

HISTORY
OF
236 Malton Road North Epping (Lot M DP 28986)



Background

The demolition of the residence situated at 236 Malton Road North Epping is proposed with Hornsby Council DA/514/2022.

History of Ownership

236 Malton Road North Epping originally formed part of Portion 472 of the Field of Mars Parish.

This portion was purchased by Francis Richard Kingcott (1878-1954), an orchardist, on 10th October 1898 for the sum of sixty five pounds (Vol 1495 Fol 239 – see attached copy of the title). Sands Directories record that Mr Kingcott was a nurseryman.



Kingcott sold the portion to Albert Pearson Walker on 19 January 1945. In 1943 and 1949 Albert Pearson Walker and his family were recorded as living at “the Ranch” 58 Malton Road North Epping. It appears that Malton Road was renumbered in the 70’s to accommodate the many subdivided lots and it is likely that Walker was living on part of portion 472 at that time.

Albert and Hannah Walker had four daughters: Madeline Alice, Patricia Aileen, Shirley Estelle, and Alice Elizabeth. Unfortunately, Alice died in 1946.

In 1947 Walker subdivided the portion in to three lots, A, B and C. Lot B was transferred to his daughter Madeline on 10 February 1947 (Vol 5724 Fol 111 – see attached copy of the title), who was by then married to Frank Freeman. Lot C was transferred to Patricia on 28 February 1949 (Vol 5877 Fol 192). Lot A was transferred to his daughter Shirley and husband Bruce McMahan on 20th February 1950 (Vol 5822-Fol 18).

In the 1950’s the family lived closely together in Malton Road, Patricia and Robert at 52-54 Malton Road, the Freemans and the parents at 58 Malton Road, Bruce and Shirley at 62 Malton Road. The above addresses whilst different for current numbers would appear to coincide with the Walkers’ land holdings, i.e. lots A, B and C.

Madeline and Frank Freeman lived at Malton Road from 1943 to 1958, at which point Lot B was subdivided into lots M, N, O, P, L and K. Madeline Freeman retained ownership of the three remaining lots, N, O, and P.

Lot M, which is now 263 Malton Road, was sold on 6 November 1958 to Errol and Dorothy Jones (Vol 7803 Fol 59 – see attached copy of the title).

Errol and Dorothy Jones sold Lot M on 2 October 1969 to Owen and Jayne Sherrard.

Following the passing of Mrs Freeman, lots N, O, and P were sold by the family in 2011.

The current owner purchased Lot M from Owen Sherrard in 2021.

Heritage Significance

The substantial full brick house at 236 Malton Road is a Californian bungalow with the characteristics of a house built in the 1930's. Being mostly acreage lots, North Epping would have been sparsely populated at that time. This house, set back above the road, would have been quite prominently positioned on its lot and typical of houses built on broad acreage lots in the pre-building boom era of the 60's when many lots were subdivided and built upon.

Portion 472 was owned by Francis Kingcott, an orchardist and nurseryman who held the land for a period of forty seven years from 1898 to 1945. The local story is that the land was used as a rose nursery which is consistent with Kingcott's occupation. North Epping was originally cleared by timber fellers, subdivided into acreages and utilised for orchards, nurseries and poultry farms. Typical were F Bailey's and M Jacobs poultry farms after whom Bailey Crescent and Jacobs Close were named. There are few residences from this era remaining. These houses should be protected to provide a link to the farming era. Nicholas Pedemont's house at 155 Norfolk Road was lost to history when it was recently demolished. According, it is important that the few that are left including the house at 263 Malton Road should be preserved. Not only should it be preserved but so should the curtilage around it (particularly its front yard) and its connection to Malton Road via its driveway. The house needs room to breathe to maintain its context in this former rural community.



The Walker Family maintained a close contact with this land and continue to do so through the naming of Walker Place. With the development of the vacant land in Walker Place, currently subject to Hornsby Council DA/431/2022, the house and its surrounds will be the last part of Portion 472 with an undisturbed connection to Francis Kingcott and the Walker family



REGISTER BOOK
Vol. 1495 Fol. 230

CANCELLED

GRANT OF LAND SOLD AT UPSET PRICE AFTER ATTEMPTED SALE BY AUCTION.



STANDARD FEEL, by the State of God, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith, and so forth:—
TO ALL to whom these Presents shall come; greeting:—

WHEREAS the land hereinafter described, was on the twenty eighth day of September one thousand eight hundred and seventy eight offered for sale by public auction, at Melbourne in Our late Colony of New South Wales, but the same was not sold: And WHEREAS on the fourth day of October one thousand eight hundred and seventy eight Francis Richard Harcourt of Great Britain in Our State of New South Wales (do hereby) applied under the provisions of Section 56 of the Crown Lands Act of 1863 to purchase the said land at the upset price thereof: NOW KNOW YE, That for and in consideration of the sum of two hundred and fifty pounds Sterling, being the said upset price thereof, well and truly paid into the Treasury of Our said State before these Presents are issued, We HAVE GRANTED, and for Us, Our Heirs and Successors, DO HEREBY GRANT unto the said Francis Richard Harcourt

subject to the several and respective Reservations and Conditions hereinafter mentioned, ALL THAT Allotment or Parcel of Land in Our said State, containing by Admeasurement two acres five rods twenty five perches or thereabouts, being the same more or less, situated in the County of Cumberland Parish of Field of Mars of Field of Mars



Scale 4 Chains to an Inch.

Section 472
Commencing on the North Eastern side of Malton Road at the Southern corner of section four hundred and seventy one of area one acre twenty two perches and bounded thence on the South West by that road dividing it from section four hundred and forty seven of area three rods four perches bearing South seventy five degrees one minute thirty seconds East four chains twenty and five fifths links on the South West by the North Western boundaries of sections four hundred and twenty three and four hundred and twenty four of the area one acre twenty five perches and eight rods two perches respectively in all bearing North twenty five degrees fifty two minutes East twelve chains two and one fifth links on the North East by Boundary Road bearing North sixty five degrees one minute West four chains two and one fifth links and on the North West by the South Eastern boundary of section four hundred and seventy one of area one acre twenty five perches fifty two minutes West bearing South seventy five degrees one minute thirty seconds East four chains twenty and five fifths links to the point of commencement.

As per plan in the margin hereof: with all the Rights and Appurtenances whatsoever thereto belonging: TO HOLD unto the said

Francis Richard Harcourt his Heirs and Assigns for ever: Provided Notwithstanding, AND We DO HEREBY RESERVE Unto Us, Our Heirs and Successors, and to the Governor for the time being of Our said State, by such Person or Persons as shall be by Them or Him authorized in that behalf full power and control through the said Land, all common or Public Drains and Sewers which may be deemed expedient: AND We DO HEREBY RESERVE Unto Us, Our Heirs and Successors, all Minerals as defined in the First Section of the Mining Act of 1860, which may be contained in and under the said Land, together with full power and authority for Us, Our Heirs and Successors, and such person or persons as may from time to time be authorized by Us, Our Heirs and Successors, or by the Minister for Mines, or other Minister for the time being charged with the administration of the Acts in force for the Regulation of Mining within Our said State, in accordance with the provisions of Section 2 of the said Mining Act of 1860, to enter upon the said Land and to search for, mine, dig, and remove the said Minerals, or any of them, with full right of ingress, egress, and regress, for all the purposes aforesaid: PROVIDED ALSO, AND IT IS HEREBY DECLARED that this Our Grant is made upon and subject to the Condition that if at any time the said Land, hereinafter described, shall be found to contain such Minerals as aforesaid, or any substance which shall, by Proclamation under the said Second Section of the Mining Act of 1860, be declared to be a Mineral, the Governor for the time being of Our said State may thereupon cancel wholly or in part the Sale and Grant of the said Land in the manner and upon the terms as provided in the said Second Section of the said Act: AND upon notification of such cancellation, as in the said last mentioned Section of the said Act is prescribed, the said Land or so much thereof as may be included in the said notification shall thereupon revert to Us, Our Heirs and Successors, and this Our Grant shall, to the extent aforesaid, cease to operate or to have effect: IN WITNESS WHEREOF, We have caused this Our Grant to be Sealed with the Seal of Our said State.

WITNESS Our Trusty and Wellbeloved Sir HARRY HOLDSWORTH BARONET, Vice-Admiral in Our Royal Navy, Knight Commander of Our Most Honourable Order of the Bath, Our Governor of Our State of New South Wales and its Dependencies, in the Commonwealth of Australia, at Sydney, on Our said State, this third day of October in the second year of Our said Majesty, and in the year of Our Lord one thousand nine hundred and seventy

Harry H. Harcourt

RECORDED and ENROLLED in the Registrar General's Office, at Sydney, in New South

Wales, this

23rd day of October

[Handwritten signature]

Deputy Registrar General.

No. 12566-18 TRANSFER dated 11th February 1914
 from the said Legon, whose name is listed
 as owner of the said land, to the said
 Legon, who is the said land.

at the land within described
 bounded by the said land.

1/100 of the said land.

[Signature]

REGISTRAR GENERAL

No. 12566-19 TRANSFER dated 11th February 1914
 from the said Legon, whose name is listed
 as owner of the said land, to the said
 Legon, who is the said land.

at the land within described
 bounded by the said land.

1/100 of the said land.

[Signature]

REGISTRAR GENERAL

30/10/14

The Seal of Registrar General of this State
 No. 12566-19 10/11/14
[Signature]

No. 12566-24 TRANSFER dated 15th April 1914
 from the said Legon, whose name is listed
 as owner of the said land, to the said
 Legon, who is the said land.

at the land within described
 bounded by the said land.

1/100 of the said land.

[Signature]

REGISTRAR GENERAL

30/10/14

[Handwritten notes:]
 THOMAS M B R
 27/10/14
 J. H. M. R. C. H.

Appn. No.
Reference to Grant
Vol. 1495 Fol. 230

New South Wales.

(CERTIFICATE OF TITLE.)



Memorandum Book,
Vol. 5724 Fol. 111

CANCELLED W

MARSHLINE ADICE FREEMAN, wife of Frank Freeman, of Epping, Accountant, Transfers, under Instrument of Transfer No. 362661A, is now the proprietor of an Estate in Fee Simple subject nevertheless to the reservations and conditions, if any, contained in the Grant hereinafter referred to, and also subject to such encumbrances, liens, and interests as are notified herein, in That piece of land situated at Epping in the Shire of Hornsby Parish of Field of Mars, and County of Cumberland containing Two acres thirty four and three quarters perches or thereabouts as shown in the plan heron and therein edged and being Lot B in plan annexed to the said Instrument of Transfer No. 362661A and being part of Section 478 originally granted to Francis Richard Kingcott by Crown Grant dated the 3rd day of October 1903 Volume 1495 Folio 230.

In witness whereof I have hereto signed my name and affixed my Seal, this fourteenth day of September, 1947.

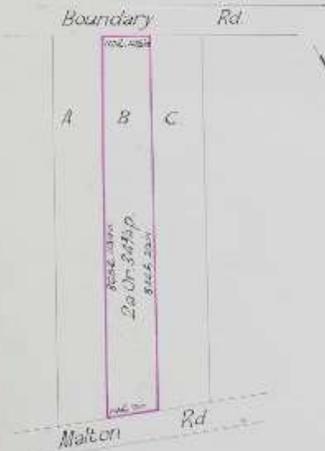
Signed in the presence of

J. H. Wells

J. H. Wells



Registrar General



No. 1220595 MORTGAGE dated 1st August 1947
from the said Marshall Adice Freeman Bank of Australia
Produced 14/9/47 and entered 14/9/47
at 11 o'clock in the am.

Produced 14/9/47 and entered 14/9/47

J. H. Wells



Registrar General

CAVEAT No. 44440 has been withdrawn.
See H1826 Entered 19th November 1947
no regard to M 20 28996

J. H. Wells



Registrar General

MORTGAGE No. 1220595 has been discharged.
See H1827 Entered 18th November 1947
disregarding M 20 28996

J. H. Wells



Registrar General

302611

J. H. Wells

Scale 200 feet to one inch

NOTIFICATION REFERRED TO

Amongst the reservations and conditions contained in the Grant above referred to are reservations of minerals.

J. H. Wells



Registrar General

Handwritten notes and signatures at the bottom right of the page, including 'over' and various initials.

New South Wales.

[CERTIFICATE OF TITLE]

Primary Appn. No.
Reference to Last Title
Vol. 5724 Fol. 111



JOINT TENANCY
REGISTER BOOK
Vol. 7803 Fol. 59
MA Issued on Transfer No. H85928

S
GRM

CANCELLED [W]
ON ISSUE OF NEW FOLIO M/28986

ERNEST CLIFFORD JONES, of Epping, Metallurgist, and DOROTHY PAMELA JONES, his wife, are now the proprietors of an Estate in fee Simple as Joint Tenants, subject nevertheless to the reservations and conditions, if any, contained in the Grant hereinafter referred to, and also subject to such encumbrances, debts, and interests as are notified hereon, in that piece of land in the Shire of Hornsby Parish of Field of Mars and County of Cumberland being lot N in Deposited Plan No. 28986 and being part of Portion 472 granted on 3rd October 1903 by Crown Grant Volume 1435 Folio 230. EXCEPTING THEREOUT the minerals reserved by the Crown Grant.

Persons are notified against altering or adding to this Certificate or any modification thereon.

In witness whereof I have hereunto signed my name and affixed my Seal, this

Twenty-fourth day of November, 1969.

Signed in the presence of

J. J. Johnston

J. J. Johnston
Registrar-General



NOTIFICATION REFERRED TO

Covenant contained in Transfer No. H85928, P

J. J. Johnston
Registrar-General



MORTGAGE No. H 85929 has been discharged.
Sec. 633411 Entered 11th December 1969.
J. J. Johnston
REGISTRAR GENERAL

H 85929 MORTGAGE dated 16th November 1969
Ernest Clifford Jones and Dorothy Pamela Jones to Hornsby District Proprietary Permanent Building & Investment Society Limited
Entered 21st November 1969
J. J. Johnston
REGISTRAR GENERAL

William Owen Sheppard of Law Cove Engineer and Fayre Sheilay Sheppard his wife, as joint tenants are now the registered proprietor of the land within described
Sec TRANSFER No. 633412 dated 2nd October 1969
Entered 11th December 1969
J. J. Johnston
REGISTRAR GENERAL

By H 611591 Part of New South Wales
Produced 2nd October 1969
Registered 16th November 1969

J. J. Johnston
Registrar-General
This with mortgage No. H 611587 has been satisfied.
Sec. 633410
Entered 11th December 1969

No. H 633413 MORTGAGE dated 16th September 1969
to Bank of New South Wales
Entered 11th December 1969
J. J. Johnston
REGISTRAR GENERAL

J. J. Johnston
Registrar-General
H 85929 (M)
H 611591
L-11

2-22-1970
4-11-1970
4-11-1970