

# Le Fevre & Co.

## Solicitors & Attorneys

Incorporating Thompson and Le Fevre. Est. 1907

Our Ref: TJL:27327

Lithgow City Council

5 March, 2013

Scanned

The General Manager  
Lithgow City Council  
Council Chambers  
PO Box 19  
LITHGOW NSW 2790

06 MAR 2013

Doc. No.....  
GDA Ref.....  
Years.....

**Attention: Mr. Ian Stewart**

Dear Sir,

**Re: DELTA ELECTRICITY - PIPELINE EASEMENT OVER LOT 1 DP28230  
WALLERAWANG**

We refer to previous correspondence and confirm that the form of Transfer Granting Easement in respect of the proposed Right of Carriageway and Easement for Pipeline as drafted by us has now been approved by Delta, and accordingly we have engrossed the document and enclosed same herewith for execution under seal of Council.

Council's common seal should be affixed on the front page and the second page where indicated, in legible form. Signature's of the Mayor and General Manager should appear on both pages where indicated, and should not encroach upon the seal.

Please do not date the document.

When the document has been executed under seal and signed on both pages by the Mayor and General Manager, please return it to us and we will forward it to Delta for execution. Thereafter the document will be returned to us for registration purposes. We will require Certificate of Title Auto Consol 13731-155 to enable registration to proceed and accordingly shall be pleased if you would forward to us the Certificate of Title when returning the executed transfer.

Yours faithfully,  
LE FEVRE & CO.

Per:   
T.J. Le Fevre

Encl

*Principal: Allan J. Lindsay*

**City Chambers**

**108 Main Street, Lithgow NSW 2790**

P.O. Box 67, Lithgow NSW 2790

DX 3151 Lithgow

ABN: 27 759 019 416

Telephone: (02) 6352 2699 Facsimile: (02) 6352 1351

Email: [info@lefevreco.com.au](mailto:info@lefevreco.com.au)

Hours: 9a.m. to 5 p.m. Monday to Friday

*Consultant: Tim Le Fevre*

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*Liability limited by a Scheme approved under Professional Standards Legislation*

# TRANSFER GRANTING EASEMENT

Leave this space clear. Affix additional pages to the left-hand corner.

New South Wales  
Real Property Act 1900

**PRIVACY NOTE:** Section 31B of the Real Property Act 1900 (RP Act) authorises the Registrar General to collect the information required by this form for the establishment and maintenance of the Real Property Act Register. Section 96B RP Act requires that the Register is made available to any person for search upon payment of a fee, if any.

(A) <b>TORRENS TITLE</b>	Servient Tenement (land burdened)	Dominant Tenement (land benefited)
	Part of Auto Consol 13731-155 being that part of Lot 1 DP28230 as is shown as site of proposed Right of Carriageway and Easement for Pipeline in DP636925	Easement in Gross

(B) <b>LODGED BY</b>	Document Collection Box	Name, Address or DX, Telephone, and Customer Account Number if any	<b>CODE</b>  <b>TG</b>
		Reference (optional):	

(C) **TRANSFEROR**

Registered proprietor of the servient tenement

LITHGOW CITY COUNCIL

(D) The transferor acknowledges receipt of the consideration of \$ 1.00 and transfers and grants -

(E) **DESCRIPTION OF EASEMENT**

Right of Carriageway and Easement for Pipeline subject to the conditions set out in Annexure "A"

out of the servient tenement and appurtenant to the dominant tenement.

(F) Encumbrances (if applicable):

(G) **TRANSFEEE**

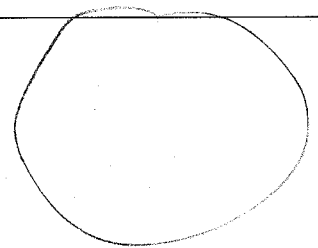
Registered proprietor of the dominant tenement

DELTA ELECTRICITY ABN 67 139 819 642

DATE ..... / ..... / .....

(H) The common seal of LITHGOW CITY COUNCIL was hereunto affixed in the presence of authorised officers of the Council who certify this dealing to be correct for the purposes of the Real Property Act 1900.

Council's seal:



Signature of authorised officer: X

Signature of authorised officer: X

Name of authorised officer: Roger William Bailey  
Position of authorised officer: General Manager

Name of authorised officer: Maree Stathem  
Position of authorised officer: Mayor

I certify I am an eligible witness and that the authorised officer of the transferee signed this dealing in my presence.  
[See note\* below]

Certified correct for the purposes of the Real Property Act 1900 by the authorised officer named below who signed this instrument pursuant to the power of attorney specified.

Signature of witness:

Signature of attorney:

Name of witness:  
Address of witness:

Attorney's name:  
Signing on behalf of: DELTA ELECTRICITY  
Power of Attorney Book: No:

\* s117 RP Act requires that you must have known the signatory for more than 12 months or have sighted identifying documentation.

**Annexure A to TRANSFER GRANTING EASEMENT**

**Parties: From LITHGOW CITY COUNCIL to DELTA ELECTRICITY**

**Dated:** ..... / ..... / .....

1. Full and free right leave liberty and licence for the transferee its successors and assigns its and their servants and all other persons authorised by it or them to act on its or their behalf:-

(a) to construct lay down make control examine supervise manage re-lay renew cleanse repair maintain operate and use in and through the land shown as site of proposed Right of Carriageway and Easement for Pipeline 15 metres wide and variable within Deposited Plan Number 636925 which parcel of land is hereinafter referred to as the "Servient Tenement" upon or at such depths or levels below the surface thereof as the transferee shall think fit such pipelines mains distributory reticulating and other works (including pits tanks and support bridges) with fittings and appurtenances thereto (all of which are included in the term "works" wherever hereinafter appearing) as in its opinion may be required for water supply purposes and to control examine supervise manage relay renew cleanse repair maintain operate and use such works as are already constructed laid down or made in upon or above the servient tenement (the ownership of which the transferor hereby acknowledges is vested in the transferee) and to cause water to flow through and along such works and to take up any such works and substitute in lieu thereof any new works and with the right of support at all times and all such works as shall from the time being be in or upon the servient tenement; and

(b) to remove lop cut or trim any vegetation or growth which may overhang encroach or be in or on the servient tenement and which may or may likely interfere with any right leave liberty or licence granted hereunder;

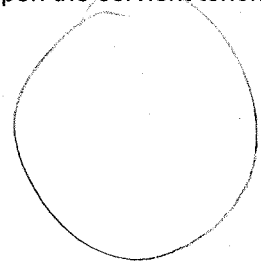
(c) and for the purposes aforesaid to enter go return pass and repass upon along and over the servient tenement and make and sink excavations shafts and cuttings in and through the servient tenement and bring and place thereon and remove therefrom any such vehicles plant equipment materials implements tools articles and things as the transferor shall think fit.

And the transferor does hereby for itself its successors and assigns as owner or owners for the time being of the servient tenement covenant with the transferee its said successors and assigns that it or they will not:-

(a) place upon the servient tenement nor allow to be placed or remain thereon any timber or any articles of plant or any stores filling rubbish or other material whatsoever; and

(b) erect construct or place upon the servient tenement nor allow to be erected constructed or placed thereon any building or other structure whatsoever and that the transferor will at all times bear all risk of and responsibility in connection with damage to any building or other structure for the time being in existence upon the servient tenement.

The Common Seal of Lithgow City Council  
ABN 59 986 092 492 was hereunto affixed  
in pursuance of a resolution of Council.



Signature of authorised officer: X .....

Signature of authorised officer: X .....

Name of authorised officer: Roger William Bailey  
Position of authorised officer: General Manager

Name of authorised officer: Maree Stathem  
Position of authorised officer: Mayor

Signed for and on behalf of  
Delta Electricity ABN 67 139 819 642  
by its Attorney under a Power of  
Attorney dated  
Book No.

Attorney's Signature:.....