



ABN: 36 092 724 251

Report

Re: - Ashford Avenue & Bullecourt Avenue, Milperra

Summary information

<u>Parcel Description</u>	<u>Details</u>	<u>Title Reference</u>
<u>As regards the part of Ashford Avenue shown tinted green on the attached Cadastral Records Enquiry Report.</u>	Council Public Road (Section 18 of the Public Roads Act of 1902)	Not held in a Real Property Act (Torrens) Title. Government Gazette: 19 th March 1926 Folio 1322
<u>As regards the part of Bullecourt Avenue shown tinted yellow on the attached Cadastral Records Enquiry Report.</u>	Council Public Road (Section 18 of the Public Roads Act of 1902)	Not held in a Real Property Act (Torrens) Title. Government Gazette: 19 th March 1926 Folio 1322

Detailed information.

As regards the parts of Ashford Avenue shown tinted green on the attached Cadastral Records Enquiry Report.

After extensive investigation I was able to establish that the part of Ashford Avenue shown tinted green on the attached Cadastral Records Enquiry Report was declared to be a public road by the notification published in the Government Gazette dated 19th March 1926 Folio 1322.

Such action being pursuant to Section 18 of the Public Roads Act of 1902.

In view of my findings and in view of Section 18 of the Public Roads Act of 1902, the part of Ashford Avenue shown tinted green on the attached Cadastral Records Enquiry Report will be deemed to be a Council Public Road.

The NSW Crown Land Portal shows the part of Ashford Avenue shown tinted green on the attached Cadastral Records Enquiry Report to be a Crown Road.

It would seem that the NSW Crown Land Portal requires revision.

Documentary Title

The title to the part of the part of Ashford Avenue shown tinted green on the attached Cadastral Records Enquiry Report is not held in a Real Property Act (Torrens) Title.

The documentary title will be the Government Gazette dated 19th March 1926 Folio 1322.

Continued over.

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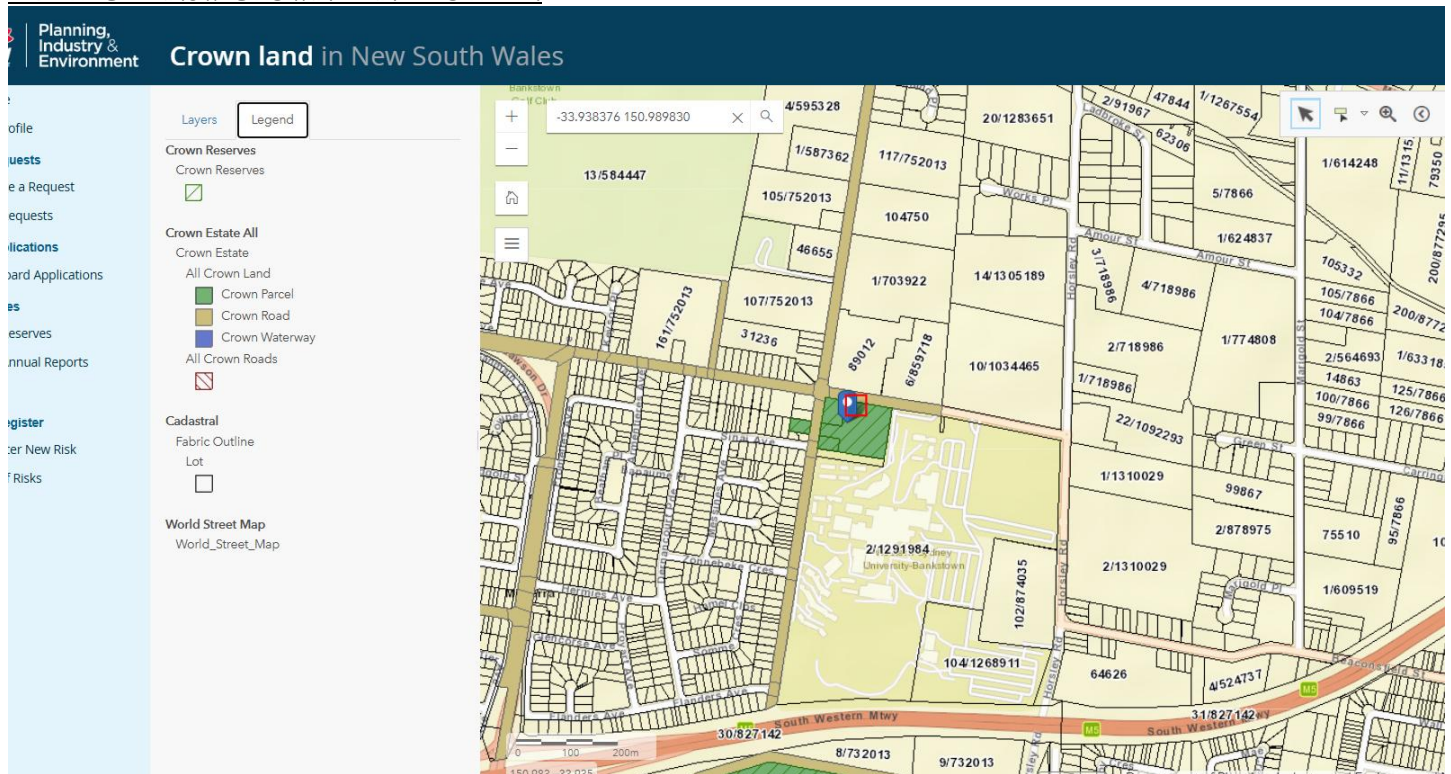
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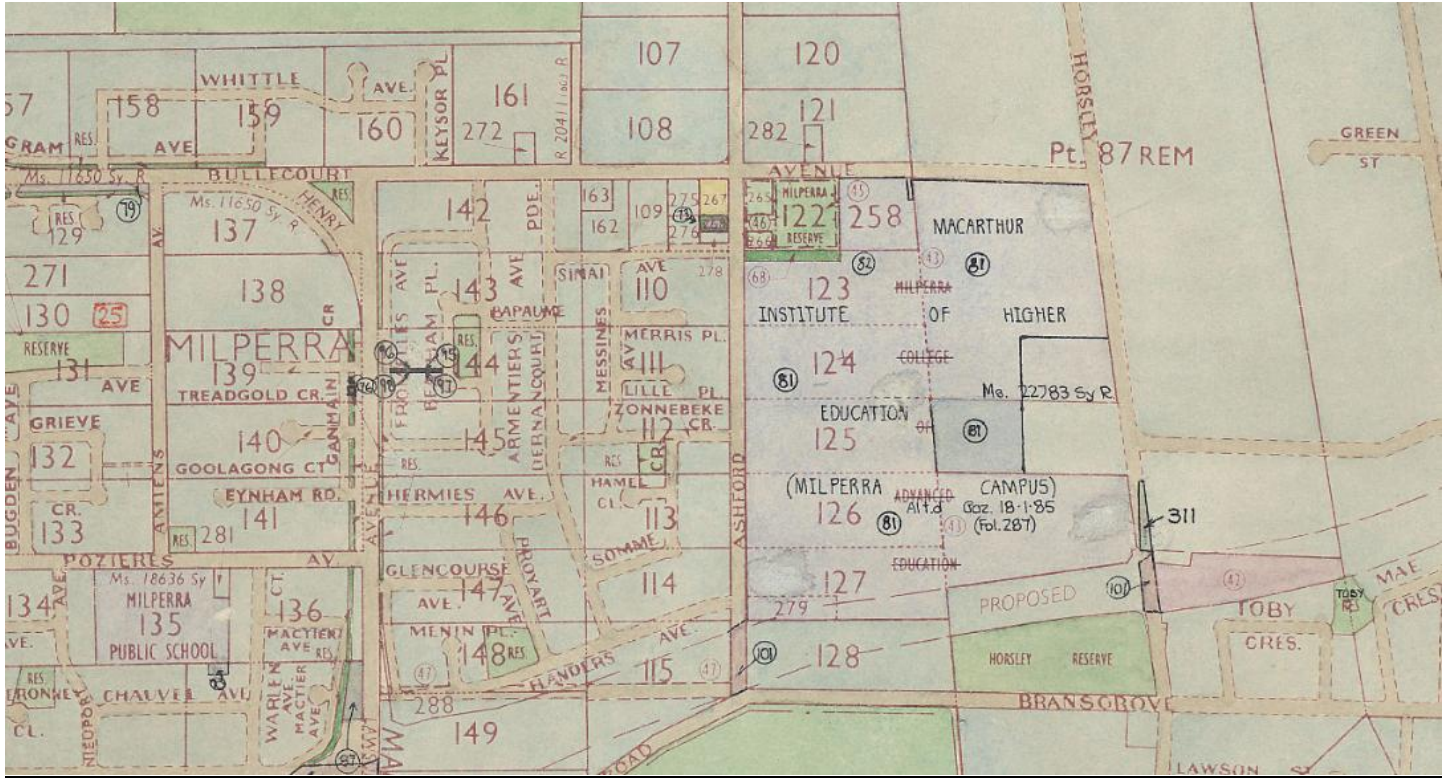
The documentary title will be the Government Gazette dated 19th March 1926 Folio 1322.

EXTRACT – NSW CROWN LAND PORTAL.

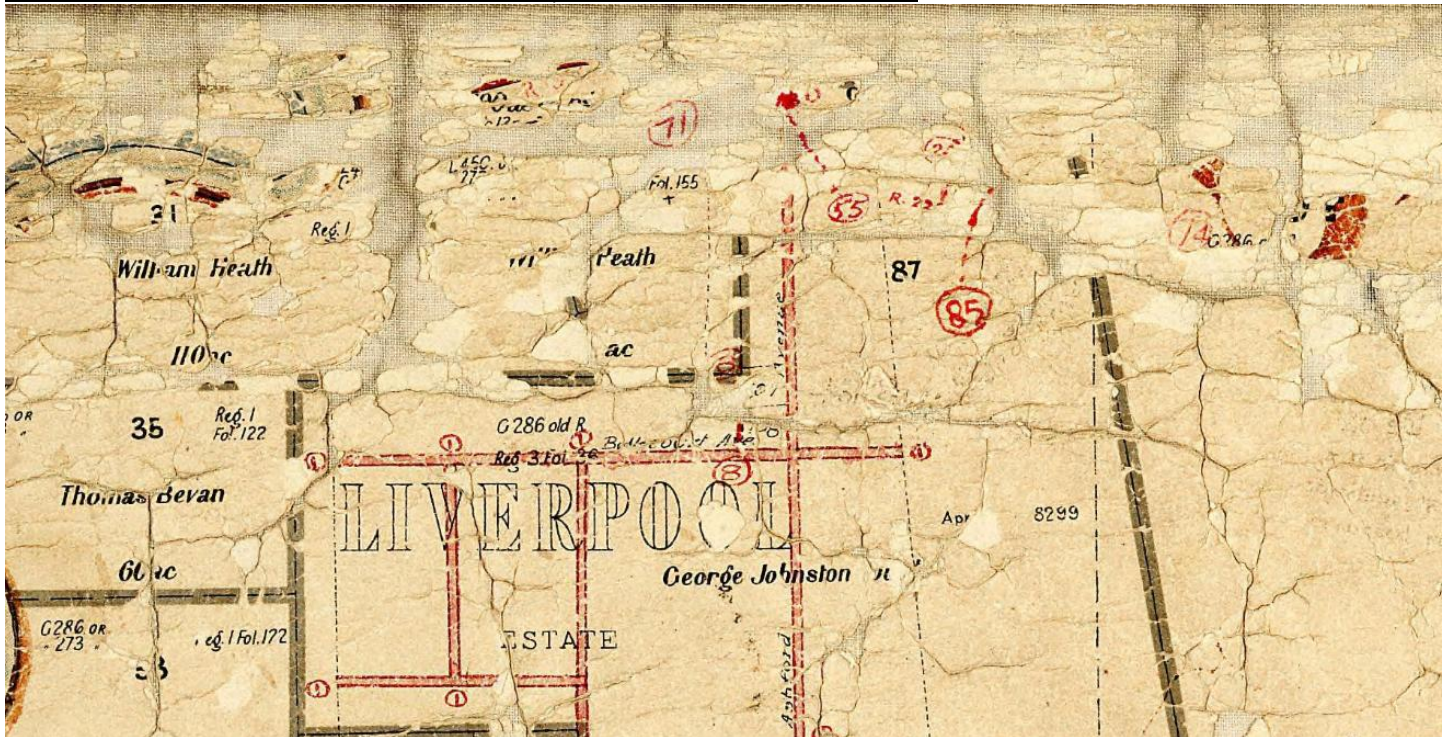


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EXTRACT – PARISH MAP OF BANKSTOWN, STATUS BRANCH EDITION

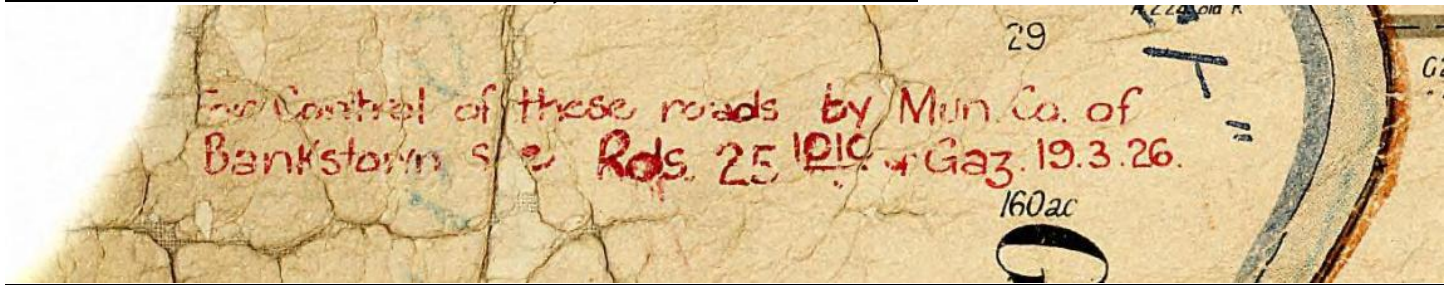


EXTRACT – PARISH MAP OF BANKSTOWN, ROADS BRANCH EDITION.

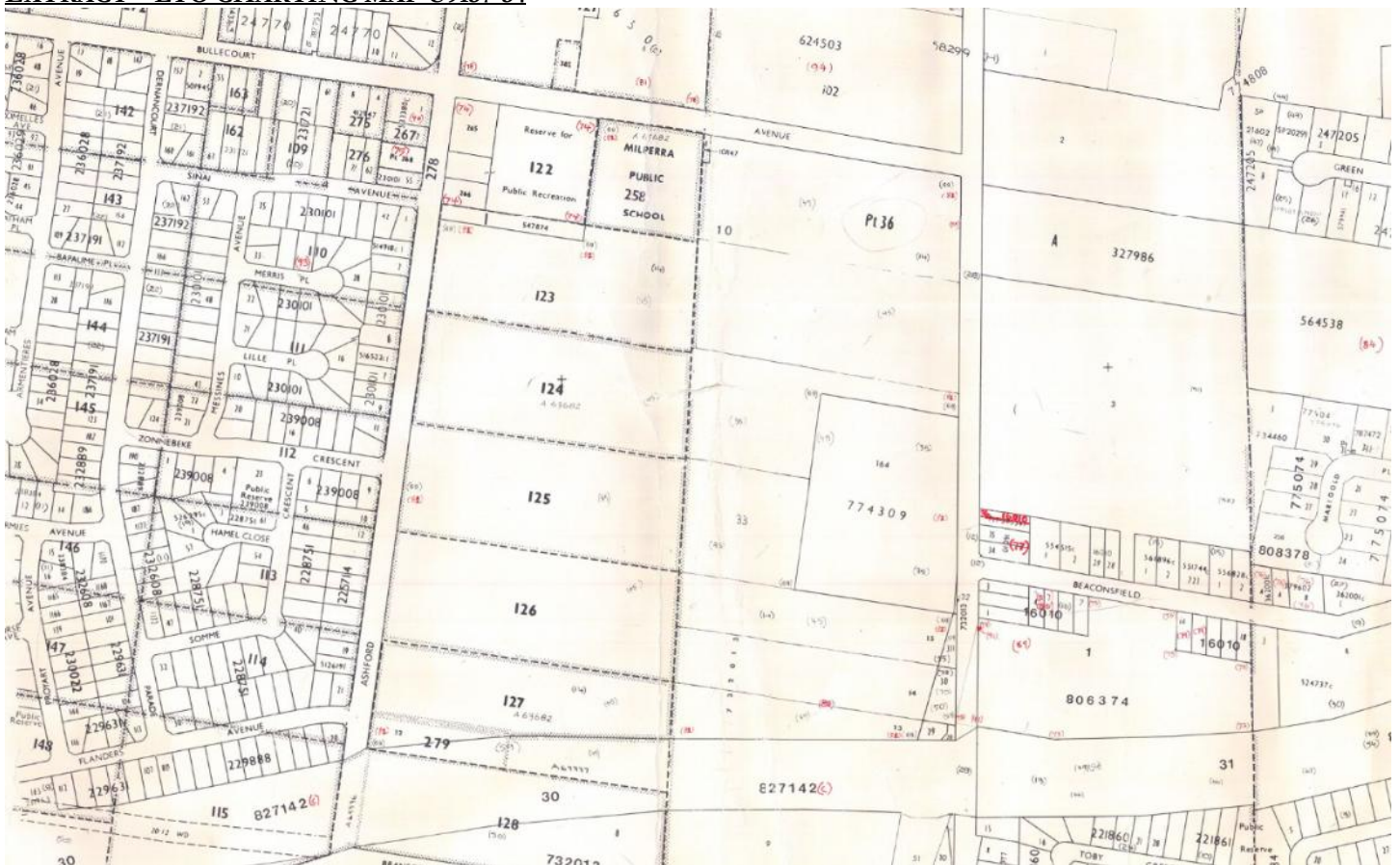


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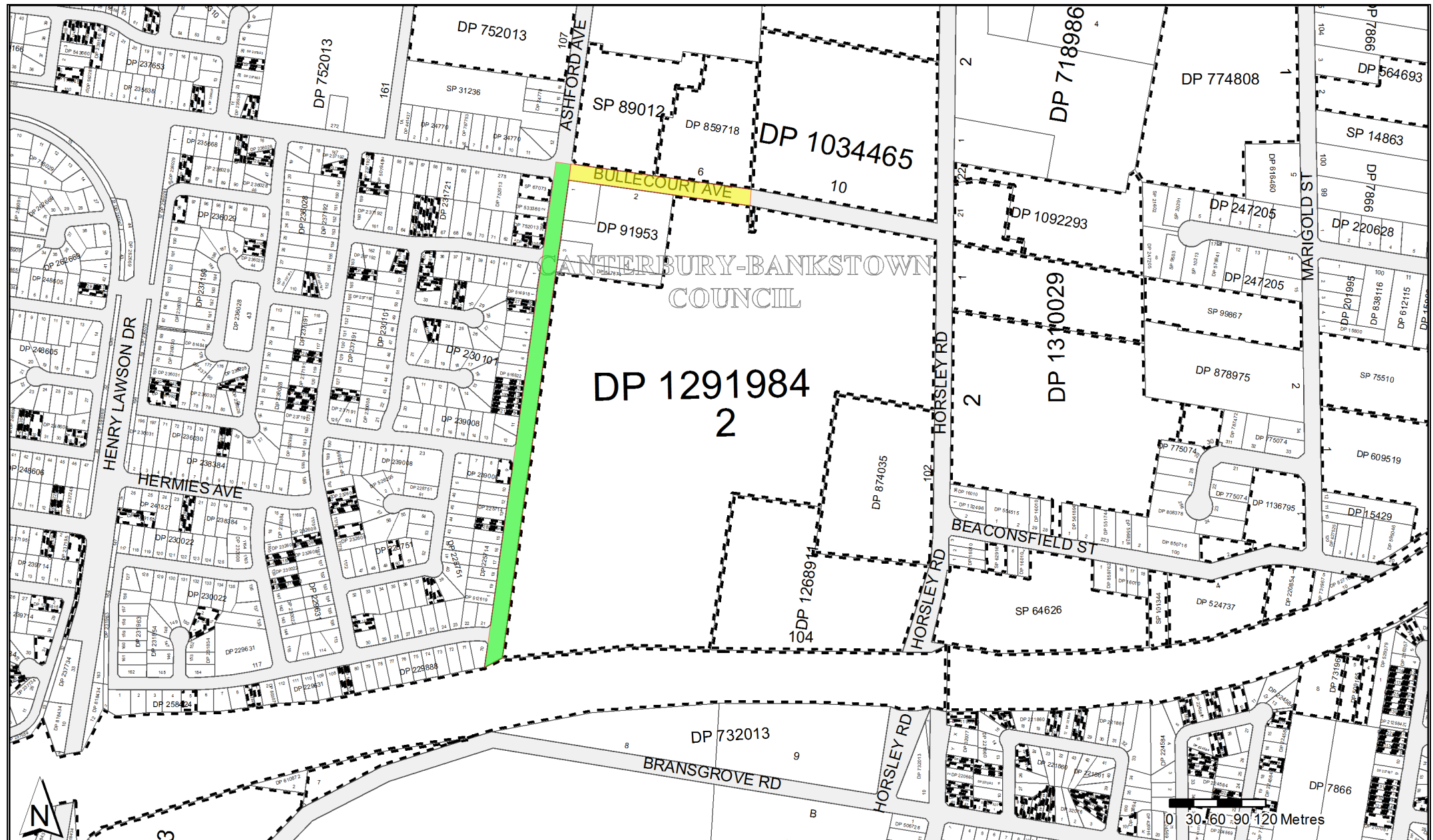
EXTRACT – PARISH MAP OF BANKSTOWN, ROADS BRANCH EDITION.



EXTRACT – LTO CHARTING MAP U9137-34



Yours Sincerely
Mark Groll
24 April 2026



[4711] Sydney, 19th March, 1926.

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

I, Sir DUDLEY RAWSON STRATFORD DE CHAIR, Admiral in the Royal Navy, Knight Commander of the Most Honourable Order of the Bath, Member of the Royal Victorian Order, Governor of the State of New South Wales and its Dependencies in the Commonwealth of Australia, with the advice of the Executive Council, do hereby notify that the roads hereunder described, in pursuance of the provisions of section 18, Public Roads Act, 1902, are hereby declared to be public roads, and dedicated to the public accordingly.

D. R. S. DE CHAIR,
Governor.

P. F. LOUGHLIN, Minister for Lands.

DESCRIPTION.

Boundary road 1 chain and variable in width separating portions 273, 103 to 108, inclusive, end of road, 267, 268, 109 to 115, inclusive, 150 and 151 from portions 156, 116 to 121, inclusive, end of road, 265, 122, 266, 123 to 128, inclusive, end of road, and 154; reserved road 1 chain wide within portion 152; boundary road 1 chain wide separating portion 152 from portion 259; boundary road 1 chain wide separating portions 137 to 141, inclusive, end of road, 136 and 37 from portions 142 to 152, inclusive, end of road and 259 to 263, inclusive; boundary road 1 chain wide separating portions 129 to 133, inclusive, from portions 137 to 141, inclusive; boundary road 1 chain wide separating portions 157 to 161 (part), inclusive, 272, 161 (part), 108 and 121 from portions 129, end of road, 137, end of road, 142, 109, 275, 267, end of road, 265, 122 and 258; boundary road 1 chain wide separating portions 133, end of road, and 141 from portions 134, 135 and 136; boundary road 1 chain wide separating portion 128 from portion 154, parish Bankstown, county Cumberland, Land District of Parramatta, Municipality of Bankstown.
[Roads 1925-1,010-2]

[4713] Sydney, 19th March, 1926.

NOTIFICATION OF CLOSING OF ROADS AND APPROVAL OF THE SALE OF THE LANDS COMPRISED THEREIN UNDER ROAD PURCHASE APPLICATION.

I, Sir DUDLEY RAWSON STRATFORD DE CHAIR, Admiral in the Royal Navy, Knight Commander of the Most Honourable Order of the Bath, Member of the Royal Victorian Order, Governor of the State of New South Wales and its Dependencies in the Commonwealth of Australia, do hereby notify that in pursuance of the provisions of the 20th section, Public Roads Act, 1902, the roads described hereunder are hereby closed and the lands comprised therein granted to the persons mentioned.

D. R. S. DE CHAIR,
Governor.

P. F. LOUGHLIN, Minister for Lands.

DESCRIPTION.

Road Purchase 1924-41, Catherine Daley, 25 perches. The unnecessary part of road 50 links wide provided in a private subdivision of portion 107, adjoining Upper Spit road and separating lot 1, shown on deposited plan 3,601 from lots 1, 2 and 3 of a private subdivision, shown on plan 1,518 (L) at the Land Titles Office, parish of Willoughby, county of Cumberland, Metropolitan Land District, Municipality of Mosman.
[Roads 1923-482-32]

Road Purchase 1924-144, William Watt, 6 acres 3 roods 24 perches. Boundary road 1 chain wide separating portions 1 and 104 from portion 69 (part) and boundary road 1 chain and variable in width west of portion 71, parish of Wandrawandian, county of St. Vincent, Land District of Urana, Clyde Shire.
[Roads 1924-567-10]

Road Purchase 1924-103, William Carter, 4 acres 3 roods 24 perches. The unnecessary boundary road 100 links wide separating portion 104 from portion 111 and end of road, parish of Gladstone, county of Darling, Land District of Tamworth, Barraba Shire.
[Roads 1924-402-13]

Road Purchase 1922-133, Alexander Alfred Thrift, 2 acres 3 roods 38 perches. The unnecessary part 100 links and variable in width, now measured as portion 128 of public road R. 6,034-1,603 within portion 5, parish of Park, county of Brisbane, Land District of Seone, Upper Hunter Shire.
[Roads 1922-613-13]

Road Purchase 1923-116, John Joseph Egan, 1 acre 0 roods 37 perches. The unnecessary remnant road 1 chain wide separating portion 44 from portion 155 westerly from the closed and sold road, parish of Minjary, county of Wynyard, Land District of Tumut, Gadara Shire.

[Roads 1923-370-24]

[4714] Sydney, 19th March, 1926.

ALTERATION AND REMARKING OF ALIGNMENT OF STREETS.

I, Sir DUDLEY RAWSON STRATFORD DE CHAIR, Admiral in the Royal Navy, Knight Commander of the Most Honourable Order of the Bath, Member of the Royal Victorian Order, Governor of the State of New South Wales and its Dependencies in the Commonwealth of Australia, with the advice of the Executive Council, do hereby notify that in accordance with the provisions of section 27, Public Roads Act, 1902, the alteration and re-marking of alignment of the carriage and footway of the undermentioned streets as set out and defined according to the plan of such alignments shall, for the purpose of the Local Government Act, and all Ordinances relating to the alignment of streets or public places, be set out and defined, and that consequently it will not be lawful for any person to erect any building within the said distances so set forth from the kerbstone of the exterior edge of the said footways as delineated on the plan catalogued K. 4-2,532, which has been approved in conformity with the firstmentioned Act and which said plan is kept in the Department of Lands, Sydney, for inspection by the public.

D. R. S. DE CHAIR,
Governor.

P. F. LOUGHLIN, Minister for Lands.

DESCRIPTION.

Municipality of Katoomba.

Waimea-street, from Warriga-street to Murri-street; width of footway—variable north-eastern side only, wall encroaches; Murri-street, from Waimea-street to Cascade-street; width of footway—variable south-eastern side only, wall and fence encroach; Warriga-street, from Waimea-street to Kundibar-street; width of footway—6 feet and variable on northern side only, wall and fences encroach.

(The above are alteration of previous alignments shown on plan catalogued K. 1-2,532, sheet 1.)

Warriga-street, from Kundibar-street to Cascade-street; width of footway—12 feet northern side only, fence encroaches.

(This is a re-marking of a previous alignment shown on plan catalogued K. 1-2,532 Sh. 1.)

Kundibar-street, from Warriga-street to Murri-street; width of carriageway—variable; width of footway—9 feet western side (variable eastern side); total width—50 feet, fencing encroaches.

(This is an alteration of a previous alignment shown on plan catalogued K. 1-2,532, sheet 1.)

Cascade-street, from Warriga-street to Murri-street; width of footway—variable western side only.

(This is an alteration of a previous alignment shown on plan catalogued K. 1-2,532, sheet 1, parish of Megalong, county of Cook, Municipality of Katoomba, as shown on plan catalogued K. 4-2,532.)
[Roads 1924-137-8]

[5200] Sydney, 19th March, 1926.

APPLICATIONS FOR THE CLOSING AND PURCHASE OF ROADS, &c.

NOTICE is hereby given that application has been made under the Public Roads Act, 1902, for the closing and purchase of the roads, &c., described in the Schedule hereunder, and that it is intended to close same, unless valid objections are found to exist.

Any person desiring to lodge objections should forward the same in writing, addressed to the Minister for Lands, within one month from date of this notice.

P. F. LOUGHLIN, Minister for Lands.

SCHEDULE.

Road Purchase No. 26-20, Michael Duffy. The road 100 links wide separating portion 92 from portion 136, parish of Cogeldrie, county of Cooper, Land District of Yanco, Yanco Irrigation Area.
[Roads 1926-79-2]

Road Purchase 26-20, Upper Bellingen Co-op. Dairy Coy. Ltd., area about 3 8/10th perches. Part of a road in private subdivision of portion 29, east of lot 20 and north of Butter Co.'s lot of 2 roods. Deposited plan 5,403, parish of South Bellingen, county of Raleigh, Land District of Bellingen, Bellingen Shire.
[Roads 1925-987-7]



Rds. 36-468
L.B. 37-227

A-297



PLAN

of lands to be resumed under the Public Roads Act 1902 in connection
with the proposed road within Portion 161
of road of access from Bullecourt Avenue to Bankstown Golf Links, east of Portion 161

Shire

Parish of Bankstown County of Cumberland

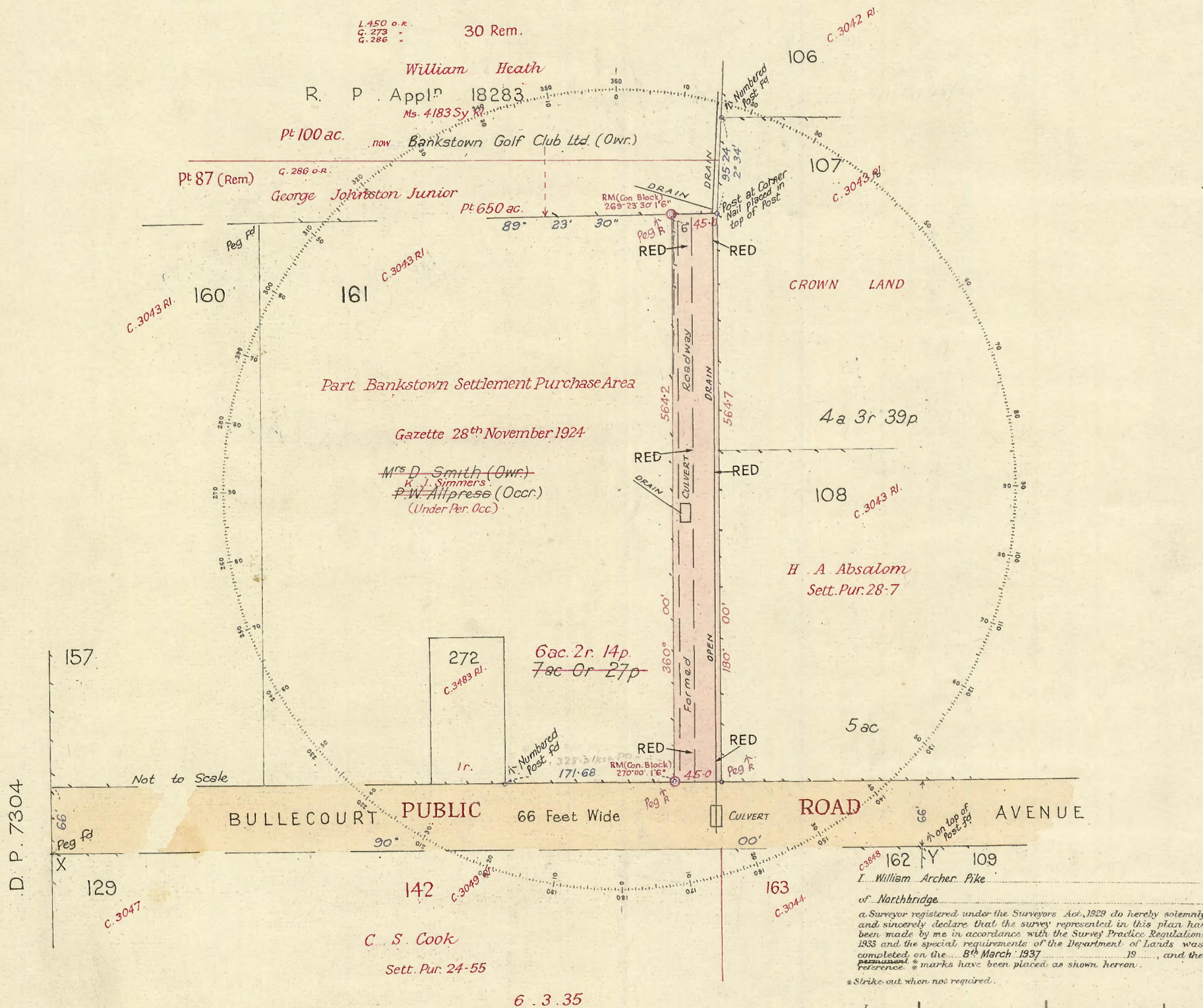
Bankstown Municipality

Land District of Parramatta Land Board District of Sydney

Width of Proposed Road 45 Feet

Scale 100 Feet to an inch

~~Lands proposed to be resumed are shown by red color~~
New road is shown by red color



Field Book Vol. 564 Pages 1 and 2
Azimuth taken from X - Y (90° 00')

Calculation Book No. - folio -
Checked and Charted *De Walker* 20.5.38
Examined *De Walker* 26.5.38
Plan Approved *26th May 1938*

Stimson
Officer-in-Charge
Roads Branch

20411.1603

Cal. No. R.20411-1603

Lithographed and Printed at the Department of Lands, Sydney, N.S.W., 33, 1937

I, *William Archer Pike*,
of Northbridge,
a Surveyor registered under the Surveyors Act, 1929 do hereby solemnly
and sincerely declare that the survey represented in this plan has
been made by me in accordance with the Survey Practice Regulations
1933 and the special requirements of the Department of Lands was
completed on the 8th March 1937, and the
reference marks have been placed as shown hereon.

* Strike out when not required.

I, *William Archer Pike*,
of Northbridge,
a Surveyor registered under the Surveyors Act, 1929 do hereby solemnly
and sincerely declare that the survey represented in this plan has
been made by me in accordance with the Survey Practice Regulations
1933 and the special requirements of the Department of Lands was
completed on the 8th March 1937, and the
reference marks have been placed as shown hereon.

Subscribed and declared before me at Sydney
this 12th day of March 1937
John Hutton
Justice of the Peace.

Transmitted to the District Surveyor with my letter of No.

H.O. 160

Municipality of Bankstown

R.S.S. 20-946



PLAN OF PORTION 265

County of Cumberland Parish of Bankstown

LAND DISTRICT OF ~~Parramatta~~ LAND BOARD DISTRICT OF Sydney

~~Resumed Area N°~~ ~~Pastoral Holding~~, Eastern Division.

Applied for under the Section of the Crown Lands Consolidation Act 1913 by

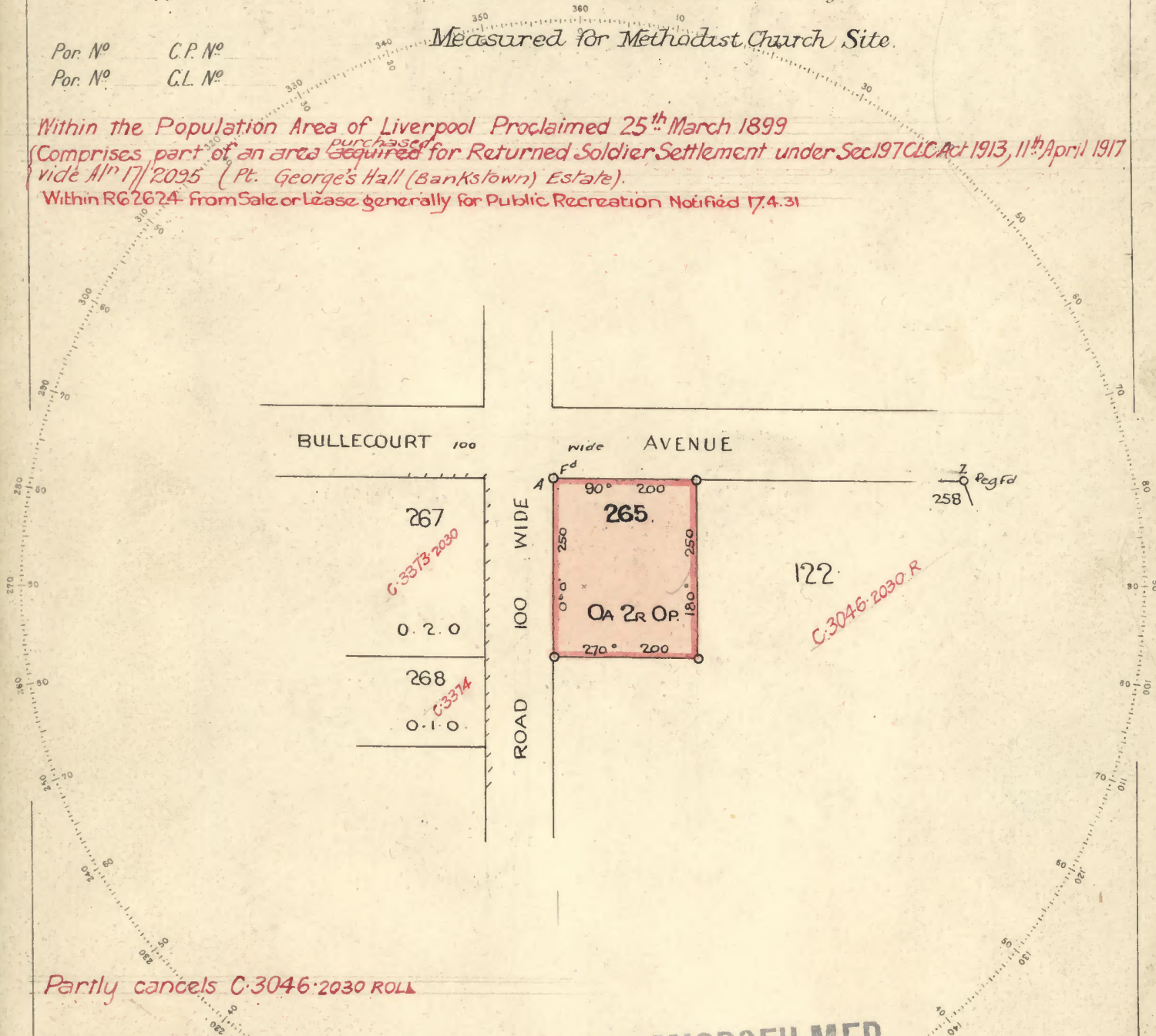
Por. N° C.P. N°
Por. N° C.L. N°

Measured for Methodist Church Site.

Within the Population Area of Liverpool Proclaimed 25th March 1899

(Comprises part of an area ^{purchased} required for Returned Soldier Settlement under Sec 197 CLCA Act 1913, 11th April 1917 vide 11th 17/2025 (Pt. George's Hall (Bankstown) Estate).

Within RG 2624 from Sale or Lease generally for Public Recreation Notified 17.4.31



Partly cancels C.3046-2030 ROLL

Azimuth taken from AZ
Field Book Vol. 8291 Folio 12

Reference to Corners

Corner	Bearing	From	Links	N° on Tree

3371-2030

Value of Improvements

Reference to Traverse

Line	Bearing	Distance

PLAN MICROFILMED

NO ADDITIONS OR AMENDMENTS TO BE MADE

I hereby certify that I in person made and on the 3rd Feb'y 1920 completed the survey represented on this plan on which are written the bearings and lengths of the lines measured by me and I declare that the survey has been executed in accordance with the regulations published for the guidance of Licensed Surveyors and the practice of the Department of Lands.

S. J. Anheim

Licensed Surveyor (Staff)

Transmitted to the District Surveyor with my letter of 7th February N° 20-12

Voucher N° - Passed Staff

Calculation Book N° - Folio -

Checked and Charted P.A. Bruce 23rd April 1920

Examined &

Plan approved Edward 23. 4. 1920

Draftsman in Charge

C.3371-2030

Scale 20 Chains to an Inch.

Assessed

Lithographed & Printed at the Department of Lands, Sydney, N.S.W., 1919
N° of Lth 29-405 0.

H O 160

Municipality of Bankstown

Papers R.S.S. 20.947



PLAN OF PORTION 266

County of Cumberland Parish of Bankstown

LAND DISTRICT OF ~~Metropolitan~~ ~~Parramatta~~

LAND BOARD DISTRICT OF Sydney

~~Resumed Area No~~

~~Pastoral Holding~~ Eastern Division.

Applied for under the Section of the Crown Lands Consolidation Act, 1913 by

Por. No C.P. No
Por. No C.L. No

Measured for Presbyterian Church Site

Within the Population Area of Liverpool Proclaimed 25th March 1899

Comprises part of an area acquired for Returned Soldier Settlement under Sec 197 CLCA Act 1913, 11th April 1917
vide Aⁿ 17/2095 (Pt. George's Hall (Bankstown) Estate).

Within R62624 from Sale or Lease generally for Public Recreation Notified 17.4.31

BULLE COURT

AVENUE

WIDE
100
ROAD

267
C-3372-2030

0.20

268
C-3373

0.10

265
C-3371

0.20

266
Oa Ir Op
270° 200

122

C-3046-2030R

123

Partly cancels C-3046-2030.ROLL

Azimuth taken from AZ
Field Book Vol.829/ Folio 12

Reference to Corners

Corner	Bearing	From	Links	N ^o on Tree

3372-2030

Value of Improvements

Reference to Traverse

Line	Bearing	Distance

PLAN MICROFILMED
NO ADDITIONS OR AMENDMENTS TO BE MADE

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S. J. Arnheim Licensed Surveyor (Staff)

Transmitted to the District Surveyor with my letter of 7th February N^o 20.13

Voucher N^o - Passed Staff
Calculation Book N^o - Folio -
Checked and Charted A. A. Bruce 23rd April 1920
Examined &

Plan approved C. J. Smith 23.4.1920

Draftsman in Charge

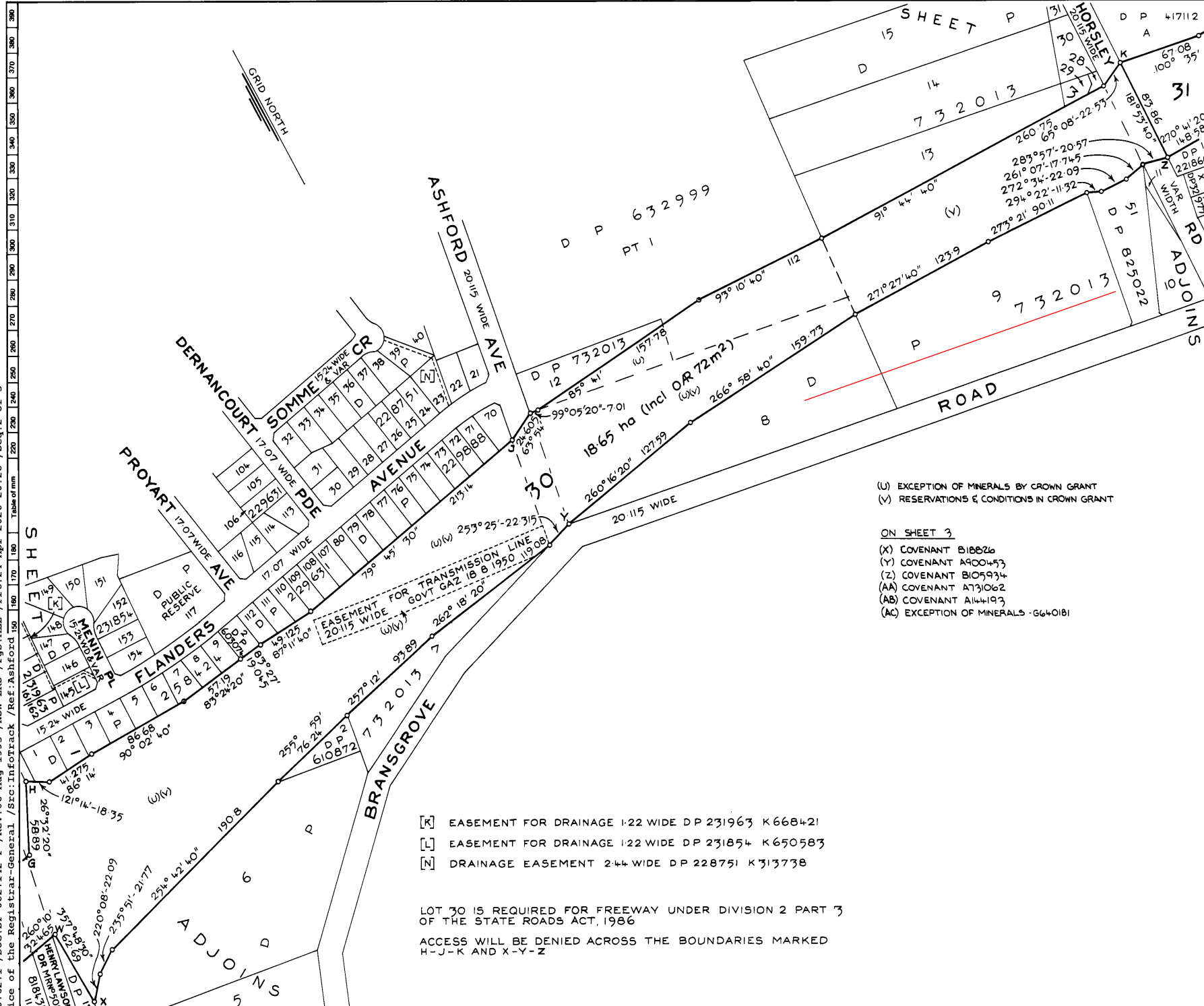
C-3372-2030

Scale 20 Chains to an Inch.

Lithographed & Printed at the Department of Lands, Sydney, N.S.W., 1919
N^o of Lith 131,405 U

Assessed

Req: R076271 / Doc: DP 827142 P / Rev: 06-Aug-1993 / NSW LRS / Pgs: ALL / Ppt: 24-Apr-2026 20:28 / Seq: 2 of 3
 © Office of the Registrar-General / Src: InfoTrack / Ref: Ashford 150



DP 827142

Registered 2-8-1993

This is sheet 2 of my plan in 3 sheets dated

22.9.92
 Surveyor registered under Surveyors Act 1929

This is sheet of the plan of
 sheets covered by my Certificate No. of

Council Clerk

CITY: BANKSTOWN
 LOCALITY: MILPERRA
 PARISH: BANKSTOWN
 COUNTY: CUMBERLAND

(U) EXCEPTION OF MINERALS BY CROWN GRANT
 (V) RESERVATIONS & CONDITIONS IN CROWN GRANT

ON SHEET 3

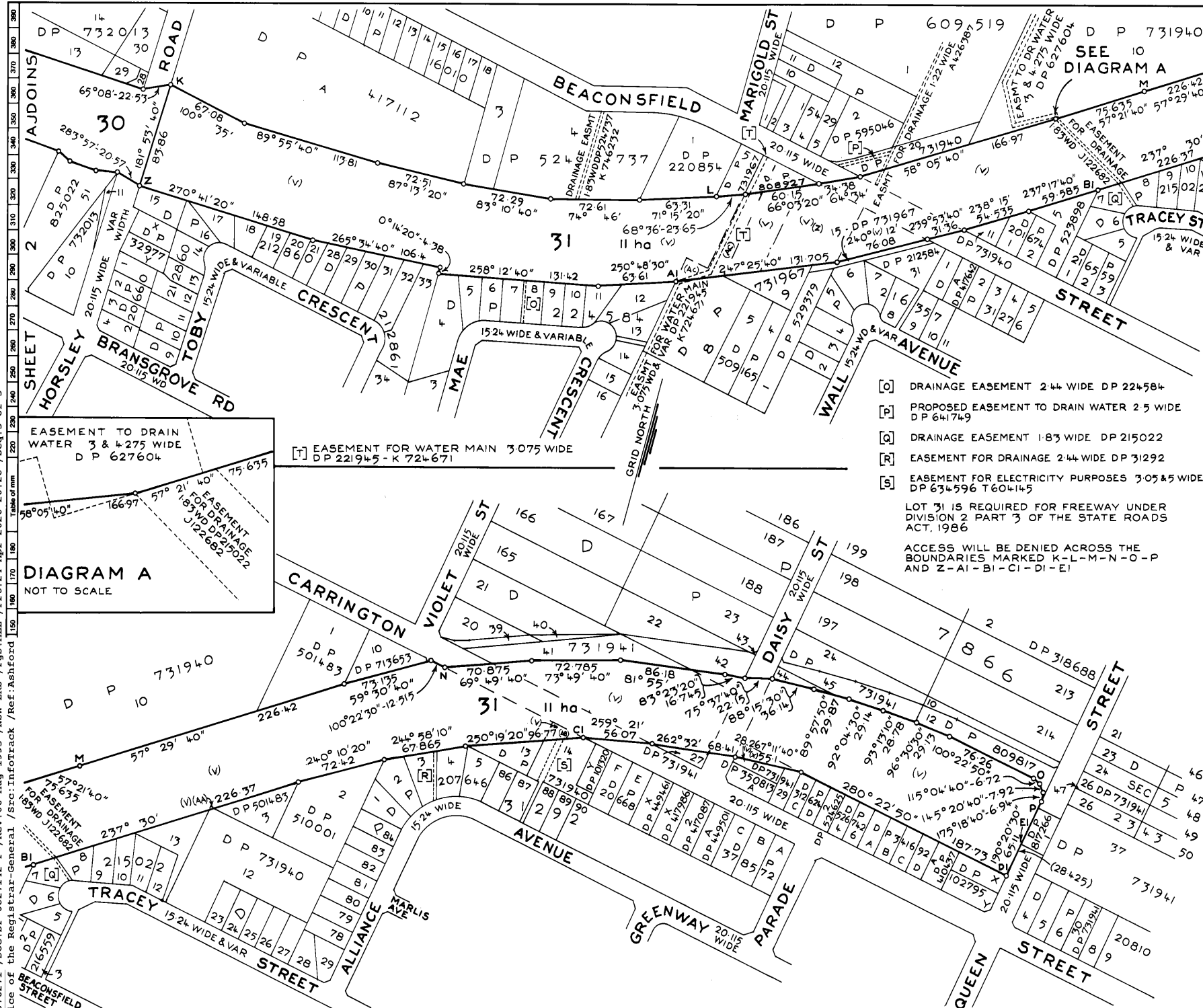
(X) COVENANT B18826
 (Y) COVENANT A900453
 (Z) COVENANT B105934
 (AA) COVENANT A731062
 (AB) COVENANT A144193
 (AC) EXCEPTION OF MINERALS - 6640181

[K] EASEMENT FOR DRAINAGE 1.22 WIDE DP 231963 K 668421
 [L] EASEMENT FOR DRAINAGE 1.22 WIDE DP 231854 K 650583
 [N] DRAINAGE EASEMENT 2.44 WIDE DP 228751 K 313738

LOT 30 IS REQUIRED FOR FREEWAY UNDER DIVISION 2 PART 3
 OF THE STATE ROADS ACT, 1986

ACCESS WILL BE DENIED ACROSS THE BOUNDARIES MARKED
 H-J-K AND X-Y-Z

Reduction Ratio 1: 2 000



DP 827142

Registered: 2-8-1993

This is sheet 3 of my plan in 3 sheets dated

Halt Gada 22.2.92
Surveyor registered under Surveyors Act 1929

This is sheet of the plan of sheets covered by my Certificate No. of

Council Clerk

CITY: BANKSTOWN
LOCALITY: REVESBY
PARISH: BANKSTOWN
COUNTY: CUMBERLAND

Reduction Ratio 1: 2 000





Government Gazette

OF THE STATE OF
NEW SOUTH WALES

Number 86

Monday, 6th July, 1992

Published under authority by the Government Printing Service

SPECIAL SUPPLEMENT

STATE ROADS ACT 1986

LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991

NOTICE OF COMPULSORY ACQUISITION OF LAND AT MOOREBANK, MILPERRA, REVESBY, PADSTOW, RIVERWOOD AND BEVERLY HILLS

IN THE CITIES OF LIVERPOOL AND BANKSTOWN AND THE MUNICIPALITY OF CANTERBURY

The Roads and Traffic Authority of New South Wales by its delegate declares, with the approval of His Excellency the Governor, that the land described in the Schedule below is acquired by compulsory process under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for the purposes of the State Roads Act 1986.

DATED at Sydney, this 2nd day of July, 1992.

A G Kennedy
Director Corporate Services
Roads and Traffic Authority
of New South Wales

SCHEDULE

ALL those pieces or parcels of Public Road, situate in the City of Liverpool, Parish of Holsworthy and County of Cumberland being :

the part of Heathcote Road, Moorebank which is partly contained in parts of the land in Certificates of Title Volume 2294 Folio 204 and Volume 3788 Folio 87 and is shown as an area of 1.893 hectares on Deposited Plan 810099; and

the stratum of Nuwarra Road, Moorebank which is part of the land in Certificate of Title Volume 3646 Folio 136 and is shown as Lot 1, Deposited Plan 817463.

The land is said to be in the possession of Liverpool City Council.

ALSO ALL those pieces or parcels of Public Road, situate in the City of Bankstown, Parish of Bankstown and County of Cumberland being :

the part of Prescott Parade, Milperra which is part of the land in Certificate of Title Volume 2400 Folio 53 and is shown as an area of 1858 square metres on sheet 2 of Deposited Plan 731859;

the part of Henry Lawson Drive, Milperra shown as Lot 8, Deposited Plan 818434;

the part of Ashford Avenue, Milperra shown as an area of 1816 square metres on sheet 2 of Deposited Plan 732013;

the part of Horsley Road, Milperra which is parts of the land in Certificates of Title Volume 1158 Folios 36, 37, 38, 40 and 250 and Volume 1661 Folios 91, 92 and 93 and is shown as an area of 1542 square metres on sheet 3 of Deposited Plan 732013;

the part of Beaconsfield Street, Revesby which is part of the land in Certificate of Title Volume 2530 Folio 83 and is shown as an area of 1961 square metres on sheet 1 of Deposited Plan 731940;

the part of Carrington Street, Revesby which is part of the land in Certificate of Title Volume 2530 Folio 83 and is shown as an area of 2729 square metres on sheet 1 of Deposited Plan 731941;

the part of Daisy Street, Revesby which is part of the land in Certificates of Title Volume 948 Folios 211 and 212 and is shown as an area of 1358 square metres on sheet 1 of Deposited Plan 731941;

the stratum of Queen Street, Revesby which is part of the land in Certificates of Title Volume 948 Folios 211 and 212 and is shown as Lot 1, Deposited Plan 817266;
the part of Ely Street, Revesby which is part of the land in Certificates of Title Volume 948 Folios 211 and 212 and is shown as an area of 1226 square metres on sheet 1 of Deposited Plan 731942;
the part of Sherwood Street, Revesby which is part of the land in Certificates of Title Volume 948 Folios 211 and 212 and is shown as an area of 1226 square metres on sheet 1 of Deposited Plan 731942;
the part of Albert Street, Revesby which is part of the land in Certificates of Title Volume 948 Folios 211 and 212 and is shown as an area of 1432 square metres on sheet 1 of Deposited Plan 731942;
the part of Victoria Street, Revesby which is part of the land in Certificates of Title Volume 948 Folios 211 and 212 and is shown as an area of 1960 square metres on sheet 2 of Deposited Plan 731942;
the part of The River Road, Revesby which is shown as Lot 3, Deposited Plan 818435;
the part of Mackenzie Road, Revesby which is part of the land in Certificate of Title Volume 1903 Folio 22 and is shown as Lot 8, Deposited Plan 818338;

the part of Gibson Avenue, Padstow which is partly part of the land in Certificate of Title Volume 1903 Folio 22 and is shown as Lot 5, Deposited Plan 818405; and
the part of Fairford Road, Padstow which is partly part of the land in Certificate of Title Volume 2109 Folio 196 and is shown as Lot 2, Deposited Plan 818436.
The land is said to be in the possession of Bankstown City Council.

AND ALSO ALL those pieces or parcels of Public Road, situate in the Municipality of Canterbury, Parish of St George and County of Cumberland being :
the part of Belmore Road, Riverwood shown as Lot 4, Deposited Plan 818407;
the stratum of Bonds Road, Riverwood shown as Lot 1, Deposited Plan 817464; and
the stratum of Penshurst Road, Beverly Hills shown as Lot 1, Deposited Plan 818131.
The land is said to be in the possession of Canterbury Municipal Council.

(RTA Papers F5/26.12052)



Crown Instrument not valid to Stamp Duty
H. K. ROBERTS
Crown Solicitor
NSW



B



PA63396N

PRIMARY APPLICATION

SECTION 14, REAL PROPERTY ACT, 1900

CAUTION.—Severe penalties are provided by the Crimes Act, 1900, and the Real Property Act, 1900, for procuring a certificate of title through fraud.

\$

(a) APPLICANT

THE MINISTER FOR PUBLIC WORKS

hereby applies to have the undermentioned land brought under the provisions of the Real Property Act, 1900

All that piece of land situated at Wickham County of Northumberland Parish of Newcastle
being^(b) Lot 1 in Deposited Plan 815234, which is a sub-division of part lot 4 and lots 5,6,7 and 8 Section 4, Deposited Plan 979249

and being ~~the whole~~^(c) of ^(d) Suburban allotment 19 granted to^(e) Francis Mitchell by Crown grant dated 30.../6.../1840
part Serial 71 Page 224

and requests that the folio of the Register issue in the name of

(f)

~~The Applicant~~

as joint tenants/tenants in common^(g)

and in support of this application I/We^(h) EDWARD KENNETH HARVEY
6/11/21, 2-24 KAWAIA PLACE, SYDNEY

solemnly and sincerely declare that—

(1) fee simple⁽ⁱ⁾

1. The applicant is seised for an estate in (2) ~~possession of the above described land~~
(3) ~~life estate~~
2. There is no person in possession or occupation of the said land or any part thereof adversely to the estate or interest therein of the applicant.
3. The said land is now ~~occupied by the persons specified in the First Schedule as occupiers.~~
unoccupied.
4. There does not exist any lease or agreement for lease of the said land for any term exceeding a tenancy for one year, or from year to year, except as set out in the First Schedule.
5. There does not exist any right of way, right of drainage or other easement or any restrictive covenant affecting the said land, except as disclosed in the First Schedule.
6. There does not exist any mortgage, lien, writ of execution, order, charge, encumbrance, will, settlement, deed, writing, contract, or dealing giving any right, claim or interest in the said land, or any part thereof, to any person other than the applicant except as set out in the First Schedule; nor, to the best of my knowledge and belief, is there any action, proceeding or suit pending which affects or could affect the said land, or any person other than the applicant who has or claims any estate, right, title or interest therein, except as disclosed in the First Schedule.^(j)
7. There is no resumption or instrument whereby minerals or substrata have been excepted or reserved to any person, except as disclosed in the First Schedule.
8. The Second Schedule contains a full and correct list^(k) commencing with conveyance dated 19 June 1962 Book 2604 No. 275 as to part, conveyance dated 19 June 1962 Book 2604 No. 277 as to part and conveyance dated 12 May 1955 Book 2332 No. 165 as to part.

of all settlements, deeds, documents, instruments, maps, plans and papers relating to the said land so far as I have any means of ascertaining them. All such documents as are in my possession or under my control are lodged herewith; the whereabouts of all other documents listed, so far as is known to me, is stated in such list.

9. The applicant has not become bankrupt or assigned his/her estate for the benefit of creditors.

11. Searches and inquiries for those documents shown as whereabouts unknown, and referred to in the Second Schedule as Nos, have been made at the premises of the applicant, previous and present lending institutions, solicitors and agents and have not been lodged with any person or corporation as security for a loan or for any purpose whatsoever.

12. I have been authorised by ~~power of attorney dated the~~ ^{delegation of the Minister for Public Works} ~~29TH~~ ^{date of} ~~day of~~ ^{JANUARY} 1989 to make this application on behalf of the applicant, and I have received no notice of revocation of such authority.⁽¹⁾

I make this solemn declaration conscientiously believing the same to be true and by virtue of the Oaths Act, 1900,^(m) and certify this application to be correct for the purposes of the Real Property Act, 1900,⁽ⁿ⁾ and I hereby undertake to notify the Registrar General promptly of any further interest in the said land created after the making of this my declaration and before issue of the certificate of title.

DATE 28TH JANUARY 1993

Robert Ryan J.P.
Signature of witness

ROBERT RYAN. J.P.
Name of witness (BLOCK LETTERS)

JUSTICE OF THE PEACE
Qualification of witness ⁽¹⁾

EDWARD KENNETH HARVEY
COMMERCIAL PROPERTY MANAGER
AS DELEGATE OF MINISTER FOR
PUBLIC WORKS
E Harvey
Applicant, or authorised agent of applicant⁽¹⁾

CONSENT OF MORTGAGEE

under mortgage registered Book Number , being the mortgagee, hereby joins in and consents to this application subject to:

- (i) entry on the folio of the register to be created and on the certificate of title to issue of a notification relating to such mortgage,⁽¹⁾ AND
(ii) delivery to me of the certificate of title.

Witness

Mortgagee

FIRST SCHEDULE

PARTICULARS OF SUBSISTING INTERESTS (LEASES, EASEMENTS, MORTGAGES AND OTHER MATTERS REFERRED TO IN CLAUSES 3 TO 7 INCLUSIVE OF DECLARATION)

Full name and address (of occupier, lessee, mortgagee, etc.)	Nature of entitlement ("occupier", "lessee", "mortgagee", etc.)	Particulars of instrument (if any) by which entitlement created ⁽¹⁾
NIL		

SECOND SCHEDULE

(See notes on back page hereof)

DOCUMENTS REFERRED TO IN CLAUSE 8 OF DECLARATION

B

To be
completed
by declarant

Documents Nos. 1,3,4,5 & 6

hereunder LODGED HEREWITH

Documents Nos.

hereunder WHEREABOUTS UNKNOWN see clause 11 of declaration

Documents Nos. 2

hereunder PERMANENTLY LODGED

Receipt Nos. 29982

Documents Nos.

hereunder TO BE LODGED BY:

List each chain of title separately

Schedule should commence from a good root of title

No.	Date	Nature of document	Parties	Registration	
				Book	No.
✓ 1	19.2.62	Conveyance	(A) As to part Lot 4 & Lot 5, Sec.4, DP979249 Henry George Lindstrom to H.G.L. Holdings Pty Limited	2604	275
2	19.2.62	Conveyance	(B) As to lot 6, Sec.4, DP979249 Henry George Lindstrom and Elsie Alice Scorer Lindstrom to H.G.L. Holdings Pty Limited	2604	277
✓ 3	30.3.67	Conveyance	(C) As to part lot 4, lots 5 & 6, Sec. 4 DP979249 H.G.L. Holdings Pty Limited to The Minister for Public Works	2832	650
✓ 4	12.5.55	Conveyance	(D) As to Lot 7 Sec.4 DP979249 Panta Madzic and Jovan Simonovic to Edward Sidorko	2332	165
✓ 5	15.7.66	Conveyance	Edward Sidorko to The Minister for Public Works	2802	770
✓ 6	23.6.61	Conveyance & Release	(E) As to Lot 8 Sec.4 DP979249 William Perkins, Robert William Walker, Her Most Gracious Majesty Queen Elizabeth II and The Minister for Public Works (pursuant to Notice of Resumption in Government Gazette 19.6.59 folio 1818 annexed)	2574	223

If space is insufficient, add annexure sheet(s)

PRIMARY APPLICATION

Lodged by

STATE CROWN SOLICITORS
OFFICE

Ref:

PWD 133.64 C2:DAW

Delivery Box Number:

8/3E

INSTRUCTIONS FOR COMPLETION

Typewriting and handwriting should be clear, legible and in permanent black non-copying ink. No alterations should be made by erasure; the words rejected must be ruled through and verified by the signature or initials of the applicant and witness in the margin.

- (a) Full name and postal address of person or corporation entitled to the land.
- (b) Give an adequate description of the land, e.g. "Lot in Deposited Plan". If an appurtenant easement is claimed, the deed creating it should be disclosed and an adequate description of its location should be given; its location should also be shown on the plan.
The application should be accompanied by a plan of survey unless the Registrar General has previously dispensed therewith.
- (c) Delete whichever is inapplicable.
- (d) Insert reference to portion or allotment, or if none, to number of acres granted.
- (e) Name of grantee.
- (f) If the folio of the Register is required to issue in favour of the applicant, insert "the applicant"; otherwise insert the full name of the person or corporation in whose name the certificate of title is to issue. In the case of a person, the full postal address and occupation should be stated.
- (g) See Section 26 Conveyancing Act 1919.
- (h) Full name and address of declarant.
- (i) Delete whichever is inapplicable.
- (j) Should any transaction affecting the land in this application be entered into or any alterations in the building or fences be made subsequent to the date of the application, but prior to the issue of the folio of the Register, the Registrar General should be informed immediately, and all documents evidencing such transaction should be lodged.
- (k) The declaration may be qualified, e.g. by inserting the words "commencing with conveyance dated registered Book No." or as the case may be. See also notes.
- (l) Delete this clause if inapplicable.
The relevant power of attorney or other such authority should be lodged with the application.
- (m) If made outside N.S.W., strike out Oaths Act, 1900 and insert reference to local Act.
- (n) Any person falsely or negligently certifying is liable to the penalties provided by section 117 of the Real Property Act, 1900.
- (o) **The application is a statutory declaration and must be made before a prescribed functionary. Attention is drawn to the penalties provided by law for any false statement therein.**
- (p) Delete whichever is inapplicable.
- (q) Where the whole or any part of the land is occupied by a tenant state also the nature and duration of the tenancy.

NOTES

Documents to be scheduled

This application should be marked by the Stamp Duties Division, Department of Finance before lodgment by hand at the Land Titles Office. Where an applicant claims an estate in fee simple by virtue of a documentary title the Second Schedule should commence with a good root of title at least thirty years old or with a later deed which has already been accepted by the Registrar General in an earlier application. Clause 8 of the declaration should be suitably amended.

Where the applicant claims title by possession the devolution of the documentary title of the person(s) against whom possession is asserted should be shown in the Second Schedule.

Where the applicant claims the benefit of an appurtenant easement the Second Schedule should contain a reference to:

- * the deed by which the grantor of the easement acquired title to the servient tenement, and
- * the deed by which the easement was created.

The applicant will be required to establish (e.g., by production of searches) that (i) the grantor of the easement had a good title to the servient tenement; and (ii) the easement has not been determined by surrender, union of tenements or otherwise.

Documents to be lodged

Upon lodgment the application should be accompanied by:

- * all deeds and other documents evidencing the devolution of title from the abovementioned commencing point;

Deeds and other documents which relate to the period prior to the selected commencing point should not be scheduled in or lodged with this application but should be retained in case their subsequent production should be required.

- * any abstract(s) of title in the applicant's possession covering the relevant period; and
- * searches showing the result of searches in the general register of deeds, the register of causes, writs and orders, the register of resumptions and the bankruptcy registers.

Searches

The searches obtained when the applicant or a predecessor in title acquired the land in the application will suffice provided that they commence with a good root of title at least thirty years old or with a later deed already accepted by the Registrar General in an earlier application and, in either case, have been brought up to date or to a recent date. In the case of an application based on possession the searches should show not only the devolution of the documentary title (which in most cases will need to be traced from the Crown grant) but also the result of searches against the applicant and his/her predecessors in possession.

Applicants based upon possession

There is available upon request at the Customer Services Branch a departmental circular containing directions for the guidance of applicants who claim title by possession.

Destruction of documents lodged with the application

Upon the issue of the folio of the Register the Registrar General will as a general rule destroy those documents which exclusively affect the land in the application (and which accordingly will be totally cancelled pursuant to Section 23A (2), Real Property Act, 1900). However, documents which would otherwise be destroyed may be returned upon request to interested persons. The request (in writing) should specify the documents to be returned and should be made before the processing of the application has been completed.