

December 1, 2022

Planning Department
City of Monash
293 Springvale Rd,
Glen Waverley, VIC 3150

ADVERTISED COPY

Subject: City of Monash RFI Ref TPA/54381 request for Environmental Auditor Verification of Proposed Domain 4 Backfilling Plan for Talbot Village at 1221-1249 Centre Road and 22 Talbot Road, Oakleigh South, Victoria

I, Mr Kenneth N Mival of EHS Support Pty Ltd, an Environmental Auditor (appointed pursuant to the Environment Protection Act 2017; 'the Act'), have been further requested by Huntingdale Estate Nominees Pty Ltd (the Owner) to review and verify the consistency of the Proposed Domain 4 Backfill Plan with the approved Environmental Audit for the development located at 1221-1249 Centre Road and 22 Talbot Road, Oakleigh South as requested in point 1 of the City of Monash RFI TPA/54381.

I refer to the documents provided as follows:

- City of Monash RFI Reference TPA/54381 titled "1221-1249 Centre Road Oakleigh South Vic 3167 Planning Permit Application TPA/54381" dated 15 November 2022.
- Document titled "Domain 4 Backfill Design Report GEOTABTF09257AA-AQ Rev 12" prepared for Huntingdale Estate Nominees by Tetra Tech Coffey - dated 14 October 2022 (TT01).

I also refer to the Environmental Audit undertaken for the site - EPA Audit References SO No. 8004092 & Carms No. 70403, dated 14 May 2020.

As the Environmental Auditor for the site appointed by the Owner on 31 July 2013, as notified to EPA and having completed the Environmental Audit for the site issued on 14 May 2020 (EPA Audit References SO No. 8004092 & Carms No. 70403), I have reviewed the above documentation for consistency with the intent of, and conditions included in the relevant Statement of Environmental Audit for Zone 4/4A of the site.

Whilst the site was audited under the provisions of the Environment Protection Act 1970, I have also considered the proposed backfill plan for Domain 4 for consistency with the intent of the provisions of the new Environment Protection Act (2017) regarding Environmental Values and General Environment Duties.

Whilst the environmental audit completed in 2020 arrived at the conclusion that the current risk to future residents and site occupants and to those living adjacent to the site was at that time low and acceptable, it was also recognized that this could change due to backfilling and construction activities. As part of the original audit, I included review and consideration of the backfilling plan for Zone 4/4A as part of the construction and environmental management plan (CEMP). I have therefore considered the updated Domain 4 design report (TT01) for consistency with the intent of the Statement of Environmental Audit for Zone 4/4A and the relevant conditions of that statement relating to the backfilling operations.

Whilst the Design Report (TT01) includes considerable detail regarding geotechnical engineering considerations regarding Domain 4, this is not part of this review and verification.



It is considered that the proposed Domain 4 backfill design plan TT01 generally complies with Conditions 1, 2, 5, 11, 12 and 13 of the Statement of Environmental Audit (SoEA) for Zone 4/4A of the development provided that land uses and designs during development also comply with the Conceptual Design of Site Management Measures (CDSMM) and the Construction and Environment Management Plan (CEMP) both dated 1 May 2020 as endorsed by the Environmental Audit and attached to the Zone 4/4A SoEA.

All other conditions of the Statement and updates to the CEMP and CDSMM must be complied with during construction and future occupation of Domain 4 (Zone 4/4A) of the site and all buildings verified for compliance by an Environmental Auditor appointed under the Environment Protection Act 2017.

On the basis of the above - I HEREBY DECLARE that I am of the opinion that:

- The document titled “Domain 4 Backfill Design Report GEOTABTF09257AA-AQ Rev 12” (TT01) prepared for Huntingdale Estate Nominees by Tetra Tech Coffey - dated 14 October 2022, is in general accordance with the conditions included in the relevant Statement of Environmental Audit for Zone 4/4A; and the guidance provided in the Conceptual Design of Site Management Measures (CDSMM) and the Construction and Environment Management Plan (CEMP).
- The document (TT01) is also considered to be consistent with the intent of the Environment Protection Act (2017) and General Environmental Duties of the site owner/developer now in effect in Victoria.

The verification process is based on the Auditor’s opinion regarding the environmental status of the site at the time of the environmental audit (EPA Audit References SO No. 8004092 & Carms No. 70403, dated 14 May 2020) and having regard to the requirements of relevant policies or documents published by EPA (or guidelines, codes of practice etc. of other relevant bodies).

Dated: 1 December 2022

Signed:

A handwritten signature in blue ink, appearing to read 'K. Mival'.

Kenneth N Mival
EHS Support Pty Ltd
ENVIRONMENTAL AUDITOR
(APPOINTED PURSUANT TO THE ENVIRONMENT PROTECTION ACT 2017)

Limitations

This verification letter has been prepared in accordance with the Environment Protection Act 2017. The Environmental Audit reference SO No. 8004092 & Carms No. 70403, dated 14 May 2020 and the attached Statement of Environmental Audit for Zone 4 of the site as referenced by this letter, represented the Auditor’s opinion of the environmental condition of Zone 4 of the site and its suitability for proposed beneficial uses at the date the Statements were signed.



It is acknowledged that this verification letter may be used by Talbot Village Development Pty Ltd, by the Environment Protection Authority and by the City of Monash, in reaching conclusions about the proposed site development, specifically the backfilling of Domain 4 (Zone 4/4A). The scope of work performed in connection with the verification may not be appropriate to satisfy the needs of any other person and is limited to consideration only of the extent of compliance with the conditions included in the relevant Statement of Environmental Audit. Any other person's use of, or reliance on, this document, or the findings, conclusions, recommendations or any other material presented to them, is at that person's sole risk.

In forming an opinion, the Auditor has relied on information supplied by Huntingdale Estate Nominees Pty Ltd Development, their environmental consultants Tetra Tech Coffey and their planning consultants and previously existing information contained in the environmental audit report completed for the site by this Auditor, as supplemented by his own review of the information provided as listed in this letter. The Auditor has taken this information to represent a fair and reasonable characterisation of the proposed development of Zone 4 in relation to current conditions at the site, within the limitations of the investigation as stated herein. No investigation, in practice, can be thorough enough to preclude the presence of materials on the subject property that presently, or in the future, may be considered hazardous. The actual characteristics of subsurface and surface materials may vary significantly between adjacent test points and sample intervals and at locations other than where direct observation, measurement or exploration have been made. Due to often-changing regulatory evaluation criteria, concentrations of contaminants present and considered to be acceptable may, in the future, become subject to different regulatory standards.

Opinions and judgements expressed herein, which are based on the Auditor's understanding and interpretation of current regulatory standards, should not be construed as legal opinions.

Whilst to the best of our knowledge information contained in this verification letter is accurate at the date of issue, subsurface conditions, including groundwater levels can change in a limited time. Therefore, this verification letter and the information contained herein should only be regarded as valid at the time of the audit report completion unless otherwise explicitly stated in this report. In the event that changes in conditions on or near the site either exist or occur after the date of signing of this letter or the prior Statement of Environmental Audit, the Auditor disclaims responsibility for the occurrence or ownership or effects of such conditions or materials, whether they are hazardous or otherwise.

Except as required by law, no third party other than those stated above, may use or rely on this verification letter unless otherwise agreed by EHS Support in writing. Where such agreement is provided, EHS Support will provide a letter of reliance to the agreed third party in the form required by EHS Support.

To the extent permitted by law, EHS Support expressly disclaims and excludes liability for any loss, damage, cost or expenses suffered by any third party relating to or resulting from the use of, or reliance on, any information contained in this letter. EHS Support does not admit that any action, liability or claim may exist or be available to any third party.

EHS Support does not represent that this verification letter is suitable for use by any third party. Except as specifically stated in this section, EHS Support does not authorise the use of this letter by any third party.

It is the responsibility of third parties to independently make inquiries or seek advice in relation to their particular requirements and proposed use of the relevant property.