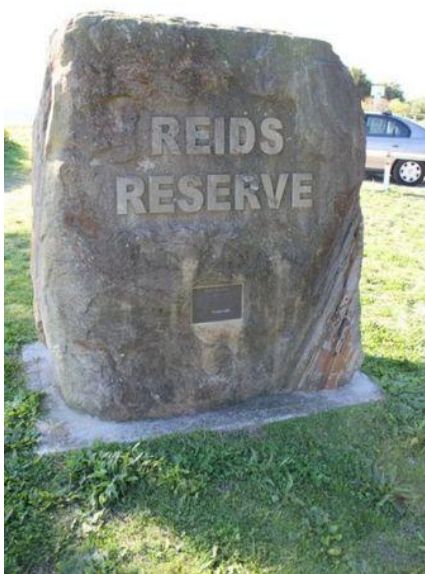


A
HISTORY
OF
304 THE ESPLANADE,
SPEERS POINT.



HISTORY OF 304 THE ESPLANADE SPEERS POINT

For 8,000 years the land now known as Speers Point, on the north eastern shores of Lake Macquarie was the home of the Awabakal people. They called the area ***Biddaba*** or ***Milloba***, meaning “ Silent Resting Place”. Whilst Lake Macquarie was clearly central to Awabakal people (as was the Hunter River estuary), there are several different versions of the detailed boundaries of the country of the Awabakal . The Awabakal appear to have been people of the coast, estuaries, lakes and wetlands, but also with attachment to the rugged sandstone country through the Sugarloaf and Watagan Ranges. The traditional country of the Awabakal people was bounded to the north by the Worimi, to the west by the Wonnarua, to the south west by the Darkinjung and to the south along the coast by the Kuring-gai people.¹



In early July 1800, Captain William Reid was ordered to sail to the Hunter River for a cargo of coal. Captain Reid mistook what we now know as Swansea Heads for the Hunter River. What he had entered was Lake Macquarie, though for many years it would be known as Reids Mistake, a name bestowed on the southern side of the entrance (and eventually coming to refer to the whole Lake) by Governor King when he heard the story of its discovery. This name remained in general use until about 1826 when it was renamed in honour of

Governor Lachlan Macquarie. Reids Mistake is still the official title given to the southern headland of the entrance to Lake Macquarie, as listed by the Geographic Names Board of NSW. Settlement in the area at the time was not encouraged, as the nearby settlement at Kings Town (now known as Newcastle) was a penal settlement.

¹ www.history.lakemac.com.au/awabakal

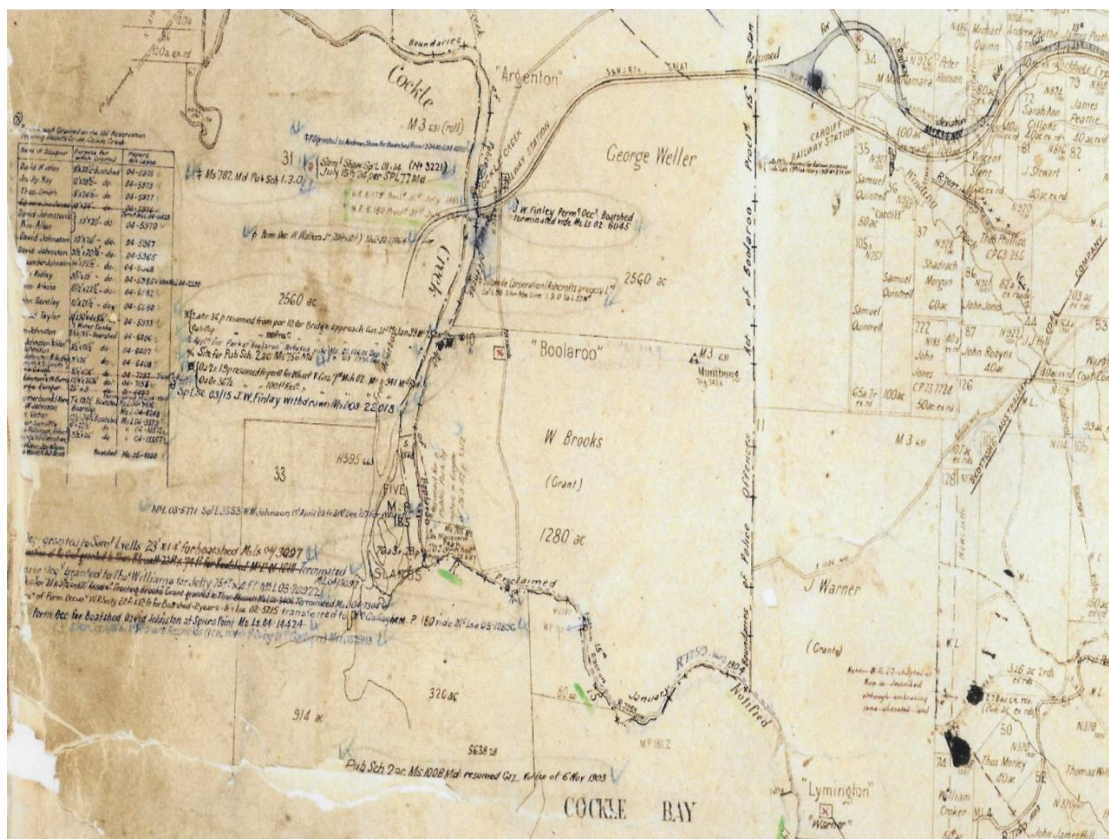
The first known European settler in the area was **R Sadlier**. However, Sadlier did not own the land.

William Brooks arrived in the colony with his wife Eliza Janet on the *Hugh Crawford* in November 1826. They had been married on 8th June 1826 at St. Pancras, London, shortly before sailing. A daughter, Euphemia Janet, was born to William and Eliza Janet in May 1827.

In the 1828 Census William Brooks age 35 and Eliza age 31 together with Elizabeth age 1 1/2 who was born in the colony, resided at Dalziel, Patrick Plains, on 640 acres.

William Brookes first selected this area in 1825, but his Land Grant of 1,280 acres (Portion 10) (Kahibah Parish) was not proclaimed until 16 May 1839.(See Appendix 1). This Grant extended from the railway line at Cockle Creek, down Cockle Creek to the Lake, along the shore of the Lake to Fairfax Road and then north to join the railway again in the vicinity of the Railway Workshops near Cardiff.² He named his property “Lochend”. Brooks’ first wife, Eliza Janet, died in 1829. He married his second wife, Elizabeth Evans, 28 January 1834. A son was born 2 November 1834.

² www.history.lakemac.com.au/boolaroo



Early map of Lake Macquarie showing Brook's Grant of 1280 acres.

Brooks took out a Mortgage on the property with the New South Wales Savings Bank in May 1841 for Seven Hundred Pounds.³ (see Appendix 2).

He discovered coal on his property and opened the “Lochend Colliery” in 1843 which mined coal from the bottom of the hills around Speers Point. In 1843 in the *Maitland Mercury*, Brooks advertised that *excellent coal had been satisfactorily experimented on at Newcastle and the Stockton Tweed Factory, and that a Cargo had left his wharf for Sydney where it could be viewed at Crofts Wharf in Sussex Street. The coal was transported by trolley down to a jetty at Speers Point. Brooks stated that he could provide a regular supply at the Pit or inside the heads of Lake Macquarie. He charged 7/6- per ton at the pit and 9/- at the heads. Vessels drawing 3ft 6in*

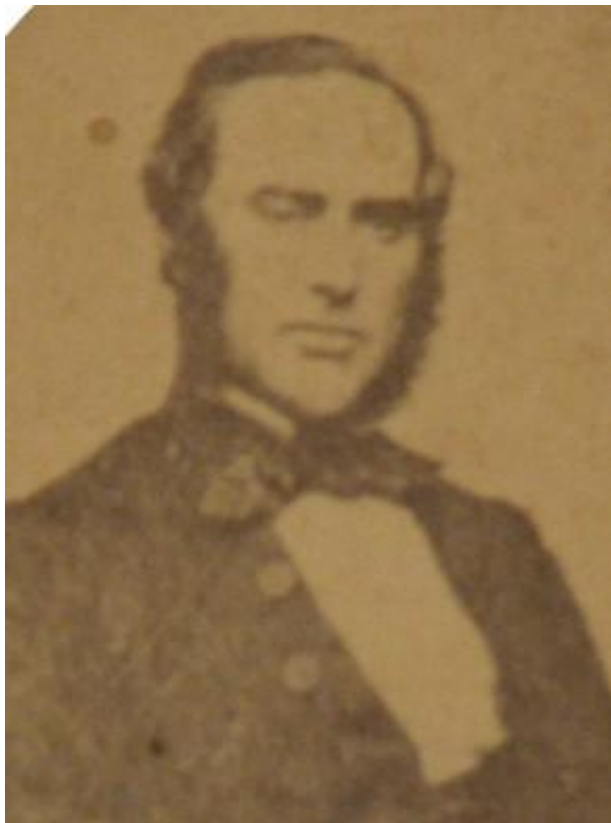
³ Mortgage with New South Wales Savings Bank Registered Number 806 Book v.

*when laden could take their cargo at the wharf beside the pit. Vessels drawing 4ft 6in could receive their cargo inside the heads from barges. However, the difficulty in transporting the mined coal resulted in Brooks closing it.*⁴

By 1848 Brooks had left Lake Macquarie. He died in 1858.

William Speer was born in 1818 in County Tyrone, Ireland, and arrived at Port Phillip on 30 November 1841 on the *Marquis of Bute*, as a labourer.

On 29 June 1848, in Sydney, he married Irish-born Margaret Anne (Annie) Hamilton (1831–84), the daughter of Michael Bennett and his wife Margaret, née Hamilton. They had eight sons and three daughters. The eldest son, William Meiklejohn Speer⁵, was born in 1849.



On 31 November 1854, The Trustees of the Savings Bank of New South Wales, conveyed Brook's land to **William Speer**⁶ (See Attachments 3, 4 and 4a). On 1 December 1854 the Savings Bank of New South Wales recorded a Mortgage on the land by Speer⁷. Speer borrowed the sum of Six Hundred and Forty Pounds from the Bank. Interest on this loan was *"Five Pounds for every one hundred pounds for a*

⁴ https://www.jenwilletts.com/william_brooks.htm

⁵ William Meiklejohn Speer. Born 1849, died 1917.

⁶ Registration of Conveyance dated 1 December 1854. Registered Number 559, Book 36

⁷ Mortgage dated 1 December 1854. Number 560, Book 36.

*year.....that is to say Sixteen Pounds being one half year's interest on the said sum at the rate aforesaid*⁸.”(See Appendix 5) His residence was erected near the corner of Main Road and Park Road, on the hill opposite the present Lake Macquarie City Administration building.

Speer paid out the Mortgage on the property 23 August 1869.⁹

In 1870 Mr James Ryan was the only resident in the area. Ryan was Speer's estate administrator. He lived in the residence that Speer had built earlier.

It is interesting to note that Speers Point was, during Speers' ownership of the land, a ship building centre. Several vessels being built for coal carrying between Wollongong and Botany. Mr Black, a partner with Mr Speer in the industry, controlled the building of seven vessels which were of flat-bottomed type. They were each of 100 tons register and were constructed from hardwood obtained from the forests within the estate. The industry was discontinued when the estate was sold.

Mr Ryan (Speer's Estate Administrator) said that Speer acquired the land *“as the result of lending the sum of seven hundred pounds¹⁰ upon the estate, which comprised 1280 acres, being the whole of what is now known as Speers' Point. Mr Speer came into possession of the property, and a fine investment it proved. About twenty years ago he disposed of the property, in round figures, for eighty two thousand pounds to the Lake Macquarie Estate Company, who acquired the land for mining purposes.”*¹¹

Speer was elected Alderman for Brisbane Ward (Sydney), a position he held from 7 September 1858 to 1 December 1867. He was Mayor in 1864.

⁸ As per Mortgage Indenture dated 1 December 1854. Book 36 Number 560.

⁹ Indenture dated 23 August 1869. Book 115 - 46

¹⁰ Actual amount Speer borrowed was Six Hundred and Forty Pounds. Indenture dated 1 December 1854 with Savings Bank of New South Wales. Book 36, Number 559.

¹¹ Extract from the Newcastle Morning Herald. Tuesday 4 June 1912.

In 1864 he was appointed a Justice of the Peace. By the 1870s he had freehold houses in Crown Street and land at Darling Point. He had a residence, Berryfield, at 8 Wylde Street, Potts Point, and was elected Member of the Legislative Assembly for West Sydney; he was their representative from 9 December 1869 to 3 February 1872.

In 1870, Speer Snr conveyed, under Mortgage, his 1280 acres (and other properties he owned) to his eldest son, **William Meikeljohn Speer**.¹² (See Appendix 6) An extract from the Indenture of Conveyance states: *“Thirdly, all that parcel of land containing 1280 acres situated in the County of Northumberland conveyed by the Trustees of the Savings Bank of New South Wales to the said William Speer dated 23 August 1869, Registered 26 August 1869 Number 416 Book 115 and all of the lands described or comprised in said Indenture.”*

A further mortgage was taken out by Speers (See Appendix 7)

It is interesting to note that The Esplanade (as we call it today) was originally called Government Road. The name Esplanade was first recorded in Warner’s adjoining subdivision map of 1879.

Speer Snr died at Glebe Point on 20 September 1900 and was buried with Church of England rites.

In 1888 the land is conveyed, under mortgage, from Speer to a group of people¹³ : (see Appendix 8)

James Reading Fairfax (Newspaper Proprietor)

Sir George Inness (Judge of the Supreme Court of the Colony)

John Smith (member of the Legislative Assembly)

Andrew Gardiner (Minister of the Gospel)

Harriett Beard (Widow)

Augustus Robinson Hinkler

Francis Tait (Accountant)

¹² Indenture of Conveyance dated 13 Nov 1870. Book 120-498

¹³ Indenture dated 10 March 1888. Book 385 - 22

An Indenture of Mortgage is taken out dated 12 March 1888 on the land¹⁴. (See Appendix 9)

17th February 1909 Sir James Fairfax assumed “One thousand, one hundred and forty three acres, one rood, twelve and three quarter perches or thereabouts of the land” Deed of transfer Vol 1949 Folio 85. (See Appendix 10)

With the sale of the estate, Mr Ryan continued as Caretaker of the area with the Lake Macquarie Estate Company.

Whilst a number of seams of coal were encountered, the prospects of developing the coal industry did not appeal to the company, who proceeded to subdivide and sell the estate.

Speers Point began to become more populated when its first subdivision occurred in 1902. The first subdivision involved “123 Large Allotments. Magnificent Water Frontages Overlooking the

Beautiful Waters of Lake Macquarie”.¹⁵

The land sale was held on Saturday 3rd May 1902 on site. This subdivision comprised 29 lots along the Esplanade from the corner of Government Road (now known as Main Road) to Sixth Street (now Alley Street) and with 11 blocks further on towards Warners Bay.



¹⁴ Book 383, Number 23.

¹⁵ Extract from Advertisement Newcastle Morning Herald 26 April 1902

Also in this subdivision were 84 lots set back from the Esplanade. The blocks along Government Road were advertised as “ *Good Business Positions Fronting Government Road (now Main Road)*).



An excerpt from the Newcastle Morning Herald describes Speers Point in the early 1900's: “A *sure indication of progress is provided by the demand within recent months for land, and several new residences of a substantial*

character will be erected shortly. A number of houses which have been erected recently are of the complete villa type. The main Government road is kept in excellent order, and motorists and drivers generally give the councillors credit for its up keep.”



Speers Point Hotel circa early 1900's



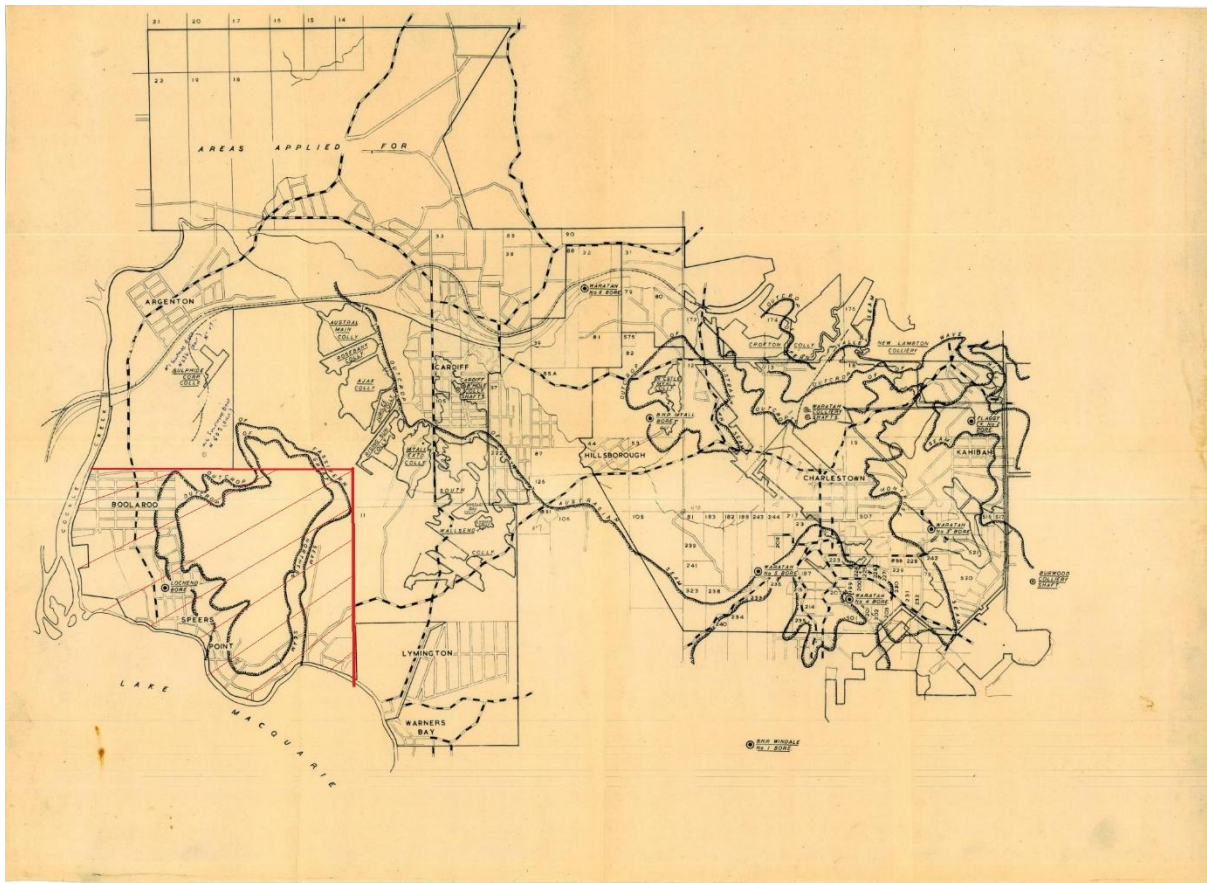
Bullock Team being driven along the Esplanade

The Second Subdivision was offered for sale in 1904.

On 12th October 1907 the Third Subdivision was offered for sale offering *“116 Large Allotments...Torrens Title”... With splendid waterfrontages, and choice residential Sites.... In a Healthy and Elevated Position.”*

A fourth subdivision of “143 Large Residential and Orchard Lots” was advertised for sale on Saturday 16th 1908.

In total, six subdivisions were offered at Speers Point between 1902 and 1913. (See appendix 11)



Early Map showing Brook's/Speer's Land (area inside red line).

SPEERS POINT OVER LOOKING LAKE MACQUARIE

19 Fine Building Blocks 19

AND A
COMFORTABLE COTTAGE HOME
WITH VACANT POSSESSION

For Sale by Auction on the Land
Saturday, 18th August, 1951
at 3 p.m.

UNDER INSTRUCTIONS FROM PERPETUAL TRUSTEE COMPANY (LIMITED) and Mrs. E. F. POUNTNEY Executor & Executrix of the will of the late Mrs. Lucy J. Bone
SOLICITORS TO THE ESTATE: H. V. Harris Wheeler & Williams

TORRENS TITLE
All Measurements subject to Deposited Plans
SURVEYORS: Palmer, Turner & Brown

CREER & BERKELEY
9-11 Wolfe Street
LICENSED AUCTIONEERS

NOTE
INSPECTION OF THE COTTAGE MAY BE MADE ON
SATURDAY AFTERNOONS BETWEEN 2 & 4 P.M.

 A detailed map of the land sale area, showing 19 numbered lots arranged in a grid. The map is bounded by Berkeley St to the north, Morse St to the east, and Lake Macquarie to the south. A small inset map shows the location of the land relative to the Esplanade and Newcastle.

1951 Land Sale of lots bound by The Esplanade and Morse Street.

5th & 6th SUBDIVISION

SPEERS POINT

LAKE MACQUARIE

The favourite watering place of the
NEWCASTLE DISTRICT.

82 "Splendid Residential Allotments."

TORRENS TITLE

Tramway FROM Cockle Creek R. Stn runs through the Estate to the PARK.

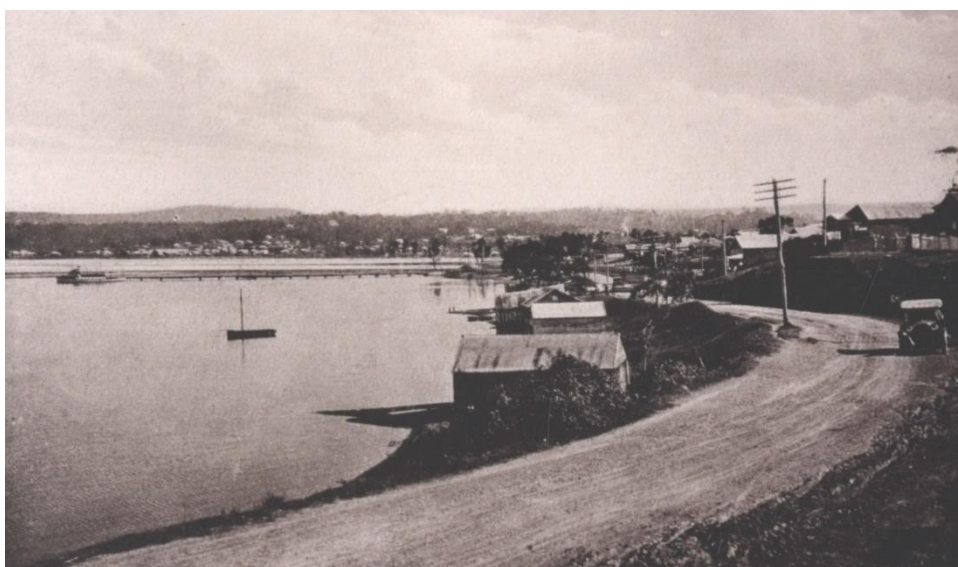
FOR SALE BY AUCTION
ON AT **SPEERS POINT HOTEL**
SATURDAY 27th JAN. 1912, 2 p.m.
BY **REER & BERKELEY** AUCTIONEERS

LOCAL SKETCH

TERMS.
1/4 Cash. Balance at 6, 12, 18 & 24 Months with 4% interest added.

NOTE: Plan is prepared prior to survey consequently all lengths are approximate only and are subject to Deposited Plan.

A General Clearance Sale of the "whole of the unsold allotments in the Boolaroo 1st and 2nd Subdivisions and Also the 1st, 2nd, 3rd, 4th, 5th and 6th Subdivisions of Speers Point" was held on 3 May 1913.



The Esplanade circa 1920's



Enjoying the Speers Point foreshore circa early 1900's



Speers Point Park became a popular picnic and swimming spot in the early 1900s.

On 18 February 1914 **William Scott** purchases the Lot 4 of Portion P.¹⁶ The block extends from The Esplanade through to Berkeley Street. It measures 63 foot x 307 foot 2 inches. (See Appendix 12)

2 April 1930 the property is transferred to Shaw's widow, **Mary Ann Scott**.¹⁷

13 October 1939 Mary Scott takes out a mortgage¹⁸ on the property with the Bank of New South Wales. The mortgage is discharged on 6 June 1939.¹⁹

On 12 April 1940 there is a resumption of land for a roadway. Gazetted Folio 1759.²⁰

3 September 1959, the property passes to **Caroline Evans Scott**. (Transfer Number H250426.)

16 May 1972 **Sidney Neil and Agnus Mary Aitkin** purchase the property²¹, with a mortgage dated 14 April 1972 with the Bank of New South Wales. (M713519). This Mortgage is discharged on 19 May 1975²².

6 November 1975 Resumption of land for road purposes by Council of the Shire of Lake Macquarie.²³

11 February 1977 the property is mortgage by the Newcastle Permanent Building Society Ltd by **Albert Barry and Shirley Veronica Curran**. (Q45160).

On 15th May 1978, Curran receives correspondence from Lake Macquarie Municipal Council to build a "Brick Veneer Building" on the lot. This house is situated at the rear of the block, facing Berkeley

¹⁶ Certificate of Title. Vol 2448 Folio 38.

¹⁷ Number 949104 dated 2 April 1930.

¹⁸ Reference C603905 Dated 13 October 1937.

¹⁹ Number C795674, dated 13 June 1939.

²⁰ Reference C89739

²¹ Reference M713518 dated 16 May 1972.

²² Reference M713519 dated 19 May 1975.

²³ Reference P441797

Street. Clause 13 of the Special Permit Conditions for the building states “The existing dwelling shall be demolished within a period of twenty-eight days of occupation of the new structure.²⁴” (See Appendix 14, 15 & 16).



House built at rear of block facing Berkeley Street. 42 Berkeley Street Speers Point.

On 24th August, 1987, Curran applies to subdivide the block bounded by The Esplanade and Berkeley Street into two blocks²⁵. (See Appendix 17, 18, 19 & 20)

The property is mortgaged 30 June 1988 to the Commonwealth Bank. (X653698)

The property transfers to Patricia Pridue. However, she does not reside at the property. It may have been a vacant block at this time.

12 September 1991 Shirley Patricia Pridue lodges a Building Application (DA/504/1991) to construct 2 x 3 Bedroom Dual Occupancy on 304 The Esplanade Speers Point. Approved.

21 November 1991 Braidway Pty Ltd (Trustees) lodge a Building Application (BA/4908/1991 to build Duplex Units on 304 The Esplanade, Speers Point. Approved.

²⁴ Permit Number 78 1277. Lake Macquarie Municipal Council.

²⁵ D.A. No 87/0296 Lake Macquarie City Council

19 February 1993 Braidway Pty Ltd (Trustees) lodge Building Applications (DA/39/1993 and DA/124/1993) for a Strata subdivision 1 lot into 2 lots. Approved.

On 8th March, 1993 consent I City of Lake Macquarie to construct a two apartment duplex constructed on the site by Monteath & Powys Pty Ltd²⁶. (See Appendix)



Unit 1 – Christopher Burgess purchased for \$155,000 29 July 1994

Unit 2 – Purchased by Richard Macey

Purchased by James and Hazel Roberts

Purchased by Christopher Burgess 4 May 2010 for \$511,000

²⁶ DA/93/00124. City of Lake Macquarie

APPENDIX

New South Wales, Australia, Registers of Land Grants and Leases, 1792-1867 for William Brooks				
Registers of Land Grants and Leases > Counties of Northumberland and Hunter > 1836-1840 (Vol. 9)				
Lot, Sub- lot, or Block	Grantee	Quantity, Acreage and Kind	When Granted, the Name of Grantor	Witness
130				
131				
132				
133				
134				
135				
136				
137				
138				
139				
140				
141				
142				
143				
144				
145				
146				
147				
148				
149				
150				
151				
152				
153				
154				
155				
156				
157				
158				
159				
160				
161				
162				
163				
164				
165				
166				
167				
168				
169				
170				
171				
172				
173				
174				
175				
176				
177				
178				
179				
180				
181				
182				
183				
184				
185				
186				
187				
188				
189				
190				
191				
192				
193				
194				
195				
196				
197				
198				
199				
200				
201				
202				
203				
204				
205				
206				
207				
208				
209				
210				
211				
212				
213				
214				
215				
216				
217				
218				
219				
220				
221				
222				
223				
224				
225				
226				
227				
228				
229				
230				
231				
232				
233				
234				
235				
236				
237				
238				
239				
240				
241				
242				
243				
244				
245				
246				
247				
248				
249				
250				
251				
252				
253				
254				
255				
256				
257				
258				
259				
260				
261				
262				
263				
264				
265				
266				
267				
268				
269				
270				
271				
272				
273				
274				
275				
276				
277				
278				
279				
280				
281				
282				
283				
284				
285				
286				
287				
288				
289				
290				
291				
292				
293				
294				
295				
296				
297				
298				
299				
300				
301				
302				
303				
304				
305				
306				
307				
308				
309				
310				
311				
312				
313				
314				
315				
316				
317				
318				
319				
320				
321				
322				
323				
324				
325				
326				
327				
328				
329				
330				
331				
332				
333				
334				
335				
336				
337				
338				
339				
340				
341				
342				
343				
344				
345				
346				
347				
348				
349				
350				
351				
352				
353				
354				
355				
356				
357				
358				
359				
360				
361				
362				
363				
364				
365				
366				
367				
368				
369				
370				
371				
372				
373				
374				
375				
376				
377				
378				
379				
380				
381				
382				
383				
384				
385				
386				
387				
388				
389				
390				
391				
392				
393				
394				
395				
396				
397				
398				
399				
400				
401				
402				
403				
404				
405				
406				
407				
408				
409				
410				
411				
412				
413				
414				
415				
416				
417				
418				
419				
420				
421				
422				
423				
424				
425				
426				
427				
428				
429				
430				
431				
432				
433				
434				
435				
436				
437				
438				
439				
440				
441				
442				
443				
444				
445				
446				
447				
448				
449				
450				
451				
452				
453				
454				
455				
456				
457				
458				
459				
460				
461				
462				
463				
464				
465				
466				
467				
468				
469				
470				
471				
472				
473				
474				
475				
476				
477				
478				
479				
480				
481				
482				
483				
484				
485				
486				
487				
488				
489				
490				
491				
492				
493				
494				
495				
496				
497				
498				
499				
500				

Appendix 1: Brook's Land Grant Register Entry.

"Description

Bounded on the east by the West boundary of Warners land and a continued line bearing west one hundred and thirty four chains and fifty links to Cockle Creek. On the west by that creek; and on the south by Lake Macquarie. Being the land being promised to the said William Brooks on or before the 18th December 1828 by His Excellency Lieutenant General Sir Ralph Darling and of which he was authorised to take possession on 4th September 1829 on a primary grant being the land advertised at No 221 in the Government Notice dated 7th November 1838."

- 81 -

No. 806 Book V.

MEMORIAL.

Date of Instrument: 7 & 8 day of May in the year of our Lord One thousand eight hundred and forty-one

Nature of Instrument: Mortgage in fee

Names of the Parties: William Brooks and Elizabeth his wife to Edward Deas Thomson Vice President of Savings Bank

Names of the Witnesses: Geo. Brooks

Description of the Lands or Property conveyed: All that piece or parcel of land containing by admeasurement 1280 acres be the same more or less situate lying and being in the County of Northumberland and Parish of at Biddaba Lake Macquarie in the Territory of New South Wales bounded on the East by the West boundary of J. Warner's land and a continued line of 21 chains on the north by a line bearing west 134 chains and 50 links to Cockle Creek on the west by that Creek and on the south by Lake Macquarie Being the land promised to the said William Brooks on or before the 18 day of December 1828 and of which he was authorised to take possession on 4 September 1829 as a primary Grant Being also the land advertised as No.221 in the Government Notice dated 7 November 1838 called Lochend

Consideration and how paid : Seven hundred pounds

Any other particulars the case may require : -----

Wm. Brooks

In the Supreme Court of New South Wales James Smith Mollan of Sydney in the Colony of New South Wales Gentleman maketh Oath and saith that the above Memorial contains a just and true Account of the several particulars therein set forth

Sworn before me this)
13th day of May A.D.1841) J. S. Mollan
J. E. Manning
Regr.

No.806 V. : William Brooks & Wife to E. D. Thomson V.P. of S.
Memorial : Recd. this 13 of May 1841 at 20 m. p. 12 o'clock
P.M. from J. S. Mollan

D. B. Hutchinson

S. K.
83

Appendix 3: Speer's Land acquisition Registry entry. Book 385 No. 22

[illegible]

Appendix 4: Speers Indenture of Transfer of land from Brooks . Book 36, Number 559. Full first Page.

No 539 Book 36 Com^{et}

This Indenture made the thirtieth day of November in the year One thousand eight hundred and fifty four Between the Trustees of the Savings Bank of New South Wales of the one part and William Speer of Sydney in the Colony of New South Wales of the other part Whereas by an Indenture dated the eighth day of May One thousand eight hundred and forty one made between William Brooks and Elizabeth his wife of the one part and Edward Deas Thomson Vice President of the Bank of New South Wales of the other part for the considerations therein mentioned all the hereditaments herein after described and intended to be hereby granted and conveyed were conveyed unto the said Edward Deas Thomson — his heirs successors and assigns for ever subject nevertheless to a proviso for redemption on payment of the sum of Seven hundred pounds of lawful money of Great Britain on the eighth day of May One thousand eight hundred and forty two and interest as therein mentioned and on the said Indenture is contained a proviso that on each default be made by the said William Brooks in payment of the said principal sum of Seven hundred pounds or the interest thereon as therein mentioned and appointed for payment of the same should though a no advantage should have been taken of any previous default it should be lawful for the said Edward Deas Thomson his heirs successors and assigns absolutely to sell the said land and hereditaments therein before retained with their appurtenances to any persons whomsoever for such price or sum of money as the said Edward Deas Thomson should think fit and for the purchase aforesaid with or without the concurrence of the said William Brooks his heirs or assigns to enter into make and execute all necessary conveyances and other assurances acts and deeds as should seem reasonable And it is thereby declared that the receipt or receipts or writing of the said Edward Deas Thomson or his successors or the person or persons entitled to receive the same for any sum or sums of money payable to him or them by virtue thereof should be a good and effectual discharge in good and effectual discharge for the same respectively of for as much as in such receipt or receipts should be expressed or acknowledged to be received and that the person or persons to whom the same should be given should not be answerable or accountable for the same or any part thereof or be bound to enquire whether such default as aforesaid should have been made or whether the power of sale therein before given should have been properly exercised And whereas by an Indenture made the seventh day of May One thousand eight hundred and forty two made between the same person or persons to the said lastly recited Indenture after reciting the said lastly recited Indenture the said William Brooks for the considerations therein mentioned thereby charged the said hereditaments with the payment of the further sum of Three hundred pounds and interest And whereas default was made in payment of the said two several sums of Seven hundred pounds and Three hundred pounds and the same now remain overdue and unpaid And whereas the Trustees of the Savings Bank of New South Wales caused the said hereditaments to be put up to sale by public auction by Edwrd at about the at then Thomas Pitt Street Sydney aforesaid on the third day of October in the year One thousand eight hundred and fifty four at which sale the said William Speer having attended and bid the sum of One thousand two hundred and eighty pounds for the said hereditaments he was declared the highest bidder for and purchaser of the said hereditaments and the premises and inheritance thereof in possession free from all incumbrances at that sum Now this Indenture Witnesseth that in pursuance of the said sale and in consideration of One thousand two hundred and eighty pounds of lawful money of Great Britain to the said... Bank of the said the said William Speer at or before the execution of these presents the receipt of which said sum is hereby acknowledged They the Trustees of the Savings Bank of New South Wales by virtue of and in pursuance and execution of the power of sale to them by the said hereditaments in part recited Indenture did the eighth day of May One thousand eight hundred and forty one and of every other power them in anywise enabling in this behalf to grant and convey unto the said William Speer and his heirs all that piece or parcel of land containing by admeasurement One thousand two hundred and eighty acres of land be the same more or less situate lying and being in the county of Northumberland and parish of at Biddaba Lake alias quarters in the said County.

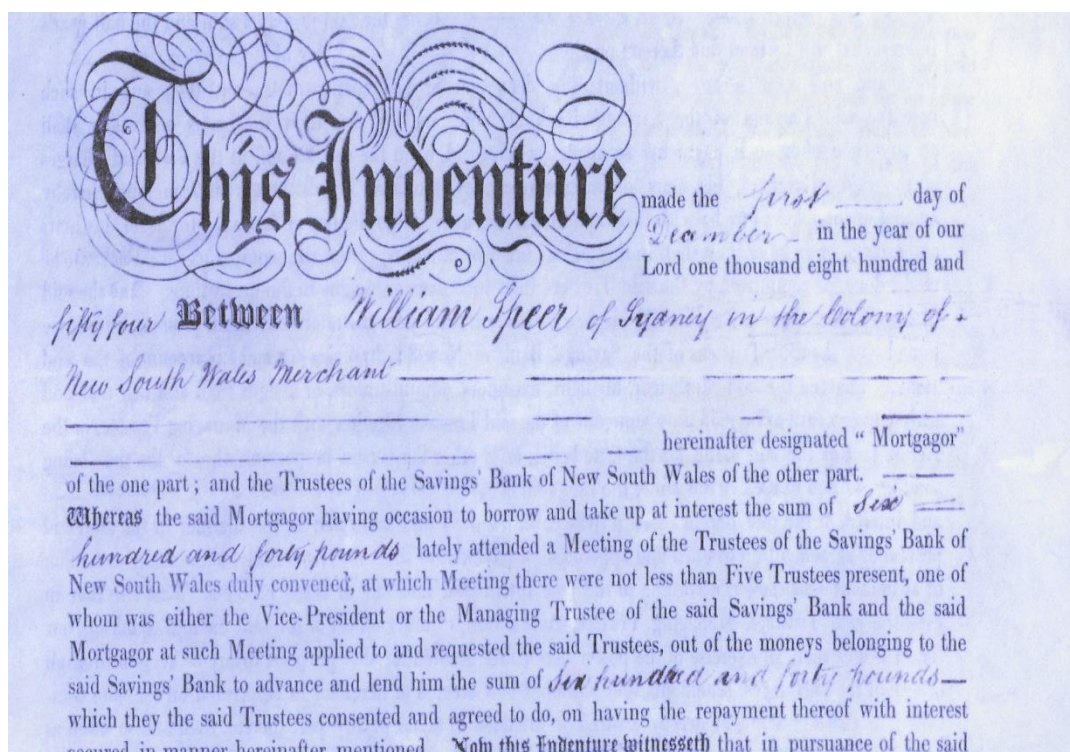
William Speer

Appendix 4a – First few lines of Book 36 Number 559, as above.

N^o 539 / Book 36 Com^{el}

This Indenture made the thirtieth day of November in the year
One thousand eight hundred and fifty four Between the Trustees of the Savings Bank
of New South Wales of the one part and William Speer of Sydney in the Colony of New
South Wales ^{Merchant} of the other part. Whereas by an Indenture dated the Eighth day of May
One thousand eight hundred and forty one made between William Brooks and Elizabeth
his wife of the one part and Edward Deas Thomson Vice President of the Bank of New South
Wales of the other part for the considerations therein mentioned all the hereditaments herein
after described and intended to be hereby granted and enfeoffed were conveyed unto
the said Edward Deas Thomson & his heirs successors and assigns for ever, subject
nevertheless to a proviso for redemption on payment of the sum of Seven hundred
pounds of lawful money of Great Britain on the Eighth day of May One thousand

Appendix 5: Speer's Mortgage dated 1st December 1854.



***"THIS INDENTURE* made the first day of December in the year of our Lord 1854 between William Speer of Sydney in the colony of New South Wales hereinafter designated "Mortgagor" of the one part; and the Trustees of the Savings Bank of New South Wales of the other part. Whereas the said mortgagor having occasion to borrow and take up at interest the sum of 640 pounds lately attended a meeting of the Trustees of the Savings Bank of New South Wales DULY convened, at which meeting there were not less than Five Trustees present, one of whom was either the vice president or the managing trustee of the said Savings Bank and the said Mortgagor at such meeting applied to and requested the said Trustees, after the moneys belonging to the said Savings Bank to advance and lend him the sum of 640 pounds which they the said Trustees consented and agreed to do, on having the payment thereof with interest have secured in manner hereinafter mentioned. Now this indenture witnesses that in pursuance of the said hereditaments now in the custody or power of the said mortgagor. To have and to hold the said hereditaments and premises hereby assured or intended so to be, with their appurtenances unto the said trustees of the Savings Bank of New South Wales and their successors as a body corporate for an estate in fee simple forever. Nevertheless to the use of the said trustees of the Savings Bank of New South Wales and their successors for an estate in fee simple for ever, but for the benefit of the depositors of the said bank. Subject nevertheless to the proviso or condition for redemption of the said hereditaments, and with the powers hereinafter contained (that is to say) provided always and it is hereby agreed and declared that if the said mortgagor, his heirs, executors, administrators or assigns do and shall well and truly pay or cause to be paid unto anyone of the said trustees, together with the managing trustee or accountant of the said bank for the time being, or to other the person or persons who for the time being shall be entitled to receive the same, the sum of 640 pounds Sterling, together with interest for the same after the rate of £5 for every 100 pounds for a year, on the days or times hereinafter mentioned (that is to say) the sum of 16 pounds being 1/2 years interest on the said sum at the rate aforesaid."** William Speer.

Appendix 6: Indenture of Mortgage from William Speer to William Mikeljohn Speer dated 10 March 1888. Book 385 No. 22.

See N.P.A. Vol. 1644 p. 239 6241 (Appx 10237.)
 Stamp duty £160
 12 3 88

This Indenture made the tenth day of March 1888

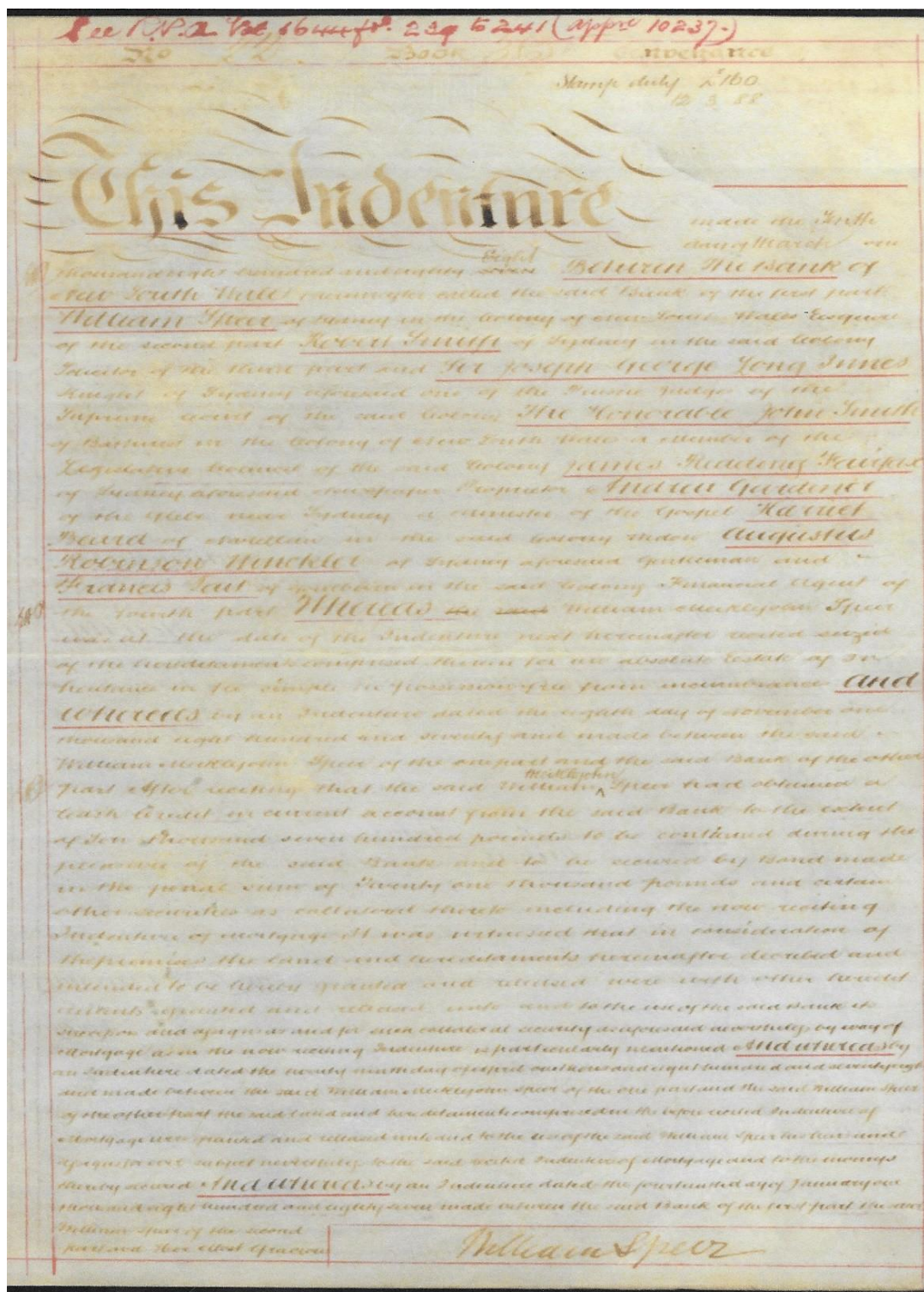
Between the Bank of New South Wales (hereinafter called the said Bank of the first part) William Speer of Sydney in the Colony of New South Wales Esquire of the second part Robert Smith of Sydney in the said Colony Justice of the Peace and Mr Joseph George Long Jones Knight of Sydney Esquire and one of the Judges of the Supreme Court of the said Colony The Honorable John Smith of Bathurst in the Colony of New South Wales a Member of the Legislature of the said Colony James Huddlesley Esquire of Sydney Esquire and Newspaper Proprietor William Gardiner of the said New South Wales a Member of the Great Australasian Board of Education in the said Colony Andrew Augustus Robinson Esquire of Sydney Esquire and Gentleman and Francis Paul Esquire in the said Colony Financial Agent of the fourth part William Mikeljohn Speer was at the date of the Indenture next hereinafter recited seized of the premises comprised therein for an absolute estate of inheritance in fee simple in possession for ever unincumbered AND WHEREAS by an Indenture dated the eighth day of November one thousand eight hundred and seventy and made between the said William Mikeljohn Speer of the one part and the said Bank of the other part after reciting that the said ^{Mikeljohn} Speer had obtained a cash loan on current account from the said Bank to the extent of ten thousand seven hundred pounds to be continued during the pleasure of the said Bank and to be secured by bond made in the penal sum of Twenty one thousand pounds and certain other securities as contained therein including the now recited Indenture of mortgage it was witnessed that in consideration of the premises the land and tenements hereinafter described and intended to be hereby granted and released were with other tenements comprised and released unto and to the use of the said Bank to be applied and applied as and for such collateral security as aforesaid and wholly by way of mortgage as in the now recited Indenture is particularly mentioned AND WHEREAS by an Indenture dated the twenty ninth day of April one thousand eight hundred and seventy and made between the said William Mikeljohn Speer of the one part and the said William Speer of the other part the said land and tenements comprised in the above recited Indenture of mortgage were granted and released unto and to the use of the said William Speer his heirs and assigns for ever subject nevertheless to the said other Indenture of mortgage and to the covenants thereby secured AND WHEREAS by an Indenture dated the first day of January one thousand eight hundred and eighty seven made between the said Bank of the first part the said William Speer of the second part and the said Francis Paul

William Speer

N^o 1178 Boon 120 Mortgage

This Indenture made the eighth day of August in the year of our Lord one thousand eight hundred and seventy Between William Speer of the County of Horry in the State of South Carolina the one part and the Board of Trustees of the City of Charleston in the County of Charleston in the State of South Carolina the other part Witnesseth that the said mortgagee in pursuance of his agreement in this behalf contained in a certain deed under husband and wife dated the twenty third day of November last and for diverse other good causes and considerations hereinafter appearing Doth by this present agreement and convey into the said Bank of South Carolina Trustees and assigns all and singular the land and hereditaments divided and encompassed in the relate to these premises together with all houses ways paths or passages buildings fixtures water water courses for water courses and all things in and about the same which are now in the possession and use of the said mortgagor and his heirs and assigns and all things in and about the same which are now in the possession and use of the said mortgagor and his heirs and assigns and all things in and about the same which are now in the possession and use of the said mortgagor and his heirs and assigns and all things in and about the same which are now in the possession and use of the said mortgagor and his heirs and assigns and all things in and about the same which are now in the possession and use of the said mortgagor and his heirs and assigns and all things in and about the same which are now in the possession and use of the said mortgagor and his heirs and assigns and all things in and about the same which are now in the possession and use of the said mortgagor and his heirs and assigns and all things in and about the same which are now in the possession and use of the said mortgagor and his heirs and assigns and all things in and about the same which are now in the possession and use of the said mortgagor and his heirs and assigns and all things in and about the same which are now in the possession and use of the said mortgagor and his heirs and assigns and all things in and about the same which are now in the possession and use of the said mortgagor and his heirs and assigns and all things in and about the same which are now in the possession and use of the said mortgagor and his heirs and assigns and all things in and about the same which are now in the possession and use of the said mortgagor and his heirs and assigns and all things in and about the same which are now in the possession and use of the said mortgagor and his heirs and assigns and all things in and about the same which are now in the possession and use of the said mortgagor and his heirs and assigns and all things in and about the same which are now in the possession and use of the said mortgagor and his heirs and assigns and all things in and about the same which are now in the possession and use of the said mortgagor and his heirs and assigns and all things in and about the same which are now in the possession and use of the said mortgagor and his heirs and assigns and all things in and about the same which are now in the possession and use of the said mortgagor and his heirs and assigns and all things in and about the same which are now in the possession and use

Appendix 8: Transfer from Speer to Group dated 10 March 1888.
Book 385, Number 22.



made the 15th
day of March One
thousand eight hundred

Francis J. Aik

Appendix 11 : Newspaper advertisements for the various subdivision sales 1902 – 1913.

PRELIMINARY NOTICE.

The Land Sale of the Year.

Speers' Point Sub-division

BOOLAROO, COCKLE CREEK, LAKE
MACQUARIE,

Adjoining the Wallsend Park.

The favourite Pleasure Resort of New-
castle and surrounding districts.

123 LARGE ALLOTMENTS 123

Magnificent Water Frontages.

Splendid Business and Residential Sites

Very Liberal Terms.

CREER & BERKELEY have received
instructions to sell by auction, ON
AN EARLY DATE.
Lithos now being prepared. 9602

SALE YARDS—THIS DAY (Wednesday).
HORSES, VEHICLES, HARNESS, &c.
GEO. T. EDWARDS will sell by auction
at his Sale Yards, at 2.30 o'clock,
THIS DAY (Wednesday),
Saddle and Harness Horses
Van, Springcart, Sulky, Horse, and
Harness
Saddies, Harness, &c.
Terms Cash.

N.M.H. 26/03/1902

Speers' Point

4TH SUBDIVISION.

LAKE MACQUARIE.

THE POPULAR WATERING PLACE FOR
NEWCASTLE AND THE WHOLE OF
THE SURROUNDING DISTRICTS.

**CHARMING WATER FRONTAGE
LOTS & RESIDENTIAL SITES.**

Also,
LARGE ORCHARD BLOCKS, FROM 2 TO
10 ACRES EACH, WITH GOOD
FRUIT-BEARING SOIL.
HEALTHY, ELEVATED SITES.
ALL STREETS 1 CHAIN WIDE.

SPEERS' POINT is now recognised as
the IDEAL SPOT on Lake Macquarie for
a RESIDENTIAL SUBURB, having a
Beautiful Park, and Splendid Enclosed
Bathing Places.

**143 LARGE RESIDENTIAL AND
ORCHARD LOTS.**

TORRENS TITLE.

The Main Government Road from New-
castle via Charlestown, and from Speers'
Point to Newcastle via Cardiff and Walls-
end, passes through this land.

There is every probability of the tram-
way from Wallsend to West Wallsend be-
ing continued on to Speers' Point.

SPEERS' POINT is within a mile of
Cockle Creek Railway Station, and the
Lake Steamers call Every Day at the
township.

NOTE THE EASY TERMS.

One-fourth Cash Deposit, and the bal-
ance in four equal payments, at 6, 12, 18,
and 24 months, with 4 per cent. interest
added.

Lithos can be obtained from Mr. James
Ryan, Speers' Point, or the Auctioneers.

Train leaves Newcastle at 1.35 p.m. on
day of sale.

CREER & BERKELEY have received
instructions from the proprietors, to
sell by auction, on

SATURDAY, JANUARY 16,

N.M.H. 07/09/1907

N.M.H. 30/12/1908

GENERAL CLEARANCE SALE
of the whole of the

UNSOLD ALLOTMENTS

in the
**BOOLAROO 1ST & 2ND SUB-
DIVISIONS.**

Also the 1st, 2nd, 3rd, 4th, 5th, and 6th
SUBDIVISIONS OF
SPEERS' POINT.

Amongst the Lots to be sold are some
Splendid BUSINESS & RESIDENTIAL
SITES. Also some well-situated Orchard
and Poultry Farm Blocks of 10 acres,
and a few water frontage sites.

ON
SATURDAY, MAY 3,
At 11 o'clock,
On the Grounds, at Mr. Ryan's Resi-
dence, Speers' Point.

Boolaroo 2nd Subdivision affords a
SPLENDID OPPORTUNITY for pur-
chasers to get a whole section of 3
ACRES, close to Cockle Creek, which is
very suitable for vegetable gardens.

SPEERS' POINT is the FAVOURITE
WATERING PLACE of the Newcastle
and surrounding districts.

All the business and residential lots
have good frontages and big depths.
This being a CLEARANCE SALE,
EVERY INDUCEMENT will be given
purchasers to secure an Allotment or
Block of Land in this go-ahead district.
DON'T FAIL TO ATTEND THIS SALE.

TERMS: One-fourth Cash Deposit,
and the balance in equal payments at 6,
12, 18, and 24 months, with 4 per cent. in-
terest added.

CREER & BERKELEY have received
instructions to sell by auction, on
SATURDAY, 3rd May, at Mr. Ryan's
Residence, Speers' Point, at 11 o'clock.
Mr. Ryan, Caretaker at Speers' Point,
will give intending buyers all information
re Lots for Sale. 7009

N.M.H. 05/04/191

CERTIFICATE OF TITLE.

New South Wales.



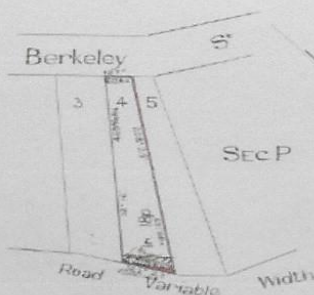
CANCELLED ☒

In witness whereof, I have hereunto signed my name and affixed my Seal, this English day of February one thousand nine hundred and fourteen

Dei Oate
Deputy Registrar General



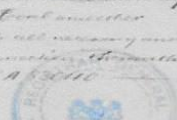
NOTIFICATION REFERRED TO.



Amongst the reservations and conditions contained in the
 Plans above referred to are the following namely:
 Reservations of all mines of Gold and of Silver

Dr. Crute
Deputy Register General
 This Certificate of Title is subject to a reservation by
 the former landowner of all mines of coal, oil, gas, and
 minerals lying in and under the land with all necessary and
 proper rights, powers and easements to enable them to be
 exercised by instrument of transfer. D. A. 36666

Pro. Oate
Deputy Registrar General



Scale 2 cm on an inch

Appendix 13. Registry of Land Transactions. Vol 2448, Folio 38.

No. 894905 APPLICATION BY TRANSMISSION
Mary Jane Smith of Ipswich Land Division
 as and the registered
 Proprietors of the Land within described in pursuance of the above
 Application. Produced *7th March* 1937 and
 entered at *10 o'clock in the afternoon* 1937
Johnston
 REGISTRAR GENERAL

No. 894905 MORTGAGE dated 1st March 1937
 from the said *Mary Jane Smith*
 to BANK OF NEW SOUTH WALES
 Produced and entered at *10 o'clock in the afternoon* 1937
Johnston
 REGISTRAR GENERAL

No. 894905 DISCHARGE of within mortgage
 No. *894905* dated *1st March* 1937
 Produced and entered at *10 o'clock in the afternoon* 1937
Johnston
 REGISTRAR GENERAL

No. 894905 Resumption of land for Public Road. Notice in
 Government Gazette dated *23rd April* 1937 whereby
 and by operation of the Public Roads Act of 1902 the road shown
 in the plan catalogued R 21661 1903 in the Department of Lands
 and colored pink on the plan hereby was declared to be a Public Road.
 Produced *23rd April* 1937 and entered at *10 o'clock in the afternoon* 1937
Johnston
 REGISTRAR GENERAL

Application for discharge of mortgage
 now the registered proprietor of the land within described
 See Section 94 Application No. *894905*
 Entered *2nd April* 1937
Johnston
 REGISTRAR GENERAL

Application for discharge of mortgage
 now the registered proprietor of the land within described
 See TRANSFER No. *894905* dated *1st March* 1937
 Entered *1st May* 1937
Johnston
 REGISTRAR GENERAL

MORTGAGE dated 1st March 1937
 to Bank of New South Wales (including *land shown*
 by pink colour plan hereon)
 Entered *1st May* 1937
Johnston
 REGISTRAR GENERAL

MORTGAGE No. 894905 has been discharged.
 See *1st March* Entered *1st May* 1937
Johnston
 REGISTRAR GENERAL

TRANSFER NO. 894905 the land within described
 now the registered proprietor of the land within described
 Registered *1st May* 1937
Johnston
 REGISTRAR GENERAL

TRANSFER NO. 894905 the land within described
 now the registered proprietor of the land within described
 Registered *1st May* 1937
Johnston
 REGISTRAR GENERAL

MORTGAGE No. 894905 to New South Wales Building
 Society Limited
 Registered *1st May* 1937
Johnston
 REGISTRAR GENERAL

894905 Mortgage to Commonwealth
 Bank at *Adelaide* registered
2nd May 1937
Johnston
 REGISTRAR GENERAL

CANCELLED

Appendix 14

LAKE MACQUARIE MUNICIPAL COUNCIL
126-130 MAIN ROAD, SPEERS POINT, N.S.W.
POSTAL ADDRESS: P.O. BOX 21, BOOLAROO, N.S.W. 2284. PHONE: 58 1333

BUILDING PERMIT

PERMIT NUMBER
78 1277

Name: A. CURRAN Date: 15th May, 1978
Address: 30A The Esplanade
SPEERS POINT.

You are hereby notified that the Council has approved of your application to erect:-
New Buildings: Brick Veneer Dwelling.
Alterations to: ---
Additions to: ---
Swimming Pool (type): ---
on Lot 4 Section --- D.P. 64177a
Street No. 30A The Esplanade Locality Speers Point

in accordance with plans and specifications approved by the Council for the purpose of the Local Government Act, 1919 Part XI (as amended) subject to the following conditions:

- It is the responsibility of the Applicant to construct the building to comply with the requirements of the Local Government Act, 1919, Section 310 (as amended).
- The work shall be subject at any time during its progress to inspection by duly authorised servants of the Council and shall be carried out in strict conformity with all requirements of the Local Government Act, 1919 as amended and the Ordinances of the Council.
- The Progress Inspection cards which accompany this Approval must be completed and returned to the Council's office giving a minimum of forty-eight (48) hours notice of the time that each stage of the erection of the building will be ready for inspection by the Council's Building Inspector.
- The Applicant may be required to open up, take down or remove any work that is carried out without inspection and approval by the Council's Building Inspector.
- Prior to building operations commencing the Builder (Principal Contractor) shall provide sanitary accommodation in accordance with the requirements of the Council's Health Department.
- This permit will be void if the construction is not substantially commenced within twelve months from the date of approval. (Local Government Act, 1919, Section 315).
- Condition of approval includes all notes, markings, amendments and stamps shown on the approved drawings and specifications and endorsed by the Council or other Authorities having jurisdiction over the work.
- The Building shall not be occupied or used prior to the Building being completed in accordance with the approved plans, specifications, and conditions imposed by Council, and a completion inspection of the building carried out by Council's Building Inspector. (Ordinance 70, Clause 4.1, and Local Government Act, 1919, Section 316 (1)).
- The approved plans and specifications, and Building Permit shall be kept on the job and shall be produced on demand to any authorised servant of the Council.
- The use of the building shall not be changed from the classification approved of to that of another unless the change of use has been approved by Council.
- Additional conditions attached shall form part of the Building Permit. This approval shall not extend to and shall not affect the rights of the Council in respect of any matter in or arising out of such plans and specifications which in relation thereto are not in conformity under the Local Government Act, 1919 (as amended) or the Ordinances thereunder. CONDITIONS PERTAINING TO ATTACHED.
- The applicant has the right of appeal to the Local Government Appeals Tribunal if approved by any of the Special Conditions as outlined in this permit under Section 317L of the Local Government Act, 1919 (as amended).

H.K. CUMMING
TOWN CLERK

Special Permit Conditions with respect to B/A 78/1277 15/5/78.

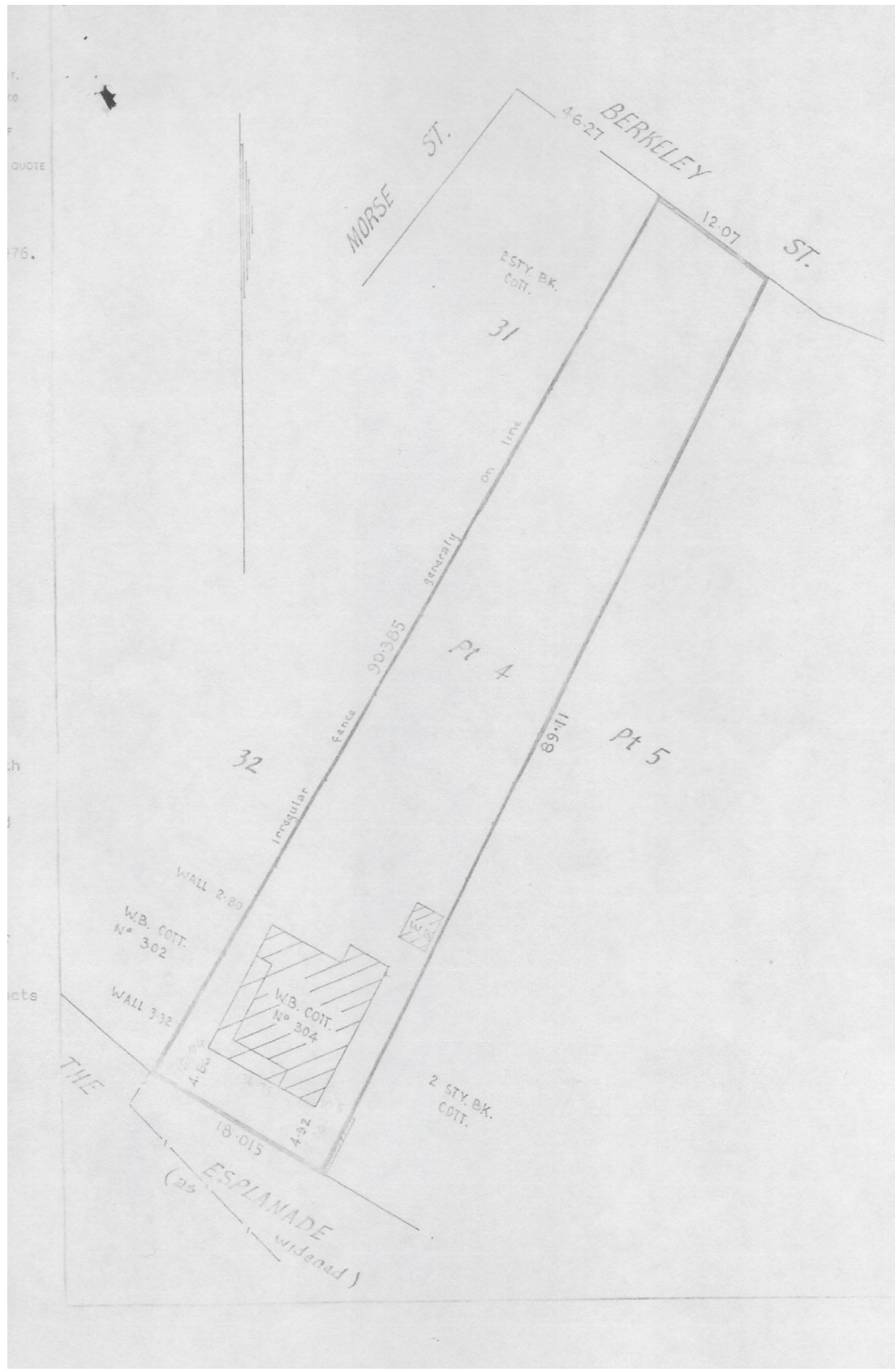
- The existing dwelling shall be demolished within a period of twenty-eight (28) days of occupation of the new structure.
- No stage of the building work, other than footings, shall be commenced until engineering details relating to -
 - the reinforcement to the concrete deck,
 - the garage floor,
 have been submitted to and approved by Council.
(Clause 8.2 (b), Ordinance 70).
- The footings shall comply with the provisions of Clause 33.3 (5) of Ordinance 70.
- Artificial light and ventilation shall be provided to the laundry.

Yours faithfully,

H. K. CUMMING,
TOWN CLERK.

Per: [Signature]

Appendix 15



Appendix 16

PLAN FORM 2

SIGNATURE AND SEALS ONLY

Plan Drawing may appear in this space

OFFICE USE ONLY

APPROVED UNDER DELEGATED POWERS OF ACCORDANCE WITH SEC. 33(1) LOCAL GOV. ACT 1999.

[Signature]
CITY ENGINEER
14/13/18

PLAN OF SUBDIVISION OF PART OF LOT 4, SEC. P, DP 5537

Lengths are in metres. Publication Ratio 1:600

Subdivision
City: LAKE MACQUARIE
Locality: SPEERS POINT
Parish: KAHIBAH
County: NORTHMURLAND

This is sheet 1 of the plan to be shown to the Registrar.

JOHN ROBERT MINEHAM
P.O. BOX 55, WARNERS BAY, 2115
I am a conveyancer registered under the Conveyancing Act, 1919, and am authorised to prepare this plan.

A plan of the land has been made in accordance with the Survey Act, 1958, and the plan is intended to be used for the purpose of subdividing the land and creating a new lot.

10/1 FEBRUARY, 1958
A. R. MINEHAM
Conveyancer
Conveyancing Office, 10/1 FEBRUARY, 1958

Plans used in preparation of survey completed:
DP 5537, DP 5621, DP 14347, EX. SUR. 57-10

PANEL FOR USE ONLY for statements of intention to subdivide public roads or to create public reserves, drainage reserves, easements, or other restrictions as to use.

PURSUANT TO SEC. 80B OF THE CONVEYANCING ACT, 1919, AS AMENDED, IT IS INTENDED TO CREATE (X) EASEMENT TO DRAIN WATER 1 WIDE

Crown Lands Office Approval

PLAN APPROVED: *[Signature]* (Official)

Land Officer: *[Signature]*
Paper No: *[Signature]*
Field Book: *[Signature]*

Council Clerk's Certificate

I hereby certify that the requirements of the Local Government Act, 1919, have been complied with in relation to the registration of this plan.

The requirements of section 103 of the Conveyancing Act, 1919, have been complied with in relation to the registration of this plan.

Have been complied with in relation to the registration of this plan.

SUBDIVISION
Registered: 1/6326/0554
Date: 16 TH. MARCH 1958
Signature: *[Signature]*

Council File No: 1/6326/0554

This plan is intended to be used for the purpose of subdividing the land and creating a new lot.

It is intended to be used for the purpose of subdividing the land and creating a new lot.

It is intended to be used for the purpose of subdividing the land and creating a new lot.

NOTE: SC.P.M. N° 23479 & 23470 ARE GONE

(X) EASEMENT TO DRAIN WATER 1 WIDE

ESPLANADE

100 200 300 400 500 600 700 800 900 1000 1100 1200 1300 1400 1500 1600 1700 1800 1900 2000 2100 2200 2300 2400 2500 2600 2700 2800 2900 3000 3100 3200 3300 3400 3500 3600 3700 3800 3900 4000 4100 4200 4300 4400 4500 4600 4700 4800 4900 5000 5100 5200 5300 5400 5500 5600 5700 5800 5900 6000 6100 6200 6300 6400 6500 6600 6700 6800 6900 7000 7100 7200 7300 7400 7500 7600 7700 7800 7900 8000 8100 8200 8300 8400 8500 8600 8700 8800 8900 9000 9100 9200 9300 9400 9500 9600 9700 9800 9900 10000

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

Appendix 17

LAKE MACQUARIE CITY COUNCIL

REPORT OF MEETING OF THE DEVELOPMENT CONTROL UNIT, HELD ON WEDNESDAY, 4TH NOVEMBER 1987.

ITEM NO.: 2. FILE NO.: 1/6326/0304 (GF)

LOCATION: Speers Point - Part Lot 4, D.P. 243974, 304 The Esplanade

GREGORY'S
REF.: Map 26, E 14

ZONING: Residential 2(a)

OWNER: A.B. Curran

APPLICANT: A.B. Curran

DATE OF
APPLICATION: 24th August, 1987

SUBJECT: Application for Development Consent and Subdivision Approval for a two lot Residential Subdivision D.A. No. 87/0296

THE LAND

The land has frontage of 18.015 metres to The Esplanade and 12.06 metres to Berkeley Street with an average depth of approximately 90 metres (an area of 1395m²).

The land generally falls from north to south.

It is presently occupied by a brick veneer and tile residence in a good state of repair.

The applicant wishes to subdivide the land into two residential lots, with the lot fronting The Esplanade having dimensions and area that comply with Council's subdivision code. The remaining lot will have frontage to Berkeley Street that is below the requirement of the subdivision code (existing frontage 12.06 metres). This is considered a minor departure since it is an existing frontage and Council should approve the proposal.

The application has been referred to the Department of Main Roads for their approval for access off The Esplanade, which was obtained on the 18th September, 1987. The land is zoned G4 on Council's Geotechnical Maps and a report has been submitted with the following comment regarding stability for future residential development:-

"No signs of incipient or previous instability were observed within the general site area.

The observed cracks in the adjacent residence are considered to be a result of the camphor laurel and iron bark trees planted in close proximity (2 metres) to the residence.

Following discussions with the owner, it is understood that the camphor laurel trees will be removed from the site prior to construction of the residence. It is suggested that construction of foundations be delayed for 6 months after removal of these trees to allow for stabilization of the soil moisture content.

This is Page 13 of the Report of the Meeting of the Development Control Unit held on the 4/11/87.

..... Chairperson. Town Clerk.

Appendix 18

LAKE MACQUARIE CITY COUNCIL

REPORT OF MEETING OF THE DEVELOPMENT CONTROL UNIT, HELD ON WEDNESDAY, 4TH NOVEMBER 1987.

Based on the lack of signs of instability and the small slope of the block, it is considered that the site is suitable for the proposed residential development in accordance with the following guidelines and requirements given in AS 2870".

The proposal warrants Council's approval with the only departure from Council's subdivision code being the frontage at Berkeley Street. All other aspects of the subdivision are satisfactory and the proposal should be approved.

UNIT'S DECISION:

2. That the report be received and that the Development Control Unit refer the application to Council with the recommendation that Council:-

A. Grant Development Consent to the subdivision of Part Lot 4, D.P. 243974 subject to:-

1. Compliance with Council's development policies for subdivision, copies of which are available from the City Offices. Section 90(1)(b) & (c), Environmental Planning & Assessment Act, 1979.
2. The preservation of trees on the land in accordance with Council's tree preservation policy.

Trees are to be removed only under the direction of the Subdivision Engineer. Section 90(1)(b) & (c), Environmental Planning & Assessment Act, 1979.

3. The construction and transfer to Council, of community purpose buildings, and/or the improvement, embellishment or provision of recreational facilities to the total value of \$ 400.00. The proposed works shall be completed prior to issue of the Council Clerk's Certificate, to a plan or plans approved by Council.

OR

The making of a monetary contribution to Council instead of providing the above facilities in the sum of \$ 400.00, prior to the issue of the Council Clerk's Certificate. Section 94, Environmental Planning & Assessment Act, 1979.

B. Grant subdivision approval to the subdivision of Part Lot 4, D.P. 243974 subject to:-

1. Submission of Final Plan and seven (7) copies with the location of all buildings and/or other permanent improvements indicated on one (1) print within two (2) years of the date of this letter, otherwise this approval will lapse.
2. Submission of a Certificate under Section 34B of the Hunter District Water Board Act, 1924, as amended. (Application form is attached).

This is Page 14 of the Report of the Meeting of the Development Control Unit held on the 4/11/87.

..... Chairperson. Town Clerk.

Appendix 19

LAKE MACQUARIE CITY COUNCIL

REPORT OF MEETING OF THE DEVELOPMENT CONTROL UNIT, HELD ON WEDNESDAY, 4TH NOVEMBER 1987.

3. The submission of documentary evidence that the Mines Subsidence Board has concurred with the subdivision. (Application form is attached).
 4. The provision of any common drainage lines and easements two metres (2 m) wide favouring the allotments served thereby for the conduct of roof stormwater to the nearest appropriate gutter, drain or stormwater channel, with the written authority of any other owners concerned, prior to construction and subsequently obtaining easements for drainage over such other private land.
 5. The making of a monetary contribution to Council instead of providing public reserve prior to the date of issue of the Council Clerk's Certificate, in the sum of \$ 1080.00.
 6. Compliance with the conditions of Council's development consent to the development of the subdivision.
 7. The appropriate notation on the final plan of survey and the lodgement of an instrument under Section 88B of the Conveyancing Act to Council setting out terms of easements and/or restriction as to user as may be required by conditions of this approval. Council is to be a party empowered to release, vary or modify easements and/or restrictions.
 8. The existing buildings on the lots being shown to observe a minimum clearance of six hundred and seventy-five (675) mm to the outermost projection and a minimum clearance of nine hundred (900) mm to any wall in relation to all new side and rear boundaries. Such clearances to be certified by a registered surveyor.
 9. Compliance with the requirements of the Shortland County Council.
- C. Advise the applicant that construction of foundations for proposed dwellings be delayed for 6 months after removal of the camphor Laurel & Iron Bark Trees to allow for stabilisation of the soil moisture content. The applicant should refer to the Geotechnical Report of D.J. Douglas and Partners Pty. Ltd for development guidelines.
- D. Advise the applicant of his right of appeal to the Land and Environment Court of N.S.W.

This is Page 15 of the Report of the Meeting of the Development Control Unit held on the 4/11/87.

..... Chairperson. Town Clerk.

LAKE MACQUARIE CITY COUNCIL

[illegible]

..... Chairperson. Town Clerk.

Appendix 21



**City of
Lake Macquarie**

Administrative Centre
Speers Point
NSW 2284

PO Box 21
Boolaroo 2284

Newcastle Document
Exchange DX 7869

Government
Courier Service

Telephone (049) 210 333
Facsimile (049) 58 7257

Please Quote

FILE NO. 1/6326/0304

8 MAR 1993

NOTICE OF DETERMINATION OF A DEVELOPMENT APPLICATION

(Section 92, Environmental Planning and Assessment Act 1979)

DA No. DA /93/00124

THE APPLICANT: Monteath & Powys Pty Ltd
DX 7888
NEWCASTLE

DATE OF ENDORSEMENT OF CONSENT:

Notice is hereby given of Council's determination of your development application to subdivide the land described as:-

**Lot 42 DP 777435
304 The Esplanade, SPEERS POINT 2284**

Consent is granted unconditionally to carry out the strata subdivision creating Two(2) lots.

Attention is also drawn to the General Remarks and Notes stated below.

GENERAL REMARKS

THE LAND

The Land to which this notice relates is specifically defined above. The development shall not be carried out on any other land.

THE DEVELOPMENT

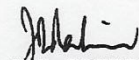
The development to which this notice relates is described in general terms above. The "APPROVED PLANS" attached to this notice (as amended or annotated), together with any Conditions of consent, specify the manner in which the development shall be carried out. Any proposal to depart from the Approved Plans or the Conditions requires the approval of the Council.

Appendix 22

LMCC/2

NOTES:

1. This consent is effective and operates from the date of consent, as endorsed above.
2. If the development is not commenced within two (2) years from the date of endorsement, the consent will lapse. If commencement of the development is not made within that time an application may be made to the Council for a one (1) year extension.
3. An appeal may be made to the New South Wales Land and Environment Court within twelve (12) months of the date of this consent against any conditions of the consent.


J. R. RANKIN
TOWN CLERK

Plan Drawing only to appear in this space

41

Appendix 24

FORM 2

Sheet No. 2 of 2 Sheets

STRATA PLAN

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

GROUND FLOOR PLAN

LOWER GROUND FLOOR PLAN

SCHEDULE OF UNIT ENTITLEMENT

LOT No.	UNIT ENTITLEMENT
1	10
2	10
TOTAL	20

ENDORSEMENT IS RECOMMENDED UNDER THE STRATA TITLES ACT

31/3/1993

Reduction Ratio 1: 150

Lengths are in metres

Bob Bob
Registered Surveyor

John
Council Clerk

SURVEYOR'S REFERENCE: 92/333 - CHECKLIST

TIMELINE

1839 May 16	Grant from the Crown to William Brooks of 1280 acres at Biddaba, Lake Macquarie.
1841 May 7	Brooks takes out Mortgage with the New South Wales Savings Bank.
1842 July 7	A second Mortgage taken out by Brooks. (Book 1, No.467)
1854 November 30	Coveyance by the Savings Bank of New South Wales to William Speer of the land. (Book 36, Number 559)
1854 December 1	Mortgage by William Speer to the Savings Bank of NSW.
1869 August 23	Reconveyance (book 36, Number 560)
1870 August 8	Indenture of Mortgage between William Speer and the Bank of NSW (Book 105, No 416) (Book 120, Number 498)
1870 November 1	Indenture of Conveyance between the bank and William Meiklejohn Speer. (Book 122)
1870 November 8	
1878 April 29	
1888 March 10	Speer transfers to consortium headed by Fairfax (Book 385, Number 22 & 23)
1914 February 8	Fairfax sells Lot 4, Section P to William Scott (Folio 38, Vol 2448)
	Ownership transfers to Scott's wife
1959 September 3	Ownership transfers to Scott's daughter, Caroline Evans Scott. (Transfer No H250426)
1972 April 21	Ownership transfers to Sidney and Agnus Aitkin
	Ownership transfers to Albert and Shirley Curran
	Ownership transfers Patricia Pridue. However, she does not live at the property and it is thought that it was just a vacant block when she owned it (Source, her son, April 2020).
1991 September 12	Shirley Patricia Pridue lodges a Building Application (DA/504/1991) to construct 2 x 3 Bedroom Dual Occupancy on 304 The Esplanade Speers Point. Approved.

1991 November 21	Braidway Pty Ltd (Trustees) lodge a Building Application (BA/4908/1991 to build Duplex Units on 304 The Esplanade, Speers Point. Approved.
1993 February 19	Braidway Pty Ltd (Trustees) lodge Building Applications (DA/39/1993 and DA/124/1993) for a Strata subdivision 1 lot into 2 lots. Approved.
1993	Two apartment duplex constructed on the site.
1994 July 29	Unit 1 – Christopher Burgess purchased for \$155,000 Unit 2 – Purchased by Richard Macey Purchased by James and Hazel Roberts
2010 May 4	Purchased by Christopher Burgess 4 May 2010 for \$511,000

MEASUREMENTS

Area in all early documents were in Imperial Measurements. Here is some information that may assist you when perusing this document.

Area						
Unit	Relation to units of length	Square feet	Square rods	Square miles	Square metres	<u>Hectares</u>
<u>perch</u>	1 rod × 1 rod	272.25	1	$\frac{1}{102\,400}$	25.292 852 64	0.002 529 285 264
<u>rood</u>	1 furlong × 1 rod ^[17]	10 890	40	$\frac{1}{2560}$	1 011.714 1056	0.101 171 410 56
<u>acre</u>	1 furlong × 1 chain	43 560	160	$\frac{1}{640}$	4 046.856 4224	0.404 685 642 24
Note: All equivalences are exact.						

Some Examples from the included documents: (acres only)

William Brookes Grant – 1280 acres = 518 hectares

James Fairfax Land - 1143 acres = 462.5 hectares

THE INFORMATION CONTAINED IN THIS DOCUMENT HAS BEEN RESEARCHED AND COMPILED BY NORMAN LILLEY. Contact: 0419 462631

Email: nalilley@bigpond.com

April 2020. Please advise any errors or additions.

