




PRELIMINARY SITE INVESTIGATION

**Dog on the Tuckerbox
37 Annie Pyers Drive
Gundagai NSW 2722**

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Executive summary

Environmental Consulting Services Pty Ltd (ECS) was engaged to undertake a Preliminary Site Investigation (PSI) of the property at 37 Annie Pyers drive in Gundagai. The purpose of the PSI was to accompany an application for the development of the Site as a commercial purposes and accommodation precinct with gardens, playgrounds and vehicle parking.

The objective of the environmental investigation was to assess the potential for contamination resulting from past Site activities and draw conclusion about the suitability of the Site for commercial use. The scope of work undertaken to meet this objective included the review of selected background information including historical aerial photographs and certificates of title, development of a Conceptual Site Model (CSM) and a Site walkover inspection.

Based on the history review, the Site has been historically used for commercial purposes that likely include a retail facility established in the 1950's and a service station built in 1961. The Site also appears to have had an ancillary use for residential purposes.

Based on the age of the buildings on the Site, there is a potential that hazardous building materials such as ACM was used during construction. The presence of ACM is not considered a significant risk associated with the proposed development provided that a hazardous building materials survey is undertaken by a suitably qualified consultant prior to the demolition of buildings and structures.

The service station on the Site is considered to be a significant potential source of soil and groundwater contamination. Soil in the vicinity of the Underground Petroleum Storage System has the potential to be contaminated from spills and leaks which may have migrated to the underlying groundwater.

Based on the aerial photographs and Site inspection the UPSS at the service station facility on the Site has not been used to store fuel for two or more years. In addition, the UPSS will not be required within the proposed development on the Site. In accordance with the UPSS guidelines the fuel storage system is deemed to be abandoned and should be decommissioned appropriately.

At this Site decommissioning should include the removal of the fuel storage system. Following the removal of the UPSS, the Site needs to be investigated for any potential contamination.

In accordance with State Environmental Planning Policy (Resilience and Hazards) 2021 (SEPP) the decommissioning of the UPSS is considered to be Category 2 remediation. The SEPP requires the person who proposes to carry out category 2 remediation work on any land must give notice of the proposed work to the council for the local government area in which the land is situated. A report must also be submitted to the relevant local authority (usually council) within 60 days of the decommissioning of a system or tank, or the completion of any necessary investigations and remediation works.

Based on the findings of this investigation, ECS concludes that the Site may be made suitable for proposed redevelopment and land use provided the following recommendations are implemented:

- A hazardous building materials survey should be undertaken by a suitably qualified consultant prior to the demolition of buildings and structures. Asbestos containing material (ACM) identified during the building survey, should be dismantled by an appropriately licensed asbestos removalist in such a manner that does not impact the ground surface;

- The UPSS at the Site is decommissioned in accordance with current Australian Standards and relevant NSW regulations by an appropriately licenced civil contractor. The decommissioning is considered to be Category 2 remediation work which requires notification of the decommissioning of the UPSS to the local Council. Notification must also be submitted to Safework NSW in accordance with Dangerous Good Licensing. All UPSS should be disposed of appropriately at a licenced facility permitted to receive the tanks and pipes;
- An environmental assessment must be undertaken during the removal of the UPSS in accordance with NSW EPA guidelines. Where soil or groundwater contamination is encountered at levels considered to represent a potential risk to human health or the environment, remediation must be undertake;
- An environmental report must be provided to the relevant local authority following the removal of the UPSS and any required remediation work. This report must be provided within 60 days of completion of the removal of the UPSS and any remediation work; and
- Excavated soil material generated during excavation and redevelopment activities should be classified in accordance with the NSW EPA (2014) Waste Classification Guidelines and disposed of to an appropriate and licenced facility.

Subject to compliance with the recommendations in this report including the decommissioning of the UPSS, site investigation and category 2 remediation work, the Site will be suitable (with respect to contaminated land considerations) for the proposed commercial development.

TABLE OF CONTENTS

1.0	INTRODUCTION	6
1.1	Objective and Scope of Work	6
2.0	SITE INFORMATION	6
2.1	Site Identification	6
2.2	Site Location and Regional Setting	7
2.3	Topography and Drainage	8
3.0	GEOLOGY AND HYDROLOGY	8
3.1	Regional Geology	8
3.2	Acid Sulfate Soil (ASS) Risk Planning	8
3.3	Hydrogeology	9
4.0	DATA QUALITY OBJECTIVES	10
5.0	HISTORY REVIEW	11
5.1	Regional History	11
5.2	Aerial Photographs	12
5.3	Certificate of Title	12
5.4	History Summary	13
5.5	NSW EPA Records	13
5.6	Gaps in the Site History	13
6.0	CONCEPTUAL SITE MODEL SUMMARY	14
7.0	SITE INSPECTION	16
8.0	DISCUSSION	18
9.0	CONCLUSION AND RECOMMENTATIONS	18

Tables

Table 2.1	– Site Identification
Table 3.1	– Groundwater bores
Table 5.1	– Aerial Photographs
Table 5.2	– Title History
Table 5.3	– NSW EPA Records
Table 6.1	– Source Pathway Analysis
Table 10.1	– Conceptual Site Model
Table 10.2	– Soil Assessment Criteria
Table 10.3	– Groundwater Assessment Criteria
Table 10.4	– Summary of Site Decision Rules
Table 10.5	– Recommended Minimum Sampling

Figures

Figure 2.1	– Site Location Plan
Figure 2.2	– Site Layout
Figure 3.1	– Groundwater Bores
Figure 7.1	– Service Station Building
Figure 7.2	– Rear of Building

Appendices

Appendix 1	– Development Plans
Appendix 2	– Aerial Photographs
Appendix 3	– Title Records

1.0 INTRODUCTION

Environmental Consulting Services Pty Ltd (ECS) was engaged to undertake a Preliminary Site Investigation (PSI) of the property at 37 Annie Pyers drive in Gundagai (the Site). The purpose of the PSI was to accompany an application (Development Application) for the development of the Site.

ECS understands that it is proposed to redevelop the Site for commercial purposes and accommodation precinct with gardens, playgrounds and vehicle parking. A copy of the draft Master Plan is included in Appendix 1.

The PSI has been undertaken in accordance with:

- Guidelines for Consultants Reporting on Contaminated Sites (NSW EPA, 2020);
- State Environmental Planning Policy (Resilience and Hazards) 2021; and
- National Environment Protection Measure (NEPM) for the Assessment of the Site Contamination (ASC NEPM 2013).

1.1 Objective and Scope of Work

The objective of the environmental investigation was to assess the potential for contamination resulting from past Site activities and draw conclusion about the suitability of the Site for commercial redevelopment.

The scope of work undertaken to meet this objective included the following:

- The review of selected background information including historical aerial photographs and certificates of title;
- The identification of potential contamination types and the development of a conceptual Site model (CSM);
- A Site inspection; and
- The preparation of a site assessment report for submission to council.

2.0 SITE INFORMATION

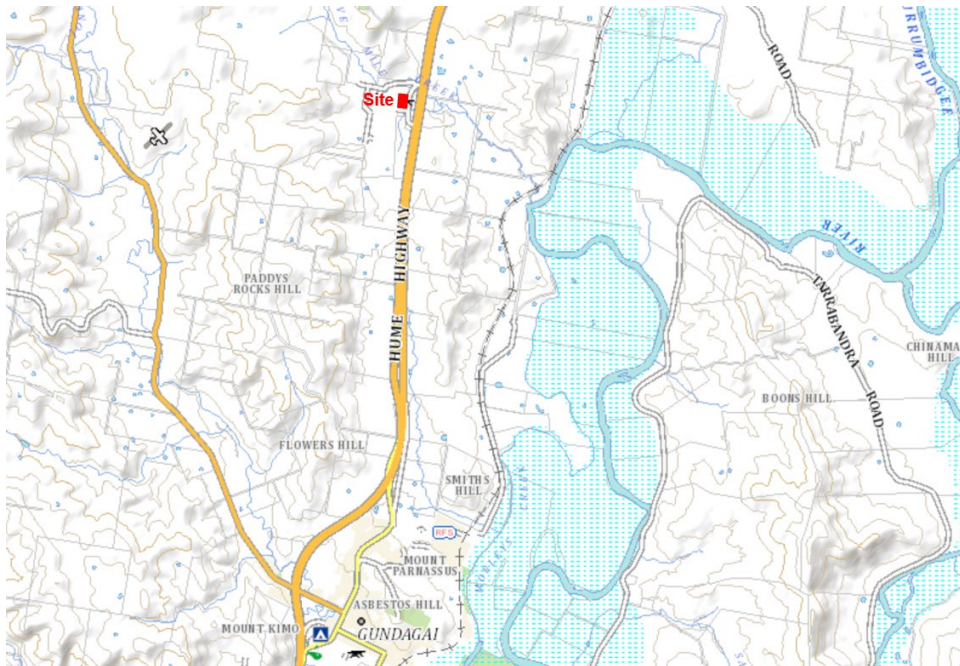
2.1 Site Identification

The location of the Site is presented in Figure 2.1 – Site Location Plan with the Site identification details summarised in Table 2.1 – Site Identification.

Table 2.1 – Site Identification

Attribute	Detail
Site Address	37 Annie Pyers Drive, Gundagai NSW 2722
Lot & Deposited Plan	Lot 2 DP 160191 and Lot 529B DP 203601
Current Land Use	Commercial and open space
Proposed Land Use	Commercial and open space
Local Government Authority	Cootamundra Gundagai Regional Council
Current Zoning	SP3 – Tourist
Site Area (m ²)	26,620
Geographical Location (approximate centre)	Latitude: -35.000905725 Longitude: 148.110091191

Figure 2.1 – Site Location Plan



2.2 Site Location and Regional Setting

The Site is located within a tourist and motorist service area 7km to the north of Gundagai, NSW. This service area encompasses a service station, gift shop and restaurant and is bounded by the Hume Highway to the east and agricultural land to the west.

The developments on the adjoining land include:

- North – a commercial building and Five Mile Creek;
- East – Annie Pyers Drive and a closed service station;
- South – a restaurant and a service station; and
- West – a house and grazing land.

The Site is made up of two lots (Lot 2 DP 160191 and Lot 529B DP 203601) and is close to rectangular in shape with an area of approximately 26,620m². The Site has a frontage to Annie Pyers Drive of approximately 220m.

There is a commercial building on the Site that is used for retail purposes which is connected to a service station. There is also a residential building behind the service station. The service station includes a small retail area, forecourt and an Underground Petroleum Storage System (UPSS).

Most of the area across the Site is grass covered with some trees. However, there is a gravel driveway leading to the service station forecourt which is concrete paved. There is also dip/fill points and vent pipe indicating the presence and approximate locations of three Underground Storage Tanks (USTs).

The Site is outlined in red and surrounding properties shown on Figure 2.2 – Site Layout.

Figure 2.2 – Site Layout



2.3 Topography and Drainage

The Site slopes downwards towards the north north-east and is at an elevation of between approximately 257m AHD (Australian Height Datum) at the south west corner and 253m AHD at the north east corner.

There is no indication of significant filling on the Site although there appears to have been some minor surface soil disturbance associated with the developments on the Site and also for the installation of the UPSS. Apart from the noted minor surface disturbance the Site topography appears to follow the natural slope of the surrounding area.

Rain falling on the Site would either infiltrate into the Site soils or runoff to the north east towards Five Mile Creek. Five Mile Creek is located approximately 80m to the north of the Site. There is also an un-named tributary of Five Mile Creek located approximately 40m to the south of the Site. Five Mile Creek flows to the east and discharges into the Murrumbidgee 2km to the south east of the Site.

3.0 GEOLOGY AND HYDROLOGY

3.1 Regional Geology

Regional geology of the area is shown on the Wagga Wagga 1:250,000 scale Geological Map Sheet (Sheet S1 55-15). The Site is mapped as underlain by Silurian Sedimentary rocks described as conglomerate, sandstone and siltstone with minor volcanics.

3.2 Acid Sulfate Soil (ASS) Risk Planning

The Department of Land and Water Conservation Liverpool Acid Sulfate Soil risk map shows the Site is on land classified as “No Known Occurrences”.

The Gundagai Local Environment Plan (LEP) 2011 does not include Acid Sulfate Soil (ASS) risk maps indicating a low likelihood of encountering ASS at the Site.

3.3 Hydrogeology

Groundwater beneath the site would be expected to occur within an unconfined aquifer at of less than about 10m depth. Based on the topography and nearby surface water bodies, the expected direction of groundwater flow is to the east towards the Murrumbidgee River.

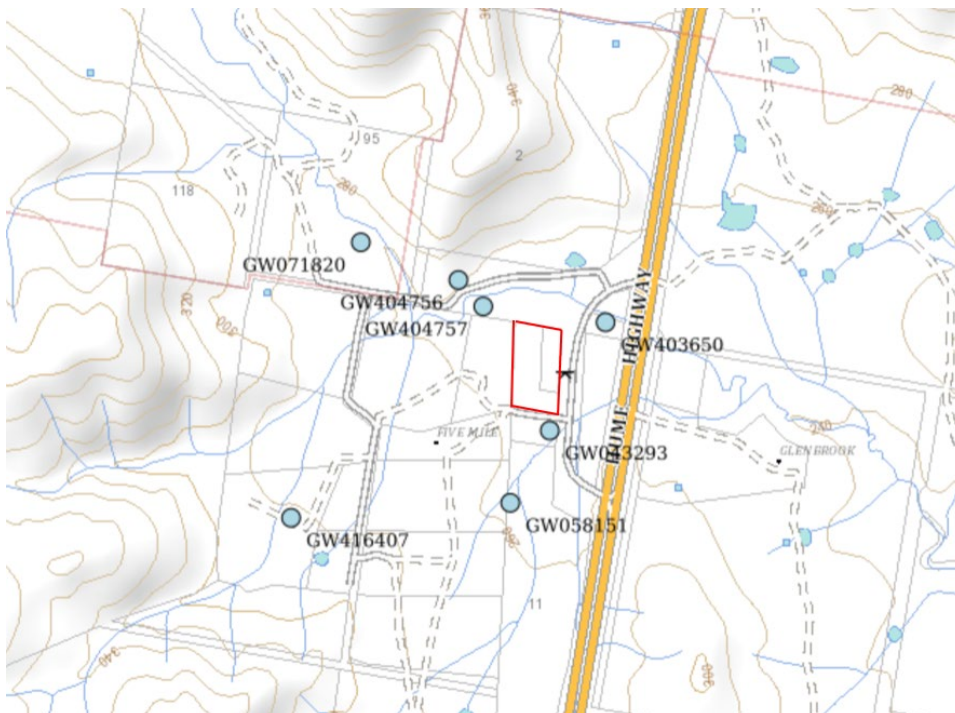
The MinView database provided by the NSW Government (2021) shows there are seven registered groundwater bores within a 1 km radius of the Site. The nearest registered bore is on the adjacent property to the south. The details of the wells are summarised in Table 3.1 – Groundwater bores.

Table 3.1 – Groundwater bores

Groundwater bore	Year constructed	Bore Type	Drilling Depth (m)	Distance from Site (km)
GW071820	1994	Water Supply	29.8	0.6
GW404756	1994	Stock & Domestic		0.2
GW404757	1994	Water Supply		0.1
GW403650	1985	Water Supply		0.1
GW043293	1974	Water Supply	9.1	0.04
GW058151	1982	Water Supply	24.0	0.25
GW416407	2013	Water Supply	42	0.7

An extract from the Minview database showing licenced groundwater bores in blue and the Site in red is presented in Figure 3.1 – Groundwater Bores.

Figure 3.1 – Groundwater Bores



4.0 DATA QUALITY OBJECTIVES

The Data Quality Objective (DQO) process is a systematic, seven-step process that defines the criteria an investigation should satisfy including the type, quantity and quality of data required to support decisions relating to the investigation. DQOs for this investigation have been developed based on the seven-step approach in accordance with the NSW DEC Guidelines for the NSW Site Auditor Scheme (3rd Edition), 2017. The DQOs incorporate field quality control and laboratory analysis, methods and information on laboratory quality control data and validate the field and analytical data for this investigation. The DQOs are presented in detail in the following sections.

Step 1 - State the Problem

The site has been used for commercial purposes in the past and proposed to be developed as a hospitality and retail facility. The objective of the investigation is to assess the potential for contamination resulting from past Site activities and to draw conclusions regarding the suitability of the Site for sensitive land use as required by the SEPP (Resilience and Hazards) 2021.

This investigation should be undertaken in general accordance with the NSW EPA Guidelines for Consultants Reporting on Contaminated Sites 2020. This requires a review of historical Site usage to evaluate the potential for the former uses to result in contamination. Where there is the potential for impact, an intrusive investigation should be undertaken, and appropriate management strategies implemented.

Step 2 - Identify the Decisions

The preliminary assessment for contamination will be based on a desk study and site history review. The decisions associated with this assessment include:

- Has sufficient site history information been collected and are there any data gaps?
- If there are data gaps are they significant and are further intrusive investigations be required to fill the identified gaps?
- Have historic land uses resulted in contamination that may preclude the proposed land use;
- Is the Site suitable for proposed land use?

Step 3 - Identify Inputs to the Decision

The inputs required to make the identified decisions include:

- Desk top study including review of data regarding the regional and local conditions;
- Review of historical records and air photographs; and
- A Site walkover.

Step 4 - Define the Study Boundary

The boundaries for this assessment have been identified as follows:

- Lateral boundaries – the Site area; and
- Vertical boundaries – surface soils to about 10.0m depth which is expected to encompass the near surface groundwater.

Step 5 - Develop an Analytical Approach

No intrusive investigation is planned for the PSI and as such no sampling or laboratory analysis will be carried out.

The decision rules for this investigation are:

- If the Site history indicates the potential for Site contamination to exist, then an assessment for actual impacts from that activity must be undertaken.
- If the presence of potential sources of contamination are encountered such as areas of filling of damaged asbestos materials on the ground surface, then further assessment, remediation or management must be undertaken.
- Results of assessment activities undertaken to investigate for actual impacts need to consider the proposed Site use. If the results of sampling encounter concentrations of contaminants greater than nominated Site Assessment Criteria indicating a potential human health or environmental risk then remediation or management must be undertaken.

Step 6 - Specify Performance or Acceptance Criteria

The null hypothesis is that the soil and fill material is contaminated and exceeds the adopted Site Assessment Criteria. The alternative hypothesis is that the soil and fill material is not contaminated above the adopted Site Assessment Criteria.

The incorrect consideration of background information has the potential to conclude that the Site is contaminated when it is not or alternatively, conclude the Site is not contaminated when it actually is. To provide more certainty to the conclusion regarding the contamination status of the Site, both the background information and the Site conditions will be jointly assessed.

The continuity and understanding of past Site activities provides the basis for the consideration of the necessity for Site sampling. Where there is uncertainty or indications of the potential for contamination, sampling needs to be undertaken.

Step 7 - Optimise the Design for Obtaining Data

The data sources for this assessment are historic records that have been maintained and that are readily available.

5.0 HISTORY REVIEW

To assess the development history of the Site, historical aerial photographs and certificates of title acquired from Lotsearch were reviewed.

5.1 Regional History

The explorers Hamilton Hume and William Hovell passed through in 1824 while creating a route from Sydney to Melbourne. The site that became Old Gundagai was a natural place to cross the Murrumbidgee River. By 1836 the area was being used by early pastoralists.

Gundagai was gazetted as a township in 1838, by which time settlers were already building on the river flats.

5.2 Aerial Photographs

Aerial photographs dating back to 1944 were reviewed to assess the developmental history at the Site. Table 5.1 – Aerial Photographs summarises the features observed in the historical aerial photographs. Copies of the aerial photographs are included in Appendix 2.

Table 5.1 – Aerial Photographs

Year	Site Features	Surrounding Area
1944	The Site is undeveloped with grass cover and some scattered trees.	The surrounding area is predominately undeveloped and grass covered with scattered trees. There is a narrow road to the east of the Site and unsealed tracks to the north and south. Five Mile Creek and the unnamed tributary are located to the north and south.
1961	There is now a commercial building on the Site with a parking area and driveways connecting to the adjoining road.	The road to the east of the Site appears to have been widened. There is a house to the north east.
1971	There is now a round building on the Site and the service station building is present. The dwelling behind the service station is also present.	The surrounding land use remains relatively unchanged from the 1961 aerial photograph although there is a dam on the adjoining land to the south.
1980	The Site remains unchanged from the 1971 aerial photograph although there is a dam at the north west corner of the Site. Trees have been planted across the Site	There is now another service station to the east of the Site across the roadway.
1986	The Site remains unchanged from the 1980 aerial photograph.	The surrounding land use remains relatively unchanged from the 1980 aerial photograph however the Hume Highway has been realigned to the east of the Site.
1998	The Site remains unchanged from the 1986 aerial photograph although the trees have matured.	There is now a house to the west of the Site and another to the north west.
2006	The Site remains mostly unchanged from the 1998 aerial photograph although the round building is no longer present.	There is now a new service station approximately 100m to the south of the Site and a restaurant on the adjoining land to the south where there was formerly a dam.
2012	The Site remains unchanged from the 2006 aerial photograph.	The surrounding land use remains relatively unchanged from the 2006 aerial photograph.
2016	The Site remains unchanged from the 2012 aerial photograph.	The surrounding land use remains relatively unchanged from the 2012 aerial photograph.
2020	The Site remains unchanged from the 2016 aerial photograph although the ancillary structures around the service station have been removed.	There has been a large shed constructed behind the house to the north east of the Site.

5.3 Certificate of Title

Historical land title records indicating ownership of the land were acquired from a Lotsearch report and during this assessment. The title records associated with Site are presented in Table 5.2 – Title History. A copy of the title search for the Site is included in Appendix 3.

Table 5.2 – Title History

Years owned	Proprietor(s)
Lot 2 in D.P. 160191	
1909 to 1946	Michael Ball (Grazier)
1946 to 1952	Mary Ellen Ball (Widow)
1952 to Date	The Council of the Shire of Gundagai (now Gundagai Shire Council)
Lot 529B in D.P. 203601	
1909 to 1946	Michael Ball (Grazier)
1946 to 1952	Mary Ellen Ball (Widow)
1952 to 1955	James Daniel Sheahan, the younger (Grazier) Jerimiah Francis Sheahan (Grazier)
1955 to 1961	Jerimiah Francis Sheahan (Grazier)
1961 to 1961	Total Oil Products (Australia) Pty. Limited
1961 to Date	The Council of the Shire of Gundagai (now Gundagai Shire Council)

5.4 History Summary

Based on the review of historic photographs and considering the title records, the Site appears to have been developed in the 1950's with the commercial building on Lot 2 DP 160191. The service station appears likely to have been constructed by Total Oil Products on Lot 529B in 1961. Prior to development the Site appears to have been owned by various individuals and used for grazing.

The development and use of the Site as a service station appears to have extended from 1961 to 2016 but by 2020 some structures such as the LPG tank had been removed. Review of the aerial photos does not indicate significant changes in topography resulting from the importation of fill at the site.

5.5 NSW EPA Records

A review of the NSW Environment Protection Authority (EPA) databases was conducted including the following:

- Records maintained in relation to contaminated land under Section 58 of the CLM Act 1997;
- Records of sites notified to the NSW EPA in accordance with the Guidelines on the Duty to Report Contamination under Section 60 of the CLM Act 1997 (2015);
- Licensed activities under the Protection of the Environment Operations Act (1997).

This review indicated there is one property within Gundagai that has been notified to the NSW EPA. The details are outlined in Table 5.3 – NSW EPA Records.

Table 5.3 – NSW EPA Records

Address	Site use	Regulation	Distance from Site
98 Mount Street	Former Mobil Depot	Regulation under CLM Act not required	9 km south

5.6 Gaps in the Site History

Ten aerial photos were reviewed covering a time span of approximately 75 years (1944 to 2020). The largest gap in time was seventeen years from 1944 to 1961. As the site appears to have been developed during this time, the gap is not considered significant.

The aerial photos confirmed that development of the Site occurred prior to 1961 and that Site usage has remained predominantly for commercial use since that time. There is a risk that some demolition and erection of new structures (other than those identified in Table 5.1) could have occurred during gaps in the photographic record but these would be considered minor, since the building footprints have not changed.

Based on the above no significant gaps have been identified in the site history.

6.0 CONCEPTUAL SITE MODEL SUMMARY

The potential for Site contamination is reflective of past use of the land. The conceptual site model (CSM) is based on the findings of the desktop study including regional and local conditions and historical records.

The Site has been used for commercial purposes since the 1950's including as a service station from 1961. Prior to that date it was used for agricultural activities probably associated with grazing stock. There was no evidence of importation of fill apart from that required to cover the UPSS at the service station.

During this investigation, one significant potential areas of environmental concern has been identified. Each past Site use was considered to determined the potential for areas of environmental concern and if further investigation and management would be required.

Historical Site use: The Site history review indicated the Site has been historically used for as a service station since the 1961. The contamination likelihood associated with historical Site use is considered to include petroleum hydrocarbon and lead impact to soil and groundwater.

Hazardous building materials: Due to the age of the buildings on the Site, there is a potential that hazardous building materials such as asbestos containing material (ACM) and lead paint were used during construction. The potential for widespread contamination associated with weathering of hazardous building materials is considered to be low.

Historical filling activities: The topography of the Site does not indicate significant filling activities have occurred at the Site. There was no evidence of significant filling activities observed in historical aerial photographs or observed during the Site walkover. The contamination likelihood associated with historical filling activities is considered negligible.

The CSM is the framework for identifying activities with the potential to contaminate the site and how potential receptors may be exposed to contamination (if present) either in the present or the future i.e. it enables an assessment of the potential source – pathway – receptor linkages (complete pathways).

Potential Sources

Based on the previous investigation results, the following potential sources of contamination and associated CoPC have been identified.

S1 – UPSS including the USTs and associated pipe lines. The potential contaminants are petroleum hydrocarbons and lead.

S2 – Weathering of Hazardous building materials including asbestos and lead may be present within the structures on the Site and may have impacted surface soils surrounding the site.

Potential Receptors

Human health receptors

- R1 – Construction and maintenance workers;
- R2 – End users (residential); and
- R3 – Adjacent users (residential and sensitive).

Environmental receptors

- R4 – Water bodies (Five Mile Creek);
- R5 – Ecology (vegetation and biota); and
- R6 – Groundwater (freshwater).

Potential Pathways

- P1 – Ingestion and dermal contact;
- P2 – Inhalation of dust;
- P3 – Surface water run-off;
- P4 – Leaching of contaminants and vertical migration into groundwater;
- P5 – Lateral migration of groundwater providing base flow to water bodies; and
- P6 – Direct contact with ecological receptors (including accidental and/or via irrigation).

A 'source–pathway–receptor' approach has been used to assess the potential risks of harm being caused to human, water or environmental receptors from potential contamination sources on or in the vicinity of the Site, via exposure pathways (complete pathways). The possible pathways between the above potential source (S1 and S2) and receptors (R1 to R6) are provided in Table 6.1 – Source Pathway Analysis.

Table 6.1 – Source Pathway Analysis

Source	Pathway	Receptor	Risk Evaluation
S1	P1 – Ingestion and dermal contact	R1 – Workers	Possible during redevelopment works
		R2 – Occupants	Unlikely following redevelopment
		R3 – Neighbours	Possible through groundwater extraction
	P2 – Inhalation of dust and/or vapours	R1 – Workers	Possible during redevelopment works
		R2 – Occupants	Possible following redevelopment
		R3 – Neighbours	Unlikely the Site is relatively isolated
	P3 – Surface water run-off	R4 – Water bodies	Possible the Site is near a waterway
		R6 – Groundwater	Possible groundwater may be shallow
	P4 – Leaching of contaminants	R4 – Water bodies	Possible the Site is near a waterway
		R6 – Groundwater	Possible groundwater may be shallow
S2	P1 – Ingestion and dermal contact	R4 – Water bodies	Possible the Site is near a waterway
		R6 – Groundwater	Possible as groundwater is extracted
		R5 – Ecology	Limited, potential source is isolated
	P2 – Inhalation of dust and/or vapours	R1 – Workers	Possible during redevelopment works
		R2 – Occupants	Unlikely following redevelopment
		R3 – Neighbours	Unlikely following redevelopment
	P3 – Surface water run-off	R1 – Workers	Possible during redevelopment works
		R2 – Occupants	Unlikely following redevelopment
		R3 – Neighbours	Unlikely potential source is limited
	P4 – Leaching of contaminants	R4 – Water bodies	Unlikely the Site is relatively isolated
		R6 – Groundwater	Unlikely potential source is limited
	P5 – Migration of groundwater	R4 – Water bodies	Unlikely the Site is relatively isolated
		R6 – Groundwater	Unlikely potential source is limited
	P6 – Contact with ecological receptors	R5 – Ecology	Unlikely, potential source is limited

Notes: Risk ranking assessed as low and acceptable are shaded in green
Risk ranking assessed to be more than low shaded in yellow.

One significant potential areas of environmental concern (AEC) has been identified being the services station that was operated on the Site. In addition, a secondary AEC is associated with the potential for weathering of hazardous building materials within the structures on the Site. The potential Contaminant of Potential Concern (CoPC) are considered to be:

- Petroleum hydrocarbons;
- Heavy metals; and
- Asbestos.

7.0 SITE INSPECTION

The Site walkover was conducted on 13 November 2022. At the time of the walkover, the commercial building was occupied and used for retail purposes. However, the service station was not in use with bowsers and the LPG tank removed.

During the inspection three fill points for USTs were observed and there are three vent pipes attached to the rear wall of the service station building. Based on these observations there is likely to be at least 3 USTs at the Site. However, it is acknowledged that if the service station was commissioned in 1961 additional USTs may have been installed and redundant USTs decommissioned but left in place.

The dip/fill points observed at the Site was directly south of the closed service station building and the vent pipes at the south west corner of the service station building. The service station building is shown in Figure 7.1 – Service Station Building with one of the dip fill points in this area visible. The vent pipe are shown in Figure 7.2 – Rear of Building.

Figure 7.1 – Service Station Building



Figure 7.2 – Rear of Building



The former location of an LPG Above-ground Storage Tank (AST) was also noted during the Site inspection.

There was the potential for Asbestos Containing Material (ACM) to be present in the structure of the buildings on the Site. Building materials on and within the improvements were not surveyed as part of this investigation.

There were no obvious changes in topography or other evidence of historical filling or land disturbance observed on the Site surface other than that associated with the UPSS.

8.0 DISCUSSION

Based on the history review, the Site has been historically used for commercial purposes that likely include a retail facility established in the 1950's and a service station built in 1961. The Site also appears to have had an ancillary use for residential purposes.

Based on the age of the buildings on the Site, there is a potential that hazardous building materials such as ACM was used during construction. The presence of ACM is not considered a significant risk associated with the proposed development provided that a hazardous building materials survey is undertaken by a suitably qualified consultant prior to the demolition of buildings and structures. Asbestos containing material (ACM) identified during the building survey, should be dismantled by an appropriately licensed asbestos removalist in such a manner that does not impact the ground surface.

The service station on the Site is considered to be a significant potential source of soil and groundwater contamination. Soil in the vicinity of the UPSS has the potential to be contaminated from spills and leaks which may have migrated to the underlying groundwater. It is noted that the registered groundwater bore on the neighbouring land was only drilled to 9.1m depth which suggests groundwater is less than 9m below ground surface.

During the Site inspection no evidence of groundwater monitoring wells was observed which indicates that a secondary leak detection system (which monitoring wells are considered to be) has been installed at the Site.

The aerial photographs indicate that by 2020 the LPG AST had been removed which potentially indicates that the service station is no longer in operation.

9.0 CONCLUSION AND RECOMMENDATIONS

Site use has included the operation of a service station between 1961 and about 2020 during ownership by Gundagai Shire Council. The UPSS associated with the service station is still present at the Site. This use and infrastructure is considered a likely source of soil and groundwater contamination that needs to be investigated.

Based on the aerial photographs and Site inspection the UPSS at the service station facility on the Site has not been used to store fuel for two or more years. In addition, the UPSS will not be required within the proposed development on the Site. In accordance with the UPSS guidelines the fuel storage system is deemed to be abandoned and should be decommissioned appropriately.

At this Site decommissioning should include the removal of the fuel storage system. Following the removal of the UPSS, the Site needs to be investigated for any potential contamination.

In accordance with State Environmental Planning Policy (Resilience and Hazards) 2021 (SEPP) the decommissioning of the UPSS is considered to be Category 2 remediation work which is defined as:

- remediation work that is not Category 1 work (described in section 4.8(a)–(f) of the SEPP); or
- remediation work (whether or not it is a work of a kind described in section 4.8(a)–(f)) that;
 - i. by the terms of a remediation order, is required to be commenced before the expiry of the usual period under the Contaminated Land Management Act 1997 for lodgment of an appeal against the order, or
 - ii. may be carried out without consent under another State environmental planning policy or a regional environmental plan (as referred to in section 4.16(4) of the SEPP), or
 - iii. is carried out or to be carried out by or on behalf of the Director-General of the Department of Agriculture on land contaminated by the use of a cattle dip under a program implemented in accordance with the recommendations or advice of the Board of Tick Control under Part 2 of the Stock Diseases Act 1923,
 - iv. is carried out or to be carried out under the Public Land Remediation Program administered by the Broken Hill Environmental Lead Centre.

Category 1 work (described in section 4.8(a)–(f) of the SEPP) is remediation work that is:

- a) designated development; or
- b) carried out or to be carried out on land declared to be a critical habitat; or
- c) likely to have a significant effect on a critical habitat or a threatened species, population or ecological community; or
- d) development for which another State environmental planning policy or a regional environmental plan requires development consent; or
- e) carried out or to be carried out in an area or zone to which any classifications to the following effect apply under an environmental planning instrument -
 - i. coastal protection,
 - ii. conservation or heritage conservation,
 - iii. habitat area, habitat protection area, habitat or wildlife corridor,
 - iv. environment protection,
 - v. escarpment, escarpment protection or escarpment preservation,
 - vi. floodway,
 - vii. littoral rainforest,
 - viii. nature reserve,
 - ix. scenic area or scenic protection,
 - x. wetland, or
- f) carried out or to be carried out on any land in a manner that does not comply with a policy made under the contaminated land planning guidelines by the council for any local government area in which the land is situated (or if the land is within the unincorporated area, the Minister).

The SEPP requires the person who proposes to carry out category 2 remediation work on any land must give notice of the proposed work to the council for the local government area in which the land is situated. The notice must be given at least 30 days before the commencement of the work and must;

- be in writing; and
- provide the name, address and telephone number of the person who has the duty of ensuring that the notice is given; and

- briefly describe the remediation work; and
- show why the person considers that the work is category 2 remediation work by reference to sections 4.8, 4.11 and (if it applies) 4.12(1) of the SEPP; and
- specify, by reference to its property description and street address (if any), the land on which the work is to be carried out; and
- provide a map of the location of the land; and
- provide estimates of the dates for the commencement and completion of the work.

A report must also be submitted to the relevant local authority (usually council) within 60 days of the decommissioning of a system or tank, or the completion of any necessary investigations and remediation works.

Based on the findings of this investigation, ECS concludes that the Site may be made suitable for proposed redevelopment and land use provided the following recommendations are implemented:

- A hazardous building materials survey should be undertaken by a suitably qualified consultant prior to the demolition of buildings and structures. Asbestos containing material (ACM) identified during the building survey, should be dismantled by an appropriately licensed asbestos removalist in such a manner that does not impact the ground surface;
- The UPSS at the Site is decommissioned in accordance with current Australian Standards and relevant NSW regulations by an appropriately licenced civil contractor. The decommissioning is considered to be Category 2 remediation work which requires notification of the decommissioning of the UPSS to the local Council. Notification must also be submitted to Safework NSW in accordance with Dangerous Good Licensing. All UPSS should be disposed of appropriately at a licenced facility permitted to receive the tanks and pipes;
- An environmental assessment must be undertaken during the removal of the UPSS in accordance with NSW EPA guidelines. Where soil or groundwater contamination is encountered at levels considered to represent a potential risk to human health or the environment, remediation must be undertake;
- An environmental report must be provided to the relevant local authority following the removal of the UPSS and any required remediation work. This report must be provided within 60 days of completion of the removal of the UPSS and any remediation work; and
- Excavated soil material generated during excavation and redevelopment activities should be classified in accordance with the NSW EPA (2014) Waste Classification Guidelines and disposed of to an appropriate and licenced facility.

Subject to compliance with the recommendations in this report including the decommissioning of the UPSS, site investigation and category 2 remediation work, the Site will be suitable (with respect to contaminated land considerations) for the proposed commercial development.

APPENDIX 1



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E info@snarchitects.com.au
M 0405242821
A 1/98 Allen St, Leichhardt NSW 2040

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REFERENCES

DRAWINGS TO BE READ IN CONJUNCTION WITH BUT NOT LIMITED TO ALL STRUCTURAL ENGINEERS, STORMWATER ENGINEERS, LANDSCAPE ARCHITECTS, AND OTHER ASSOCIATED PLANS & REPORTS.

REFER TO THE BASIX REPORT FOR ADDITIONAL REQUIREMENTS.

NOTES

ALL DIMENSIONS AND SETOUTS ARE TO BE VERIFIED ON SITE AND ALL OMISSIONS OR ANY DISCREPANCIES TO BE NOTIFIED. FIGURED DIMENSIONS TO BE USED AT ALL TIMES **DO NOT SCALE** MEASUREMENTS OFF DRAWINGS.

NOMINATED ARCHITECT: SOROOSH MOSHKAR 1278

DRAWN

SM

DRAWING SCALE

As indicated

DRAWING NUMBER

A 1003

DRAWING TITLE

SITE PLAN

DESIGNED

SM

SHEET SIZE

A3

CHECKED

SM

PROJECT NUMBER

210804

PROJECT STAGE

DA

PROJECT DETAILS

Mixed used Development

DOG ON THE TUCKER BOX

CLIENT DETAILS

The DOTT Developments Pty Ltd

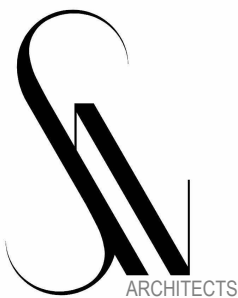
LEGEND

PROPOSED
TO BE DEMOLISHED



A 18.08.23 DA SUBMISSION
Rev. Date Description

Scale



APPENDIX 2



LOTSEARCH

LOTSEARCH AERIALS

Date: 22 Dec 2022

Reference: LS039204 EA

Address: Annie Pyers Drive, Gundagai, NSW 2722







<p>Scale:</p> <p>0 30 60 90 120</p> <p>Meters</p>	<p>Data Source Aerial Imagery: © 2022 Google Inc, used with permission. Google and the Google logo are registered trademarks of Google Inc.</p>	<p>Coordinate System: GDA 1994 MGA Zone 56</p>	<p>Date: 21 December 2022</p>
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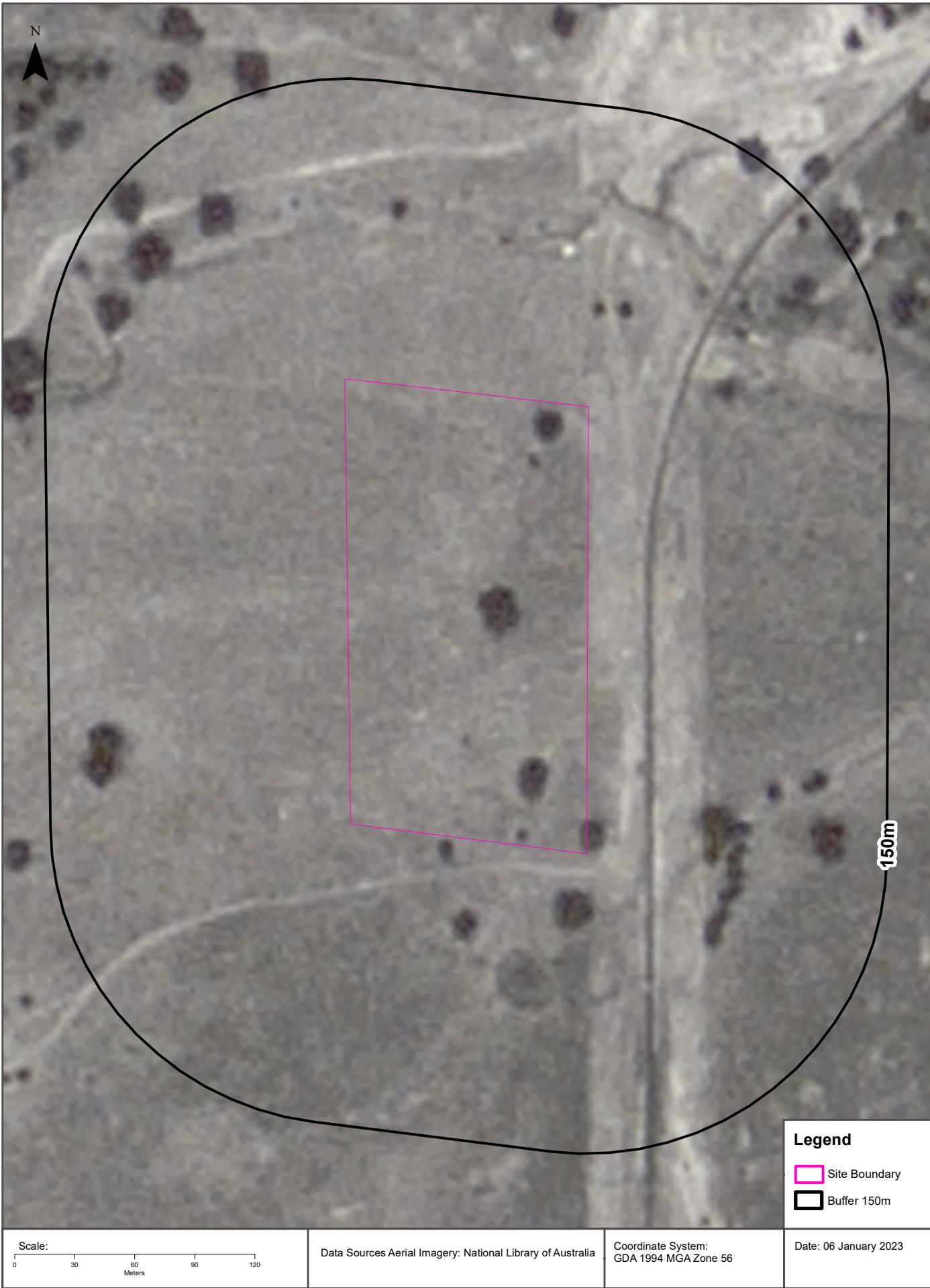






Aerial Imagery 1944

Annie Pyers Drive, Gundagai, NSW 2722



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 12. These Terms are subject to New South Wales law.

APPENDIX 3



ABN: 36 092 724 251
Ph: 02 9099 7400
(Ph: 0413 400 020)

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

Summary of Owners Report

Address: - Annie Pyers Drive, Gundagai, NSW 2722

Description: - Lot 2 in D.P. 160191 & Lot 529B in D.P. 203601

Lot 2 in D.P. 160191

<u>Date of Acquisition and term held</u>	<u>Registered Proprietor(s) & Occupations where available</u>	<u>Reference to Title at Acquisition and sale</u>
27.01.1909 (1909 to 1946)	Michael Ball (Grazier)	Book 875 No. 326
16.07.1946 (1946 to 1952)	Mary Ellen Ball (Widow)	Book 1995 No. 857
09.05.1952 (1952 to Date)	# The Council of the Shire of Gundagai	Book 2227 No. 711 Now 2/160191

Denotes current registered proprietor

Lot 529B in D.P. 203601

<u>Date of Acquisition and term held</u>	<u>Registered Proprietor(s) & Occupations where available</u>	<u>Reference to Title at Acquisition and sale</u>
27.01.1909 (1909 to 1946)	Michael Ball (Grazier)	Book 875 No. 326
16.07.1946 (1946 to 1952)	Mary Ellen Ball (Widow)	Book 1995 No. 857
29.03.1952 (1952 to 1955)	James Daniel Sheahan, the younger (Grazier) Jerimiah Francis Sheahan (Grazier)	Book 2210 No. 476
21.12.1955 (1955 to 1961)	Jerimiah Francis Sheahan (Grazier)	Book 2361 No. 834
13.04.1961 (1961 to 1961)	Total Oil Products (Australia) Pty. Limited	Book 2570 No. 588
23.06.1961 (1961 to Date)	# The Council of the Shire of Gundagai Now # Gundagai Shire Council	Book 2597 No. 660 Now 529B/203601

Denotes current registered proprietor

Leases, as to Lot 2 in D.P. 160191 & Lot 529B in D.P. 203601: –

- 03.05.2012 (AG946432) Lease to Robert Lewis-Gillies, expires 10th July 2014 with a 5 year option of renewal

Easements, as to Lot 2 in D.P. 160191 & Lot 529B in D.P. 203601: – Nil

Yours Sincerely
Harrison Byrne
22nd December 2022

Email: harrison.byrne@infotrack.com.au

DP 203601 s

Plan Form No. 6 (for transfers, leases, etc.)

M.M.

Municipality of
Shire of Gundagai

PLAN

DP203601 s

of part of PORTION 529 (PH)

Parish of North Gundagai County of Clarendon

Scale 150' feet to an Inch.

D.P.203601s



2-1-62 B.M.

6/1960

Old System

Subdivision

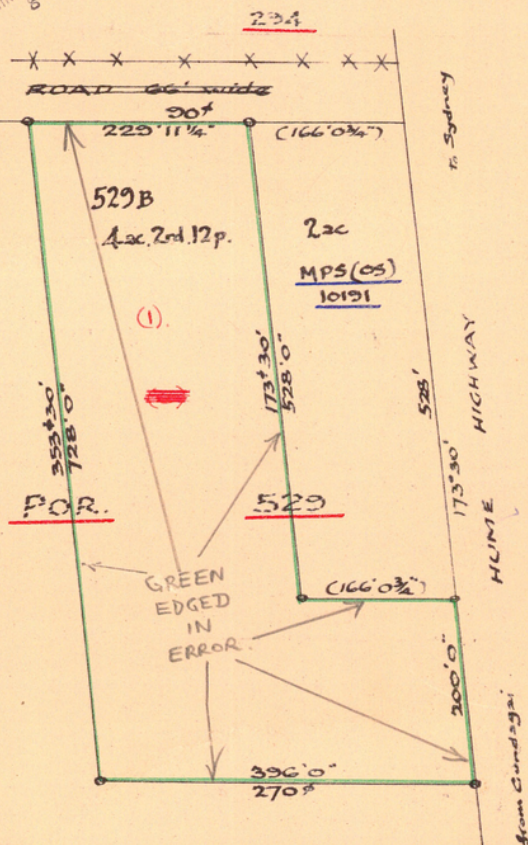
Pn. Nth Gundagai Co. Clarendon

M.P.S (OS) 10191



61569

This margin to be left free from notation



Not Torrens Title land at registration of plan.
 See Schedule for any Primary Application action.

Schedule of Primary Application Action

Lot	Primary Appl.	Vol.	Fol.	Subdivision
529B				

NOTES

- NO 101
 (1) ~~529~~ IVA 56524 (PENDING) NPW
 (2) ~~529~~

For all signatures, seals and approvals
 see original linen plan.

Approved by the Council and Certified in accordance with the Provisions of Section 327 of the Local Government Act, 1919.

Subdivision No.

6/1960

Council Clerk

Datum Line of Azimuth.

I, George Donald Innes of Sydney certify that this plan
 has been compiled from G.D. 1351 & 25860(1) & is
 accurate
 as far as registered under the Surveyors Act, 1929-46, hereby certify that the survey
 represented in this plan is accurate and has been made (1) by me (2) under my immediate
 supervision in accordance with the Survey Practice Regulations, 1923, and so completed

(Signature)

Surveyor registered under the Surveyors Act, 1929-46.

60/191

* Strike out either (1) or (2).

† Insert date of survey.

MPD

chd. RR 9/1/62.

accol. 9/1/62.



SEARCH DATE

22/12/2022 2:11PM

FOLIO: 2/160191

First Title(s): OLD SYSTEM

Prior Title(s): BK 2227 NO 711

Recorded -----	Number -----	Type of Instrument -----	C.T. Issue -----
8/6/2005	CA93825	CONVERSION ACTION	FOLIO CREATED CT NOT ISSUED
23/7/2005	AB646805	DEPARTMENTAL DEALING	EDITION 1
3/4/2012	AG904326	APPLICATION FOR REPLACEMENT CERTIFICATE OF TITLE	EDITION 2
3/5/2012	AG946432	LEASE	EDITION 3
8/8/2017	AM628135	DEPARTMENTAL DEALING	

*** END OF SEARCH ***



FOLIO: 2/160191

SEARCH DATE	TIME	EDITION NO	DATE
22/12/2022	2:11 PM	3	3/5/2012

LAND

LOT 2 IN DEPOSITED PLAN 160191
AT GUNDAGAI
LOCAL GOVERNMENT AREA COOTAMUNDRA-GUNDAGAI REGIONAL
PARISH OF NORTH GUNDAGAI COUNTY OF CLARENDON
TITLE DIAGRAM DP160191

FIRST SCHEDULE

THE COUNCIL OF THE SHIRE OF GUNDAGAI

(CA93825)

SECOND SCHEDULE (3 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 LIMITED TITLE. LIMITATION PURSUANT TO SECTION 28T(4) OF THE REAL PROPERTY ACT, 1900. THE BOUNDARIES OF THE LAND COMPRISED HEREIN HAVE NOT BEEN INVESTIGATED BY THE REGISTRAR GENERAL.
- 3 AG946432 LEASE TO ROBERT LEWIS-GILLIES EXPIRES: 10/7/2014.
OPTION OF RENEWAL: 5 YEARS.

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***



SEARCH DATE

22/12/2022 2:11PM

FOLIO: 529B/203601

First Title(s): OLD SYSTEM

Prior Title(s): BK 2597 NO 660

Recorded	Number	Type of Instrument	C.T. Issue
2/2/2009	CA137405	CONVERSION ACTION	FOLIO CREATED CT NOT ISSUED
6/1/2011	AF975178	DEPARTMENTAL DEALING	EDITION 1
3/5/2012	AG946432	LEASE	EDITION 2

*** END OF SEARCH ***



FOLIO: 529B/203601

SEARCH DATE	TIME	EDITION NO	DATE
22/12/2022	2:11 PM	2	3/5/2012

LAND

LOT 529B IN DEPOSITED PLAN 203601

AT GUNDAGAI

LOCAL GOVERNMENT AREA COOTAMUNDRA-GUNDAGAI REGIONAL

PARISH OF NORTH GUNDAGAI COUNTY OF CLARENDON

TITLE DIAGRAM DP203601

FIRST SCHEDULE

GUNDAGAI SHIRE COUNCIL

(CA137405)

SECOND SCHEDULE (4 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 QUALIFIED TITLE. CAUTION PURSUANT TO SECTION 28J OF THE REAL PROPERTY ACT, 1900. ENTERED 2.2.2009 BK 2597 NO 660
- 3 LIMITED TITLE. LIMITATION PURSUANT TO SECTION 28T(4) OF THE REAL PROPERTY ACT, 1900. THE BOUNDARIES OF THE LAND COMPRISED HEREIN HAVE NOT BEEN INVESTIGATED BY THE REGISTRAR GENERAL.
- 4 AG946432 LEASE TO ROBERT LEWIS-GILLIES EXPIRES: 10/7/2014.
OPTION OF RENEWAL: 5 YEARS.

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***