



Douglas Partners

Geotechnics | Environment | Groundwater

Report on
Preliminary Site Investigation (Contamination)

Proposed Tourist Development
Lot 22 Palmers Road, Pokolbin

Prepared for
Hephzibah Hunter Valley Property Pty Ltd

Project 81850.02
September 2017

Integrated Practical Solutions



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The undersigned, on behalf of Douglas Partners Pty Ltd, confirm that this document and all attached drawings, logs and test results have been checked and reviewed for errors, omissions and inaccuracies.

Signature	Date
Author	4 September 2017
Reviewer	4 September 2017



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Executive Summary

This report presents the results of a preliminary site investigation (PSI) for contamination undertaken for the proposed tourist development at Lot 22 Palmers Road, Pokolbin. The area of assessment covered Lot 22 in DP791884.

The assessment comprised a brief desktop review of site history, site inspection by a senior engineer and preparation of this report.

The assessment has been undertaken with reference to the National Environment Protection (Assessment of Site Contamination) Measure 1999 amended 2013 (NEPC 2013) and the State Environmental Planning Policy No 55 – Remediation of Land.

The results of the historical aerial photo review have identified that the main potential for contamination at the site is from possible importation of filling together with possible use of herbicides to control weeds on the site.

On the basis of the desktop review, available site history information and observations made during the site inspection, the sources of potential contamination for the site appear to be limited to the following:

- Possible localised importation of filling to the site associated with the construction of existing dams. Whilst it is likely that the material used for dam construction is sourced from local excavations on the site, imported filling, if utilised, may contain a range of contaminants included TRH, BTEX, PAH, OCP, OPP, PCB and asbestos depending on the source;
- Possible application of herbicides during weed control, particularly along the fence lines. Potential contaminants would include Herbicides, metals, TRH, Grease and Oil; and
- Possible application of herbicides and pesticides on the adjacent vineyards migrating to the subject site.

It is considered that the potential contaminants at the site (if present), would be readily amenable to conventional site remediation (if required) to render the site suitable for the intended use.

The site is considered to be suitable for the intended use, subject to further preliminary subsurface investigation and localised remediation (if required).

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Report on Preliminary Site Investigation (Contamination)

Proposed Tourist Development

Lot 22 Palmers Road, Pokolbin

1. Introduction

This report presents the results of a preliminary site investigation (PSI) for contamination undertaken for a proposed tourist development at Lot 22 Palmers Road, Pokolbin. The investigation was commissioned by Delong Li of Hephzibah Hunter Valley Property Pty Ltd in an email dated 28 August 2017 and was undertaken with reference to Douglas Partners Pty Ltd (DP) proposal NCL170501 dated 27 August 2017.

The proposed development of the site was only in concept form at the time of preparation of this report. Stage 1 of the development includes the construction of internal access roads in the southern area of the site together with an reception/welcome building, car parking and accommodation units.

The assessment comprised the following:

- A brief desktop review of site history;
- Site inspection on 30 November 2016 by a senior engineer from DP; and
- Preparation of this report which presents the findings of the assessment.

The assessment has been undertaken with reference to the National Environment Protection (Assessment of Site Contamination) Measure 1999 amended 2013 (NEPC 2013) [Ref 1] and SEPP55.

DP has undertaken a previous preliminary effluent disposal investigation at the site (Ref 2), which included the drilling of ten bores across the site to assess subsurface conditions and collect samples for subsequent geotechnical laboratory testing.

2. Site Identification

The site is identified as Lot 22 in DP791884, located off Palmers Lane, Pokolbin (refer Figure 1) and is shown in Drawing 1 of Appendix C.

The lot is bounded on all sides by private property with access to the site via an unsealed a right of way from Palmers Lane. The adjacent properties include paddocks, timbered areas and vineyards.

The site comprises an approximately rectangular area covering about 48 ha (refer Drawing 1).

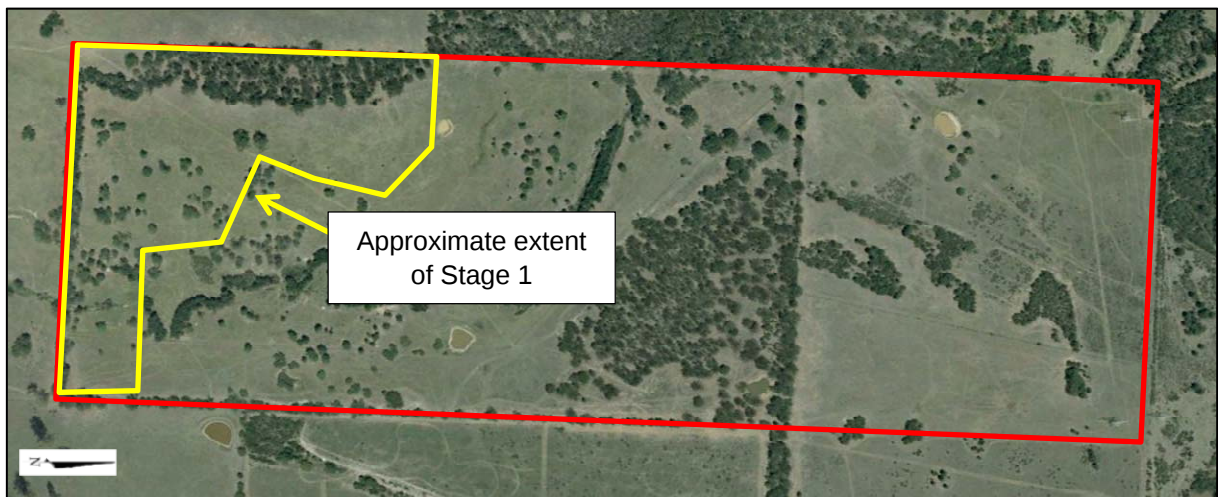


Figure 1: Aerial image of site (Google earth 2009 image)

It is understood that Stage 1 of the proposed development will be limited to the southern area of the site (refer Figure 1). The concept plan for the Stage 1 development is shown in Figure 2 below.

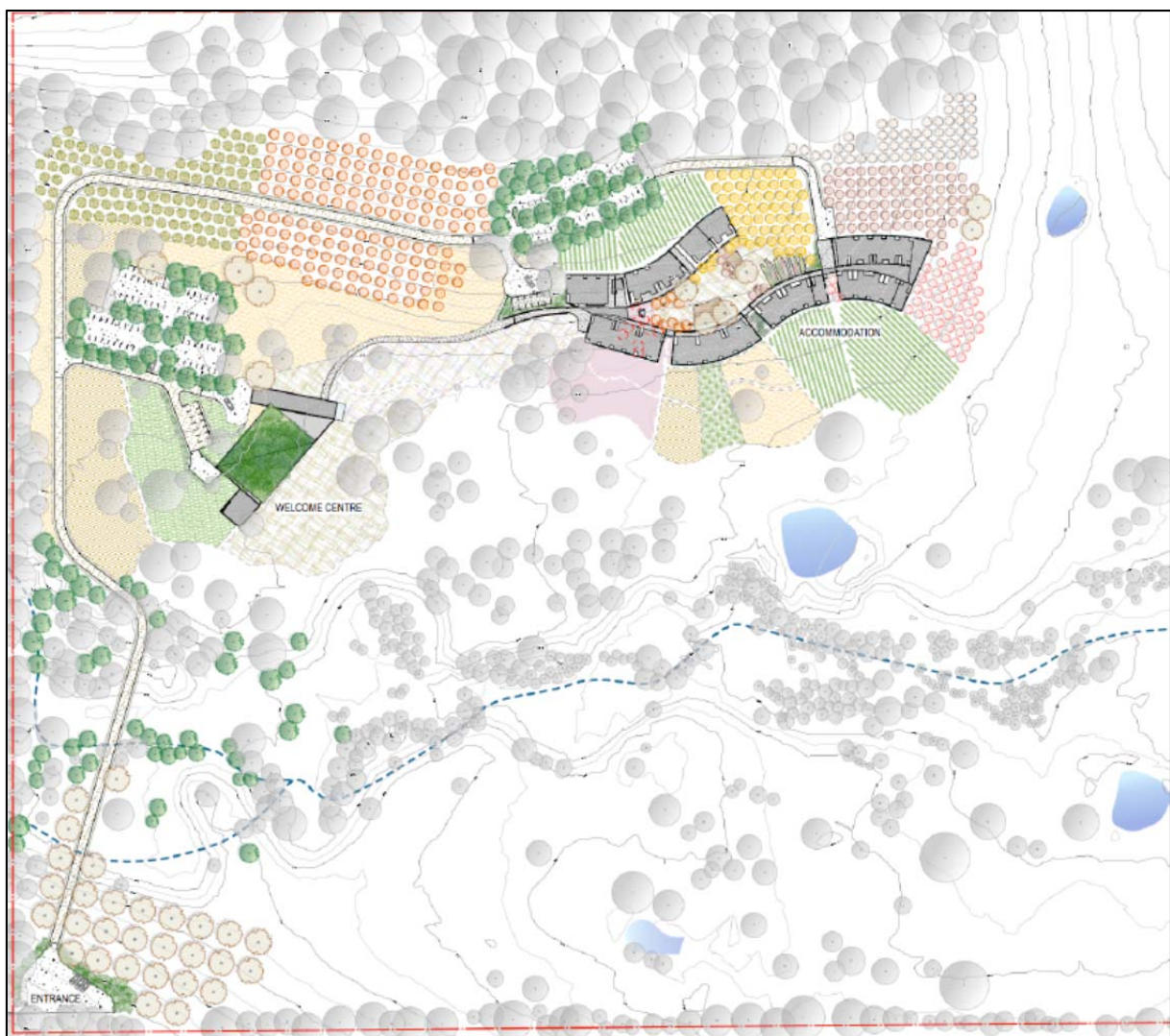


Figure 2: Concept plan for Stage 1

3. Geological Setting and Acid Sulfate Soil Mapping

Reference to the 1:100,000 Newcastle Coalfield Geology sheet indicates that the surface geology of the site comprises Permian aged Branxton Formation rocks of the Maitland Group typically comprising conglomerate, sandstone and siltstone.

Reference to the Acid Sulfate Soil Risk Map prepared by the Department of Land and Water Conservation (DLWC) for the area indicates that the site lies in an area of no known occurrence of acid sulfate soils.

4. Hydrogeology

The regional groundwater flow direction is believed to be to the north towards Mary Annes Creek. It is noted that a tributaries of Mary Annes Creek passes through the southern area of the site and local groundwater flow is expected to be towards this tributary. Within the northern area of the site the ground surface falls to both the west and east of a prominent ridge towards Mary Annes Creek to the west and a tributary of Mary Annes Creek to the east. (refer Figure 3) and Drawing 1 in Appendix C. It should be noted that groundwater levels are affected by climatic conditions and soil permeability and will therefore vary with time.

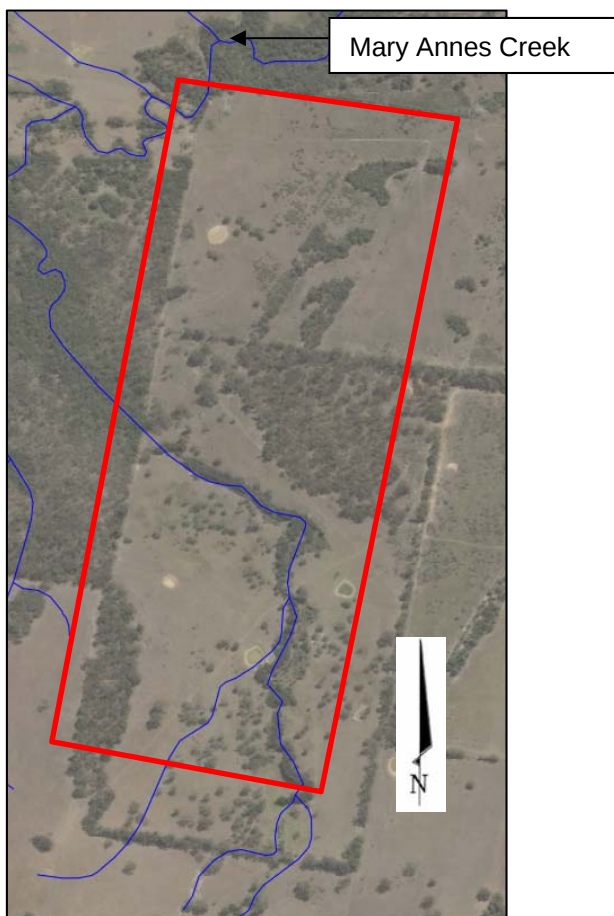


Figure 3: Regional Watercourses

An on-line records search of groundwater wells registered with the NSW Office of Water indicated that the nearest registered groundwater well is located approximately 800 m to the south of the site (Bore GW200303). This bore is registered for “domestic” and “stock” purposes in 2006 and review of the drilling records indicate that the bore was drilled to 60 m. No water bearing zone details were recorded.

5. Site History

5.1 Extent of Site History Review

The brief site history review comprised the following:

- Search for historical title deeds;
- Review of historical aerial photos;
- Review of Section 146 certificates; and
- Searches with the NSW Environmental Protection Authority (EPA).

Details are presented in Sections 5.2 to 5.6.

5.2 Historical Title Search

A historic title deeds search was carried out by Scott Ashwood Pty Ltd, the results of which are provided in Appendix B and summarised in Table 1 below. The results of the search indicated that different parts of the site have a different ownership history (refer Figure 4).



Figure 4: Key to historic title search

It is noted that the Stage 1 of the development is restricted to the southern part of the site (Lot 22 in DP791884).

Table 1: Historic Title Search Results

Lot / DP	Date Purchased and Period of Ownership	Owner
Northern "Green" part of site	3.11.1904 (1904 to 1922)	John Deasy (Occupation not noted)
	10.10.1922 (1922 to 1966)	Catherine Deasy (Spinster) Then Catherine Quinn (Married Woman) Now Catherine Veronica Quinn (Married Woman) (Application by Transmission not investigated)
	26.5.1966 (1966 to 1981)	John Thomas Quinn (Medical Detailer) Mary McCosker (Married Woman) Catherine Thomas (Married Woman) (Section 94 Application not investigated)
	19.11.1981 (1981 to 1982)	Pitkin County Properties Pty Limited
	7.12.1982 (1982 to 2005)	Gregory Owen Matthews Paul Raymond Matthews
Southern "Yellow" part of site	19.6.1917 (1917 to 1925)	Edward Alworth Mitchell Merewether (Gentleman) William David Mitchell Merewether (Barrister – at – Law)
	18.3.1925 (1925 to 1925)	William David Mitchell Merewether (Barrister – at – Law)
	18.3.1925 (1925 to 1941)	Edward Robert Hickson Merewether (Architect) William David Mitchell Merewether (Barrister – at – Law)
	16.8.1941 (1941 to 1945)	Catherine Deasy (Widow) Jeremiah Ernest Deasy (Grazier)
	25.8.1945 (1945 to 1945)	Jeremiah Ernest Deasy (Grazier)
	25.8.1945 (1945 to 1949)	Jeremiah Ernest Deasy (Grazier)
	16.8.1949 (1949 to 1986)	Mary Josephine Deasy (Spinster)
	21.4.1986 (1986 to 2005)	Gregory Owen Matthews Paul Raymond Matthews
Whole site	5.1.2005 (2005 to 2016)	Gregory Owen Matthews
	24.2.2016 (2016 to Date)	# Hephzibah Hunter Valley Investments Pty Ltd

Notes to Table 1:

Denotes current property owner

An easement for transmission line was noted in the northern area of the site.

5.3 Review of Historical Aerial Photos

The historical aerial photos reviewed for the assessment are presented in Table 2 together with the main observations:

Table 2: Historical Aerial Photo Review

Year	Photo Reference	Scale (Colour)	Main Observations
1952	NSW5064	1:42 000 (B & W)	Poor quality image however, the southern “yellow” area of the site appears heavily wooded. The northern “green” area was cleared and contains scattered trees. Several tracks are visible through this area. Surrounding land is undeveloped.
1961	NSW2315148	1:40,000 (B & W)	Similar to 1952 aerial photo.
1971	NSW19775096	1:66,000 (B & W)	Similar to 1961 aerial photo.
1980	NSW286922	1:63,700 (B & W)	Similar to 1961 aerial photo with the following exceptions: - Some disturbance/additional clearing appears visible in the northern “green” area of the site - The site to the west has been cleared with some regrowth visible to the southern half of the western boundary
1996	NSW4293(M2008)138	1:25,000 (Colour)	The majority of the southern “yellow” area has been cleared with three small dams constructed. The north-eastern corner of this area of the site remains heavily timbered with a dam visible. The northern “green” area is similar to the 1980 photo however a small dam is visible in the western area. Several tracks are visible in the area of the power transmission easement.
2009 Google Earth	NA	Not to scale (Colour)	Similar to 1996 aerial photo. Transmission towers are visible in the northern “green” area of the site.
2013 Google Earth	NA	Not to scale (Colour)	Similar to 2009 Google Earth image.
February 2016 Google Earth	NA	Not to scale (Colour)	Similar to 2013 Google Earth image.

It is noted that data obtained from aerial photos was limited due to the relatively small scale and poor resolutions.

The results of the historical aerial photo review have identified the following potential contamination issues:

- Possible grazing activities within the northern “green” area from before 1952;
- Possible grazing activities within the southern “yellow” area from prior to 1996;
- Possible importation of filling for the construction of dams, although it is more likely that localised cut and fill operations were used during construction.

5.4 NSW EPA Search

A review of the NSW EPA public registers indicated the following:

- The site is not on the NSW EPA Contaminated Land Management Register;
- The site is not on the list of contaminated sites notified to NSW EPA;
- The site was not listed on the NSW Cattle Dip Site Locator register; and
- Neither the site nor any nearby sites are on the Protection of the Environment Operations Act list for licences, notices etc.

5.5 Council Records Search

Review of Section 149 Planning Certificates for the site indicated the following:

- The lots are currently zoned RU4 Primary Production Small Lots under the Cessnock Local Environmental Plan 2011;
- The lots are not within a proclaimed mine subsidence district;
- The lots do not comprise critical habitat;
- The lots are not within a conservation area and do not contain environmental heritage items; and
- Cessnock City Council’s information currently indicates that the properties are not affected by land contamination.

A copy of the Section 149 planning certificates are provided in Appendix B.

5.6 Previous Subsurface Investigation

DP has undertaken a previous investigation at the site (Ref 2), which included the drilling of a limited number of bores as shown on Drawing 1 in Appendix D. The bores were drilled to depths ranging from 0.87 m to 2.15 m. Conditions encountered in the bores included topsoil overlying very stiff to hard silts and clays, underlain by sandstone and siltstone bedrock at depths ranging from 0.8 m to 1.7 m.

There were no obvious indications of gross contamination (i.e. staining or odours) within the previous test bores at the site. It is noted that subsurface investigation was not conducted as part of the current PSI.

6. Site Condition

A site inspection was undertaken on the 30 November 2016 by a senior engineer from DP. A number of site photos were taken during the inspection, which are included in the photo plates in Appendix B. The approximate locations of the photos are shown in Drawing 1 of Appendix C.

The main features and observations made of the site during the inspection are as follows:

- The majority of the site is typically grass covered with scattered trees (refer Figure 5);



Figure 5: Typical view of site

- A stand of dense forest is present within the central and eastern part of the site;
- Several small dams are present within the site which appear to have been created by local cut and fill operations (refer Figure 6);



Figure 6: Existing dam on site

- Some timber was observed within the embankment filling associated with the southernmost dam (refer Figure 7);



Figure 7: Timber visible in surficial filling associated with dam

- The existing creek lines are generally tree lined;
- The existing power transmission lines are located within the northern area of the site;
- The elevation of the site ranges from about RL 69 AHD at the north-west corner to about RL 93 in the north-east;
- The site is dominated by a low hill near the middle of the site (near the Palmers Lane access), the flank of a low ridge in the south-west corner and a creek line which runs north from the southern boundary and exits the site at the mid-point of the western boundary;
- There is an outcropping of rock orientated approximately north-south through the northern area of the site; and
- The site generally slopes between 0° and about 6°. There are locally steeper slopes on the banks at some locations of the creek line.
- Pools of water were observed within the creek line at the time of inspection;
- No slicks were observed on the surface of the water either within the pools of water in the creek or within the dams; and
- The adjacent properties are generally cleared rural properties, with the exception of the property to the east which is a vineyard.

7. Potential Contamination

On the basis of the desktop review, available site history information and observations made during the site inspection, the sources of potential contamination for the site appear to be limited to the following:

- Possible importation of filling to the site associated with the construction of existing dams. Whilst it is likely that the material used for construction was sourced from local excavations on the site, imported filling, if utilised, may contain a range of contaminants including TRH, BTEX, PAH, OCP, OPP, PCB and asbestos depending on the source;

- Possible application of herbicides during weed control, particularly along the fence lines. Potential contaminants would include Herbicides, metals, TRH, Grease and Oil; and
- Possible application of herbicides and pesticides on the adjacent vineyards migrating to the subject site.

8. Preliminary Conceptual Site Model

A preliminary Conceptual Site Model (CSM) has been prepared for the investigation area with reference to the National Environment Protection (Assessment of Site Contamination) Measure 1999 amended 2013 (NEPC 2013) Schedule B2 (Ref 1). The CSM identifies potential contaminant sources and contaminants of concern, contaminant release mechanisms, exposure pathways and potential receptors. It should be noted that this preliminary conceptual site model will need to be revised following subsurface investigation. The preliminary CSM is presented in Table 3 below.

Table 3: Preliminary Conceptual Site Model

Known and Potential Primary Sources	Potential For Contamination and Area Affected	Primary Release Mechanism	Secondary Release Mechanism	Potential Impacted Media	Contaminants of Concern	Exposure Pathway	Potential Receptors	
							Current	Future
Possible importation of filling for construction of dam embankments	Very Low	Placement of filling on site	Long-term leaching of contaminants via runoff, rain water infiltration / percolation	Soil, groundwater, surface water	TRH, PAH, BTEX, PCB, OCP, OPP, Metals, Asbestos	Dermal contact, inhalation (dust), ingestion	Site workers consultants trespassers, vegetation, surface water	Earthworks employees, remediation contractors, visitors and inmates, vegetation, trespasser
Herbicides used during weed control	Low	Spills and leaks from use or storage	Long-term leaching of contaminants via runoff, rain water infiltration / percolation	Soil, groundwater, surface water	Herbicides metals, TRH, Grease / Oil			
Adjacent vineyard	Low	Use of herbicides and pesticides	Long-term leaching of contaminants via runoff, rain water infiltration / percolation	Soil, groundwater, surface water	Herbicides, Pesticides			

Notes to Table 3:

Heavy metals = Arsenic, Cadmium, Chromium, Copper, Lead, Mercury, Nickel and Zinc

TPH = Total Petroleum Hydrocarbons, BTEX = Benzene, Toluene, Ethyl Benzene and Xylene

PAH = Polyaromatic Hydrocarbons, PCB = Polychlorinated Biphenyls

OCP = Organochlorine Pesticides, OPP = Organophosphorus Pesticides

9. Conclusions

The results of the preliminary site investigation (contamination) for the proposed tourist development at the site indicate the following:

- General absence of gross contaminating activities at the site;
- Possible application of herbicides during weed control, with potential contaminants including herbicides, metals, hydrocarbons;
- Possible, localised, importation of filling, or excavation and placement of site won materials associated with the existing dam wall embankments. The filling may contain potential contamination such as asbestos containing material, TRH, PAH, BTEX, PCB, OCP, OPP and Metals.

There was no obvious visual or olfactory evidence of gross contamination (i.e. no obvious staining or odour) observed on site or within the test bores undertaken during the previous investigation at the site. It is noted that while a previous geotechnical investigation has been undertaken at the site, no sampling and testing for chemical contaminants was conducted for this PSI.

The presence or absence of contamination can only be confirmed by further investigation including environmental sampling and chemical testing. It is considered that the potential contaminants at the site (if present), would be readily amenable to conventional site remediation (if required) to render the site suitable for the intended use.

The site is considered to be suitable for the intended use, subject to further preliminary subsurface investigation and localised remediation (if required).

10. References

1. National Environmental Protection Council (NEPC), "National Environmental Protection (Assessment of Site Contamination) Measures", 1999 (amended 2013).
2. Douglas Partners Pty Ltd, "Report on Preliminary Effluent Disposal Investigation, Proposed Boutique Tourist Development, Lot 22 Palmers Lane, Pokolbin", Project 81850 dated November 2015.

11. Limitations

Douglas Partners (DP) has prepared this report for this project at Lot 22 Palmers Road, Pokolbin with reference to Douglas Partners Pty Ltd (DP) proposal NCL170501 dated 27 August 2017 and acceptance by Delong Li of Hephzibah Hunter Valley Property Pty Ltd in an email dated 28 August 2017.

The work was carried out under DP's Conditions of Engagement. This report is provided for the exclusive use of Hephzibah Hunter Valley Property Pty Ltd for this project only and for the purposes as described in the report. It should not be used by or relied upon for other projects or purposes on the same or other site or by a third party. Any party so relying upon this report beyond its exclusive use and purpose as stated above, and without the express written consent of DP, does so entirely at its own risk and without recourse to DP for any loss or damage. In preparing this report DP has necessarily relied upon information provided by the client and/or their agents.

The results provided in the report are indicative of the sub-surface conditions on the site only at the specific sampling and/or testing locations, and then only to the depths investigated and at the time the work was carried out. Sub-surface conditions can change abruptly due to variable geological processes and also as a result of human influences. Such changes may occur after DP's field testing has been completed.

DP's advice is based upon the conditions encountered during this investigation. The accuracy of the advice provided by DP in this report may be affected by undetected variations in ground conditions across the site between and beyond the sampling and/or testing locations. The advice may also be limited by budget constraints imposed by others or by site accessibility.

This report must be read in conjunction with all of the attached and should be kept in its entirety without separation of individual pages or sections. DP cannot be held responsible for interpretations or conclusions made by others unless they are supported by an expressed statement, interpretation, outcome or conclusion stated in this report.

This report, or sections from this report, should not be used as part of a specification for a project, without review and agreement by DP. This is because this report has been written as advice and opinion rather than instructions for construction.

Douglas Partners Pty Ltd

Appendix A

About This Report

About this Report

Douglas Partners



Introduction

These notes have been provided to amplify DP's report in regard to classification methods, field procedures and the comments section. Not all are necessarily relevant to all reports.

DP's reports are based on information gained from limited subsurface excavations and sampling, supplemented by knowledge of local geology and experience. For this reason, they must be regarded as interpretive rather than factual documents, limited to some extent by the scope of information on which they rely.

Copyright

This report is the property of Douglas Partners Pty Ltd. The report may only be used for the purpose for which it was commissioned and in accordance with the Conditions of Engagement for the commission supplied at the time of proposal. Unauthorised use of this report in any form whatsoever is prohibited.

Borehole and Test Pit Logs

The borehole and test pit logs presented in this report are an engineering and/or geological interpretation of the subsurface conditions, and their reliability will depend to some extent on frequency of sampling and the method of drilling or excavation. Ideally, continuous undisturbed sampling or core drilling will provide the most reliable assessment, but this is not always practicable or possible to justify on economic grounds. In any case the boreholes and test pits represent only a very small sample of the total subsurface profile.

Interpretation of the information and its application to design and construction should therefore take into account the spacing of boreholes or pits, the frequency of sampling, and the possibility of other than 'straight line' variations between the test locations.

Groundwater

Where groundwater levels are measured in boreholes there are several potential problems, namely:

- In low permeability soils groundwater may enter the hole very slowly or perhaps not at all during the time the hole is left open;

- A localised, perched water table may lead to an erroneous indication of the true water table;
- Water table levels will vary from time to time with seasons or recent weather changes. They may not be the same at the time of construction as are indicated in the report; and
- The use of water or mud as a drilling fluid will mask any groundwater inflow. Water has to be blown out of the hole and drilling mud must first be washed out of the hole if water measurements are to be made.

More reliable measurements can be made by installing standpipes which are read at intervals over several days, or perhaps weeks for low permeability soils. Piezometers, sealed in a particular stratum, may be advisable in low permeability soils or where there may be interference from a perched water table.

Reports

The report has been prepared by qualified personnel, is based on the information obtained from field and laboratory testing, and has been undertaken to current engineering standards of interpretation and analysis. Where the report has been prepared for a specific design proposal, the information and interpretation may not be relevant if the design proposal is changed. If this happens, DP will be pleased to review the report and the sufficiency of the investigation work.

Every care is taken with the report as it relates to interpretation of subsurface conditions, discussion of geotechnical and environmental aspects, and recommendations or suggestions for design and construction. However, DP cannot always anticipate or assume responsibility for:

- Unexpected variations in ground conditions. The potential for this will depend partly on borehole or pit spacing and sampling frequency;
- Changes in policy or interpretations of policy by statutory authorities; or
- The actions of contractors responding to commercial pressures.

If these occur, DP will be pleased to assist with investigations or advice to resolve the matter.

About this Report

Site Anomalies

In the event that conditions encountered on site during construction appear to vary from those which were expected from the information contained in the report, DP requests that it be immediately notified. Most problems are much more readily resolved when conditions are exposed rather than at some later stage, well after the event.

Information for Contractual Purposes

Where information obtained from this report is provided for tendering purposes, it is recommended that all information, including the written report and discussion, be made available. In circumstances where the discussion or comments section is not relevant to the contractual situation, it may be appropriate to prepare a specially edited document. DP would be pleased to assist in this regard and/or to make additional report copies available for contract purposes at a nominal charge.

Site Inspection

The company will always be pleased to provide engineering inspection services for geotechnical and environmental aspects of work to which this report is related. This could range from a site visit to confirm that conditions exposed are as expected, to full time engineering presence on site.

Appendix B

Historical Title Deed Search
Section 149 Certificate
Photo Plates 1 to 8 – Site Photos

ABN: 42 166 543 255
Ph: 02 9099 7400
Fax: 02 9232 7141
(Ph: 0412 199 304)

Level 14, 135 King Street, Sydney
Sydney 2000
GPO Box 4103 Sydney NSW 2001
DX 967 Sydney

Summary of Owners Report

LPI

Sydney

Address: - Lot 22 Palmers Lane, Pokolbin

Description: - Lot 22 D.P. 791884

Search as regards the part green orange on attached Cadastral

<u>Date of Acquisition and term held</u>	<u>Registered Proprietor(s) & Occupations where available</u>	<u>Reference to Title at Acquisition and sale</u>
3.11.1904 (1904 to 1922)	John Deasy (Occupation not noted)	Vol 1575 Fol 66
10.10.1922 (1922 to 1966)	Catherine Deasy (Spinster) Then Catherine Quinn (Married Woman) Now Catherine Veronica Quinn (Married Woman) (Application by Transmission not investigated)	Vol 1575 Fol 66
26.5.1966 (1966 to 1981)	John Thomas Quinn (Medical Detailer) Mary McCosker (Married Woman) Catherine Thomas (Married Woman) (Section 94 Application not investigated)	Vol 1575 Fol 66
19.11.1981 (1981 to 1982)	Pitkin County Properties Pty Limited	Vol 1575 Fol 66 Now Vol 14912 Fol 127
7.12.1982 (1982 to 2005)	Gregory Owen Matthews Paul Raymond Matthews	Vol 14912 Fol 127 Now 22/791884

Search as regards the part tinted yellow on attached Cadastral

<u>Date of Acquisition and term held</u>	<u>Registered Proprietor(s) & Occupations where available</u>	<u>Reference to Title at Acquisition and sale</u>
19.6.1917 (1917 to 1925)	Edward Alworth Mitchell Merewether (Gentleman) William David Mitchell Merewether (Barrister – at – Law)	Vol 2766 Fol 193
18.3.1925 (1925 to 1925)	William David Mitchell Merewether (Barrister – at – Law)	Vol 2766 Fol 193
18.3.1925 (1925 to 1941)	Edward Robert Hickson Merewether (Architect) William David Mitchell Merewether (Barrister – at – Law)	Vol 2766 Fol 193
16.8.1941 (1941 to 1945)	Catherine Deasy (Widow) Jeremiah Ernest Deasy (Grazier)	Vol 2766 Fol 193 Now Vol 5331 Fol 237
25.8.1945 (1945 to 1945)	Jeremiah Ernest Deasy (Grazier)	Vol 5331 Fol 237
25.8.1945 (1945 to 1949)	Jeremiah Ernest Deasy (Grazier)	Vol 5331 Fol 237
16.8.1949 (1949 to 1986)	Mary Josephine Deasy (Spinster)	Vol 5331 Fol 237
21.4.1986 (1986 to 2005)	Gregory Owen Matthews Paul Raymond Matthews	Vol 5331 Fol 237 Now 22/791884

ABN: 42 166 543 255
Ph: 02 9099 7400
Fax: 02 9232 7141
(Ph: 0412 199 304)

Level 14, 135 King Street, Sydney
Sydney 2000
GPO Box 4103 Sydney NSW 2001
DX 967 Sydney

Search as regards the whole of the subject lands

<u>Date of Acquisition and term held</u>	<u>Registered Proprietor(s) & Occupations where available</u>	<u>Reference to Title at Acquisition and sale</u>
5.1.2005 (2005 to 2016)	Gregory Owen Matthews	22/791884
24.2.2016 (2016 to Date)	# Hephzibah Hunter Valley Investments Pty Ltd	22/791884

Denotes Current Registered Proprietor

Easements: -

- 3.7.1970 (L705982) – Easement for Transmission Line (Part Tinted Green attached Cadastral)
- 8.7.1977 (Q214615) – Easement for Transmission Line (Part Tinted Green attached Cadastral)
- 20.10.1982 (DP626591) – Right of Carriageway (Part Tinted Green attached Cadastral)

Leases: -NIL



Yours Sincerely
James McDonnell
25th November 2016

Cadastral Records Enquiry Report

Requested Parcel : Lot 22 DP 791884

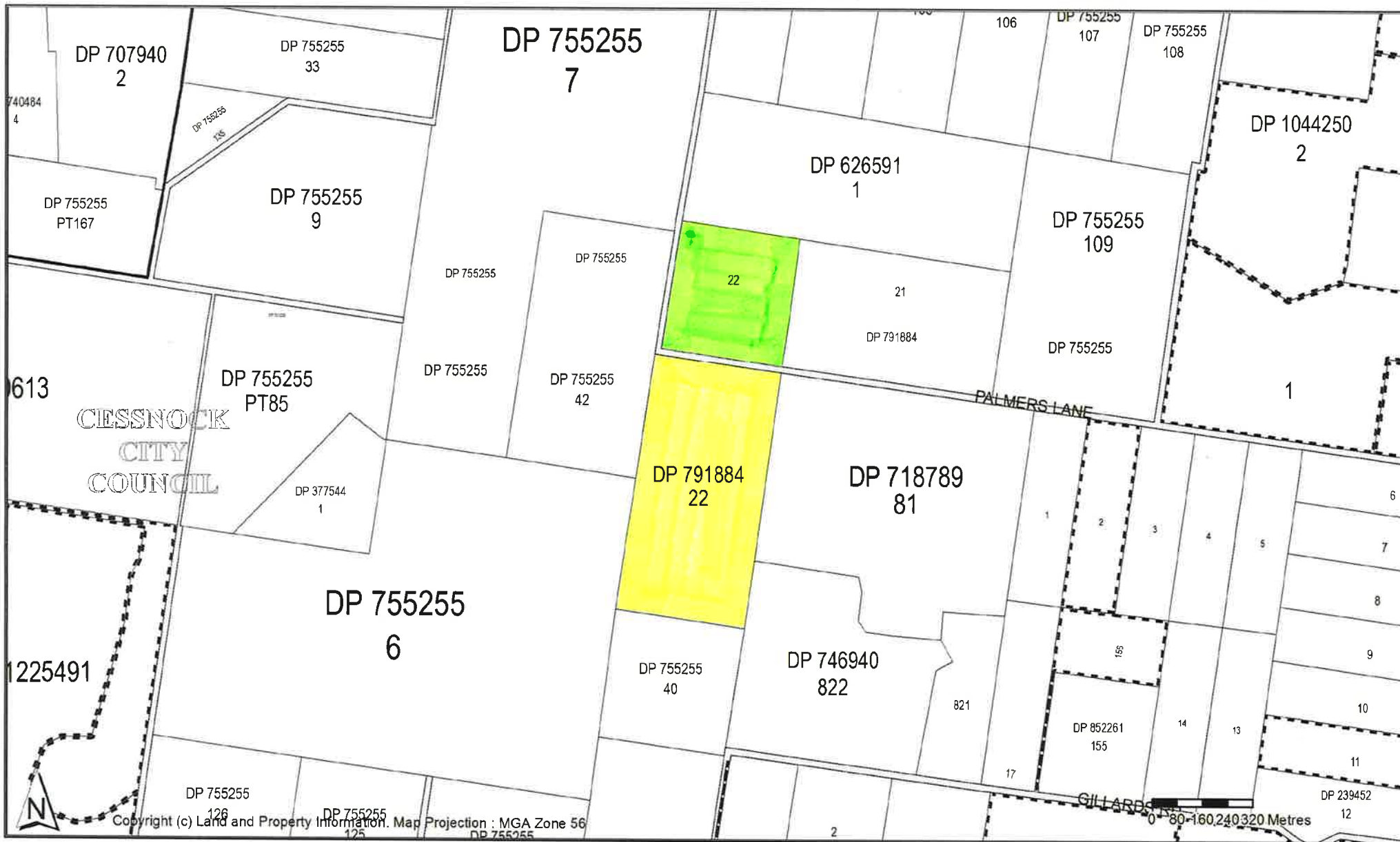
Identified Parcel : Lot 22 DP 791884

Locality : POKOLBIN

LGA : CESSNOCK

Parish : ROTHBURY

County : NORTHUMBERLAND



PLAN FORM 2

FOR THE RECORDING OF PLATS AND EASEMENTS IN THE PUBLIC RECORDS OF THE STATE OF TEXAS

THIS PLAT IS TO BE RECORDED IN THE PUBLIC RECORDS OF THE STATE OF TEXAS, COUNTY OF DALLAS, TEXAS, IN THE YEAR 1990.

THE PLAT IS TO BE RECORDED IN THE PUBLIC RECORDS OF THE STATE OF TEXAS, COUNTY OF DALLAS, TEXAS, IN THE YEAR 1990.

THE PLAT IS TO BE RECORDED IN THE PUBLIC RECORDS OF THE STATE OF TEXAS, COUNTY OF DALLAS, TEXAS, IN THE YEAR 1990.

PLAN

OF SUBDIVISION OF

LOT 2, D.P. 626591

FOR THE RECORDING OF PLATS AND EASEMENTS IN THE PUBLIC RECORDS OF THE STATE OF TEXAS

IN THE YEAR 1990

IN THE PUBLIC RECORDS OF THE STATE OF TEXAS, COUNTY OF DALLAS, TEXAS, IN THE YEAR 1990.

THE PLAT IS TO BE RECORDED IN THE PUBLIC RECORDS OF THE STATE OF TEXAS, COUNTY OF DALLAS, TEXAS, IN THE YEAR 1990.

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THE PLAT IS TO BE RECORDED IN THE PUBLIC RECORDS OF THE STATE OF TEXAS, COUNTY OF DALLAS, TEXAS, IN THE YEAR 1990.

OWNER

PHILIP MARTIN BBS

10000 W. WILSON AVE.

ROTHBURY 52

CESSNOCK

DALLAS, TEXAS 75244

PREPARED BY

PHILIP MARTIN BBS

10000 W. WILSON AVE.

ROTHBURY 52

CESSNOCK

DALLAS, TEXAS 75244

RECORDING OFFICE

PLAT NO.

626591

BOOK

100

PAGE

1

DATE

1990

RECORDED

1990

FILED

1990

LEGAL DESCRIPTION

LOT 2, D.P. 626591

CESSNOCK

ROTHBURY 52

DALLAS, TEXAS 75244

PREPARED BY

PHILIP MARTIN BBS

10000 W. WILSON AVE.

ROTHBURY 52

CESSNOCK

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RECORDING OFFICE

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LEGAL DESCRIPTION

LOT 2, D.P. 626591

CESSNOCK

ROTHBURY 52

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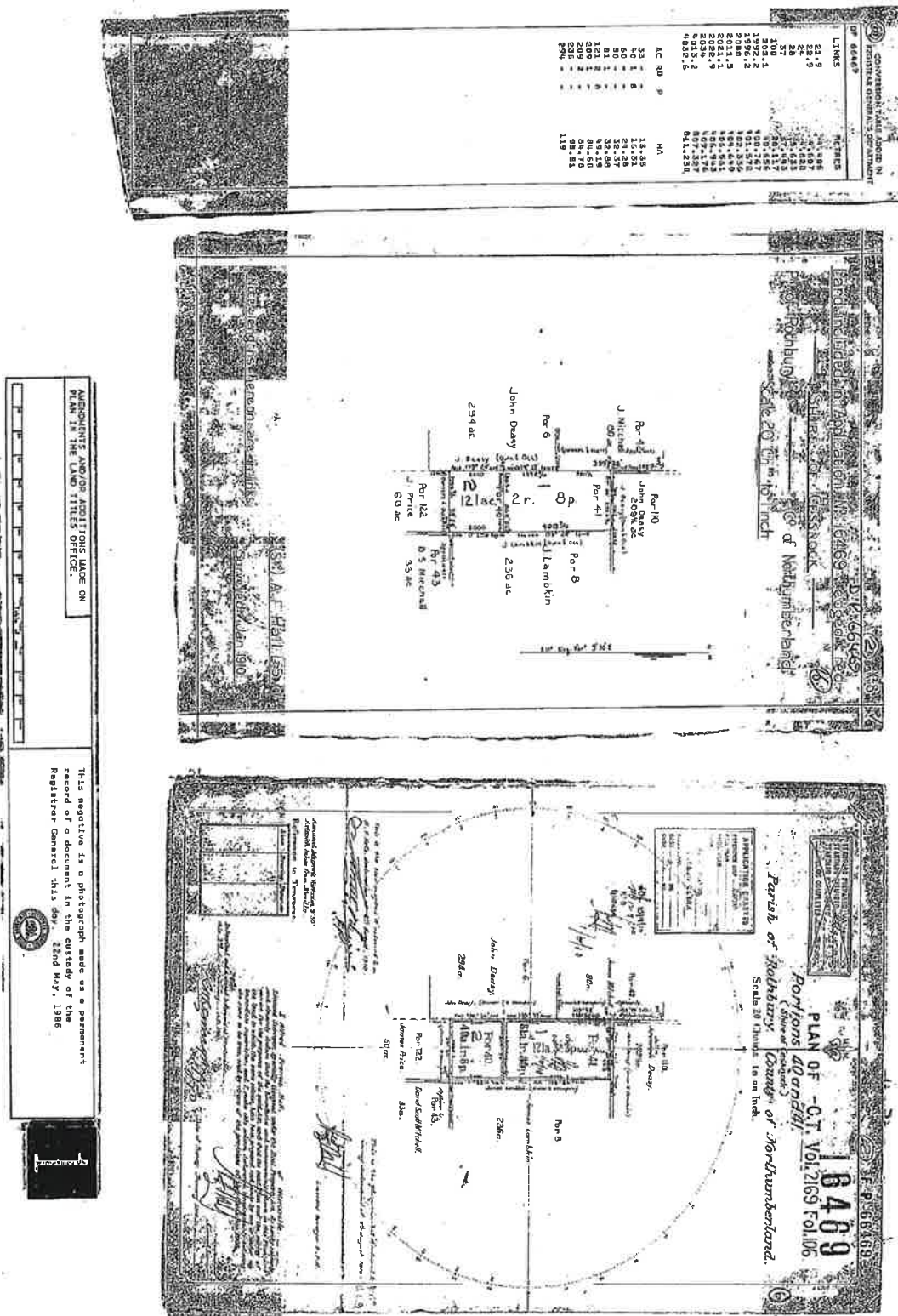
1990

PLAN FORM 2
 Subsequent and only

The Common wall of 104m 00cm high, situated between the 103m and 104m lots, is to be removed and replaced by a new wall of 104m 00cm high, situated between the 103m and 104m lots, in the position of the old wall.
10/11/1982
10/11/1982

Diagram
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14912127

NEW SOUTH WALES

CERTIFICATE OF TITLE
REAL PROPERTY ACT, 1900

Prior Title (Crown Grant)
Vol.1575 Fol.66

Vol. **14912** Fol. **127**
EDITION ISSUED
20 10 1982



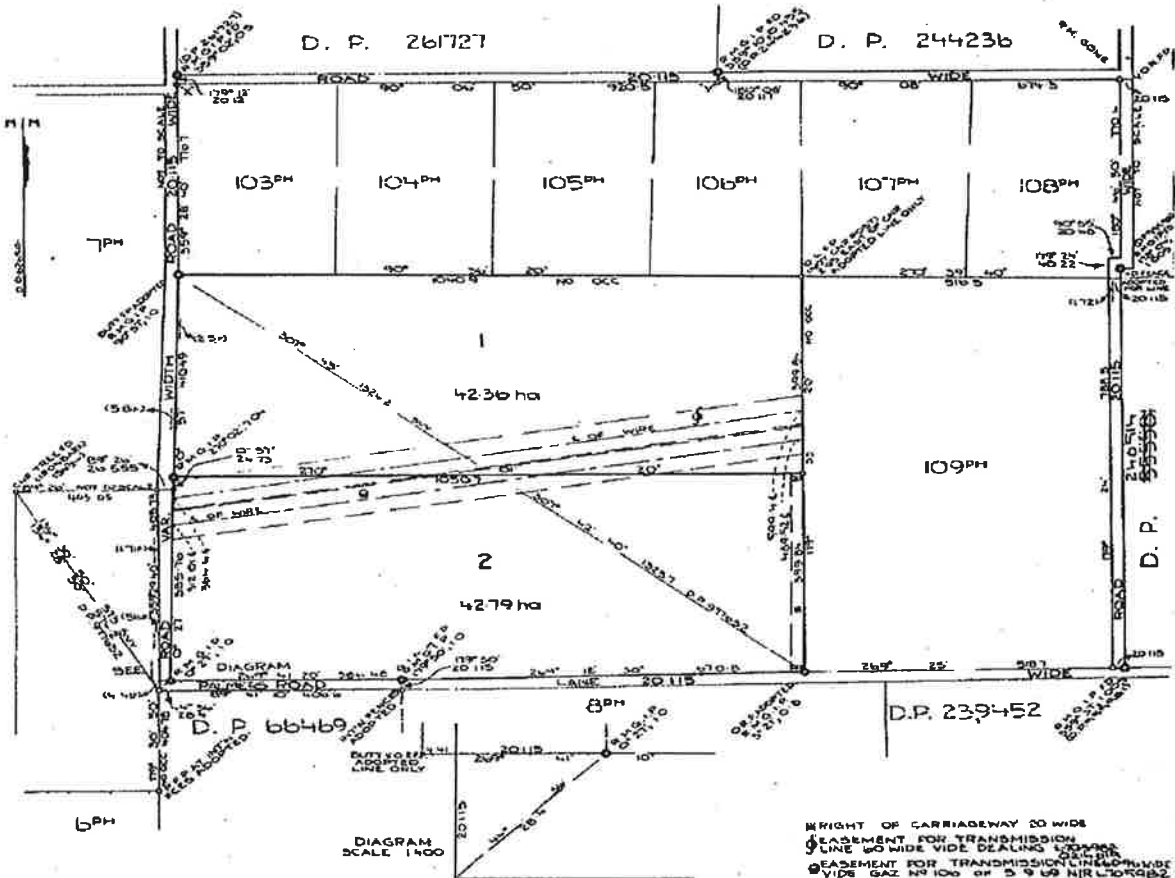
I certify that the person described in the First Schedule is the registered proprietor of the undermentioned estate in the land within described subject nevertheless to such exceptions encumbrances and interests as are shown in the Second Schedule.

CANCELLED
Registrar General.
SEE AUTO FOLIO



PLAN SHOWING LOCATION OF LAND

LENGTHS ARE IN METRES



ESTATE AND LAND REFERRED TO

Estate in Fee Simple in Lot 2 in Deposited Plan 626591 at Rothbury in the City of Greater Cessnock Parish of Rothbury and County of Northumberland. EXCEPTING THEREOUT the minerals reserved by the Crown Grant.

FIRST SCHEDULE

PITKIN COUNTY PROPERTIES PTY. LIMITED.

SECOND SCHEDULE

1. Reservations and conditions, if any, contained in the Crown Grant above referred to.
2. L705982P Easement for transmission line affecting the part of the land above described shown so burdened in Deposited Plan 626591.
3. Q214615P Easement for transmission line affecting the part of the land above described shown so burdened in Deposited Plan 626591.
4. 5607040 Mortgage to Beneficial Finance Corporation Limited. Discharged T336884
5. DP626591P Right of carriageway affecting the part of the land above described shown so burdened in Deposited Plan 626591.

FIRST SCHEDULE (continued)

REGISTERED PROPRIETOR

Registrar General

Gregory Owen Matthews in 1/2 share and Paul Raymond Matthews in 1/2 share as tenants in common by Transfer T336885. Registered 7-12-1982

CANCELLED**SEE AUTO FOLIO**

SECOND SCHEDULE (continued)

PARTICULARS

Registrar General

CANCELLATION

NOTATIONS AND UNREGISTERED DEALINGS

T336885
— 5192

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - HISTORICAL SEARCH

SEARCH DATE

25/11/2016 10:56AM

FOLIO: 2/626591

First Title(s): SEE PRIOR TITLE(S)

Prior Title(s): VOL 14912 FOL 127

<u>Recorded</u>	<u>Number</u>	<u>Type of Instrument</u>	<u>C.T. Issue</u>
28/3/1988		TITLE AUTOMATION PROJECT	LOT RECORDED FOLIO NOT CREATED
19/9/1988		CONVERTED TO COMPUTER FOLIO	FOLIO CREATED CT NOT ISSUED
18/9/1989	DP791884	DEPOSITED PLAN	FOLIO CANCELLED

*** END OF SEARCH ***

NEW SOUTH WALES

CERTIFICATE OF TITLE
REAL PROPERTY ACT, 1900



15446220

Vol. 15446 Fol. 220

EDITION 16 6 1986
ISSUED

First Title Old System

Prior Title Vol. 5331 Fol. 237



I certify that the person named in the First Schedule is the registered proprietor of an estate in fee simple (or such other estate or interest as is set out below) in the land described subject to the recordings appearing in the Second Schedule and to the provisions of the Real Property Act, 1900.

[Signature]
Registrar General.



LAND REFERRED TO

Lot 1 in DP66469 in the Shire of Singleton Parish of Rothbury County of Northumberland.

Title Diagram: DP66469.

FIRST SCHEDULE

GREGORY OWEN MATTHEWS and PAUL RAYMOND MATTHEWS, as Tenants in Common in equal shares. W250889

SECOND SCHEDULE

1. Reservations and conditions in the Crown grant.

PERSONS ARE CAUTIONED AGAINST ALTERING OR ADDING TO THIS CERTIFICATE OR ANY NOTIFICATION HEREON

(Page 1) Vol. 15446 Fol. 220

NOTE: ENTRIES RULED THROUGH AND AUTHENTICATED BY THE SEAL OF THE REGISTRAR GENERAL ARE CANCELLED



L.O. 55

FIRST SCHEDULE (continued)
REGISTERED PROPRIETOR

Registrar General

SECOND SCHEDULE (continued)

PARTICULARS

Registrar General

CANCELLATION

02/87 791884 Registered 11-9-89
This folio is cancelled as to whole/part upon creation
of computer folios for lots 21-22 In the
abovementioned plan.



NOTATIONS AND UNREGISTERED DEALINGS

NOTE: ENTRIES RULED THROUGH AND AUTHENTICATED BY THE SEAL OF THE REGISTRAR GENERAL ARE CANCELLED

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - HISTORICAL SEARCH

SEARCH DATE

25/11/2016 9:09AM

FOLIO: 22/791884

First Title(s): OLD SYSTEM VOL 1575 FOL 66
Prior Title(s): VOL 15446 FOL 220 2/626591

Recorded	Number	Type of Instrument	C.T. Issue
18/9/1989	DP791884	DEPOSITED PLAN	FOLIO CREATED EDITION 1
11/8/1992	E670322	MORTGAGE	
11/8/1992	E670323	MORTGAGE	EDITION 2
19/12/1995	O779536	REQUEST	
1/2/1996	O881056	REQUEST	
23/11/2004	AB111230	APPLICATION FOR REPLACEMENT CERTIFICATE OF TITLE	
23/11/2004	AB111231	DISCHARGE OF MORTGAGE	
23/11/2004	AB111232	DISCHARGE OF MORTGAGE	EDITION 3
5/1/2005	AB197334	TRANSFER	EDITION 4
7/5/2015	AJ328565	TRANSFER GRANTING EASEMENT ETC OVER OWN LAND	
7/5/2015	AJ328566	TRANSFER GRANTING EASEMENT ETC OVER OWN LAND	EDITION 5
24/2/2016	AK242525	TRANSFER	EDITION 6
22/6/2016	AK276233	VARIATION OF EASEMENT	EDITION 7

*** END OF SEARCH ***

Ref:pokolbin /Src:M
Release: 2
www.lpi.nsw.gov.au

TRANSFER

New South Wales
Real Property Act 1900



AB197334N

PRIVACY NOTE: this information is legally required and will become part of the public record

STAMP DUTY

Office of State Revenue use only NSW Treasury Client No: 95357548 1807 Duty: \$0.00 Trans No: 2363911 Asst details: S274 on Transfer	Office of State Revenue NSW Treasury Client No: 95357548 1807 VENDOR DUTY ENDORSED Trans No: 2363774
---	---

(A) TORRENS TITLE

FOLIO IDENTIFIER 42/755209 and FOLIO IDENTIFIER 22/791884
(2)

(B) LODGED BY

Delivery Box 35D	Name, Address or DX and Telephone MORRIS, HAYES & CO DX 420 SYDNEY PH: 9232-2411 AS AGENTS FOR Reference: 3BV3793 Hallam	CODES T TW (Sheriff)
----------------------------	--	-------------------------------

(C) TRANSFEROR

PAUL RAYMOND MATTHEWS

(D) CONSIDERATION The transferor acknowledges receipt of the consideration of \$ 700,000.00 and as regards

(E) ESTATE the land specified above transfers to the transferee an estate in fee simple

(F) SHARE TRANSFERRED all the Transferor's interest as tenant-in-common

(G) Encumbrances (if applicable):

(H) TRANSFEE

GREGORY OWEN MATTHEWS

TENANCY:

(J) DATE

13-12-2004

I certify that the person(s) signing opposite, with whom I am personally acquainted or as to whose identity I am otherwise satisfied, signed this instrument in my presence.

Signature of witness:

K. Littlewood

Name of witness: Kristine Hallam Littlewood
Address of witness: 125 Vincent Street
CESSNOCK NSW 2325
Solicitor

Certified correct for the purposes of the Real Property Act 1900 by the transferor.

Signature of transferor:

Paul Matthews

I certify that the person(s) signing opposite, with whom I am personally acquainted or as to whose identity I am otherwise satisfied, signed this instrument in my presence.

Signature of witness:

K. Littlewood

Name of witness: Kristine Hallam Littlewood
Address of witness: 125 Vincent Street
CESSNOCK NSW 2325
Solicitor

Certified correct for the purposes of the Real Property Act 1900 by the transferee.

Signature of transferee:

Greg Matthews

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - TITLE SEARCH

FOLIO: 22/791884

SEARCH DATE	TIME	EDITION NO	DATE
25/11/2016	10:00 AM	7	22/6/2016

LAND

LOT 22 IN DEPOSITED PLAN 791884
AT ROTHBURY
LOCAL GOVERNMENT AREA CESSNOCK
PARISH OF ROTHBURY COUNTY OF NORTHUMBERLAND
TITLE DIAGRAM DP791884

FIRST SCHEDULE

HEPHZIBAH HUNTER VALLEY INVESTMENT PTY LTD (T AK242525)

SECOND SCHEDULE (5 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 LAND EXCLUDES MINERALS SEE CROWN GRANT (POR 110)
- 3 EASEMENT(S) AFFECTING THE PART(S) SHOWN SO BURDENED IN THE TITLE
DIAGRAM CREATED BY:
 - L705982 FOR TRANSMISSION LINE
 - Q214615 FOR TRANSMISSION LINE
 - DP626591 RIGHT OF CARRIAGEWAY
 - 0779536 EASEMENT L705982 VESTED IN NEW SOUTH WALES
ELECTRICITY TRANSMISSION AUTHORITY
 - 0881056 EASEMENT Q214615 VESTED IN THE NEW SOUTH WALES
ELECTRICITY TRANSMISSION AUTHORITY
- 4 AJ328565 RIGHT OF ACCESS 7 WIDE APPURTENANT TO THE LAND ABOVE
DESCRIBED AFFECTING THE PART DESIGNATED (A) IN PLAN
WITH AJ328565
AK276233 VARIATION OF EASEMENT AJ328565 SITE VARIED AS
DESIGNATED (A) IN PLAN WITH AK276233
- 5 AJ328566 EASEMENT FOR SERVICES 15 WIDE APPURTENANT TO THE
LAND ABOVE DESCRIBED AFFECTING THE PART DESIGNATED (A)
IN PLAN WITH AJ328566

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

pokolbin

PRINTED ON 25/11/2016



PLANNING CERTIFICATE
ISSUED UNDER SECTION 149(2)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
and
ENVIRONMENTAL PLANNING & REGULATION 2000

Hallam & Littlewood
DX 21503
CESSNOCK

Applicants Reference

CERTIFICATE DETAILS

CERTIFICATE NUMBER: 2029
DATE OF CERTIFICATE: 20 August 2015

PROPERTY DETAILS

ADDRESS: Palmers Lane POKOLBIN NSW 2320
TITLE: LOT: 22 DP: 791884
PARCEL NO.: 24762

BACKGROUND INFORMATION

This certificate provides information on how the relevant parcel of land may be developed, including the planning restrictions that apply to development of the land, as at the date the certificate is issued. The certificate contains information Council is aware of through its records and environmental plans, along with data supplied by the State Government. The details contained in this certificate are limited to that required by Section 149 of the *Environmental Planning and Assessment Act, 1979*.

TELEPHONE: (02) 4993 4100. FAX (02) 4993 2500
POSTAL ADDRESS: PO BOX 152, CESSNOCK, 2325 or DX 21502 CESSNOCK
EMAIL ADDRESS: council@cessnock.nsw.gov.au Visit us at: <http://www.cessnock.nsw.gov.au>
ABN 60 919 148 928



PLANNING CERTIFICATE

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1. Name of relevant planning instruments and DCPs

- (1) The name of each environmental planning instrument that applies to the carrying out of development on the land:**

Cessnock Local Environmental Plan 2011 (as amended)
Lower Hunter Regional Strategy 2006.

SEPP No 21 - Caravan Parks
SEPP No 36 - Manufactured Home Estates
SEPP No 50 - Canal Estate Development
SEPP No 55 - Remediation of Land
SEPP No 62 - Sustainable Aquaculture
SEPP (Affordable Rental Housing) 2009
SEPP (Building Sustainability Index: BASIX) 2004
SEPP (Exempt and Complying Development Codes) 2008
SEPP (Housing for Seniors or People with a Disability) 2004
SEPP No 64 - Advertising and Signage
SEPP (Infrastructure) 2007
SEPP (Major Development) 2005
SEPP (Mining, Petroleum Production and Extractive Industries)
SEPP (Rural Lands) 2008
SEPP No 15 - Rural Landsharing Communities
SEPP No 30 - Intensive Agriculture
SEPP No 32 - Urban Consolidation (Redevelopment of Urban Land)
SEPP (Miscellaneous Consent Provisions) 2007
SEPP No 33 - Hazardous and Offensive Development
SEPP No 65 - Design Quality of Residential Flat Development
SEPP 14 - Coastal Wetlands
SEPP No 44 - Koala Habitat Protection
SEPP No 70 - Affordable Housing (Revised Schemes)
SEPP (Urban Renewal) 2010
SEPP (State and Regional Development) 2011

- (2) The name of each proposed environmental planning instrument that will apply to the carrying out of development on the land and that is or has been the subject of community consultation or on public exhibition under the Act (unless the Director-General has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved):**

There are no Draft Local Environmental Plan/s affecting this land.

- (3) The name of each development control plan that applies to the carrying out of development on the land.**

Cessnock Development Control Plan 2010

2. Zoning and land use under relevant LEPs

- (a) The land is identified as being in:**



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RU4 Primary Production Small Lots under the Cessnock Local Environmental Plan 2011.

- (b) **The purpose for which development may be carried out without consent within the zone;**
- (c) **The purposes for which development may not be carried out within the zone except with development consent; and**
- (d) **The purpose for which development is prohibited within the zone.**

2) Permitted without consent

Extensive agriculture; Home occupations

3) Permitted with consent

Agricultural produce industries; Animal boarding or training establishments; Cellar door premises; Child care centres; Community facilities; Dwelling houses; Environmental facilities; Environmental protection works; Farm buildings; Function centres; Home businesses; Home industries; Information and education facilities; Intensive plant agriculture; Neighbourhood shops; Plant nurseries; Respite day care centres; Restaurants or cafes; Roads; Roadside stalls; Rural supplies; Rural workers' dwellings; Secondary dwellings; Signage; Tourist and visitor accommodation; Waste or resource management facilities.

4) Prohibited

Hotel or motel accommodation; Any other development not specified in item 2 or 3

- (e) **Whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land and, if so, the minimum land dimensions so fixed:**

No

- (f) **Whether the land includes or comprises critical habitat:**

The land is not land that includes or comprises critical habitat declared to be critical habitat under Part 3 of the Threatened Species Conservation Act 1995.

- (g) **Whether the land is a conservation area (however described):**

The land is not a conservation area under the Cessnock Local Environmental Plan 2011.

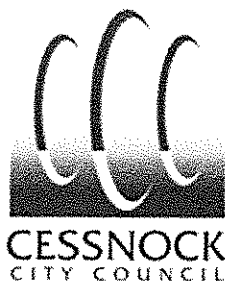
- (h) **Whether an item of environmental heritage (however described) is situated on the land:**

An item of environmental heritage identified in Cessnock Local Environmental Plan 2011 is not situated on the land.

2A. Zoning and land use under State Environmental Planning Policy (Sydney Region Growth Centres) 2006

This clause is not applicable to the Cessnock Local Government Area.

3. Complying Development



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- (1) Complying development may be carried out on the land under each of the following codes for complying development, to the extent stated, because of the provisions of clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1) (c3) and 1.19 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.
- (2) Complying development may not be carried out on the land under each of the following codes for complying development, to the extent and for the reasons stated under clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1) (c3) and 1.19 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

General Housing Code

Complying Development may be carried out under the General Housing Code where it has been certified by either the Council, the NSW Rural Fire Service (until 25 February 2012) or a suitably qualified consultant in bushfire risk assessment as not being within bush fire attack level 40 (BAL-40) or the flame zone (BAL-FZ).

Rural housing code

Complying Development may be carried out under the Rural Housing Code where it has been certified by either the Council, the NSW Rural Fire Service (until 25 February 2012) or a suitably qualified consultant in bushfire risk assessment as not being within bush fire attack level 40 (BAL-40) or the flame zone (BAL-FZ).

Housing Alterations Code

Complying development may be carried out on the land under the Housing Alterations Code, subject to the development complying with the general and specific standards of the Code.

General Development Code

Complying development may be carried out on the land under the General Development Code, subject to the development complying with the general and specific standards of the Code.

Commercial and Industrial Alterations Code

Complying development may be carried out on the land under the Commercial & Industrial Alterations Code, subject to the development complying with the general and specific standards of the Code.

Commercial and Industrial (New Buildings and Additions) Code

Complying Development may be carried out under the Commercial and Industrial Code (New Building and Additions) Code where it has been certified by either the Council, the NSW Rural Fire Service (until 25 February 2012) or a suitably qualified consultant in bushfire risk assessment as not being within bush fire attack level 40 (BAL-40) or the flame zone (BAL-FZ).

Subdivisions Code



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Complying development may be carried out on the land under the Subdivisions Code, subject to the development complying with the general and specific standards of the Code.

Demolition Code

Complying development may be carried out on the land under the Demolition Code, subject to the development complying with the general and specific standards of the Code.

Fire Safety

Complying development may be carried out on the land under the Fire Safety Code, subject to the development complying with the general and specific standards of the Code.

4. Coastal Protection

Whether or not the land affected by the operation of section 38 or 39 of the *Coastal Protection Act 1979*, but only to the extent that the Council has been notified by the Department of Services, Technology and Administration.

The Coastal Protection Act 1979 is not applicable to the Cessnock Local Government Area.

4A. Certain information relating to beaches and coasts

This clause is not applicable to the Cessnock Local Government Area.

4B. Annual charges under the *Local Government Act 1993* for coastal protection services that relate to existing coastal protection works

This clause is not applicable to the Cessnock Local Government Area.

5. Mine subsidence

Whether or not the land is proclaimed to be a mine subsidence district within the meaning of section 15 of the *Mine Subsidence Compensation Act 1961*.

No

6. Road widening and road alignment

Whether or not the land is affected by any road widening or road realignment under:

- (a) Division 2 of Part 3 of the *Roads Act 1993*, or**
- (b) any environmental planning instrument, or**
- (c) any resolution of the council.**

The land is not affected by a road widening or road realignment proposal under:

- (a) Division 2 of Part 3 of the *Roads Act 1993*, or**
- (b) any environmental planning instrument, or**
- (c) any resolution of the council.**



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7. Council and other public authority hazard risk restrictions

Whether or not the land is affected by a policy:

- (a) adopted by the council, or
- (b) adopted by any other public authority and notified to the council for the express purpose of its adoption by that authority being referred to in planning certificates issued by the council,

That restricts the development of the land because of the likelihood of:

- (1) Landslip
No
- (2) Bushfire
No
- (3) Tidal inundation
No
- (4) Subsidence
No
- (5) Acid Sulphate Soils
No
- (6) Any other risk (other than flooding)
No

7A. Flood related development controls information

- (1) Whether or not development on the land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is subject to flood related development controls.
No
- (2) Whether or not development on the land or part of the land for any other purpose subject to flood related development controls.
No



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Note: Words and expressions in this clause have the same meanings as in the instrument set out in the Schedule to the *Standard Instrument (Local Environmental Plans) Order 2006*.

8. Land reserved for acquisition

Whether or not any environmental planning instrument or proposed environmental planning instrument referred to in clause 1 (above) makes provision in relation to the acquisition of the land by a public authority, as referred to in section 27 of the *Environmental Planning & Assessment Act 1979*.

No

9. Contributions plans

The name of each contributions plan/s applying to the land.

Section 94 Contribution Plan for Residential Development

Section 94 Contribution Plan for Tourist Development

9A. Biodiversity certified land

The land is not biodiversity certified land (within the meaning of Part 7AA of the Threatened Species Conservation Act 1995).

10. Biobanking agreements

The land is not land to which a biobanking agreement under Part 7A of the Threatened Species Conservation Act 1995 relates, (but only insofar as the Council has been notified of the existence of the agreement by the Director-General of the Department of Environment, Climate Change & Water.

11. Bush fire prone land

Some of the land is bushfire prone land as defined in the Environmental Planning & Assessment Act 1979.

12. Property vegetation plans

The land is not land to which a property vegetation plan under the Native Vegetation Act 2003 applies, only insofar as the Council has been notified of the existence of the plan by the person or body that approved the plan under the Act.

13. Orders under *Trees (Disputes Between Neighbours) Act 2006*

Whether an order has been made under the *Trees (Disputes Between Neighbours) Act 2006* to carry out work in relation to a tree on the land (but only if the council has been notified of the order).

No



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14. Directions under Part 3A

There is not a direction by the Minister in force under Section 75P(2)(c1) of the Environmental Planning & Assessment Act 1979 that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project of the land under Part 4 of that Act does not have effect.

15. Site compatibility certificates and conditions for seniors housing

- (1) The land is not land to which the State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 applies.
- (2) There are no terms of a kind referred to in clause 18(2) of that policy that have been imposed as a condition of consent to a development application granted after 11 October 2007 in respect of the land.

16. Site compatibility certificates for infrastructure

There is not a valid site compatibility certificate (infrastructure) of which Council is aware, in respect of proposed development on the land.

17. Site compatibility certificates and conditions for affordable rental housing

- (1) There is not a current site compatibility certificate (affordable rental housing), of which the Council is aware, in respect of proposed development on the land.
- (2) There are no terms of a kind referred to in clause 17(1) or 38(1) of the State Environmental Planning Policy (Affordable Rental Housing) 2009 that have been imposed as a condition of consent to a development application in respect of the land.

18. Paper subdivision information

- (1) There is no development plan adopted by a relevant authority that applies to the land of that is proposed to be subject to a consent ballot.
- (2) There is no subdivision order that applies to the land

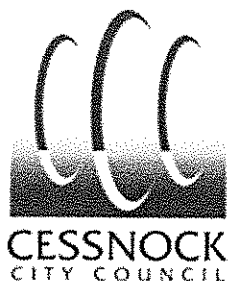
Note: words and expressions in this clause have the same meaning as they have in Part 16C of the *Environmental Planning and Assessment Regulation 2000*.

19. Site verification certificates

There is not a current site verification certificate, of which Council is aware, in respect of the land.

Matters are prescribed by section 59 (2) of the *Contaminated Land Management Act 1997* as additional matters to be specified in a planning certificate:

- (a) The land or part of the land is not significantly contaminated land within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.



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- (b) The land is not subject to a management order within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.
- (c) The land is not the subject of an approved voluntary management proposal within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.
- (d) The land is not the subject of an ongoing maintenance order within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.
- (e) The land is not the subject of a site audit statement within the meaning of the Contaminated Land Management Act 1997 (if a copy of such a statement has been provided at any time) to the local authority issuing the certificate.

Section 26 of the *Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009* provides that a planning certificate must include advice about any exemption under section 23 or authorisation under section 24 of that Act if the council is provided with a copy of the exemption or authorisation by the Co-ordinator General under that Act.

The land is not subject to an exemption under Section 23 or an authorisation under Section 24 of the National Building and Jobs Plan (State Infrastructure Delivery) Act 2009.

For further information, please contact Council's Planning & Environment Directorate.

Gareth Curtis
Director Planning & Environment



Photo 1



Photo 2



Preliminary Site Assessment		PROJECT:	81850.01
Lot 22 Palmers Lane		Plate	1
Pokolbin		REV:	A
Client	Hephzibah Hunter Valley Property Pty Ltd	DATE:	12-Dec-16



Photo 3: Timber exposed in surficial filling



Photo 4: Existing Dam



Photo 5: Dam Embankment



Photo 6



Photo 7: Clay exposed in creekline



Photo 8



Photo 9



Photo 10



Photo 11



Photo 12



Photo 13



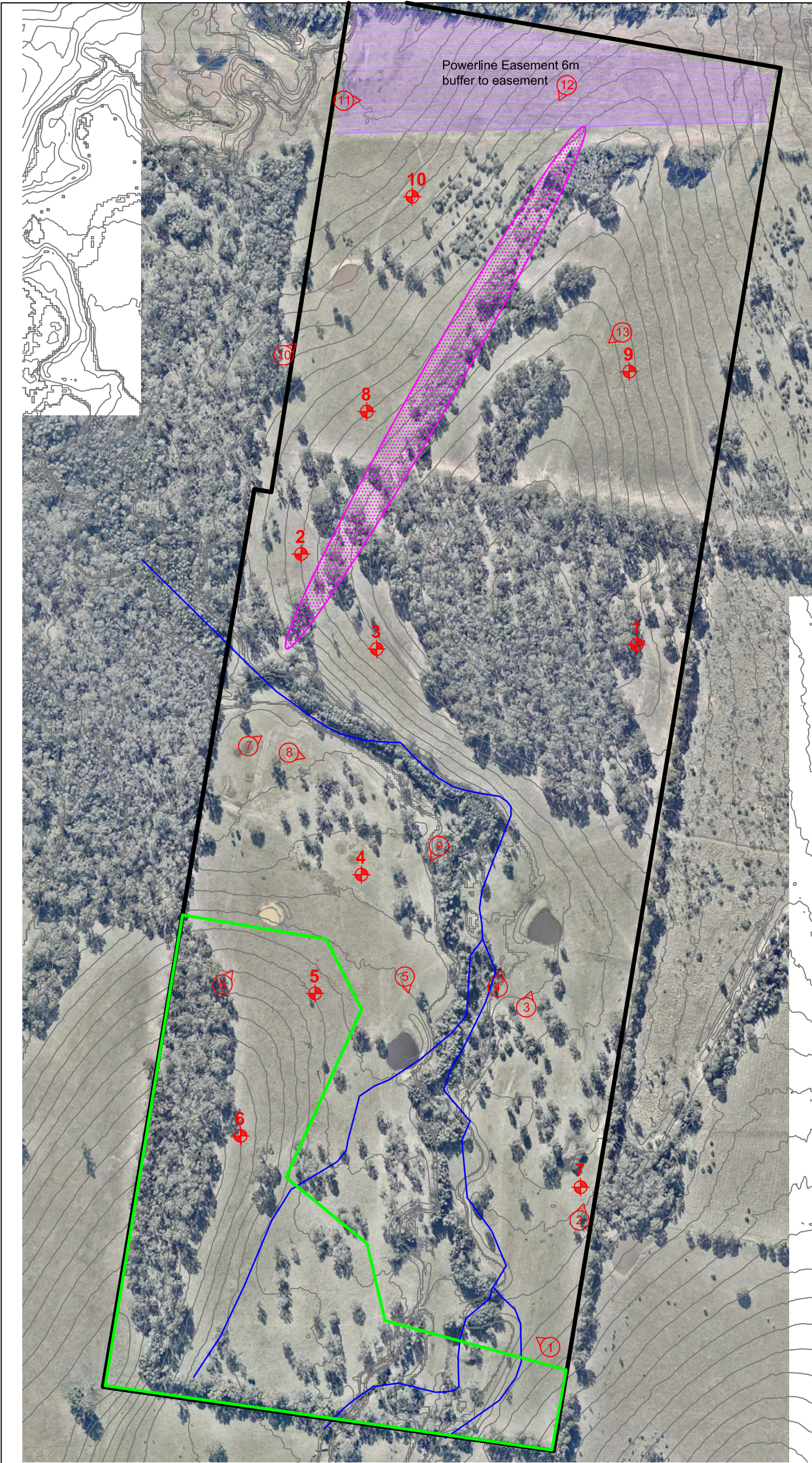
Photo 14



Photo 15

Appendix C

Drawing 1 – Test Location Plan and Site Photos

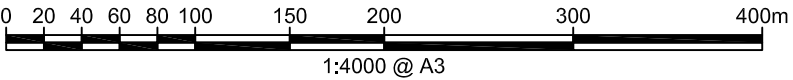


Locality Plan

- LEGEND**
- Borehole Location (previous investigation, Ref 2 - 2015)
 - Approximate Extent of Stage 1
 - Site Boundary
 - Location of Water Course
 - Shallow Rock / Rock Outcrop
 - Photo Location and Orientation

NOTE:

- Plan adapted from Drawing provided by WMA Water Engineering Survey.
- Base plan from Nearmap Image dated 06.05.2015.
- Site Features and test locations are approximate only and were located using Hand-held GPS.



	TITLE: Test Location Plan and Site Photos Preliminary Site Investigation (Contamination) Lot 22 Palmers Lane, Pokolbin				OFFICE: Newcastle
					DRAWN BY: PLH
					DATE: 04.09.2017
					SCALE: 1:4000@A3 Sheet
CLIENT: Hephzibah Hunter Valley Property Pty Ltd	PROJECT No: 81850.02	DRAWING No: 1	REVISION: 0		