

Phase 1 Environmental Site Assessment

December 2007

WIPS Management



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Executive Summary

Parsons Brinckerhoff was commissioned by WIPS Management to undertake a Phase 1 Environmental Site Assessment (ESA) for a site located within the Hunter Employment Zone (HEZ), it is understood the assessment is required for the submission of a development application for a commercial/industrial development on the site.

The site is located within the Cessnock Local Government Area west of the towns of Kurri Kurri and Pelaw Main. The site consists of an area located in the south western corner of Lot 7 DP 1037092 and is currently owned by HEZ Pty Ltd. The site is roughly triangular in shape and covers an area of approximately 7.0 hectares. The site predominately consists of medium density native vegetation with an area of cleared land and stockpiled spoil in the North western corner of the site, extending offsite to the north.

The north eastern portion of the site has largely been reshaped due to the placement of a large volume of spoil on site; it is assumed this fill is over burden from the construction of the access roads within the HEZ development. Parts of this have been naturally revegetating. Construction wastes associated with the road construction are present adjacent to the spoil stockpiles.

A search of council records indicated that items of environmental heritage were situated within the lot, Cessnock City Council was contacted in regards to these items and it was identified that they related to Hebburn Dam to the north and the railway corridors in the area. Information from the 149 certificate also indicated that the site was within a mine subsidence area, the site inspection however did not reveal any localised depressions, however further investigations should be completed.

A Historical title search indicated that the site was held in private ownership until the early 1900's when the land was first purchased by hebburn Limited and then the Australian Agricultural Company. Ownership was passed to mining companies J & A Brown & Abermain Seaham Collieries Limited and Coal & Allied Operations Pty Limited from 1967 to 1999. In 1999 Tomalpin Land purchased the land followed by the current owners HEZ in 2002 for development purposes.

Historical aerial photographs indicate that no developments have occurred on the subject site since the earliest aerial photograph reviewed from 1961. The clearing of land to the east and south east for energy transmission lines are the only changes visible in the aerial photographs. With these exceptions it is considered that the land immediately surrounding the site and the site itself are 'Greenfield' sites.

Previous reports for the original HEZ site (Parsons Brinckerhoff PR_1640 January 2006), indicated that potential contaminants of concern were based around the illegal dumping of wastes at various locations within the lot, and that further investigation was recommended prior to re development., Emphasis was made for the focus on mining activities associated with Hebburn No.1 colliery in the north western corner of the site. Given the distance and surrounding topography it is considered any issues associated with mining activities would not have an impact on the current site, also due to the considerable size of the Lot in question, the illegal dumping of wastes was not identified as an issue for the site.

Based on information obtained and the site visit no potential on-site or off-site sources of contamination were identified at the site. In regards to the large stockpiles of spoil materials placed in the north western corner of the site, it has been assumed this was a result of earthworks associated

with road construction adjacent to the site, however further investigation may be required if it is found that fill has been imported from another site. Construction wastes also placed in this north western corner of the site do not pose a potential contamination issue at the site, due to the benign nature of the materials, eg. Concrete and brick products, timber and steel. These should however be removed during further works at the site.

Within the limitations and constraints imposed by the study of background information, PB recommends the site is suitable for the proposed development, that being of commercial/industrial land use and no contamination issues have been identified during this Phase 1 ESA.

1. Introduction

Parsons Brinckerhoff was commissioned by WIPS Management to undertake a Phase 1 Environmental Site Assessment (ESA) for the site located in the Hunter Employment Zone (HEZ), it is understood the assessment is required for the submission of a development application for a commercial/industrial estate on the site.

The site visit and accompanying desktop study activities were carried out during February 2006. The investigation was undertaken in general accordance with the New South Wales Environment Protection Authority (EPA) Guidelines for Consultants Reporting on Contaminated Sites, 1997.

1.1 Background and Objectives

The site is located on the north eastern side of Spine Road within the Hunter Employment Zone (HEZ), to the south west of the towns of Kurri Kurri and Pelaw Main.

A locality plan is presented as Figure 1.

In accordance with the tender brief, the objectives of the Phase 1 investigation were to gather information and provide recommendations on the following:

- a site history including past land use for the site and surrounding area
- the likelihood of contaminated soils at the site and the suitability of the site for the proposed land use, and
- A sampling plan (if required) to assess potentially contaminated soils that would have an impact on the suitability of the site for development.

1.2 Scope of Works

The scope of works implemented in order to achieve the above objectives included:

- a desktop based review of the site including legal property descriptions and Lands Title Records, Council held S149 (2&5) Certificates, Council development records and any notations against the site from the NSW EPA
- a review of previous, current and proposed use of the site to identify the potential for contamination of the site and the likely locations of such contamination
- a review of previous, current and potential future uses of adjacent premises to identify the potential for off-site activities to affect the site
- a historical aerial photograph review of the site to confirm whether significant development has occurred on the site in the past, and assist in identifying the locations of any previous buildings and other infrastructure associated with and activated on the site and adjoining properties
- review of any readily available previous reports on the site

- review of the local geology and hydrogeology (including a DIPNR licensed bore search) to identify potential contamination pathways beneath the site
- inspection of the site by experienced staff to identify potential contamination issues, including identification of any visual or probable contamination areas, if encountered, the location of possible excavations which may present a safety hazard, and the location and description of any imported fill area, and
- preparation of a Phase 1 Environmental Site Assessment Report including detailed information on the results of the reviews and site inspection, conclusion regarding the potential for contamination at the site and its suitability for the proposed land use together with recommendations for Phase 2 field sampling and analytical testing for contaminants of concern (if required).

2. Site Background

2.1 Site Location and Legal Description

The site is located within the Cessnock Local Government Area west of the towns of Kurri and Pelaw Main. A Locality plan is shown as figure 1. The site is located within Lot 7 DP 1037092 and is currently owned by HEZ Pty Ltd.

The property is currently zoned 4(h) Hunter Employment Zone under the Cessnock City Council Local Environmental Plan 1989.

2.2 Site Features and Use

The site is roughly triangular in shape, and covers a total area of 7.0 ha. The site predominately consists of medium density native vegetation with an area of cleared land and stockpiled gravelly spoil in the north western corner of the site. A small gully, dry at the time of the site visit, runs from the road side of the site through a culvert expelling onto the site in an easterly direction. Periodic flooding is evident in this area of the site. The gully initially is confined to a small area close to the roadway however as the site flattens out it is expected that excess waters spread over a large area of the site in the south eastern corner discharging onto the nature corridor to the east of the site.

The north eastern corner of the site and offsite to the north has largely been reshaped due to the placement of a large volume of spoil fill on site. It is assumed this fill is over burden from the construction of the access roads within the HEZ development adjacent to the site. Parts of this have been naturally revegetating, while a moderate amount of construction wastes associated with the road construction are present adjacent to the spoil stockpiles.

Site photographs are presented in Appendix A.

2.3 Surrounding Land Use

The site is located within an area of natural bushland within minimal development at the time of the site visit.

Based on site observations during investigation works, the adjoining land use comprises:

- North – Immediately to the north lies a small gully/creek running west to east, beyond lies medium density native vegetation for a few hundred metres, an access road and small transmission lines, with the remainder of the HEZ sites further to the north.
- South – bushland (Aberdare State Forest), with a cleared area for energy transmission lines running northwest to southeast approximately 200m south west of the site.
- East – bushland lies to the east of the site with very minor pockets of cleared land present, and

- West – the recently constructed Spine Road, with abandon Hebburn No.2 colliery located approximately 1.3km further to the west and south west. Werakata National Park lies beyond.

3. Physical Settings

3.1 Topography and Surface Hydrology

The site slopes slightly to the south east with surrounding topography varying, however generally remaining to the east and north towards an unnamed creek running into Hebburn dam to the north. The land immediately surrounding the subject site is made up of predominately medium density native bushland; minor areas of cleared land are present including the former colliery and transmission lines running to the south west of the site (Central Mapping Authority of New South Wales, 1990, Cessnock Topographic Map 1:25 000 Sheet 9132-2-N).

The nearest offsite surface water body is a small dam located within the nature corridor to the east of the site. Small creeks and gullies are present in the south east of the site eventually running into Hebburn Dam, approximately 2.5km north of the site. Due to the unsealed nature of the site, a significant portion of the surface water is expected to infiltrate the site surface, with any accumulated runoff expected to flow down slope to the south east and discharges off-site.

3.2 Local Geology

The regional geological map of the area (Department of Mineral resources, 1995, Newcastle Coalfields regional Geology Map Geological Series Sheet 9231, 1:100,000 Scale) indicates early Early Dalwood group with Farley formations of Silty Sandstone.

The regional soils map (Department of Land and Water Conservation NSW, Soil Landscape Series Sheet S1 56-1, Singleton Scale 1:250,000) indicates neath soils, of Permian siltstone, sandstone and coal gently undulating rises and swamps, relief up to 30m, slopes to 3%. Grey solodic soils in poorly drained areas with yellow solodic soils on better drained slopes.

3.3 Hydrogeology

A search of the Department of Infrastructure, Planning and Natural Resources (DIPNR) records located no registered bores within a 2.0km radius surrounding the site. Copies of data obtained from the search are included in Appendix B.

Due to limited hydrogeological information an accurate predication of groundwater depth and flow direction could not be achieved. However, based on local topographic contours, groundwater flow direction is anticipated to be east and north east.

3.4 Underground Utility Search

3.4.1 On-Site Utilities

A Search of on-site utilities such as power, sewer and telecommunication lines was conducted through the 'Dial before You Dig' service, with no onsite utilities identified during this search.

3.4.2 Off-Site Utilities

A search of off-site utilities was conducted through the 'Dial before You Dig' service, and services plans were provided by the following organisations:

- Telstra
- Hunter Water, and
- Energy Australia.

Telstra plans indicated that the Main North South Fibre Optic cable runs through Lot 7, adjacent to the transmission lines to the west of the site and along Hospital Rd to the north.

4. Historical Land Use Information

4.1 Current and Proposed Land Use

At the time of the assessment, the site was a vacant parcel of land covered extensively by medium density open bushland. PB understands that the site is proposed for a commercial/industrial development.

The following conditions were noted in the land use zoning / planning permit with regard to environmental impacts.

The Section 149 (2) and (5) certificates state:

- the land is currently zoned 4 (h) Hunter Employment Zone
- the land does **not** comprise or include critical habitat under the Threatened Species Conservation act, however the property may be affected by other threatened species matters, enquiries should be made to the N.S.W National Parks and wildlife Service
- the land is **not** within a conservation area
- there **is** an item of Environmental Heritage Situated on this property
- the land is **not** affected by the operation of section 38 or 39 of the Coastal Protection Act 1979
- the land **is** affected by a policy that restricts the land because of the likelihood of land slip or subsidence
- the land is **not** affected by a policy that restricts development of the land because of the likelihood of flooding
- the land **is** classified as bush fire prone land for the purposes of the Environmental Planning and Assessment Act 1997, and
- The land is **not** affected by any matters arising under the Contaminated Land Management Act 1997.

Cessnock City Council was contacted in regards to the items of Environmental Heritage situated on the lot, it was identified that the items related to Hebburn Dam located to North West of the site and the railway corridors in the area.

A copy of the certificate is presented in Appendix C.

4.1.1 Mine Subsidence

Council's Planning 149 Certificates, states site is within a Mine Subsidence District according to the meaning of section 15 of the Mine Subsidence Compensation Act 1961.

The site inspection did not reveal any localised depressions, however further investigations may be required.

4.1.2 Present Zoning Details and Council Requirements

According to the s149 Certificate, lot 7 DP1037092 has multiple zonings however the area of the site covered by this ESA is currently zoned 4 (h) Hunter Employment Zone under the Cessnock City Council Environmental Plan (LEP) 1989. Allowable land uses under the current zoning scheme are shown on the 149 certificate, presented in Appendix C.

4.2 WorkCover Records

Based upon the historical information and the nature of the site, a Work Cover dangerous goods search was deemed unnecessary and therefore was not undertaken on the subject site.

4.3 Environmental Protection Authority (EPA)

Based on a search of the Central Register of Restriction of Land and Property information it was previously identified that the EPA has a possible or actual interest in the investigation area. The EPA was contacted with regards to the possibility of contamination issues onsite; however no information with reference to the site were noted. It is assumed that the issues possibly relate to the former colliery located a distance to the north of the site, as the area comprises a single lot, however due to the distance and down gradient location of the colliery any issues are not likely to apply to the portion of the lot under this investigation.

4.4 Lands Title Information

A Land Titles search undertaken by Advanced Legal Search Pty Ltd with details derived from available current and historical certificates of title have been summarised in the following table.

Table 4-1 Summary of Current and Historical Certificates of Title Lot 7 DP 1037092

Lot 7 DP 1037092	
Date	Proprietor
2002-to date	HEZ Pty Ltd
1999-2002	Tomalpin Land Pty Limited
1981-1999	Coal & Allied Operations Pty Limited
1967-1981	J & A Brown & Abermain Seaham Collieries Limited
1915-1967	Hebburn Limited
1902-1915	The Australian Agricultural Company
1901-1902	Edward Dawson, Gentelman Charles Josiah Hebblewhite, merchant Edward Henry Cowdery, lisenced surveyor
1899-1901	Alfred William Meeks, merchant George Montagu Merivale, merchant

Edward Dawson, gentleman

In summary, the site was held in private ownership until the early 1900's when the land was purchased by Hebburn Limited and the Australian Agricultural Company respectively. Ownership of this lot was then passed to mining companies J & A Brown & Abermain Seaham Collieries Limited and Coal & Allied Operations Pty Limited between 1967 and 1999. In 1999 Tomalpin Land purchased the land followed by HEZ in 2002 for commercial purposes.

Copies of current and historical certificates of title have been included in Appendix E.

4.5 Historical Air Photographs

Historical aerial photographs were obtained dating back to the earliest available in 1961 and approximately every 10 years there after to assess any changes to the site and surrounding area during this period.

The results of the survey have been summarised below.

1961

The aerial photograph shows that the site consists of vegetated land with a number of small visible trails present on land within the area of the site.

There is a patch of cleared land present to the east; however the remainder of the surrounding land is vegetated. Hebburn No.2 Colliery is present to the south west of the site, with Hebburn No.1 Colliery a distance to the north adjacent to the towns of Kurri Kurri, Weston and Abermain.

1975

The investigation area remains unchanged since the previous aerial photograph; all surrounding properties also appear to remain unchanged with the exception of a tract of cleared land present where the current Energy Transmission lines run to the east and south east of the site.

1980

The site appears unchanged since the previous photograph. No developments have occurred on the site or within the surrounding bushland.

1984

This photograph is not clear; however the site remains unchanged since the previous photograph, again with no developments on the site or on any land surrounding the site.

1994

The site itself again remains unchanged, consisting of heavily vegetated land. Partial regrowth of the previously cleared portion of land to the east has occurred.

2004

No developments have occurred on the subject site since the original aerial photograph, there has been considerable regrowth of land to the east of the site, and the clearing of the land to the east and south east for the energy transmission lines are the only changes

visible in the aerial photographs. With the exception of these is considered that the surrounding land and the site itself is considered a 'Greenfield' site.

Aerial photographs are presented in Appendix F.

4.6 Previous Investigations

PB reviewed the following reports regarding past environmental investigations at the site:

- Parsons Brinckerhoff Australia: Phase 1 Environmental Site Assessment Hunter Employment Zone, Kurri Kurri, NSW (Jan 2003).

Conclusions and recommendations from this Phase 1 ESA indicated illegal dumping of wastes to be the main issue associated with contamination on the site. It noted further investigation was recommended prior to re development of the lot, with a focus on the mining activities associated with Hebburn No.1 colliery.

Given the distance and surrounding topography it is considered any issues associated with mining activities would not have an impact on the current site, also due to the considerable size of the Lot in question, the illegal dumping of wastes was not identified as an issue for the current site as no evidence of this was seen during the site visit.

5. Site Characteristics

5.1 Environmental Issues

The key potential contamination sources and activities identified by the review of background/historical information and the associated contaminants of concern are summarised in Table 5.1.

Table 5-1 Contaminants of Concern

Deposition Mechanism	Location	Contaminants of Concern
None	N/A	None

5.2 Site Conceptual Model

5.2.1 Potential On-site Sources of Impact

No Potential on site sources of contamination were identified.

5.2.2 Potential Off-Site Sources of Contamination

No Potential offsite sources of contamination were identified.

6. Summary and Conclusions

In February 2005, PB was commissioned by WIPS Management to undertake a Phase 1 Environmental Site Assessment (ESA) for the proposed commercial/industrial development site within the Hunter Employment Zone, Kurri Kurri, NSW.

Within the limitations and constraints imposed by the study of background information, the following conclusions are provided:

- the site consists of a small southern portion of lot 7 DP 1037092 and is roughly triangular in shape with a total area of approximately 7.0 ha
- the site predominately consists of medium density vegetated land, with a small area in northern eastern part of the site and extending offsite to the north, that has been used to store large amounts of spoil presumed a results of the road construction within the HEZ development. In addition construction materials such as concrete piping, sedimentation fencing, bricks and a small amount of burnt timber products are also present within this area.
- a small dry gully was identified around the southern area of the site running south east discharging offsite in a south easterly direction
- the site slopes slightly to the south east with surrounding topography varying, however in general remains to the east and north towards an unnamed creek running into Hebburn dam to the far north.
- the historical title search indicated that the site was held in private ownership until the early 1900's when the land was purchased by the Australian Agricultural company in 1905 followed by Hebburn Limited in 1915. Ownership of this lot was then passed to mining companies J & A Brown & Abermain Seaham Collieries Limited and Coal & Allied Operations Pty Limited between 1967 and 1999. In 1999 Tomalpin Land purchased the land followed by HEZ in 2002 for development purposes.
- historical aerial photographs indicate that no developments have occurred on the subject site since the earliest aerial photograph reviewed from 1961. The clearing of land to the east and south east for energy transmission lines are the only changes visible in the aerial photographs. With these exceptions it is considered that the land immediately surrounding the site and the site itself are 'Greenfield' sites.
- previous reports for the original HEZ site (Parsons Brinckerhoff PR_1640 January 2006), indicated that potential contaminants of concern were based around the illegal dumping of wastes at various locations within the lot, and that further investigation was recommended prior to re development., Emphasis was made for the focus on mining activities associated with Hebburn No.1 colliery in the north western corner of the site. Given the distance and surrounding topography it is considered any issues associated with mining activities would not have an impact on the current site, also due to the considerable size of the Lot in question, the illegal dumping of wastes was not identified as an issue for the current site.
- no key potential contaminants of concern were identified during this ESA
- no potential on-site sources of contamination were identified at the site

- no potential off-site sources of contamination were identified around the site
- in regards to the large stockpiles of spoil materials placed in the north western corner of the site, it has been assumed this was a result of earthworks associated with road construction adjacent to the site, however further investigation may be required if it is found that fill has been imported from another site.
- construction wastes placed in this north western corner of the site do not pose a potential contamination issue at the site, due to the benign nature of the materials, eg. Concrete and brick products, timber and steel. These should however be removed during further works at the site.

7. Recommendations

Within the limitations and constraints imposed by the study of background information, PB recommends the site is suitable for the proposed development, that being of commercial/ industrial land use.

It should be noted that while no dumping of wastes have occurred on the site to date, due to the illegal dumping of wastes on other HEZ land it is recommended that measures be taken to ensure future dumping does not occur within this site, particularly with the construction of Spine Rd adjacent to the site.

References

Central Mapping Authority of New South Wales, 1990, Wallsend Topographic Map 1:25 000 Sheet 9232-3-S.

Department of Mines, 1966, Newcastle Geological Series Sheet S1 56-2, 1:250,000 Scale.

Department of Land and Water Conservation NSW, 1999, Soil Landscape Series Sheet 9232, Newcastle Scale 1:100,000.

Department of Land and Water Conservation, 1997, ASS Risk Map, Wallsend, Edition Two, 1:25,000.

Department of Infrastructure, Planning and Natural Resources (DIPNR) Groundwater Bore Search, February 2006.

Parsons Brinckerhoff Australia, Phase 1 Environmental Site Assessment, Hunter Employment Zone, January 2003

8. Limitations

Scope of Services

This environmental site assessment report (“the report”) has been prepared in accordance with the scope of services set out in the contract, or as otherwise agreed, between the Client and Parsons Brinckerhoff (PB) (“scope of services”). In some circumstances the scope of services may have been limited by a range of factors such as time, budget, access and/or site disturbance constraints.

Reliance on Data

In preparing the report, PB has relied upon data, surveys, analyses, designs, plans and other information provided by the Client and other individuals and organisations, most of which are referred to in the report (“the data”). Except as otherwise stated in the report, PB has not verified the accuracy or completeness of the data. To the extent that the statements, opinions, facts, information, conclusions and/or recommendations in the report (“conclusions”) are based in whole or part on the data, those conclusions are contingent upon the accuracy and completeness of the data. PB will not be liable in relation to incorrect conclusions should any data, information or condition be incorrect or have been concealed, withheld, misrepresented or otherwise not fully disclosed to PB.

Environmental Conclusions

In accordance with the scope of services, PB has relied upon the data and has not conducted any environmental field monitoring or testing in the preparation of the report. The conclusions are based upon the data and visual observations and are therefore merely indicative of the environmental condition of the site at the time of preparing the report, including the presence or otherwise of contaminants or emissions.

Within the limitations imposed by the scope of services, the assessment of the site and preparation of this report have been undertaken and performed in a professional manner, in accordance with generally accepted practices and using a degree of skill and care ordinarily exercised by reputable environmental consultants under similar circumstances. No other warranty, expressed or implied, is made.

Report for Benefit of Client

The report has been prepared for the benefit of the Client and no other party. PB assumes no responsibility and will not be liable to any other person or organisation for or in relation to any matter dealt with or conclusions expressed in the report, or for any loss or damage suffered by any other person or organisation arising from matters dealt with or conclusions expressed in the report (including without limitation matters arising from any negligent act or omission of PB or for any loss or damage suffered by any other party in relying upon the matters dealt with or conclusions expressed in the report). Other parties should not rely upon the report or the accuracy or completeness of any conclusions and should make their own enquiries and obtain independent advice in relation to such matters.

Other Limitations

PB will not be liable to update or revise the report to take into account any events, emergent circumstances or facts occurring or becoming apparent after the date of the report.

The scope of services did not include any assessment of the title to nor ownership of the properties, buildings and structures referred to in the report, nor the application or interpretation of laws in the jurisdiction in which those properties, buildings and structures are located.