral Field)

RESERVES FOR DEPARTMENTAL AND OFFICIAL PURPOSES  
(Under the control of the Director-General of Primary Industries, as trustee)

County of Hodgkinson, parish of Masterton, town of Dimbulah

Area, 32 perches (R. 155)

Allotment 6 of section 16 as shown on plan D. 815.19 deposited in the Survey Office.

65-40684 S.G.

Area, 31.6 perches (R. 156)

Allotment 10 of section 16 as shown on plan D. 815.19 deposited in the Survey Office.

65-40685 S.G.

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RESERVE FOR LOCAL GOVERNMENT (SWIMMING POOL)  
PURPOSES (R. 39)

(Under the control of the Council of the Shire of Quilpie, as trustee)

County of Nickavilla, parish of Woorbil, town of Quilpie

Area, 2 roods

Allotments 5 and 6 of section 9 as shown on plan Q. 680.2 deposited in the Survey Office.

65-40686 S.G.

**THE GAYNDAH LAND AGENT'S DISTRICT**

RESERVE FOR LOCAL GOVERNMENT (SENIOR CITIZENS' CLUB)  
PURPOSES (R. 235)

(Under the control of the Council of the Shire of Gayndah, as trustee)

County of Mackenzie, parish of Gayndah, town of Gayndah

Area, 2 roods 16 perches

Allotment 1 of section 2 as shown on plan G: 13.48 deposited in the Survey Office.

65-40599 S.G.

**THE MONTO LAND AGENT'S DISTRICT**

RESERVE FOR CAMPING AND WATER (R. 78)

(Under the control of the Council of the Shire of Eidsvold, as trustee)

County of Yarrol, parish of Dalgangal

Area, about 7 acres 3 roods

Portion 19 as shown on plan Y: 810 deposited in the Survey Office.

65-39577 S.G.

ben 372

Brisbane

LAND AGENT'S DISTRICT

SUBJECT:

Cancellation Cemetery Res R480 Moggill  
Reservation for Park + Recreation purposes

Vide direction 8. 7. 65

① of Records.

To registers

Minute Prepared

17 SEP 1965

② Openings Bch.

For cancellation of Cemetery Reserve

For Gazetted Park and Recreation Reserve

[Redacted]

7. 9. 65

1. CANCELLATION ACTION IS PROCEEDING ON EXTRACT.

2. NEW RESERVATION. Order in Council prepared

GAZETTE SLIPS DISTRIBUTED  
SLIPS AND PLANS TO LAND AGENT

Brisbane

" " Brisbane & C.

" to Val Gen

sch4p3(3) Prejudice the protection of an individual's right to privacy

( [Redacted] 1/10/65 )

X

6000 372

Re R480  
Various  
Papers  
No 12217

RESERVES

- 7 SEP 1965  
RESERVES

SECTION

SECTION

DEPT OF PUBLIC LANDS

36315 18 AUG 65

BRISBANE

BRISBANE CITY COUNCIL  
DEPARTMENT OF CITY ADMINISTRATION

TELEPHONE  
32 0201  
BOX 1434T, G.P.O.  
BRISBANE  
TELEGRAPHIC  
AND CABLE  
ADDRESS  
"CIVICUS"

NRB:JMI

IN REPLY PLEASE QUOTE:  
G.25769/65.

THE CITY HALL  
BRISBANE



ADDRESS ALL  
COMMUNICATIONS  
TO THE TOWN CLERK

20 AUG 1965

16th August, 1965.

The Secretary,  
Land Administration Commission,  
P.O. Box 168,  
North Quay,  
BRISBANE.

Dear Sir,

I acknowledge receipt of your letter dated 12th July, 1965, wherein you advised that it had been approved to seek Executive Authority for the cancellation of the Cemetery Reserve R.480 so that the area could be set aside for park and recreation purposes under the control of the Council as Trustee.

The Commission's co-operation in this matter is appreciated, and the suggestion regarding the erection of a monument or notice indicating that the area was formerly the Moggill Cemetery, has been noted.

Yours faithfully,

sch4p3(3) Prejudice the protection of an individuals right to privacy

(J.C. Slaughter)  
TOWN CLERK.

Under previous recommendation  
and approval 8.7.65.

B/C Dunwoody General  
for D & R for reservation  
for Park - Recreation purposes  
under control Bae City Council  
(after cancellation R cemetery)

D. AND D.  
25 AUG 1965  
546.

Usek. 2126 bounds of Stanley 1.9.65

D and  
HEREV

B.C. Lands

6.9.65 6.9.65

~~of Brisbane~~ Shire.

No 12217 43

The ~~Brisbane~~ Land Agents District

(Within the ~~Gold and Mineral Field~~)

Reserve for Park and Recreation (R. 2126)

(Under the control of Brisbane City Council, as trustee)

County of Stanley, Parish of Moggill, Town of

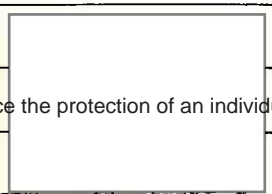
Area, 5 acres

Portion 7V

as shown on plan C. 8. 264

deposited in the Survey Office

D 65-40293 S.G.



to prejudice the protection of an individual's right to privacy

6.9.65

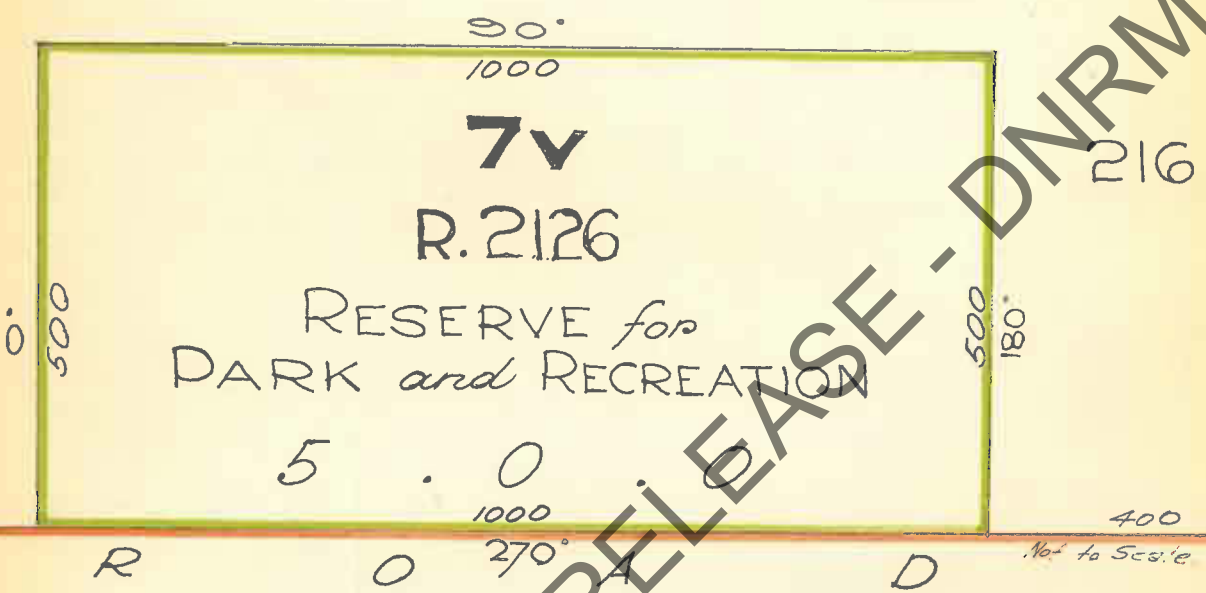
~~DEPT OF PUBLIC LANDS  
40 293  
AUG  
BRISBANE~~

RTI DE RELEASE - DNRM

X

Govt. Printer, Brisbane.

4



DEPT OF PUBLIC LANDS  
 40293 - 8 SEP 65  
 BRISBANE

Release

County of *STANLEY* Parish of *MOGGILL*  
 Shire of *CITY of BRISBANE* Land Agent's District of *BRISBANE*  
 Scale *2* Chains to an inch. Plan *C.8.264*

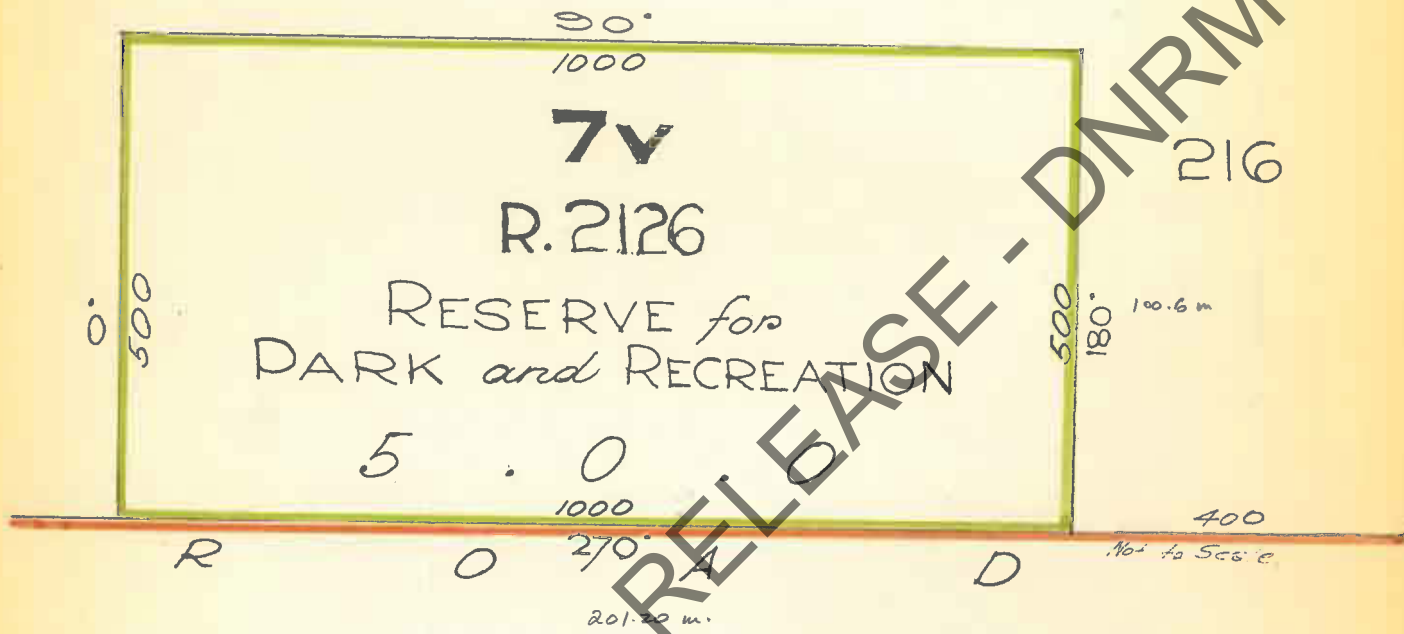
20 2520

65-546

KEEP WITH PAPERS.

x

RTI DL RELEASE - DNRM



County of *STANLEY* Parish of *MOGGILL*  
 Shire of *CITY of BRISBANE* Land Agent's District of *BRISBANE*  
 Scale *2* Chains to an inch Plan *C.8.264*

Release

2520

65.546

x



HK/CW.

12th July, 1965.

Dear Sir,

With reference to previous correspondence relative to Cemetery Reserve 2,480 Pullenvale, Moggill, known as the Old Moggill Cemetery, I have to inform you that further consideration has been extended to the question of the Old Moggill Cemetery and it has been approved to seek Executive Authority to cancel the reservation and thereafter to reserve and set apart the land for Park and Recreation purposes under the control of the Council as trustee.

In view of the previous use of the area, it is suggested that the Council might consider the erection of a suitable monument or notice in an appropriate position indicating that the area was formerly the Moggill Cemetery and that any inquiry in that regard might be directed to the Brisbane City Council. This is a matter for consideration of the Council.

In view of the former use of the land, any application by the Council as trustee to lease the area will be considered strictly in accordance with the provisions of the Land Acts, i.e. the proposed lease must not be inconsistent with the purpose for which the land is reserved.

I would further bring to the Council's notice a previous application by the Girl Guides Association for the use of the reserve as an overnight hiking and/or camping area - your reference G.27726/61 - and in this regard desire to say that a lease by the Council as trustee, to the Girl Guides Association would receive favourable consideration.

B/C: The Land Commissioner,  
BRISBANE.

For your information.

Yours faithfully,

sch4p3(3) Prejudice the protection of an individuals right to privacy

Secretary.

*[Handwritten signature]*

Secretary,  
12.7.65.

The Town Clerk,  
Brisbane City Council,  
BRISBANE.

X

8 MAR 1965

SECTION

Cem. 372

LAND AGENT'S DISTRICT.

SUBJECT:

Old Moggill Cemetery - Brisbane City Council

Recently, in connection with a proposal that a general Bill be introduced to deal with closed Cemeteries, Cabinet looked at the question of the old Moggill Cemetery.

The old Moggill Cemetery contains an area of 5 acres and is situated about 1 1/2 miles south-west of Kenmore Post Office - about 9 miles from the G.P.O. with access to within about 10 chains by the bitumen sealed Moggill Road. The area was reserved for Cemetery purposes during 1885 and placed under the control of private trustee.

For some time the Brisbane City Council has pressed for cancellation of the Reserve and the reservation of the area for park and recreation purposes under its control as trustee. The Girl Guides Association has also applied for a lease of the area for use for recreation and camping. An inquiry to purchase the area has also been received.

At no stage were the private trustees of the Cemetery ever appointed trustees under "The Cemetery Act of 1865" and therefore it is most doubtful whether the Cemetery Act ever had any application to the trust. Furthermore, by Section 50 (Subsection 1) of the City of Brisbane Acts, the Cemetery was placed under the management and control of the Brisbane City Council and even if the trust was ever subject to the Cemetery Acts it would have been removed from the provisions of those Acts in 1930 and brought under the City of Brisbane Acts by the provisions of the said Section. In the circumstances it would be quite competent for the Governor in Council to rescind the reservation for Cemetery purposes and to deal with the land as Crown land. The question to be decided is whether in view of the fact that the area is a closed Cemetery (and it appears that at least two if not 15 to 20 interments were made therein) the future use of the land should be limited to public purposes or freely used for residential, business, industrial or manufacturing purposes. The Brisbane City Council has advised that since 1930 no burials were made and its records indicate that interments were limited to two children buried over 65 years ago. The then Land Commissioner, Brisbane, reported during 1931 that he had been advised by the sole remaining trustee that 15 to 20 persons were buried in the area, the last burial being about 1916. At the present time there is no record of interments and no surface evidence of any grave.

In all the circumstances it appears that the Reserve should be cancelled and the area placed under the control of the Brisbane City Council as a park and recreation reserve. Reinterments are out of the question and in the circumstances legislation would not be required.

.../2

X

*(Commissioner agreeable with general principles)*

*Discussed with Commission.  
Await outcome under Groggi Act.*

*14.4.65*

*Dup*  
Prejudice the protection of an individual's right to privacy  
*2.3.65*

*2/4/65*

RESERVES

3 MAR 1965

LAND AGENCY DISTRICT.

SUBJECT:

2.

It is suggested that the Brisbane City Council be advised along the following lines:-

- (a) That further consideration has been extended to the question of the old Moggill Cemetery and it has been approved to seek Executive Authority to cancel the reservation and thereafter to reserve and set apart the land for Park and Recreation purposes under its control as trustee.
- (b) In view of previous use, the Council might consider the erection of a suitable monument or notice in an appropriate position indicating that the area was formerly the Moggill Cemetery and that any inquiry might be directed to the Brisbane City Council. This is a matter for the consideration of the Brisbane City Council.
- (c) In view of the former use of the land, any application by the Council as trustee to lease the area will be considered strictly in accordance with the provisions of the Land Acts, i.e. the proposed lease must not be inconsistent with the purpose for which the land is reserved.
- (d) The application by the Girl Guides Association should be brought to the attention of the Council and the Council advised that a lease by the Council as trustee to the Girl Guides Association would receive favourable consideration.

Applicants for the land to be suitably advised.

Secretary.  
26th February, 1965.

Chief Commissioner of Lands.

*It is intended to do this later on*

*Write Council accordingly*

*8.7.65*

ch4p3(3) Prejudice the protection of an individual's right to privacy

RTI DELETED

X

MSSE. JES

12 7 OCT 1964

San. 372

SECRET

HK/JWB

23rd July, 1964.

Dear Sir,

I desire to refer to Cemetery Reserve R.480, Fullersvale, Woggill, known as the Old Woggill Cemetery of which the Brisbane City Council is trustee and to correspondence from the Council regarding its desire to have the land set aside as a Reserve for Recreation and Park.

In this regard I would point out that "The Cemeteries Act of 1869" makes provision for the closing of a Cemetery i.e. closing it against further burials. However, no provision exists in that Act whereby a Cemetery Reserve may be cancelled.

I am instructed to inform you that consideration is not being given to the implementation of legislation on the basis of "The Paddington Cemeteries Act of 1911" in regard to disused cemeteries. If and when such legislation is enacted, your Council's application that the Old Woggill Cemetery be set aside as a Reserve for Park and Recreation will have consideration and attention.

Yours faithfully,

B/C The Land Commissioner,  
BRISBANE.

For your information.

sch4p3(3) Prejudice the protection of an individuals right to privacy

Secretary.

The Town Clerk,  
Brisbane City Council,  
BRISBANE.

RTI/DL RELEASE - DIRM

put 22.10.64

Also  
27 10.64

X

EXTRACT

20 JUL 1964

SECTION

CABINET DECISION

TITLE: Disused or Abandoned  
Cemeteries.

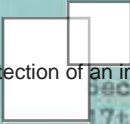
CABINET decided (Decision No. 6611, 14th July, 1964) that:-

X X X

"That legislation be implemented on the basis of "The Paddington  
Cemeteries Act of 1911" and such to be of general application in regard to  
disused cemeteries."

X X X

sch4p3(3) Prejudice the protection of an individuals right to privacy



Secretary.  
17th July, 1964.

*Suband draft letters*

X

DEPARTMENT OF PUBLIC LANDS.

Submission No.....

Copy No.....

FOR - CABINET.

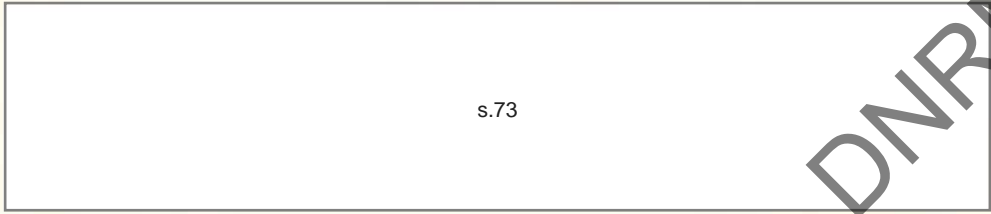
CONFIDENTIAL.

SUBJECT: Disused or abandoned cemeteries.

1. There are many areas scattered around Queensland that have been abandoned or disused as Cemeteries for many years, in some cases containing only one or two graves. Some of these areas are located in rural areas and others in localities in cities and towns now surrounded by residential and other development. They are mostly uncared for and dilapidated and present fire and other hazards, as well as being unsightly in some cases.

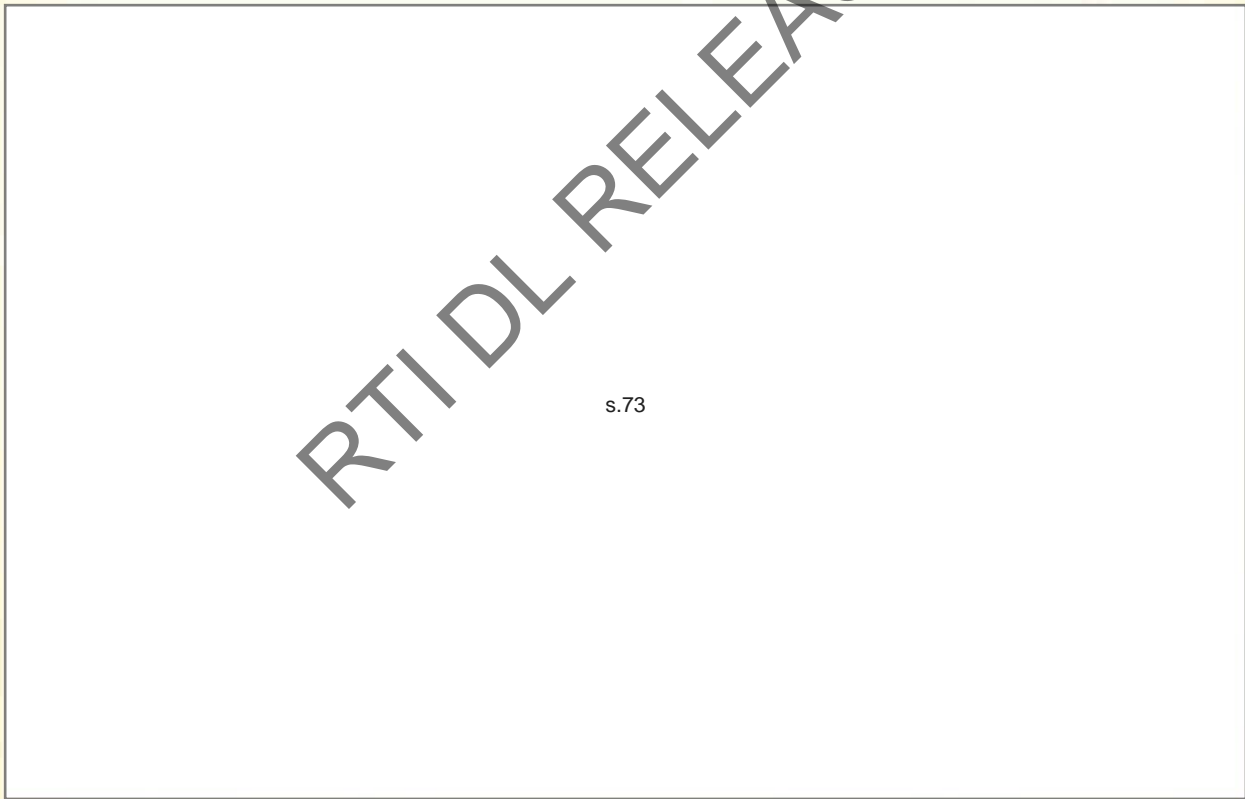
2. Cases to which particular reference is made are

a



b. A cemetery known as The Old Moggil Cemetery at Pullenvale Road, Moggil, in area of 5 acres, under the control of the Brisbane Council as trustee.

3.



4. h. Dealing with the Old Moggil Cemetery mentioned above, it is known that there are burials on the Reserve effected many years ago. One statement in 1963 says that two children were buried here over 65 years ago, while another report in 1931 states that there were 15 to 20 graves, the last burial occurring in 1916. In any event, there is no surface evidence of any graves.

/2. X

- i. The Brisbane City Council has asked that the area be set aside as a Reserve for Park and Recreation Purposes under its control as trustee after cancellation of the Cemetery reservation.
- j. The Girl Guides Association has asked for a Special Lease over the area for use for recreation and camping area.
- k. Cancellation of the Cemetery Reservation would be a prerequisite to the granting of such a lease or to reservation as a Park and Recreation area.
- l. There is also another enquiry for the land as freehold, the intended use not being stated.

5.

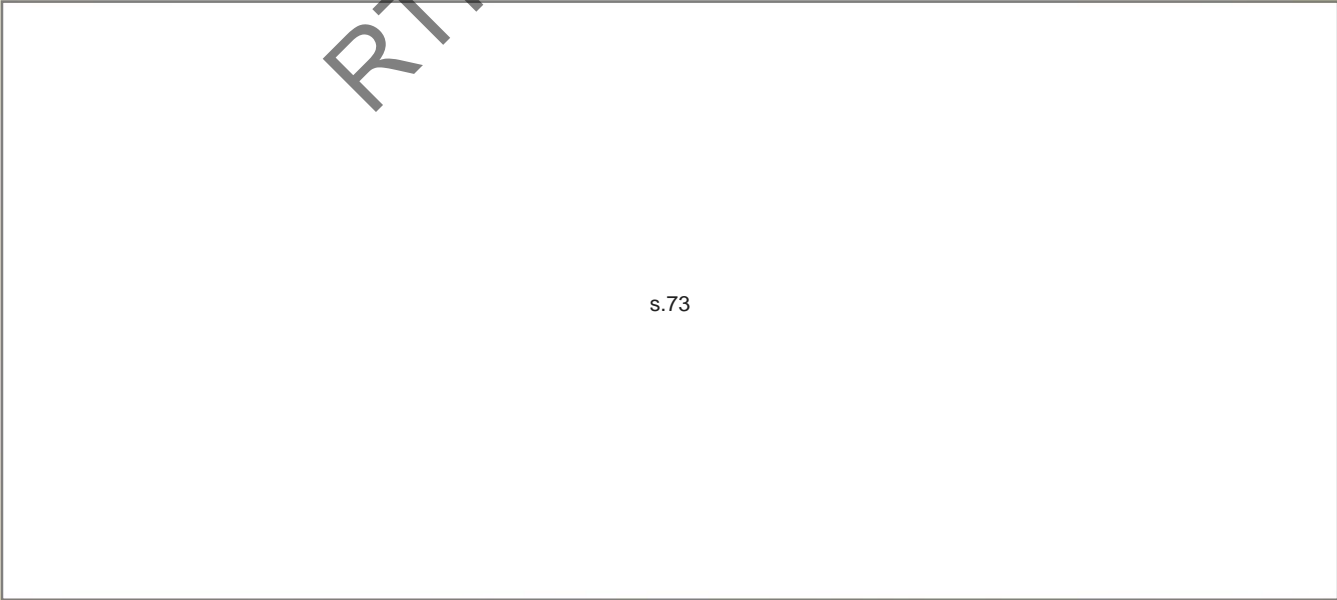
"The Cemeteries Act of 1865" provides for the closing of a Cemetery, and Section 37 thereof states:

"Whenever it shall appear desirable that any Cemetery now in use or hereafter to be used should be closed, and that thereafter no burial or burials should take place in such Cemetery or any part thereof, it shall be lawful for the Governor in Council by Proclamation which, when published in the Government Gazette, shall have the force of law, to direct that such Cemetery shall be closed from and after some date to be named in such Proclamation".

6. There is no provision in that Act which a Cemetery Reserve may be cancelled either wholly or in part, but there is provision for the removal of bodies under certain conditions. This provision is not applicable to the subject cases but is in effect a penal provision in cases of removal of bodies by unauthorised persons.

7. There is provision in the Land Acts, 1962 to 1963" for the rescinding of Proclamations and Orders in Council under which reserved lands were set aside for particular purposes which have the effect of cancelling the reservations, but in regard to Cemeteries which are subject to a particular Act, the position is that particular Act, in this case "The Cemetery Act of 1865", not, as stated, make provision for the cancellation of a Cemetery.

8.



x

3.

s.73

9.



In a case like Pullenvale, costs could be incurred in cancelling the Cemetery Reserve and setting the land aside as a Reserve for Recreation Park under the control of the Brisbane City Council.

10.

I recommend that legislation be implemented on the basis of "The Paddington Cemeteries Act of 1911" and such to be of general application regard to disused Cemeteries.

RTI DL RELEASE - DNRM

A. R. FLETCHER,  
Minister for Lands.

BRISBANE.  
10th July, 1964.

X



DEPARTMENT OF PUBLIC LANDS.

Submission No.....

Copy No.....

FOR CABINET.

CONFIDENTIAL

SUBJECT: Disused or abandoned cemeteries.

1. There are many areas scattered around Queensland that have been abandoned or disused as Cemeteries for many years, in some cases containing only one or two graves. Some of these areas are located in rural areas and others in localities in cities and towns now surrounded by residential and other development. They are mostly uncared for and dilapidated and present fire and other hazards, as well as being unsightly in some cases.

2. Cases to which particular reference is made are:-

a.

b. A cemetery known as the Old Moggil Cemetery at Pullenvale Road, Moggil, in area about 5 acres, under the control of the Brisbane City Council as trustee.

3.

s.73

X /2.

g.

s.73

4.

h. Dealing with the old Moggil Cemetery mentioned above, it is known that there are burials on the Reserve effected many years ago. One statement in 1963 says that two children were buried here over 65 years ago, while another report in 1931 states that there were 15 to 20 graves, the last burial occurring in 1916. In any event, there is no surface evidence of any graves

i. The Brisbane City Council has asked that the area be set aside as a Reserve for Park and Recreation purposes under its control as trustee after cancellation of the Cemetery reservation.

j. The Girl Guides Association has asked for a Special Lease over the area for use for recreation and camping area.

k. Cancellation of the Cemetery Reservation would be a prerequisite to the granting of such a lease or to reservation as a Park and Recreation area.

l. There is also another enquiry for the land as freehold, the intended use not being stated.

5.

"The Cemeteries Act of 1865" provides for the closing of a cemetery, and Section 37 thereof states -

"Whenever it shall appear desirable that any Cemetery now in use or hereafter to be used should be closed, and that thereafter no burial or burials should take place in such Cemetery or any part thereof, it shall be lawful for the Governor in Council by proclamation, which when published in the Government Gazette, shall have the force of law, to direct that such Cemetery shall be closed from and after some date to be named in such Proclamation".

6.

There is no provision in that Act by which a Cemetery Reserve may be cancelled either wholly or in part, but there is provision for the removal of bodies under certain conditions. *This provision is not applicable to the subject's case but is in...*

There is provision under "The Land Acts, 1962 to 1963" for the rescinding of Proclamations and Orders in Council under which reserved lands were set aside for particular purposes which have the effect of cancelling the reservations, but in regard to Cemeteries which are subject to a particular Act, the position is that the particular Act in this case "The Cemetery Act of 1865" does not, as stated, make provision for the cancellation of a Cemetery.

*Effect a final proposal in cases of removal of bodies by unauthorized person*

/3.

X

3.

8.



s.73

9.



RTI DL RELEASE - DNRM

4.



In a case like Pullenvale, no costs would be incurred in cancelling the Cemetery Reservation and setting the land aside

/4.

X

as a Reserve for Recreation and Park under the control of the Brisbane City Council as Trustee.

10.

*Recommended that legislation be*  
I seek Cabinet's views in the whole matter.

*implemented on the basis of - The*  
*Paradrop Reserve Act of 1911 & such*

A.R. FLETCHER.  
Minister for Lands.

*To be of general application in*  
*regard to ~~such~~ disused ~~reserves~~*

BRISBANE. *Amelero*  
9th July, 1964.

10

*Revised proposal as in 1961.*

RTI DL RELEASE - DNRM

X

Release

DS

28th January, 1963.

Sir,

I have to inform you that a request has been made on behalf of the Girl Guides Association for the use of Cemetery Reserve R. 480, parish of Moggillat Brookfield as an overnight hiking and/or camping area.

Records indicate that there have been 15 to 20 burials in the Cemetery, the last being in 1916. There is now no outward evidence of any graves. Although the Cemetery Act makes provision for the closing of a Cemetery, there is no provision in the Act for its cancellation so that the Brookfield Cemetery could not be cancelled other than by Act of Parliament.

However, it is thought that if there is any part of the reserve in which there has been no burials it may be possible to excise such an area from the reserve to be used for some other purpose.

In the circumstances, it is desired to know whether there is a plan available showing the position of the burials in this cemetery and if so whether a copy of this plan could be supplied to this Office. Your advice in the matter will be awaited.

Yours faithfully,

[Redacted signature box]

sch4p3(3) Prejudice the protection of an individuals right to privacy

[Redacted name box]

for Secretary.

Mr. A. Kruger,  
Sexton,  
Toowong Cemetery,  
TOOWONG.

*Def. as noted  
20. 1. 63  
Kerenski*

RTI/DL RELEASED UNDER ATIA/DM

X



Head Office Reference: Cem. 372  
District Office Reference: R480S

RESERVE  
15 JAN 1963  
SECTION

District Land Office,

Brisbane,

2nd January, 1963/

Registered No.  
In any further Correspondence on this  
subject the above No. should be quoted.

10 JAN 1963

District Land Office  
- 3 JAN 1963  
BRISBANE

DEPT OF PUBLIC LANDS

01115 10 JAN 63

- Bris. -  
BRISBANE

11 JAN 1963

XC

The Land Commissioner,  
Brisbane.

MEMO.: Cemetery Reserve R480, parish of Moggill/  
LOCATION OF GRAVES. *quasi meters*

With reference to Head office memo. of 27th ultimo in connexion with the above, and further to my report of 3rd. ult., I wish to advise that my inspection revealed no outward evidence of any grave, and I don't think it possible to locate their positions unless there is some plan with the locations shown. However, I don't think this is very likely.

sch4p3(3) Prejudice the protection of an individuals right to privacy

[Redacted]

Land Ranger.

B/C SECRETARY, L.A. COMM.

[Redacted]

Act. LAND COMMISSIONER

7/1/63

RTI DI RELEASE DIRM

*Are the Cemetery Authorities - This  
Cemetery is controlled from Town -  
to be asked whether there is a  
plan available showing the position of  
the burials in this Cemetery and if  
so if a copy could be supplied to this  
office? Explain the reason for the  
enquiry.*

[Redacted]

1/63

*Yp*

[Redacted]

15.1.63

X

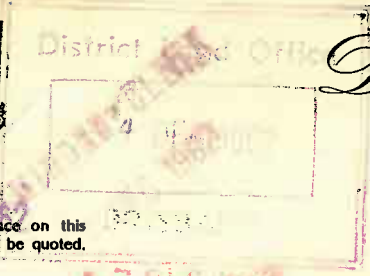


District Land Office,

Brisbane,

3rd December, 1962.

Registered No. In any further Correspondence on this subject the above No. should be quoted.



DEPT OF PUBLIC LANDS

48667 -7DEC62

BRISBANE

The Land Commissioner,  
Brisbane.

MEMO.:

Cemetery Reserve R480, parish of Moggill,  
APPLICATION TO LEASE. (Belson)

In accord with your instruction of 19th instant, I inspected this area on Wednesday last and interviewed to prejudice the protection of an individuals right to privacy who applied for a lease on behalf of the Girl Guides Association for the purpose of developing the land as a Girl Guides Camping area.

The land contains an area of 5 acres and is situated about 1 1/2 mile south-west of Kenmore Post Office and about 9 miles from the G.P.O. with access to within about 10 chains by bitumen sealed Moggill road; thence by formed and gravelled Pullenvale Road to which it has about 10 chains frontage.

The land comprises high, well-drained grey clayey forest ridge sloping gently away from the road and enjoys pleasant rural views to the north-west and through north to the north-east. Town water supply and electricity are available.

The only improvements of any value are about 11 chains of boundary fencing, the property of the owner of adjoining Sub.6 of portion 216. The only noxious plants I noticed were odd small groundsel bushes.

Our records indicate that there are 15 to 20 graves on the Cemetery, the last burial having occurred about 1916. There is now no outward evidence of any grave.

[redacted] said that her Association would want complete control over the area; but that they did not plan to make extensive structural improvements: possibly a small hut for storing gear, and perhaps a small memorial chapel.

The land is quite valuable, being situated in the midst of popular rural residential subdivisions of about 2 1/2 to 3 acres, and I have no doubt that 3 or 4 subdivisions of the subject would fetch about £1700 each on the open market.

The population of the Kenmore area at present is estimated at about 4000; but it is expected to reach about 40,000 by 1981. With this anticipated increase in population it is only reasonable to expect that the Crown will require land for public purposes such as Schools, and I think it would be unwise to let this land pass out of our control. It is becoming commonplace now to see resumptions of quite valuable land for School purposes, and this, I feel, is one case where this need not happen. I know that the Dept. of Education would be happy to see this site set aside for their future requirements although they may not require it for some time.

Owing to the quite lengthy lapse of time (about 50 years) since the last burial, I don't think it would be showing any irreverence to the dead to cancel this Reserve and apply it to other uses, and, judging from the utterly neglected state of the cemetery, it seems that objections are not likely to be forthcoming from living relatives, if any remain.

X

District Land Office  
- 4 DEC 1962  
BRISBANE

Page 2.

3rd December, 1962.

DEPT. OF PUBLIC LANDS  
48667 - 7DEC62  
BRISBANE

Therefore, if it is possible, I recommend:

- (1) That the necessary steps be taken to cancel the Reservation.
- (2) Offer the applicants a Special lease for a term of 10 years at a nominal rent of £1 per year.

The lease should be subject to the condition that no structural improvements are to be made without the prior consent of the Minister. Care should be taken to see that any buildings to be erected are so sited that they will not interfere with the future use of the area for public purposes.

sch4p3(3) Prejudice the protection of an individuals right to privacy

[Redacted]  
Land Ranger.

S/C SECRETARY, L.A. COMM.

Endorsed.

[Redacted]  
LAND COMMISSIONER

*4/12/62*

RTI DL RELEASE DNRM

X



26th June, 1961.

Dear Sir,

Your reference G. 16865/61.

With reference to your letter of the 17th ultimo, in-  
regard to a proposed use of the land comprised in Cemetery Reserve,  
R. 480, Brookfield at Pullenvale, I have, by direction, to inform  
you that whilst there are graves on the land, cancellation of  
the reserve and conversion of the area to another use cannot be  
approved without the authority of an Act of Parliament.

Yours faithfully,

[Redacted Signature]

sch4p3(3) Prejudice the protection of an individuals right to privacy

The Town Clerk,  
Brisbane City Council,  
The City Council,  
BRISBANE.

for Secretary.

*Amey*  
[Redacted]  
26/6/61

RTI DL RELEASE - DNRM

X

[Redacted]

[Redacted]

20 JUN 1961

DEPT. OF PUBLIC LANDS  
24826 23 JUN 61  
BRISBANE

26 JUN 1961

Cem 372



ADDRESS ALL COMMUNICATIONS TO THE TOWN CLERK

BRISBANE CITY COUNCIL  
DEPARTMENT OF CITY ADMINISTRATION

TELEPHONE 320201

BOX 1434T, G.P.O. BRISBANE  
TELEGRAPHIC AND CABLE ADDRESS "CIVICUS"

IN REPLY PLEASE QUOTE:

DM,SRM  
G16865/61

THE CITY HALL BRISBANE

*Re actions to be taken (Res)*

*brisbane (Res)*

20th June, 1961

The Secretary,  
Land Administration Commission,  
Department of Public Lands,  
BRISBANE.

Dear Sir,

Your reference - Cem. 372

I desire to refer you to my letter of the 17th ultimo, and would be pleased to receive advice as to whether the Commission has given further consideration to the Council's request for the cancellation of the above Reserve for cemetery purposes, and for the vesting of the land in the Council for park and recreation purposes.

An early reply would be appreciated.

Yours faithfully,

[Redacted] sch4p3(3) Prejudice the protection of an individuals right to privacy

(J.C. Slaughter)  
TOWN CLERK

RTI/DL RELEASED - DNRM

X

Cem. 372

Brisbane

LAND AGENT'S DISTRICT

SUBJECT:

Cemetery Reserve B480, Brookfield (Pullevale)

See Submission 1.2.61.

Brisbane City Council has now advised that it is understood that this Department's record do not disclose the number or names of persons interred in the cemetery, and, as the Council is still of the belief that it would be uneconomical for it to develop the site for its original purpose, it suggests that the trust be cancelled so that the Commission may be in a position to deal with the application by the Girl Guides Association for a lease of the area.

May Brisbane City Council be informed that whilst there are graves on the land, cancellation of the reserve will not be approved. It is suggested that perhaps some of the persons connected with the early days of the cemetery could be contacted and advice sought as to records and their whereabouts.

Conversion of the land to another use without the authority of an Act of Parliament

[Redacted]

sch4p3(3) 25.5.60 Prejudice the protection of an individuals right to privacy

RTI DELETED

6 JUN 1961

Inform Council accordingly

[Redacted]

7 JUN 1961

X

DEPT OF PUBLIC LANDS

20014 23MAY61

BRISBANE

BRISBANE CITY COUNCIL

DEPARTMENT OF CITY ADMINISTRATION

TELEPHONE 32 0201

BOX 1434T. G.P.O. BRISBANE

TELEGRAPHIC AND CABLE ADDRESS "CIVICUS"

THE CITY HALL BRISBANE

KAF:SM

IN REPLY PLEASE QUOTE:

G 16865/61



ADDRESS ALL COMMUNICATIONS TO THE TOWN CLERK

17th May, 1961.

*Refer to Just "herein" - the "G.G." case*

The Secretary,  
Land Administration Commission,  
Department of Public Lands,  
BRISBANE.

Dear Sir,

Your Reference Cem. 372

I thank you for your letter of the 15th February, 1961, and note that your Department is unable to take action towards cancellation of the reserve for cemetery purposes.

It is understood, that your Department's records do not disclose the number or names of persons interred in the cemetery and as the Council is still of the belief that it would be uneconomical for it to develop the site for its original purpose, it is now suggested that the Trust be cancelled so that your Commission may be in a position to deal with the application by the Girl Guides Association for a lease of the area.

It would be appreciated if this matter could receive consideration and the Council advised of the Commission's decision at your earliest convenience.

Yours faithfully,

sch4p3(3) Prejudice the protection of an individuals right to privacy

(J.C. SLAUGHTER)  
TOWN CLERK

15th February, 1961.

Madam,

re: Cemetery Res. R. 480, Parish of Moggill,  
at Pullenvale.  
Application for lease.

With reference to your letter of the 12th December last,  
regarding the above reserve, I have to inform you that the land  
is a Cemetery Reserve of 5 acres under the control of the Brisbane  
City Council, as trustee. Records here indicate that there have  
been burials in the area and in the circumstances, the Depart-  
ment is unable to give favourable consideration to leasing  
of the land.

Yours faithfully,

B/c  
The Land Commissioner,  
BRISBANE.  
For your information.

sch4p3(3) Prejudice the protection of an individuals right to privacy

Secretary.

for Secretary  
15.2.61.

*away*  
*16-2-61*

State Commissioner,  
The Girl Guides Association  
(Queensland Branch),  
335 Boundary Street, CITY.

X

RTI/DL RELEASE - DNRM

Cem 342.

28 FEB 1961

1 FEB 1961

DEPT OF PUBLIC LANDS

03188 26 JAN 61

BRISBANE

BRISBANE CITY COUNCIL

DEPARTMENT OF CITY ADMINISTRATION



ADDRESS ALL COMMUNICATIONS TO THE TOWN CLERK

IN REPLY PLEASE QUOTE:

DM. SRM  
G53028/60

TELEPHONE  
32 0201  
BOX 1434T, G.P.O.  
BRISBANE  
TELEGRAPHIC  
AND CABLE  
ADDRESS  
"CIVICUS"

THE CITY HALL  
BRISBANE

*The "first" R. 480, P. Moggill: "use/area", etc* 25th January, 1961

The Secretary,  
Land Administration Commission,  
Department of Public Lands,  
BRISBANE.

*81/1/61*

Dear Sir,

I desire to invite your attention to my letter of the 15th December last, requesting a change in the Trust in respect of Reserve 480 (Portion 78, Parish of Moggill).

At present, the land is vested in the Council upon Trust as a reserve for cemetery purposes, but, in the opinion of the Council, the land could be put to much better use if it could be developed for park and recreation purposes and placed under the control of the Council as Trustee for such purposes.

Could you please let me know the present position of this matter?

Yours faithfully,

*See abstract 14.2.61 - north/sunder*

*14.2.61*

[Redacted signature area]

sch4p3(3) Prejudice the protection of an individuals right to privacy

(J.C. Slaughter)  
TOWN CLERK

[Redacted initials]

X

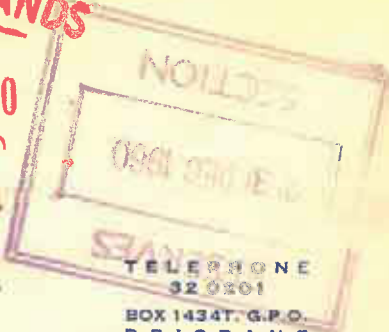
Cem. 372

DEPT OF PUBLIC LANDS

53714 19DEC60

BRISBANE

BRISBANE CITY COUNCIL  
DEPARTMENT OF CITY ADMINISTRATION



21 Dec 1960



ADDRESS ALL COMMUNICATIONS TO THE TOWN CLERK

KAF:MC

IN REPLY PLEASE QUOTE:

G 50639/60

THE CITY HALL BRISBANE

*Propose trust and land @ Pullenvale  
P. Moggill*

15th December, 1960.

19/12



Secretary,  
Land Administration Commission,  
Department of Public Lands,  
BRISBANE.

Dear Sir,

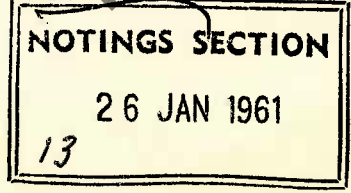
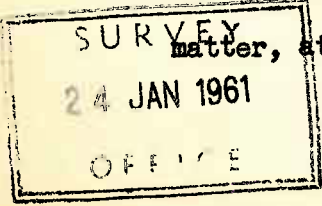
As you are no doubt aware, Reserve 480 (Portion 78 Parish of Moggill) situated at Pullenvale Road, Pullenvale, was vested in the Council in 1930 upon Trust as a Reserve for Cemetery Purposes.

It would appear, however, that the land has never been used for cemetery purposes and in view of the very small area it is felt that it would be uneconomical for the Council to develop the site for its original purpose. Small cemeteries of this nature usually serve as a burial ground for pioneers of the district and in this respect, the area is adequately catered for, in the Brookfield Cemetery.

Under the circumstances, the Council feels that the Reserve in question could be put to better use if developed for park and recreation purposes and it would be very greatly appreciated if consideration could be given to an amendment of the trust so that the land could be vested in the Council for park and recreation purposes.

I look forward to receiving your further advise on the matter, at your earliest convenience.

Yours faithfully,



sch4p3(3) Prejudice the protection of an individuals right to privacy

(J.C. Slaughter  
TOWN CLERK

*Survey office  
for noting plan*

*R. 480, placed to, is a cemetery  
Reserve of 5 ac. est. about by G.A. 1898. 2. 620 and placed under  
the control of the Brisbane City Council by G.A. 1930. 2. 322/4*

*Head here with  
B.C. Lands  
31.1.61  
37-1-61*



LAND REFERRED TO EDGED RED.  
 AREA: 5 acs.

ORIGINAL RELEASED

**2520**

Scale 20 Chains to an Inch

Drawn and Published at the Survey Office, Dept. of Public Lands, Brisbane. Feb., 1960.



R 31 A M

DEPT. OF PUBLIC LANDS  
08987  
BRISBANE

2 MAR 1931  
8 DEC 1930

Wayboro  
Dec 6<sup>th</sup> 1930

To  
The Land Commissioner  
Dear Sir

Your letter of Nov-19<sup>th</sup> inst  
has just come to hand, as it went to  
another [redacted] some distance from  
here. With reference to the names of the  
Trustees of the reserve. They are all dead  
some years ago. [redacted] was the  
last to die somewhere about 3 years ago.  
Sorry I could not give you a reply earlier.

I am  
Yours faithfully

[redacted]  
sch4p3(3) Prejudice the protection of an individuals right to privacy

per [redacted]

RTI DL RELEASED



Registered No. **Cem 372.**  
In any further Correspondence on this subject the above No. should be quoted.

# Department of Public Lands,

Brisbane 19th September, 1917.

Sir,

Referring to your letter of the 12th instant, asking to be supplied with particulars in regard to the McGill Cemetery Reserve, I have the honour to inform you that it is presumed that reference is made to portion 7v, parish of McGill, which comprises an area of five acres. This area was permanently reserved for a Cemetery by proclamation dated the 11th August, 1898 and published in the Government Gazette of the 27th August, 1898, page 620. The Cemetery is under the control of the following trustees who were appointed by proclamation appearing in the Government Gazette of the 25th June, 1897.

- |                 |                   |
|-----------------|-------------------|
| Thomas Heron    | Samuel Heathwood  |
| James Smith     | William J. Irvine |
| Duncan McAskell |                   |

I have the honour to be,

Sir,

Your obedient servant,

Under Secretary.

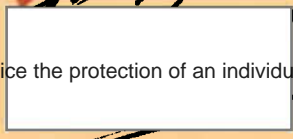
Edward H. Macartney, Esq., M.L.A.,

Parliament House,

BRISBANE.

*Andy*  
21 - 28/17

sch4p3(3) Prejudice the protection of an individuals right to privacy



*Direction of blue ink  
Rewrite as noted  
in pencil*



AWAY  
23 SEP 1917

RTI/DL RELEASE - DNR/M

SCHEDULE OF TENURE.

POB.	FARM NO.	PARISH.	AREA.			AVAILABLE RESERVATION.	DEED.	VOL.	FOL.	OWNERS, MORTGAGEES, ETC.
			A.	B.	P.					
7		Moggill	43	20	0	Old System	1 D.	225		[Redacted]
Sub 1 of 7		do	20	0	0			of 172941	1046181	[Redacted]
										[Redacted] [Redacted] [Redacted] <i>Vol 64828s</i> <i>To The Trustees of</i> <i>the Agricultural Bank</i> <i>of Queensland.</i>

sch 30 prejudice the protection of an individuals right to privacy

RTI DL RELEASE - DNRM

2000  
2000  
2000  
790  
200  
200  
200

X

Cen 1272.

31st September, 1917.

Sir,

Referring to your letter of the 13th instant, asking to be supplied with particulars in regard to the Hoxgill Cemetery Reserve, I have the honour to inform you that a cemetery reserve comprising an area of five acres, exists on portion 7, of Hoxgill, indicated in green colour on the accompanying plan. This area was permanently reserved for a Cemetery by proclamation dated the 11th August, 1888 and published in the Government Gazette of the 29th August, 1888, page 332. The reserve is under the control of the following trustees who were appointed by proclamation appearing in the Government Gazette on the 26th June, 1887.

Thomas Herron	Edmund Heathwood
James Shield	William F. Irvine
Duncan McAvoy	

It is understood that a cemetery exists on subdivision 1 of portion 7, parish of Hoxgill, the position of which is indicated by a red cross on the plan, and it is thought that this is the cemetery to which reference is made. The subdivision in question, the area of which is 20 acres, is freehold land and is held by William Watson Rogers, under C/T. 172941, Vol 1048, Folio 181.

Encl

I have the honour to be,

Sir,

Your obedient servant,

X

Under Secretary.

Edward H. Macartney Esq., M.L.A.,  
 of Messrs. Thyne & Macartney,  
 Solicitors,  
 BRISBANE.

Release

Vem

176

Com 372

ACTION COMPLETE

31

AUG. & GAZ. BRCH.

DEC 3 1914

A PROCLAMATION.

By His Excellency The Right Honourable CHARLES WALLACE ALEXANDER NAPIER, Baron Lamington of Lamington, in the county of Lanark, in the Peerage of the United Kingdom, Knight Commander of the Most Distinguished Order of St. Michael and St. George, Governor and Commander-in-Chief of the Colony of Queensland and its Dependencies.

IN pursuance of the powers and authorities in me vested under the provisions of sections 19 and 190 of "The Land Act, 1897," I, CHARLES WALLACE ALEXANDER NAPIER, Baron Lamington, the Governor aforesaid, by and with the advice of the Executive Council, do, by this my Proclamation, notify and declare that the lands hereunder described are hereby permanently reserved and set apart for the purposes hereunder mentioned.

THE BRISBANE LAND AGENT'S DISTRICT. RESERVE FOR CEMETERY.

98-3502—Petn. (In lieu of the Reserve established by Proclamation in the Government Gazette dated 19th December, 1885, page 2173, which is hereby amended.)

County of Stanley, parish of Moggill, portion 7v. Area, 5 acres. Commencing at a point fourteen chains and seventy-six links east from the south-west corner of portion 56, and bounded thence on the west by that portion bearing north five chains; on the north by that portion bearing east ten chains; on the east by that portion bearing south five chains; and on the south by a road bearing west ten chains to the point of commencement;—as shown on plan of survey deposited in the Surveyor-General's Office—Cat. No. C 8264.

THE MARYBOROUGH LAND AGENT'S DISTRICT. RESERVE FOR STATE SCHOOL.

98-2242—S.G. County of Lennox, parish of St. Mary, portion 117v.—Area, 5 acres. Commencing at a point bearing 283 degrees 25 minutes and distant thirty-five links from a gum-tree marked broad-arrow 117v, and bounded thence on the north by a line bearing east seven chains and fifteen links; on the east by a line bearing south seven chains; on the south by a line bearing west seven chains and fifteen links; and on the west by a road bearing north seven chains to the point of commencement;—as shown on plan of survey deposited in the Surveyor-General's Office—Cat. No. N 25-561.

Given under my Hand and Seal, at Government House, Brisbane, this eleventh day of August, in the year of our Lord one thousand eight hundred and ninety-eight, and in the sixty-second year of Her Majesty's reign.

By Command, J. F. G. FOXTON. GOD SAVE THE QUEEN!

Gov. Gaz., 27th August, 1898, page 620.

REPRODUCED FROM DNRM

For proposed sale of lease of this reserve See Res 98. 111  
Drung up 1. 6. 15  
J.H.B.  
7. 12. 14

Release

SECRETARY FOR PUBLIC LANDS.

B r i s b a n e LAND AGENT'S DISTRICT.

PERMANENT RESERVE FOR CEMETERY

County of Stanley. Parish of Moggill.

Portion 7v.

5 acres.

THE Secretary for Public Lands recommends that the Lands as set forth in the accompanying Description be permanently reserved and set apart under the 190th Section of "The Land Act, 1897," for Cemetery, in lieu of the Reserve established by proclamation in the Government Gazette dated 19th. December 1885, page 2173.

RTI DL RELEASE - DNRM

The Department of Public Lands to be authorised to proceed with the necessary action.

Ministers Recommend.

*[Handwritten signatures and initials]*  
JMS  
JMS  
JMS  
JMS  
JMS



Release



The Brisbane Land Agent's District.

Reserve for Cemetery Portion 7v

REF. No. 98.3502 Ptk.

[ In lieu of the Reserve established by proclamation in the Government Gazette dated 19<sup>th</sup> December 1885 page 2173 which is hereby amended ]

COUNTY OF Stanley PARISH OF Moggill

AREA                      A.        R.        P.  
                                  5     0     0

Commencing at a point 14 chains and 76 links east from the southwest corner of portion 5b

..... and bounded thence

on the west by that portion  
bearing north ..... 5 chains and links

on the north by that portion  
bearing east ..... 10 chains and links

on the east by that portion  
bearing south ..... 5 chains and links

and on the south by a road  
bearing west ..... 10 chains and links

to the point of commencement;—as shown on plan of survey deposited in the Surveyor-General's Office.

*fil.*

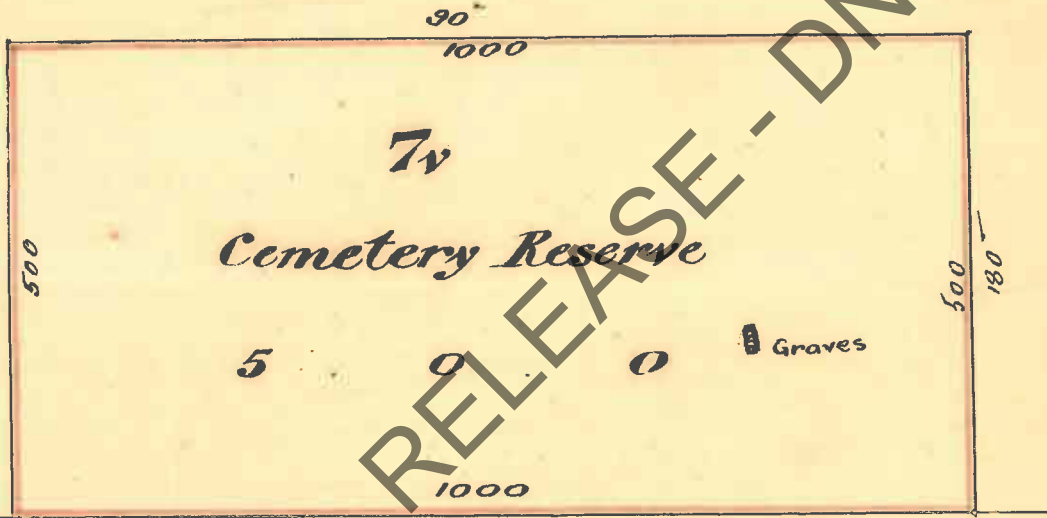
CAT. NO. C8. 264

Release



56  
Recreation Reserve

216



1476 S.W. cor. 56

Pullen Road

Amended

Portion No. 7v Parish of Moggill

County of Stanley

Farm No. \_\_\_\_\_ Land Agent's District of Brisbane

Surveyed by R. A. Hamilton Cat. No. C8. 264

20. 5. 1898

Scale 2 Chains to an inch.

Release



beam 176  
becomes Com 375

A PROCLAMATION.

By His Excellency The Right Honourable CHARLES WALLACE ALEXANDER NAPIER, Baron Lamington of Lamington, in the county of Lanark, in the Peerage of the United Kingdom, Knight Commander of the Most Distinguished Order of St. Michael and St. George, Governor and Commander-in-Chief of the Colony of Queensland and its Dependencies.

[L.S.]  
LAMINGTON, Governor.  
IN pursuance of the powers and authorities in me vested under the provisions of sections 19 and 190 of "The Land Act, 1897," I, CHARLES WALLACE ALEXANDER NAPIER, Baron Lamington, the Governor aforesaid, by and with the advice of the Executive Council, do, by this my Proclamation, notify and declare that the lands hereunder described are hereby temporarily reserved and set apart for the purposes hereunder mentioned.  
E.M.—11-8-98—X<sup>2</sup>.

THE BRISBANE LAND AGENT'S DISTRICT.

RESERVE FOR RECREATION.

98-3502—Petn.

County of Stanley, parish of Moggill, portion 56.

Area, 38 acres 2 roods.

Commencing on the right bank of Moggill Creek at the north-east corner of portion 55, and bounded thence on the south by that portion bearing west eight chains and fifty links, by a line bearing 346 degrees 30 minutes one chain and two and eight-tenths links, and by a road bearing west four chains; thence by a Cemetery Reserve bearing north five chains, west ten chains, and south five chains; again on the south by a road bearing west fourteen chains and seventy-six links; on the west by portion 206 bearing north nine chains and one and nine-tenths links; on the north by portion 57 bearing east thirty-six chains and eighty-five links to Moggill Creek; and thence by the right bank of that creek downwards to the point of commencement;—exclusive of surveyed roads as shown on plan of survey deposited in the Surveyor-General's Office—Cat. No. M 33-2407.

RESERVE FOR WATER.

1880—61.

In lieu of the Reserve established by Proclamation in the Government Gazette dated 11th September, 1880, page 612, which is hereby amended.)

County of Stanley, parish of Enoggera.

Area, 1 acre 2 roods 5 <sup>9</sup>/<sub>10</sub> perches.

Commencing at the south-west corner of subdivision 8 of portion bounded thence on the north by that subdivision bearing 89 degrees four chains and six-tenths of a link; thence by a line bearing 105 degrees 31 minutes ninety-three and three-tenths of a link; thence east by that road bearing 143 degrees 24 minutes thirty links; on the south by portion 271 bearing north five chains and fifty-four and a-half links; and thence by portion and subdivision 7 of portion 272 bearing north three chains and fifty links to the point of commencement;—as shown on plan of survey deposited in the Surveyor-General's Office—Cat. No. M33-3052.

THE ROMA LAND AGENT'S DISTRICT.

RESERVE FOR CAMPING AND WATER.

County of Waldegrave, parish of Childers, portion 111v.

Area, 101 acres.

Commencing at the south-west corner of subdivision 8 of portion bounded thence on the north by that subdivision bearing 89 degrees four chains and six-tenths of a link; thence by a line bearing 105 degrees 31 minutes ninety-three and three-tenths of a link; thence east by that road bearing 143 degrees 24 minutes thirty links; on the south by portion 271 bearing north five chains and fifty-four and a-half links; and thence by portion and subdivision 7 of portion 272 bearing north three chains and fifty links to the point of commencement;—as shown on plan of survey deposited in the Surveyor-General's Office—Cat. No. M33-3052.

1898, page 618.

THE ROCKHAMPTON LAND AGENT'S DISTRICT.

RESERVE FOR POLICE PURPOSES, TOWN OF MOUNT MORGAN.

Res. 1889—140.

(In lieu of the Reserve established by a Notice in the Government Gazette dated 29th October, 1897, page 943, which is hereby amended.)

County of Raglan, parish of Calliungal.—Area, 1 acre 1 rood.

Commencing at the intersection of the north-east side of Central street by the south-east side of Hall street, and bounded thence on the north-west by Hall street bearing 80 degrees two chains and fifty links; on the north-east by a Reserve for Municipal Purposes bearing 170 degrees five chains, on the south-east by Pattison street bearing 260 degrees two chains and fifty links; and on the south-west by Central street bearing 350 degrees five chains to the point of commencement;—as shown on plan of survey deposited in the Surveyor-General's Office—Cat. No. C 311-11.

RESERVE FOR MUNICIPAL PURPOSES, TOWN OF MOUNT MORGAN.

Res. 1889—140.

(In lieu of the Reserve established by a Notice in the Government Gazette dated 5th November, 1897, page 985, which is hereby amended.)

County of Raglan, parish of Calliungal.—Area, 1 acre 2 roods.

Commencing at a point bearing 80 degrees and distant two chains and fifty links from the intersection of the south-east side of Hall street by the north-east side of Central street, and bounded thence on the north-west by Hall street bearing 80 degrees three chains; on the north-east by a lane bearing 170 degrees five chains; on the south-east by Pattison street bearing 260 degrees three chains; and on the south-west by a Police Reserve bearing 350 degrees five chains to the point of commencement;—as shown on plan of survey deposited in the Surveyor-General's Office—Cat. No. C311-11.

THE ROMA LAND AGENT'S DISTRICT.

RESERVES FOR CAMPING, BENGALLA TO KILMOREY ROAD.

98-15652—Roma.

No. 1.

County of Waldegrave, parish of Bengalla.

Area, about 450 acres.

Commencing on the left bank of Bungeworgorai Creek at a point bearing 225 degrees and distant forty-four links from a post bearing 324 degrees 10 minutes and distant 126 <sup>3</sup>/<sub>10</sub> links from a gum-tree marked broad-arrow over R, and bounded thence on the north-west by a line bearing 45 degrees eighty-eight chains; on the north-east by portion 89v bearing 135 degrees sixty-four chains and forty-four links; on the south-east by a road separating this land from portion 88v and a line bearing south-westerly to Bungeworgorai Creek; and thence by the left bank of that creek upwards to the point of commencement;—as shown on plan of survey deposited in the Surveyor-General's Office—Cat. No. M51-392.

No. 2.

County of Waldegrave, parish of Walhallow.—Area, 721 acres.

Commencing on the right bank of Bungeworgorai Creek at a point bearing 45 degrees 2 minutes and distant 128 links from a post bearing 287 degrees 40 minutes and distant fifty-eight and a-half links from an ironbark-tree marked broad-arrow over R, and bounded thence on the north-west by a line bearing 225 degrees 2 minutes 138 chains and 30 links; on the south-west by a line bearing 135 degrees 35 minutes sixty chains and eighty-nine links; on the south-east by a line bearing 45 degrees sixty-seven chains to Bungeworgorai Creek; and thence by the right bank of that creek upwards to the point of commencement;—as shown on plan of survey deposited in the Surveyor-General's Office—Cat. No. M51-392.

Given under my Hand and Seal, at Government House, Brisbane, this eleventh day of August, in the year of our Lord one thousand eight hundred and ninety-eight, and in the sixty-second year of Her Majesty's reign.

By Command, J. F. G. FOXTON.

GOD SAVE THE QUEEN!

probably 27/08/1898

SUBJECT.

*Cemetery 176*

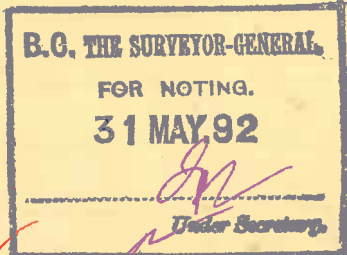
*J. Thompson wants to ~~sell~~ or purchase for. 56 Moggill*



RECORD NO. TO WHICH MINUTE REFERS.

MINUTE.

*22.8941 2.*



*1548*

The land referred to (par. 56 parish of Moggill) was reserved for Cemetery by proclamation dated 16<sup>th</sup> Dec. 1885, and placed under control of Trustees by proe. dated 22<sup>nd</sup> June 1887. All papers, with plan, are attached.

*1887 4.7.92*

*4.7.92*

B.O. Under-Sec. for Public Lands.

*31.1688.*

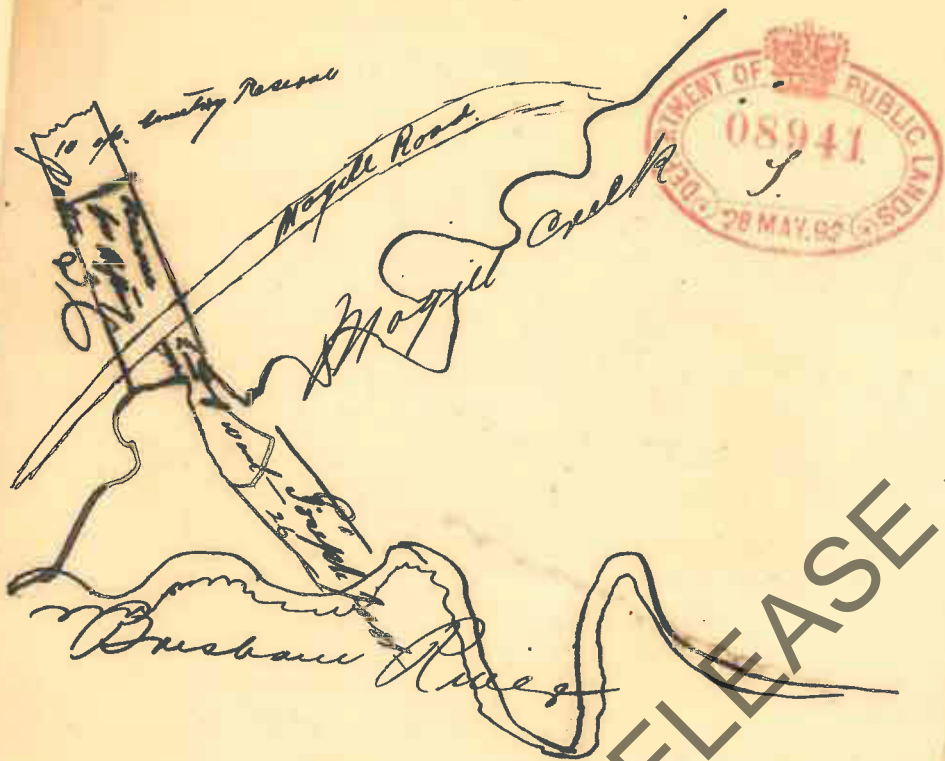
*1/1/92*

*Admission and description not available on 6/11/92*

*John Thompson informed 7.7.92*



Release



RTI DL RELEASE - DNRM

Release

wants to select or purchase,  
for 36 Moqqill.

C. C.  
30 MAY 92

DEPARTMENT OF PUBLIC LANDS  
08941  
J  
22 MAY 92

SECRETARY GENERAL'S OFFICE  
06.290  
1 JUN 92

ACKNOWLEDGED  
22 MAY 1892

441 Grand Avenue  
Queen St -  
Brisbane

To The Honorable the Director for  
Lands, Brisbane  
Dear Sir

want a portion of  
prospect from the Road  
are desirous of throwing  
it I would purchase

I beg to apply to have a part  
of portion, 26. parish of Moqqill, Crown  
open to selection or put to Auction.  
Part of the portion has been used  
as a rafting ground, (fronting Moqqill  
Creek) the piece I want for Cultivation  
has not been used. I would  
select or purchase a piece as  
per enclosed sketch. If you  
consider my application favorably

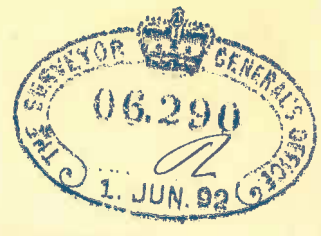
Remain Dear Sir  
Yours faithfully  
John Thompson  
441 Grand Avenue  
Queen St

RELEASE - DNR/M

Release

... to sell or purchase /  
for 36 Moggiel.

C. C.  
1892



P.S.  
I only want a portion of  
the S.B. the pocket from the Road  
but if you are desirous of throwing  
open more of it I would purchase  
the lot  
J. M.

RTI DL RELEASE - DNRM

Release



176

PROCLAMATION.

By His Excellency Sir ANTHONY MUSGRAVE,  
Knight Grand Cross of the Most  
Distinguished Order of St. Michael and St. George, Governor  
[L.S.] A. MUSGRAVE, and Commander-in-Chief of the  
Governor. Colony of Queensland and its  
Dependencies.

IN pursuance of sections ninety-six and ninety-seven of "The Crown Lands Act of 1884," I, Sir ANTHONY MUSGRAVE, the Governor aforesaid, with the advice of the Executive Council, do, by this my Proclamation, notify and declare that the persons hereunder named shall be and are hereby appointed to be Trustees of the Reserve for Cemetery in the parish of Moggill, established by Proclamation dated the 16th December, 1885, and the said persons and their successors shall, as Trustees, have the control and management of the said Reserve; and the said Trustees shall be and are hereby empowered to make by-laws for carrying out the objects of the Trust, subject to the approval of His Excellency the Governor in Council.

E.M.—2-6-87—U<sup>a</sup>.

THOMAS HERRON,  
JAMES SHIELD,  
DUNCAN McASKELL,  
SAMUEL HEATHWOOD, and  
WILLIAM J. IRVINE.

Given under my Hand and Seal, at Government House, Brisbane, this twenty-second day of June, in the year of our Lord one thousand eight hundred and eighty-seven, and in the fifty-first year of Her Majesty's reign.

By Command,

C. B. DUTTON.

GOD SAVE THE QUEEN!

RTI DL RELEASE - DNRM

GOV. GAZ.  
JUN 25 1887

APPROVED.

APPOINTMENT OF TRUSTEES.

1. Brookfield Cemetery

The Secretary for Public Lands recommends that, in pursuance of Sections ninety-six and ninety-seven of "The Crown Lands Act of 1884," the persons hereunder named as Trustees, be appointed to have the control and management of the Reserve for Cemetery in the parish of Moggill, established by proclamation dated the 16<sup>th</sup> December 1885 and the said Trustees be empowered to make By-laws for carrying out the objects of the trust, subject to the approval of His Excellency the Governor in Council.

Thomas Herron  
James Shield  
Duncan MacKell  
Samuel Heathwood and  
William Irvine

The Department of Public Lands to be authorised to proceed with the necessary action.

PROCLAMATION PREPARED

7.6.87

Gov. Gaz.

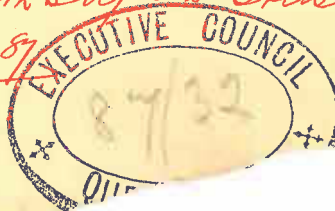
JUN 28 1887

Shp. to Sd. M.D. & L.L. & Vol. Sec.

29.6.87

Letters with shps to Trustees

2.7.87



ACTION COMPLETE

RTI/DL RELEASE UNDER DNR/M

Release



Records.

Brookfield's Cemetery is  
No. 176. (papers with me)

These papers have been separated  
therefrom and should be  
given a new number.

Rm  
13.59  
CJP

176 a)

RTI/DL RELEASE - DNR/M

Res. 1898 - 111

OCT 26 1959

*Come to Board Room*

**AWAY**  
3 MAR. 1891  
CHIEF CLERK.

# Kudooropilly Divisional Board.

04989  
FEB. 21

Taringa, 20<sup>th</sup> Feb<sup>r</sup> 1891

The Under Secretary  
Dept of Public Works Lands  
Sir

I have the honor by instruction to request that you will be pleased to name a day and hour at which the Chairman and two other Members of this Board may wait upon the Minister for Lands with the object of explaining their views and soliciting a grant of two acres of land in Portion 56 Parish of Moggill for the purpose of building a Divisional Hall thereon. The land in question is a rafting reserve. A reply at your early convenience will greatly oblige.

I have the honor to be  
Sir  
Your obed<sup>t</sup> servant  
A. M. Stephens  
Dist. Clerk.

Get this noted at once by AG and returned to Mungo  
Agent  
23/2/91

*McInerney*  
23/2/91

*The whole of portion 56 Parish of Moggill was reserved for a Cemetery in 1885. 2. 21. 73 land placed under embargo of Quarter 2. 572. 1*

*Admission and land reserved for another reserved land under at our submission as cemetery appl. sub. be made to members of Dept of Public Works Lands*

*Board returned 25. 2. 91*

13

4.081 /  
19 MAY 87  
OFFICE, QUEENSWAY

Cemeteries Brookfield Cem Assy.  
also Moggill Cr

12 13th  
MAY 87

Brookfield  
May 1887

the Hon the Colonial Secretary  
Submitting names of gentlemen nominated as Trustees  
Sir

I have honour to  
inform you that at a public meeting  
held here on the fifth instant  
the following gentlemen were nominated  
as trustees for the Cemetery Reserve  
on Moggill Creek proclaimed in  
Government Gazette of 19th December 1885

- Thomas Herron
- James Shield
- Duncan Maskell
- Samuel Heathwood
- William J. Irvine

I have the honor  
to be sir your obedient  
servant  
Saml Heathwood  
Brookfield

70 Trustees  
appointed get  
or approved  
Comment

27  
29-4  
The Clerk  
for Laws  
19 May 87

RELEASE - DNR/M

Cemetery No 35.  
SUBJECT.

RECORD NO. TO WHICH MINUTE REFERS.

MINUTE

BY ORDER OF MINISTER

The new Cemetery Res one piece 56 will be handled under trustees, whom study nominated, & in 12 months time steps will, if necessary, be taken to close present cemetery.

MLC  
30-9-86

2-OCT-86

Land Commissioner Brisbane, Petitioner and Shinnerby informed accordingly  
4-10-86  
EB

*Handwritten signature/initials*

RTI DL RELEASED - DARM

Release

N<sup>o</sup> 176

1891  
Mogill  
1891

Cemetery

Mogill Creek Parish of Mogill

RTI DL RELEASE - DNRM

Release

PROCLAMATION.

By His Excellency Sir ANTHONY MUSGRAVE, Knight Grand Cross of the Most Distinguished Order of St. Michael and St. George, Governor and Commander-in-Chief of the Colony of Queensland and its Dependencies.

IN pursuance of section ninety-five of "The Crown Lands Act of 1884," I, Sir ANTHONY MUSGRAVE, the Governor aforesaid, with the advice of the Executive Council, do, by this my Proclamation, notify and proclaim that the Lands hereunder described have been temporarily reserved for the purpose named with respect to each.

RESERVE FOR CEMETERY.

85-27110—S.G.

Brookfield.

On Moggill Creek.

County of Stanley, parish of Moggill.

Portion No. 56.

43 acres 2 roods.

Commencing on the right bank of Moggill Creek at the north-east corner of portion 55, and bounded thence on the south by that portion bearing west thirty-seven chains and ten links; on the west by a line bearing north ten chains; on the north by portion 57 bearing east thirty-six chains and sixty-two links to Moggill Creek; and thence by that creek downwards to the point of commencement,—exclusive of surveyed roads as shown on plan of survey deposited in the Surveyor-General's Office.

RESERVE FOR HOSPITAL.

85-27142—S.G.

Esk.

County of Cavendish, parish of Esk.

10 acres.

Commencing at a point bearing 100 degrees 30 minutes and distant 410 1/2 links from the south-east corner of portion 48, and bounded thence on the south-west by a road bearing 100 degrees 30 minutes ten chains and eighteen links; on the east by a line bearing north ten chains and ninety-two links; on the north by a line bearing west ten chains; and on the west by a line bearing south nine chains and seven links to the point of commencement.

RESERVE FOR CUSTOMS PURPOSES.

S.O.—85-11700—P.L.

Geraldton.

County of Nares, parish of Johnston.

Allotment 7, section 6.

1 acre 30 perches.

Commencing at the east corner of allotment 6, and bounded thence on the north-east by Ranken street bearing 148 degrees 30 minutes four chains; on the south-east by Edith street bearing 252 degrees 40 minutes three chains and fifty-six links; on the south-west by allotments 6 and 12 bearing 342 degrees 40 minutes three chains and eighty-seven and three-quarter links; and on the north-west by allotment 6 bearing 72 degrees 40 minutes two chains and fifty-eight links to the point of commencement.

RESERVE FOR POUND.

85-27188—S.G.

Cooktown.

County of Banks, parish of Cook.

10 acres.

Commencing at a point bearing 49 degrees 10 minutes and distant eight chains from the south-east corner of section 27, and bounded thence on the south-west by a line bearing 99 degrees 10 minutes ten chains; on the south-east by a line bearing 9 degrees 10 minutes ten chains; on the north-east by a line bearing 279 degrees 10 minutes ten chains; and on the north-west by a line bearing 189 degrees 10 minutes ten chains to the point of commencement.

RESERVE FOR POUND.

85-19650—C. Secy.

Toowong.

County of Stanley, parish of Enoggera.

1 acre 1 rood 15 perches.

Commencing at the north-west corner of portion 243, and bounded thence on the east by that portion bearing 179 degrees 10 minutes three chains and thirty-six links; on the south by portion 244 bearing 269 degrees 10 minutes four chains; on the west by that portion bearing 359 degrees 10 minutes three chains and thirty-six links; and on the north by a road bearing 89 degrees 10 minutes four chains to the point of commencement.

RESERVE FOR RIFLE RANGE.

85-27143—S.G.

Cooktown.

County of Banks, parish of Cook.

55 acres 3 roods 28 perches.

Commencing at a point bearing 34 degrees 30 minutes and distant eighteen links from a blood-wood-tree marked broad-arrow over R.R., and bounded thence on the north-east by a line bearing 144 degrees 38 minutes sixty chains; on the south by a line bearing 272 degrees 57 minutes twelve chains and ninety-one links; on the south-west by a line bearing 324 degrees 38 minutes fifty-one chains and eighty-five links; and on the north-west by a line bearing 54 degrees 38 minutes ten chains to the point of commencement.

RESERVE FOR RIFLE RANGE.

85-20358—P.D.

Mackay.

County of Carlisle, parish of Bassett.

158 acres.

Commencing on the left bank of Vine Creek at the south-west corner of allotment 132, and bounded thence on the east by that allotment bearing north thirteen chains and twenty-three links; on the north by a road bearing 268 degrees 36 minutes fourteen chains and fifty links; on the west by a line and allotments 124, 115, 112, and 101 bearing south eighty-seven chains and forty-nine links; on the south by a road bearing east nine chains and fifty links to Vine Creek; and on the east by Vine Creek upwards to the point of commencement,—exclusive of a road three chains wide as shown on plan of survey deposited in Surveyor-General's Office.

RESERVE FOR RIFLE RANGE.

85-27044—S.G.

Roma.

County of Waldegrave, parish of Roma.

36 acres 3 roods 30 perches.

Commencing at a post near the railway line bearing 286 degrees 15 minutes and distant 136 1/2 links from a box-tree marked broad-arrow over R.R., and bounded thence on the north-west by a line bearing 68 degrees 10 minutes forty chains; on the north-east by a line bearing 158 degrees 10 minutes ten chains; on the south-east by a line bearing 248 degrees 10 minutes 27 chains 76 links; on the south by a line bearing 270 degrees 23 minutes thirteen chains and twenty-five links; and on the south-west by a line bearing 338 degrees 10 minutes five chains to the point of commencement.

RESERVE FOR OFFICES FOR THE USE OF THE CLEVELAND DIVISIONAL BOARD.

85-19057—D.B.

Town of Cleveland.

Allotment 11, section 58.

County of Stanley, parish of Cleveland.

2 roods.

Commencing at the north-east corner of allotment 10, and bounded thence on the east by Bloomfield street bearing 354 degrees 30 minutes 250 links; on the north by Middle street bearing 264 degrees 30 minutes 200 links; on the west by allotment 12 bearing 174 degrees 30 minutes 250 links; and on the south by allotment 10 bearing 84 degrees 30 minutes 200 links to the point of commencement.

RECEIVED DNRM

COY. CLAZ  
DEC 16 1888

Release

RESERVE FOR RAILWAY PURPOSES.  
85-26674—S.G.

Muckadilla.

County of Waldegrave, parish of Muckadilla.

49 acres 3 roods 39  $\frac{1}{10}$  perches.

Commencing at a post marked broad-arrow over R.R. on the east alignment of a road on the north boundary of portion 29, and bounded thence on the west by that road bearing 352 degrees 1 minute sixteen chains and eighty-nine links; on the north by a line bearing 91 degrees 23 minutes thirty chains; on the east by portion 29 bearing 172 degrees 1 minute sixteen chains and eighty-nine links; and on the south by portion 29 bearing 271 degrees 23 minutes thirty chains to the point of commencement.

RESERVE FOR WATER.

S.G.—85-10308—P.L.

North Rockhampton.

County of Livingstone, parish of Archer.

51 acres 2 roods 20 perches.

Commencing at the north-west corner of portion 32, and bounded thence on the west by a line bearing north thirty chains and fifty links; on the north by a line bearing east twenty-six chains and fifty links; on the east by portion 34 bearing south sixteen chains, again on the north by that portion bearing east nine chains and forty-five links; again on the east by a line and portion 31 bearing south fourteen chains and fifty links; and on the south by a line and portion 32 bearing west thirty-five chains and ninety-five links to the point of commencement.

RESERVE FOR CAMPING.

85-26394—P.O.B.

On Dulvadilla Creek.

County of Dublin, Maranoa District.

About 15 acres.

Commencing on the right bank of Dulvadilla Creek at a point 292 links in a direct line from the centre of the Western Railway Line, and bounded

thence on the south by a line bearing 268 degrees 9 minutes fifteen chains; on the west by a line bearing 358 degrees 9 minutes ten chains; on the north by a line bearing 88 degrees 9 minutes to Dulvadilla Creek; and on the east by that creek downwards to the point of commencement.

RESERVE FOR CAMPING AND WATER.

85-27044—S.G.

Roma.

(In lieu of the reserve established by Notice in the *Government Gazette*, dated 14th July, 1871, which is hereby amended.)

County of Waldegrave, parish of Roma.

About 2,600 acres.

Commencing on the left bank of Bungil Creek at the south-east corner of suburban section 82, and bounded thence by a line bearing north to the south-east corner of section 78; on the north by a line bearing easterly to a point one chain and fifty links north of the north-east corner of Selection No. 11, and by a line bearing 67 degrees 30 minutes to the east boundary of the Roma Town Reserve; on the east by that boundary bearing 157 degrees 30 minutes about 130 chains to the south-east corner of the Roma Town Reserve; on the south by the south boundary of that reserve bearing 247 degrees 30 minutes to Bungil Creek; and thence by that creek upwards to the point of commencement,—exclusive of selections 11 and 16 and a reserve for Rifle Range.

Given under my Hand and Seal, at Southport, this sixteenth day of December, in the year of our Lord one thousand eight hundred and eighty-five, and in the forty-ninth year of Her Majesty's reign.

By Command,

C. B. DUTTON.

GOD SAVE THE QUEEN!

RTI DL RELEASE - DIRM

Release

TEMPORARY RESERVE.

for Cemetery

1 Brookfield

County of Stanley Parish of Moggill

a portion of  
43. 2. 0

THE Secretary for Public Lands recommends that the Lands as set forth in the accompanying Description be temporarily set apart, under the 95th Clause of the above Act, for Cemetery

The Department of Public Lands to be authorised to proceed with the necessary action.

PROCLAMATION PREPARED

Gov. Gaz.

DEC. 19 1885

RTI DI RELEASE - DNRM

Pls to J.O. Mapron, L.C.  
Presider, J. Shield, Under  
Off. Secy with diagram  
23. 12. 85  
Mr Shield advised  
24. 12. 85 A.W.

4-2-85-6

Release



Description.



Reserve for Cemetery  
Brookfield.

County of Stanley Parish of Moggill  
43 Acres 2 Roods & Perches.

Portion 56.

(Formerly Reserved for Rafting Timber but not proclaimed)

Commencing on the right bank of Moggill creek at the North East corner of Portion 55 and bounded thence on the South by that portion bearing West 37 chains and 10 links on the West by a line bearing North 10 chains on the North by Portion 57 bearing East 36 chains and 62 links to Moggill Creek, and thence by that Creek downwards to the point of commencement - exclusive of surveyed roads as shown on plan of survey deposited in the Survey or General's Office

RTI DI RELEASED

J.R. 17.11.85

S1518.25 17a

G.F. 107 714

131-1688 1.6

.33-106 3 3racinj.

Release

Cemetery No 35

SUBJECT.



85-271103-1

RECORD NO. TO WHICH MINUTE REFERS

MINUTE

BY ORDER OF MINISTER

Resting ground to be cancelled & land set apart temporarily as Cemetery Res - (par 56)

3-11-85

Advise Walter. Then to Mr Bennett  
4.11.85

Mr Thomas Shield informed accordingly  
7.11.85

Mr Bennett  
copy

B. B. 4665

For Survey Office  
For description and diagrams

Under Secretary

11.11.85

Description and Diagrams herewith  
B.B. hands  
17.11.85

Correspondence  
vide Brookfield Cemetery 176

1518 35  
08-107  
831-1628  
911-33-106

RTI DI RELEASE - DNRM

Release

*Thinks it would not be advisable to open present cemetery Brookfield Cemetery N. 35*

In your reply be sure to give  
1246 *also*  
239.86  
this number in the margin.

Department of Public Lands,



Brisbane, 23<sup>rd</sup> September 1886.

MEMORANDUM :

To The Under Secretary for Lands  
Brisbane

210 & 242-2-84-5.

Re your B.L. of the 20<sup>th</sup> instant and petition from certain persons with reference to the cemetery at Moggill. As I visited this cemetery in October 1885 by instruction, and as some of the parties have interviewed me since I can understand what they want. The parties living on Moggill Creek below the cemetery maintain that the soakage from the cemetery pollutes the water in the Creek consequently they are anxious to have the present cemetery closed and all future interment to take place in the new cemetery reserved in portion 56 parish of Moggill. On my first visit I made a careful inspection and could not find a trace of any soakage

Release

soakage from the Cemetery, and  
from the nature of the soil I  
should say there was none. As  
I stated in my former report  
the site has been unwisely chosen  
but as the trustees have lately  
fenced the ground in with a  
good and substantial fence, and  
stumped and cleared at least one  
half of it, and as the land is  
centrally situated for the majority  
of the people on the creek, I think  
it would not be wise to make any  
change at present

Peter McLean  
Land Commissioner

RTI DL RELEASE - DIRM

Release

SUBJ

1276 Ado  
23.9.86

DEPARTMENT OF PUBLIC LANDS  
23,335  
CASE 18

NO. TO  
MINUTE REFERS.

MINUTE

*Let the Com. learn to ascertain what  
petitioners want. It is not very  
clear from petition -*

BY ORDER OF MINISTER

*W. N.*

*17-9-86*

20 SEP 86

*B.L.*

*The Land Commissioner*

*Bushland*

*86-22486/Secy*

*To ascertain what petitioners want. It  
is not very clear from petition.*

*J.H.H.*

*2998*

*J. P. Singh  
Under Secy  
20.9.86*

RTI DL RELEASE DIVRM

Release



*Handwritten notes:*  
Hancock in 62  
in Grinnings 10-27-86

*Previous B-9841 Land*

*Lands W. W. W. 13-9-86  
B.C. 1*

*In unsuitability of present site for Cemetery*  
undisputed residents of B. W. W. hold must  
respectfully ~~state~~ *state*

*Admitted  
21.9.86*

**RTI DI RELEASE - DNRM**

*Faded handwritten text, likely a letter or report, containing several paragraphs of text that is mostly illegible due to fading and bleed-through.*

55



But your petitioners must be  
to plead but that the road is  
present above where such a  
place and have not to be the best  
The other your petitioners say to state that  
they have known the road to be paved  
through and that it is understood by a lot  
of gravel where some of the petitioners  
have been made.

3<sup>rd</sup> That considering that personally  
your petitioners are likely to suffer in  
health by the continued use of the road  
and your petitioners would humbly pray  
that the said side may be paved with  
further determination after a certain  
day five year from the present may  
be prohibited from taking place there.

4<sup>th</sup> That the side proclaimed that the petition  
present present may be made in the best  
further the said all records from  
Dorsetfield and that the side be made  
there and your petitioners will  
ever pray &c.

PTI DI RELEASE - DNRM

- James Shield
- Michael F. Shield
- George Doyle
- Saml. Heathwood
- Robert Currey
- William Henry
- Samuel Heathwood junr
- Samuel W. Jones
- Jaramiah Amos X his mark
- John H. Leahy

Release



PROCLAMATION.

By His Excellency Sir ANTHONY MUSGRAVE, Knight Grand Cross of the Most Distinguished Order of St. Michael and St. George, Governor and Commander-in-Chief of the Colony of Queensland and its Dependencies.

In pursuance of section ninety-five of "The Crown Lands Act of 1884," I, Sir ANTHONY MUSGRAVE, the Governor aforesaid, with the advice of the Executive Council, do, by this my Proclamation, notify and proclaim that the Lands hereunder described have been temporarily reserved for the purpose named with respect to each.

RESERVE FOR CEMETERY.

85-27110—S.G.

Brookfield.

On Moggill Creek.

County of Stanley, parish of Moggill.

Portion No. 56.

43 acres 2 roods.

Commencing on the right bank of Moggill Creek at the north-east corner of portion 55, and bounded thence on the south by that portion bearing west thirty-seven chains and ten links; on the west by a line bearing north ten chains; on the north by portion 57 bearing east thirty six chains and sixty-two links to Moggill Creek; and thence by that creek downwards to the point of commencement,—exclusive of surveyed roads as shown on plan of survey deposited in the Surveyor-General's Office.

RESERVE FOR HOSPITAL.

85-27142—S.G.

Esk.

County of Cavendish, parish of Esk.

10 acres.

Commencing at a point bearing 100 degrees 30 minutes and distant 410 1/2 links from the south-east corner of portion 48, and bounded thence on the south-west by a road bearing 100 degrees 30 minutes ten chains and eighteen links; on the east by a line bearing north ten chains and ninety-two links; on the north by a line bearing west ten chains; and on the west by a line bearing south nine chains and seven links to the point of commencement.

RESERVE FOR CUSTOMS PURPOSES.

S.O.—85-11760—P.L.

Geraldton.

County of Nares, parish of Johnston.

Allotment 7, section 6.

1 acre 30 perches.

Commencing at the east corner of allotment 6, and bounded thence on the north-east by Ranken street bearing 148 degrees 30 minutes four chains; on the south-east by Edith street bearing 252 degrees 40 minutes three chains and fifty-six links; on the south-west by allotments 6 and 12 bearing 342 degrees 40 minutes three chains and eighty-seven and three-quarter links; and on the north-west by allotment 6 bearing 72 degrees 40 minutes two chains and fifty-eight links to the point of commencement.

RESERVE FOR POUND.

85-27188—S.G.

Cooktown.

County of Banks, parish of Cook.

10 acres.

Commencing at a point bearing 19 degrees 10 minutes and distant eight chains from the south-east corner of section 27, and bounded thence on the south-west by a line bearing 99 degrees 10 minutes ten chains; on the south-east by a line bearing 9 degrees 10 minutes ten chains; on the north-east by a line bearing 279 degrees 10 minutes ten chains; and on the north-west by a line bearing 189 degrees 10 minutes ten chains to the point of commencement.

RESERVE FOR POUND.

85-19650—C. Secy.

Toowong.

County of Stanley, parish of Enoggera.

1 acre 1 rood 15 perches.

Commencing at the north-west corner of portion 243, and bounded thence on the east by that portion bearing 179 degrees 10 minutes three chains and thirty-six links; on the south by portion 244 bearing 269 degrees 10 minutes four chains; on the west by that portion bearing 359 degrees 10 minutes three chains and thirty-six links; and on the north by a road bearing 89 degrees 10 minutes four chains to the point of commencement.

RESERVE FOR RIFLE RANGE.

85-27143—S.G.

Cooktown.

County of Banks, parish of Cook.

55 acres 3 roods 28 perches.

Commencing at a point bearing 34 degrees 30 minutes and distant eighteen links from a blood-wood-tree marked broad-arrow over R.R. and bounded thence on the north-east by a line bearing 144 degrees 38 minutes sixty chains; on the south by a line bearing 272 degrees 57 minutes twelve chains and ninety-one links; on the south-west by a line bearing 324 degrees 38 minutes fifty-one chains and eighty-five links; and on the north-west by a line bearing 54 degrees 38 minutes ten chains to the point of commencement.

RESERVE FOR RIFLE RANGE.

85-20358—P.D.

Mackay.

County of Carlisle, parish of Bassett.

158 acres.

Commencing on the left bank of Vine Creek at the south-west corner of allotment 132, and bounded thence on the east by that allotment bearing north thirteen chains and twenty-three links; on the north by a road bearing 268 degrees 36 minutes fourteen chains and fifty links; on the west by a line and allotments 121, 118, 112, and 101 bearing south eighty-seven chains and forty-nine links; on the south by a road bearing east nine chains and fifty links to Vine Creek; and on the east by Vine Creek upwards to the point of commencement,—exclusive of a road three chains wide as shown on plan of survey deposited in Surveyor-General's Office.

RESERVE FOR RIFLE RANGE.

85-27044—S.G.

Roma.

County of Waldegrave, parish of Roma.

36 acres 3 roods 30 perches.

Commencing at a post near the railway line bearing 286 degrees 15 minutes and distant 136 1/2 links from a box-tree marked broad-arrow over R.R. and bounded thence on the north-west by a line bearing 68 degrees 10 minutes forty chains; on the north-east by a line bearing 158 degrees 10 minutes ten chains; on the south-east by a line bearing 248 degrees 10 minutes 27 chains 76 links; on the south by a line bearing 270 degrees 23 minutes thirteen chains and twenty-five links; and on the south-west by a line bearing 338 degrees 10 minutes five chains to the point of commencement.

RESERVE FOR OFFICES FOR THE USE OF THE CLEVELAND DIVISIONAL BOARD.

85-19057—D.B.

Town of Cleveland.

Allotment 11, section 58.

County of Stanley, parish of Cleveland.

2 roods.

Commencing at the north-east corner of allotment 10, and bounded thence on the east by Bloomfield street bearing 354 degrees 30 minutes 250 links; on the north by Middle street bearing 264 degrees 30 minutes 200 links; on the west by allotment 12 bearing 174 degrees 30 minutes 250 links; and on the south by allotment 10 bearing 84 degrees 30 minutes 200 links to the point of commencement.

Previous 85-62449 27-8-85

RELEASED UNDER CNRM



RESERVE FOR RAILWAY PURPOSES.  
85-26674—S.G.

Muckadilla.

*County of Waldegrave, parish of Muckadilla.*

49 acres 3 roods 39 $\frac{1}{10}$  perches.

Commencing at a post marked broad-arrow over R.R. on the east alignment of a road on the north boundary of portion 29, and bounded thence on the west by that road bearing 352 degrees 1 minute sixteen chains and eighty-nine links; on the north by a line bearing 91 degrees 23 minutes thirty chains; on the east by portion 29 bearing 172 degrees 1 minute sixteen chains and eighty-nine links; and on the south by portion 29 bearing 271 degrees 23 minutes thirty chains to the point of commencement.

RESERVE FOR WATER.

S.G.—85-10308—P.L.

North Rockhampton.

*County of Livingstone, parish of Archer.*

91 acres 2 roods 20 perches.

Commencing at the north-west corner of portion 32, and bounded thence on the west by a line bearing north thirty chains and fifty links; on the north by a line bearing east twenty-six chains and fifty links; on the east by portion 34 bearing south sixteen chains, again on the north by that portion bearing east nine chains and forty-five links; again on the east by a line and portion 31 bearing south fourteen chains and fifty links; and on the south by a line and portion 32 bearing west thirty-five chains and ninety-five links to the point of commencement.

RESERVE FOR CAMPING.

85-26394—P.O.B.

On Dulvadilla Creek.

*County of Dublin, Maranoa District.*

About 15 acres.

Commencing on the right bank of Dulvadilla Creek at a point 292 links in a direct line from the Western Railway Line, and bounded

thence on the south by a line bearing 268 degrees 9 minutes fifteen chains; on the west by a line bearing 358 degrees 9 minutes ten chains; on the north by a line bearing 88 degrees 9 minutes to Dulvadilla Creek; and on the east by that creek downwards to the point of commencement.

RESERVE FOR CAMPING AND WATER.

85-27044—S.G.

Roma.

(In lieu of the reserve established by Notice in the *Government Gazette*, dated 14th July, 1871, which is hereby amended.)

*County of Waldegrave, parish of Roma.*

About 2,600 acres.

Commencing on the left bank of Bungil Creek at the south-east corner of suburban section 82, and bounded thence by a line bearing north to the south-east corner of section 78; on the north by a line bearing easterly to a point one chain and fifty links north of the north-east corner of Selection No. 11, and by a line bearing 67 degrees 30 minutes to the east boundary of the Roma Town Reserve; on the east by that boundary bearing 157 degrees 30 minutes about 130 chains to the south-east corner of the Roma Town Reserve; on the south by the south boundary of that reserve bearing 247 degrees 30 minutes to Bungil Creek; and thence by that creek upwards to the point of commencement,—exclusive of selections 11 and 16 and a reserve for Rifle Range.

Given under my Hand and Seal, at Southport, this sixteenth day of December, in the year of our Lord one thousand eight hundred and eighty-five, and in the forty-ninth year of Her Majesty's reign.

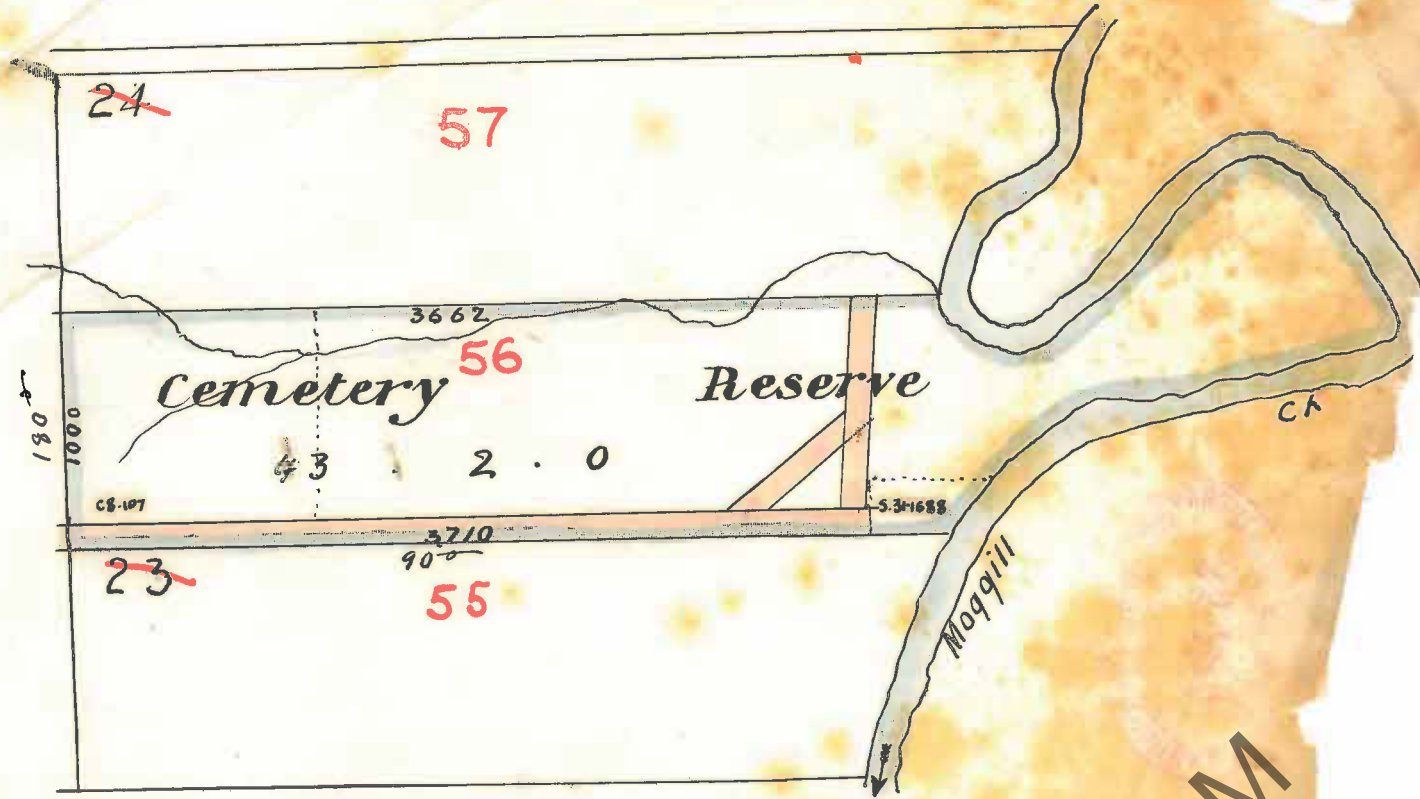
By Command,

C. B. DUTTON.

GOD SAVE THE QUEEN!

RTI DL RELEASE - DNRM

Release



Cemetery Reserve  
 Parish of Moggill  
 County of Stanley

Scale 10 chains to inch

J.R.  
 17.11.85

S 1578.25

RTI DL RELEASE - DIRM

Release