

15 November 2017

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Planning Panels Victoria
Attn: The Panel Coordinator
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Your reference:

Our reference:
2849696

Dear Panel Coordinator

Monash Planning Scheme Amendment C129
Land: 1221-1249 Centre Road, Oakleigh South

We continue to act for Sterling Global in relation to the above matter.

We refer to the Panel's directions dated 8 November 2017. In response to items 5, 7 and 13 respectively, we enclose copies of the following documents:

- Draft wording in the proposed CDZ Schedule 2 that includes a requirement for peer review of geotechnical related structural design proposals and a requirement that this is at the proponent's cost (in tracked changes and highlighted in yellow at Section 6.3) (Item 5)
- Drawing showing the footprint of the on-site landfill/s (Item 7); and
- A copy of the submitted Report on Growling Grass Frog surveys (Hearing Doc 51) (Item 13).

With regard to Item 12 – The Legal Advice to Urbis (**Advice**), we advise that legal professional privilege subsists in the Advice and as such, it will not be released. The matters addressed in the Advice are not limited to the matters addressed in the summary document provided to the Panel concerning the validity of the Works Authority and Permit 4371 (**Summary Document**). We advise that the submitted Summary Document is consistent with the Advice to the extent that it addresses these matters (noting also that the *Iluka* decision, referred to in our submissions, has been published subsequent to the advice). In any event, we note that the only opinions currently before the Panel relating to the status of the Works Approval are consistent, being those of Sterling Global and Hansen.

Finally, with regard to Item 11, we assume that if further information from Mr Sinclair regarding remediation options is required, this will be requested following tomorrow's site inspection at Cheltenham.

Yours faithfully



Rory O'Connor
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