



Appendix H

Preliminary Contamination Assessment



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Australian Rail Track Corporation

Minimbah Bank Third Track Preliminary Site Investigation

September 2008

Revision 1



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1. Introduction and Background

1.1 Introduction

GHD was engaged by ARTC to undertake a Preliminary Site Investigation (PSI) with respect to the Minimbah Bank Third Track proposal.

The proposed Minimbah Bank Third Track project (here in described as the Project), consists of a third track adjacent to the existing Main Northern Railway for approximately 10.8 kilometres from Minimbah to Whittingham within the Singleton Local Government Area as shown in Appendix A. The major elements of the Project include 10.8 kilometres of track and earthworks, three new rail under bridges, grade separation of Range Road level crossing, replacement and realignment of the Golden Highway overbridge, services relocation, signalling works and property acquisition.

GHD understands that the Project would take place within the existing rail corridor and on land adjacent the corridor, proposed for acquisition as part of the project.

1.2 Background

The Project is a key component of ARTC's 2007-2012 Hunter Valley Corridor Capacity. On 5 September 2004, the Australian Rail Track Corporation (ARTC) commenced a 60 year lease of the interstate and Hunter Valley rail lines of New South Wales. Since commencing this lease, the Hunter Valley network aspects have been reviewed and updated by ARTC in light of rapid growth in coal demand. This has resulted in the development of the 2006-2011 Hunter Valley Coal Network Capacity Improvement Strategy.

At present, export coal capacity of the Hunter Valley rail network averages around 107 million tonnes per annum (mtpa). Current industry forecasts indicate demand on the Hunter Valley rail network will increase to 165 mtpa by September 2009. ARTC is therefore implementing a strategy of line improvements endeavouring to keep system capacity ahead of industry demands. Design and construction of the Minimbah Bank Third Track is a key component in meeting the objectives of the Strategy.

Minimbah Bank is one of only three sections of track on this line with headways of greater than 10 minutes. The steep grade results in trains being unable to negotiate the Bank at sufficient speeds, creating the current headways of 13 minutes. This can also result in trains stalling on the Bank creating severe service disruptions, reduced line capacity and high rail wear. As 95% of coal trains in the Hunter Valley negotiate Minimbah Bank, this problem has significant impacts to the current and future line capacity.

1.3 Objectives

The objectives of this PSI were to:

- ▶ Identify potential contaminants of concern; and
- ▶ Identify areas that may require further investigation based on a review of current and historical land uses.



The PSI was conducted through a desktop review of site history and environmental features such as geology and hydrology, and site walkover assessments.

1.4 Scope of Works

The PSI included the following scope of works:

- ▶ A site history review including review of any available historical information and aerial photographs for the length of the Project;
- ▶ Review of geology, hydrology and topography information for the Project site;
- ▶ Detailed site history review including historical aerial photographs, Singleton City Council records, historical title deeds and interviews with the property owners or staff if available for properties judged to contain potential contaminating activities based on the above site history review,
- ▶ A site inspection to identify any potential contamination issues or potential areas of concern; and
- ▶ Preparation of a report summarising the results of the site investigation and providing recommendations for further investigations and/or management measures (if required).

All investigations were undertaken with reference to the relevant EPA guidelines including:

- ▶ National Environment Protection Measure (Assessment of Site Contamination) (NEPC, 1999);
- ▶ Contaminated Sites: Guidelines for Assessing Service Station Sites (NSW EPA, 1994);
- ▶ Contaminated Sites: Sampling Design Guidelines (NSW EPA, 1995); and
- ▶ Guidelines for Consultants Reporting on Contaminated Sites (NSW EPA, 1997).



2. Proposal Description

2.1 Route Description

The Project site is located within the Singleton Local Government Area (LGA) adjacent to the existing Main Northern Railway. It commences in an area known as Minimbah approximately 16 km south of Singleton and continues north for approximately 10.8 km to an area known as Whittingham (chainage 224.220 km to chainage 235.070 km). The location of the Project is illustrated in Figure 1 in Appendix A.

The Project lies within the existing rail corridor and on currently privately or government owned land either side of the corridor.

The rail corridor currently has a single up main and a single down main, surrounded by ballast. Land either side of the outer most rails extends for approximately 3-4 metres to the fence boundary of the rail corridor, and generally incorporates an access track on at least one side of the track. Within the rail corridor the vegetation has been regularly cleared or disturbed by ongoing rail activities and consists of mainly grasses and shrub weed.

The land uses adjoining the Project site are predominantly rural, particularly grazing land, and associated rural residences. The New England Highway is located to the east of the Main Northern Railway, running parallel or in close proximity to the Project site. Several public roads and private access ways cross the Main Northern Railway/ Project site, including the Golden Highway (via a bridge), Range Road (via a level crossing) and a private level crossing at chainage 231.180 km.

2.2 Major Infrastructure Elements

Major infrastructure elements included in the concept design are as follows:

- ▶ Approximately 10.8 km of track including turnouts, junctions and signalling;
- ▶ Approximately 10.8 km of earthworks including drainage and minor structures;
- ▶ Rail under bridge (major culvert) approximate chainage 236.472 km;
- ▶ Mudies Creek rail under bridge at approximate chainage 232.167 km;
- ▶ Golden Highway over bridge and associated road works at approximate chainage 228.790 km;
- ▶ Grade separation of Range Road level crossing at approximate chainage 233.958 km;
- ▶ Proposed closure of a private level crossing at approximate chainage 231.180 km with provision for alternate private access; and
- ▶ Retaining wall approximately 3 m high and 465 m long between approximate chainages 230.215 km and 230.675 km to retain the third track fill batter from encroaching on the New England Highway road reserve.

Further details of the works proposed are contained in the Environmental Assessment (EA) (GHD document 80753).



2.3 Property Acquisition

Construction of the Project and associated infrastructure would require the strip acquisition of a number of properties adjacent to the existing rail corridor on both the Up and Down sides of the track. Approximately 29 lots from 25 landowners would need to be partially acquired as part of the Project.

2.4 Zoning

The Project is located within the Singleton Local Government Area (LGA), which is covered by the *Singleton Local Environmental Plan 1996* (the LEP). Table 2-1 lists the zones that the Project passes through for the LEP.

Table 2-1 LEP, Zonings and Permissibility Table

LEP	Zones	Permissibility
Singleton Local Environmental Plan 1996	1(a) (Rural Zone)	Under this zone rail infrastructure is permissible with development consent.
	5 – Special Uses and Reservations Zone	Under this zone, roads and utility installations are permissible with development consent. Rail infrastructure would be classified as a utility installation. However as discussed in the Environmental Assessment the Infrastructure SEPP permits rail infrastructure on any land without consent.
	Unzoned (rail and road corridors)	The Main Northern Railway, Range Road, Golden Highway and New England Highway corridors are unzoned under the LEP.

2.5 Soil Landscape and Geology

Reference to the 1:250 000 Soil Landscape map for Singleton shows that the Project site route is characterised by three main soil landscape units.

A description of each of these units including underlying geology, topography, soil descriptions and soil limitations is provided in Table 2-2.



Table 2-2 Soil Landscape Unit Descriptions

Unit	Topography	Soil Description	Soil Limitations
Hunter (hu)	Extensive alluvial plains.	Deep moderately well to imperfectly drained and poorly drained clays, alluvial soils and siliceous sands.	Flood hazard, foundation hazard, localised permanently high water tables and season waterlogging.
Rothbury (ro)	Undulating to rolling hills.	Moderately deep-to-deep, moderately to imperfectly drained.	Moderate to very high erosion hazard, moderate to low fertility.
Branxton (bx)	Undulating rises to low hills and creek flats.	Moderately deep-to-deep, moderately to imperfectly drained.	Moderate to very high erosion hazard, moderate to low fertility.

Reference to the Hunter Coalfield Regional Geology (Map sheet 9033 – 1993) shows that the Project site is characterised by four main geological units.

Table 2-3 Geological Descriptions

Unit	Era / Period	Lithology
Qa	Cainozoic / Quaternary Age	Silt, sand, gravel
Pmm – Mulbring Siltstone	Palaeozoic/ Middle to late Permian Age	Siltstone, claystone, minor fine-grained sandstone
Pms – Muree Sandstone	Palaeozoic/ Middle Permian Age	Fine to coarse-grained sandstone, conglomerate
Pmb – Branxton Formation	Palaeozoic/ Middle Permian Age	Conglomerate, sandstone, siltstone

A geotechnical investigation has been conducted by RCA Australia as part of the design process for the Project site. Further detailed discussion of the geology is contained within the geotechnical report and reference should be made to that report for further detail regarding landscape and geology of the area (RCA ref 6554-1000/0, 2008).

2.6 Hydrogeology

GHD conducted a search of the NSW Department of Water and Energy (DWE) database. The results of this search showed that there are a large number of registered wells within 1.0 km of the Project site. The wells are located on both sides of the railway and are fairly evenly distributed along the length of the Project site.

The geotechnical investigation conducted by RCA Australia included the installation of eleven groundwater piezometers along the length of the proposed works. Groundwater was encountered at depths of between 4 and 10m below surface.



An assessment of groundwater quality and hydrogeology has been conducted as part of the preparation of the EA for the proposal. Reference should be made to the full Environmental Assessment for details (GHD, 2008).



3. Site History

A review of historical information was conducted for this assessment. The initial stage of the assessment focussed on determining the age of the rail infrastructure being assessed and thus determining the suitability of other tools such as aerial photographs and Title deeds to provide additional insight into the site history (Section 3.1). Following this first stage of site history, the first site walkover (Section 4.1), and a review of site land uses (Section 5), more detailed site history was undertaken on four sites judged to have potentially contaminating activities occurring within the sites which included the following:

- ▶ Nursery (Lot 1 on DP86239);
- ▶ An abattoir (Lot 89 on DP871709 and Lot 90 on DP1075951);
- ▶ Military Base (Lot 100 on DP1033019); and
- ▶ Olive Crops (Lot 102 on DP882932).

The locations of the sites discussed above are shown in Figure 2 and the more detailed site history reviews are presented in Section 3.2, 3.3, 3.4 and 3.5.

3.1 General

A search of the NSW Rail Transport Museum website (www.nswrtm.org) indicated that railway development in NSW started in 1833 with the construction of a rail link between central Sydney and Parramatta. By the end of the 1860's there was reportedly 229 km of railway within NSW including the completion of the Northern line from Newcastle to Singleton. (www.nswrtm.org/rail_history viewed 22 April 2008).

Historical aerial photographs generally sourced from NSW Department of Lands for the purpose of site history research are usually available from the early 1920's or 1930's to the present day. Based on the historical rail information it is considered that the railway would have been operational prior to the production of any aerial photography of the area and thus aerial photographs would be unlikely to provide any additional valuable information in the assessment of the site history.

In addition given the age of the railway corridor it is considered that the land acquired for construction of the railway in the mid 1800's would have most likely been Crown land or, given the generally undeveloped nature of the majority of the area at that time, either undeveloped or rural land usage. This also correlates with neighbouring site usage, which to the present day remains predominantly rural.

No information on the methods of construction and sources of fill used were available or found during the review. In addition no records of spills or other incidents along this section of railway were available for review.

Based the available site history information it was concluded that the railway was constructed prior to 1860 and that previous land use would have been of a rural nature or undeveloped.



3.2 Lot 1 on Deposited Plan 86239

This site was identified as containing a nursery operation based on the first site inspection on 16 April 2008 (Section 4.1.2). The following sections present the results of the additional site history review for this site. Two separate portions of this lot will require acquisition, as shown in Figure 3 in Appendix A, and are referred to in the following sections as the North West (NW) and South East (SE) portions.

3.2.1 Section 149 Certificates

The Section 149 Certificate obtained from Singleton Council, for Lot 1 on Deposited Plan (DP) 86239 states that Council is not aware of any matters regarding potential site contamination that may affect the land. The Section 149 Certificate is presented in Appendix B.

The Section 149 Certificate does state that the Singleton Floodplain Management Plan affects the property.

3.2.2 Certificate of Title Review

GHD engaged Advance Legal Search Pty Limited to trace ownership details for Lot 1 on DP 86239 through a search of title records. Results of the historical title search are presented in full in Appendix C, and summarised in Table 3-1.

Table 3-1 Summarised Historical Title Search for Lot 1 on DP86239

Year	Proprietor
2000 – todate	D J & C R Barnes Pty Limited
1988 – 2000	B M I Limited
	(Lot 1 DP 86239 – CTVol 10625 Fol 34)
1987 – 1988	B M I Limited
1977 – 1987	B Marheine Bulk Haulage Pty Limited
1967 – 1977	Bunge (Australia) Proprietary Limited
	(Lots 1, 2 & 3 DP 86239 – Area 539 Acres 2 Rood 5 Perches – CTVol 7252 Fol 16)
1966 – 1967	Bunge (Australia) Proprietary Limited
1957 – 1966	Neville Edward Moore, grazier
	(Part Portion 10 Parish Wittingham – Area 1108 Acres 1 Rood 11 Perches – CTVol 5983 Fol 200)
1949 – 1957	Neville Edward Moore, grazier
	(Part Portion 10 Parish Wittingham – Area 1108 Acres 1 Rood 11 Perches)
1947 – 1949	Neville Edward Moore, grazier



Year	Proprietor
	(Part Portion 10 Parish Wittingham and other lands – Conv Book 1934 No 691)
1943 – 1947	Edward Ernest Christie, grazier Neville Edward Miller Christie, grazier
	(Part Portion 10 Parish Wittingham and other lands – Ack Book 1671 No 525)
1933 – 1943	Rodney Rouse Dangar, grazier Albert Augustus Dangar, estate
1913 – 1933	Mary Phoebe Dangar, widow Rodney Rouse Dangar, grazier Reginald Neville Dangar, solicitor Albert Augustus Dangar, estate
	(Part Portion 10 Parish Wittingham and other lands – Area 1124 Acres 3 Roods 28 Perches – Conv Book 119 No 275)
1870 – 1913	Albert Augustus Dangar, esquire

Based on the titles the property was part of a larger property which has been through several subdivisions to the current property arrangement. The property is likely to have been used for rural land use from 1870 to 1966 and it is likely that it has been used for commercial purposes from this period to the present day.

The documents provided in the titles search indicate that the site was subdivided into its present day form in 1967.

3.2.3 Aerial Photograph Review

Historical aerial photographs of the investigation area and surrounding area (obtained from the Department of Lands NSW Aerial Photography Register) were reviewed and are presented in Appendix D.

Historical aerial photographs from 1963, 1974, 1984, 1994 and 2004 were reviewed for this assessment. A more recent, probably 2008, aerial photograph from Google Earth (Figure 3) was also viewed for comparison. Results of the aerial photograph review are summarised in Table 3-2.



Table 3-2 Aerial Photograph Review for Lot 1 on DP86239

Date	Run	Type	Site Observations		Surrounding Land Use
1963	3S	BW	Site (NW) appears to be vacant and has been cleared of tree cover, possibly used for agricultural purposes.	Site (SE) has been cleared of tree cover, and a dam appears to be present in the southern half of the site. An access track from the New England highway is present in the northern part of this, which appears to connect a property from the south of the railway line to the highway.	The site is bordered by the great northern railway to the south / south west, the new England highway to the north / north east and grazing/farm land further abroad.
1974	3	BW	The site appear similar to the 1963 aerial photograph with the exception of the construction of a dam in the northern half of the site (difficult to determine if the dam is within the acquisition area). No obvious changes from the previous photograph.	Some development along southern boundary of site, possible vegetation growth or construction of current day drain which drains into the dam in the southern half of the site.	Some development has occurred between the two sites, involving several structures and some access tracks, and possible stockpiles of material, with the remainder of the surround land appearing unchanged from the 1963 aerial photograph.
1984	3	BW	No obvious changes from the previous aerial photograph, the site appears to be in is present day configuration	No obvious changes from the previous aerial photograph.	There has been increased development between the two sites, with construction of two silos in the northern part of the site, and several unknown structures in the southern part of the site. The remainder of the surround land appearing unchanged from the 1963 aerial photograph.



Date	Run	Type	Site Observations		Surrounding Land Use
1994	4	C	No obvious changes from the 1974 aerial photograph.	No obvious changes from the 1974 aerial photograph.	The surrounding land use appears constant from 1984.
2004	4	C	No obvious changes from the 1974 aerial photograph.	No obvious changes from the 1974 aerial photograph.	The surrounding land use appears constant from 1984, however the building that had been constructed between the two sites has now significantly expanded its development with a possibly of up to six more buildings.
2008	N/A	N/A	No obvious changes from the 1974 aerial photograph.	An area in the north of the site has been cleared of vegetation (including grass cover).	The surrounding land use is generally consistent from the 2004 aerial photograph, however as can be seen in Figure 3, only a small section of the surrounding land is shown.

The review of historical aerial photographs indicates that the property was cleared for rural / agricultural land use prior to 1963, with the land between the two portions first developed between 1963 and 1974. An open drain was constructed in the SE portion between 1963 and 1974, which drained into an existing dam that was present on the site prior to 1963. A dam was constructed in the northern portion of the north western site between 1963 and 1974. The New England Highway and the Main Northern Railway line have bounded the sites since prior to 1963. Surrounding land uses (with the exception of the area between the two sites) is assumed to have been rural / agricultural from before 1963 up until the present day.

3.2.4 Zoning

The Project is located within the Singleton Local Government Area (LGA), which is covered by the *Singleton Local Environmental Plan 1996* (the LEP). This site is currently in Zone 1(a) (Rural Zone).

3.2.5 NSW DECC Records

A search of the record of DECC notices issued under the Contaminated Land Management Act (1997) (www.environment.nsw.gov.au/clmapp/aboutregister.aspx viewed 16 September 2008) revealed that no notices have been issued for the site. A search in the public register (POEO Act) (www.environment.nsw.gov.au/prpoeoapp/searchregister.aspx viewed 16 September 2008), for licence, applications, or notices also did not reveal any licences, applications, or notices for the site.



3.3 Lot 90 on Deposited Plan 1075951 and Lot 89 on Deposited Plan 871709

This property was identified as containing an abattoir based on information collated from site visits by GHD staff, aerial photography and available Title Deed information and property valuation information sourced by GHD for property acquisition purposes (Section 5). The following sections present the results of the additional site history review for this site.

3.3.1 Section 149 Certificates

The Section 149 certificate obtained from Singleton Council, Lot 89 on DP 871709 and for Lot 90 on DP 1075951 states that Council is not aware of any matters regarding potential site contamination that may affect the land. The section 149 certificate is presented in Appendix B.

3.3.2 Certificate of Title Review

GHD engaged Advance Legal Search Pty Limited to trace ownership details for Lot 89 on DP 871709 and Lot 90 on DP 1075951 through a search of title records. Results of the historical title search are presented in full in Appendix C, and summarised in Table 3-3 and Table 3-4.

Table 3-3 Summarised Historical Title Search for Lot 89 on DP 871709

Year		Proprietor	
(Lot 10 DP 1010126)			
1997 – todate	Shellden Pty Limited		
Lot 9 DP 4561		Lot 8 DP 4561 & Lot 1 DP 982661 – A/C 2200 – 143	
1996 – 1997	Shellden Pty Limited	1996 – 1997	Shellden Pty Limited
1989 – 1996	Douglas Godfrey Heuston Robert Druce Heuston	1989 – 1996	Douglas Godfrey Heuston, farmer Robert Druce Heuston, farmer
(Lot 9 DP 4561 – Area 123 Acres 0 Roods 36 Perches – CTVol 1772 Fol 213)		(Lot 8 DP 4561 & Lot 1 DP 982661 – Area 629 Acres 1 Roods 23 Perches – CTVol 2200 Fol 143)	
1979 – 1989	Douglas Godfrey Heuston, farmer Robert Druce Heuston, farmer	1979 – 1989	Douglas Godfrey Heuston, farmer Robert Druce Heuston, farmer
1973 – 1979	Douglas Godfrey Heuston Robert Druce Heuston Colin John Heuston, farmer	1973 – 1979	Douglas Godfrey Heuston Robert Druce Heuston Colin John Heuston, farmer
1947 – 1973	John Godfrey Heuston, farmer	1949 – 1973	John Godfrey Heuston, farmer



Year	Proprietor		
1947 – 1947	Cyril Frederick Dawes, farmer	1948 – 1949	Douglas Stewart Corner, business manager
	Wiber Edwin Dawes, farmer		Ian MacDonald Corner, grazier
1916 – 1947	Edwin Leon Dawes, grazier	1932 – 1948	Stewart Corner, grazier
1907 – 1916	John Thomas Collwin Mayne (jrn), grazier	1911 – 1932	Frank Arthur Corner, grazier
		(Lots 5, 6, 7 & 8 DP 4561 & Lot 1 DP 982661 – Area 1864 Acres 3 Roods 15 Perches – CTVol 1864 Fol 175)	
		1907 – 1911	Edward Lloyd Jones, gentleman

Based on the title search information presented above, the property is likely to have been used for rural land use from 1907 to 1996 and it is likely that it has been used for commercial purposes from this period to the present day.

Table 3-4 Summarised Historical Title Search for Lot 90 on DP 1075951

Year	Proprietor
	(Lot 90 DP 1075951)
2005 – todate	Shellden Pty Limited
2005 – 2005	Singleton Council
	(Part of Old Northern Road - Whittingham)
Prior – 2005	Crown Road

Based on the title search information presented above, the property appears to have been a road reserve, prior to 2005, and has been used for commercial purposes following this. A review of the title plans indicates that Lot 90 intersects Lot 89, it is likely that Lot 89 may have also previously been used for rural activities, and not a road reserve.

3.3.3 Aerial Photograph Review

Historical aerial photographs of the investigation area and surrounding area (obtained from the Department of Lands NSW Aerial Photography Register) were reviewed and are presented in Appendix D.

Historical aerial photographs from 1963, 1974, 1984, 1994 and 2004 were reviewed for this assessment. A more recent, probably 2008, aerial photograph from Google Earth (Figure 4) was also viewed for comparison. Results of the aerial photograph review are summarised in Table 3-5.



Table 3-5 Aerial Photograph Review for Lot 89 on DP871709 and Lot 90 on DP1075951

Date	Run	Type	Site Observations	Surrounding Land Use
1963	4S	BW	The majority of this site is moderately vegetated, with more vegetation at the northern and southern ends of the site. Lot 90 appears to be operating as an access track.	The site is bordered by the Main Northern Railway to the west and south, the Golden Highway to the north and grazing land to the east. There is a dam located to the north east of the site.
1974	3	BW	No obvious changes from the previous aerial photograph.	The surrounding land appears largely unchanged from 1963, with the exception of some small areas of increasing and decreasing tree cover.
1984	3	BW	The majority of the site appears unchanged from the 1963 aerial photograph.	The surrounding land appears constant from the 1963 aerial photograph.
1994	5	C	The majority of the site appears unchanged from the 1963 aerial photograph. The access track that runs through Lot 90 now appears to be more prominent.	The surrounding land generally appears constant from the 1963 aerial photograph. There is some increase in tree cover to the east of the site.
2004	5 & 4	C	The Site generally appears similar to that observed from the 1994 aerial photograph. Development has been undertaken in the middle of the site, which appears to be the construction of the present day livestock holding pens associated with the abattoir.	Development of the current day abattoir operations has occurred to the immediate east of the middle portion of the site, including several buildings and holding yards for livestock. Several dams have been constructed within several hundred meters to the east of the site.
2008	N/A	N.A	No obvious changes from the 2004 aerial photograph.	No obvious changes from the 2004 aerial photograph, however as can be seen in Figure 4, only a small section of the surrounding land is shown.



The review of historical aerial photographs indicates that the portion of Lot 89 proposed for acquisition was cleared for rural / agricultural land use prior to 1963, and Lot 90 was being used as an access track. The access track was developed more between 1984 and 1994. The middle portion of site acquisition area underwent development between 1994 and 2004 to contain cattle holding pens associated with the operations of the abattoir, which was constructed to the east of the acquisition area. The Golden Highway (to the north) and the Main Northern Railway Line (to the west and south) were present prior to 1963. Surrounding land use is assumed to have been rural / agricultural from before 1963 up until the present day, with the exception of the abattoir directly east of the middle portion of the site.

3.3.4 Zoning

The Project is located within the Singleton Local Government Area (LGA), which is covered by the *Singleton Local Environmental Plan 1996* (the LEP). This site is currently in Zone 1(a) (Rural Zone).

3.3.5 NSW DECC Records

A search of the record of DECC notices issued under the Contaminated Land Management Act (1997) (www.environment.nsw.gov.au/clmapp/aboutregister.aspx viewed 16 September 2008) revealed that no notices have been issued for the site. A search in the public register (POEO Act) (www.environment.nsw.gov.au/prpoeoapp/searchregister.aspx viewed 16 September 2008), for licence, applications, or notices indicated that an Environmental Protection Licence (number 11279) has been issued to Shellden Pty Limited for the Singleton Abattoir. The licence covers the following activities:

- ▶ Rendering or fat extraction; and
- ▶ Slaughtering or processing of animals.

3.4 Lot 100 on Deposited Plan 1033019

This property was identified as containing a military base during the first site inspection on 16 April 2008 (Section 4.1.1). The following sections present the results of the additional site history review for this site.

3.4.1 Section 149 Certificates

The Section 149 Certificate obtained from Singleton Council, Lot 100 on DP 1033019 states that Council is not aware of any matters regarding potential site contamination that may affect the land. The Section 149 Certificate is presented in Appendix B.

3.4.2 Certificate of Title Review

GHD engaged Advance Legal Search Pty Limited to trace ownership details for Lot 100 on DP 1033019 through a search of title records. Results of the historical title search are presented in full in Appendix C, and summarised in Table 3-6.



Table 3-6 Summarised Historical Title Search for Lot 100 on DP1033019

Year	Proprietor
	(Lot 100 DP 1033019)
2002 – todate	The Commonwealth of Australia
	(Lot 1 DP 812640)
1992 – 2002	The Commonwealth of Australia
	(Lots 1 & 2 DP 577288 – CTVol 12816 Fol 123)
1975 – 1992	The Commonwealth of Australia
	(Lot 1 DP 33878, Lot 1 DP 33879 & Lot 1 DP 219396 – CTVol 10284 Fol 60)
1966 – 1975	The Commonwealth of Australia
	(Lot 10 DP 4561 and other lands – Area 5290 Acres 2 Roods 3 Perches – CTVol 3799 Fol 127)
1950 – 1966	The Commonwealth of Australia
1925 – 1950	William Foden, grazier
	(Lot 10 DP 4561 and other lands – Area 7119 Acres 1 Rood 25 Perches – CTVol 3122 Fol 210)
1924 – 1925	John Morrissey Limited
1920 – 1924	John Morrissey, grazier
	(Lot 10 DP 4561 – Area 1867 Acres 1 Rood 3 Perches – CTVol 1733 Fol 43)
1920 – 1920	John Morrissey, grazier
1906 – 1920	Sylvester Broune, grazier
	(Lot 10 DP 4561 and other lands – Area 5004 Acres 0 Roods 20 ½ Perches – CTVol 1559 Fol 16)
1904 – 1906	John Crichton Stuart McDonald, esquire Patrick James Crichton McDonald, grazier

Based on the title search information the site is likely to have been used for rural land use from 1904 to 1950 and it is likely that it has been used by The Commonwealth of Australia for military purposes from 1950 to the present day.

3.4.3 Aerial Photograph Review

Historical aerial photographs of the investigation area and surrounding area (obtained from the Department of Lands NSW Aerial Photography Register) were reviewed and are presented in Appendix D.

Historical aerial photographs from 1963, 1974, 1984, 1994 and 2004 were reviewed for this assessment. A more recent, probably 2008, aerial photograph from Google Earth (Figure 5) was also viewed for comparison. Results of the aerial photograph review are summarised in Table 3-7.



Table 3-7 Aerial Photograph Review for Lot 100 on DP103019

Date	Run	Type	Site Observations	Surrounding Land Use
1963	4S	BW	The majority of the site appears to have been cleared of tree cover with the exception of a pocket of vegetation towards the north of the site. Some earthworks appears to have been undertaken in the northern portion of the site, possible the construction of a drainage swale, with earthen embankment.	The Main Northern Railway is present to the north / east of the site, grazing/farm land further abroad and also to the south and west of the site. Some access tracks are also present to the west of the site.
1974	3	BW	An access track is present along the length of the site and there is an increase in tree cover in the middle portion of the site.	The surrounding land generally appears unchanged from the 1963 aerial; photograph, however there some increase in vegetation around the site and some access tracks are visible to the west of the site.
1984	3	BW	An increase in vegetation in the northern and southern section of the site is visible.	The surrounding land generally appears unchanged from the previous aerial photograph.
1994	4 & 5	C	The access track along the length of the site is now more clearly defined.	The surrounding land appears unchanged from the 1974 aerial photograph.
2004	4 & 5	C	The majority of the site appears unchanged from the 1994 aerial photography, however there appears to have been some clearing of tree cover in the southern part of the site.	The abattoir has been constructed to the east of the Main northern Railway and the remainder of the surrounding land appears generally consistent with the 1984 aerial photograph.



Date	Run	Type	Site Observations	Surrounding Land Use
2008	N/A	N/A	The site appears consistent with the 2004 aerial photograph.	No obvious changes from the 2004 aerial photograph, however as can be seen in Figure 5, only a small section of the surrounding land is shown.

The review of historical aerial photographs indicates that the portion of Lot 100 proposed for acquisition was partially cleared of tree cover prior to 1963, and has generally remained unchanged with the exception of the development of an access track along the length of the boundary with the Main Northern Railway line. The Golden Highway (to the north) and the Main Northern Railway Line (to the east) were present prior to 1963. Surrounding land uses is assumed to have been rural / agricultural from before 1963 up until the present day, with the exception of the abattoir to the east of the Main Northern Railway line.

3.4.4 Zoning

The Project is located within the Singleton Local Government Area (LGA), which is covered by the *Singleton Local Environmental Plan 1996* (the LEP). This site is currently in Zone 5 (Special Uses and Reservations Zone).

3.4.5 NSW DECC Records

A search of the record of DECC notices issued under the Contaminated Land Management Act (1997) (www.environment.nsw.gov.au/clmapp/aboutregister.aspx viewed 16 September 2008) revealed that no notices have been issued for the site. A search in the public register (POEO Act) (www.environment.nsw.gov.au/prpoeoapp/searchregister.aspx viewed 16 September 2008), for licence, applications, or notices also did not reveal any licences, applications, or notices for the site.

3.5 Lot 102 on Deposited Plan 882932

This property was identified as containing an olive grove adjacent to the railway on the portion proposed for acquisition, based on information collated from site visits by GHD staff, aerial photography and available Title Deed information and property valuation information sourced by GHD for property acquisition purposes (Section 5). The following sections present the results of the additional site history review for this site.

3.5.1 Section 149 Certificates

The Section 149 certificate obtained from Singleton Council, for Lot 102 on DP 882932 states that Council is not aware of any matters regarding potential site contamination that may affect the land. The Section 149 Certificate is presented in Appendix B.



3.5.2 Certificate of Title Review

GHD engaged Advance Legal Search Pty Limited to trace ownership details for Lot 102 on DP 882932 through a search of title records. Results of the historical title search are presented in full in Appendix C, and summarised in Table 3-8.

Table 3-8 Summarised Historical Title Search for Lot 102 on DP882932

Year	Proprietor
	(Lot 102 DP 882932)
2007 – todate	Malcolm Donald Coleman Joanne Coleman
2000 – 2007	Brian Edwin Scullin
1999 – 2000	John Douglas Elliott
(Lot 49 DP 755209)	(Lot 3 DP 823737)
1999 – 1999	John Douglas Elliott
	(Lots 49 DP 755209, Lots 1 to 2 Section 16, Lot 7 Section 4, & Lot 1 Section 5 DP 758078 – A/C 14235 – 144)
1998 – 1999	John Douglas Elliot
1995 – 1998	Singleton Shire Council
1992 – 1999	John Douglas Elliott
(Lots 49 DP 755209, Lots 1 to 2 Section 16, Lot 7 Section 4, & Lot 1 Section 5 DP 758078 – CTVol 14235 Fol 144)	(Crown Road – Parish Belford)
Prior – 1995	Crown Road
1987 – 1992	John Douglas Elliott
(Portion 49 Parish Belford and other lands – CTVol 11559 Fol 248)	
1971 – 1987	John Douglas Elliott
(Portion 49 Parish Belford)	
Prior – 1971	Crown Land
(1935 – 1971)	(Settlement Purchase 1935/3 Singleton)

Based on the title search information presented above, the property is likely to have been used for rural land use from 1907 to the present day.

3.5.3 Aerial Photograph Review

Historical aerial photographs of the investigation area and surrounding area (obtained from the Department of Lands NSW Aerial Photography Register) were reviewed and are presented in Appendix D.



Historical aerial photographs from 1963, 1974, 1984, 1994 and 2004 were reviewed for this assessment. A more recent, probably 2008, aerial photograph from Google Earth (Figure 6) was also viewed for comparison. Results of the aerial photograph review are summarised in Table 3-9.

Table 3-9 Aerial Photograph Review

Date	Run	Type	Site Observations	Surrounding Land Use
1963	4S	BW	The site has been generally cleared of tree cover, with no structures or other development visible. Some trees are present along the northern boundary of the site.	The Site is bordered by Main Northern Railway line to the north, and rural land to the south, east, west and beyond the railway line.
1974	3	BW	There are no obvious changes from the previous aerial photograph.	There are no obvious changes from the previous aerial photograph.
1984	3	BW	There are no obvious changes from the 1963 aerial photograph.	The surrounding land appears to be consistent with 1963.
1994	5	C	There are no obvious changes from the 1963 aerial photograph.	Some increase in tree cover is visible to the east, west and several hundred meters to the south of the site.
2004	5	C	There are no obvious changes from the 1963 aerial photograph with the exception of an increase in tree cover along the northern boundary of the acquisition area (adjacent to the Main Northern Railway Line).	The land directly south of the site appears to be cleared for crop use, and a residence has been constructed to the south of this, with an access track constructed from Hermitage Road.
2008	N/A	N/A	There are no obvious changes from the previous aerial photograph.	The land directly south of the acquisition area now appears to have developed crops, and the other surrounding land still appears to be used for rural / agricultural purposes. As can be seen in Figure 6, only a small section of the surrounding land is shown.



The review of historical aerial photographs indicates that the portion of Lot 102 proposed for acquisition was cleared for rural / agricultural land use prior to 1963, and has generally remained unchanged with the exception some increase in tree cover between 2004 and 2008 along the northern boundary. The land to the south of the site was cleared for cropping between 1994 and 2004, with crops developed in the area between 2004 and 2008. The Main Northern Railway Line (to the north) was present prior to 1963. Surrounding land uses is assumed to have been rural / agricultural from before 1963 up until the present day.

3.5.4 Zoning

The Project is located within the Singleton Local Government Area (LGA), which is covered by the *Singleton Local Environmental Plan 1996* (the LEP). This site is currently in Zone 1(a) (Rural Zone).

3.5.5 NSW DECC Records

A search of the record of DECC notices issued under the Contaminated Land Management Act (1997) (www.environment.nsw.gov.au/clmapp/aboutregister.aspx viewed 16 September 2008) revealed that no notices have been issued for the site. A search in the public register (POEO Act) (www.environment.nsw.gov.au/prpoeoapp/searchregister.aspx viewed 16 September 2008), for licence, applications, or notices also did not reveal any licences, applications, or notices for the site.



4. Site Inspection

4.1 General Site Inspection

GHD undertook an initial site inspection as part of the PSI on 16 April 2008.

The inspection was limited to those areas of the Project that were publicly accessible and visible. No access was made to private properties or the rail corridor as part of the site inspection.

Three primary locations were selected for this inspection. For clarity these locations are identified as Locations 1 to 3 working from Minimbah to Whittingham, and identified by the approximate chainages at which the observations were made based on ARTC standard kilometre designations.

Further site inspections were undertaken following the identification of potentially contaminating activities on four sites. These are discussed in Section 4.2, 4.3, 4.3 and 4.5.

4.1.1 Location 1 – Approximate Chainage 228.700 km (Golden Highway overpass)

Site Observations

Site observations at this location were made from the Golden Highway overpass of the railway. From this location the tracks and rail corridor can be observed in both directions and there is some limited view of surrounding sites. The sites proposed for partial acquisition as part of the proposal, which are visible from this location, are Lot 36 DP730342 (Private property) and Lot 100 DP1033019 (Singleton Army Base).

The railway line in this area runs along a raised ballast embankment within a cutting as shown in Photographs 1 and 2, Appendix A.

Oil and grease staining was noticeable on ballast in both the up and down track areas as seen in Photographs 1 and 2, Appendix A. This staining is considered to be the result of general railway usage and not indicative of any particular spill event.

Potential contaminants of concern identified within this section of the proposed works are associated with imported fill used to build the embankment and oil and grease stains noted within the track area.

Lot 100 DP1033019 being the north west boundary of the Singleton Army Base is visible on the right of Photograph 2. It was not possible from the overbridge to determine what activities if any are taking place on this section of the site proposed for acquisition.

4.1.2 Location 2 – Approximate Chainage 231.300 km (Aussie Trees Nursery)

Site Observations

Site observations at this location were made from the New England Highway. In this area the railway runs parallel to the New England Highway and there is a single allotment between the two which is occupied by 'Aussie Trees', a horticultural nursery.



Aussie Trees operates from two large colorbond clad sheds. Also on site are two large storage silos of unknown origin or usage. It is considered that the silos suggest some former site usage prior to the nursery and are not associated with the nursery operations.

Potential contaminants of concern identified within this site include the use of pesticides in the management of the nursery and potential contamination associated with former site usage. It is recommended that further assessment is conducted to assess former site usage and potential contamination.

4.1.3 Location 3 – Approximate Chainage 236.400 km (Cemetery Lane)

Site observations at this location were made from Cemetery Lane on either side of the railway corridor.

From this location the tracks and rail corridor can be observed in both directions and there is some limited view of surrounding sites.

This area of the railway lies on the generally flat topography of the Whittingham flood plain. The railway line in this area runs along a raised ballast embankment as shown in Photographs 4 and 5, Appendix A.

Potential contaminants of concern identified within this section of the Project are associated with imported fill used to build the embankment and oil and grease stains noted within the track area.

4.2 Site Inspection on Lot 1 DP86239

A GHD Senior Environmental Engineer and Environmental Technician visited Lot 1 on DP86239 on 22 September 2008. Site photographs taken during this visit are presented in Appendix E (photographs 6 to 11). Observations made during the site visit, together with the proposed acquisition areas are shown on Figure 3 in Appendix A, and the observations are discussed below.

North Western Portion

At the time of the site visit, the NW portion of Lot 1 was vacant, with no obvious evidence of development within the proposed acquisition area. To the south of the acquisition area the lot was used for the storage of chipped timber and machinery, and the Aussie Trees Nursery operations were beyond this. There was generally minor surface slopes (less than 1°) over the site with the exception of the section between approximate chainages 231.820 km to chainage 231.940 km where surface slopes up to 4° to the north west were observed.

Several pipes of potential asbestos containing material were observed along the boundary of the acquisition area as can be seen in Figure 3 and Photograph 7 in Appendix E.

There was no obvious evidence of plant stress or die-back observed during the walkover. Reference should be made to the detailed Flora and Fauna Impact Assessment (Ectone, 2008) which was undertaken as part of the Environmental Assessment (EA) for the Minimbah Project for a full discussion on site vegetation.

The northern (lower lying section) (Photograph 8) of the acquisition area contained part of the embankment of the dam, which was located outside of the acquisition area.



At the time of the site visit there was no significant visual or olfactory evidence of significant contamination such as odours or oil staining at the site.

South Eastern Portion

At the time of the site visit the SE portion of Lot 1 was vacant of structures with the following signs of development observed:

- ▶ Fill was observed on the ground surface in the north western portion of acquisition of area, with ballast cobbles in the area as shown in Photograph 9, and a stockpile of scrap timber and metal as shown in Photograph 10; and
- ▶ An open unlined drained was present in the north western portion of the acquisition area, which drained to the dam, a portion of which will be acquired as part of the rail project.

There was no obvious visual evidence of structures observed within the acquisition area during the site visit.

There was no vegetation in the north western portion of the acquisition area, as can be seen in Photograph 9, and a deceased jacaranda tree was also observed in this area. The cause of the death to the jacaranda was unable to be determined during the site visit. Reference should be made to the detailed Flora and Fauna Impact Assessment (Ectone, 2008) which was undertaken as part of the Environmental Assessment (EA) for the Minimbah Project for a full discussion on site vegetation.

There was generally only minor surface slopes over the site, however there was a change in elevation of approximately 3m from the north western (higher) to south eastern (lower) side of the dam.

Access to the southern (low lying) portion of the acquisition area was not possible during the site visit due to the presence of the dam through the middle of the site, and rail corridor along the southern boundary. Observations made from the elevated portion of the site (photograph 11), indicated no obvious evidence of development in this portion of the site.

At the time of the site visit there was no significant visual or olfactory evidence of significant contamination such as odours or oil staining at the site.

4.3 Site Inspection on Lot 90 on DP1075951 and Lot 89 on DP871709

A GHD Senior Environmental Engineer and Environmental Technician visited Lot 90 on DP1075951 and Lot 89 on DP871709 on 22 September 2008. Site photographs taken during this visit are presented in Appendix E (photographs 12 to 18). Observations made during the site visit, together with the proposed acquisition area are shown on Figure 4, and the observations are discussed below.

At the time of the site visit the majority of the acquisition area was used for pastoral use, with the exception of the abattoir that was located between Ch 227400 and Ch 227820, and a portion of the access track from the Golden Highway between Ch 226240 and Ch 226640. The majority of the abattoir operations are located outside of the acquisition area, and this is discussed further below.



The proposed acquisition area is located along the western and southern boundaries of Lot 90 and Lot 89, and generally varies in width (from the existing site boundary) from 10m to 70m, with the exception of a larger area at the northern end of the property, which is proposed for a site compound during construction works. There was no obvious visual evidence of structures observed within the acquisition area during the site visit.

The proposed acquisition area saddles a generally to south to north trending ridgeline, with surface slopes over the property predominantly to the north and east, away from the railway line. In the northern portion of the property, between approximate chainages 228.420 km and 287.000 km, surface slopes towards the railway line were observed. Drainage over the property was assumed to be predominantly via overland flow following the natural contour of the land, with areas draining to man made drainage channels which were associated to culverts beneath the railway line.

There was no obvious evidence of plant stress or die-back observed during the walkover. Reference should be made to the detailed Flora and Fauna Impact Assessment (Ectone, 2008) which was undertaken as part of the Environmental Assessment (EA) for the Minimbah Project for a full discussion on site vegetation.

Several areas of fill were observed within the acquisition area, with the majority of those marked on Figure 4 including the following:

- ▶ Ballast, possibly from the construction of the railway line in the northern part of the site between Ch 228460 and Ch 228580 (photograph 13);
- ▶ Fill mound at chainage 227980 (photograph 14);
- ▶ Two fill mounds at chainages 227300 and 227360, possibly from the construction of drainage channel at chainage 227330;
- ▶ Surface fill including scrap metal and ballast between chainages 227180 and 227240 (photograph 17);
- ▶ Stockpiles of fill with empty 200L metal drums and pieces of concrete at chainage 226480 (photograph 18);
- ▶ Scrap metal including a car body, fencing wire and an empty 200L metal drum at chainage 226420; and
- ▶ A portion of the gravelled access track within Lot 90.

Abattoir operations

The proposed acquisition includes a part of Lot 89 current used by the abattoir operations and includes an earthen mound and cattle holding pens. Discussions with Mr Brian Horney from Singleton Abattoir on 22 September 2008 provided the following information in regards to the portion of the abattoir proposed for acquisition:

- ▶ When the abattoir was constructed, several large stockpiles of clay and rock material were generated due to the earthworks, and were left onsite, outside of the acquisition area. A portion of one of these stockpiles was later relocated to form the earthen embankment to the west of the abattoir, adjacent to the railway line, as can be seen in Inset B in Figure 4, and in photograph 15; and



- ▶ A portion of the existing cattle holding pens, as can be seen on Figure 4 and in photographs 15 and 16 will be acquired as part of the project. The southern pens (between approximate chainages 227500 and 227580) have a gravel base, with remainder containing a soil base. The pens are regularly cleaned out of manure and limed to control the spread of diseases within the pens. The manure is then used as fertiliser on the eastern portion of Lot 89.

The site walkover identified that the majority of the cattle holding pens would be acquired as part of the Project. Access to the earthen mound between the pens and the railway line appears to be restricted due to a fence at the northern end of the mound (photograph 15), and relatively thick tree cover at the southern end (photograph 16).

During the site visit the large stockpiles of soil as discussed with Mr Horney were observed to generally contain gravely sandy clay, orange mottle red, grey in appearance, which is consistent with the residual local soils, based on nearby cuttings within the rail corridors.

At the time of the site visit there was no significant visual or olfactory evidence of significant contamination (with the exception of the manure in the holding pens) such as odours or oil staining at the site.

4.4 Site Inspection on Lot 100 DP1033019

A GHD Senior Environmental Engineer and Environmental Technician visited Lot 100 on DP1033019 on 22 September 2008. Site photographs taken during this visit are presented in Appendix E (photographs 19 to 22). Observations made during the site visit, together with the proposed acquisition area are shown on Figure 5, and the observations are discussed below.

At the time of the site visit the property was vacant and formed part of the Singleton Military Base, operated by the Department of Defence.

The proposed acquisition area is located along the eastern boundary of Lot 100, and generally varies in width (from the existing site boundary) from 1m to 15m, with the exception of a larger area at the northern end of the site, which proposed for a site compound during construction works.

The main feature observed on the property during the visit was a gravelled access track, which ran the whole length of the acquisition area. In the northern portion of the property, several areas of fill were observed, as shown Figure 5, which included surface fill with pieces of concrete visible on the surface adjacent to the railway line, ballast on surface, a stockpile of fill (which appeared to consist primarily of ballast), and an earthen mound to the west of a drainage channel. It was assumed that the fill located in the area was associated with construction and maintenance works on the nearby railway line, and not associated with military operations. There was no obvious visual evidence of structures observed within the acquisition area during the site visit.

The proposed acquisition area saddles a south to north trending ridgeline, with surface slopes over the site predominantly to the north / north west and south / south east, away from the railway line. Drainage over the property was assumed to be predominantly via overland flow following the natural contour of the land, with some areas draining to man made drainage channels which were associated to culverts beneath the railway line, and to catch drains along the access track.



There was no obvious evidence of plant stress or die-back observed during the walkover. Reference should be made to the detailed Flora and Fauna Impact Assessment (Ectone, 2008) which was undertaken as part of the Environmental Assessment (EA) for the Minimbah Project for a full discussion on site vegetation.

Discussions with Warrant Officer Mark Gattenhorf during the site visit indicated that the proposed acquisition area lies within Area 3 of the Singleton Military Base, which is used for “dry training”, (such as no firearms, or explosives). The portion of the Singleton Military Base currently used for live training, Area 5, is located approximately 4km south of the proposed acquisition area. In regards to the potential for Unexploded Ordnances (UXO) in the acquisition area, Warrant Officer Gattenhorf indicated that there is “no likelihood of UXO in these area”, a copy of the minute as provided by Warrant Officer Gattenhorf is presented in Appendix F.

At the time of the site visit there was no significant visual or olfactory evidence of significant contamination such as odours or oil staining at the site.

4.5 Site Inspection on Lot 102 DP882932

A GHD Senior Environmental Engineer and Environmental Technician visited Lot 102 on DP882932 on 22 September 2008. Site photographs taken during this visit are presented in photographs 23 and 24 in Appendix E. Observations made during the site visit, together with the proposed acquisition area are shown on Figure 5, and the observations are discussed below.

At the time of the site visit, the acquisition area of Lot 102 was vacant, with no obvious evidence of development. The area is located in the northern portion of Lot 102 and varies in width from 15m to 25m. To the north of the acquisition area was the Main Northern Railway line and olive crops were located to the south. The railway line was at grade with Lot 102 at the western end of the acquisition area, and situated on the crest of an embankment approximately 4m in height at the eastern end of the area.

There was no obvious visual evidence of structures or previous development observed within the acquisition area during the site visit.

The property is located on the lower slopes of an east to west trending gully, with surface slopes observed to be in the order of 4° to 6° north-northeast. Drainage over the property was judged to be primarily via overland flow following the natural contours of the land into a catch drain that ran along the base of the rail embankment to the east of a site into a culvert beneath the embankment.

There was no obvious evidence of plant stress or die-back observed during the walkover, with vegetation in the acquisition area generally consisting of maintained grass cover, less than 0.1m in height, and some mature trees along the northern boundary (photograph 24). Reference should be made to the detailed Flora and Fauna Impact Assessment (Ectone, 2008) which was undertaken as part of the Environmental Assessment (EA) for the Minimbah Project for a full discussion on site vegetation.



5. Site Usage

The construction of the Project would require the strip acquisition of a portion of properties adjacent to the existing rail corridor. Approximately 34.62 hectares of property is to be acquired from 24 landowners to facilitate the Project.

Table 5-1 provides details of those properties to be impacted by the proposed property acquisitions and information regarding existing site usage collated from site visits by GHD staff, aerial photography and available Title Deed information and property valuation information sourced by GHD for property acquisition purposes.

It should be noted that the information regarding site usage refers only to that portion of the property that is subject to acquisition as part of the project.



Table 5-1 Property Ownership and Usage

Lot and DP number	Ownership/ current land use	Description of impacts	Usage
Lot 104 / DP 882932	Private	Strip acquisition required on north western boundary.	Grazing paddock
Lot 103 / DP 882932	Private	Strip acquisition required on northern boundary.	Generally uncleared paddock
Lot 102 / DP 882932	Private	Strip acquisition required on northern boundary.	Rural residential property with an olive grove adjacent railway on portion proposed for acquisition
Lot 36 / DP 730342	Private	Strip acquisition required on eastern boundary and new easement to drain water.	Rural residential property with grazing paddocks
Lot 352 / DP 1058913	Private	Strip acquisition required on eastern boundary.	Grazing paddock
Lot 2 / DP 1113555	Private	Strip acquisition required on northern boundary and subsequent closure of private level crossing.	Rural residential property with grazing paddocks
Lot 1 / DP 1113555	Private	Strip acquisition required on northern boundary and access to private level crossing on adjoining property will be lost.	Grazing paddock
Lot 32 / DP 865705	Private	Strip acquisition required on northern boundary.	Rural residential property with grazing paddocks



Lot and DP number	Ownership/ current land use	Description of impacts	Usage
Lot 31 / DP 865705	Private	Strip acquisition required on northern boundary.	Grazing paddock
Lot 2 / DP 86239	Private	Strip acquisition required on western boundary.	Grazing paddock
Lot 122 / DP 612001	Private	Partial acquisition required on northern boundary.	Grazing paddock
Lot 89 / DP 871709, Lot 90 / DP 1075951	Private	Strip acquisition required on south western boundary and new easement to drain water.	Abattoir. Holding lots adjacent to railway and earth mound noise barrier parallel to railway
Lot 200 / DP 1043649	Private	Strip acquisition required on southern boundary.	Grazing paddock
Lot 11 / DP 703050	Private	Strip acquisition required on southern boundary.	Rural residential property with partially cleared grazing paddock
Lot 23 / DP 610365	Private	Strip acquisition required on southern boundary.	Partially cleared grazing paddock
Lot 2 / DP 571523	Private	Partial acquisition required on southern boundary.	Cropping
Lot 1 / DP 102218, Lot A / DP 406243	Private	Significant acquisition required.	Vacant property
Lot 49 / DP755269	Private	Strip acquisition required on western boundary.	Grazing paddock



Lot and DP number	Ownership/ current land use	Description of impacts	Usage
Lot 1 / DP 86239	Private	Strip acquisition required at western and eastern property boundaries.	Plant nursery (includes silos and dams)
Lot 207 / DP 1064653	Private	Strip acquisition required on eastern boundary.	Residential
Lot 52 / DP 1050355	Private	Complete acquisition of lot.	Grazing paddock
Lot 100 / DP 1033019	Commonwealth	Strip acquisition required on north eastern boundary.	Singleton Army Base (partially cleared with access road adjacent railway)
Lot 2 / DP 63714,	Private	Strip acquisition required on northern boundary.	Partially cleared grazing paddock
Lot 1 / DP 184293	Private	Strip acquisition required on northern boundary.	Grazing paddock



6. Areas of Potential Contamination

6.1 Within the Rail Corridor

Based on the site history review and site inspection conducted as part of this Preliminary Site Investigation it is considered that the primary concerns with regard to potential within the existing rail corridor are:

- ▶ Fill and ballast used for the construction of the rail corridor and associated infrastructure;
- ▶ Ballast material impacted with oil and grease;
- ▶ Current railway activities;
- ▶ Spraying for weed and pest control around buildings, tracks and fences;
- ▶ Fuels, oils and greases from operation and maintenance of the rail corridor;
- ▶ The release of grease from automatic grease points on the rails; and
- ▶ Asbestos fibres from train brakes.

Table 5-1 presents a summary of the potential contaminants of concern and their associated sources.

Table 6-1 Potential Sources of Contamination within the Rail Corridor

Potential Sources	Chemicals of Concern
Fill and ballast material	Total petroleum hydrocarbons (TPH), Benzene, toluene, ethyl benzene and xylene (BTEX), polyaromatic hydrocarbons (PAHs), Phenols, heavy metals (As, Cd, Cr, Cu, Hg, Pb, Ni, and Zn), asbestos.
Fuels, oils and greases	TPH, BTEX, PAHs, Phenols and lead.
Spraying for weed and pest control around buildings, tracks and fences	Organochlorine pesticides (OCP), organophosphate pesticides (OPP), arsenic and PAHs.
Electrical transformers	Polychlorinated Biphenyl (PCB).

6.2 Properties Proposed for Acquisition

6.2.1 General

The majority of the sites to be acquired are generally pastoral sites with open paddocks as opposed to intense cropping and thus there is a relatively low risk of significant contamination.

6.2.2 Lot 1 DP86239

The interpretation of historical aerial photographs indicated that the site was cleared of tree cover prior to 1963, with no obvious development occurring on these two portions of Lot 1 with the exception of the construction of a dam and open drain on the SE portion.



Historical land titles indicate that the lot was part of a larger property which has been through several subdivisions to the current property arrangement. The property is likely to have been used for rural land use from 1870 to 1966 and it is likely that it has been used for commercial purposes from this period to the present day, with the current site owner acquiring the property in 2000.

The property is located in an area that has generally been used for rural and agricultural land use, with commercial development occurring between the two sites between 1963 and 1974, and several changes to this area up until to the current day operations as a nursery. The New England Highway and Main Northern Railway line have been present since prior to 1963.

The site walkover (Section 4.2) identified that both portions of Lot 1 proposed for acquisition were vacant and Table 6-2 presents a summary of the potential contaminants of concern and their associated sources. It is noted that the two areas proposed for acquisition do not include the intervening nursery operations of related structures.

Table 6-2 Potential Sources of Contamination within Lot 1 DP86239

Potential Sources	Chemicals of Concern
Potential asbestos containing pipes in NW portion	Asbestos.
Surface fill material in SW portion, with absence of vegetation	TPH, BTEX, PAHs, PCBs, heavy metals, OCPs, OPPs and asbestos.
Stockpiling of scrap metal and timber in SW portion	Unlikely to be of concern

6.2.3 Lot 89 DP871709 and Lot 90 DP1075951

The interpretation of historical aerial photographs indicated that this site was cleared for rural / agricultural land prior, with a portion being used as an access track prior to 1963. The middle portion of the property underwent development between 1994 and 2004 to contain cattle holding pens associated with the operations of the abattoir, which was constructed to the east of the acquisition area.

Historical titles indicate that Lot 89 is likely to have been used for rural land use from 1907 to 1996 and that it has been used for commercial purposes from this period to the present day. The titles indicate that Lot 90 was road reserve, prior to 2005, and has been used for commercial purposes following this

The property is located in an area that has generally been used for rural and agricultural land use, with the exception of the abattoir operations as discussed above. The Golden Highway (to the north) and the Main Northern Railway Line (to the west and south) were present prior to 1963.

A search in the public register (POEO) for licences, applications, or notices indicated that the abattoirs has a licence for the operations that are undertaken to the east, down gradient, of the acquisition area.



The site walkover (Section 4.3) identified that the majority of Lot 89 proposed for acquisition was vacant and used as pastoral land, with the exception of the abattoir operations in the middle of the site. The portion of Lot 90 proposed for acquisition included a section of access track (from the Golden Highway) with the remainder of the site generally undeveloped.

Table 6-3 presents a summary of the potential contaminants of concern and their associated sources.

Table 6-3 Potential Sources of Contamination within Lot 1 DP86239

Potential Sources	Chemicals of Concern
Fill material at various locations across the site, including the earthen mound to the west of the abattoir, fill stockpile where empty drums were visible, access track within Lot 90 and areas with scrap metal on surface.	TPH, BTEX, PAHs, PCBs, heavy metals, OCPs and asbestos
Cattle holding pens (imported fill for base of pens and contamination from cattle faeces)	Microbial contamination, nutrients, TPH, BTEX PAHs, heavy metals and OCPs

6.2.4 Lot 100 DP1033019

The interpretation of historical aerial photographs indicates that the property was partially cleared of vegetation prior to 1963, and has generally remained unchanged with the exception of the development of an access track along the length of the of the property.

Historical titles indicate that the property is likely to have been used for rural land use from 1904 to 1950 and it is likely that it has been used by The Commonwealth of Australia, assumed to be for military purposes, from 1950 to the present day.

The Golden Highway (to the north) and the Main Northern Railway Line (to the east) were present prior to 1963. The property is located in an area that has generally been used for rural / agricultural land use and dry training as part of the Singleton Military Base. Military operations with live ammunitions are understood to occur in a portion of the base approximately 4km south of the acquisition area. Abattoir operations commenced to the east of the site, beyond the railway line between 1994 and 2004.

A review of the Singleton Council Section 149 Certificate for this lot identified that there are no recorded potential contaminating activities on this site. A search of the record of DECC notices issued under the Contaminated Land Management Act (1997) revealed that no notices have been issued for the property. A search in the public register (POEO) for licences, applications, or notices also did not reveal any licenses, applications, or notices for the property.

The site walkover (Section 4.4) identified that the property was generally undeveloped with the exception of the access track, some man made drainage trenches, and some isolated areas of fill in the northern portion of the property.

Table 6-4 presents a summary of the potential contaminants of concern and their associated sources.



Table 6-4 Potential Sources of Contamination within Lot 100 DP1033019

Potential Sources	Chemicals of Concern
Fill material in the northern part of the property, and within the access road	TPH, BTEX, PAHs, heavy metals, OCPs, PCBs and asbestos

6.2.5 Lot 102 DP882932

The interpretation of historical aerial photographs indicated that this site was cleared for rural / agricultural land use prior to 1963, and has generally remained unchanged with the exception some increase in tree cover between 2004 and 2008 along the northern boundary. The land to the south of the site was cleared for cropping between 1994 and 2004, with crops developed in the area between 2004 and 2008.

Historical titles indicate that Lot 102 is likely to have been used for rural land use from 1907 to the present day.

The property is located in an area that has generally been used for rural and agricultural land use, and the Main Northern Railway Line (to the north) was present prior to 1963.

The site walkover (Section 4.5) identified that the portion of Lot 102 proposed for acquisition was vacant with maintained grass cover, and was located down gradient of olive crops.

Discussion with Miss Karen Omalley from the NSW Department of Primary Industries on 26 September 2008 indicated that the use of pesticides and/or herbicides on olive crops is very rare.

Table 6-5 presents a summary of the potential contaminants of concern and their associated sources.

Table 6-5 Potential Sources of Contamination within Lot 102 DP882932

Potential Sources	Chemicals of Concern
Runoff from spraying for weed and pest control within the up gradient olive crops (very low risk based on the relative young age of the plantation and current industry practises)	OCPs and OPPs.



7. Proposed Sampling and Analysis Plan

Limited further investigations are proposed to assess for the presence of potential contaminants identified by the historical review and site inspections. The results of this will be used to refine appropriate management strategies for the project.

The proposed sampling and analytical program for the four sites where sampling is currently proposed (Tables 7-1, 7-2, and 7-3) is based on the information gathered from the detailed site history assessments, the detailed site walkovers, and our experience on similar sites.

Prior to commencing field investigations, GHD will prepare a site specific Site Specific Safety Plan (SSSP) to be followed during all the site works to be undertaken.

The proposed investigation program is considered sufficient to provide a baseline contamination assessment for the Project. The results of the investigation would assist in the delineation of the extent of any areas of contamination found.

Table 7-1 Proposed Sampling and Analytical Program for Lot 1 DP86239

Basis of Investigation	Area of Concern targeted	Number of Sample Locations	Analytical Parameters	Number of Analyses (Incl. QC)
Surface soil sampling with hand tools, visual inspection for potential AC fragments (test pits if required)	Pieces of potential asbestos containing material in NW portion	2	Asbestos	2
	Surface fill in SW portion	4	TPH / BTEX	4
			PAHs	4
			PCBs	4
			Heavy metals ¹	4
			PH	4
			OCP / OPP	4
			Asbestos	4

1. Metals included As, Cd, Cr, Cu, Hg, Pb, Ni, and Zn,

Table 7-2 Proposed Sampling and Analytical Program for Lot 89 DP 871709 and Lot 90 DP 1075951

Basis of Investigation	Area of Concern targeted	Number of Sample Locations	Analytical Parameters	Number of Analyses (Incl. QC)
Test pits with mini excavator	Earthen fill mound to the west of abattoir holding pens	4	TPH / BTEX	4
Test pits with mini excavator			PAHs	6
			OCPs / PCBs	4
			Heavy metals	8
			pH	6



Basis of Investigation	Area of Concern targeted	Number of Sample Locations	Analytical Parameters	Number of Analyses (Incl. QC)
	Mounds of ballast fill at Ch 228640	1	TPH / BTEX	2
			PAHs	2
			OCPs / PCBs	2
			Heavy metals ¹	2
			Asbestos	2
			pH	2
	Ballast fill on surface between CH 228460 and CH 228580	2	TPH / BTEX	2
			PAHs	2
			OCPs / PCBs	2
			Heavy metals ¹	2
			Asbestos	2
			pH	2
	Fill Mound of unknown composition at Ch 227980	3	TPH / BTEX	4
			PAHs	4
			OCPs / PCBs	2
			Heavy metals ¹	4
			PH	4
			Asbestos	4
	Fill mounds adjacent to drainage easement at CH 227340	2	TPH / BTEX	2
			PAHs	2
			OCPs / PCBs	1
			Heavy metals ¹	2
			pH	2
	Fill at CH 226480 with metals drums visible	3	TPH / BTEX	3
			PAHs	3
			OCPs / PCBs	1
			Heavy metals ¹	3
			pH	3
Boreholes drilled using a mini drill rig mounted on a dingo ²	Imported fill for base of pens and contamination from cattle faeces	4	TPH/BTEX	2
			PAHs	4
			PH	4
			Heavy metals ¹	9
			OCPs/PCBs	2
			Biosolids parameters ³	4
Surface soil sampling with hand tools	Scrap metal and ballast on surface between Ch27180 and Ch 227240	1	Heavy metals ¹	1
			pH	1



Basis of Investigation	Area of Concern targeted	Number of Sample Locations	Analytical Parameters	Number of Analyses (Incl. QC)
	Scrap metal on surface at CH 226420	2	TPH PAHs Heavy metals ¹ pH	3 3 3 3

1. Metals included As, Cd, Cr, Cu, Hg, Pb, Ni, and Zn;
2. The boreholes within the holding pens should preferably be undertaken following the relocation of the cattle to the new facilities, and removal of the manure for application as per the standard site practise;
3. Biosolids parameters to be assessed will be Ammonia, Total nitrogen, Total Phosphorus, TKN, enteric viruses or Helminth ova, E. Coli, faecal coliforms and salmonella species

Table 7-3 Proposed Sampling and Analytical Program for Lot 100 DP1033019

Basis of Investigation	Area of Concern targeted	Number of Sample Locations	Analytical Parameters	Number of Analyses (Incl. QC)
Test pits with mini excavator	Areas of surface fill and fill stockpiles in northern portion of site	3	TPH / BTEX	4
			PAHs	4
			OCPs / PCBs	4
			Heavy metals ¹	6
			PH	6
			Asbestos	3
	Fill within the access road	3	TPH / BTEX	3
			PAHs	3
			OCPs / PCBs	3
			Heavy metals ¹	3
			PH	3
			Asbestos	3

1. Metals included As, Cd, Cr, Cu, Hg, Pb, Ni, and Zn;



8. Conclusions

GHD undertook a desktop investigation with respect to the proposed Minimbah Bank Third Track Project assess the likely potential for contamination and requirements for additional investigations based on past and current land uses.

GHD identified the following past and current activities as having occurred within the rail corridor as having the potential to contribute to significant on-site soil and groundwater contamination.

- ▶ Fill material used in the construction of embankments;
- ▶ Ballast material impacted with oil and grease;
- ▶ Current railway activities;
- ▶ Potential asbestos bearing materials in signal huts; and
- ▶ Previous/current agricultural activities (on adjacent properties).

The Environmental Management Plan (EMP) for the Project should detail appropriate procedures for the handling, stockpiling and assessment of potentially contaminated fill and ballast materials during construction.

In addition to those potential contamination issues identified within the rail corridor the following site uses on land proposed for acquisition are also considered to be of potential concern.

- ▶ Abattoir;
- ▶ Plant Nursery; and
- ▶ Military Base.

GHD have outlined the proposed sampling and analysis plan (Section 7) that will be undertaken prior to site works to assess the need for further investigations, remediation, or management during construction.

The remaining sites to be acquired are generally pastoral sites with open paddocks as opposed to intense cropping and thus there is a relatively low risk of significant contamination. The EMP would provide a contingency plan to be adopted during the proposed works if suspected contaminated materials are encountered.



9. References

- ▶ Contaminated Sites: Guidelines for Assessing Service Station Sites (NSW EPA, 1994);
- ▶ Contaminated Sites: Sampling Design Guidelines (NSW EPA, 1995);
- ▶ Guidelines for Consultants Reporting on Contaminated Sites (NSW EPA, 1997);
- ▶ Ecotone, Flora and Fauna Assessment, Minimbah Bank Third Track (Ecotone, 2008);
- ▶ Assessment of Site Contamination Measure (NEPM), 1999 (NEPC - National Environment Protection, 1999);
- ▶ Australian Standard Guide to the sampling and investigation of potentially contaminated soil, AS4482.1, 2005 (Standards Australia 2005);
- ▶ Geotechnical Investigation Report, Minimbah Bank Third Track, (RCA Australia 2008, May 2008); and
- ▶ Minimbah Bank Third Track Environmental Assessment (GHD, 2008).



10. Limitations

This Phase 1 Environmental Site Assessment (ESA) report on the Site has been prepared by GHD for ARTC. No warranties, expressed or implied, are offered to any third parties and no liabilities will be accepted for the use of this report by any third party.

The study was conducted by an experienced environmental engineer and was subject to internal review by a senior environmental engineer. It should be noted, however, that in gathering facts for the study, GHD relied on verbal information supplied by client, on site records, and on visual inspection of the Site, which has not been independently verified.

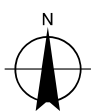
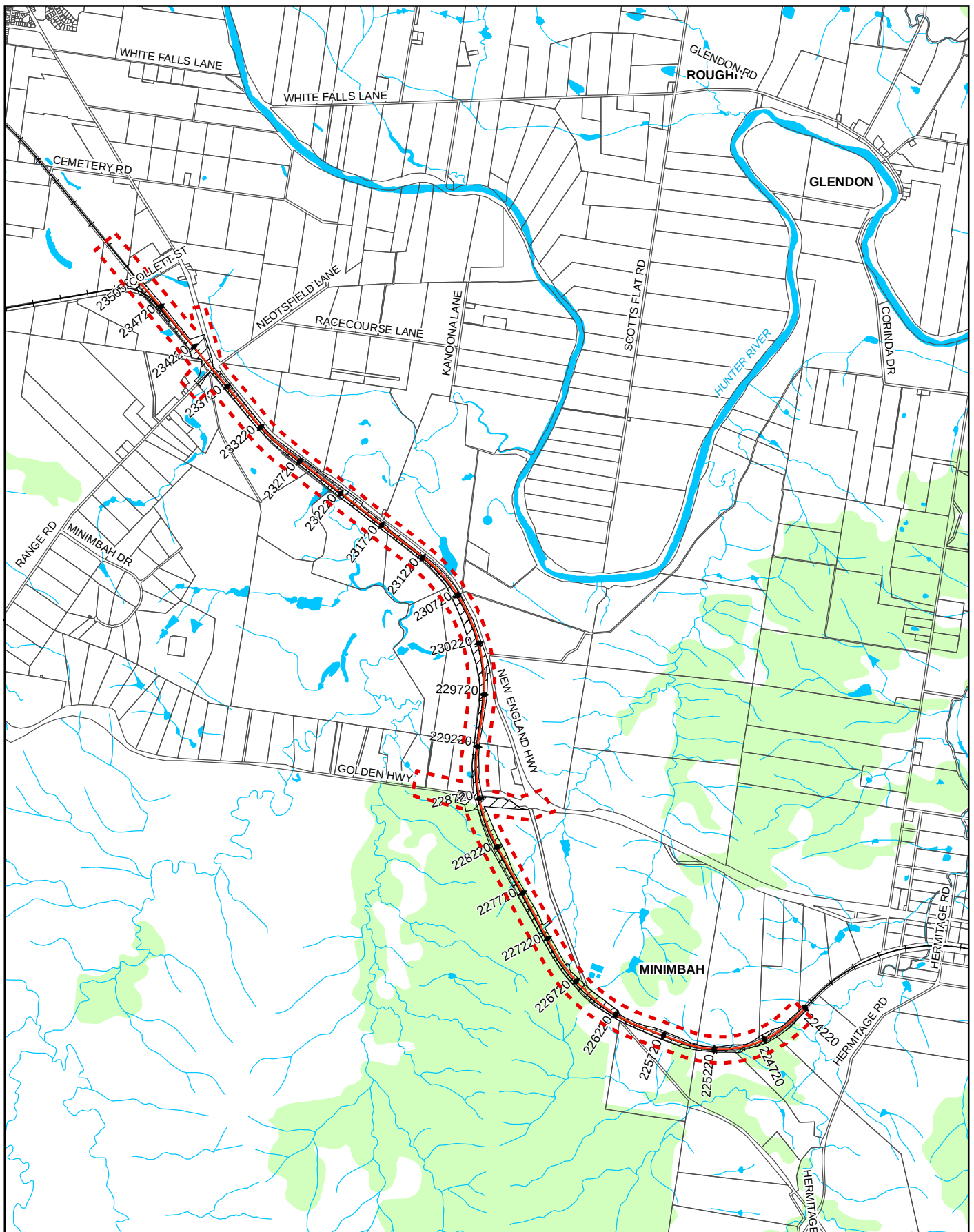
An understanding of the Site conditions depends on the integration of many pieces of information, some regional, some site specific, some structure-specific and some experienced based. Hence this report should not be altered, amended or abbreviated, issued in part and issued incomplete in any way without prior checking and approval by GHD. GHD accepts no responsibility for any circumstances, which arise from the issue of the report, which has been modified in any way as outlined above.

This report does not provide a complete assessment of the environmental status of the Site and it is limited to the scope defined herein. Should further information become available regarding conditions at the Site including previously unknown sources of contamination, GHD reserves the right to review the report in the context of the additional information.



Appendix A

Figures



LEGEND

- | | | | |
|-----------------|------------------------------|-----------------|------------|
| — Existing Rail | ▨ Impacted Construction Zone | Watercourse | Study Area |
| — Project Route | ▭ Cadastre | Forest Or Shrub | |

1:50,000 for A4
0 200 400 800 1,200 1,600
Metres

Map Projection: Universal Transverse Mercator
Horizontal Datum: Geodetic Datum of Australia 1994
Grid: Map Grid of Australia, Zone 56

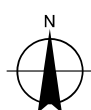
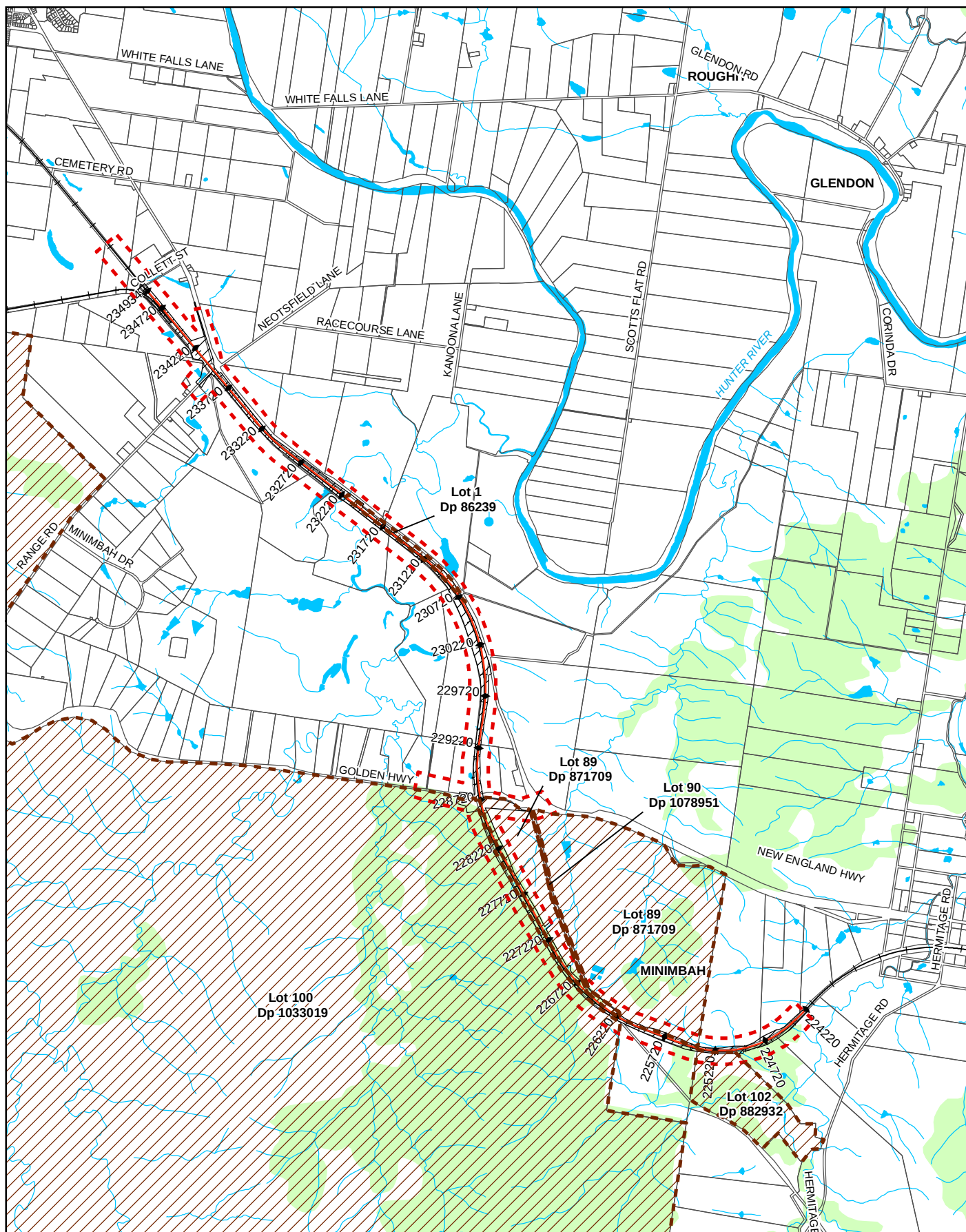


CLIENTS | PEOPLE | PERFORMANCE

ARTC - Minimbah Third Track
Contaminated Lands Assessment
Site location &
Extent of Proposed Works
25 June 2008

job no. 22-13755
rev no. A

Figure 1



LEGEND

- | | | | |
|---------------|----------------------------|-----------------|---|
| Existing Rail | Study Area | Watercourse | Cadastral |
| Project Route | Impacted Construction Zone | Forest Or Shrub | Lots with Potentially Contaminating Land Uses |

1:50,000 for A4
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Metres

Map Projection: Universal Transverse Mercator
Horizontal Datum: Geodetic Datum of Australia 1994
Grid: Map Grid of Australia, Zone 56

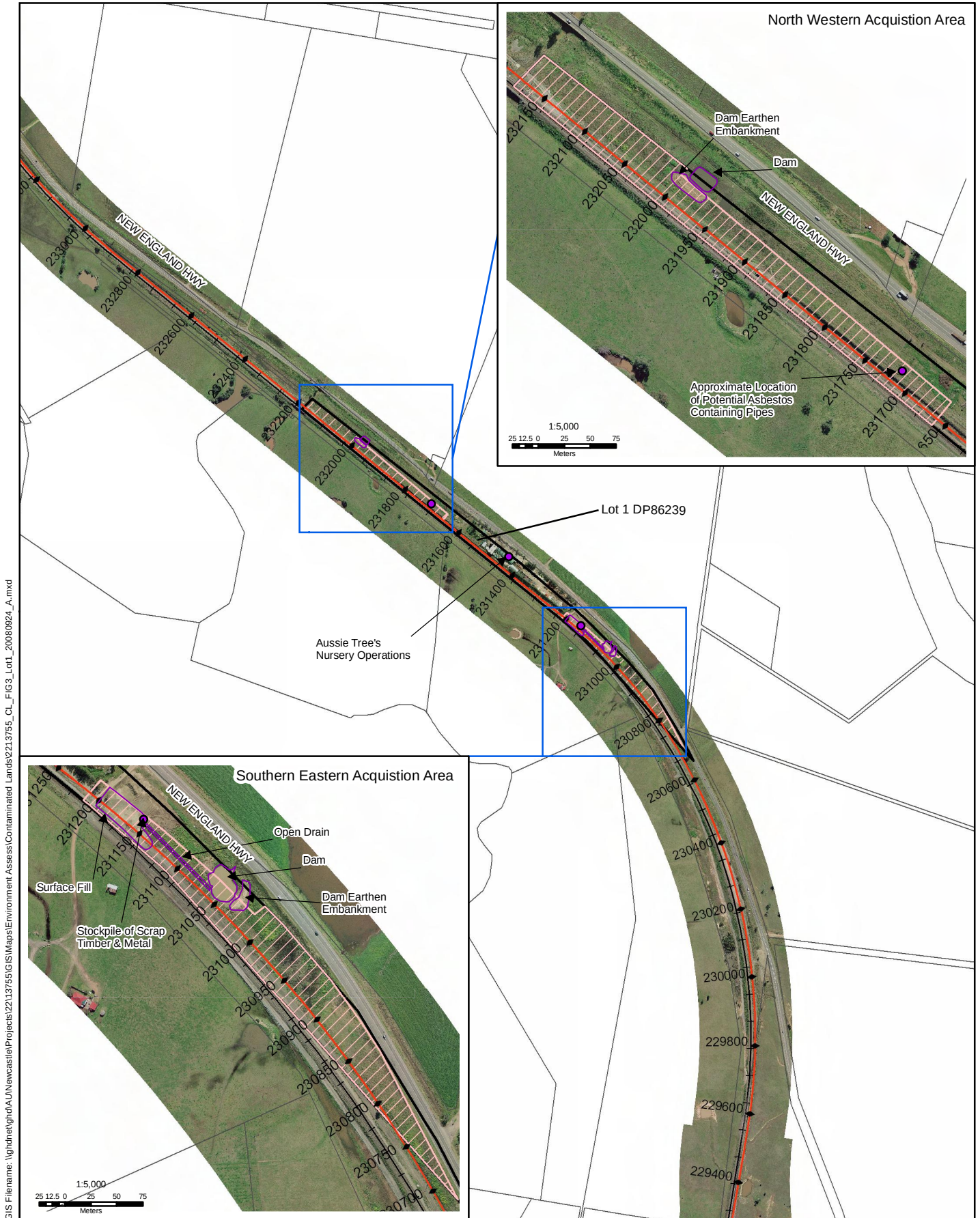


CLIENTS | PEOPLE | PERFORMANCE

ARTC - Minimbah Third Track
Contaminated Lands Assessment
**Lots with Potentially
Contaminating Land Uses**
23 | September 2008

job no. | 22-13755
rev no. | A

Figure 2

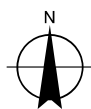
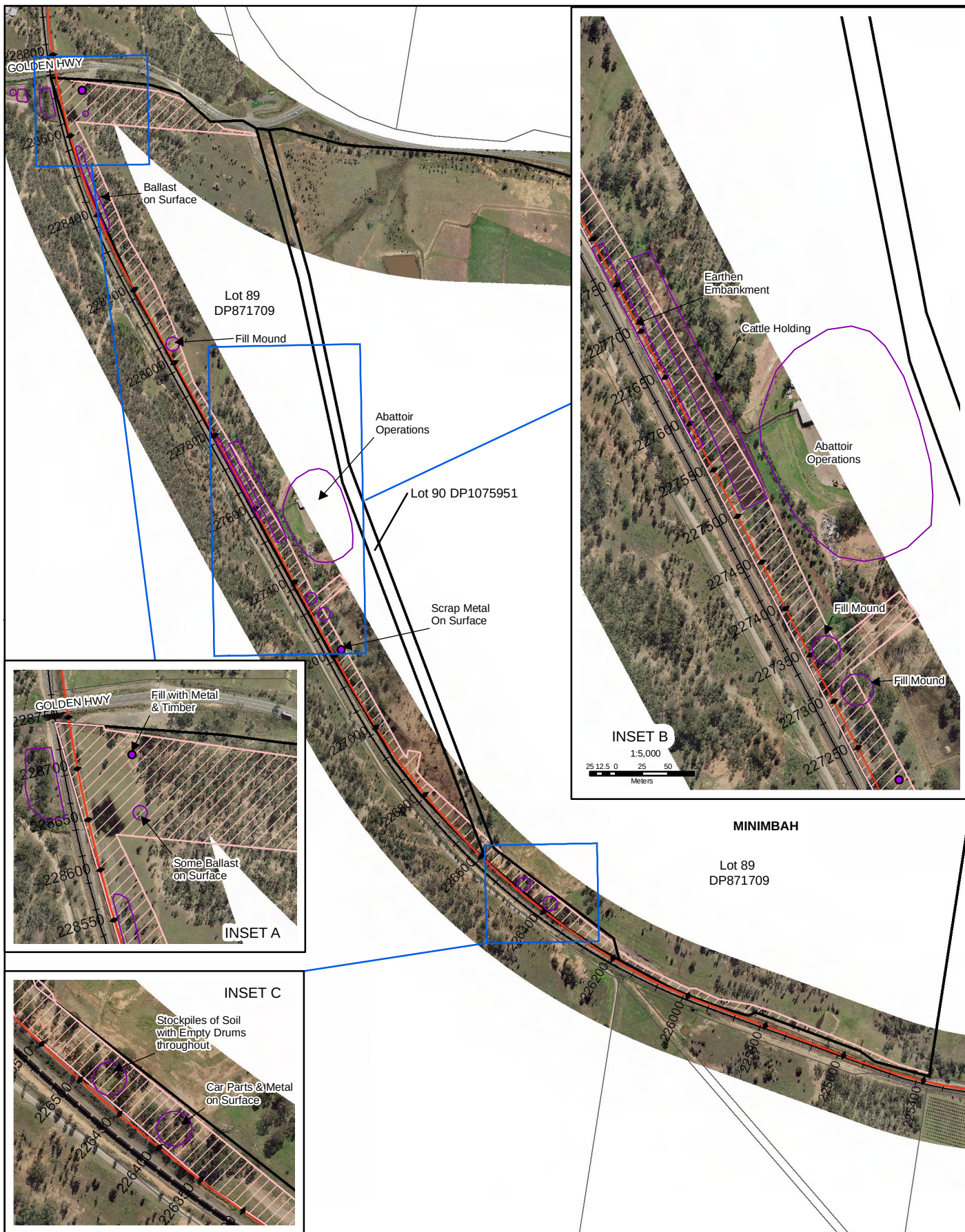


ARTC - Minimbah Third Track
Contaminated Lands Assessment
Site Plan
Lot 1 DP86239
24 September 2008

job no. | 22-13755
rev no. | A

Figure 3

GIS Filename: \\ghdnet\ghd\AU\Newcastle\Projects\22-13755\GIS\Maps\Environment\Assess\Contaminated Lands\2213755_CL_FIG4_Lot89_90_20080924_A.mxd



LEGEND

— Existing Rail
— Project Route

□ Cadastre

□ Existing Lot Boundary

▨ Proposed Acquisition Area

Note:
All Insets are shown at a scale of 1:5000

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Metres

Map Projection: Universal Transverse Mercator
Horizontal Datum: Geodetic Datum of Australia 1994
Grid: Map Grid of Australia, Zone 56



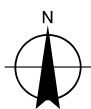
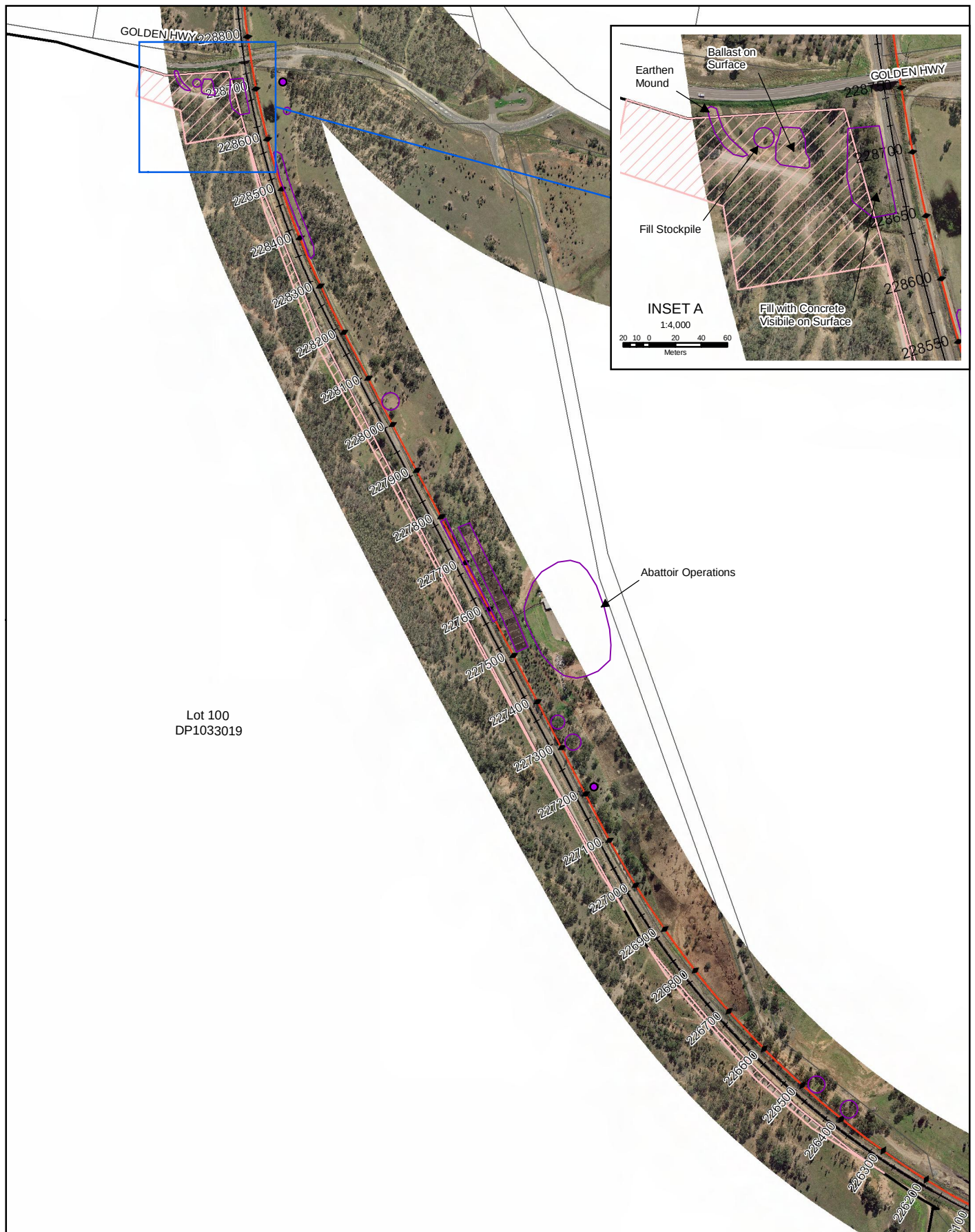
CLIENTS | PEOPLE | PERFORMANCE

ARTC - Minimbah Third Track
Contaminated Lands Assessment
Site Plan - Lot 89 DP871709
& Lot 90 DP1075951
24 September 2008

job no. | 22-13755
rev no. | A

Figure 4

GIS Filename: \\ghdnet\ghd\AU\Newcastle\Projects\22-13755\GIS\Maps\Environment\Assess\Contaminated Lands\22-13755_CL_FIG5_Lot100_20080924_A.mxd



LEGEND

— Existing Rail
— Project Route

□ Cadastre

□ Existing Lot Boundary

▨ Proposed Acquisition Area

1:10,000 for A4
0 45 90 180 270 360
Metres

Map Projection: Universal Transverse Mercator
Horizontal Datum: Geodetic Datum of Australia 1994
Grid: Map Grid of Australia, Zone 56



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ARTC - Minimbah Third Track
Contaminated Lands Assessment

Site Plan

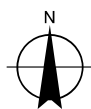
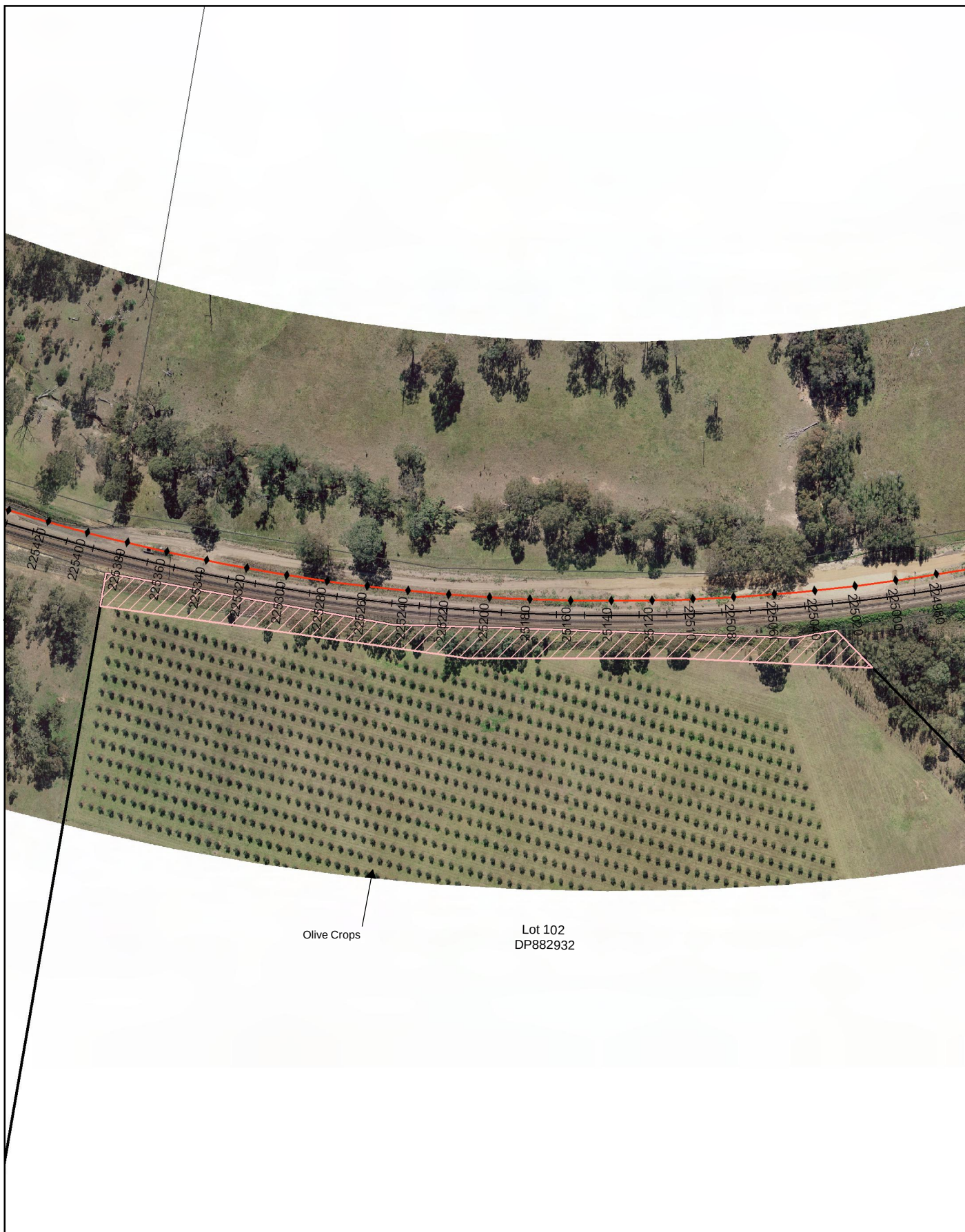
Lot 100 DP1033019

24 September 2008

job no. 22-13755
rev no. A

Figure 5

GIS Filename: \\ghdnet\ghd\AU\Newcastle\Projects\22\13755\GIS\Maps\Environment\Assess\Contaminated_Lands\2213755_CL_FIG6_Lot1_20080924_A.mxd



LEGEND

—+— Existing Rail
— Project Route

□ Cadastre
□ Existing Lot Boundary

▨ Proposed Acquisition Area

1:2,560 for A4
0 10 20 40 60 80
Metres

Map Projection: Universal Transverse Mercator
Horizontal Datum: Geodetic Datum of Australia 1994
Grid: Map Grid of Australia, Zone 56



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ARTC - Minimbah Third Track
Contaminated Lands Assessment

Site Plan
Lot 102 DP882932
24 September 2008

job no. 22-13755
rev no. A

Figure 6



Appendix B

Section 149 Certificate

Enquiries to: Planning & Development Services
(02) 6578 7290

Our Ref: PN 22940 (App. 12195)

Your Ref: 221375519

**PLANNING CERTIFICATE UNDER SECTION 149
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

Applicant: GHD Pty Ltd
PO Box 5403
HUNTER REGION MAIL
CENTRE NSW 2310

Certificate No: 20080647
File No: PN 22940
Receipt No: 524782
Receipt Date: 01/09/2008
Fee Paid: \$100.00

PROPERTY DESCRIPTION:

LOT: 1 DP: 86239, 3809 New England Highway, WHITTINGHAM 2330

OWNER: D J Barnes Pty Ltd

ASSESSMENT NUMBER: 64931

PARCEL NUMBER: 22940

Note:

Where an application is made over more than one allotment of land, the provisions of this certificate apply to the aggregation of those allotments and may not necessarily apply to the allotments individually.

ENTERED TO DATABASE			
INITIAL	DATE		
4/9/08	G63005		
NAME	INIT	DATE	ACTION
?			

ABN 52 877 492 396

**Address all
correspondence to
the General Manager:**

Civic Centre
Queen Street
PO BOX 314
SINGLETON
NSW 2330
DX 7063

Ph: (02) 6578 7290

Fax: (02) 6572 4197

Email:

ssc@singleton.nsw.gov.au

Website:

www.singleton.nsw.gov.au



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**PLANNING CERTIFICATE UNDER SECTION 149
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

ADVICE PROVIDED IN ACCORDANCE WITH SECTION 149(2)

1. Names of relevant SEPPs, REPs, LEPs and DCPs applying to the land

Local Environmental Plans

The Singleton Local Environmental Plan 1996 (as amended) applies to the land.

Draft Local Environmental Plans

No draft Local Environmental Plan that has been placed on public exhibition under Section 66(1)(b) of the Environmental Planning and Assessment Act 1979, applies to the land.

Development Control Plans

The following Development Control Plans made under Division 6 of Part 3 of the Environmental Planning and Assessment Act 1979 apply to the land (including development control plans made under Section 72 of the Act, or by the Director General under Section 51 of the Act before repeal of those sections):

- Singleton Development Control Plan
- Singleton Council Exempt and Complying Development – Development Control Plan
- Singleton Floodplain Management Plan Development Control Plan;

Regional Environmental Plans

The Hunter Regional Environmental Plan 1989 applies to the land.

Draft Regional Environmental Plans

No draft Regional Environmental Plan, placed on public exhibition under Section 47(b) of the Environmental Planning and Assessment Act 1979, applies to the land.

State Environmental Planning Policy

The following State Environmental Planning Policies apply to the land:

- State Environmental Planning Policy No. 1 - Development Standards

**PLANNING CERTIFICATE UNDER SECTION 149
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

- State Environmental Planning Policy No. 4 - Development Without Consent and Miscellaneous Complying Development
- State Environmental Planning Policy No. 6 - Number of Storeys in a Building
- State Environmental Planning Policy No. 9 - Group Homes
- State Environmental Planning Policy No. 15 - Rural Land-Sharing Communities
- State Environmental Planning Policy No. 19 - Bushland in Urban Areas
- State Environmental Planning Policy No. 21 - Caravan Parks
- State Environmental Planning Policy No. 22 - Shops and Commercial Premises
- State Environmental Planning Policy No. 26 – Littoral Rainforests
- State Environmental Planning Policy No. 30 – Intensive Agriculture
- State Environmental Planning Policy No. 32 - Urban Consolidation (Redevelopment of Urban Land)
- State Environmental Planning Policy No. 33 - Hazardous and Offensive Development
- State Environmental Planning Policy No. 36 - Manufactured Home Estates
- State Environmental Planning Policy No. 44 - Koala Habitat Protection
- State Environmental Planning Policy No. 55 - Remediation of Land
- State Environmental Planning Policy No. 60 - Exempt and Complying Development
- State Environmental Planning Policy No. 62 - Sustainable Aquaculture
- State Environmental Planning Policy No. 64 - Advertising and Signage
- State Environmental Planning Policy No. 65 - Design Quality of Residential Flat Development
- State Environmental Planning Policy (Seniors Living) 2004
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004
- State Environmental Planning Policy (Major Projects) 2005
- State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007
- State Environmental Planning Policy – (Temporary Structures and Places of Public Entertainment) 2007
- State Environmental Planning Policy – (Infrastructure) 2007
- State Environmental Planning Policy - (Rural Lands) 2008

NOTE:

The above policies apply to the whole of the State and not solely to the land the subject of this certificate. The policies may provide for the land subject of this certificate to be exempted from the requirements of the respective policy due to site specific or development specific considerations.

**PLANNING CERTIFICATE UNDER SECTION 149
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

Draft State Environmental Planning Policy

The following draft State Environmental Planning Policies that have been publicised as referred to in Section 39(2) of the Act, apply to the land:

- Draft State Environmental Planning Policy (Application of Development Standards) 2004.
- Draft State Environmental Planning Policy No. 66 - Integration of Landuse and Transport.
- Exposure draft of the draft State Environmental Planning Policy (Repeal of Concurrence and Referral Provisions) 2008.

2. Zoning and land use under relevant LEPs

Zoning under Singleton Local Environmental Plan 1996

The land is in Zone 1(a) (Rural Zone) under the provisions of Part 3 of the Singleton Local Environmental Plan 1996.

For the purposes of the plan:

i) Development permissible in the zone without consent from Council

Development for the purpose of:
agriculture; forestry; intensive agriculture; small gravel pits. Exempt development.

ii) Development permissible in the zone only with development consent from Council

Development not included in item i) or iii).

iii) Prohibited development

Development for the purpose of:
advertising structures (other than as would be permitted by clause 33 of the Environmental Model Provisions 1980 if they applied); boarding-houses; bulk stores; bus depots; business premises; car repair stations; dual occupancy-detached; industries other than offensive or hazardous industries; junk yards; light industries; liquid fuel depots; motor showrooms; residential flat buildings; road transport terminals; shops; warehouses.

**PLANNING CERTIFICATE UNDER SECTION 149
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

**iv) Development Standards/Mandatory Provisions - Minimum lot size
for the erection of a dwelling house**

A dwelling-house can be erected only on the following land in Zone 1(a):

- (a) an allotment which has an area of 40 hectares or greater,
- (b) an allotment with an area of less than 40 hectares where the land is the whole of an allotment consented to by Council on or after 7 January 1966, or
- (c) an allotment of land with an area of less than 40 hectares where the land is an allotment created prior to 7 January 1966 and comprises the whole of an existing holding, or
- (d) an allotment of land with an area of less than 40 hectares where the land is an allotment created prior to 7 January 1966 which has an area of not less than 10 hectares and was owned at 17 December 1980 by a person who at that date did not own any lot, portion or parcel of land adjoining or adjacent to the allotment, or
- (e) an allotment which already contains a dwelling-house where the proposed dwelling-house is intended to wholly replace an existing dwelling-house.

Additional dwelling-houses may be erected with the consent of Council on land with an area greater than 40 hectares where the dwelling-houses are to be used by a person or persons engaged in activities permissible on the land and for which consent has been given, if required by the Singleton Local Environmental Plan 1996.

Critical habitats

Council does not possess comprehensive mapping of critical habitats within the Singleton Local Government Area (LGA). The Director-General of the NSW Department of Environment and Climate Change has not served a copy of a map of critical habitat on Council identifying that the land includes or comprises critical habitat.

Conservation area/s

The land is not identified within the Singleton Local Environmental Plan 1996 as being within a conservation area.

Environmental Heritage

The land is not identified as comprising environmental heritage in Schedule 3 of the Singleton Local Environmental Plan 1996.

**PLANNING CERTIFICATE UNDER SECTION 149
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

3. (Repealed)

4. Coastal Protection

The land is not affected by the operation of Section 38 or 39 of the Coastal Protection Act 1979 to the extent Council has been so notified by the Department of Public Works.

5. Mine subsidence

The land is not within a proclaimed Mine Subsidence District within the meaning of Section 15 of the Mine Subsidence Compensation Act 1961.

6. Road widening and road realignment

The land is not affected by road widening and/or road realignment under:

- (a) Division 2 of Part 3 of the Roads Act 1993, or
- (b) An environmental planning instrument, or
- (c) A resolution of the Council.

Note: This item relates to Council's road proposals only. Other authorities, including the NSW Roads and Traffic Authority may have road widening proposals.

7. Council and other public authority policies on hazard risk restriction

Landslip, tidal inundation and acid sulphate soils

Council has not by resolution adopted a policy to restrict the development of land because of the likelihood of landslip, tidal inundation or acid sulphate soils.

Bushfire Protection Guidelines

The land is not identified as being bushfire prone and as such is not affected by Planning for Bushfire Protection, adopted by the NSW Rural Fire Service and Council.

Mine Subsidence Guidelines

The land is not affected by the policy document: Buying Property and Building in a Mine Subsidence District adopted by the Mine Subsidence Board.

Flood policies

The land is affected by the Singleton Floodplain Management Plan.

7A Flood related development controls information

**PLANNING CERTIFICATE UNDER SECTION 149
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

Development on the land/part of the land; is subject to flood-related development controls. Council's flood-related development controls are within the Singleton Local Environmental Plan 1996, the Singleton Floodplain Management Plan, the Singleton Floodplain Management Plan Development Control Plan and the Singleton Development Control Plan.

8. Land reserved for acquisition

No environmental planning instrument, deemed environmental planning instrument or draft environmental planning instrument which provides for the acquisition of land by a public authority, as referred to in section 27 of the Environmental Planning and Assessment Act 1979 has been identified as applying to the land.

9. Contributions Plan

The land is affected by the provisions of the Singleton Development Contributions Plan 2005 (as amended). Also, Section 94 Contributions Plan No.1-1993 applies to development consents issued prior to the 21st October 2005.

10. Matters arising under the Contaminated Land Management Act 1997

Investigation area or remediation site

The land is not identified as being within land declared to be an investigation area or remediation site under Part 3 of the Contaminated Land Management Act 1997.

Investigation order or remediation order

The land is not identified as being subject to an investigation order or a remediation order within the meaning of the Contaminated Land Management Act 1997.

Voluntary investigation proposal or voluntary remediation proposal

At the time of preparation of this certificate, the land is not identified as being subject of a voluntary investigation proposal or voluntary remediation proposal pursuant to the Environmental Protection Authority's agreement under section 19 or 26 of the Contaminated Land Management Act 1997.

Site audit statement

The land is not identified as being subject to a site audit statement within the meaning of Part 4 of the Contaminated Land Management Act 1997.

11. Bush fire prone land

**PLANNING CERTIFICATE UNDER SECTION 149
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

The land is not identified as being bushfire prone land as defined by the Environmental Planning and Assessment Act 1979.

12. Property vegetation plans

A property vegetation plan, created under the Native Vegetation Act 2003 does not apply to the land (to the extent that Council have been notified of the existence of such plans by the person or body that approved the plan under the Native Vegetation Act 2003).

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

An order has not been made under the Trees (Disputes Between Neighbours) Act 2006 to carry out work in relation to a tree on the land (to the extent that Council have been notified of the existence of such an order).

14. Directions under Part 3A

The minister HAS NOT issued a direction pursuant to section 75P(2) (c1) of the Environmental Planning and Assessment Act 1979, detailing that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land under Part 4 of the Act; does not have effect (to the extent that Council have been notified of the existence of such a direction).

15. Conditions affecting seniors housing

The land does not comprise development subject to the provisions of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004.

16. Site compatibility certificates for infrastructure

Council has not been made aware of any valid site compatibility certificates issued under Clause 19 of State Environmental Policy (Infrastructure) 2007 in respect of proposed development on the land.

**PLANNING CERTIFICATE UNDER SECTION 149
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

ADVICE PROVIDED IN ACCORDANCE WITH SECTION 149(5)

Advice provided in accordance with Section 149 (5) of the Environmental Planning and Assessment Act 1979.

Pursuant to section 149(5), the following advice is provided which pertains to the following matters as applicable:

- **Army Activities**
- **Adopted Standard Flood**
- **Localised Flooding**
- **Outstanding Notices or Orders issued against the property**
- **Resolution of Council – 339/04 regarding Poultry Farming Activities**
- **Singleton Waste Disposal Depot Landfill/Waste dump impacts**
- **Policy for Accommodating Family Relatives**
- **Mining Activities**
- **Council Road Widening Proposals**
- **Building Lines and Setbacks**
- **Erection of a Dwelling-House**
- **Access to the Property**
- **Unmaintained Road Policy**
- **Development Applications Determined in the last five years**

ARMY ACTIVITIES

The Singleton Army Firing Range is located within the Singleton Area. Some activities, such as artillery firing and aircraft operations impact on the environment beyond the Firing Range boundaries. These activities may result in noise and vibration impacts being experienced on lands throughout the Singleton Local Government Area.

ARMY FIRING RANGE

Council has been advised by the Army that the firing range operates on a 24 hour basis for most of the year. Land located around the Firing Range may be exposed to battle noise, truck convoys, armoured fighting vehicles moving along the Firing Range boundary, illumination and low-flying aircraft.

ADOPTED STANDARD FLOOD

Council's records indicate that the land is subject to inundation by floodwaters during the adopted standard flood. The land is affected by policies which may restrict development of the land by reason of flood impact. The 1955 Singleton flood has been adopted by

**PLANNING CERTIFICATE UNDER SECTION 149
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

Council as the standard flood for the Hunter Catchment. The 1949 Singleton flood has been adopted by Council as the standard flood for the Wollombi Brook Catchment.

The area subject to inundation by floodwaters during the standard floor is subject to flood-related development controls. Such controls include flood-proofing, minimum floor height requirements, structural design requirements, evacuation plans and requirements to provide professional assessments of flooding impacts.

LOCALISED FLOODING

Council's records indicate that a natural watercourse runs through the subject land. Localised flooding from the watercourse may occur during periods of heavy rainfall and significant stormwater flow.

COUNCIL ROAD WIDENING PROPOSALS

The land is not identified as being subject to future road widening proposals by Council.

Note: This item relates to Council's road proposals only. Other authorities, including the NSW Roads and Traffic Authority may have road widening proposals.

BUILDING LINES AND SETBACKS

The following adopted standard building line and setback requirements apply to the land:

Zone 1(a) (Rural Zone) - excluding village of Glenridding

- Building Line - Forty (40) metres (standard)
- Building Line - Sixty (60) metres from Main Road
- Side and Rear Setbacks - Ten (10) metres.

You are advised that some developments may be subject to variations to these standard building line and setback requirements. These variations would be considered at the development application stage. Details regarding setbacks for different classes or buildings can be obtained from Council.

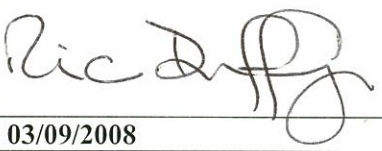
ERECTION OF A DWELLING-HOUSE

Under the provisions of the Singleton Local Environmental Plan 1996, if the land is vacant, the erection of a dwelling-house on the land IS PROHIBITED by reason of a development standard relating to the minimum area on which a dwelling house may be erected.

Note: The erection of a dwelling-house is subject to development consent which includes assessment of the proposal pursuant to Section 79C of the Environmental Planning and Assessment Act 1979.

**PLANNING CERTIFICATE UNDER SECTION 149
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

The above information has been taken from Council's records in good faith. Council cannot accept responsibility for any omission or inaccuracy. Where information has been received from a third party, it is recommended that applicants approach that party (or parties) directly for further information and to confirm its authenticity.

Erica Duffy For GENERAL MANAGER	
DATE:	03/09/2008



NOTICE:-

THIS PROPERTY MAY BE SERVICED BY AN ON-SITE SEWAGE MANAGEMENT SYSTEM

This property may be serviced by an on-site sewage management system. New property owners are required to apply to Council for an “Approval to Operate” an on-site sewage management system and to pay the associated fees.

An approval to operate on-site sewage systems is personal (ie it is not associated with the land) and responsibility for performance rests with the owner not the Council. This means that if a property is sold the new owner, must in turn apply for an approval to operate. The Local Government Sewage Management Regulation provides a temporary exemption for any person who purchases land on which a sewage management facility is installed. That person may continue to operate such a system, without the approval so required, for a period of three months from the date on which the property is transferred. It is further provided that, if the new owner applies for such approval within two months of the date of transfer, they may continue to operate the system until such times as the application is finally determined by Council.

Approvals to operate on-site sewage management systems are granted to the owners of properties and therefore need to be reissued with the transfer of title. Council is currently notified of transfer of ownership by The Land Titles Office and the rate notices are updated monthly. Property File numbers will be matched with the existing database and new owners will be forwarded an Application to Operate an On-site Sewage Management System.

If you would like more information please contact Singleton Council on (02) 6578 7290.

Enquiries to: Planning & Development Services
(02) 6578 7290

Our Ref: PN 23338 (App. 12214)

Your Ref: 221375519

ABN 52 877 492 396
Address all
correspondence to
the General Manager:
Civic Centre
Queen Street
PO BOX 314
SINGLETON
NSW 2330
DX 7063

Ph: (02) 6578 7290
Fax: (02) 6572 4197
Email:
ssc@singleton.nsw.gov.au
Website:
www.singleton.nsw.gov.au

PLANNING CERTIFICATE UNDER SECTION 149 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

Applicant: Attn: Drew Morgan
GHD Pty Ltd
PO Box 5403
HUNTER REGION MAIL
CENTRE NSW 2310

Certificate No: 20080659
File No: PN 23338
Receipt No: 524782
Receipt Date: 01/09/2008
Fee Paid: \$100.00

PROPERTY DESCRIPTION:

LOT: 90 DP: 1075951, Lot 89 DP 871709, Mitchell Line Of Road,
WHITTINGHAM 2330

OWNER: Shellden Pty Ltd

ASSESSMENT NUMBER: 141796, 112243

PARCEL NUMBER: 23338, 19593, 19594

Note:

Where an application is made over more than one allotment of land, the provisions of this certificate apply to the aggregation of those allotments and may not necessarily apply to the allotments individually.

No. 10/9/08			
ENTERED TO INTAKE OF			
INITIAL	DATE	REF. NO.	
DM	10/9/08	A63089	
NAME	INT	DATE	ACTION

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**PLANNING CERTIFICATE UNDER SECTION 149
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

ADVICE PROVIDED IN ACCORDANCE WITH SECTION 149(2)

1. Names of relevant SEPPs, REPs, LEPs and DCPs applying to the land

Local Environmental Plans

The Singleton Local Environmental Plan 1996 (as amended) applies to the land.

Draft Local Environmental Plans

No draft Local Environmental Plan that has been placed on public exhibition under Section 66(1)(b) of the Environmental Planning and Assessment Act 1979, applies to the land.

Development Control Plans

The following Development Control Plans made under Division 6 of Part 3 of the Environmental Planning and Assessment Act 1979 apply to the land (including development control plans made under Section 72 of the Act, or by the Director General under Section 51 of the Act before repeal of those sections):

- Singleton Development Control Plan
- Singleton Council Exempt and Complying Development – Development Control Plan

Regional Environmental Plans

The Hunter Regional Environmental Plan 1989 applies to the land.

Draft Regional Environmental Plans

No draft Regional Environmental Plan, placed on public exhibition under Section 47(b) of the Environmental Planning and Assessment Act 1979, applies to the land.

State Environmental Planning Policy

The following State Environmental Planning Policies apply to the land:

- State Environmental Planning Policy No. 1 - Development Standards

**PLANNING CERTIFICATE UNDER SECTION 149
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

- State Environmental Planning Policy No. 4 - Development Without Consent and Miscellaneous Complying Development
- State Environmental Planning Policy No. 6 - Number of Storeys in a Building
- State Environmental Planning Policy No. 9 - Group Homes
- State Environmental Planning Policy No. 15 - Rural Land-Sharing Communities
- State Environmental Planning Policy No. 19 - Bushland in Urban Areas
- State Environmental Planning Policy No. 21 - Caravan Parks
- State Environmental Planning Policy No. 22 - Shops and Commercial Premises
- State Environmental Planning Policy No. 26 – Littoral Rainforests
- State Environmental Planning Policy No. 30 – Intensive Agriculture
- State Environmental Planning Policy No. 32 - Urban Consolidation (Redevelopment of Urban Land)
- State Environmental Planning Policy No. 33 - Hazardous and Offensive Development
- State Environmental Planning Policy No. 36 - Manufactured Home Estates
- State Environmental Planning Policy No. 44 - Koala Habitat Protection
- State Environmental Planning Policy No. 55 - Remediation of Land
- State Environmental Planning Policy No. 60 - Exempt and Complying Development
- State Environmental Planning Policy No. 62 - Sustainable Aquaculture
- State Environmental Planning Policy No. 64 - Advertising and Signage
- State Environmental Planning Policy No. 65 - Design Quality of Residential Flat Development
- State Environmental Planning Policy (Seniors Living) 2004
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004
- State Environmental Planning Policy (Major Projects) 2005
- State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007
- State Environmental Planning Policy – (Temporary Structures and Places of Public Entertainment) 2007
- State Environmental Planning Policy – (Infrastructure) 2007
- State Environmental Planning Policy - (Rural Lands) 2008

NOTE:

The above policies apply to the whole of the State and not solely to the land the subject of this certificate. The policies may provide for the land subject of this certificate to be exempted from the requirements of the respective policy due to site specific or development specific considerations.

**PLANNING CERTIFICATE UNDER SECTION 149
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

Draft State Environmental Planning Policy

The following draft State Environmental Planning Policies that have been publicised as referred to in Section 39(2) of the Act, apply to the land:

- Draft State Environmental Planning Policy (Application of Development Standards) 2004.
- Draft State Environmental Planning Policy No. 66 - Integration of Landuse and Transport.
- Exposure draft of the draft State Environmental Planning Policy (Repeal of Concurrence and Referral Provisions) 2008.

2. Zoning and land use under relevant LEPs

Zoning under Singleton Local Environmental Plan 1996

The land is in Zone 1(a) (Rural Zone) under the provisions of Part 3 of the Singleton Local Environmental Plan 1996.

For the purposes of the plan:

i) Development permissible in the zone without consent from Council

Development for the purpose of:
agriculture; forestry; intensive agriculture; small gravel pits. Exempt development.

ii) Development permissible in the zone only with development consent from Council

Development not included in item i) or iii).

iii) Prohibited development

Development for the purpose of:
advertising structures (other than as would be permitted by clause 33 of the Environmental Model Provisions 1980 if they applied); boarding-houses; bulk stores; bus depots; business premises; car repair stations; dual occupancy-detached; industries other than offensive or hazardous industries; junk yards; light industries; liquid fuel depots; motor showrooms; residential flat buildings; road transport terminals; shops; warehouses.

**PLANNING CERTIFICATE UNDER SECTION 149
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

**iv) Development Standards/Mandatory Provisions - Minimum lot size
for the erection of a dwelling house**

A dwelling-house can be erected only on the following land in Zone 1(a):

- (a) an allotment which has an area of 40 hectares or greater,
- (b) an allotment with an area of less than 40 hectares where the land is the whole of an allotment consented to by Council on or after 7 January 1966, or
- (c) an allotment of land with an area of less than 40 hectares where the land is an allotment created prior to 7 January 1966 and comprises the whole of an existing holding, or
- (d) an allotment of land with an area of less than 40 hectares where the land is an allotment created prior to 7 January 1966 which has an area of not less than 10 hectares and was owned at 17 December 1980 by a person who at that date did not own any lot, portion or parcel of land adjoining or adjacent to the allotment, or
- (e) an allotment which already contains a dwelling-house where the proposed dwelling-house is intended to wholly replace an existing dwelling-house.

Additional dwelling-houses may be erected with the consent of Council on land with an area greater than 40 hectares where the dwelling-houses are to be used by a person or persons engaged in activities permissible on the land and for which consent has been given, if required by the Singleton Local Environmental Plan 1996.

Critical habitats

Council does not possess comprehensive mapping of critical habitats within the Singleton Local Government Area (LGA). The Director-General of the NSW Department of Environment and Climate Change has not served a copy of a map of critical habitat on Council identifying that the land includes or comprises critical habitat.

Conservation area/s

The land is not identified within the Singleton Local Environmental Plan 1996 as being within a conservation area.

Environmental Heritage

The land is not identified as comprising environmental heritage in Schedule 3 of the Singleton Local Environmental Plan 1996.

**PLANNING CERTIFICATE UNDER SECTION 149
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

3. (Repealed)

4. Coastal Protection

The land is not affected by the operation of Section 38 or 39 of the Coastal Protection Act 1979 to the extent Council has been so notified by the Department of Public Works.

5. Mine subsidence

The land is not within a proclaimed Mine Subsidence District within the meaning of Section 15 of the Mine Subsidence Compensation Act 1961.

6. Road widening and road realignment

The land is not affected by road widening and/or road realignment under:

- (a) Division 2 of Part 3 of the Roads Act 1993, or
- (b) An environmental planning instrument, or
- (c) A resolution of the Council.

Note: This item relates to Council's road proposals only. Other authorities, including the NSW Roads and Traffic Authority may have road widening proposals.

7. Council and other public authority policies on hazard risk restriction

Landslip, tidal inundation and acid sulphate soils

Council has not by resolution adopted a policy to restrict the development of land because of the likelihood of landslip, tidal inundation or acid sulphate soils.

Bushfire Protection Guidelines

The land is identified as being bushfire prone and is affected by the provisions of Planning for Bushfire Protection, adopted by the NSW Rural Fire Service and Council.

Mine Subsidence Guidelines

The land is not affected by the policy document: Buying Property and Building in a Mine Subsidence District adopted by the Mine Subsidence Board.

Flood policies

The land is not affected by the Singleton Floodplain Management Plan. The land is not within the floodplain of the Hunter River as proclaimed under section 16 of the former Hunter Valley Flood Mitigation Act 1956. The land is not identified as being affected by the provisions of Part 2 of the Water Management Act 2000.

**PLANNING CERTIFICATE UNDER SECTION 149
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

7A Flood related development controls information

Development on the land/part of the land; is subject to flood-related development controls. Council's flood-related development controls are within the Singleton Local Environmental Plan 1996, the Singleton Floodplain Management Plan, the Singleton Floodplain Management Plan Development Control Plan and the Singleton Development Control Plan.

8. Land reserved for acquisition

No environmental planning instrument, deemed environmental planning instrument or draft environmental planning instrument which provides for the acquisition of land by a public authority, as referred to in section 27 of the Environmental Planning and Assessment Act 1979 has been identified as applying to the land.

9. Contributions Plan

The land is affected by the provisions of the Singleton Development Contributions Plan 2005 (as amended). Also, Section 94 Contributions Plan No.1-1993 applies to development consents issued prior to the 21st October 2005.

10. Matters arising under the Contaminated Land Management Act 1997

Investigation area or remediation site

The land is not identified as being within land declared to be an investigation area or remediation site under Part 3 of the Contaminated Land Management Act 1997.

Investigation order or remediation order

The land is not identified as being subject to an investigation order or a remediation order within the meaning of the Contaminated Land Management Act 1997.

Voluntary investigation proposal or voluntary remediation proposal

At the time of preparation of this certificate, the land is not identified as being subject of a voluntary investigation proposal or voluntary remediation proposal pursuant to the Environmental Protection Authority's agreement under section 19 or 26 of the Contaminated Land Management Act 1997.

Site audit statement

The land is not identified as being subject to a site audit statement within the meaning of Part 4 of the Contaminated Land Management Act 1997.

**PLANNING CERTIFICATE UNDER SECTION 149
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

11. Bush fire prone land

The land is identified as being bushfire prone land as defined by the Environmental Planning and Assessment Act 1979. Part of the land is recorded as being bushfire prone on a bushfire prone land map for the area. The bushfire prone land map for the area is available for inspection during Councils normal office hours.

12. Property vegetation plans

A property vegetation plan, created under the Native Vegetation Act 2003 does not apply to the land (to the extent that Council have been notified of the existence of such plans by the person or body that approved the plan under the Native Vegetation Act 2003).

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

An order has not been made under the Trees (Disputes Between Neighbours) Act 2006 to carry out work in relation to a tree on the land (to the extent that Council have been notified of the existence of such an order).

14. Directions under Part 3A

The minister HAS NOT issued a direction pursuant to section 75P(2) (c1) of the Environmental Planning and Assessment Act 1979, detailing that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land under Part 4 of the Act; does not have effect (to the extent that Council have been notified of the existence of such a direction).

15. Conditions affecting seniors housing

The land does not comprise development subject to the provisions of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004.

16. Site compatibility certificates for infrastructure

Council has not been made aware of any valid site compatibility certificates issued under Clause 19 of State Environmental Policy (Infrastructure) 2007 in respect of proposed development on the land.

**PLANNING CERTIFICATE UNDER SECTION 149
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

ADVICE PROVIDED IN ACCORDANCE WITH SECTION 149(5)

Advice provided in accordance with Section 149 (5) of the Environmental Planning and Assessment Act 1979.

Pursuant to section 149(5), the following advice is provided which pertains to the following matters as applicable:

- **Army Activities**
- **Adopted Standard Flood**
- **Localised Flooding**
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- **Resolution of Council – 339/04 regarding Poultry Farming Activities**
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- **Policy for Accommodating Family Relatives**
- **Mining Activities**
- **Council Road Widening Proposals**
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- **Access to the Property**
- **Unmaintained Road Policy**
- **Development Applications Determined in the last five years**

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The Singleton Army Firing Range is located within the Singleton Area. Some activities, such as artillery firing and aircraft operations impact on the environment beyond the Firing Range boundaries. These activities may result in noise and vibration impacts being experienced on lands throughout the Singleton Local Government Area.

ARMY FIRING RANGE

Council has been advised by the Army that the firing range operates on a 24 hour basis for most of the year. Land located around the Firing Range may be exposed to battle noise, truck convoys, armoured fighting vehicles moving along the Firing Range boundary, illumination and low-flying aircraft.

LOCALISED FLOODING

Council's records indicate that a natural watercourse runs through the subject land. Localised flooding from the watercourse may occur during periods of heavy rainfall and significant stormwater flow.

**PLANNING CERTIFICATE UNDER SECTION 149
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

COUNCIL ROAD WIDENING PROPOSALS

The land is not identified as being subject to future road widening proposals by Council.

Note: This item relates to Council's road proposals only. Other authorities, including the NSW Roads and Traffic Authority may have road widening proposals.

BUILDING LINES AND SETBACKS

The following adopted standard building line and setback requirements apply to the land:

Zone 1(a) (Rural Zone) - excluding village of Glenridding

- Building Line - Forty (40) metres (standard)
- Building Line - Sixty (60) metres from Main Road
- Side and Rear Setbacks - Ten (10) metres.

You are advised that some developments may be subject to variations to these standard building line and setback requirements. These variations would be considered at the development application stage. Details regarding setbacks for different classes or buildings can be obtained from Council.

ERECTION OF A DWELLING-HOUSE

Under the provisions of the Singleton Local Environmental Plan 1996, if the land is vacant, the erection of a dwelling-house on the land IS NOT PROHIBITED by reason of a development standard relating to the minimum area on which a dwelling house may be erected.

Note: The erection of a dwelling-house is subject to development consent which includes assessment of the proposal pursuant to Section 79C of the Environmental Planning and Assessment Act 1979.

The above information has been taken from Council's records in good faith. Council cannot accept responsibility for any omission or inaccuracy. Where information has been received from a third party, it is recommended that applicants approach that party (or parties) directly for further information and to confirm its authenticity.

Erica Duffy For GENERAL MANAGER	
DATE:	08/09/2008



NOTICE:-

THIS PROPERTY MAY BE SERVICED BY AN ON-SITE SEWAGE MANAGEMENT SYSTEM

This property may be serviced by an on-site sewage management system. New property owners are required to apply to Council for an “Approval to Operate” an on-site sewage management system and to pay the associated fees.

An approval to operate on-site sewage systems is personal (ie it is not associated with the land) and responsibility for performance rests with the owner not the Council. This means that if a property is sold the new owner, must in turn apply for an approval to operate. The Local Government Sewage Management Regulation provides a temporary exemption for any person who purchases land on which a sewage management facility is installed. That person may continue to operate such a system, without the approval so required, for a period of three months from the date on which the property is transferred. It is further provided that, if the new owner applies for such approval within two months of the date of transfer, they may continue to operate the system until such times as the application is finally determined by Council.

Approvals to operate on-site sewage management systems are granted to the owners of properties and therefore need to be reissued with the transfer of title. Council is currently notified of transfer of ownership by The Land Titles Office and the rate notices are updated monthly. Property File numbers will be matched with the existing database and new owners will be forwarded an Application to Operate an On-site Sewage Management System.

If you would like more information please contact Singleton Council on (02) 6578 7290.

Enquiries to: Planning & Development Services
(02) 6578 7290
Our Ref: PN 21833 (App. 12222)
Your Ref: 221375519

**PLANNING CERTIFICATE UNDER SECTION 149
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

Applicant: GHD Pty Ltd
PO Box 5403
HUNTER REGION MAIL
CENTRE NSW 2310

Certificate No: 20080667
File No: PN 21833
Receipt No: 524782
Receipt Date: 01/09/2008
Fee Paid: \$100.00

PROPERTY DESCRIPTION:

LOT: 100 DP: 1033019, Range Road, SINGLETON MILITARY AREA 2331

OWNER: Department of Defence
ASSESSMENT NUMBER: 130842
PARCEL NUMBER: 21833

Note:

Where an application is made over more than one allotment of land, the provisions of this certificate apply to the aggregation of those allotments and may not necessarily apply to the allotments individually.

ABN 52 877 492 396

**Address all
correspondence to
the General Manager:**

Civic Centre
Queen Street
PO BOX 314
SINGLETON
NSW 2330
DX 7063

Ph: (02) 6578 7290

Fax: (02) 6572 4197

Email:

ssc@singleton.nsw.gov.au

Website:

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**PLANNING CERTIFICATE UNDER SECTION 149
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

ADVICE PROVIDED IN ACCORDANCE WITH SECTION 149(2)

1. Names of relevant SEPPs, REPs, LEPs and DCPs applying to the land

Local Environmental Plans

The Singleton Local Environmental Plan 1996 (as amended) applies to the land.

Draft Local Environmental Plans

No draft Local Environmental Plan that has been placed on public exhibition under Section 66(1)(b) of the Environmental Planning and Assessment Act 1979, applies to the land.

Development Control Plans

The following Development Control Plans made under Division 6 of Part 3 of the Environmental Planning and Assessment Act 1979 apply to the land (including development control plans made under Section 72 of the Act, or by the Director General under Section 51 of the Act before repeal of those sections):

- Singleton Development Control Plan
- Singleton Council Exempt and Complying Development – Development Control Plan
- Singleton Floodplain Management Plan Development Control Plan;

Regional Environmental Plans

The Hunter Regional Environmental Plan 1989 applies to the land.

Draft Regional Environmental Plans

No draft Regional Environmental Plan, placed on public exhibition under Section 47(b) of the Environmental Planning and Assessment Act 1979, applies to the land.

State Environmental Planning Policy

The following State Environmental Planning Policies apply to the land:

- State Environmental Planning Policy No. 1 - Development Standards

**PLANNING CERTIFICATE UNDER SECTION 149
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

- State Environmental Planning Policy No. 4 - Development Without Consent and Miscellaneous Complying Development
- State Environmental Planning Policy No. 6 - Number of Storeys in a Building
- State Environmental Planning Policy No. 9 - Group Homes
- State Environmental Planning Policy No. 15 - Rural Land-Sharing Communities
- State Environmental Planning Policy No. 19 - Bushland in Urban Areas
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- State Environmental Planning Policy No. 22 - Shops and Commercial Premises
- State Environmental Planning Policy No. 26 – Littoral Rainforests
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- State Environmental Planning Policy No. 32 - Urban Consolidation (Redevelopment of Urban Land)
- State Environmental Planning Policy No. 33 - Hazardous and Offensive Development
- State Environmental Planning Policy No. 36 - Manufactured Home Estates
- State Environmental Planning Policy No. 44 - Koala Habitat Protection
- State Environmental Planning Policy No. 55 - Remediation of Land
- State Environmental Planning Policy No. 60 - Exempt and Complying Development
- State Environmental Planning Policy No. 62 - Sustainable Aquaculture
- State Environmental Planning Policy No. 64 - Advertising and Signage
- State Environmental Planning Policy No. 65 - Design Quality of Residential Flat Development
- State Environmental Planning Policy (Seniors Living) 2004
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004
- State Environmental Planning Policy (Major Projects) 2005
- State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007
- State Environmental Planning Policy – (Temporary Structures and Places of Public Entertainment) 2007
- State Environmental Planning Policy – (Infrastructure) 2007
- State Environmental Planning Policy - (Rural Lands) 2008

NOTE:

The above policies apply to the whole of the State and not solely to the land the subject of this certificate. The policies may provide for the land subject of this certificate to be exempted from the requirements of the respective policy due to site specific or development specific considerations.

**PLANNING CERTIFICATE UNDER SECTION 149
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

Draft State Environmental Planning Policy

The following draft State Environmental Planning Policies that have been publicised as referred to in Section 39(2) of the Act, apply to the land:

- Draft State Environmental Planning Policy (Application of Development Standards) 2004.
- Draft State Environmental Planning Policy No. 66 - Integration of Landuse and Transport.
- Exposure draft of the draft State Environmental Planning Policy (Repeal of Concurrence and Referral Provisions) 2008.

2. Zoning and land use under relevant LEPs

Zoning under Singleton Local Environmental Plan 1996

The land is in Zone 5 (Special Uses and Reservations Zone) under the provisions of Part 6 of the Singleton Local Environmental Plan 1996.

For the purposes of the plan:

- i) Development permissible in the zone without consent from Council**
Exempt development.

- ii) Development permissible in the zone only with development consent from Council**
The particular land indicated by black lettering on the sheet of the map marked "Singleton Local Environmental Plan 1996 - Sheet No 2") and any development ordinarily ancillary or incidental to that land use.

Development for the purpose of:
community land uses associated with the facilities and sites of schools, colleges and other educational establishments; drainage; recreation areas; roads; utility installations (other than gas holders or generating works).

- iii) Prohibited development**
Development not included in item ii) or i).

- iv) Development Standard - Minimum lot size for the erection of a dwelling house**
No such development standard applies.

Critical habitats

**PLANNING CERTIFICATE UNDER SECTION 149
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

Council does not possess comprehensive mapping of critical habitats within the Singleton Local Government Area (LGA). The Director-General of the NSW Department of Environment and Climate Change has not served a copy of a map of critical habitat on Council identifying that the land includes or comprises critical habitat.

Conservation area/s

The land is not identified within the Singleton Local Environmental Plan 1996 as being within a conservation area.

Environmental Heritage

The land is not identified as comprising environmental heritage in Schedule 3 of the Singleton Local Environmental Plan 1996.

3. (Repealed)

4. Coastal Protection

The land is not affected by the operation of Section 38 or 39 of the Coastal Protection Act 1979 to the extent Council has been so notified by the Department of Public Works.

5. Mine subsidence

The land is within a proclaimed Mine Subsidence District within the meaning of Section 15 of the Mine Subsidence Compensation Act 1961. The approval of the Mine Subsidence Board is required for all subdivision and building, except for certain minor structures. Surface development controls are in place to prevent damage from old, current or future mining. It is strongly recommended prospective purchasers consult with the Mine Subsidence Board regarding mine subsidence and any surface development guidelines. The board can assist with information about mine subsidence and advise whether structures comply with requirements of the Mine Subsidence Compensation Act 1961.

6. Road widening and road realignment

The land is not affected by road widening and/or road realignment under:

- (a) Division 2 of Part 3 of the Roads Act 1993, or
- (b) An environmental planning instrument, or
- (c) A resolution of the Council.

**PLANNING CERTIFICATE UNDER SECTION 149
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

Note: This item relates to Council's road proposals only. Other authorities, including the NSW Roads and Traffic Authority may have road widening proposals.

7. Council and other public authority policies on hazard risk restriction

Landslip, tidal inundation and acid sulphate soils

Council has not by resolution adopted a policy to restrict the development of land because of the likelihood of landslip, tidal inundation or acid sulphate soils.

Bushfire Protection Guidelines

The land is identified as being bushfire prone and is affected by the provisions of Planning for Bushfire Protection, adopted by the NSW Rural Fire Service and Council.

Mine Subsidence Guidelines

The land is not affected by the policy document: Buying Property and Building in a Mine Subsidence District adopted by the Mine Subsidence Board.

Flood policies

The land is affected by the Singleton Floodplain Management Plan.

7A Flood related development controls information

Development on the land/part of the land; is subject to flood-related development controls. Council's flood-related development controls are within the Singleton Local Environmental Plan 1996, the Singleton Floodplain Management Plan, the Singleton Floodplain Management Plan Development Control Plan and the Singleton Development Control Plan.

8. Land reserved for acquisition

No environmental planning instrument, deemed environmental planning instrument or draft environmental planning instrument which provides for the acquisition of land by a public authority, as referred to in section 27 of the Environmental Planning and Assessment Act 1979 has been identified as applying to the land.

9. Contributions Plan

The land is affected by the provisions of the Singleton Development Contributions Plan 2005 (as amended). Also, Section 94 Contributions Plan No.1-1993 applies to development consents issued prior to the 21st October 2005.

**PLANNING CERTIFICATE UNDER SECTION 149
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

10. Matters arising under the Contaminated Land Management Act 1997

Investigation area or remediation site

The land is not identified as being within land declared to be an investigation area or remediation site under Part 3 of the Contaminated Land Management Act 1997.

Investigation order or remediation order

The land is not identified as being subject to an investigation order or a remediation order within the meaning of the Contaminated Land Management Act 1997.

Voluntary investigation proposal or voluntary remediation proposal

At the time of preparation of this certificate, the land is not identified as being subject of a voluntary investigation proposal or voluntary remediation proposal pursuant to the Environmental Protection Authority's agreement under section 19 or 26 of the Contaminated Land Management Act 1997.

Site audit statement

The land is not identified as being subject to a site audit statement within the meaning of Part 4 of the Contaminated Land Management Act 1997.

11. Bush fire prone land

The land is identified as being bushfire prone land as defined by the Environmental Planning and Assessment Act 1979. Part of the land is recorded as being bushfire prone on a bushfire prone land map for the area. The bushfire prone land map for the area is available for inspection during Councils normal office hours.

12. Property vegetation plans

A property vegetation plan, created under the Native Vegetation Act 2003 does not apply to the land (to the extent that Council have been notified of the existence of such plans by the person or body that approved the plan under the Native Vegetation Act 2003).

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

An order has not been made under the Trees (Disputes Between Neighbours) Act 2006 to carry out work in relation to a tree on the land (to the extent that Council have been notified of the existence of such an order).

14. Directions under Part 3A

**PLANNING CERTIFICATE UNDER SECTION 149
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

The minister HAS NOT issued a direction pursuant to section 75P(2) (c1) of the Environmental Planning and Assessment Act 1979, detailing that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land under Part 4 of the Act; does not have effect (to the extent that Council have been notified of the existence of such a direction).

15. Conditions affecting seniors housing

The land does not comprise development subject to the provisions of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004.

16. Site compatibility certificates for infrastructure

Council has not been made aware of any valid site compatibility certificates issued under Clause 19 of State Environmental Policy (Infrastructure) 2007 in respect of proposed development on the land.

**PLANNING CERTIFICATE UNDER SECTION 149
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

ADVICE PROVIDED IN ACCORDANCE WITH SECTION 149(5)

Advice provided in accordance with Section 149 (5) of the Environmental Planning and Assessment Act 1979.

Pursuant to section 149(5), the following advice is provided which pertains to the following matters as applicable:

- **Army Activities**
- **Adopted Standard Flood**
- **Localised Flooding**
- **Outstanding Notices or Orders issued against the property**
- **Resolution of Council – 339/04 regarding Poultry Farming Activities**
- **Singleton Waste Disposal Depot Landfill/Waste dump impacts**
- **Policy for Accommodating Family Relatives**
- **Mining Activities**
- **Council Road Widening Proposals**
- **Building Lines and Setbacks**
- **Erection of a Dwelling-House**
- **Access to the Property**
- **Unmaintained Road Policy**
- **Development Applications Determined in the last five years**

ARMY ACTIVITIES

The Singleton Army Firing Range is located within the Singleton Area. Some activities, such as artillery firing and aircraft operations impact on the environment beyond the Firing Range boundaries. These activities may result in noise and vibration impacts being experienced on lands throughout the Singleton Local Government Area.

ARMY FIRING RANGE

Council has been advised by the Army that the firing range operates on a 24 hour basis for most of the year. Land located around the Firing Range may be exposed to battle noise, truck convoys, armoured fighting vehicles moving along the Firing Range boundary, illumination and low-flying aircraft.

LOCALISED FLOODING

Council's records indicate that a natural watercourse runs through the subject land. Localised flooding from the watercourse may occur during periods of heavy rainfall and significant stormwater flow.

**PLANNING CERTIFICATE UNDER SECTION 149
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

COUNCIL ROAD WIDENING PROPOSALS

The land is not identified as being subject to future road widening proposals by Council.

Note: This item relates to Council's road proposals only. Other authorities, including the NSW Roads and Traffic Authority may have road widening proposals.

BUILDING LINES AND SETBACKS

Zone 5 (Special Uses and Reservations Zone)

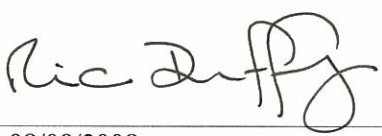
- Building Line - No designated standard building line.
- Side and Rear Setbacks - No designated standard side or rear setbacks. Buildings and structures are subject to fire separation requirements of the Building Code of Australia.

ERECTION OF A DWELLING-HOUSE

Under the provisions of the Singleton Local Environmental Plan 1996, if the land is vacant, the erection of a dwelling-house on the land IS PROHIBITED by reason of a development standard relating to the minimum area on which a dwelling house may be erected.

Note: The erection of a dwelling-house is subject to development consent which includes assessment of the proposal pursuant to Section 79C of the Environmental Planning and Assessment Act 1979.

The above information has been taken from Council's records in good faith. Council cannot accept responsibility for any omission or inaccuracy. Where information has been received from a third party, it is recommended that applicants approach that party (or parties) directly for further information and to confirm its authenticity.

Erica Duffy For GENERAL MANAGER	
DATE:	08/09/2008



NOTICE:-

THIS PROPERTY MAY BE SERVICED BY AN ON-SITE SEWAGE MANAGEMENT SYSTEM

This property may be serviced by an on-site sewage management system. New property owners are required to apply to Council for an “Approval to Operate” an on-site sewage management system and to pay the associated fees.

An approval to operate on-site sewage systems is personal (ie it is not associated with the land) and responsibility for performance rests with the owner not the Council. This means that if a property is sold the new owner, must in turn apply for an approval to operate. The Local Government Sewage Management Regulation provides a temporary exemption for any person who purchases land on which a sewage management facility is installed. That person may continue to operate such a system, without the approval so required, for a period of three months from the date on which the property is transferred. It is further provided that, if the new owner applies for such approval within two months of the date of transfer, they may continue to operate the system until such times as the application is finally determined by Council.

Approvals to operate on-site sewage management systems are granted to the owners of properties and therefore need to be reissued with the transfer of title. Council is currently notified of transfer of ownership by The Land Titles Office and the rate notices are updated monthly. Property File numbers will be matched with the existing database and new owners will be forwarded an Application to Operate an On-site Sewage Management System.

If you would like more information please contact Singleton Council on (02) 6578 7290.

Enquiries to: Planning & Development Services
(02) 6578 7290

Our Ref: PN 20089 (App. 12225)

Your Ref: 221375519

**PLANNING CERTIFICATE UNDER SECTION 149
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

Applicant: Attn: Drew Morgan
GHD Pty Ltd
PO Box 5403
HUNTER REGION MAIL
CENTRE NSW 2310

Certificate No: 20080670
File No: PN 20089
Receipt No: 524782
Receipt Date: 01/09/2008
Fee Paid: \$100.00

PROPERTY DESCRIPTION:

LOT: 102 DP: 882932, 288 Hermitage Road, BELFORD 2335

OWNER: Mr M D & Mrs J Coleman

ASSESSMENT NUMBER: 115976

PARCEL NUMBER: 20089

Note:

Where an application is made over more than one allotment of land, the provisions of this certificate apply to the aggregation of those allotments and may not necessarily apply to the allotments individually.

ENTERED TO DATABASE	
INITIAL	DATE
10/9/08	G63088
NAME	DATE
DM	



ABN 52 877 492 396

Address all correspondence to the General Manager:
Civic Centre
Queen Street
PO BOX 314
SINGLETON
NSW 2330
DX 7063

Ph: (02) 6578 7290
Fax: (02) 6572 4197
Email:
ssc@singleton.nsw.gov.au
Website:
www.singleton.nsw.gov.au



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A progressive
community of
excellence and
sustainability."*

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**PLANNING CERTIFICATE UNDER SECTION 149
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

ADVICE PROVIDED IN ACCORDANCE WITH SECTION 149(2)

1. Names of relevant SEPPs, REPs, LEPs and DCPs applying to the land

Local Environmental Plans

The Singleton Local Environmental Plan 1996 (as amended) applies to the land.

Draft Local Environmental Plans

No draft Local Environmental Plan that has been placed on public exhibition under Section 66(1)(b) of the Environmental Planning and Assessment Act 1979, applies to the land.

Development Control Plans

The following Development Control Plans made under Division 6 of Part 3 of the Environmental Planning and Assessment Act 1979 apply to the land (including development control plans made under Section 72 of the Act, or by the Director General under Section 51 of the Act before repeal of those sections):

- Singleton Development Control Plan
- Singleton Council Exempt and Complying Development – Development Control Plan

Regional Environmental Plans

The Hunter Regional Environmental Plan 1989 applies to the land.

Draft Regional Environmental Plans

No draft Regional Environmental Plan, placed on public exhibition under Section 47(b) of the Environmental Planning and Assessment Act 1979, applies to the land.

State Environmental Planning Policy

The following State Environmental Planning Policies apply to the land:

- State Environmental Planning Policy No. 1 - Development Standards

**PLANNING CERTIFICATE UNDER SECTION 149
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

- State Environmental Planning Policy No. 4 - Development Without Consent and Miscellaneous Complying Development
- State Environmental Planning Policy No. 6 - Number of Storeys in a Building
- State Environmental Planning Policy No. 9 - Group Homes
- State Environmental Planning Policy No. 15 - Rural Land-Sharing Communities
- State Environmental Planning Policy No. 19 - Bushland in Urban Areas
- State Environmental Planning Policy No. 21 - Caravan Parks
- State Environmental Planning Policy No. 22 - Shops and Commercial Premises
- State Environmental Planning Policy No. 26 – Littoral Rainforests
- State Environmental Planning Policy No. 30 – Intensive Agriculture
- State Environmental Planning Policy No. 32 - Urban Consolidation (Redevelopment of Urban Land)
- State Environmental Planning Policy No. 33 - Hazardous and Offensive Development
- State Environmental Planning Policy No. 36 - Manufactured Home Estates
- State Environmental Planning Policy No. 44 - Koala Habitat Protection
- State Environmental Planning Policy No. 55 - Remediation of Land
- State Environmental Planning Policy No. 60 - Exempt and Complying Development
- State Environmental Planning Policy No. 62 - Sustainable Aquaculture
- State Environmental Planning Policy No. 64 - Advertising and Signage
- State Environmental Planning Policy No. 65 - Design Quality of Residential Flat Development
- State Environmental Planning Policy (Seniors Living) 2004
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004
- State Environmental Planning Policy (Major Projects) 2005
- State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007
- State Environmental Planning Policy – (Temporary Structures and Places of Public Entertainment) 2007
- State Environmental Planning Policy – (Infrastructure) 2007
- State Environmental Planning Policy - (Rural Lands) 2008

NOTE:

The above policies apply to the whole of the State and not solely to the land the subject of this certificate. The policies may provide for the land subject of this certificate to be exempted from the requirements of the respective policy due to site specific or development specific considerations.

**PLANNING CERTIFICATE UNDER SECTION 149
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

Draft State Environmental Planning Policy

The following draft State Environmental Planning Policies that have been publicised as referred to in Section 39(2) of the Act, apply to the land:

- Draft State Environmental Planning Policy (Application of Development Standards) 2004.
- Draft State Environmental Planning Policy No. 66 - Integration of Landuse and Transport.
- Exposure draft of the draft State Environmental Planning Policy (Repeal of Concurrence and Referral Provisions) 2008.

2. Zoning and land use under relevant LEPs

Zoning under Singleton Local Environmental Plan 1996

The land is in Zone 1(a) (Rural Zone) under the provisions of Part 3 of the Singleton Local Environmental Plan 1996.

For the purposes of the plan:

- i) Development permissible in the zone without consent from Council**
Development for the purpose of:
agriculture; forestry; intensive agriculture; small gravel pits. Exempt development.
- ii) Development permissible in the zone only with development consent from Council**

Development not included in item i) or iii).
- iii) Prohibited development**

Development for the purpose of:
advertising structures (other than as would be permitted by clause 33 of the Environmental Model Provisions 1980 if they applied); boarding-houses; bulk stores; bus depots; business premises; car repair stations; dual occupancy-detached; industries other than offensive or hazardous industries; junk yards; light industries; liquid fuel depots; motor showrooms; residential flat buildings; road transport terminals; shops; warehouses.
- iv) Development Standards/Mandatory Provisions - Minimum lot size for the erection of a dwelling house**

**PLANNING CERTIFICATE UNDER SECTION 149
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

A dwelling-house can be erected only on the following land in Zone 1(a):

- (a) an allotment which has an area of 40 hectares or greater,
- (b) an allotment with an area of less than 40 hectares where the land is the whole of an allotment consented to by Council on or after 7 January 1966, or
- (c) an allotment of land with an area of less than 40 hectares where the land is an allotment created prior to 7 January 1966 and comprises the whole of an existing holding, or
- (d) an allotment of land with an area of less than 40 hectares where the land is an allotment created prior to 7 January 1966 which has an area of not less than 10 hectares and was owned at 17 December 1980 by a person who at that date did not own any lot, portion or parcel of land adjoining or adjacent to the allotment, or
- (e) an allotment which already contains a dwelling-house where the proposed dwelling-house is intended to wholly replace an existing dwelling-house.

Additional dwelling-houses may be erected with the consent of Council on land with an area greater than 40 hectares where the dwelling-houses are to be used by a person or persons engaged in activities permissible on the land and for which consent has been given, if required by the Singleton Local Environmental Plan 1996.

Critical habitats

Council does not possess comprehensive mapping of critical habitats within the Singleton Local Government Area (LGA). The Director-General of the NSW Department of Environment and Climate Change has not served a copy of a map of critical habitat on Council identifying that the land includes or comprises critical habitat.

Conservation area/s

The land is not identified within the Singleton Local Environmental Plan 1996 as being within a conservation area.

Environmental Heritage

The land is not identified as comprising environmental heritage in Schedule 3 of the Singleton Local Environmental Plan 1996.

3. (Repealed)

**PLANNING CERTIFICATE UNDER SECTION 149
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

4. Coastal Protection

The land is not affected by the operation of Section 38 or 39 of the Coastal Protection Act 1979 to the extent Council has been so notified by the Department of Public Works.

5. Mine subsidence

The land is not within a proclaimed Mine Subsidence District within the meaning of Section 15 of the Mine Subsidence Compensation Act 1961.

6. Road widening and road realignment

The land is not affected by road widening and/or road realignment under:

- (a) Division 2 of Part 3 of the Roads Act 1993, or
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- (c) A resolution of the Council.

Note: This item relates to Council's road proposals only. Other authorities, including the NSW Roads and Traffic Authority may have road widening proposals.

7. Council and other public authority policies on hazard risk restriction

Landslip, tidal inundation and acid sulphate soils

Council has not by resolution adopted a policy to restrict the development of land because of the likelihood of landslip, tidal inundation or acid sulphate soils.

Bushfire Protection Guidelines

The land is identified as being bushfire prone and is affected by the provisions of Planning for Bushfire Protection, adopted by the NSW Rural Fire Service and Council.

Mine Subsidence Guidelines

The land is not affected by the policy document: Buying Property and Building in a Mine Subsidence District adopted by the Mine Subsidence Board.

Flood policies

The land is not affected by the Singleton Floodplain Management Plan. The land is not within the floodplain of the Hunter River as proclaimed under section 16 of the former Hunter Valley Flood Mitigation Act 1956. The land is not identified as being affected by the provisions of Part 2 of the Water Management Act 2000.

7A Flood related development controls information

**PLANNING CERTIFICATE UNDER SECTION 149
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

Development on the land/part of the land; is subject to flood-related development controls. Council's flood-related development controls are within the Singleton Local Environmental Plan 1996, the Singleton Floodplain Management Plan, the Singleton Floodplain Management Plan Development Control Plan and the Singleton Development Control Plan.

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No environmental planning instrument, deemed environmental planning instrument or draft environmental planning instrument which provides for the acquisition of land by a public authority, as referred to in section 27 of the Environmental Planning and Assessment Act 1979 has been identified as applying to the land.

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The land is affected by the provisions of the Singleton Development Contributions Plan 2005 (as amended). Also, Section 94 Contributions Plan No.1-1993 applies to development consents issued prior to the 21st October 2005.

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The land is not identified as being within land declared to be an investigation area or remediation site under Part 3 of the Contaminated Land Management Act 1997.

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The land is not identified as being subject to an investigation order or a remediation order within the meaning of the Contaminated Land Management Act 1997.

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At the time of preparation of this certificate, the land is not identified as being subject of a voluntary investigation proposal or voluntary remediation proposal pursuant to the Environmental Protection Authority's agreement under section 19 or 26 of the Contaminated Land Management Act 1997.

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The land is not identified as being subject to a site audit statement within the meaning of Part 4 of the Contaminated Land Management Act 1997.

11. Bush fire prone land

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The land is identified as being bushfire prone land as defined by the Environmental Planning and Assessment Act 1979. Part of the land is recorded as being bushfire prone on a bushfire prone land map for the area. The bushfire prone land map for the area is available for inspection during Councils normal office hours.

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14. Directions under Part 3A

The minister HAS NOT issued a direction pursuant to section 75P(2) (c1) of the Environmental Planning and Assessment Act 1979, detailing that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land under Part 4 of the Act; does not have effect (to the extent that Council have been notified of the existence of such a direction).

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16. Site compatibility certificates for infrastructure

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COUNCIL ROAD WIDENING PROPOSALS

The land is not identified as being subject to future road widening proposals by Council.

Note: This item relates to Council's road proposals only. Other authorities, including the NSW Roads and Traffic Authority may have road widening proposals.

BUILDING LINES AND SETBACKS

The following adopted standard building line and setback requirements apply to the land:

Zone 1(a) (Rural Zone) - excluding village of Glenridding

- Building Line - Forty (40) metres (standard)
- Building Line - Sixty (60) metres from Main Road
- Side and Rear Setbacks - Ten (10) metres.

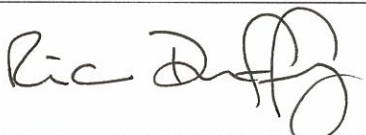
You are advised that some developments may be subject to variations to these standard building line and setback requirements. These variations would be considered at the development application stage. Details regarding setbacks for different classes or buildings can be obtained from Council.

ERECTION OF A DWELLING-HOUSE

Under the provisions of the Singleton Local Environmental Plan 1996, if the land is vacant, the erection of a dwelling-house on the land IS NOT PROHIBITED by reason of a development standard relating to the minimum area on which a dwelling house may be erected.

Note: The erection of a dwelling-house is subject to development consent which includes assessment of the proposal pursuant to Section 79C of the Environmental Planning and Assessment Act 1979.

The above information has been taken from Council's records in good faith. Council cannot accept responsibility for any omission or inaccuracy. Where information has been received from a third party, it is recommended that applicants approach that party (or parties) directly for further information and to confirm its authenticity.

Erica Duffy For GENERAL MANAGER	
DATE:	08/09/2008



NOTICE:-

THIS PROPERTY MAY BE SERVICED BY AN ON-SITE SEWAGE MANAGEMENT SYSTEM

This property may be serviced by an on-site sewage management system. New property owners are required to apply to Council for an “Approval to Operate” an on-site sewage management system and to pay the associated fees.

An approval to operate on-site sewage systems is personal (ie it is not associated with the land) and responsibility for performance rests with the owner not the Council. This means that if a property is sold the new owner, must in turn apply for an approval to operate. The Local Government Sewage Management Regulation provides a temporary exemption for any person who purchases land on which a sewage management facility is installed. That person may continue to operate such a system, without the approval so required, for a period of three months from the date on which the property is transferred. It is further provided that, if the new owner applies for such approval within two months of the date of transfer, they may continue to operate the system until such times as the application is finally determined by Council.

Approvals to operate on-site sewage management systems are granted to the owners of properties and therefore need to be reissued with the transfer of title. Council is currently notified of transfer of ownership by The Land Titles Office and the rate notices are updated monthly. Property File numbers will be matched with the existing database and new owners will be forwarded an Application to Operate an On-site Sewage Management System.

If you would like more information please contact Singleton Council on (02) 6578 7290.



Appendix C

Historic Title Search Results

Note 4:

Current Search

Folio Identifier 1/86239 (title attached)
DP 86239 (plan attached)
Dated 26 August 2008
Registered Proprietor:
D J & C R BARNES PTY LIMITED

**Title Tree
Lot 1 DP 86239**

Folio Identifier 1/86239

Certificate of Title Volume 10625 Folio 34

Certificate of Title Volume 7252 Folio 16

Certificate of Title Volume 5983 Folio 49

PA 36239

Conveyance Book 1934 No 691

Acknowledgement Book 1671 No 525

Conveyance Book 119 No 275

Summary of proprietors Lot 1 DP 86239

Year	Proprietor
	(Lot 1 DP 86239)
2000 – todate	D J & C R Barnes Pty Limited
1988 – 2000	B M I Limited
	(Lot 1 DP 86239 – CTVol 10625 Fol 34)
1987 – 1988	B M I Limited
1977 – 1987	B Marheine Bulk Haulage Pty Limited
1967 – 1977	Bunge (Australia) Proprietary Limited
	(Lots 1, 2 & 3 DP 86239 – Area 539 Acres 2 Rood 5 Perches – CTVol 7252 Fol 16)
1966 – 1967	Bunge (Australia) Proprietary Limited
1957 – 1966	Neville Edward Moore, grazier
	(Part Portion 10 Parish Wittingham – Area 1108 Acres 1 Rood 11 Perches – CTVol 5983 Fol 200)
1949 – 1957	Neville Edward Moore, grazier
	(Part Portion 10 Parish Wittingham – Area 1108 Acres 1 Rood 11 Perches)
1947 – 1949	Neville Edward Moore, grazier
	(Part Portion 10 Parish Wittingham and other lands – Conv Book 1934 No 691)
1943 – 1947	Edward Ernest Christie, grazier Neville Edward Miller Christie, grazier
	(Part Portion 10 Parish Wittingham and other lands – Ack Book 1671 No 525)
1933 – 1943	Rodney Rouse Dangar, grazier Albert Augustus Dangar, estate
1913 – 1933	Mary Phoebe Dangar, widow Rodney Rouse Dangar, grazier Reginald Neville Dangar, solicitor Albert Augustus Dangar, estate
	(Part Portion 10 Parish Wittingham and other lands – Area 1124 Acres 3 Roods 28 Perches – Conv Book 119 No 275)
1870 – 1913	Albert Augustus Dangar, esquire

Information Provided Through
Advance Legal Search Pty Ltd
Ph. 0297541590 Fax. 0297541364

Title Search

LEAP Legal
An Approved LPI NSW
Information Broker

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - TITLE SEARCH

FOLIO: 1/86239

SEARCH DATE	TIME	EDITION NO	DATE
26/8/2008	6:42 PM	3	17/8/2005

LAND

LOT 1 IN DEPOSITED PLAN 86239
LOCAL GOVERNMENT AREA SINGLETON
PARISH OF WHITTINGHAM COUNTY OF NORTHUMBERLAND
TITLE DIAGRAM DP86239

FIRST SCHEDULE

D.J. & C.R. BARNES PTY LIMITED (T 6933632)

SECOND SCHEDULE (7 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 K601940 EASEMENT FOR WATER PIPE LINE AFFECTING THE PIECE OF LAND 30 LINKS WIDE AS PROPOSED EASEMENT IN DP232527
- 3 M585058 EASEMENT FOR WATER PIPELINE APPURTENANT TO THE LAND WITHIN DESCRIBED AFFECTING LAND SHOWN AS PROPOSED EASEMENT 30 LINKS WIDE IN DP232527 HAVING CENTRELINE LENGTHS OF 2097.5 LINKS AND 73.5 LINKS
- 4 M585056 EASEMENT FOR WATER PIPELINE AFFECTING THAT PART OF THE LAND WITHIN DESCRIBED SHOWN AS 30 LKS WIDE IN DP232527
- 5 AB621693 EASEMENT FOR WATER SUPPLY 5 METRE(S) WIDE APPURTENANT TO THE LAND ABOVE DESCRIBED AFFECTING THE PART(S) SHOWN SO BURDENED IN PLAN WITH AB621693
- 6 AB621694 EASEMENT FOR WATER SUPPLY 5 METRE(S) WIDE APPURTENANT TO THE LAND ABOVE DESCRIBED AFFECTING THE PART(S) SHOWN SO BURDENED IN PLAN WITH AB621694
- 7 AB673173 RIGHT OF CARRIAGEWAY 10 WIDE AFFECTING THE PART SHOWN IN PLAN WITH AB673173

NOTATIONS

DP1128978 NOTE: PLAN OF ACQUISITION
UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

GHD - Belford ALSP

PRINTED ON 26/8/2008

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Information Provided Through
Advance Legal Search Pty Ltd
Ph. 0297541590 Fax. 0297541364

Historical Search

LEAP Legal
An Approved LPI NSW
Information Broker

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - HISTORICAL SEARCH

SEARCH DATE

26/8/2008 6:54PM

FOLIO: 1/86239

First Title(s): SEE PRIOR TITLE(S)
Prior Title(s): VOL 10625 FOL 34

Recorded	Number	Type of Instrument	C.T. Issue
21/8/1988		TITLE AUTOMATION PROJECT	LOT RECORDED FOLIO NOT CREATED
14/12/1988		CONVERTED TO COMPUTER FOLIO	FOLIO CREATED CT NOT ISSUED
10/7/2000	6933632	TRANSFER	EDITION 1
19/7/2005	AB621693	GRANT OF EASEMENT	
19/7/2005	AB621694	GRANT OF EASEMENT	EDITION 2
17/8/2005	AB673173	GRANT OF EASEMENT	EDITION 3
25/7/2008	DP1128978	DEPOSITED PLAN	

*** END OF SEARCH ***

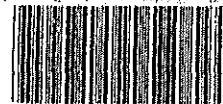
GHD - Belford ALSP

PRINTED ON 26/8/2008

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NEW SOUTH WALES

CERTIFICATE OF TITLE
PROPERTY ACT, 1900, as amended.



10625034

Application No. 36239
Prior Title Vol. 7252 Fol. 16

Vol. 10625 Fol. 34



HB Edition issued 24-8-1967

K601944

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.

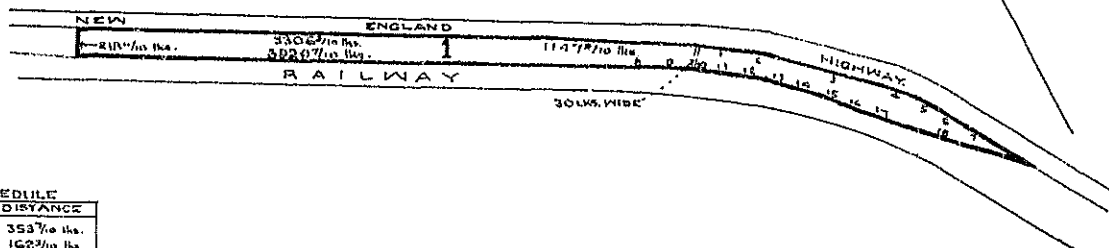
Witness *M. S. Allen*

J. Watson

Registrar General.



PLAN SHOWING LOCATION OF LAND



SCHEDULE	
LINE	DISTANCE
1	353 7/10 lks.
2	162 7/10 lks.
3	861 7/10 lks.
4	287 7/10 lks.
5	174 7/10 lks.
6	237 7/10 lks.
7	587 7/10 lks.
8	248 7/10 lks.
9	243 7/10 lks.
10	170 7/10 lks.
11	200 7/10 lks.
12	202 7/10 lks.
13	200 7/10 lks.
14	189 7/10 lks.
15	208 7/10 lks.
16	208 7/10 lks.
17	250 7/10 lks.
18	100 1 1/2 lks.

Area: 15 ac. 1 rd. 27 3/4 per.
Scale: 10 chains to one inch.

K601944 IP
D.L.

ESTATE AND LAND REFERRED TO

Estate in Fee Simple in Lot 1 in the plan lodged with Primary Application No. 36239 (filed as F.P.86239) in the Shire of Patrick Plains, Parish of Wittingham and County of Northumberland being part of Portion 10 granted to James Mudie on 30-6-1823.

FIRST SCHEDULE (continued overleaf)

BUNGE (AUSTRALIA) PROPRIETARY LIMITED.

SECOND SCHEDULE (continued overleaf)

1. Reservations and conditions, if any, contained in the Crown Grant above referred to.
2. Easement for water pipe line created by Transfer No. K601940 affecting the piece of land 30 links wide shown in the plan hereon.

J. Watson

Registrar General.

B97

/Req: B459482
/Doc: CT 10625-034
/Prt: 28-Aug-2008

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

WARNING THIS DOCUMENT MUST NOT BE REMOVED FROM THE LAND TITLES OFFICE

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

17 V.C.N. Blyth, Government Printer

REGISTERED PROPRIETOR

REGISTERED PROPRIETOR				INSTRUMENT			ENTERED	Signature of Registrar-General
				NATURE	NUMBER	DATE		
B. Hartono Bull Heritage Pty. Limited B.M.L. Limited by Transfer X105737. Registered 30-9-1982 SEE AUTO FOLIO				Transfer	0447600	15-11-1977		

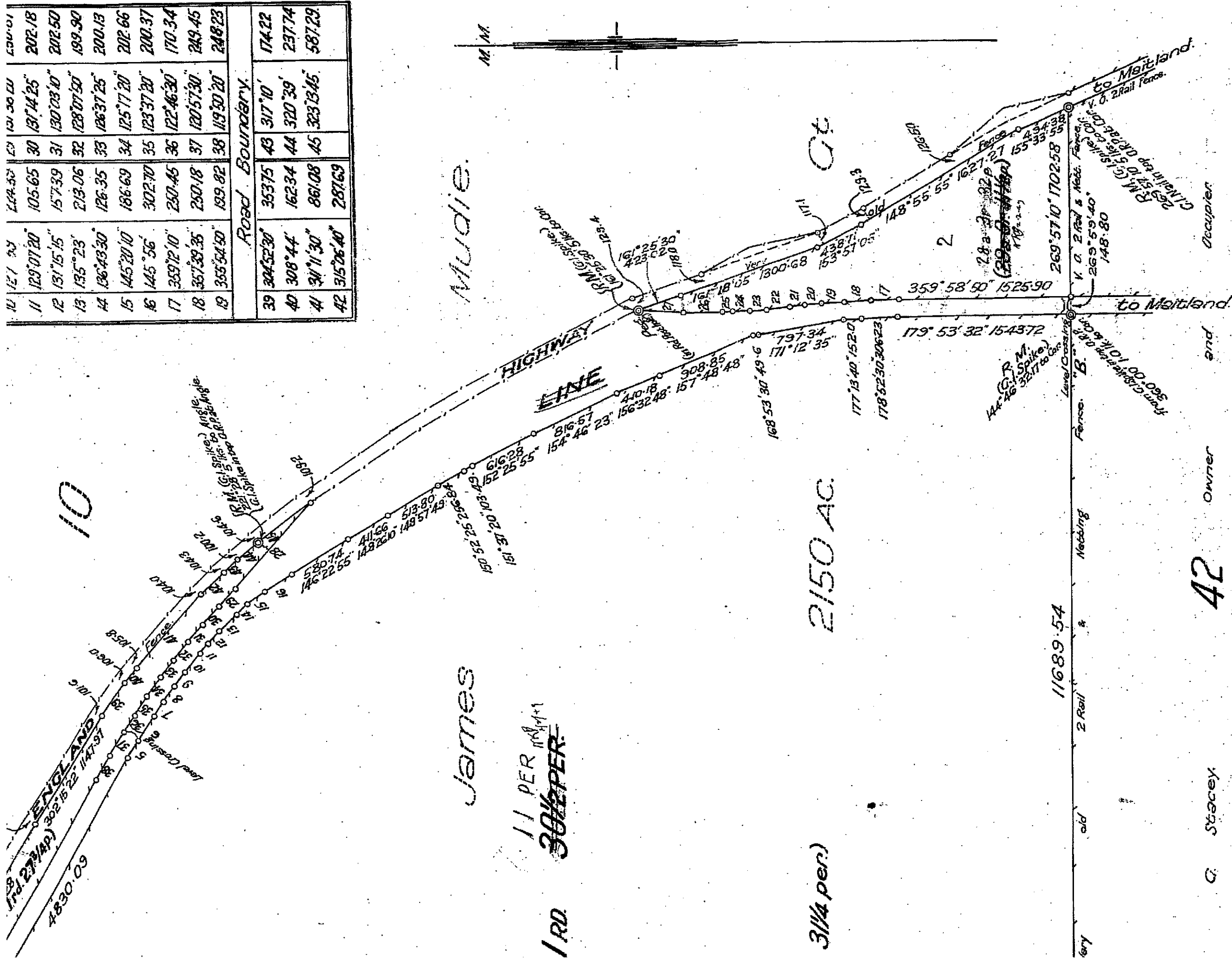
PARTICULARS

[illegible]

NOTE. ENTRIES DULLEN TURKISH AND AUTHENTICATED BY THE SEAL OF THE REGISTRAR GENERAL ARE CANCELLED.

[illegible]

10	121° 53'	114.30	29	131° 30' 10"	200.01
11	129° 07' 20"	105.65	30	131° 14' 25"	202.18
12	131° 15' 15"	157.39	31	130° 03' 10"	202.50
13	135° 23'	213.06	32	128° 07' 50"	199.90
14	136° 43' 30"	126.35	33	126° 37' 25"	200.13
15	145° 20' 10"	186.69	34	125° 17' 20"	202.66
16	145° 56'	302.70	35	123° 37' 20"	200.37
17	359° 12' 10"	250.45	36	122° 46' 30"	170.34
18	357° 33' 35"	250.18	37	120° 57' 30"	249.45
19	355° 54' 30"	199.82	38	119° 50' 20"	248.23
Road Boundary.					
39	304° 52' 30"	353.75	43	317° 10'	174.22
40	308° 44'	162.34	44	320° 39'	237.74
41	311° 11' 30"	861.08	45	323° 13' 45"	587.29
42	315° 06' 40"	287.69			



10

James

11 PER 30/100 PER

1 RD. 30/100 PER

3 1/4 per)

2150 AC.

11689.54

42

Owner and Occupier

C. Stacey

Yorruan H. Bennett

Surveyor registered under the Surveyors Act 1929

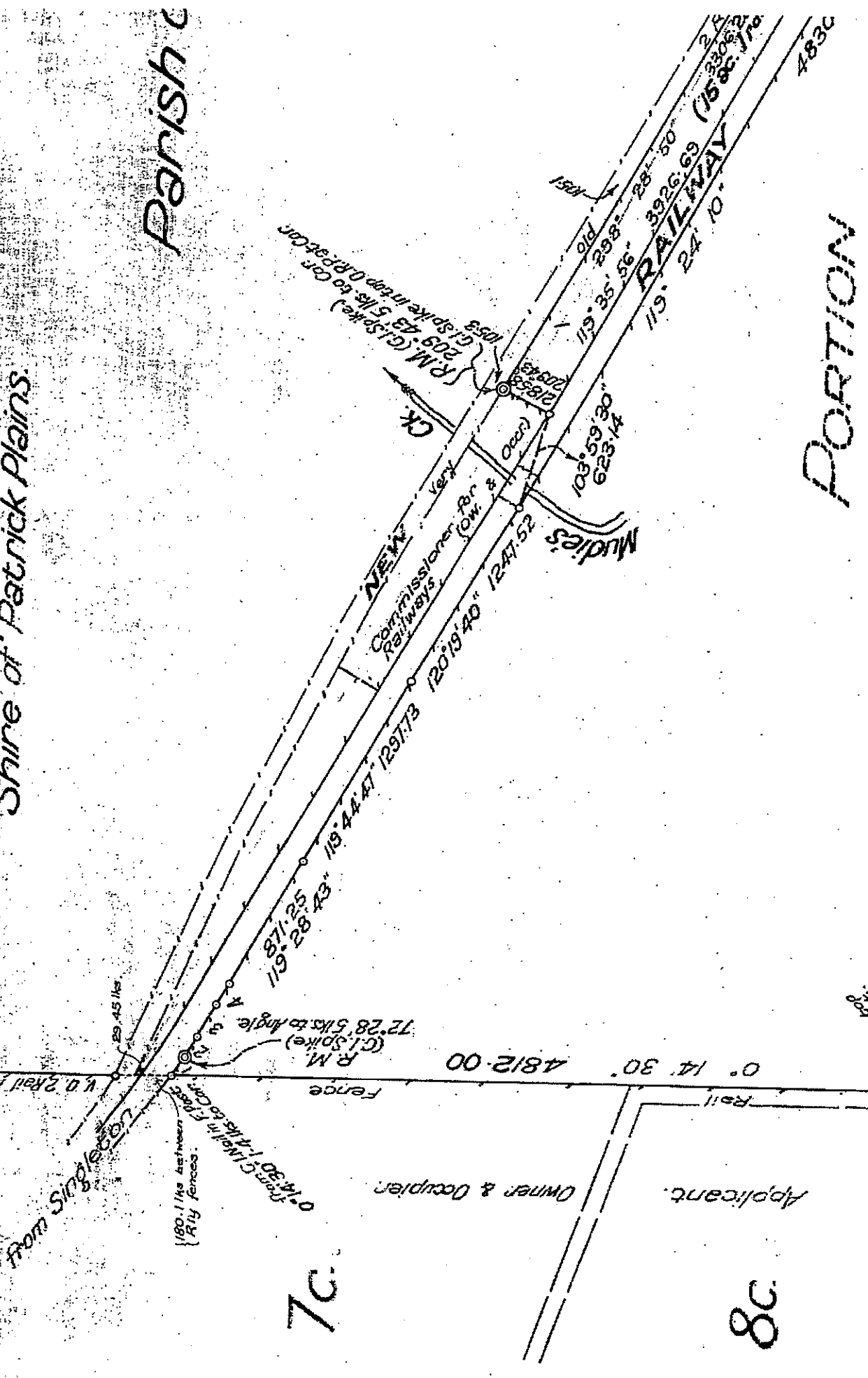
DP 86239 E

I, J. Bennett, of 38 Martin Place, Sydney, a Surveyor registered under the Surveyors Act 1929, do hereby solemnly and sincerely declare that all survey marks found and relevant physical objects on or adjacent to the land shown in this plan are correct, (b) that all physical objects in the past have been correctly represented, (c) that all physical objects in this plan have been correctly represented, (d) that the survey represented in this plan has been made in accordance with the Surveyors Regulations 1933, by me, was completed on 24th September 1933, and the Reference Marks have been placed as shown in this plan, and by virtue of the provisions of the Statute Act 1900.

DP 86239 (E)

Shire of Patrick Plains.

Parish of



"BAROONA."

2

3.

TOTAL AREA	1108 AC	1 RD.
1108 AC	1108 AC	1 RD.

(1063 ac. 3rd. 3 1/4 p.



DP 86239	LINKS	METRES
	1	0.201
	1.4	0.282
	5	1.006
	29.45	5.924
	32.17	6.472
	49.6	9.978
	100.06	20.129
	100.2	20.157
	101.6	20.439
	102.7	20.660
	103.49	20.819
	104	20.921
	104.3	20.982
	104.6	21.042
	105.1	21.143
	105.65	21.253
	105.8	21.284
	106	21.324
	109.2	21.968
	117.1	23.557
	118	23.738
	126.35	25.418
	129.3	26.011
	129.4	26.031
	143.46	28.860
	148.6	29.934
	148.98	29.970
	149.3	30.034
	149.54	30.083
	150.33	30.242
	152	30.578
	153.45	30.869
	153.69	30.918
	157.39	31.662
	159.3	32.046
	161.01	32.390
	161.39	32.467
	162.34	32.658
	170.34	34.267
	174.22	35.047
	180.1	36.230
	185.62	37.341
	186.69	37.556
	199.37	40.107
	199.82	40.197
	199.9	40.213
	200.13	40.260
	200.37	40.308
	202.18	40.672
	202.5	40.737
	202.66	40.769
	213.06	42.861
	218.58	43.971
	224.39	45.140
	230.82	46.434
	237.74	47.826
	248.23	49.936
	249.45	50.181
	250.18	50.328
	250.45	50.383
	250.87	50.467
	254.9	51.278
	256.84	51.668
	287.69	57.874
	302.7	60.894
	306.23	61.604
	339.7	68.337
	353.75	71.163
	410.18	82.515
	411.66	82.813
	412.38	82.958
	423.02	85.098
	438.7	88.252
	438.71	88.254
	494.35	99.447
	494.38	99.453
	513.8	103.360

DP 86239	LINKS	METRES
	580.74	116.826
	587.29	118.144
	616.28	123.976
	623.14	125.356
	797.34	160.399
	816.57	164.268
	861.08	173.222
	871.25	175.268
	908.85	182.832
	1001.17	201.403
	1147.97	230.935
	1247.52	250.961
	1297.73	261.062
	1300.68	261.655
	1386.43	278.905
	1525.9	306.962
	1543.72	310.547
	1627.27	327.355
	1702.58	342.505
	3306.28	665.118
	3926.69	789.924
	4812	968.020
	4830.09	971.660
	6642.6	1336.279
	11689.54	2351.561
AC	ND	P
		HA
15	1	27 3/4
28	3	32
29	-	11 1/2
1063	3	31 1/4
1108	1	11
1108	1	30 1/2
2150	-	"
		6.242
		11.72
		11.76
		430.6
		448.5
		448.6
		870.1

Application No. 36239

New South Wales

[CERTIFICATE OF TITLE.]



REGISTER BOOK.
Vol. 5983 Fol. 200

CANCELLED *W*

NEVILLE EDWARD MOORE, of ~~Widmore~~, near Singleton, Crazier, Nominee in Primary Application No. 36239 is now the proprietor of an Estate in Fee Simple, subject nevertheless to the reservations and conditions if any contained in the Grant hereinafter referred to and also subject to such encumbrances liens and interests as are notified hereon in those pieces of land situated in the Shire of Patrick Plains Parish of Wittingham and County of Northumberland containing One thousand one hundred and eight acres more or less eleven perches or thereabouts as shown in the plan hereon and therein edged red and also shown in the plan lodged with the said Application No. 36239 being parts of 2150 acres (Portion 10 of Parish) originally granted to James Madie by Crown Grant dated the 30th day of June 1823.

In witness whereof I have hereunto signed my name and affixed my Seal, this *Twelfth* day of *July* 19*49*

Signed in the presence of

Whidger

J. Wells

Registrar General

No. F38284 MORTGAGE dated 14th November 1947.
from the said Neville Edward Moore to Bank
of New South Wales

Produced 6th July 1949 and entered 15th July 1949
at 12 o'clock in the noon.

J. Wells
REGISTRAR GENERAL

This Deed is Cancelled and Certificate of Title issued.
Vol. 7252 Fol. 16, for residue.

J. Wells
REGISTRAR GENERAL

No. F267905 NOTICE OF RESUMPTION.
The Commissioner for Railways
is the proprietor of *part* of the land
within described (*excluding*) mines and deposits
as provided by Section 141 of the Public Works Act 1912) freed from
all other interests.
Produced *20th July* 1949 and entered
26th October 1949 at 12
o'clock in the noon.

As to land in this Resumption
this Certificate is cancelled
and new Certificate issued
Vol. 7239 Fol. 24

J. Wells
Registrar General.

No. F267906 NOTICE OF RESUMPTION
The Commissioner for Railways
is the proprietor of *part* of the land
within described (*excluding*) mines and deposits
as provided by Section 141 of the Public Works Act 1912) freed from
all other interests.
Produced *20th July* 1949 and entered
26th October 1949 at 12
o'clock in the noon.

As to land in this Resumption
this Certificate is cancelled
and new Certificate issued
Vol. 7239 Fol. 24

J. Wells
Registrar General.

No. G551595 dated 13th July 1956.
to *Raywell Barton Moore of part*
of the land within described.
released from Mortgage F38284

Entered *26th February* 1957.
As to land in this transfer
this deed is cancelled
and new Certificate issued
Vol. 7252 Fol. 15

J. Wells
REGISTRAR GENERAL

Q17 2nd 52
W18 or
R157
F38284 1952 A

F267905 NR
1 - NR

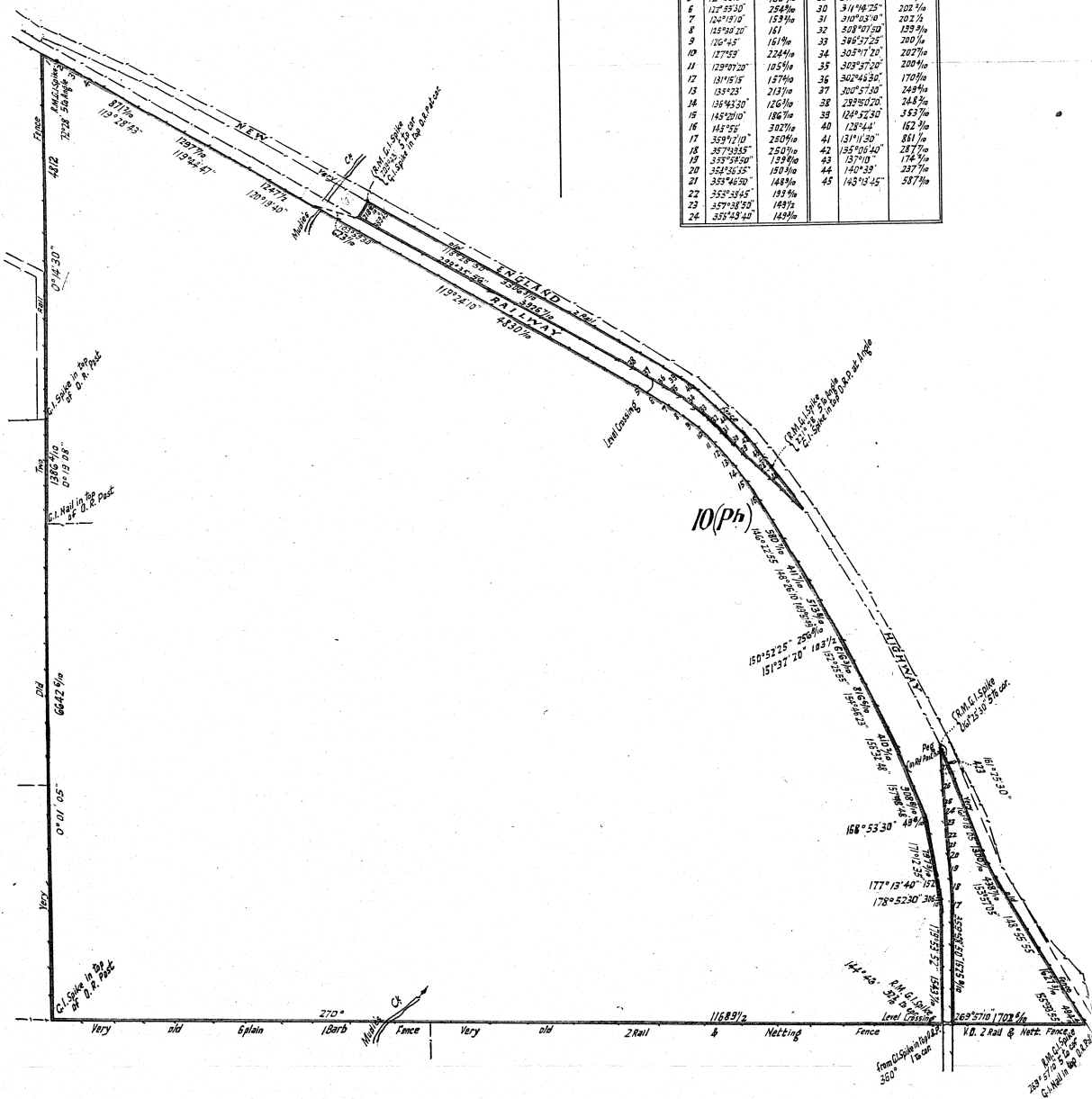
CT 2/5/56
M 2/5/56

G551595 NR
655162 8/6

5983-200

Schedule

Line	Bearing	Distance	Line	Bearing	Distance
1	123°12'30"	143 1/2	25	338°46'40"	100 1/2
2	121°52'30"	153 1/2	26	344°45'	239 1/2
3	120°28'20"	230 1/2	27	347°45'	412 1/2
4	120°27'20"	153 1/2	28	312°47'47"	1201 1/2
5	120°27'18"	185 1/2	29	311°38'20"	250 1/2
6	121°35'35"	234 1/2	30	311°16'25"	200 1/2
7	124°18'10"	153 1/2	31	310°43'10"	202 1/2
8	125°48'20"	161	32	308°27'50"	139 1/2
9	126°45'	161 1/2	33	305°57'25"	200 1/2
10	127°59'	224 1/2	34	305°17'20"	207 1/2
11	129°01'20"	105 1/2	35	303°57'20"	200 1/2
12	131°15'18"	157 1/2	36	302°46'30"	170 1/2
13	133°23'	213 1/2	37	300°57'30"	249 1/2
14	136°43'20"	126 1/2	38	289°02'20"	243 1/2
15	145°20'10"	186 1/2	39	149°52'30"	543 1/2
16	161°55'	300 1/2	40	128°44'	162 1/2
17	359°12'10"	260 1/2	41	131°11'30"	861 1/2
18	357°19'15"	250 1/2	42	135°10'40"	287 1/2
19	355°54'50"	129 1/2	43	157°10'	174 1/2
20	354°56'35"	150 1/2	44	140°13'	237 1/2
21	353°46'30"	148 1/2	45	143°13'45"	587 1/2
22	352°39'45"	193 1/2			
23	350°18'50"	148 1/2			
24	357°43'40"	149 1/2			



Note: Angles in Railway boundaries are marked by G.I. Nails in centre of outer face of fence posts.
Angles in New England Highway are marked by G.I. Nails in centre of angle posts unless noted otherwise.

P.A. 36239.

Total Area included in Certificate.

1108A 1R 11P

All lengths shown hereon are in links

Scale: 12 chains to one inch.

Note 2:

Current Search

Folio Identifier 89/871709 (title attached)
DP 871709 (plan attached)
Dated 26 August 2008
Registered Proprietor:
SHELLDEN PTY LIMITED

Title Tree
Lot 89 DP 871709

Folio Identifier 89/871709

(a)

(b)

Folio Identifier 9/4561

Auto Consol 2200 – 143

CTVol 1772 Fol 213

CTVol 1864 Fol 175

CTVol 1559 Fol 16

**Summary of proprietors
Lot 89 DP 871709**

Year	Proprietor
	(Lot 10 DP 1010126)
1997 – todate	Shellden Pty Limited

See Notes (a) & (b)

Note (a)

	(Lot 9 DP 4561)
1996 – 1997	Shellden Pty Limited
1989 – 1996	Douglas Godfrey Heuston Robert Druce Heuston
	(Lot 9 DP 4561 – Area 123 Acres 0 Roods 36 Perches – CTVol 1772 Fol 213)
1979 – 1989	Douglas Godfrey Heuston, farmer Robert Druce Heuston, farmer
1973 – 1979	Douglas Godfrey Heuston Robert Druce Heuston Colin John Heuston, farmer
1947 – 1973	John Godfrey Heuston, farmer
1947 – 1947	Cyril Frederick Dawes, farmer Wiber Edwin Dawes, farmer
1916 – 1947	Edwin Leon Dawes, grazier
1907 – 1916	John Thomas Collwin Mayne (jrn), grazier

Note (b)

	(Lot 8 DP 4561 & Lot 1 DP 982661 – A/C 2200 – 143)
1996 – 1997	Shellden Pty Limited
1989 – 1996	Douglas Godfrey Heuston, farmer Robert Druce Heuston, farmer
	(Lot 8 DP 4561 & Lot 1 DP 982661 – Area 629 Acres 1 Roods 23 Perches – CTVol 2200 Fol 143)
1979 – 1989	Douglas Godfrey Heuston, farmer Robert Druce Heuston, farmer
1973 – 1979	Douglas Godfrey Heuston Robert Druce Heuston Colin John Heuston, farmer
1949 – 1973	John Godfrey Heuston, farmer
1948 – 1949	Douglas Stewart Corner, business manager Ian MacDonald Corner, grazier
1932 – 1948	Stewart Corner, grazier
1911 – 1932	Frank Arthur Corner, grazier
	(Lots 5, 6, 7 & 8 DP 4561 & Lot 1 DP 982661 – Area 1864 Acres 3 Roods 15 Perches – CTVol 1864 Fol 175)
1907 – 1911	Edward Lloyd Jones, gentleman

Note 3:

Current Search

Folio Identifier 90/1075951 (title attached)
DP 1075951 (plan attached)
Dated 26 September 2008
Registered Proprietor:
SHELLDEN PTY LIMITED

**Title Tree
Lot 90 DP 1075951**

Folio Identifier 90/1075951

Crown Land

**Summary of proprietors
Lot 90 DP 1075951**

Year	Proprietor
	(Lot 90 DP 1075951)
2005 – todate	Shellden Pty Limited
2005 – 2005	Singleton Council
	(Part of Old Northern Road - Whittingham)
Prior – 2005	Crown Road

Information Provided Through
Advance Legal Search Pty Ltd
Ph. 0297541590 Fax. 0297541364

Title Search

LEAP Legal
An Approved LPI NSW
Information Broker

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - TITLE SEARCH

FOLIO: 89/871709

SEARCH DATE -----	TIME ----	EDITION NO -----	DATE ----
26/8/2008	6:41 PM	4	10/7/2004

LAND

LOT 89 IN DEPOSITED PLAN 871709
AT WHITTINGHAM
LOCAL GOVERNMENT AREA SINGLETON
PARISH OF BELFORD COUNTY OF NORTHUMBERLAND
PARISH OF WHITTINGHAM COUNTY OF NORTHUMBERLAND
TITLE DIAGRAM DP871709

FIRST SCHEDULE

SHELLDEN PTY. LIMITED

SECOND SCHEDULE (5 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 V877333 EASEMENT FOR PIPELINE 3 WIDE AFFECTING THE PART(S)
SHOWN SO BURDENED IN THE TITLE DIAGRAM
- 3 K427999 EASEMENT FOR TRANSMISSION LINE 45.72 WIDE AFFECTING
THE PART SHOWN SO BURDENED IN THE TITLE DIAGRAM
U764521 SHORTLAND ELECTRICITY IS NOW THE REGISTERED
PROPRIETOR OF THE EASEMENT
- 4 5865938 EASEMENT FOR ELECTRICITY TRANSMISSION LINES AND
ACCESS THERETO AFFECTING THE SITE DESIGNATED (G) IN
DP267031
- 5 AA790950 MORTGAGE TO COOPERATIVE CENTRALE
RAIFFEISEN-BOERENLEENBANK B. A. (AUSTRALIAN BRANCH)

NOTATIONS

DP1128981 NOTE: PLAN OF ACQUISITION
UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

GHD - Belford ALSP

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REGISTRAR-GENERAL IN ACCORDANCE WITH SECTION 96B(2) OF THE REAL PROPERTY ACT, 1900.

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Ph. 0297541590 Fax. 0297541364

Historical Search

LEAP Legal
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Information Broker

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - HISTORICAL SEARCH

SEARCH DATE

26/8/2008 6:51PM

FOLIO: 89/871709

First Title(s): OLD SYSTEM

Prior Title(s): 9/4561

VOL 2200 FOL 143

Recorded -----	Number -----	Type of Instrument -----	C.T. Issue -----
17/10/1997	DP871709	DEPOSITED PLAN	FOLIO CREATED EDITION 1
17/6/1999	5865938	GRANT OF EASEMENT	EDITION 2
14/9/2000	7089785	DEPARTMENTAL DEALING	
9/4/2001	7533634	MORTGAGE	EDITION 3
10/7/2004	AA790949	DISCHARGE OF MORTGAGE	
10/7/2004	AA790950	MORTGAGE	EDITION 4
25/7/2008	DP1128981	DEPOSITED PLAN	

*** END OF SEARCH ***

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PRINTED ON 26/8/2008

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Historical Search

LEAP Legal
An Approved LPI NSW
Information Broker

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - HISTORICAL SEARCH

SEARCH DATE

26/8/2008 6:52PM

FOLIO: 9/4561

First Title(s): SEE PRIOR TITLE(S)
Prior Title(s): VOL 1772 FOL 213

Recorded -----	Number -----	Type of Instrument -----	C.T. Issue -----
2/3/1989		TITLE AUTOMATION PROJECT	LOT RECORDED FOLIO NOT CREATED
14/1/1991		CONVERTED TO COMPUTER FOLIO	FOLIO CREATED CT NOT ISSUED
23/2/1993	I135152	CAVEAT	
15/12/1994	U764521	REQUEST	
8/3/1996	O958855	TRANSFER	EDITION 1
17/10/1997	DP871709	DEPOSITED PLAN	FOLIO CANCELLED

*** END OF SEARCH ***

GHD - Belford ALSP

PRINTED ON 26/8/2008

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Information Provided Through
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Ph. 0297541590 Fax. 0297541364

Title Search

LEAP Legal
An Approved LPI NSW
Information Broker

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - TITLE SEARCH

FOLIO: 90/1075951

SEARCH DATE -----	TIME ----	EDITION NO -----	DATE ----
26/8/2008	6:42 PM	2	15/11/2005

LAND

LOT 90 IN DEPOSITED PLAN 1075951
AT WHITTINGHAM
LOCAL GOVERNMENT AREA SINGLETON
PARISH OF BELFORD COUNTY OF NORTHUMBERLAND
PARISH OF WHITTINGHAM COUNTY OF NORTHUMBERLAND
TITLE DIAGRAM DP1075951

FIRST SCHEDULE

SHELLDEN PTY LIMITED (T AB912870)

SECOND SCHEDULE (5 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 DP1075951 RIGHT OF ACCESS VARIABLE WIDTH AFFECTING THE PART(S)
SHOWN SO BURDENED IN THE TITLE DIAGRAM
- 3 DP1075951 EASEMENT FOR ELECTRICITY VARIABLE WIDTH AFFECTING THE
PART(S) SHOWN SO BURDENED IN THE TITLE DIAGRAM
- 4 DP1075951 EASEMENT FOR GAS MAIN VARIABLE WIDTH AFFECTING THE
PART(S) SHOWN SO BURDENED IN THE TITLE DIAGRAM
- 5 DP1075951 EASEMENT FOR WATER SUPPLY VARIABLE WIDTH AFFECTING THE
PART(S) SHOWN SO BURDENED IN THE TITLE DIAGRAM

NOTATIONS

DP1128981 NOTE: PLAN OF ACQUISITION
UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

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RECORDED IN THE REGISTER. ADVANCE LEGAL SEARCH PTY LTD 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.

SIGNATURE AND SEALS ONLY.

David Golenia
for D. Golenia

VARIABLE WIDTH
MITCHELL LINE ROADNOTE - ROAD WIDENING
BY DP256695

NEW

VARIABLE

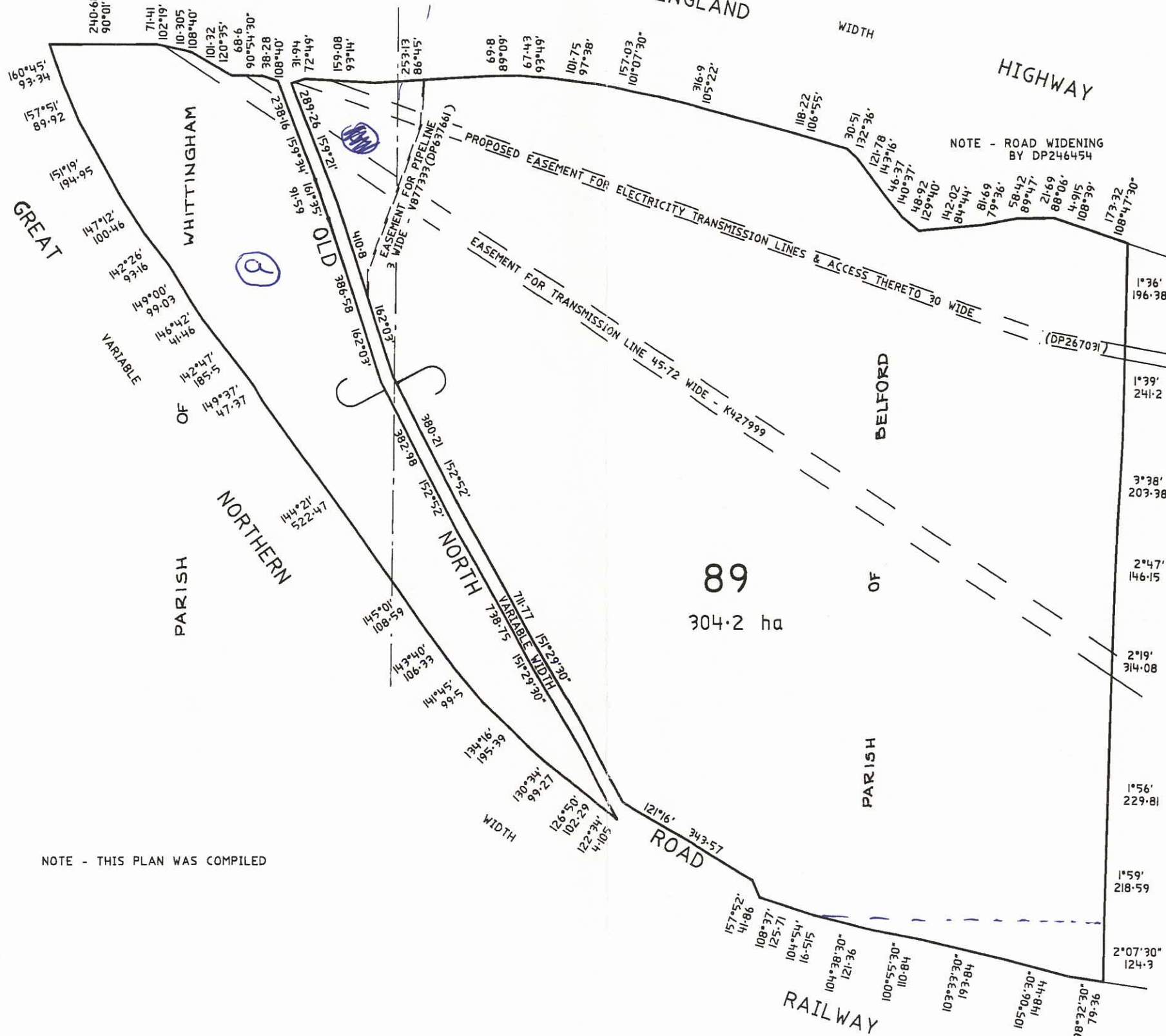
ENGLAND

WIDTH

HIGHWAY

NOTE - ROAD WIDENING
BY DP246454

MAGNETIC NORTH



DP 871709

Registered: 16.10.1997

C.A. N25C43/97 OF 25.8.1997.

Title System: TORRENS

Purpose: CONSOLIDATION

Ref. Map: PARISH

Last Plan: DP4561

PLAN OF CONSOLIDATION
OF LOT 1 DP982661 &
PART LOTS 8 & 9 DP4561

Lengths are in metres. Reduction Ratio 1: 7 500

LEP ZONE - RURAL
LGA SINGLETON

Locality: WHITTINGHAM

Parish: WHITTINGHAM & BELFORD

County: NORTHUMBERLAND (66), (7)

This is sheet 1 of my plan in 1 sheets.
(Delete if inapplicable).

DANIEL GOLENIA
HUNTER VALLEY SURVEYORS P/L
of SINGLETON Ph: 0265 77 3077
a surveyor registered under the Surveyors Act 1929, hereby
certify that the survey represented in this plan is accurate,
has been made in accordance with the Survey Practice
Regulation 1999 and was completed on
08 AUGUST 1997

(Signature) Daniel Golenia
Surveyor registered under
the surveyors Act 1929Datum Line of Azimuth
SURVEYOR'S REFERENCE - 04850

Plans used in preparation of survey/compilation.

DP4561 DP982661 DP976145
DP246454 DP256695
DP637661 DP267031PANEL FOR USE ONLY for statements of intention
to dedicate public roads, to create public reserves,
drainage reserves, easements, restrictions on the
use of land or positive covenants.

Crown Lands Office Approval

PLAN APPROVED
Authorised Officer
Land District
Paper No.
Field Book pages

Council's Certificate

I hereby certify that -
(a) the requirements of the Local Government Act, 1919 (other
than the requirements for the registration of plans), and
(b) the requirements of Part 3 Division 2 of the Water Board Act
1987, or Part 5 Division 2 of the Hunter Water Board
(Corporatisation) Act 1991.

have been complied with by the applicant in relation to the
proposed CONSOLIDATED LOT
(Insert "new road", "subdivision" or "consolidated lot" set out herein)

Subdivision No. SC 43/97

Date 25 AUGUST 1997

(Signature) D. Golenia

General Manager/Authorised Person

Council File No. DA 63/93

*This part of certificate to be deleted where the application is only for
a consolidated lot or the opening of a new road or where the land to be
subdivided is wholly outside the areas of operations of the Water
Board and the Hunter Water Corporation Ltd.

†Delete if inapplicable

NOTE - THIS PLAN WAS COMPILED

SURVEYOR'S REFERENCE: 04850

COMP EX 97 (588)

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

51-219

DP 871709

DP1075951

Registered -  2/2/2005
Title system - OLD SYSTEM
Purpose - ROADS ACT 1993
Ref map - PARISHES
Last plan - DP4561

Plan of Part of Old North Road for title issue
& Road Closing under the Roads Act 1993

Lengths are in metres
Reduction Ratio 1 : 5 000

LGA - Singleton
Locality - Whittingham
Parish - Whittingham & Belford (66)&(7)
County - Northumberland

This is sheet 1 of a 1 sheet plan.

Surveyor's Certificate
I, DANIEL GOLENIA, of POB 89 Singleton 2330
Hunter Valley Surveyors P/L ABN46067986172
phone 65773077 or golenia@bigfoot.com
a surveyor registered under the Surveying Act 2002,
hereby certify that the survey in this plan is accurate,
made in accordance with the Surveying Regulation 2001,
and completed on 01 July 2003.
The plan was compiled from DP4561 & DP871709.
see SIGNATUREs FORM
Surveyor's Reference - 04851

rural

Plans used in preparation of Plan
DP4561 DP871709

panel for statements only
Pursuant to section 88B of the
Conveyancing Act, 1919, as amended,
it is intended to create -
1- Right of Access variable width
2- Easement for Electricity variable width
3- Easement for Gas Main variable width
4- Easement for Water Supply variable width

It is proposed that Lot 90
public road be closed.

for
SIGNATUREs
SEALs and
CERTIFICATEs
see
SIGNATUREs FORM

Department of Lands Certificate

I, _____, in approving
this plan certify that all necessary approvals
in regard to the allocation of the land shown
in this plan have been given -

signature see SIGNATUREs FORM

Date - 08 September 2004

File N° - MD 02 H 306

Office - Maitland

Surveyor's Reference - 04851

Note - The whole of Lot 90 is affected by -
- Right of Access variable width
- Easement for Electricity variable width
- Easement for Gas Main variable width
- Easement for Water Supply variable width

10 20 30 40 50 60 70 80 90 100 110 120 130 140 150 160 170 original size mm 210 220 230 240 250 260 270 280 290 300 310 320 330 340 350 360 370 380 390

CERTIFICATES, SIGNATURES AND SEALS

Sheet 1 of 1 sheet

**PLAN of part of OLD NORTH ROAD for title issue
& ROAD CLOSING under the ROADS ACT 1993**

DP1075951

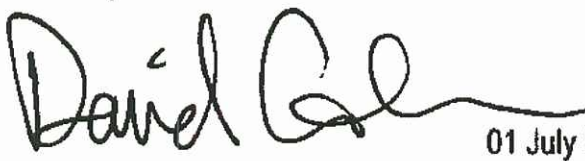
Registered:



2/2/2005

Surveyor's Certificate

I, **DANIEL GOLENIA**
of **Hunter Valley Surveyors P/L** ABN 46 067 986 172
POB 89 SINGLETON 2330 **golenia@bigfoot.com**
phone **6577 3077** or **0408 496 545**
a surveyor registered under the *Surveying Act 2002*,
certify that the survey represented in this plan is accurate,
has been made in accordance with the *Surveying Regulation 2001*
and was completed on **01 July 2003**.
The survey was compiled from **DP4561 & DP871709**.

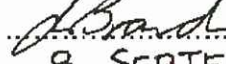
Signature  **01 July 2003**
Surveyor registered under the *Surveying Act 2002*

Type **Rural**

Surveyor's Reference - **04851**

Department of Lands Certificate

I, **JENNIFER BRAND**, in approving this plan certify
(Authorised Officer)
that all necessary approvals in regard to the allocation of the land
shown in this plan have been given.

Signature - 
Date - **8 SEPTEMBER 2004**
File Number - **MD 02 H 306**
Office - **Maitland**

SIGNATURES, SEALS and STATEMENTS
of intention to dedicate public roads or to create public reserves and drainage reserves.

The Common Seal of **Singleton Council**
stamped in the presence of -



Mayor -

General Manager -

in accordance with a resolution of Council
passed on **06 October 2003**.

Note:
When the plan is to be lodged electronically in Land and Property Information, it should include a signature in an
electronic or digital format approved by the Registrar-General.

SURVEYOR'S REFERENCE - 04851

* OFFICE USE ONLY

Note 5:

Current Search

Folio Identifier 100/1033019 (title attached)

DP 1033019 (plan attached)

Dated 26 August 2008

Registered Proprietor:

THE COMMONWEALTH OF AUSTRALIA

Title Tree

Lot 100 DP 1033019

Folio Identifier 100/1033019

Folio Identifier 1/812640

Certificate of Title Volume 12816 Folio 123

Certificate of Title Volume 10284 Folio 60

Certificate of Title Volume 3799 Folio 127

Certificate of Title Volume 3122 Folio 210

Certificate of Title Volume 1733 Folio 43

Certificate of Title Volume 1559 Folio 16

Summary of proprietors Lot 100 DP 1033019

Year	Proprietor
	(Lot 100 DP 1033019)
2002 – todate	The Commonwealth of Australia
	(Lot 1 DP 812640)
1992 – 2002	The Commonwealth of Australia
	(Lots 1 & 2 DP 577288 – CTVol 12816 Fol 123)
1975 – 1992	The Commonwealth of Australia
	(Lot 1 DP 33878, Lot 1 DP 33879 & Lot 1 DP 219396 – CTVol 10284 Fol 60)
1966 – 1975	The Commonwealth of Australia
	(Lot 10 DP 4561 and other lands – Area 5290 Acres 2 Roods 3 Perches – CTVol 3799 Fol 127)
1950 – 1966	The Commonwealth of Australia
1925 – 1950	William Foden, grazier
	(Lot 10 DP 4561 and other lands – Area 7119 Acres 1 Rood 25 Perches – CTVol 3122 Fol 210)
1924 – 1925	John Morrissey Limited
1920 – 1924	John Morrissey, grazier
	(Lot 10 DP 4561 – Area 1867 Acres 1 Rood 3 Perches – CTVol 1733 Fol 43)
1920 – 1920	John Morrissey, grazier
1906 – 1920	Sylvester Broune, grazier
	(Lot 10 DP 4561 and other lands – Area 5004 Acres 0 Roods 20 ½ Perches – CTVol 1559 Fol 16)
1904 – 1906	John Crichton Stuart McDonald, esquire Patrick James Crichton McDonald, grazier

FOR AND ON BEHALF OF THE
COMMONWEALTH OF AUSTRALIA
BY A DELEGATE OF THE MINISTER
FOR FINANCE AND ADMINISTRATION

(A)(G) PROPOSED EASEMENT FOR ELECTRICITY
TRANSMISSION LINE & ACCESS THERETO
VAR. WIDTH VIDE D.P.1020509

(B)(H) PROPOSED EASEMENT FOR ELECTRICITY
TRANSMISSION LINE & ACCESS THERETO
VAR. WIDTH VIDE D.P.267836

DP1033019

Registered: L5 11-10-2001

C.A.:

Title System: TORRENS

Purpose: SUBDIVISION

Ref. Map: 9132-3-N, PARISH OF
OVINGHAM, VERE & WHITTINGHAM#
Last Plan: (DP 4561* DP 12968,*
DP 12484* DP 240471*)

PLAN OF SUBDIVISION
OF LOT 1, D.P.812640

Lengths are in metres. Reduction Ratio 1:50000

L G A SINGLETON &
CESSNOCK

Locality: SINGLETON, BROKE

Parish: WHITTINGHAM, OVINGHAM
VERE, BELFORD, BROKE

County: NORTHUMBERLAND

This is sheet 1 of my plan in 6 sheets.
(Delete if inapplicable)

Surveyors (Practice) Regulation 1996

ANDREW MARK SCOTT

of MARSHALL SCOTT

PO BOX 165 CESSNOCK 2325

a surveyor registered under the Surveyors Act, 1929,
hereby certify that the survey represented in this plan
is accurate, has been made in accordance with the Surveyors
(Practice) Regulation 1996 and was completed
on 20TH JUNE, 2001

The survey relates to SHEET 2 ONLY

(here specify the land actually surveyed or specify any land
shown in the plan that is not the subject of the survey)

Datum Line: X - Y (SHEET 12)

Zone: Suburban/Country

(Signature) [Signature]

Plans used in preparation of survey/compilation.

D.P.244826

D.P.248448

D.P.812640

D.P.1007798

PANEL FOR USE ONLY for statements of intention
to dedicate public roads, to create public reserves,
drainage reserves, easements, restrictions on the
use of land or positive covenants.

PURSUANT TO SECTION 88B
OF THE CONVEYANCING ACT
1919, IT IS INTENDED
TO CREATE:

1. RESTRICTION(S) ON THE
USE OF LAND
2. POSITIVE COVENANT

Crown Land Office Approval

PLAN APPROVED
Authorised OfficerLand District
Paper No
Field Book pages

Subdivision Certificate

I hereby certify that the provisions of s.109J of the Environmental Planning
and Assessment Act 1979 have been satisfied in relation to the
proposed

SUBDIVISION

* (insert "subdivision" or "new road") set out herein

* Authorised Person/General Manager/Accredited Certifier

Consent Authority SINGLETON SHIRE COUNCIL

Date of endorsement 10 AUGUST 2001

Accreditation no.

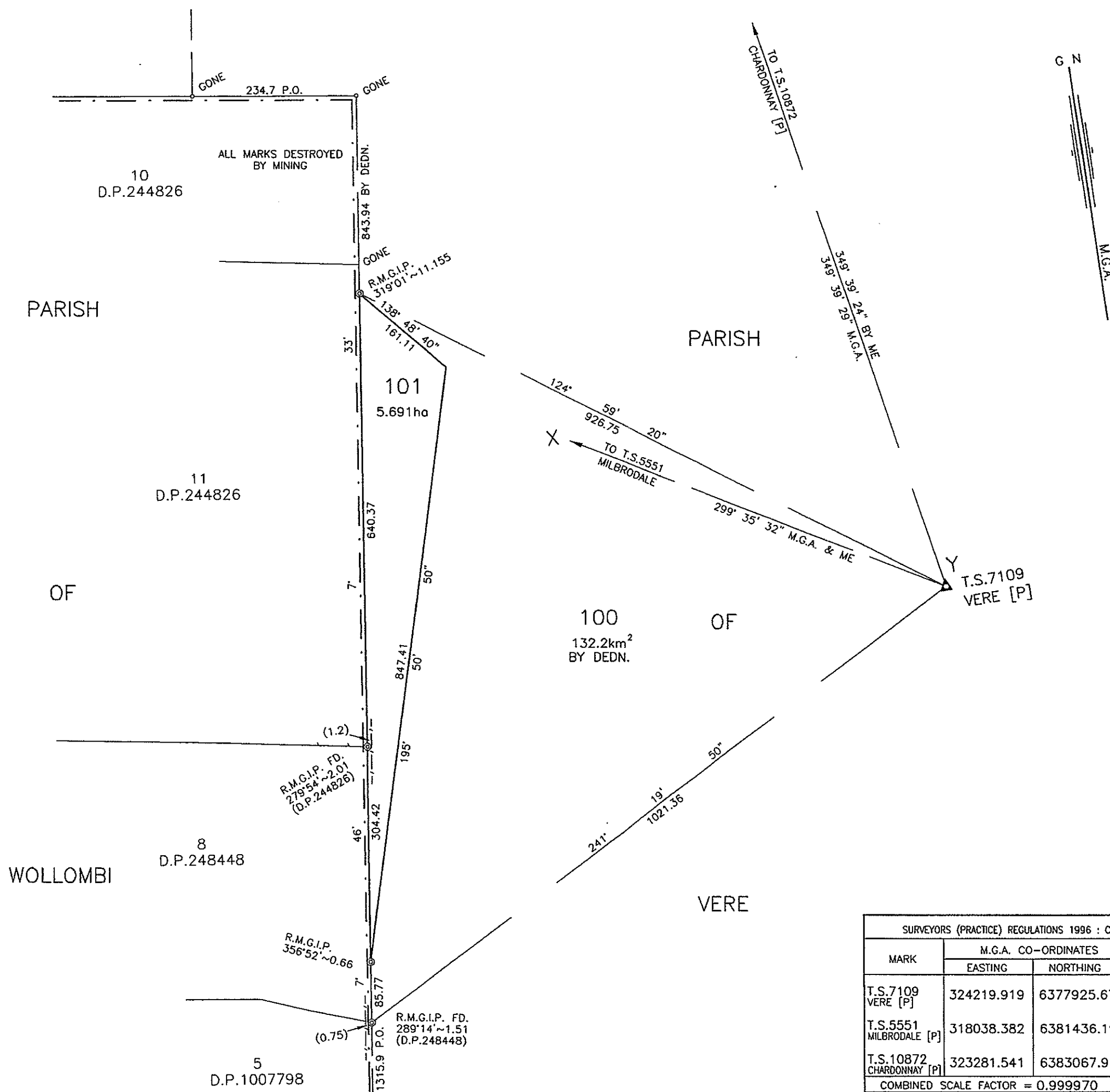
Subdivision Certificate no. SC 25/2001

File no. SA 18/2001

Note:

When the plan is to be lodged electronically in the Land Titles Office,
it should include a signature in an electronic or digital format
approved by the Registrar-General.

* Delete whichever is inapplicable



DP1033019

Registered L.S. 11-10-2001

This is sheet 2 of my plan in 6 sheets
dated 20TH JUNE, 2001*Mark Scott*
Surveyor registered under surveyors Act 1929This is sheet 2 of the plan of 6
sheets covered by my Certificate No.
25/2001 of 10/01/2001*K.A. Horner*

Council Clerk

For use where space is insufficient in any panel on Plan
Form 2*Part*FOR AND ON BEHALF OF THE
COMMONWEALTH OF AUSTRALIA
BY A DELEGATE OF THE MINISTER
FOR FINANCE AND ADMINISTRATION

SURVEYORS (PRACTICE) REGULATIONS 1996 : CLAUSE 32(2)

MARK	M.G.A. CO-ORDINATES		ZONE	CLASS
	EASTING	NORTHING		
T.S.7109 VERE [P]	324219.919	6377925.674	56	2A
T.S.5551 MILBRODALE [P]	318038.382	6381436.191	56	2A
T.S.10872 CHARDONNAY [P]	323281.541	6383067.916	56	B

COMBINED SCALE FACTOR = 0.999970

SOURCE: M.G.A. CO-ORDINATES ADOPTED FROM
S.C.I.M.S. AS AT 21ST JUNE, 2001

Reduction Ratio 1: 4000

SURVEYOR'S RESIDENCE: 16325

Registered: LS 11-10-2001

Mark Scott
Surveyor registered under surveyors Act 1929

KA Horner

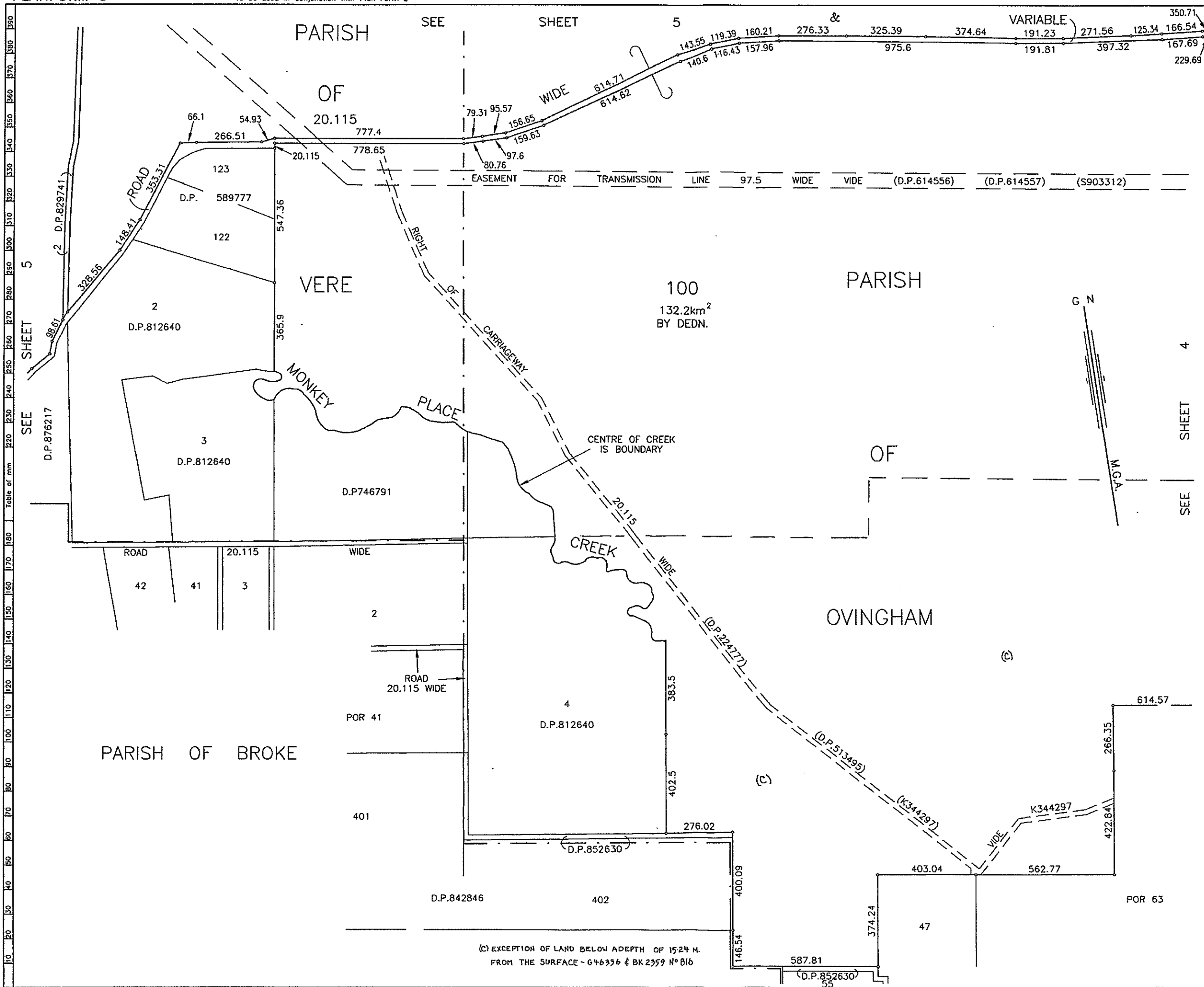
Council Clerk

For use where space is insufficient in any panel on Plan Form 2

FOR AND ON BEHALF OF THE
COMMONWEALTH OF AUSTRALIA
BY A DELEGATE OF THE MINISTER
FOR FINANCE AND ADMINISTRATION

Reduction Ratio 1: 10000

► SURVEYOR'S REFERENCE: 16325



DP1033019

Registered:  LS 11-10-2001

This is sheet 4 of my plan in 6 sheets
dated 20TH JUNE, 2001

Mark Scott
Surveyor registered under surveyors Act 1929

This is sheet 4 of the plan of 6
sheets covered by my Certificate No.
25/2001 of 10/6/2001

KA Horner

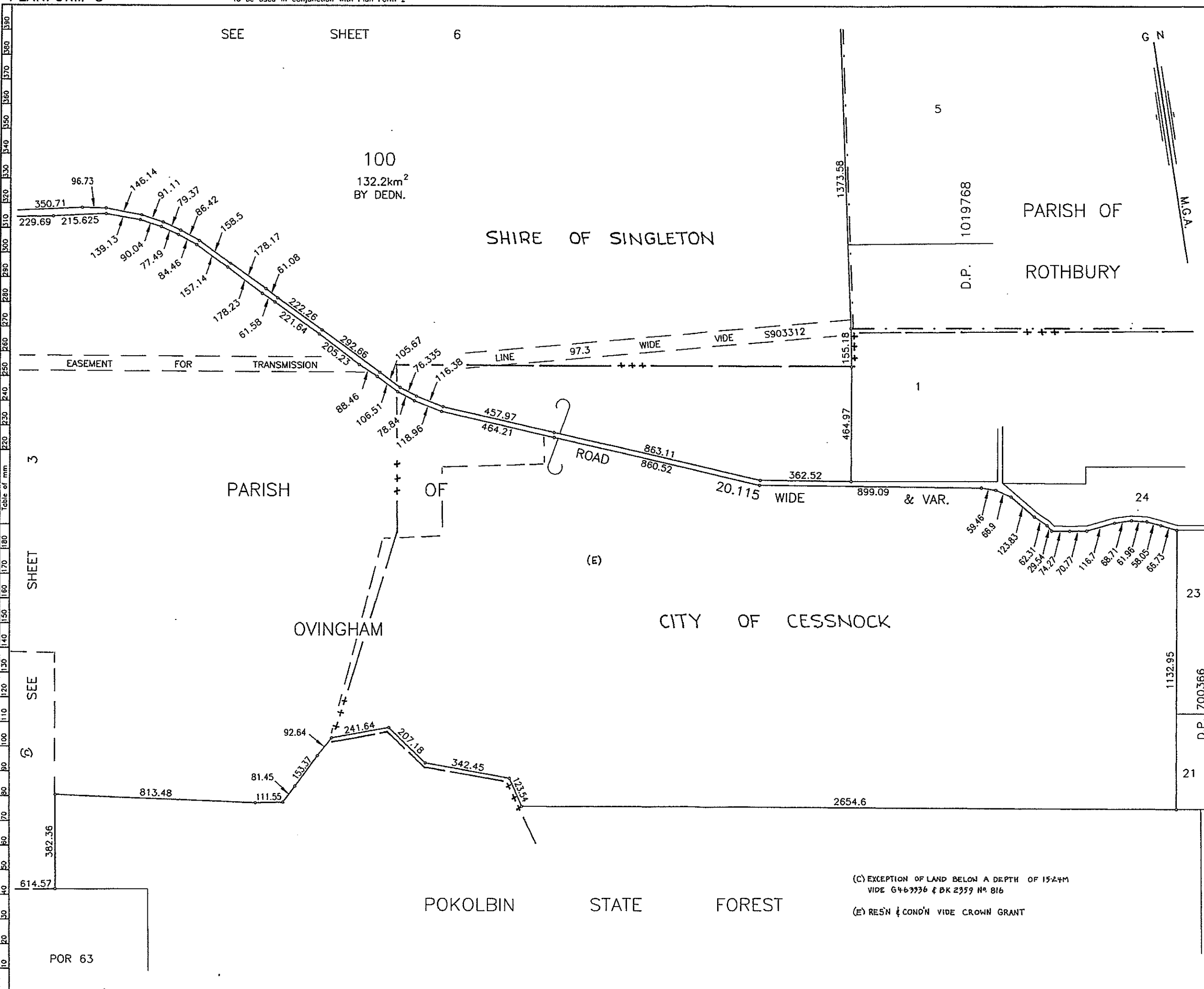
Council Clerk

For use where space is insufficient in any panel on Plan Form 2

FOR AND ON BEHALF OF THE
COMMONWEALTH OF AUSTRALIA
BY A DELEGATE OF THE MINISTER
FOR FINANCE AND ADMINISTRATION

Reduction Ratio 1: 10000

▲ SURVEYOR'S REFERENCE: 16325

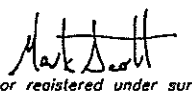
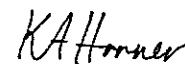




Reduction Ratio 1: 25000

- (A) EX. MINERALS & RIGHTS TO MINE BELOW A DEPTH
OF 15-24 M. FROM THE SURFACE VIDE G177068 &
BK.2307 N° 834
- (B) EXCEPTION OF LAND BELOW A DEPTH OF 15-24 M.
FROM THE SURFACE VIDE CROWN GRANT
- (C) EXCEPTION OF LAND BELOW A DEPTH OF 15-24 M.
FROM THE SURFACE VIDE G463736 & BK.2359 N° 816
- (E) RESERVATIONS & CONDITIONS IN CROWN GRANT
- (F) EX MINERALS & RESH & COND'N VIDE
CROWN GRANT

DP1033019

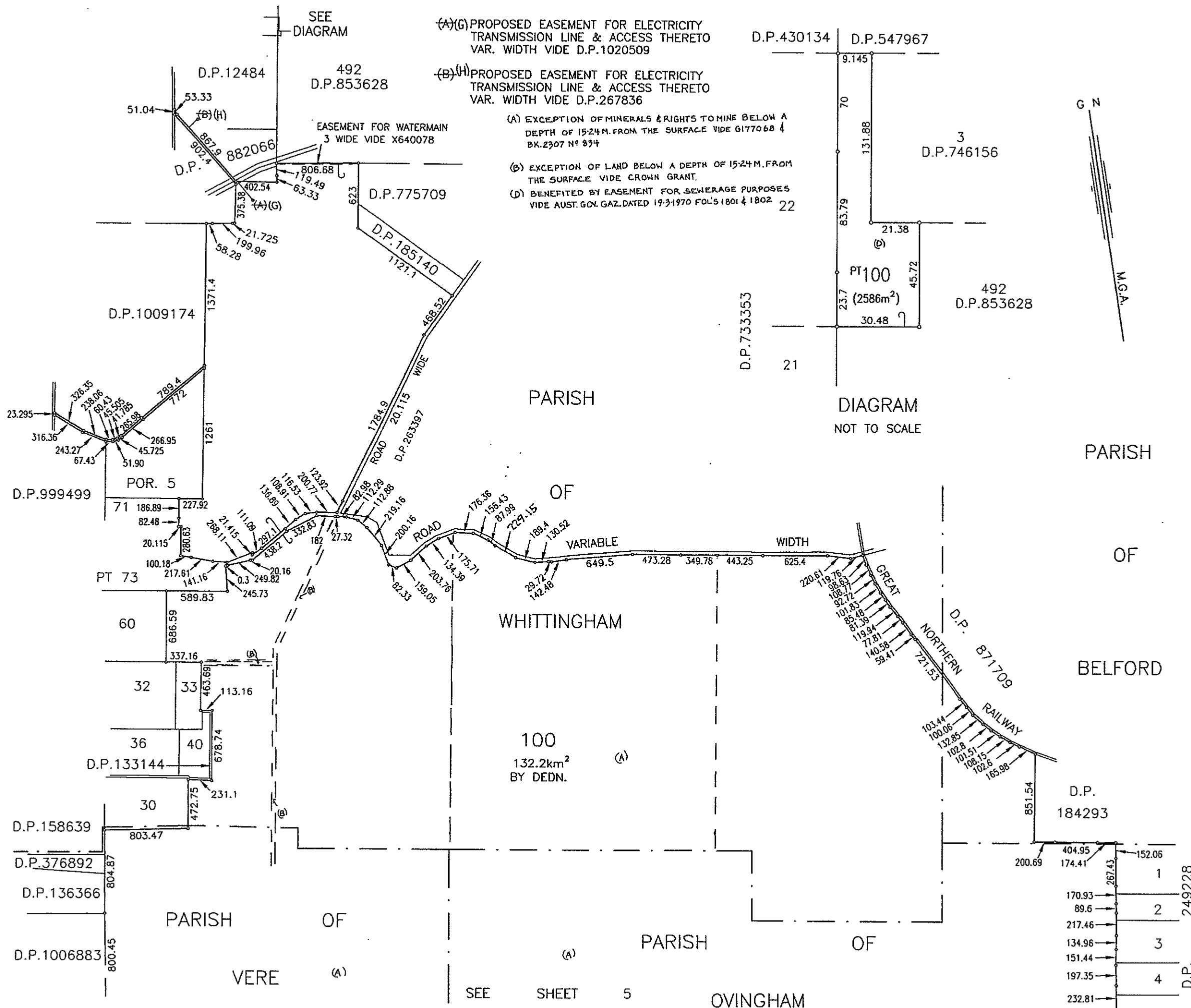
Registered:  LS 11-10-2001This is sheet 6 of my plan in 6 sheets
dated 20TH JUNE, 2001
Surveyor registered under surveyors Act 1929This is sheet 6 of the plan of 6
sheets covered by my Certificate No.
25/2001 of 10/5/2001
Council Clerk

Council Clerk

For use where space is insufficient in any panel on Plan
Form 2FOR AND ON BEHALF OF THE
COMMONWEALTH OF AUSTRALIA
BY A DELEGATE OF THE MINISTER
FOR FINANCE AND ADMINISTRATION

Reduction Ratio 1: 25000

SURVEYOR'S REFERENCE: 16325



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Title Search

LEAP Legal
An Approved LPI NSW
Information Broker

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - TITLE SEARCH

FOLIO: 100/1033019

SEARCH DATE	TIME	EDITION NO	DATE
26/8/2008	6:43 PM	2	8/8/2003

LAND

LOT 100 IN DEPOSITED PLAN 1033019

AT SINGLETON

LOCAL GOVERNMENT AREA CESSNOCK, SINGLETON

PARISH OF BELFORD COUNTY OF NORTHUMBERLAND

PARISH OF BROKE COUNTY OF NORTHUMBERLAND

PARISH OF OVINGHAM COUNTY OF NORTHUMBERLAND

PARISH OF VERE COUNTY OF NORTHUMBERLAND

PARISH OF WHITTINGHAM COUNTY OF NORTHUMBERLAND

TITLE DIAGRAM DP1033019

FIRST SCHEDULE

THE COMMONWEALTH OF AUSTRALIA

SECOND SCHEDULE (18 NOTIFICATIONS)

- 1 LAND EXCLUDES MINERALS AND IS SUBJECT TO RESERVATIONS AND CONDITIONS IN FAVOUR OF THE CROWN WITHIN THE PART SHOWN SO INDICATED IN THE TITLE DIAGRAM-SEE CROWN GRANT
- 2 LAND IS SUBJECT TO RESERVATIONS AND CONDITIONS IN FAVOUR OF THE CROWN WITHIN THE PART SHOWN SO INDICATED IN THE TITLE DIAGRAM-SEE CROWN GRANT
- 3 BK 2307 NO 834 LAND EXCLUDES MINERALS AND IS SUBJECT TO RIGHTS TO MINE BELOW A DEPTH OF 15.24 METRES FROM THE SURFACE WITHIN THE PART DESIGNATED (A) IN THE TITLE DIAGRAM-G177068
- 4 K344297 RIGHT OF CARRIAGEWAY 20.115 METRE(S) WIDE AFFECTING THE PART(S) SHOWN SO BURDENED IN THE TITLE DIAGRAM
- 5 LAND EXCLUDES THE ROAD(S) SHOWN IN THE TITLE DIAGRAM
- 6 S903312 EASEMENT FOR TRANSMISSION LINE 97.5 METRE(S) WIDE AFFECTING THE PART(S) SHOWN SO BURDENED IN THE TITLE DIAGRAM
U764521 SHORTLAND ELECTRICITY IS NOW THE REGISTERED PROPRIETOR OF THE EASEMENT
O800661 EASEMENT (S903312) VESTED IN THE NEW SOUTH WALES ELECTRICITY TRANSMISSION AUTHORITY
- 7 EXCEPTING LAND BELOW A DEPTH FROM THE SURFACE OF 15.24 METRES WITHIN THE PART DESIGNATED (C) IN THE TITLE DIAGRAM-BK 2359 NO 816
- 8 X640078 EASEMENT FOR WATER SUPPLY 3 METRE(S) WIDE AFFECTING THE PART(S) SHOWN SO BURDENED IN THE TITLE DIAGRAM
- 9 EXCEPTING THE LAND BELOW A DEPTH FROM THE SURFACE OF 15.24 METRES

END OF PAGE 1 - CONTINUED OVER

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LAND AND PROPERTY INFORMATION NEW SOUTH WALES - TITLE SEARCH

FOLIO: 100/1033019

PAGE 2

SECOND SCHEDULE (18 NOTIFICATIONS) (CONTINUED)

BY THE CROWN GRANT WITHIN THE PART DESIGNATED (B) IN THE TITLE
DIAGRAM

- 10 L178371 EASEMENT FOR SEWERAGE PURPOSES APPURTENANT TO THE
PART FORMERLY COMPRISED IN LOT 1 IN DP577288 AFFECTING
THE LAND SHOWN AS "PROP EASEMENT FOR SEWER 4.57 WIDE"
IN DP529076
- 11 L472947 EASEMENT FOR SEWER APPURTENANT TO THE PART OF THE
LAND FORMERLY COMPRISED IN LOT 1 IN DP577288 AFFECTING
THE LAND SHOWN AS-
"PROP EASEMENT FOR SEWER 4.57 WIDE" IN DP529076 & "PROP
EASEMENT FOR SEWER 3.3 WIDE & PROP EASEMENT FOR SEWER VAR.
WIDTH" WITHIN LOTS 11 TO 14 INCL. IN DP12484 AS SHOWN IN
DP529465
- 12 L629575 EASEMENT FOR SEWERAGE PURPOSES APPURTENANT TO THE
PART FORMERLY IN LOT 1 IN DP577288 AFFECTING THE LAND
SHOWN AS "PROP EASEMENT FOR SEWER 3.3 WIDE" WITHIN LOTS
6-10 INCL. IN DP12484 AS SHOWN IN DP529465
- 13 L671242 EASEMENT FOR SEWERAGE PURPOSES APPURTENANT TO THE
PART FORMERLY IN LOT 1 IN DP577288 AFFECTING THE LAND
SHOWN AS "PROP EASEMENT FOR SEWER 3.3 WIDE & VAR.
WIDTH" WITHIN LOT 5 IN DP12484 AS SHOWN IN DP529465
- 14 GOV GAZ 19.3.1970 FOL'S 1801 & 1802-EASEMENT FOR SEWERAGE PURPOSES
APPURTENANT TO THE PART OF THE LAND ABOVE DESCRIBED SHOWN SO
BENEFITED IN THE TITLE DIAGRAM AFFECTING THE PART OF-
"EASEMENT FOR SEWERAGE 3.66 WIDE" SHOWN AS 935.8 SQ. METRES IN
DP541673 & THE PART OF "PROP EASEMENT FOR SEWER 3.3 WIDE &
VAR WIDTH" SHOWN AS 322.5 SQ. METRES IN DP529465
- 15 DP219396 EASEMENT FOR WATER PIPELINE APPURTENANT TO THE PART
OF THE LAND FORMERLY COMPRISED IN LOT 1 IN DP577288
AFFECTING THE LAND SHOWN AS "PROP EASEMENT FOR WATER
PIPELINE 4.625 WIDE" IN DP219396
- 16 M599759 EASEMENT FOR SEWERAGE PURPOSES APPURTENANT TO THE
PART FORMERLY COMPRISED IN LOT 1 IN DP577288 AFFECTING
THE LAND SHOWN AS "PROP EASEMENT FOR SEWERAGE 3.66
WIDE" IN DP541673
- 17 7985930 RIGHT OF ACCESS APPURTENANT TO THE LAND ABOVE
DESCRIBED AFFECTING LOT 101 IN DP1033019
- 18 DP1056080 RIGHT OF CARRIAGEWAY VARIABLE WIDTH DESIGNATED (H)
AFFECTING THE PART(S) SHOWN SO BURDENED IN DP1056080

NOTATIONS

NOTE: THE CERTIFICATE OF TITLE FOR THIS FOLIO OF THE REGISTER DOES
NOT INCLUDE SECURITY FEATURES INCLUDED ON COMPUTERISED
CERTIFICATES OF TITLE ISSUED FROM 4TH JANUARY, 2004. IT IS
RECOMMENDED THAT STRINGENT PROCESSES ARE ADOPTED IN VERIFYING THE

END OF PAGE 2 - CONTINUED OVER

GHD - Belford ALSP

PRINTED ON 26/8/2008

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - TITLE SEARCH
-----FOLIO: 100/1033019

PAGE 3

NOTATIONS (CONTINUED)
-----IDENTITY OF THE PERSON(S) CLAIMING A RIGHT TO DEAL WITH THE LAND
COMPRISED IN THIS FOLIO.

DP267836 NOTE: PROPOSED EASEMENT

DP1020509 NOTE: PLAN OF PROPOSED EASEMENT

DP1128734 NOTE: PLAN OF PROPOSED EASEMENT

DP1129273 NOTE: PLAN OF ACQUISITION

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

Information Provided Through
Advance Legal Search Pty Ltd
Ph. 0297541590 Fax. 0297541364

Historical Search

LEAP Legal
An Approved LPI NSW
Information Broker

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - HISTORICAL SEARCH

SEARCH DATE

26/8/2008 6:55PM

FOLIO: 100/1033019

First Title(s):

VOL 1045 FOL 208	VOL 1047 FOL 8
VOL 1049 FOL 37	VOL 1057 FOL 34
VOL 1057 FOL 35	VOL 1059 FOL 19
VOL 1077 FOL 64	VOL 1129 FOL 109
VOL 1129 FOL 110	VOL 1153 FOL 116
VOL 1189 FOL 184	VOL 120 FOL 119
VOL 120 FOL 14	VOL 120 FOL 24
VOL 12281 FOL 93	VOL 12281 FOL 94
VOL 12343 FOL 62	VOL 12343 FOL 63
VOL 1256 FOL 247	VOL 1258 FOL 125
VOL 12816 FOL 123	VOL 1289 FOL 121
VOL 1308 FOL 188	VOL 1308 FOL 229
VOL 1315 FOL 73	VOL 1333 FOL 206
VOL 1365 FOL 236	VOL 1406 FOL 162
VOL 1469 FOL 159	VOL 1469 FOL 169
VOL 1484 FOL 174	VOL 1547 FOL 201
VOL 1552 FOL 109	VOL 1558 FOL 74
VOL 158 FOL 234	VOL 158 FOL 235
VOL 158 FOL 236	VOL 158 FOL 245
VOL 158 FOL 246	VOL 158 FOL 247
VOL 158 FOL 248	VOL 1637 FOL 106
VOL 1637 FOL 107	VOL 1712 FOL 153
VOL 1728 FOL 60	VOL 1784 FOL 200
VOL 1943 FOL 156	VOL 195 FOL 26
VOL 198 FOL 114	VOL 198 FOL 181
VOL 198 FOL 91	VOL 198 FOL 92
VOL 205 FOL 215	VOL 2080 FOL 122
VOL 214 FOL 237	VOL 214 FOL 238
VOL 214 FOL 239	VOL 214 FOL 240
VOL 214 FOL 241	VOL 214 FOL 242
VOL 2149 FOL 10	VOL 2149 FOL 217
VOL 216 FOL 40	VOL 219 FOL 149
VOL 229 FOL 36	VOL 2316 FOL 226
VOL 234 FOL 238	VOL 2501 FOL 107
VOL 2501 FOL 108	VOL 257 FOL 75
VOL 269 FOL 105	VOL 269 FOL 106
VOL 269 FOL 108	VOL 269 FOL 109
VOL 269 FOL 110	VOL 269 FOL 111
VOL 269 FOL 112	VOL 269 FOL 113
VOL 2706 FOL 175	VOL 2706 FOL 176
VOL 2743 FOL 156	VOL 2784 FOL 91
VOL 2794 FOL 168	VOL 285 FOL 226
VOL 286 FOL 42	VOL 286 FOL 43
VOL 287 FOL 59	VOL 303 FOL 151
VOL 303 FOL 152	VOL 303 FOL 69

END OF PAGE 1 - CONTINUED OVER

GHD - Belford ALSP

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LAND AND PROPERTY INFORMATION NEW SOUTH WALES - HISTORICAL SEARCH

SEARCH DATE

26/8/2008 6:55PM

FOLIO: 100/1033019

PAGE 2

VOL 303 FOL 71	VOL 3186 FOL 196
VOL 3216 FOL 156	VOL 3216 FOL 157
VOL 328 FOL 11	VOL 3326 FOL 20
VOL 338 FOL 23	VOL 341 FOL 108
VOL 3440 FOL 167	VOL 3529 FOL 114
VOL 3657 FOL 159	VOL 3794 FOL 182
VOL 3976 FOL 18	VOL 3992 FOL 15
VOL 4299 FOL 185	VOL 4299 FOL 191
VOL 460 FOL 80	VOL 4626 FOL 75
VOL 4626 FOL 76	VOL 4696 FOL 121
VOL 4815 FOL 197	VOL 4815 FOL 198
VOL 4815 FOL 21	VOL 488 FOL 57
VOL 4929 FOL 139	VOL 5097 FOL 8
VOL 5103 FOL 12	VOL 56 FOL 189
VOL 56 FOL 190	VOL 56 FOL 191
VOL 61 FOL 159	VOL 61 FOL 160
VOL 61 FOL 161	VOL 61 FOL 162
VOL 61 FOL 163	VOL 61 FOL 164
VOL 61 FOL 165	VOL 61 FOL 166
VOL 7231 FOL 208	VOL 745 FOL 245
VOL 747 FOL 237	VOL 757 FOL 111
VOL 757 FOL 235	VOL 757 FOL 236
VOL 763 FOL 112	VOL 767 FOL 90
VOL 767 FOL 91	VOL 767 FOL 92
VOL 795 FOL 103	VOL 987 FOL 7
VOL 987 FOL 8	OLD SYSTEM

Prior Title(s): 1/812640

Recorded	Number	Type of Instrument	C.T. Issue
-----	-----	-----	-----
12/10/2001	DP1033019	DEPOSITED PLAN	FOLIO CREATED EDITION 1
12/3/2002	7985930	TRANSFER	
8/8/2003	DP1056080	DEPOSITED PLAN	EDITION 2
16/7/2008	DP1128734	DEPOSITED PLAN	
25/7/2008	DP1129273	DEPOSITED PLAN	

*** END OF SEARCH ***

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Historical Search

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Information Broker

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - HISTORICAL SEARCH

SEARCH DATE

26/8/2008 6:57PM

FOLIO: 1/812640

First Title(s): OLD SYSTEM

VOL 56 FOL 190	VOL 56 FOL 189
VOL 61 FOL 159	VOL 56 FOL 191
VOL 61 FOL 161	VOL 61 FOL 160
VOL 61 FOL 163	VOL 61 FOL 162
VOL 61 FOL 165	VOL 61 FOL 164
VOL 120 FOL 14	VOL 61 FOL 166
VOL 120 FOL 24	VOL 120 FOL 119
VOL 158 FOL 235	VOL 158 FOL 234
VOL 158 FOL 245	VOL 158 FOL 236
VOL 158 FOL 247	VOL 158 FOL 246
VOL 195 FOL 26	VOL 158 FOL 248
VOL 198 FOL 92	VOL 198 FOL 91
VOL 198 FOL 181	VOL 198 FOL 114
VOL 214 FOL 237	VOL 205 FOL 215
VOL 214 FOL 239	VOL 214 FOL 238
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VOL 216 FOL 40	VOL 214 FOL 242
VOL 229 FOL 36	VOL 219 FOL 149
VOL 257 FOL 75	VOL 234 FOL 238
VOL 269 FOL 106	VOL 269 FOL 105
VOL 269 FOL 109	VOL 269 FOL 108
VOL 269 FOL 111	VOL 269 FOL 110
VOL 269 FOL 113	VOL 269 FOL 112
VOL 286 FOL 42	VOL 285 FOL 226
VOL 287 FOL 59	VOL 286 FOL 43
VOL 303 FOL 71	VOL 303 FOL 69
VOL 303 FOL 152	VOL 303 FOL 151
VOL 338 FOL 23	VOL 328 FOL 11
VOL 488 FOL 57	VOL 460 FOL 80
VOL 745 FOL 245	VOL 341 FOL 108
VOL 757 FOL 111	VOL 747 FOL 237
VOL 757 FOL 236	VOL 757 FOL 235
VOL 767 FOL 90	VOL 763 FOL 112
VOL 767 FOL 92	VOL 767 FOL 91
VOL 987 FOL 7	VOL 795 FOL 103
VOL 1045 FOL 208	VOL 987 FOL 8
VOL 1049 FOL 37	VOL 1047 FOL 8
VOL 1057 FOL 35	VOL 1057 FOL 34
VOL 1077 FOL 64	VOL 1059 FOL 19
VOL 1129 FOL 110	VOL 1129 FOL 109
VOL 1189 FOL 184	VOL 1153 FOL 116
VOL 1258 FOL 125	VOL 1256 FOL 247
VOL 1308 FOL 188	VOL 1289 FOL 121
VOL 1315 FOL 73	VOL 1308 FOL 229
	VOL 1333 FOL 206

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LAND AND PROPERTY INFORMATION NEW SOUTH WALES - HISTORICAL SEARCH

SEARCH DATE

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FOLIO: 1/812640

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VOL 1552 FOL 109	VOL 1558 FOL 74
VOL 1637 FOL 106	VOL 1637 FOL 107
VOL 1728 FOL 60	VOL 1712 FOL 153
VOL 1784 FOL 200	VOL 1943 FOL 156
VOL 2080 FOL 122	VOL 2149 FOL 10
VOL 2149 FOL 217	VOL 2316 FOL 226
VOL 2501 FOL 107	VOL 2501 FOL 108
VOL 2706 FOL 175	VOL 2706 FOL 176
VOL 2743 FOL 156	VOL 2784 FOL 91
VOL 2794 FOL 168	VOL 3186 FOL 196
VOL 3216 FOL 156	VOL 3216 FOL 157
VOL 3326 FOL 20	VOL 3440 FOL 167
VOL 3529 FOL 114	VOL 3657 FOL 159
VOL 3794 FOL 182	VOL 3976 FOL 18
VOL 3992 FOL 15	VOL 4299 FOL 185
VOL 4299 FOL 191	VOL 4626 FOL 75
VOL 4626 FOL 76	VOL 4696 FOL 121
VOL 4815 FOL 21	VOL 4815 FOL 197
VOL 4815 FOL 198	VOL 4929 FOL 139
VOL 5097 FOL 8	VOL 5103 FOL 12
VOL 7231 FOL 208	VOL 12343 FOL 62
VOL 12343 FOL 63	VOL 12281 FOL 93
VOL 12816 FOL 123	VOL 12281 FOL 94

Prior Title(s): 1-2/175193

10/240471

1/562364

58-59/564520

1/600157

3/611847

1/618468

11/634437

VOL 12816 FOL 123

Recorded	Number	Type of Instrument	C.T. Issue
-----	-----	-----	-----
21/5/1992	DP812640	DEPOSITED PLAN	FOLIO CREATED EDITION 1
13/9/1993	I642164	DEPARTMENTAL DEALING	
15/12/1994	U764521	REQUEST	
12/1/1996	O800661	REQUEST	
17/7/1997	DP267836	DEPOSITED PLAN	

END OF PAGE 2 - CONTINUED OVER

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LAND AND PROPERTY INFORMATION NEW SOUTH WALES - HISTORICAL SEARCH
-----SEARCH DATE

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FOLIO: 1/812640

PAGE 3

Recorded -----	Number -----	Type of Instrument -----	C.T. Issue -----
16/6/1998	5057748	DEPARTMENTAL DEALING	
29/11/2000	DP1020509	DEPOSITED PLAN	
12/10/2001	DP1033019	DEPOSITED PLAN	FOLIO CANCELLED

*** END OF SEARCH ***

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CERTIFICATE OF TITLE

TORRENS TITLE
 Register

NEW SOUTH WALES

REAL PROPERTY ACT, 1900

Appln Nos 43374, 43390, 44355
 and 50530 (Parts)

Vol. **12816** Fol. **123**

Prior Title (Part)
 Vol. 10284 Fol. 60

Edition issued 7-7-1975



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.

Janet...
 Registrar General.



ESTATE AND LAND REFERRED TO

Estate in Fee Simple in Lots 1 and 2 in Deposited Plan 577288 at Singleton in the Shire of Patrick Plains Parishes of Belford, Ovingham, Wittingham and Vere and County of Northumberland. EXCEPTING THEREOUT the land (but not the mines of coal above a depth of 15.24 metres from the surface) excepted by Deed Book 2207 No. 513 and Book 2359 No. 816, the below a depth of 15.24 metres from the surface excepted by Transfer No. G463336 and Deed Book 2359 No. 816, the land below a depth of 15.24 metres from the surface of the strip of 20.115 wide formerly road designated (AA) in the plan hereon, the roads designated (B) & (DA) in the plan hereon, the road designated (CE), to a depth of 15.24 metres from the surface, in the plan hereon, the minerals below a depth of 15.24 metres from the surface excepted by Transfer No. G177068 and Deed Book 2307 No. 834.

FIRST SCHEDULE

THE COMMONWEALTH OF AUSTRALIA.

SECOND SCHEDULE

1. Rights to mine coal appurtenant to the mines of coal above a depth of 15.24 metres from the surface affecting the land above a depth of 15.24 metres from the surface created by Deed Book 2207 No. 513.
2. Rights to mine minerals below a depth of 15.24 metres from the surface created by Deed Book 2307 No. 834 and Transfer No. G177068.
3. Easement for Water Pipe Line appurtenant to parts of the land above described affecting the piece of land shown as "Site of Proposed Easement for Water Pipe Line 4.625 metres wide in Deposited Plan 219396 created by the registration of Deposited Plan 219396.
4. Easements appurtenant to part of the land above described acquired by Commonwealth Gazette dated 28-1-1960 Folios 289 and 290 shown as "Site of Proposed Easement for Sewerage 4.625 metres wide and Site of Proposed Easement for Sewerage 4.625 metres wide and variable width in Deposited Plan 219396 and Site of Proposed Easement for Water Pipe Line 4.625 metres wide in Deposited Plan 219396 and Deposited Plan 219397.
5. Right of Carriageway created by Transfer No. K344297 affecting the part of the land above described shown as Proposed Easement for Access 20.115 metres wide in Deposited Plan 513495 and Deposited Plan 224777.
6. Easement for Transmission Line created by Transfer No. K483709 affecting the part of the land above described 45.72 metres wide shown in the plan hereon.
7. Easement for Sewerage Purposes created by Transfer No. L178371 appurtenant to the part of the land above described formerly comprised in Certificate of Title Volume 10284 Folio 60 affecting the piece of land shown as "Site of Proposed Easement for Sewer 4.57 metres wide" in Deposited Plan 529076.
8. Easement for Sewer created by Transfer No. L472947 appurtenant to the part of the land above described formerly comprised in Certificate of Title Volume 10284 Folio 60 affecting the pieces of land shown as "Site of Proposed Easement for Sewer 4.57 metres wide" in Deposited Plan 529076 and "Site of Proposed Easement 3.3 metres wide" and "Site of Proposed Easement Variable Width" within Lots 11, 12, 13 and 14 in Deposited Plan 12484 in Deposited Plan 529465.
9. Easement for Sewerage Purposes created by Transfer No. L671242 appurtenant to the part of the land above described formerly comprised in Certificate of Title Volume 10284 Folio 60 affecting the piece of land shown as "Proposed Easement for Sewer 3.3 metres wide and variable width" within Lot 5 in Deposited Plan 12484 in Deposited Plan 529465.
10. Easement for Sewerage Purposes created by Transfer No. L629575 appurtenant to the part of the land above described formerly comprised in Certificate of Title Volume 10284 Folio 60 affecting the pieces of land within Lots 6 to 10 inclusive in Deposited Plan 12484 shown as "Site of Proposed Easement for Sewer 3.3 metres wide" in Deposited Plan 529465.
11. Easement for Sewerage Purposes created by Transfer No. M599759 appurtenant to the part of the land above described formerly comprised in Certificate of Title Volume 10284 Folio 60 affecting the piece of land shown as "Proposed Easement for Sewerage 3.66 metres wide" in Deposited Plan 541673.
12. Easement for Sewerage Purposes created by Government Gazette dated 19-3-1970 Folios 1801 & 1802 appurtenant to the part of the land above described comprised Primary Application 50530 affecting the part of Easement for Sewerage 3.66 metres wide shown as 935.8 square metres in Deposited Plan 541673 and the part of site of Proposed Easement for Sewer 3.3 metres wide and variable width shown as 322.5 square metres in Deposited Plan 529465.

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

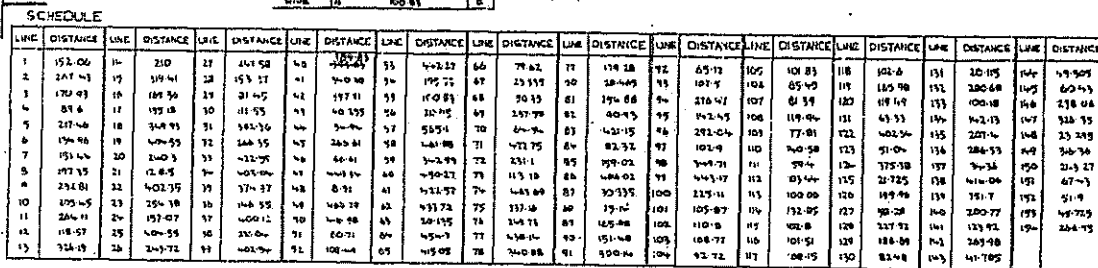
WARNING: THIS DOCUMENT MUST NOT BE REMOVED FROM THE LAND TILES OFFICE.

12816123



THIS CERTIFICATE IS NOT VALID UNLESS AUTHENTICATED BY THE REG

ROAD GENERAL ARE CANCELLED



REGISTERED PROPRIETOR

[illegible]

PARTICULARS

NATURE	INSTRUMENT NUMBER	DATE	PARTICULARS	ENTERED	Signature of Registrar General	CANCELLATION
			 FOLIO IS CANCELLED AS TO PART BEING LOT 1-7 & 1-6 DEPOSITED PLANS 193862 193861 IN 193861 SEE NEW FOLIO(S) 1-6/193862 1-6/193861			
RESUMPTION	E 278514		PART OF THE LAND ABOVE DESCRIBED BEING LOT 1-7 IN DP193861 AND 1-6 IN DP193862 ARE PUBLIC ROAD.			
			THIS FOLIO IS CANCELLED AS TO PART BEING LOT(S) 1-7 & 1-6 IN 193861 DEPOSITED PLANS 193862 193861 SEE NEW FOLIO(S) 1-7/193861 1-6/193862			
			RECEIVED 15/4/92 			
			DP 8126410 Registered 15-5-1992 This folio is cancelled as to whole part upon deposit of computer folios for lots 1 & 3 in 193861 by the above mentioned plan.			
						

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

G.1

NEW SOUTH WALES

Applications Nos. 43374, 43390 and
(as to parts)

For Reference to Prior Real Property
Title see Print "B" filed with
Application No. 43374

CERTIFICATE OF TITLE

ENTRY ACT, 1900, as amended.

Vol. 10284 Fol. 60

CANCELLED ☒

EH

Edition issued

5-4-1966



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.

Witness *D. O'Sullivan.*

Jawatson
Registrar-General.



ESTATE AND LAND REFERRED TO

Estate in Fee Simple in Lot 1 in plan lodged with Notice of Acquisition No.F338124 Sheet 1 (filed as F.P.33878), Lot 1 in plan lodged with Notice of Acquisition No.F338124 Sheet 2 (filed as F.P.33879) and Lot 1 in Deposited Plan 219396 in the Shire of Patrick Plains Parishes of Belford, Ovingham, Wittingham and Vere and County of Northumberland.

EXCEPTING THEREOUT:-

- the land (but not the mines of gold, silver and coals above a depth of 50 feet from the surface) designated (A) in the plan hereon excepted by Deeds Book 2207 No.513 and Book 2359 No.816.
- the land below a depth of 50 feet from the surface of the lands designated (C) in the plan hereon excepted by Transfer No.G463336 and Deed Book 2359 No.816.
- the land below a depth of 50 feet from the surface of the strip 100 links wide formerly road shown UT in the plan hereon.
- the roads shown XW and YU in the plan hereon.
- the road shown EF (to a depth of 50 feet from the surface) in the plan hereon.
- the minerals (other than the mines of gold and silver) below a depth of 50 feet from the surface of the lands designated (B) in the plan hereon excepted by Transfer No.G177068.
- the minerals (other than gold and silver) below a depth of 50 feet from the surface of the land designated (D) in the plan hereon excepted by Deed Book 2307 No.834.

Jawatson
Registrar General.

FIRST SCHEDULE (continued overleaf)

THE COMMONWEALTH OF AUSTRALIA.

Jawatson
Registrar General.

SECOND SCHEDULE (continued overleaf)

- ~~Rights to mine gold silver and coal appurtenant to the mines of gold silver and coal lying above a depth of 50 feet from the surface of the land designated (A) in the plan hereon excepted by the said land designated (A) lying above a depth of 50 feet from the surface created by Deed Book 2207 No.513.~~
- ~~Rights to mine coal appurtenant to the land designated (A) in the plan hereon lying below a depth of 50 feet from the surface as created by Deed Book 2207 No.513.~~
- Rights to mine minerals below a depth of 50 feet from the surface of the land designated (D) and (B) as created by Deed Book 2307 No.834 and Transfer No.G177068 respectively.
- Easement for water pipe line appurtenant to Lot 1 in plan lodged with Notice of Acquisition No.F338124 Sheet 1 (filed as F.P.33878) and Lot 1 Sheet 2 (filed as F.P.33879) affecting the land shown as Site of Proposed Easement for Water Pipe Line 15 feet 2 inches wide in Deposited Plan 219396 created by the registration of Deposited Plan 219396.
- Easements appurtenant to part of the land above described acquired by Commonwealth Gazette dated 28-1-1960 Folios 289 and 290 and shown as Site of Proposed Easement for Sewerage 15 feet 2 inches wide and Site of Proposed Easement for Sewerage 15 feet 2 inches wide and variable width in Deposited Plan 219396 and Site of Proposed Easement for Water Pipe Line 15 feet 2 inches wide in Deposited Plans 219396 and 219397.

Jawatson
Registrar General.

PLAN SHOWING

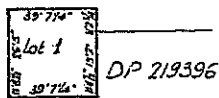
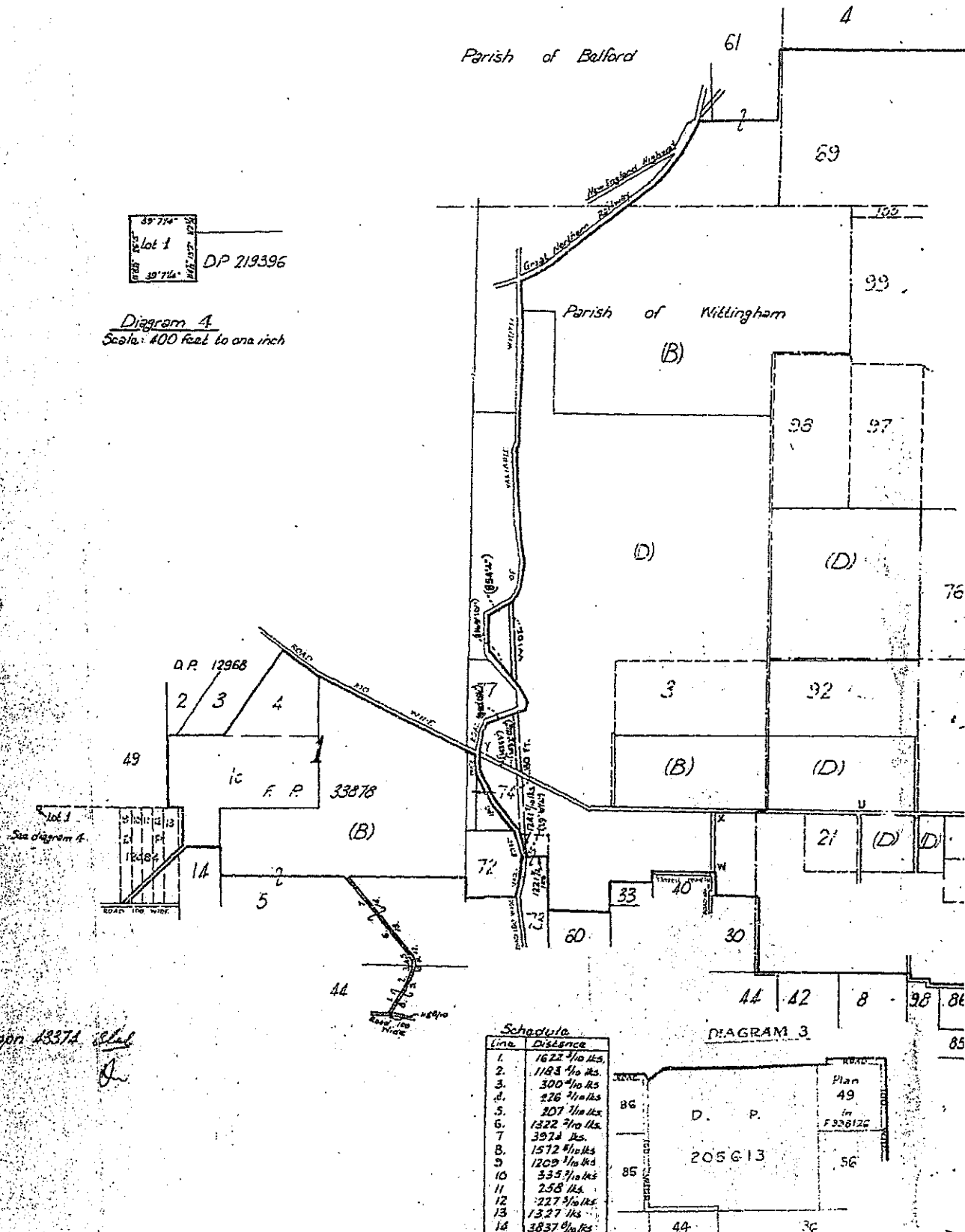
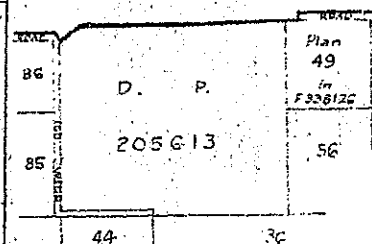


Diagram 4
 Scale: 400 feet to one inch



Schedule

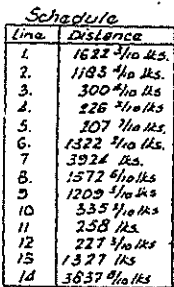
Line	Distance
1.	16.22 1/10 fms.
2.	11.83 1/10 fms.
3.	300 1/10 fms.
4.	2.26 1/10 fms.
5.	207 1/10 fms.
6.	1322 2/10 fms.
7.	397 1/10 fms.
8.	1572 1/10 fms.
9.	1209 1/10 fms.
10.	335 1/10 fms.
11.	258 fms.
12.	227 1/10 fms.
13.	1327 fms.
14.	3837 1/10 fms.



Upon 1837A 1841

On

4 72 Parish of Rothbury 1.





SECOND SCHEDULE (continued)

NATURE	INSTRUMENT NUMBER	DATE	PARTICULARS	ENTERED	Signature of Registrar General	CANCELLATION
Transfer	671242	23-6-1971	Easement for sewerage purposes vested by Transfer Agreement (as more fully set out in the said instrument) appurtenant to the land within the site of the proposed sewerage treatment works affecting the site of proposed easement for sewer 10 feet 10 inches wide and over with within lot 5 in Deposited Plan 12484 as shown in Deposited Plan 5329665. Comprised in Certificate of Title Vol. 5321 Fol. 211.	19-3-1970	<i>Janetson</i>	
Transfer	629575	30-10-1969	Easement for sewerage purposes/a more fully set out in the said instrument) appurtenant to the land within described affecting the part of lots 6 & 10 comprised in D.P. 12454 as shown in "Site of Proposed Easement for sewer 10' 10" wide in D.P. 529465 and comprised in Certificate of Title Volume 1303 Fol. 101	2-4-1970	<i>Janetson</i>	
Transfer	17599759	2-6-1971	Easement for sewerage purposes/a more fully set out in the said instrument appurtenant to the land within described affecting the piece of land above as proposed in the said instrument for sewer 12 ft. wide in D.P. 541673, comprised in Certificate of Title Volume 5991 Fol. 172	14-3-1972	<i>Janetson</i>	
			This deed is cancelled as to the whole Now. Certificates of Title have issued on 11.7.1975 for lots in Deposited Plan No 577288 as follows: Lots 1 & 2 Vol. 12886 Fol. 123 RPA 50530 Consol. 1971 & 2		<i>Janetson</i> REGISTRAR GENERAL	

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

SECOND SCHEDULE (continued)

1. 10/1/74
 2. 10/1/74
 3. 10/1/74
 4. 10/1/74
 5. 10/1/74
 6. 10/1/74
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 97. 10/1/74
 98. 10/1/74
 99. 10/1/74
 100. 10/1/74

Title Tree
Lot 102 DP 882932

Folio Identifier 102/882932

(a)

(b)

Folio Identifier 49/755209

Folio Identifier 3/823737

Auto Consol 14235 – 144

PA 90000

CTVolume 14235 Folio 144

CTVolume 11559 Folio 248

Summary of proprietors
Lot 102 DP 882932

Year

Proprietor

	(Lot 102 DP 882932)
2007 – todate	Malcolm Donald Coleman Joanne Coleman
2000 – 2007	Brian Edwin Scullin
1999 – 2000	John Douglas Elliott

See Notes (a) & (b)

Note (a)

	(Lot 49 DP 755209)
1999 – 1999	John Douglas Elliott
	(Lots 49 DP 755209, Lots 1 to 2 Section 16, Lot 7 Section 4, & Lot 1 Section 5 DP 758078 – A/C 14235 – 144)
1992 – 1999	John Douglas Elliott
	(Lots 49 DP 755209, Lots 1 to 2 Section 16, Lot 7 Section 4, & Lot 1 Section 5 DP 758078 – CTVol 14235 Fol 144)
1987 – 1992	John Douglas Elliott
	(Portion 49 Parish Belford and other lands – CTVol 11559 Fol 248)
1971 – 1987	John Douglas Elliott
	(Portion 49 Parish Belford)
Prior – 1971	Crown Land
<i>(1935 – 1971)</i>	<i>(Settlement Purchase 1935/3 Singleton)</i>

Note (b)

	(Lot 3 DP 823737)
1998 – 1999	John Douglas Elliot
1995 – 1998	Singleton Shire Council
	(Crown Road – Parish Belford)
Prior – 1995	Crown Road

Information Provided Through
Advance Legal Search Pty Ltd
Ph. 0297541590 Fax. 0297541364

Title Search

LEAP Legal
An Approved LPI NSW
Information Broker

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - TITLE SEARCH

FOLIO: 102/882932

SEARCH DATE	TIME	EDITION NO	DATE
26/8/2008	6:40 PM	5	4/10/2007

LAND

LOT 102 IN DEPOSITED PLAN 882932
AT BELFORD
LOCAL GOVERNMENT AREA SINGLETON
PARISH OF BELFORD COUNTY OF NORTHUMBERLAND
TITLE DIAGRAM DP882932

FIRST SCHEDULE

MALCOLM DONALD COLEMAN
JOANN COLEMAN
AS JOINT TENANTS (T AD461324)

SECOND SCHEDULE (5 NOTIFICATIONS)

- 1 LAND EXCLUDES MINERALS & IS SUBJECT TO RESERVATION & CONDITIONS IN THE CROWN GRANT AFFECTING THE PART SHOWN SO BURDENED IN THE TITLE DIAGRAM
- 2 LAND EXCLUDES MINERALS AFFECTING THE PART SHOWN SO BURDENED IN THE TITLE DIAGRAM
- 3 DP882932 RIGHT OF CARRIAGEWAY 20.115 WIDE APPURTENANT TO THE LAND ABOVE DESCRIBED
- 4 8071999 EASEMENT FOR TRANSMISSION LINE AND ACCESS 15 WIDE OVER EXISTING LINE OF POLES AFFECTING THE PART OF THE LAND SHOWN DESIGNATED (A) IN PLAN WITH 8071999
- 5 AA769762 EASEMENT FOR ELECTRICITY TRANSMISSION LINE OVER EXISTING LINE OF POLES AFFECTING THE PART DESIGNATED (A) IN PLAN WITH AA769762

NOTATIONS

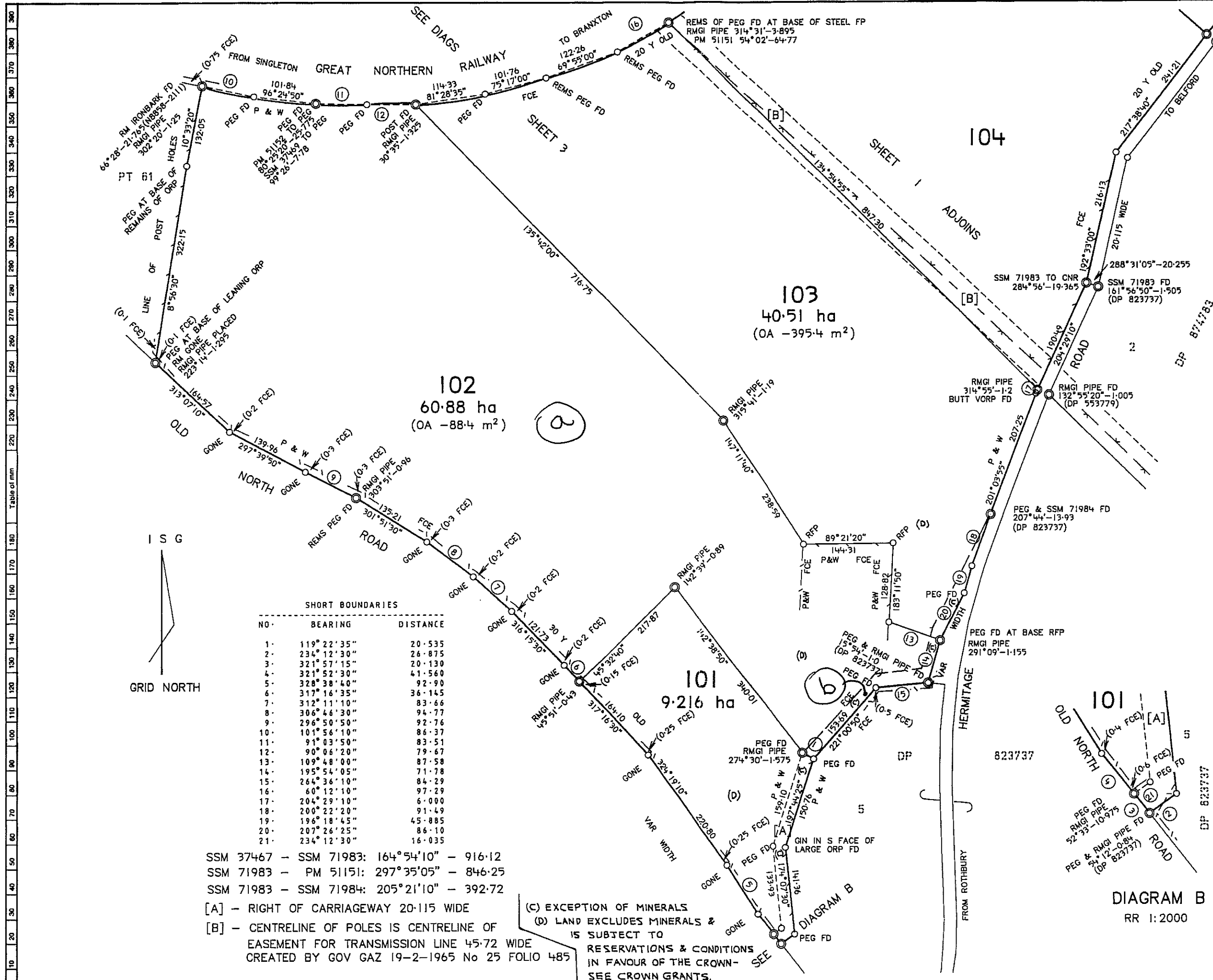
DP1128981 NOTE: PLAN OF ACQUISITION
UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

GHD - Belford ALSP

PRINTED ON 26/8/2008

* ANY ENTRIES PRECEDED BY AN ASTERISK DO NOT APPEAR ON THE CURRENT EDITION OF TITLE. WARNING: THE INFORMATION APPEARING UNDER NOTATIONS HAS NOT BEEN FORMALLY RECORDED IN THE REGISTER. ADVANCE LEGAL SEARCH PTY LTD 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.



DP 882932

Registered: 27-1-1999

This is sheet 2 of my plan in 3 sheets dated 24TH FEBRUARY 1998

Surveyor registered under Surveyors Act 1929

This is sheet 2 of the plan of sheets covered by my Certificate No. 3 of 17-12-98

General Manager/Authorised Person

For use where space is insufficient in any panel on Plan Form 2.

Reduction Ratio 1: 4000

SURVEYOR'S REFERENCE: BF3:945119 REPORT

SIGNATURE AND SEALS ONLY.

DP 882932

Registered: 27.1.1999

C.A. NO. SC 58/98 OF 17-12-1998.

Title System: TORRENS

Purpose: SUBDIVISION

Ref. Map: PARISH**

Last Plan: DP 823737*

PLAN OF SUBDIVISION OF
PORTION 49 AND
LOT 3 DP 823737

Lengths are in metres. Reduction Ratio 1:4000

LGA SINGLETON
Suburb/Locality: BELFORD
Parish: BELFORD (7)**
County: NORTHUMBERLANDThis is sheet 1 of my plan in 3 sheets.
(Delete if inapplicable).GARRY EDWARD HAMBLIN
of SCOTT CRISP & HAMBLIN ACN002472639
PO BOX 454 SINGLETON 2330
a surveyor registered under the Surveyors Act 1929, hereby
certify that the survey represented in this plan is accurate, has been
made in accordance with the Surveyors (Practise) Regulation 1996
and was completed on 24th FEBRUARY 1998.The survey relates to LOTS 101-105 INCL.
(here specify the land actually surveyed, or specify any land shown
in the plan that is not the subject of the survey)(Signature) *G. Hamblin*
Datum Line: X-Y Surveyor registered under
Zone: Suburban/Country the Surveyors Act 1929Plans used in preparation of survey/compilation.
DP 193576 DP 553779 DP 597360
DP 610365 DP 817427 DP 823737
DP 843118 DP 845380 DP 858233
DP 874783 DP 977630
85-1552 N7554-2111 N8858-2111PANEL FOR USE ONLY for statements of intention
to dedicate public roads, to create public reserves,
drainage reserves, easements, restrictions on the
use of land or positive covenants.PURSUANT TO SECTION 88B OF
OF THE CONVEYANCING ACT
1919-1964 AS AMENDED IT IS
INTENDED TO CREATE:-[1] - RIGHT OF CARRIAGEWAY
20.115 WIDE
[2] - RESTRICTIONS AS
TO USERSRA CONSENT FILED WITH
D P PAPERS R 20.01.1999

Crown Lands Office Approval

PLAN APPROVED
Authorised Officer
Land District
Paper No.
Field Book pages

Council's Certificate

I hereby certify that:-

(a) the requirements of the Local Government Act, 1919 (other
than the requirements for the registration of plans), and
(b) the requirements of Part 3 Division 2 of the Water Board Act
1987, or Part 5 Division 2 of the Hunter Water Board
(Corporatisation) Act 1991.have been complied with by the applicant in relation to the
proposed SUBDIVISION
(insert "new road", "subdivision" or "consolidated lot" set out herein)

Subdivision No. SC 58/98

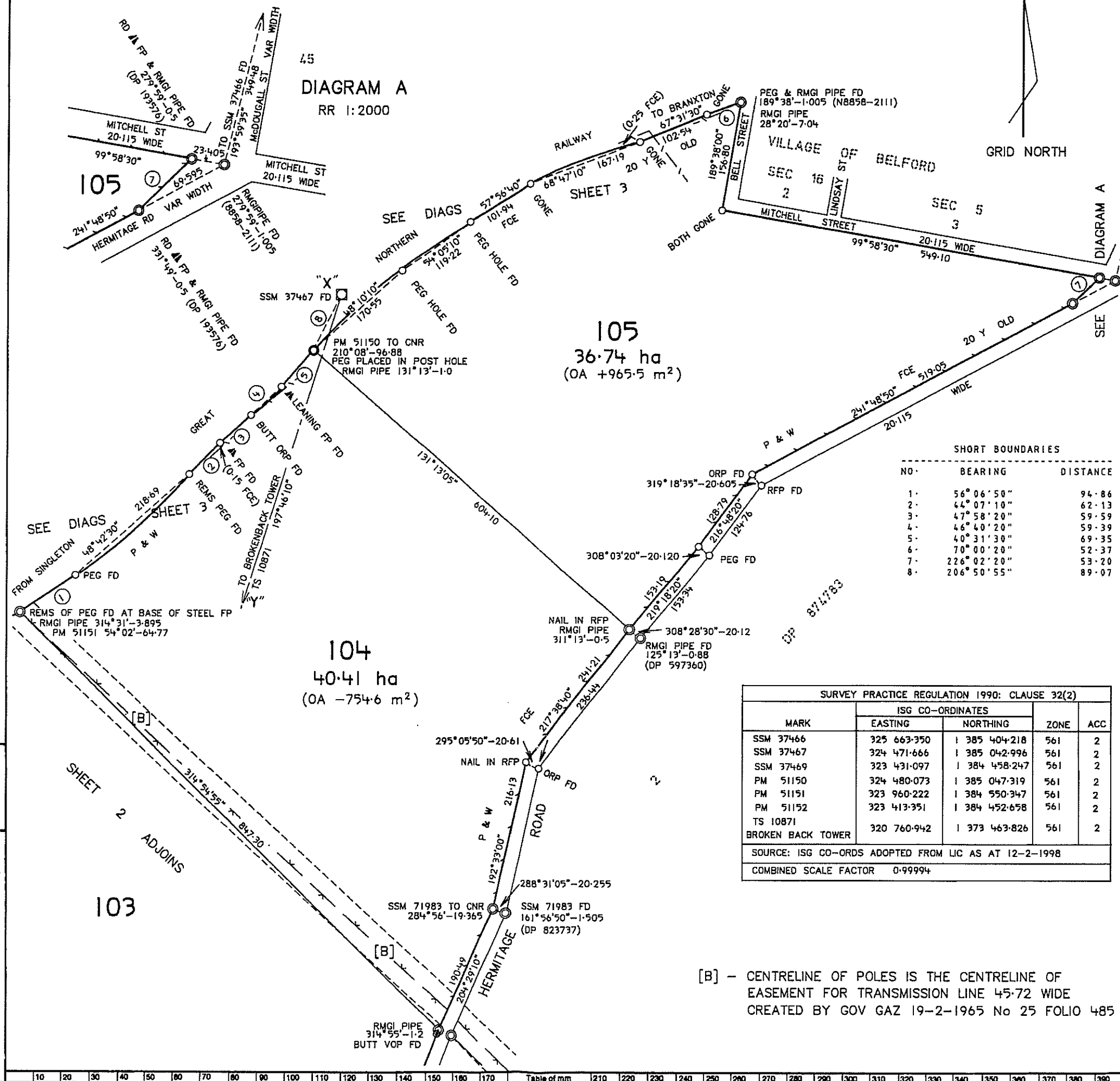
Date 17 DECEMBER 1998

(Signature) *G. Hamblin*
General Manager/Authorised Person

Council File No. SA 81/94

*This part of certificate to be deleted where the application is only for
a consolidated lot or the opening of a new road or where the land to be
subdivided is wholly outside the areas of operations of the Water
Board and the Hunter Water Corporation Ltd.

†Delete if inapplicable



CONTINUED

Registered: 27.1.1999

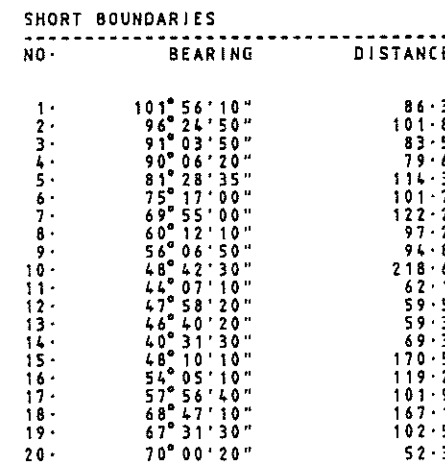
J. H. Hall

Surveyor registered under Surveyors Act 1929

This is sheet **3** of the plan of **3**
 sheets covered by my Certificate No.
SC 56190 of **17-12-98**

[Signature]
General Manager/Authorised Person

For use where space is insufficient in any panel on Plan Form 2.



Reduction Ratio 1: NOT TO SCALE

Information Provided Through
Advance Legal Search Pty Ltd
Ph. 0297541590 Fax. 0297541364

Historical Search

LEAP Legal
An Approved LPI NSW
Information Broker

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - HISTORICAL SEARCH

SEARCH DATE

26/8/2008 6:46PM

FOLIO: 102/882932

First Title(s): VOL 11559 FOL 248 3/823737

Prior Title(s): 49/755209 3/823737

Recorded -----	Number -----	Type of Instrument -----	C.T. Issue -----
28/1/1999	DP882932	DEPOSITED PLAN	FOLIO CREATED EDITION 1
10/8/2000	7012341	TRANSFER X	EDITION 2
21/11/2001	8071999	GRANT OF EASEMENT	EDITION 3
26/3/2003	9482120	DEPARTMENTAL DEALING	
14/7/2004	AA769762	GRANT OF EASEMENT	EDITION 4
4/10/2007	AD461324	TRANSFER	EDITION 5
25/7/2008	DP1128981	DEPOSITED PLAN	

*** END OF SEARCH ***

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PRINTED ON 26/8/2008

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Form: 97-01T
Licence: 026CN/0526/96

TRANSFER

New South Wales

Real Property Act 1900

7012341D



Instructions for filling out
this form are available
from the Land Titles Office

Office of State Revenue use only

NEW SOUTH WALES DUTY

26-07-2000

0000371890-001

SECTION 18(2)

DUTY

\$ *****2.00

- (A) **LAND TRANSFERRED**
Show no more than 20 titles.
If appropriate, specify the
share or part transferred.

FOLIO IDENTIFIER 102/882932

- (B) **LODGED BY**

LTO Box

42G

Name, Address or DX and Telephone

MIDDLETONS MOORE & BEVINS

DX 10263 SSE

TEL: 9390 8100

REFERENCE (15 character maximum): **1919 GG**

- (C) **TRANSFEROR**

JOHN DOUGLAS ELLIOTT

- (D) acknowledges receipt of the consideration of **\$580,000.00**
and as regards the land specified above transfers to the transferee an estate in fee simple.
(E) Encumbrances (if applicable) 1. 2. 3.

- (F) **TRANSFEE**

T
TS
(s713
LGA)
TW
(Sheriff)

BRIAN EDWIN SCULLIN

- (G)

TENANCY:

- (H) We certify this dealing correct for the purposes of the Real Property Act 1900. DATE **9-8-2000**
Signed in my presence by the transferor who is personally known to me.

Signature of Witness

Name of Witness (BLOCK LETTERS)

Address of Witness

Signature of Transferor

Signed in my presence by the transferee who is personally known to me.

Signature of Witness

Name of Witness (BLOCK LETTERS)

Address of Witness

Signature of Transferee's Solicitor

GEORGE GENGOS

NB: if signed on the transferee's behalf by a solicitor or licensed conveyancer, show the signatory's full name in block letters.

Information Provided Through
Advance Legal Search Pty Ltd
Ph. 0297541590 Fax. 0297541364

Historical Search

LEAP Legal
An Approved LPI NSW
Information Broker

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - HISTORICAL SEARCH

SEARCH DATE

26/8/2008 6:47PM

FOLIO: 49/755209

First Title(s): SEE PRIOR TITLE(S)
Prior Title(s): VOL 14235 FOL 144

Recorded -----	Number -----	Type of Instrument -----	C.T. Issue -----
12/12/1988		TITLE AUTOMATION PROJECT	LOT RECORDED FOLIO NOT CREATED
7/2/1992		CONVERTED TO AUTO CONSOL 14235-144	CONSOL CREATED CT NOT ISSUED
27/1/1999	5547840	EXCISED FROM AUTO CONSOL 14235-144	

*** END OF SEARCH ***

GHD - Belford ALSP

PRINTED ON 26/8/2008

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Historical Search

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Information Broker

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - HISTORICAL SEARCH

SEARCH DATE

26/8/2008 6:48PM

FOLIO: AUTO CONSOL 14235-144

Recorded	Number	Type of Instrument	C.T. Issue
7/2/1992		CONSOL HISTORY RECORD CREATED FOR AUTO CONSOL 14235-144	
PARCELS IN CONSOL ARE:			
49/755209, 1-2/16/758078, 7/4/758078, 1/5/758078.			

15/12/1994	U764521	REQUEST	
10/1/1998	3721792	DEPARTMENTAL DEALING	
27/1/1999	5547840	49/755209 EXCISED	EDITION 1
14/3/2001	7472160	LEASE	EDITION 2
11/1/2003	9283514	VARIATION OF LEASE	

*** END OF SEARCH ***

GHD - Belford ALSP

PRINTED ON 26/8/2008

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Historical Search

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Information Broker

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - HISTORICAL SEARCH

SEARCH DATE

26/8/2008 6:49PM

FOLIO: 3/823737

First Title(s): 3/823737

Prior Title(s): PA90000

Recorded -----	Number -----	Type of Instrument -----	C.T. Issue -----
27/9/1994	DP823737	DEPOSITED PLAN	LOT RECORDED FOLIO NOT CREATED
7/3/1995	U763893	RESUMPTION APPLICATION	FOLIO CREATED EDITION 1
8/3/1995	U736893	APPLICATION	
23/9/1998	5221345	APPLN FOR REPLACEMENT CT	EDITION 2
2/10/1998	5306819	TRANSFER X	EDITION 3
28/1/1999	DP882932	DEPOSITED PLAN	FOLIO CANCELLED

*** END OF SEARCH ***

GHD - Belford ALSP

PRINTED ON 26/8/2008

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Form: 97-01T
Licence: 10V/0096/95
Printed: 0897LTO

TRANSFER

New South Wales
Real Property Act 1900

5306819L



Instructions for filling out
this form are available
from the Land Titles Office

Office of State Revenue use only

00*05\$ 10/98E/26008 40 50205 2205 04 800797356/01
N.S.W. STAMP DUTY

- (A) **LAND TRANSFERRED**
If appropriate, specify the
share or part transferred.

LOT 3 DP 823737 - 1.546 ha

- (B) **LODGED BY**

LTO Box

Name, Address or DX and Telephone

833A

STEIN LONDON CO P/L

Reference (15 character maximum):

R5600

- (C) **TRANSFEROR**

SINGLETON SHIRE COUNCIL

- (D) acknowledges receipt of the consideration of\$4000.00.....
and as regards the land specified above transfers to the transferee an estate in fee simple.

- (E) Encumbrances (if applicable): 1. 2. 3.

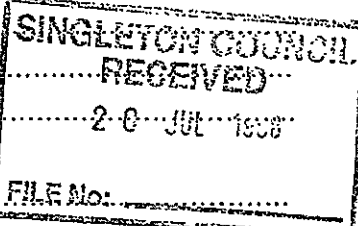
- (F) **TRANSFEE**

T
TS
(s713 LGA)
TW
(Sheriff)

JOHN DOUGLAS ELLIOTT

- (G)

TENANCY:

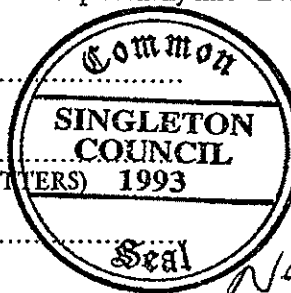


- (H) We certify this dealing correct for the purposes of the Real Property Act 1900. DATE 2/0/98
Signed in my presence by the transferor who is personally known to me.

Signature of Witness

Name of Witness (BLOCK LETTERS) 1993

Address of Witness



The COMMON SEAL of the COUNCIL of the
SHIRE of SINGLETON was hereto affixed on
the 9th day of July 1998 in pursuance of a
resolution passed at a meeting of the Council
held on 20th day of June 1994.

Mayor

General Manager

Signed in my presence by the transferee who is personally known to me.

Signature of Witness

Name of Witness (BLOCK LETTERS)

Address of Witness

Signature of Transferee

If signed on the transferee's behalf by a solicitor or licensed
conveyancer, show the signatory's full name in block letters.

NEW SOUTH WALES



STATE OF TITLE

PROPERTY ACT, 1900



14235144

Vol. 14235 Fol. 144

Prior Title (Crown Grant)

Vol. 11559 Fol. 248



EDITION ISSUED

22 9 1968

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
ESTATE AND LAND REFERRED TO

Estate in Fee Simple in Allotment 1 of Section 5 Allotment 7 of Section 4 Allotments 1 and 2 of Section 16 and Portion 49 at Belford in the Shire of Singleton Parish of Belford County of Northumberland. EXCEPTING THEREOUT the minerals reserved by the Crown grant.

FIRST SCHEDULE

JOHN DOUGLAS ELLIOTT of Pokolbin.

SECOND SCHEDULE

1. Reservations and conditions, if any, contained in the Crown grant above referred to.
2. Restrictions on dealings - see section 31 Closer Settlement Act, 1904 (SP1935/3 Singleton).
3. Notification in Government Gazette dated 19-2-1965 Folio 484: Easement for transmission line affecting the lands shown so burdened in the plan hereon.

GO TO THIS CERTIFICATE ON ANY NOTIFICATION HEREON

(Page 1) Vol. 14235 Fol. 144

B97

/Req: B459481
/Doc: CT 14235-144
/Prt: 28-Aug-2008

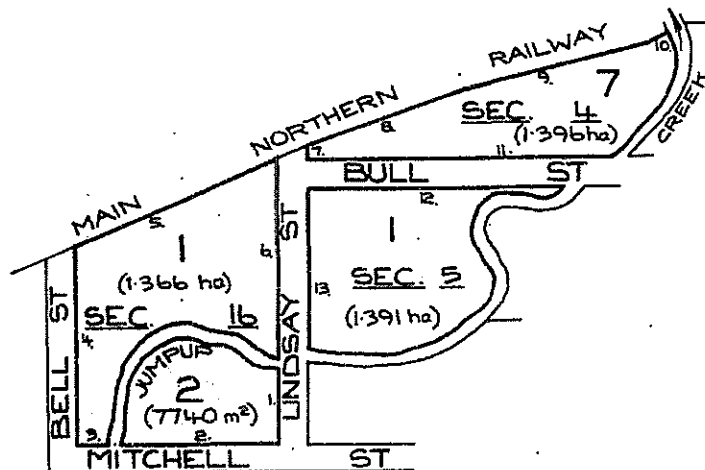


PLAN SHOWING LOCATION OF LAND

LENGTHS ARE IN METRES

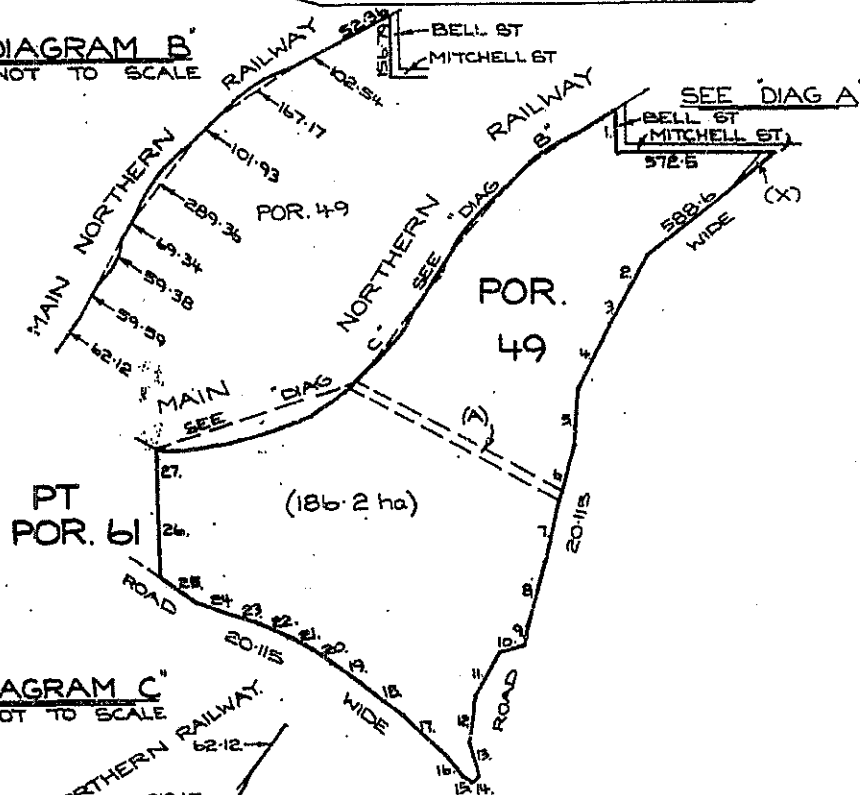
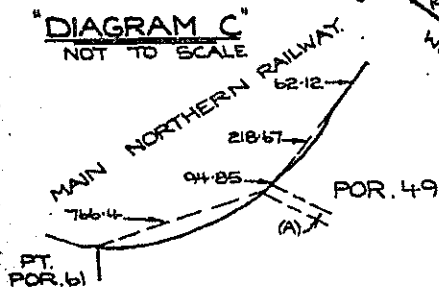
"DIAGRAM A"

REFERENCE	
1.	54.92
2.	112.65
3.	20.115
4.	144.84
5.	154.9
6.	144.44
7.	12.07
8.	120.7
9.	136.19
10.	14.08
11.	221.28
12.	186.08
13.	116.68



POR. 49

REDUCTION RATIO 1:4000

"DIAGRAM B"
NOT TO SCALE"DIAGRAM C"
NOT TO SCALE

REFERENCE

1	156.79
2	128.75
3	153.15
4	241.08
5	216.01
6	196.4
7	207.24
8	223.92
9	60.05
10	78.58
11	165.89
12	159.1
13	133.78
14	16.035
15	41.42
16	92.88
17	220.76
18	200.2
19	121.71
20	83.65
21	94.75
22	135.18
23	92.74
24	139.93
25	164.54
26	322.09
27	132.03

(X) ROAD (LOT 1 IN DP. 193576) 503.5 m² - 5730641

(A) - EASEMENT FOR TRANSMISSION LINE - GAZ. 19.2.1965 FOLIO 484. 45.72 WIDE.

TOTAL AREA: 191 ha

REDUCTION RATIO 1:20000

R 906469

3/11/11

FIRST SCHEDULE (continued)

REGISTERED PROPRIETOR

INSTRUMENT
NATURE NUMBER

REGISTERED

Signature of
Registrar General

CANCELLED

SEE AUTO FOLIO

SECOND SCHEDULE (continued)

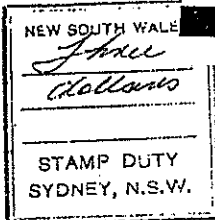
INSTRUMENT
NATURE NUMBER

PARTICULARS

REGISTERED
Signature of
Registrar General

CANCELLATION

NOTE: ENTIRE ROLLS THROUGH AND AUTHENTICATED BY THE SEAL OF THE REGISTRAR GENERAL ARE CANCELLED



Vol. 11559 Fol. 248
Registered 14-5-1971
Registrar General.

GRANT OF LAND

(UNDER THE CLOSER SETTLEMENT ACTS)

CANCELLED

S.P. 1935/3
SINGLETON

ELIZABETH the SECOND, by the Grace of God of the United Kingdom, Australia and Her other Realms and Territories Queen, Head of the Commonwealth, Defender of the Faith:-

TO ALL to whom these Presents shall come, Greeting:-

WHEREAS JOHN DOUGLAS ELLIOTT of "Oakvale" Pokoabin in Our State of New South Wales (hereinafter called the GRANTEE) is the holder of Settlement Purchase No. 1935/3 in the Land District of Singleton in Our said State comprising the parcel of land hereinafter described and intended to be hereby granted AND WHEREAS the GRANTEE holds the said land subject to the Easement or Right for the purpose of an electricity transmission line in respect of the land delineated in the plan on page 3 hereof appropriated and resumed by a Notification of Acquisition under the Public Works Act, 1912 published in the Government Gazette on the nineteenth day of February 1965 and by that notification vested in The Electricity Commission of New South Wales AND WHEREAS the sum of four thousand nine hundred and ten dollars being the purchase money payable for the said land has been duly paid into the Office of the Treasurer of Our said State And all things required by law to be done to entitle the GRANTEE to a grant of the fee simple of the said land subject to the Easement or Right hereinbefore mentioned and to the Reservations and Exceptions hereinafter contained have been done and performed NOW KNOW YE That for and in consideration of the said sum for and on Our behalf well and truly paid into the Treasury of Our said State before these Presents are issued and of all and singular the premises WE HAVE GRANTED and for Us Our Heirs and Successors DO HEREBY GRANT unto the GRANTEE Subject to the aforesaid Easement or Right and to the Reservations and Exceptions hereinafter contained ALL THAT Parcel of Land in Our said State containing by admeasurement four hundred and eighty nine acres one rood twenty eight perches be the same more or less situated in the County of Northumberland Parish of Belford at Belford Allotments 1, 2 and 3 all of Section 5 Allotments 7 and 8 both of Section 4 Allotments 1 and 2 both of Section 16 and Portion 49 as shown in plans catalogued Nos. Belford 4 and N.8858-2111 in the Department of Lands As per Plan on page 3 hereof With all the Rights and Appurtenances whatsoever thereto belonging TO HOLD unto the GRANTEE in fee simple but subject

Fol. 248

11559

(Page 1) Vol.

B97

/Req: B459485

/Doc: CT 11559-248

/Prt: 28-Aug-2008

as regards the land shown in the plan on page 3 hereof to the Easement or Right appropriated and resumed as aforesaid by the said notification PROVIDED NEVERTHELESS AND WE DO HEREBY RESERVE AND EXCEPT unto Us Our Heirs and Successors all minerals which the said land contains with full power and authority for Us Our Heirs and Successors and such person or persons as shall from time to time be authorised by Us or Them to enter upon the said land and to search for mine dig and remove the said minerals AND ALSO all such parts and so much of the said land as may hereafter be required for public ways in over and through the same to be set out by Our Governor for the time being of Our said State or some person by him authorised in that respect with full power for Us Our Heirs and Successors and for Our Governor as aforesaid by such person or persons as shall be by Us Them or him authorised in that behalf to make and conduct all such public ways And the right of full and free ingress egress and regress into out of and upon the said land for the several purposes aforesaid or any of them IN TESTIMONY WHEREOF We have caused this Our Grant to be Sealed with the Seal of Our said State

WITNESS Our Governor of Our State of New South Wales and its Dependencies in the Commonwealth of Australia, at Sydney in Our said State, this thirtieth day of April in the twentieth year of Our Reign and in the year of Our Lord one thousand nine hundred and seventy one

Manning

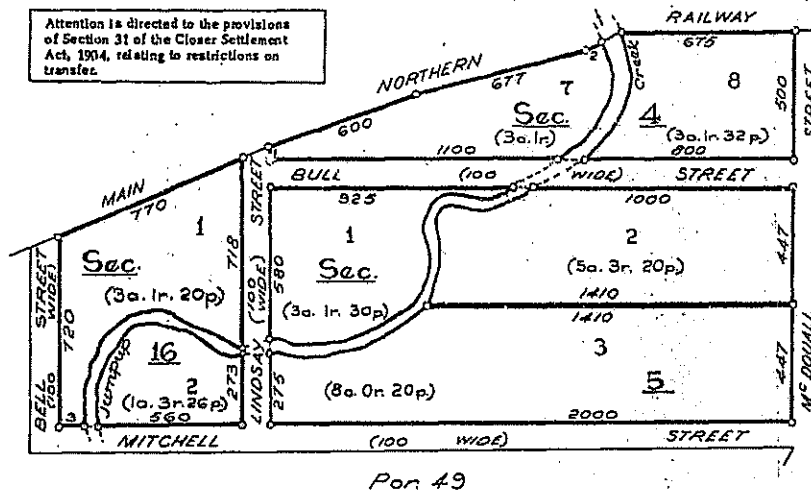
A. A. Butler

Governor.

PLAN REFERRED TO

NORTH

Attention is directed to the provisions of Section 31 of the Closes Settlement Act, 1904, relating to restrictions on transfer.



Reference	
Line	Distance
1	60
2	70
3	100

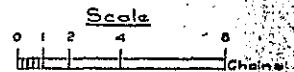
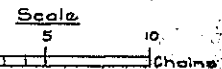
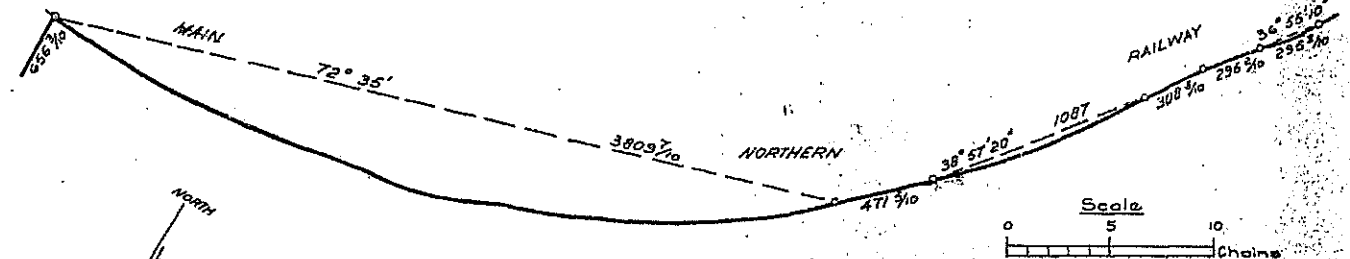
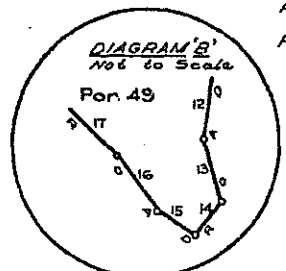
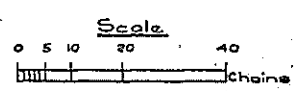


DIAGRAM 'A'



Reference	
Line	Distance
1	775 1/10
2	640
3	761 3/10
4	1158 4/10
5	1073 8/10
6	376 1/10
7	1030 1/10
8	1113 1/10
9	238 1/10
10	300 1/10
11	824 5/10
12	736 3/10
13	665
14	75 1/10
15	205 2/10
16	461 1/10
17	1037 4/10
18	935 5/10
19	605
20	415 1/10
21	471
22	672
23	461 1/10
24	658 6/10
25	817 3/10
26	1601 1/10
27	656 1/10



Total Area :- 489a.1r.28p.

[illegible]

R.P. 572 V. C. N. EIGHT, Government Printer

815 259 76

[illegible]

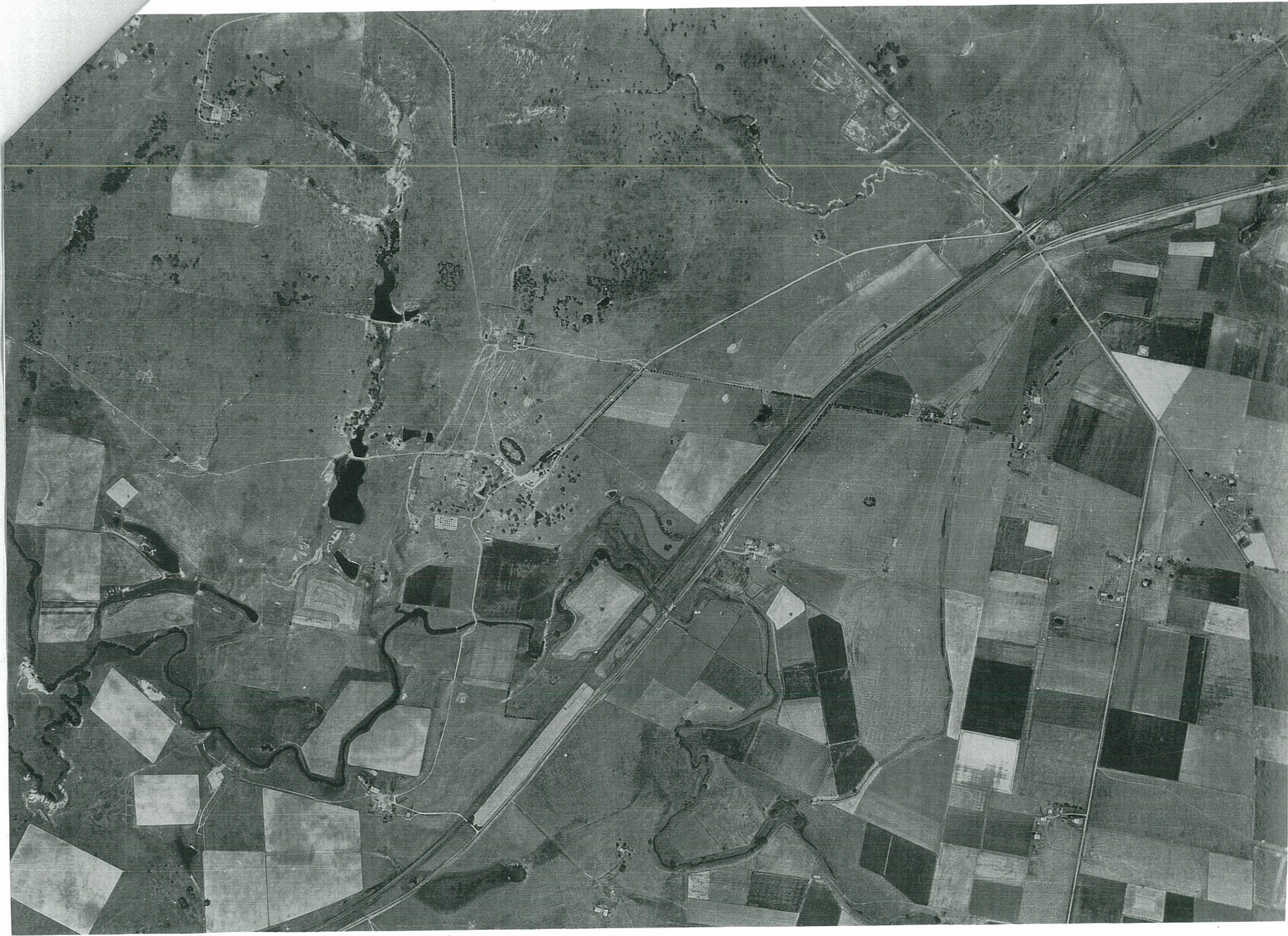
NOTE: ENTRIES RULED THROUGH AND AUTHENTICATED BY THE SEAL OF THE REGISTRAR GENERAL ARE CANCELLED



Appendix D

Historical Aerial Photographs

1 '63 Run 35

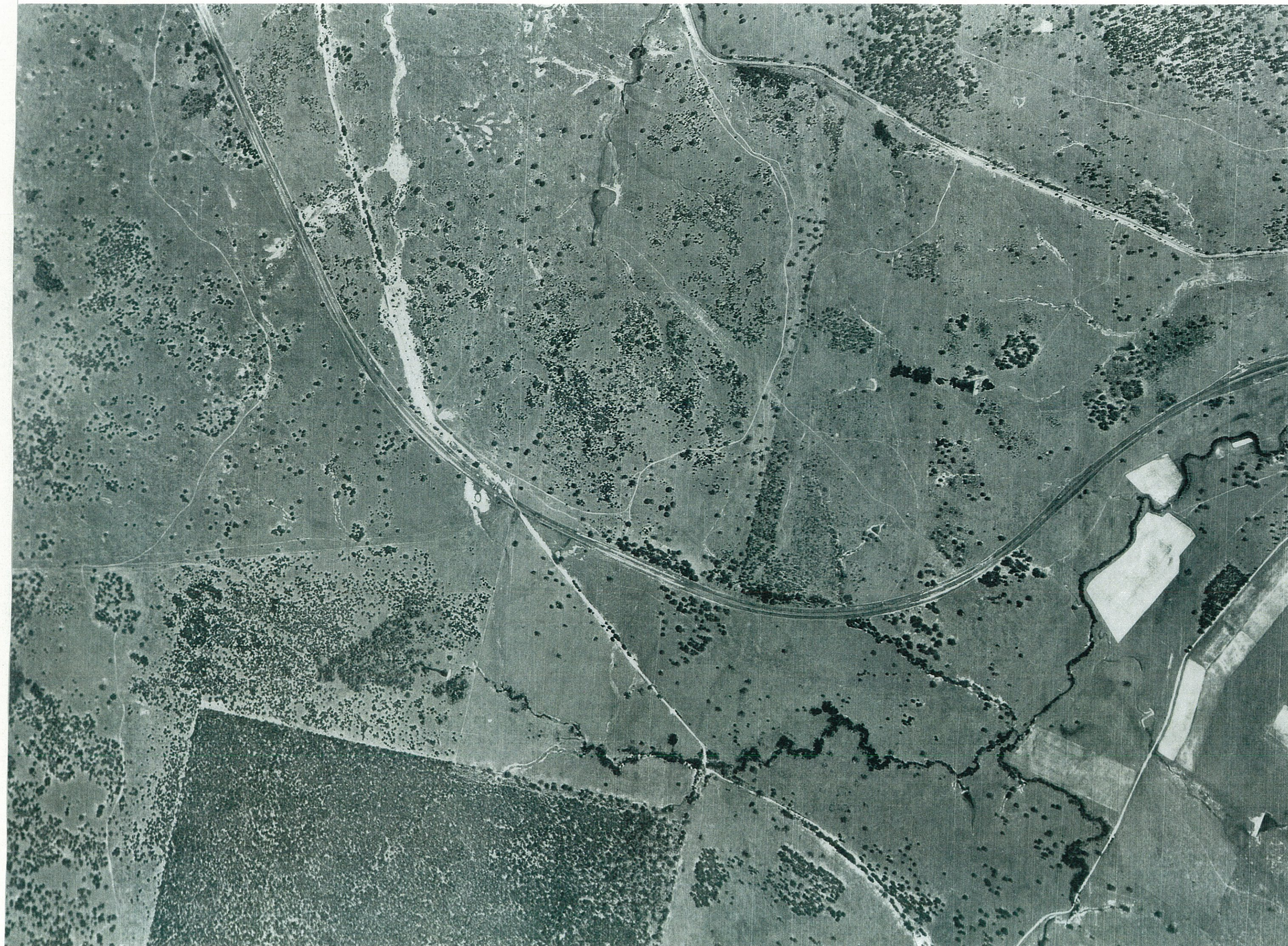




↑N

Nov. 63

Run 4S



↑
174
R003



NSN
2260
44

CESSNOC4



8:09.74



6401M. ASL
151.45mm



ROWN
COPY N.S.W
LANDS PHOTO
LOG-E



1100 1025 151.45

9205

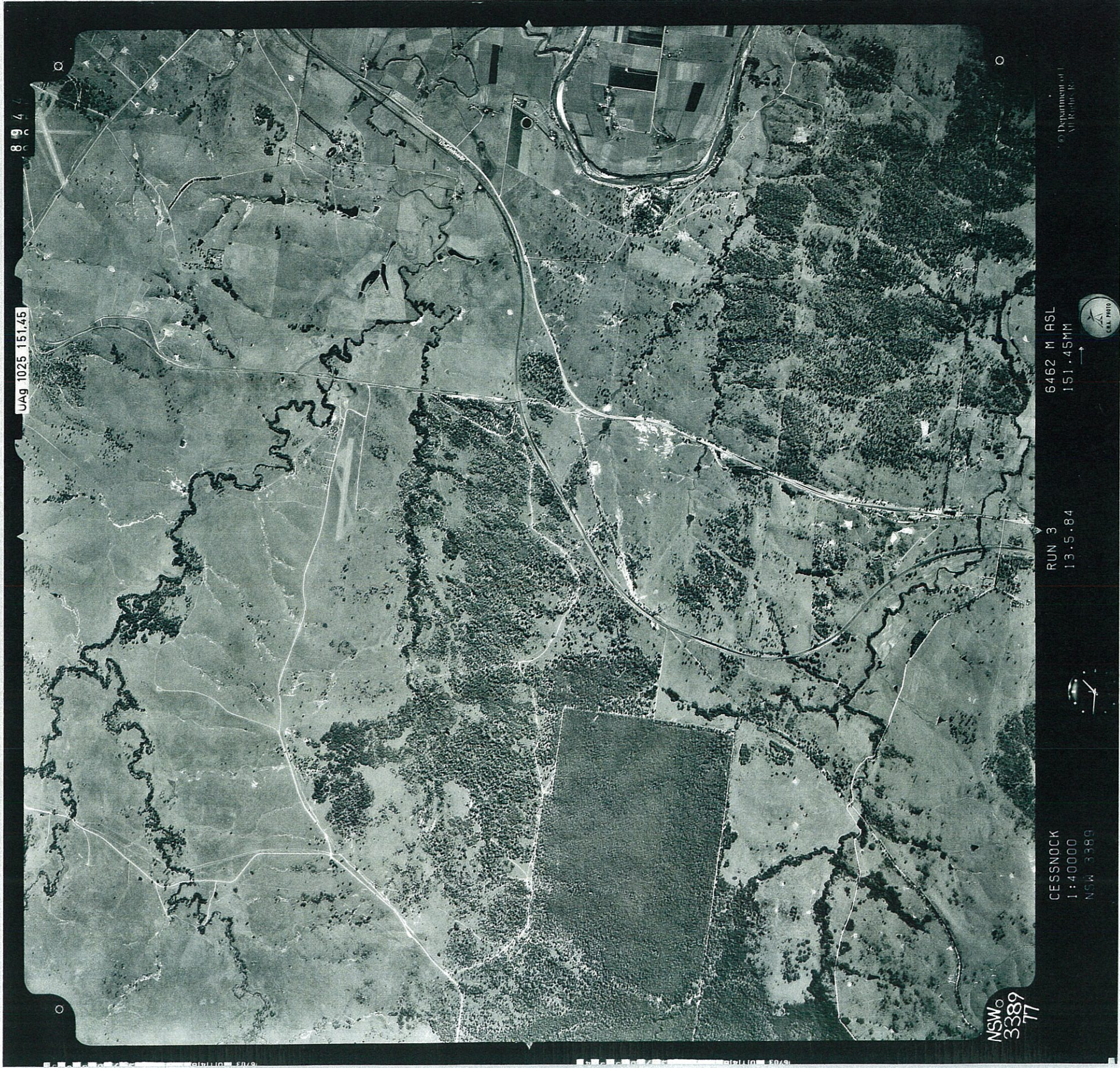
4
'74
Run 3



11A9 1025 15

↑
'84
Run 3





894

UAG 1025 151.45

NSW
3389
77

CESSNOCK
1:40000
NSW 3389

RUN 3
13.5.84

6462 M ASL
151.45MM

© Department of
Agriculture



4N
'84
Run 3





CESSNOCK 5540E2 AGFA 6 5 3 3
Run 4 1150000 45 M ASL 152.7 mm 03-09-94 NSW4236

CESSNOCK
1:25000 Approx Scale
NSW 4236 (Colour)



Run 4
03-09-94
171-193

4237 M ASL
152.7 mm



© Survey General's Department
Melbourne

W1150000
NSW4236

0183

↑
'94
Run 4



↑
194
Runs

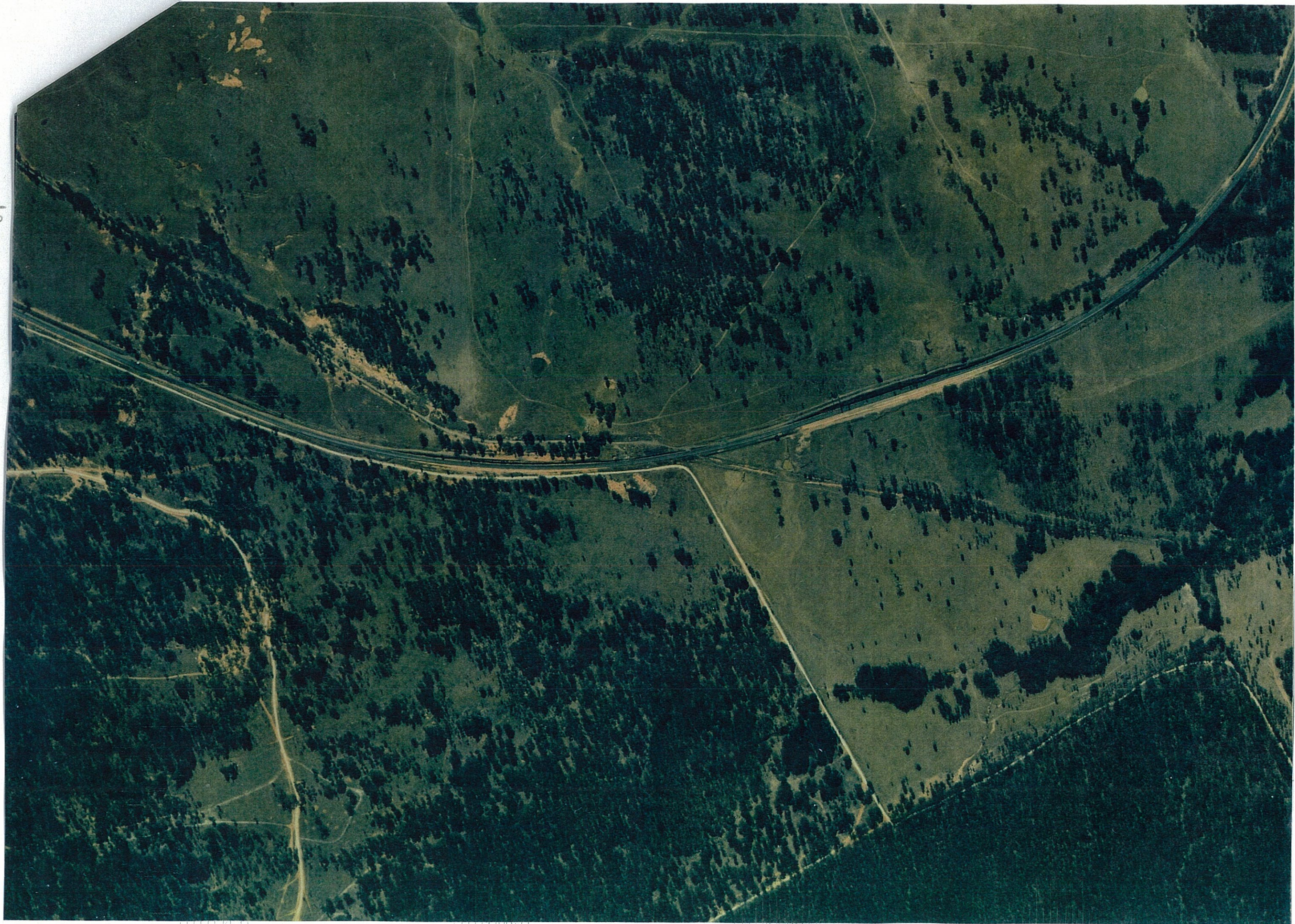


92

W

'94

RUNS



10:57:28 26/09 0429138 NSW4573 R05 M2447 1:250000 114 102.6729 151.2499 415km -063



CESSNOCK
1:25000 Approx. Scale
NSW4573 (M2447)

RUN 5
26-09-04
152.186

152.76 mm
↑
152.186

WIDE AREA
152.186

0.174



0198

WILDCAT 1740-13
NSW4573 187-211

CESSNOCK
1:25000 Approx. Scale
NSW4573 (M2447)

RUN 4
26-09-04
187-211

152.76 mm

4N 2004 Run 5





Appendix E

Site Photographs



Photograph 1 Location 1 - Looking West from Golden Highway Overpass



Photograph 2: Location 1 - Looking East from Golden Highway Overpass



Photograph 3: Location 2 – Aussie Trees looking south from New England Highway



Photograph 4: Location 3 – Looking East from Northern Side of Railway in Cemetery Lane.



Photograph 5: Location 3 – Looking North from Southern Side of Tracks in Cemetery Lane.



Photograph 6: NW portion of Lot 1 on DP 86239, looking north from south eastern boundary of acquisition area, note the thick vegetation.



Photograph 7: NW portion of Lot 1 on DP 86239, potential asbestos containing pipes adjacent to acquisition area.



Photograph 8: NW portion of Lot 1 on DP 86239, looking north west from elevated section of site towards lower lying area. Note Main Northern Railway to the south and New England Highway to the north.



Photograph 9: SE portion of Lot 1 on DP 86239, looking south east from north western boundary of acquisition area. Note the compacted surface fill with no vegetation, which appears to be used by traffic



Photograph 10: SE portion of Lot 1 on DP 86239, stockpile of metal and timber.



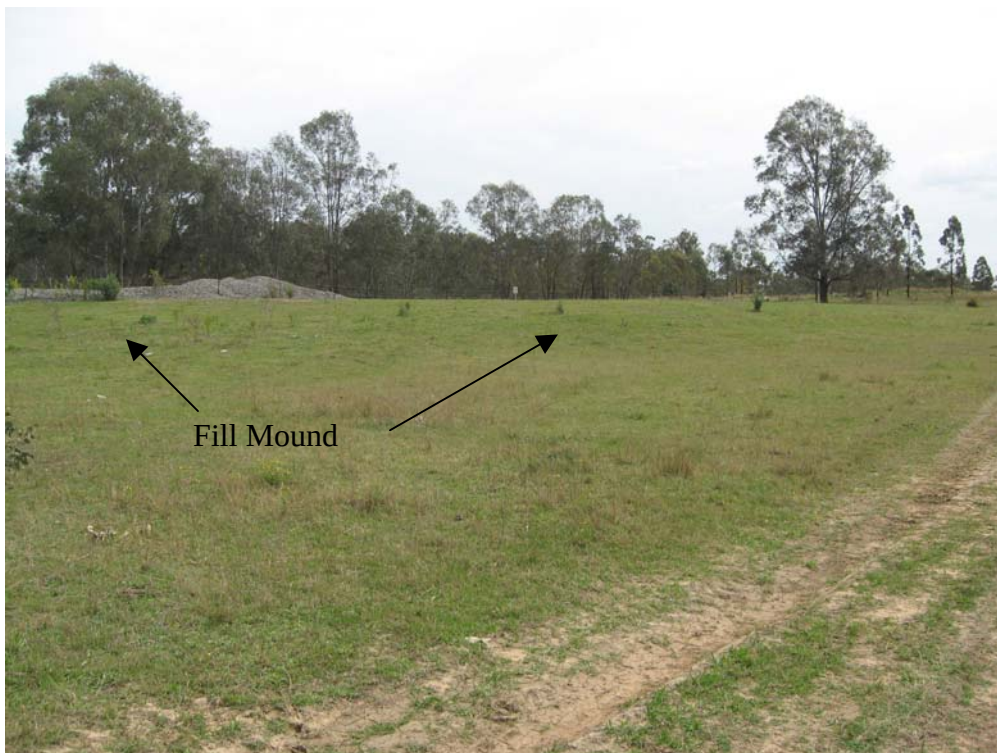
Photograph 11: SE portion of Lot 1 on DP 86239, Looking south east over dam to south western extent of acquisition area.



Photograph 12: Looking south from northern boundary of Lot 89 on DP871709, note the Main Northern Railway to the west of the site.



Photograph 13: Ballast surface fill between Ch 228460 and Ch 228580 on Lot 89.



Photograph 14: Fill mound of unknown material at Ch 227980 on Lot 89.



Photograph 15: Look south from northern end of abattoir operations; note the earthen mound to the west of the cattle holding pens on Lot 89.



Photograph 16: Lot 89, looking west over the southern end of the cattle holding pens towards the end of the earthen embankment, with the railway beyond that.



Photograph 17: Scrap metal and ballast on surface between Ch 227180 and Ch 227240 on Lot 89.



Photograph 18: Lot 90, Fill stockpiles with empty drums at Ch 226480.



Photograph 19: Fill in north part of Lot 100, note the concrete in the fill.



Photograph 20: Ballast on surface and fill stockpile in northern portion of Lot 100.



Photograph 21: Drainage swale with earthen embankment in northern portion of Lot 100.



Photograph 22: Looking south along eastern boundary of Lot 100 from approximately Ch 227200.



Photograph 23: Looking east from north western corner of Lot 102, note the Main Northern Railway line to the north and olive crops to the south.



Photograph 24: Looking east along the acquisition area of Lot 102, note the rail embankment to the north of the acquisition area.



Appendix F

Correspondence from Defence



Australian Government
Department of Defence

MINUTE

GHD

Drew Morgan

SOIL SAMPLING

1. Area in GS 3484 to 3386 Singleton Training Area
2. No likelihood of UXO in these areas.

A handwritten signature in cursive script that reads "M Gattenhof".

Mark Gattenhof

WO2

Assistant Range Control Officer
Range Control, Singleton

22 September 2008



GHD

352 King St Newcastle NSW 2300

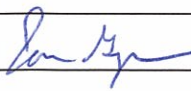
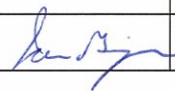
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Document Status

Rev No.	Author	Reviewer		Approved for Issue		
		Name	Signature	Name	Signature	Date
Draft	Kate D'Arcy	Alison Monkley		Ian Gregson		30/06/08
0	Kate D'Arcy	Alison Monkley		Ian Gregson		08/08/08
1	Drew Morgan	Ian Gregson		Ian Gregson		26/09/08