

## Attention: Northern Beaches Council

### To Whom it May Concern

Over the last few months we have been working to uncover the history of the existing easement at 97 Iris St Beacon Hill & our ability to leverage that easement as part of drainage for our property at 28 Dareen St Beacon Hill & its neighbours at 30 & 32 Dareen St Beacon Hill.

From what I can ascertain the easement has been supporting our properties since 1966 & has resolved the water issues that existed before this time.

Here is a summary of the history that we have uncovered along with the supporting documents:

1. Land subdivision was done in 1939 & 3 easements created across the land (Exhibit 1)
2. 97 Iris St is burdened by the easement still to this day (*Exhibit 2 (Title), Exhibit 3 (Easement), Exhibit 4 (Easement picture)*).
3. In 1966, neighbours down-hill were complaining about flooding & council offered a solution leveraging Easement through 97 – costs were split 4 way between neighbours including 28 Dareen St (Lot 1), 30 Dareen St (Lot 25) & also 32 Dareen St (*Exhibit 5 – council letter*)
4. 3 Neighbours that we are aware linked into the Easement with piping done independently to save costs (28, 30, 32). Picture of connections is provided (*Exhibit 6 - photo*)
5. In 1967, owner of 97 Iris asked to cancel easement to build on site. Council rejected as it would cause water issues & neighbours continued to connect (*Exhibit 7 – council letter*)
6. In 1967, Council appears to have moved ownership of the easement to the owner of 97 Iris St & it became private. In process it also seems to have reduced in size – presumably to allow for the owner to build closer to the easement. (*Exhibit 8 – easement transfer*)
7. In 2015, when we built our pool at 28 Dareen St we were not aware of history but got agreement from both neighbours at 97 Iris St & 30 Dareen St to leverage the easement. This was approved during the Complying Development process & all piping was upgraded with new connections from the house to the easement during this process. (*Exhibit 9 – approval*)

For our DA as well as any intended DAs for 30 or 32 Dareen St, we maintain the best solution is to continue to leverage the existing easement as per previous agreements. We are happy to work with the neighbours to do any necessary work to ensure this is a viable solution for our property. If investment in the easement is required, we will be happy to assist the other neighbours in fixing any potential issues that have arisen since the original work.

We believe that this solution is far superior to putting dispersal systems on our properties which will still send water downhill & also cost a significant amount to re-pipe our properties which have been able to leverage the easement for almost 60 years.

Kind regards


Matthew & Kim Holst

28 Dareen St Beacon Hill 2100









CONVERSION TABLE ADDED IN  
REGISTRAR GENERAL'S DEPARTMENT

DP 19022

| FEET INCHES |        | METRES |      |
|-------------|--------|--------|------|
| -           | 10     | 0.255  |      |
| -           | 10 3/4 | 0.275  |      |
| 1           | 6      | 0.455  |      |
| 1           | 7 1/2  | 0.495  |      |
| 6           | -      | 1.83   |      |
| 13          | 2 1/8  | 4.015  |      |
| 13          | 10     | 4.215  |      |
| 30          | -      | 9.145  |      |
| 43          | -      | 13.105 |      |
| 54          | 7 1/2  | 16.65  |      |
| 66          | -      | 20.115 |      |
| 66          | 2 3/4  | 20.185 |      |
| 67          | 4 3/4  | 20.54  |      |
| 78          | 3 3/4  | 23.87  |      |
| 80          | 7 1/2  | 24.575 |      |
| 96          | 3 1/2  | 29.35  |      |
| 108         | 0 1/4  | 32.925 |      |
| 108         | 11 1/4 | 33.205 |      |
| 109         | 9 1/4  | 33.46  |      |
| 109         | 10 1/4 | 33.485 |      |
| 113         | 10     | 34.695 |      |
| 114         | 5 1/4  | 34.88  |      |
| 119         | 0 1/4  | 36.275 |      |
| 329         | 8 1/2  | 100.5  |      |
| 395         | 8 1/2  | 120.61 |      |
| 395         | 9 3/4  | 120.64 |      |
| 395         | 11     | 120.68 |      |
| 396         | -      | 120.7  |      |
| 396         | 1 1/4  | 120.73 |      |
| 396         | 2 1/4  | 120.76 |      |
| 396         | 3 1/2  | 120.79 |      |
| 396         | 4 3/4  | 120.82 |      |
| 396         | 5 3/4  | 120.85 |      |
| 396         | 7      | 120.88 |      |
| 396         | 8      | 120.9  |      |
| 396         | 9      | 120.93 |      |
| 396         | 9 1/4  | 120.94 |      |
| 396         | 10 1/2 | 120.97 |      |
| 396         | 10 3/4 | 120.97 |      |
| 1108        | 0 1/4  | 337.72 |      |
| 3396        | 5 3/4  | 1035.2 |      |
| AC          | RD     | P      | SQ M |
| 1           | -      | -      | 4047 |
| 1           | -      | 5 1/2  | 4186 |
| 1           | -      | 5 3/4  | 4192 |
| 1           | -      | 9 1/2  | 4287 |
| 1           | -      | 11     | 4325 |



Order number: 64022425  
Your Reference: 105492  
08/09/20 13:35



NSW LRS - Title Search

NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH

FOLIO: 1/121543

| SEARCH DATE | TIME    | EDITION NO | DATE      |
|-------------|---------|------------|-----------|
| 8/9/2020    | 1:34 PM | 2          | 23/4/2018 |

NO CERTIFICATE OF TITLE HAS ISSUED FOR THE CURRENT EDITION OF THIS FOLIO.  
CONTROL OF THE RIGHT TO DEAL IS HELD BY WESTPAC BANKING CORPORATION.

LAND

LOT 1 IN DEPOSITED PLAN 121543  
AT BEACON HILL  
LOCAL GOVERNMENT AREA NORTHERN BEACHES  
PARISH OF MANLY COVE COUNTY OF CUMBERLAND  
TITLE DIAGRAM DP121543

FIRST SCHEDULE

AURA VANNESA CORREA RESTREPO (T AN279220)

SECOND SCHEDULE (3 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 C878666 EASEMENT FOR DRAINAGE AFFECTING THE PART OF THE  
LAND ABOVE DESCRIBED SHOWN SO BURDENED IN THE TITLE  
DIAGRAM  
K751225 EASEMENT FOR DRAINAGE IS RELEASED AS REGARDS  
THE LAND DESIGNATED 'A' IN PLAN WITH TRANSFER  
K751225
- 3 AN279221 MORTGAGE TO WESTPAC BANKING CORPORATION

NOTATIONS

UNREGISTERED DEALINGS: NIL

\*\*\* END OF SEARCH \*\*\*

PRINTED ON 8/9/2020

\* Any entries preceded by an asterisk do not appear on the current edition of the Certificate of Title. Warning: the information appearing under notations has not been formally recorded in the Register.

## **CERTIFICATE ORDER SUMMARY**

### **Transaction Details**

Date: 09/09/2020 20:35

Order No. 64032736

Certificate No: 98157639

Your Reference: 105492

Certificate Ordered: NSW LRS - Copy of Dealing - Dealing C878666

Available: Y

Size (KB): 215

Number of Pages: 2

Scan Date and Time: 03/04/1997 17:30

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SAI Global Property Division an approved NSW Information Broker hereby certifies that the information contained in this document has been provided electronically by the Registrar General in accordance with section 96B(2) of the Real Property Act 1900.



R.P. 6.  
New South Wales.



FEES — f s d  
Lodgment ... : 12 : 6  
Endorsement ... : :  
Certificate ... : :  
TOTAL f : :  
27/11/40

**MEMORANDUM OF TRANSFER**  
**BY MORTGAGEE UNDER POWER OF SALE**  
(REAL PROPERTY ACT, 1900)

**C878666**

**I, DAREEN ESTATE LIMITED** a Company duly incorporated

being the Mortgagee under Memorandum of Mortgage No. B. 564604 (part) dated  
15th September 1927, from **CLIVE QUIGLEY**

a Name of Mortgagor.

b If a less estate, strike out "in fee simple" and interline the required alteration.

*c/7 fully cancelled.  
Mortgage with  
C878666  
Caulfield  
Shire*

c If to two or more, add as joint tenants or tenants in common.

the registered proprietor of an estate in fee simple in the land hereinafter described, subject, however, to such encumbrances, liens, and interests as are notified by memorandum underwritten or endorsed hereon in consideration of **TEN SHILLINGS** (the receipt whereof is hereby acknowledged) paid to it by **THE COUNCIL OF THE SHIRE OF WARRINGAH**

(herein called the transferee) do hereby in exercise of its power of sale as such Mortgagee transfer to the said transferee all the estate and interest of the said Mortgagor or other the registered proprietor of all that land mentioned in the schedule following:—

d If all the references cannot be conveniently inserted, a form of annexure (obtainable at L.T.O.) may be added. Any annexure must be signed by the parties and their signatures witnessed. These references will suffice if the whole land in the grant or certificate be transferred. If part only add "and being lot sec. D.P. or "bring the land shown in the plan annexed hereto," or "being the residue of the land in certificate for grant registered Vol. Fol. Where the consent of the local council is required to a subdivision the certificate and plan mentioned in the L.G. Act, 1919, should accompany the transfer.

| d  | County. | Part. | State if Whole or Part. | Vol. | Fol. |
|--|---------|-------|-------------------------|------|------|
| ALL THAT the free right to the flow and passage of water and soil over along and through the several strips of land six feet in width situated in the County of Cumberland Parish of Manly Cove marked "Drainage Easement" upon the plan lodged with the Registrar-General Sydney for numbering as a Deposited Plan Dealing Number C. 858412 forming parts of Lots 1, 7, 12, 13, 18 and 21 on such plan and being part of the land comprised in Certificate of Title Volume 3758 Folio 28 and for this purpose from time to time and as occasion may require by itself its employees, workmen and servants to enter upon the said strips of land to open drains, lay, construct, repair and maintain pipes and drains therein. |         |       |                         |      |      |

*A.P.P. 19022*

**ENCUMBRANCES, &c., REFERRED TO.**

*C858412*

and sealed  
Signed at *Sydney* the *6th* day of *February* 19 *40*  
Signed in my presence by the transferor  
The Common Seal of Dareen Estate Limited was hereto affixed in  
pursuance of a resolution of the Board of Directors in the presence of  
Signed *[Signature]*  
SECRETARY.



*F.B. Pleasley*  
*7/8/40*  
*Director*  
*Transferor*  
*Accepted, and I hereby certify this Transfer to be correct for the purposes of the Real Property Act, 1900.*  
*The Seal of the Warringah Shire Council*  
*is hereto affixed this 11th day of February, 1940*  
*[Signature]*  
*President*  
*[Signature]*  
*Acting Shire Clerk*

Signed in my presence by the transferee  
WHO IS PERSONALLY KNOWN TO ME

\* If signed by virtue of any power of attorney, the original power must be registered, and produced with each dealing, and the memorandum of non-revocation on page 2 signed by the attorney before a witness.

† N.B.—Section 117 requires that the above Certificate be signed by Transferee or his Solicitor, and renders any person falsely or negligently certifying liable to a penalty of £50; also to damages recoverable by parties injured. If the Solicitor signs he must sign his own name and not that of his firm.

No alterations should be made by erasure. The words rejected should be scored through with the pen, and those substituted written over them, the alteration being verified by signature or initials in the margin, or noticed in the attestation.

*43749*

*x 8685726*

*PS*  
*[Signature]*

6878666  
637  
Gale  
637  
Gale

LODGED BY Gale and Gale,  
10 Martin Place, Sydney.

MEMORANDUM AS TO NON-REVOCATION OF POWER OF ATTORNEY.<sup>55</sup>  
(To be signed at the time of executing the within instrument.)

Memorandum whereby the undersigned states that he has no notice of the revocation of the Power of Attorney registered No. \_\_\_\_\_ Miscellaneous Register under the authority of which he has just executed the within transfer.<sup>56</sup>

Signed at \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_

Signed at the place and on the date above mentioned, in the presence of—

FORM OF DECLARATION BY ATTESTING WITNESS.<sup>1</sup>

Appeared before me at \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_ one thousand nine hundred and thirty \_\_\_\_\_ the attesting witness to this instrument, and declared that he personally knew the person signing the same, and whose signature thereto he has attested, and that the name purporting to be such signature of the said \_\_\_\_\_ is \_\_\_\_\_ own handwriting, and that he was of sound mind and freely and voluntarily signed the same.

BY \_\_\_\_\_ BY \_\_\_\_\_

MEMORANDUM OF TRANSFER <sup>and Grant</sup>  
of  
the  
lot 6, 7, 11, 14, 18, 21 D.P. 11022  
Shire Warringham  
Municipality  
Parish County  
of the Shire  
of Warringham Transferree.

DOCUMENTS LODGED HEREWITH.  
To be filled in by person lodging dealing.

| Nature. | No. | Reg'd Prop., M'gor, etc. |
|---------|-----|--------------------------|
|         |     | <u>Dwelling</u>          |

Particulars entered in Register Book, Vol. 353 Fol. 26

the 16<sup>th</sup> day of April 1940  
at \_\_\_\_\_ minutes 12 o'clock in the \_\_\_\_\_ noon.

W. W. Hill  
Registrar-General

RECORD.

|                       | Initials. | Date.      |
|-----------------------|-----------|------------|
| Sent to Survey Branch |           |            |
| Received from Records | <u>W</u>  | <u>4/3</u> |
| Draft written         |           |            |
| Draft examined        |           |            |
| Diagram prepared      |           |            |
| Diagram examined      |           |            |
| Draft forwarded       |           |            |
| Supt. of Engravers    |           |            |
| Cancellation Clerk    |           |            |
| Vol.                  |           | Fol.       |
| Diagram Fees          |           |            |
| Additional Folios     |           |            |

If the parties be resident without the State, but in any other part of the British Dominions, the instrument must be signed or acknowledged before the Registrar General or Recorder of Titles of such Possession, or before any Judge, Notary Public, Justice of the Peace for New South Wales, or Commissioners for taking affidavits for New South Wales, or the Mayor or Chief Officer of any municipal or local government corporation of such part, or the Governor, Government Resident, or Chief Secretary of such part or such other person as the Chief Justice of New South Wales may appoint.

If resident in the United Kingdom then before the Mayor or Chief Officer of any corporation or a Notary Public.

If resident at any foreign place, then the parties should sign or acknowledge before a British Minister, Ambassador, Envoy, Minister Charge d'Affaires, Secretary of the Embassy or Legation, Consul-General, Consul, Vice-Consul, Acting Consul, Pro Consul or Consular Agent, who should affix his seal of office, or the attesting witness may make a declaration of the due execution thereof before one of such persons (who should sign and affix his seal to such declaration), or such other person as the said Chief Justice may appoint.

The fees are—Lodgment fee 12/6 (includes endorsement on first certificate), and 2/6 for each additional certificate included in the Transfer, and 1/6 for every new Certificate of Title issued, unless the consideration is over £1,000, in which case the Certificate fee will be £1 2s. Additional fees, however, may be necessary in cases involving more than a simple diagram or more than six folios of engrossing.

Tenants in common must receive separate Certificates.

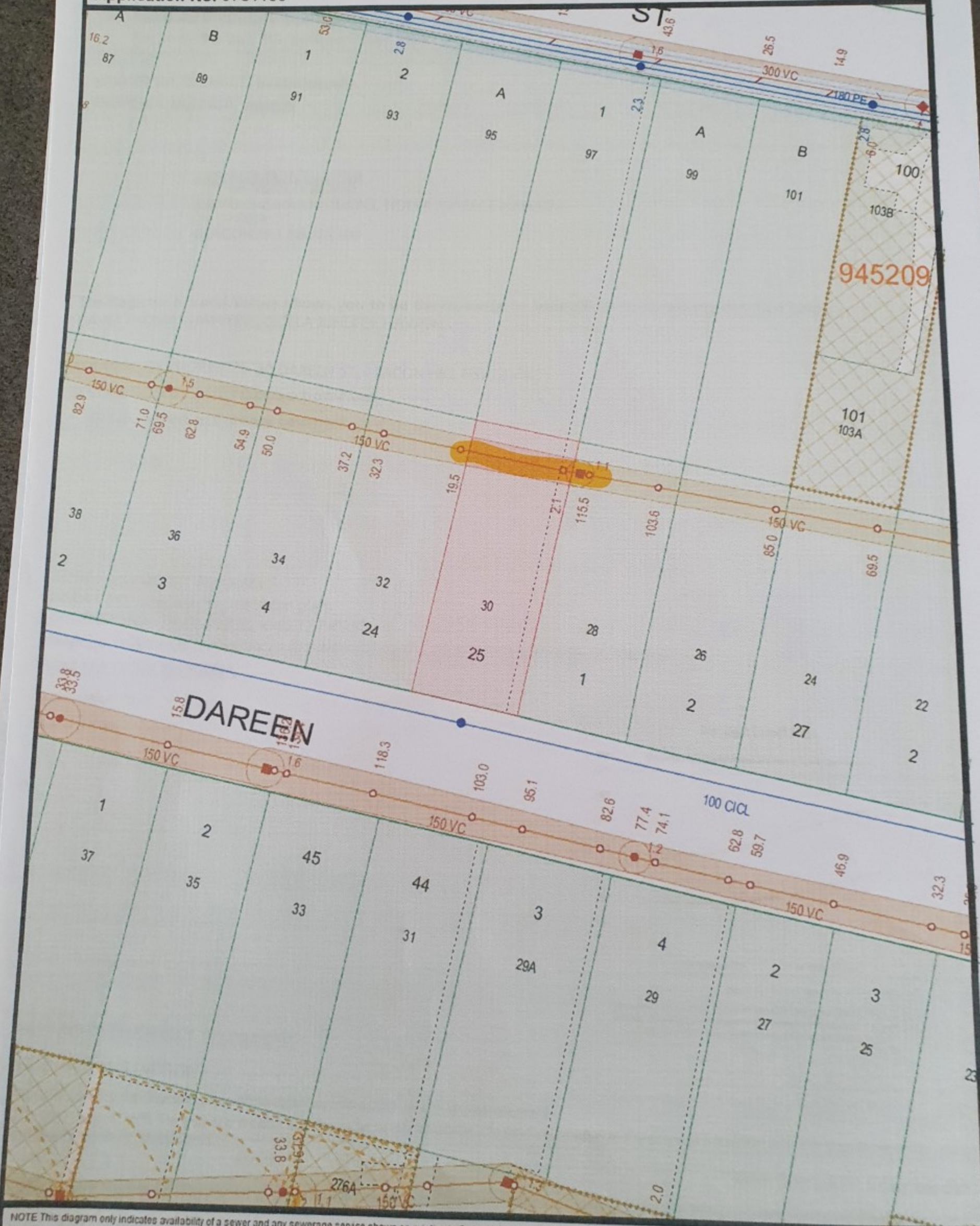
If part only of the land is transferred a new Certificate must issue, but the old Certificate may remain in the Office.

55 This form is not appropriate in cases of delegations of trust by trustees.

56 Strike out unnecessary words. Add any other matter necessary to show that the power is effective.

1 May be made before either Registrar-General, Deputy Registrar General, a Notary Public, J. P., or Commissioner for Affidavits. Not required if the instrument itself be made or acknowledged before one of these parties.









# Warringah Shire Council

Shire Hall,  
Brookvale

Separate communications should be forwarded relative to each subject so as to facilitate business.

WK&JP

16th. November, 1965.

## TELEPHONES:

All calls during Office Hours  
XF 0241-9

## SANITARY & GARBAGE

After Office Hours

XF 0240

WARRINGAH SHIRE  
Area 102 sq. miles  
Comprising the districts of  
ALLAMBIE HTS.

AVALON  
BAYVIEW  
BEACON HILL  
BELROSE  
BROOKVALE

BURCH POINT  
CARESTVILLE

CLAREVILLE  
COLLARROY  
CURL CURL  
DEE WHY

MANORA  
FRENCH'S FOREST

HARBORD  
MANLY VALE

MANLY VALE  
NARRABEEN  
NARRAWEENA

NEWPORT  
NORTH BALGOWLAH

NORTH MANLY  
OXFORD FALLS

PALM BEACH  
QUEENSLIFF

ROSLIE

WARRIEWOOD

WHALE BEACH

WINGALA

Mr. D.I. Hawkins,  
13/8a Rangers Retreat Road,  
NEUTRAL BAY.

Dear Sir,

Re: Drainage of Lots 1 and 25 Dareen Street &  
Lots A and B Iris Street, French's Forest.

Following complaints received regarding interallotment drainage of the above properties Council has prepared the enclosed drainage plan for the disposal of this stormwater to Iris Street. The matter was considered by Council at its meeting of 25/10/65 when it was resolved that the owners of the allotments be requested to each contribute one quarter of the cost of construction from the rear boundary of Lot B to Iris Street.

Quotations have been obtained and Council can arrange for this work to be done for a total cost of £145.

It would be appreciated if you could indicate your acceptance of this proposal and contribute £36.5.0. towards the cost of the work.

Yours faithfully,

*J. Morgan*

SHIRE CLERK, per. *[Signature]*

"B" Riding  
Engineer

PRESERVE  
WARRINGAH'S  
TREES









# Warringah Shire Council

TNS:PN

Shire Hall,

Brookvale

12th October, 1966.

Separate communications should be forwarded relative to each subject so as to facilitate business.

## TELEPHONES:

All calls during Office Hours  
XF 0241-9

SANITARY & GARBAGE  
1/2 after Office Hours

XF 0240

WARRINGAH SHIRE  
Area 102 sq. miles  
Comprising the districts of  
ALLAMBIE HTS.

Mr. D.I. Hawkins,  
30 Dareen Street,  
BEACON HILL.

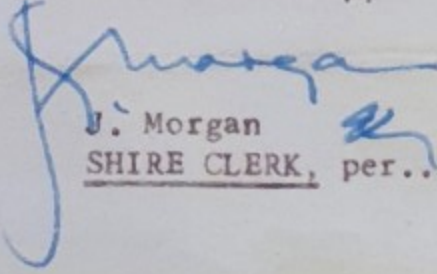
Dear Sir,

Enclosed please find letters addressed to your previous address at Neutral Bay, which were returned to Council, in connection with drainage easement through No. 97 Iris Street, Beacon Hill.

This matter was further considered by Council at its meeting on 10th October, following application by the owner of No. 97 for expungement of drainage easement from his title and discussion between owners of Nos. 97 and 99 Iris Street, No. 28 Dareen Street and Council's Works Committee, when it was resolved as follows:-

"that Council does not approve of the expungement of the drainage easement from the title of No. 97 Iris Street and the matter be left to negotiation between the owners concerned, the owners to be informed that, if they are agreeable to pipe the drainage easement, as suggested by and without cost to Council, Council would then maintain the pipeline without further expense to the owners concerned."

Yours faithfully,

  
J. Morgan  
SHIRE CLERK, per.....

Encl/

For Oral  
Inquiries  
ask for

Engineer's  
Department

PRESERVE  
WARRINGAH'S  
TREES





LAND  
REGISTRY  
SERVICES



## CERTIFICATE ORDER SUMMARY

### Transaction Details

Date: 09/09/2020 20:35

Order No. 64032736

Certificate No: 98157640

Your Reference: 105492

Certificate Ordered: NSW LRS - Copy of Dealing - Dealing K751225

Available: Y

Size (KB): 179

Number of Pages: 3

Scan Date and Time: 16/04/1997 20:51

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K 751225

37 27-11-1967 30



Lodgment  
Endorsement

R.P. 13  
Fees: -

**MEMORANDUM OF TRANSFER**  
(REAL PROPERTY ACT, 1900)

(Trusts must not be disclosed in the transfer.)

Typing or handwriting in this instrument should not exceed into any margin. Handwriting should be clear and legible and in permanent black non-fading ink.

a If a less estate, strike out "in fee simple" and interline the required alteration.

b State in full the name of the person who furnished the consideration monies.

c Show in BLOCK LETTERS the full name, postal address and description of the person taking.

d If more than one person is taking state whether they hold as joint tenants or tenants in common.

e The description may refer to the defined residue of the land in a certificate or grant (e.g. "and being residue of Transfer No. ") or may refer to parcels shown in Town or Parish Maps issued by the Dept. of Lands or shown in plans filed in the Office of the Registrar General (e.g. "and being lot sec. D.P. "). Unless authorised by Reg. 53 of the Conveyancing Act Regulations, 1961, a plan may not be annexed to or endorsed on this transfer form.

f A very short note will suffice.

g Execution in New South Wales may be proved if this instrument is signed or acknowledged before the Registrar General, or a Deputy Registrar General, or a Notary Public, a J.P., or Commissioner for Affidavits, to whom the Transferor is known, otherwise the attesting witness should appear before one of the above functionaries who having questioned the witness should sign the certificate on the back of this form.

As to instruments executed elsewhere, see Section 107 of the Real Property Act, 1900, Section 168 of the Conveyancing Act, 1919, and Section 82A of the Evidence Act, 1959.

h Repeat attestation if necessary.

If the Transferor or Transferee signs by a mark, the attestation must state "that the instrument was read over and explained to him, and that he appeared fully to understand the same."

I, THE COUNCIL OF THE SHIRE OF WARRINGAH

(herein called transferor)

being registered as the proprietor of an estate in fee simple\* in the land hereinafter described, subject, however, to such encumbrances, liens and interests as are notified hereunder, in consideration of ONE DOLLAR

(\$1.00) (the receipt whereof is hereby acknowledged) paid to it by WILLIAM ROBERT WALLACE MCCAIN do hereby transfer to WILLIAM ROBERT WALLACE MCCAIN of 84 Palmer Street, Potts Point, Compositor ALL THAT portion of drainage easement created by Transfer C878666 as is shown in the plan annexed hereto as indicated by the letter "A" as hereby transferred

hereby reducing the easement to 3 feet wide on the eastern extremity for a distance of 213 feet 6 1/4 inches the said easement forming part of the land in the schedule following

(herein called transferee)\*

All such its Estate and Interest in All the land mentioned in the schedule following:—

| County            | Parish            | Reference to Title |             |           | Description of Land (if part only)* |
|-------------------|-------------------|--------------------|-------------|-----------|-------------------------------------|
|                   |                   | Whole or Part      | Vol.        | Fol.      |                                     |
| <u>CUMBERLAND</u> | <u>MANLY COVE</u> | <u>WHOLE</u>       | <u>8412</u> | <u>57</u> |                                     |

**ENCUMBRANCES, &c., REFERRED TO†**

Signed at Sydney the 21st day of July, 1967.  
The Common Seal of the COUNCIL OF THE SHIRE OF WARRINGAH was hereunto affixed in pursuance of a resolution passed by the council dated the Fourth day of July 1967:

Signed

Hammett  
Administrator

[Signature]  
Shire Clerk.

† Accepted, and I hereby certify this Transfer to be correct for the purposes of the Real Property Act.

Signed in my presence by the transferee WHO IS PERSONALLY KNOWN TO ME

[Signature]  
Solicitor  
Sydney

W.R.W. McCain

Transferee(s)

\* If signed by virtue of any power of attorney, the original power must be registered in the Miscellaneous Register, and produced with each dealing, and the memorandum of non-revocation on back of form signed by the attorney before a witness.

† N.B.—Section 117 requires that the above Certificate be signed by each Transferee or his Solicitor or Conveyancer, and renders any person falsely or negligently certifying liable to a penalty; also to damages recoverable by parties injured. Acceptance by the Solicitor or Conveyancer (who must sign his own name, and not that of his firm) is permitted only when the signature of the Transferee cannot be obtained without difficulty, and when the instrument does not impose a liability on the party taking under it. When the instrument contains some special covenant by the Transferee or is subject to a mortgage, encumbrance or lease, the Transferee must accept personally.

No alterations should be made by erasure. The words rejected should be scored through with the pen, and those substituted written over them, the alteration being verified by signature or initials in the margin, or noticed in the attestation.

St 427—W K 1165 Y. C. N. Blight, Government Printer

THIS SPACE TO BE LEFT FREE FROM NOTATION

NOT TO BE ALTERED BY ERASURE—See Foot Note

8412/57 31/7  
25502D



No. **K 751225**

Lodged by

**PARTIAL DISCHARGE OF MORTGAGE**  
 (N.B.—Before execution read marginal note)

Address:

Phone No.:



I, \_\_\_\_\_ mortgagee under Mortgage No. \_\_\_\_\_  
 release and discharge the land comprised in the within transfer from such mortgage and all claims thereunder but without prejudice to my rights and remedies as regards the balance of the land comprised in such mortgage.

i This discharge is appropriate to a transfer of part of the land in the Mortgage. The mortgagee should execute a formal discharge where the land transferred is the whole of or the residue of the land in the Certificate of Title or Crown Grant or is the whole of the land in the mortgage.

Dated at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_

Signed in my presence by \_\_\_\_\_

who is personally known to me.

Mortgagee.

**MEMORANDUM AS TO NON-REVOCATION OF POWER OF ATTORNEY**

(To be signed at the time of executing the within instrument)

Memorandum whereby the undersigned states that he has no notice of the revocation of the Power of Attorney registered No. \_\_\_\_\_ Miscellaneous Register under the authority of which he has just executed the within transfer:

Signed at \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_

Signed in the presence of—

j Strike out unnecessary words. Add any other matter necessary to show that the power is effective.

**CERTIFICATE OF J.P., &c., TAKING DECLARATION OF ATTESTING WITNESS\***

Appeared before me at \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, one thousand nine hundred and \_\_\_\_\_ the attesting witness to this instrument and declared that he personally knew \_\_\_\_\_ the person signing the same, and whose signature thereto he has attested; and that the name purporting to be such signature of the said \_\_\_\_\_ is \_\_\_\_\_ own handwriting, and that he was of sound mind and freely and voluntarily signed the same

k To be signed by Registrar General, Deputy Registrar General, a Notary Public, J.P., Commissioner for Affidavits, or other functionary before whom the attesting witness appears. Not required if the instrument itself be signed or acknowledged before one of these parties.

LEAVE THESE SPACES FOR DEPARTMENTAL USE

| INDEXED                             | MEMORANDUM OF TRANSFER                         | DOCUMENTS LODGED HEREWITH                 |
|-------------------------------------|--|---|
| <input checked="" type="checkbox"/> | and release of Payment for Drainage.           | To be filled in by person lodging dealing |
| Checked by                          | Particulars entered in Register Book, 7-9-1967 | 1.  Received Docs.                        |
| Passed (in S.D.B.) by               | at 10 AM                                       | 2. _____ Nos.                             |
| Signed by                           | Registrar General                              | 3. _____                                  |
|                                     |  | 4. _____                                  |
|                                     |  | 5. _____                                  |
|                                     |  | 6. _____ Receiving Clerk                  |
|                                     |  | 7. _____                                  |

**PROGRESS RECORD**

|                       | Initials | Date |
|-----------------------|----------|------|
| Sent to Survey Branch |          |      |
| Received from Records |          |      |
| Draft written         |          |      |
| Draft examined        |          |      |
| Diagram prepared      |          |      |
| Diagram examined      |          |      |
| Draft forwarded       |          |      |
| Supt. of Engrossers   |          |      |
| Cancellation Clerk    |          |      |
| Vol.                  |          | Fol. |



This is the Plan referred to in Memorandum of Transfer  
BETWEEN THE COUNCIL OF THE SHIRE and WILLIAM ROBERT WALLACE  
McCAIN dated the <sup>Twenty first</sup> day of July 1967.  
THE COUNCIL OF THE SHIRE OF WARRINGAH.

SHIRE CLERK.

ADMINISTRATOR.

Pt. A

Pt. B

IRIS STREET

56 ft 4 in

213 ft 6 in

WOOD

213 ft 6 in

DP 19022

56 ft 11 in

Position of drainage easement  
MARKED A intended to be transferred  
to the registered proprietor by  
Memorandum of transfer dated the  
21st day of July 1967.

LOCAL GOVERNMENT  
REGISTERED

21/7/67





1-3 Thornleigh St,  
Thornleigh NSW 2120  
P: 9473 5488  
F: 9980 2166

Matthew & Kim Holst C/- Blue Haven Pools South Pty Ltd  
68 Hume Highway  
Lansvale NSW 2166

## Final Occupation Certificate

Occupation Certificate No: XOC2015-/00904 Approval Date: 05/08/2015  
Complying Development Certificate: XC2014-/00337 Approval Date: 12/08/2014  
Council: Warringah Council

### Applicant/Owner Details

Name: Matthew & Kim Holst C/- Blue Haven Pools South Pty Ltd  
Address: 68 Hume Highway, Lansvale NSW 2166

### Development Particulars

No: 28 Street: Dareen Street Suburb: Beacon Hill NSW  
Class of Building: 10b

Description of Development: Construction of an in-ground swimming pool + retaining walls

### Record of Inspections

| Inspection      | Date         | Result       | Inspector       | Accreditation |
|-----------------|--------------|--------------|-----------------|---------------|
| 1. Pool Fencing | 09 June 2015 | Satisfactory | Vlad Blagojevic | BPB2158       |
| 2. Final        | 18 June 2015 | Satisfactory | Dom Di Matteo   | BPB1869       |

### Attachments

- Engineers Certificate for Pool Steel
- Sydney Water Sign-off for Piers
- Missed Inspection Form for Pool Steel

### Certification

I certify that:

- A current complying development certificate (CDC) is in force for the building
- The building is suitable for occupation or use in accordance with its classification under the Building Code of Australia
- A current CDC has been issued with a respect to the plans and specifications for the building

PCA:

PCA Accreditation No:

Accreditation Body:

Signature of PCA:

Dom Di Matteo

Domenic Di Matteo  
BPB1869  
Building Professionals Board

Date: 05/08/2015