

IN THE FEDERAL COURT OF AUSTRALIA)
DISTRICT REGISTRY: SYDNEY)
DIVISION: CORPORATIONS) **No. _____ of 2019**

IN THE MATTER OF RIK HART AND PARRAMATTA CITY COUNCIL (in winding up and liquidation) (ABN 49 907 474 773)

Lady Crown and on behalf of ngati rangihou corrangie hapu dba Office of the Crown

Plaintiffs

RIK HART AND PARRAMATTA CITY COUNCIL (49 907 474 773)

Respondents

Originating process

(form 2, rules 2.2 and 15A.3)

A. DETAILS OF APPLICATION

Application is made for a winding up order and liquidation against RIK HART and PARRAMATTA CITY COUNCIL ABN 49907474773, pursuant to section 459G, 459E, , 459P, 459Q of the *Corporations Act 2001 (Cth)(Act).

Application is made to seize company's assets to pay debt and total obligation from RIK HART and PARRAMATTA CITY COUNCIL ABN 49907474773.

Application is made to terminate RIK HART and PARRAMATTA CITY COUNCIL ABN 49907474773 by its eventual dissolution pursuant to:

- a) Compensation for economic, cultural and land damages pursuant to: diminution, impairment, desecration of our rangihou sacred and holy consecrated land, burial sites and land marks without our approval - diminution of connection and traditional attachment to land and intangible disadvantages of damages to standing on the land - to living on the land - to building on the land - gaining spiritual and material sustenance from the land - worshiping on the land - attending to our burials and memorials on the lands - travelling over and across our sacred consecrated lands - foraging on our lands - gathering on our lands - using gods natural gifts of food on our lands - living peacefully in our domicile in our dwellings and structures - undertaking cultural activities on our lands - undertaking ceremonies on our lands - holding meetings and protecting our sacred sites, holy and tapu (spiritual restrictions/prohibited) land marks and sharing our lands with the public for humanitarian purposes.

- b) Damages for being forced off our rangihou lands on the 21st march 2019 which were declared sacred and holy in a consecration ceremony on Sunday 17th march 2019.
- c) Damages for being forced, intimidated, trespassed by council managers, illegally impersonating government agents on the 21st march 2019 without lawful documents, standard of proof, true bill of sale, notice of rebuttal or a warrant.
- d) Damages calculated and charged as follows for:
 - i. Ignoring the land gifting of rangihou lands to Mauri king te ruki kawiti in 1811. Unrebutted, accepted by equitable estoppels by acquiescence. Attached and marked as Exhibit LC 1 are copies of the letters and notice to parramatta city council from 2012.
 - ii. Ignoring the land re-gifting of rangihou lands to Mauri nation by darug and eora nation in 2006. Unrebutted, accepted by equitable estoppels by acquiescence. Attached and marked as annexure sss & annexure ttt is a copy of the re-gifting validations.
 - iii. Ignoring the land verification and validation by darug elder & historian in 2012. Unrebutted, accepted by equitable estoppels by acquiescence. Attached and marked as annexure uuu is a copy of verified documents and affidavit richard green to land grant.
 - iv. Ignoring the land verification and validation by reverend samuel marsden descendent in 2019. Unrebutted, accepted by equitable estoppels by acquiescence. Attached and marked as affidavit of spider ward.
 - v. No true bill of sale for rangihou lands ever presented. Fact is Burramattagal originee chief corrangie lands were stolen as verified and validated by the first land grant in Australia's history as parramatta, 30 acres, title grant vol. 1 page 1 register generals title reference, 22nd february 1792 named experiment farm by governor phillip. Unrebutted, accepted by equitable estoppels by acquiescence. Attached and marked as annexure r is a copy of the james ruse land grant booklet.
 - vi. Damages charged for each year for theft, illegal occupation, illegal possession, selling and profiteering from any and all said originee lands since 1762. Unrebutted, accepted by equitable estoppels by acquiescence. Attached and marked as annexure "eeee", being copy of UCC commercial lien 10.4.2013, 10.7.2013, 13.1.2015.
 - vii. Crimes against plaintiffs and council managers, charged in accordance with fee schedule A. Unrebutted, accepted by equitable estoppels by acquiescence. Attached and marked as annexure ooo is a copy of terms and conditions, fee schedule A.
 - viii. Damages charged against each responsible council manager, per day for operating or perpetuating any and all private money systems, issuing, collection, legal enforcement systems and any and all slavery systems of and against any and all originee's and sovereign de jure since the first declaration of facts on 27th February 2012 on rangihou lands. Unrebutted, accepted by equitable estoppels by acquiescence. Attached and marked as annexure "eeee", being copy of UCC commercial lien 10.4.2013, 10.7.2013, 13.1.2015.
 - ix. Damages charged for each year for knowingly, willingly, and intentionally dumping asbestos on rangihou lands (60 years). Unrebutted, accepted by equitable estoppels by acquiescence. Attached and marked as annexure "eeee", being copy of UCC Commercial Lien 10.4.2013, 10.7.2013, 13.1.2015.

- x. Damages charged for knowingly, willingly, and intentionally desecrating the sacred burial site and graves of orignee's and high born sons of Mauri nga puhi chiefs, on any and all land areas of rangihou and baludarri by approving developments on the burial sites at 1a and 2 morton streets. Unrebutted, accepted by equitable estoppels by acquiescence. Attached and marked as annexure "eeee", being copy of UCC Commercial Lien 10.4.2013, 10.7.2013, 13.1.2015.
- xi. Damages charged due to no attempt to remedy.
- xii. Damages charged due to no rebuttal, accepted by equitable estoppels by acquiescence.
- e) Damages consolidated in statutory demand (ninth) dated 1.4.2019 served via Australia registered post rpp44 63800 09400 08515 89606. Received by respondent on the 18th april 2019 7.49am. Parramatta city council has failed to comply with a statutory demand terms and conditions. Ninth statutory demands includes all previous demands dated 10.3.16, 8.8.16,12.10.16, 12.3.17, 12.4.17 and 12.9.17. Unrebutted, accepted by equitable estoppels by acquiescence. Attached and marked as annexure bbbb is the statutory demands.
- f) Certificates of non-response dated 12.10.2006, 5.12.2013, 9.12.2013, 1.4.16 and 12.2.2019. Unrebutted, accepted by equitable estoppels by acquiescence. Attached and marked as annexure cccc are the certificates of non-response.
- g) UCC commercial liens dated 10.4.2013, 10.7.2013 and 13.1.2015. Unrebutted, accepted by equitable estoppels by acquiescence. Attached and marked as annexure eeee are the UCC commercial liens
- h) Parramatta city council have been duly informed via registered post and have failed to pay the total obligation. Inability to rebut all notice has resulted in winding up of the company and liquidation proceedings, as well as take charge over all lands, properties within, above, below and abutting the city of parramatta borders including and not limited to Australia lands to secure payment of the debt to the reasonable satisfaction of the office of the crown. No offer to pay the debt has ever been made. No affidavit has been filed into court to appeal any of the statutory demands. The full debt is due and payable at the date that this affidavit is made. Unrebutted, accepted by equitable estoppels by acquiescence.

Relied upon:

- i) Fact: The reclamation notices of rebuttal were unrebutted point by point, by parramatta and inner west councils since February 2012. Unrebutted, accepted by equitable estoppels by acquiescence. Attached and marked as Exhibit LC 1 are copies of the letters and notice to parramatta city council from 2012.
- j) Council acting unlawfully: Letter to Rik Hart and Michael Deegan dated 26 april 2019, unable to validate or verify how they get their local government entity authority from the local government act 1993. Unrebutted, accepted by equitable estoppels by acquiescence. Attached and marked as annexure hhhh are Letter to Rik Hart and Michael Deegan.
- k) Council acting unlawfully: Parramatta city council (abn 49 907 474 773) openly admit in correspondence dated 20.3.2013 and 13.11.201 to statutory functions, responsibilities and authority being sourced from local government act 1993. Fact is their authority is invalid as the result of three referendums 1974, 1988, 1999, therefore quoting any Local Government Acts, which have no basis or authority under the laws of the land, is rejected and unlawful. Therefore the councils are continuing to operate and perpetuate any and all private money

systems, issuing, collection, legal enforcement systems and, any and all slavery systems of and against any and all peoples. Attached and marked as annexure gggg are copies of letters from alleged Parramatta city council. Further factual evidence:

- i. Council acting unlawfully: The Referendums in 1974 and 1988 the people voted an overwhelming NO to local government (councils), thus all Parramatta city council is unlawful. Parramatta city council are not a part of Government and are nothing more than Private ABN companies. pretending to be Government when clearly they are not. Unrebutted, accepted by equitable estoppels by acquiescence. Attached and marked as annexure hhhh are Letter to Rik Hart and Michael Deegan.
- ii. Council acting unlawfully: The 1999 Referendum totally invalidates all Local Government Acts to this day. No new legislation can alter the fact that Councils in the form of Constitutional Government cannot lawfully exist. We the people said NO three times. Unrebutted, accepted by equitable estoppels by acquiescence. Attached and marked as annexure hhhh are Letter to Rik Hart and Michael Deegan.
- iii. Council acting unlawfully: By not recognizing the peoples decision is contempt by politicians and councils. A Federal Referendum of the people is an explicitly binding Act on all Governments. By not listening to the voice of the people via Federal Referendums they have enacted treason upon themselves. Unrebutted, accepted by equitable estoppels by acquiescence. Attached and marked as annexure hhhh are Letter to Rik Hart and Michael Deegan.
- iv. Council acting unlawfully: Section 109 also nullifies every new “law” since 1900 in any State contrived “Local Government Acts,” (none of which have been lawfully proclaimed, nor gazetted, nor approved by referendum, including the notorious Australia Act 1986.) See – Sec 9A of the Acts interpretation Act 1954 which is still current. Unrebutted, accepted by equitable estoppels by acquiescence. Attached and marked as annexure hhhh are Letter to Rik Hart and Michael Deegan.
- v. Council acting unlawfully: Parramatta city council (abn 49 907 474 773) and ceo, with their by-laws have no basis in law, no head of power and no authority (the rule of law in Australia) (see hume doors & timber v logan shire council – case: questions head of power). Unrebutted, accepted by equitable estoppels by acquiescence. Attached and marked as annexure hhhh are Letter to Rik Hart and Michael Deegan.
- vi. Council acting unlawfully: local Government, ABN companies are trading companies that provide services for money. HCA 11. 2015 states that, that cannot be changed or over-ruled by any Statute or Act. Unrebutted, accepted by equitable estoppels by acquiescence. Attached and marked as annexure hhhh are Letter to Rik Hart and Michael Deegan.
- vii. Council acting unlawfully: local Government, ABN companies are classed as ABN Trading Companies with the ATO. Unrebutted, accepted by equitable estoppels by acquiescence. Attached and marked as annexure hhhh are Letter to Rik Hart and Michael Deegan.
- viii. Council acting unlawfully: local Government, ABN companies require a written contract with full disclosure to do business with anyone under “Fair Work Act Sec 35. Parramatta city council have never given full disclosure. Unrebutted, accepted by equitable estoppels by acquiescence. Attached and marked as annexure hhhh are Letter to Rik Hart and Michael Deegan.

- ix. State Government acting unlawfully: State Government established local Government, ABN Companies. Fact is private corporations cannot be Government. Unrebutted, accepted by equitable estoppels by acquiescence. Attached and marked as annexure hhhh are Letter to Rik Hart and Michael Deegan.
 - x. Council acting unlawfully: local Government, ABN companies are registered on the Stock Exchange as private companies and thus as private companies have no authority under the constitution or legislation to act in any capacity, or enforce any legislation or other functions whatsoever, including no authority to impose taxes disguised as fines for anything, including parking, licenses for animals, or Land Tax Rates. Unrebutted, accepted by equitable estoppels by acquiescence. Attached and marked as annexure hhhh are Letter to Rik Hart and Michael Deegan.
 - xi. Council staff, CEO's, Councillors acting unlawfully: Crimes Act Sec 80 1.AA Life Imprisonment – deprived of assets. Claiming a “Commission from the Government” is an admission of Treason. The 1999 Referendum removed the Australia Act 1985 and 1986 and all Acts regarding Local Government, and the attempt to establish a Republic. All Council Staff, CEOs and Councillors are accessories to the Crime and guilty of misprision of treason. Three referendums means there cannot be another local government referendum. That is a fact of unequivocal law. Unrebutted, accepted by equitable estoppels by acquiescence. Attached and marked as annexure hhhh are Letter to Rik Hart and Michael Deegan.
 - xii. Persons acting unlawfully: Further demand under Sect 42 CRIMES ACT 1914 – SECT 42. Conspiracy to defeat justice (1) A person commits an offence if: (a) the person conspires with another person to obstruct, to prevent, to pervert or to defeat the course of justice in relation to a judicial power; and (b) the judicial power is the judicial power of the Commonwealth. Unrebutted, accepted by equitable estoppels by acquiescence. Attached and marked as annexure hhhh are Letter to Rik Hart and Michael Deegan.
 - xiii. Persons acting unlawfully: Under section 44 it states that a person may be disqualified if they are:(is) under any acknowledgment of allegiance, obedience, or adherence to a foreign power, or is a subject entitled to the rights or privileges of a subject of a foreign power. This includes the HM Queen Elizabeth who is a constitutional monarch, foreign to Australia and the Queen of Australia who is an invalid entity, not a person. Unrebutted, accepted by equitable estoppels by acquiescence. Attached and marked as annexure hhhh are Letter to Rik Hart and Michael Deegan.
- 1) Parramatta city council (abn 49 907 474 773) openly admit in correspondence dated 3.3.2014, 5.3.2014 and 10.10.2014 to owning (stolen) rangihou lands. Council acting unlawfully as every state created a local government act by joining the commonwealth of Australia as a sovereign, independent and federal nation enforced in the Australia act 1986 commonwealth. Local government act 1993 No. 30 new south wales. All state governments by joining the commonwealth as a sovereign, independent and federal nation took ownership of all land. Lands acquisition act 1973, no. 208 (c'lth) of 19th december 1973 which created their own “Australian land” 4 (1) section 7 of the principal act is amended – (a) by omitting from sub-section (1) the words “the governor-general” and substituting the words “the minister” = treason. Under the superior imperial law – transfer of land act ... transfers land from the crown to the people in fee simple. Only a jury of 12 can order removal of ownership: clause 39 magna carta. Unrebutted, accepted by equitable estoppels by

acquiescence. Attached and marked as annexure hhhh are Letter to Rik Hart and Michael Deegan.

- m) States acting unlawfully: The states do not have authority or power to make acts or laws that are not mentioned within the commonwealth of the Australia constitution act. Sections 106, 107, 108, and 109 created the states parliament cannot add new laws nor give any powers to states or any local government, ABN companies without a referendum and then it must be proclaimed and gazetted showing the dates of such. Unrebutted, accepted by equitable estoppels by acquiescence. Attached and marked as annexure hhhh are Letter to Rik Hart and Michael Deegan.
- n) State Governments acting unlawfully: State Governments have no authority to create any laws which contravene anything in the true Commonwealth of Australia Constitution Act 1901. Nor do they have powers to give to local government, ABN companies any powers the State does not have. Section 109 removes the “anything” and everything whatsoever in any previous Acts regarding Local Councils being any part of government. They remain to this day as private ABN companies. Unrebutted, accepted by equitable estoppels by acquiescence. Attached and marked as annexure hhhh are Letter to Rik Hart and Michael Deegan.
- o) Parliament acting unlawfully: HCA 1942 (uniform tax case) chief justice latham: “the words “under the constitution” are words of limitation and qualification, not all enactments purporting to be laws made by the parliament are binding; but laws made under, in pursuance of, and within the authority conferred by the constitution, and those only, are binding on the courts, judges, and the people. A law in excess of the authority conferred by the constitution is no law; it is wholly void and inoperative; it confers no rights, it imposes no duties; it affords no protection. Unrebutted, accepted by equitable estoppels by acquiescence. Attached and marked as annexure hhhh are Letter to Rik Hart and Michael Deegan.
- p) Parliament of the commonwealth acting unlawfully: The act itself is binding without limitation or qualification because it is passed by the sovereign parliament (UK), but the laws passed by the parliament of the commonwealth, a subordinate parliament, must be within the limits of the delegation of powers or they will be null and void”. Unrebutted, accepted by equitable estoppels by acquiescence. Attached and marked as annexure hhhh are Letter to Rik Hart and Michael Deegan.
- q) Australia and states acting unlawfully: Sir Harry Gibbs, high court judge and chief justice, quoted: “i therefore have come to the conclusion that the current legal and political system in use in Australia and its states and territories has no basis in law”. Unrebutted, accepted by equitable estoppels by acquiescence. Attached and marked as annexure hhhh are Letter to Rik Hart and Michael Deegan.

Interim orders are sought as follows:

- r) Lady Crown and ngati rangihou corrangie hapu to return to our rangihou lands and occupy immediately, until final orders:
 - i. Rangihou 112 acres - rangihou lands from parramatta river, up morton street, left onto victoria road, left onto wilde avenue and back to the parramatta river boundaries.
 - ii. Rangihou crown land - james ruse reserve, 109 harris st, 115 harris st, 137,143,145,147 george street, the waterways between rangihou reserve and queens wharf reserve, queens wharf reserve, robin thomas reserve.

- iii. 116 macquarie street - corner of charles st and macquarie st.
 - iv. Deakin park silverwater - corner of beaconsfield st and silverwater road.
 - v. Callan park, rozelle - parramatta river, up wharf road, military road, central ave, waterfront drive to parramatta river - including Mauri ratana rock carvings on the rocks.
 - vi. Rodd island
- s) Any and all profits made from rangihou lands from this day forward, until the liquidation is settled to be deposited into our account immediately. Banking details listed on the Statutory Demand.
- t) Tenants on our lands to be evicted immediately, except on Rangihou Lands 112 acres - rangihou lands from parramatta river, up morton street, left onto victoria road, left onto wilde avenue and back to the parramatta river boundaries.

On the facts stated in the plaintiffs application and supporting affidavits, annexure/s & exhibits/s:

- 1 Affidavit accompanying statutory demand
- 2 Lady Crown
- 3 Spider Ward
- 4 Annexure/s
- 5 Exhibit/s

Date:

.....
autograph of plaintiff
Lady Crown

This application will be heard by at [address of Court] at
 *am/*pm on

B. NOTICE TO DEFENDANT(S) (IF ANY)

TO: Rik Hart, Parramatta City Council (49 907 474 773)

If you or your legal practitioner do not appear before the Court at the time shown above, the application may be dealt with, and an order made, in your absence. As soon after that time as the business of the Court will allow, any of the following may happen:

- (a) the application may be heard and final relief given;
- (b) directions may be given for the future conduct of the proceeding;
- (c) any interlocutory application may be heard.

Before appearing before the Court, you must file a notice of appearance, in the prescribed form, in the Registry and serve a copy of it on the plaintiff.

Note Unless the Court otherwise orders, a defendant that is a corporation must be represented at a hearing by a legal practitioner. It may be represented at a hearing by a director of the corporation only if the Court grants leave.

C. APPLICATION FOR WINDING UP ON GROUNDS OF INSOLVENCY

N/A

D. FILING

Date of filing:

.....
Registrar

This originating process is filed by [name] for the plaintiff.

E. SERVICE

The plaintiff's address for service is Office of the Crown, PO Box 9144, Harris Park NSW 2150

It is intended to serve a copy of this originating process on each defendant and on any person listed below:

Defendant: RIK HART and PARRAMATTA CITY COUNCIL (49 907 474 773)