

19 June 2020

Job Number: Q00869
Liquid Gold 888 Pty Ltd
Unit 1, 26-28 Cann Street
Guildford NSW 2161



Attention: Anthony Nakhoul

RE: **Revised Consolidated P2ESA Report and Remedial Action Plan (RAP) – 6 Edith Street, Kingswood NSW 2340**

Anthony,

Please be advised of the finalisation by EHO Consulting Pty Ltd (EHO), on behalf of Liquid Gold 888 Pty Ltd (the Client) of the revised Consolidated P2ESA Report (JN00869-P2ESA-RN04645) and RAP (JN00869-RAP-RN02517.3), for the property located a 6 Edith Street, Kingswood NSW 2340 (the Site).

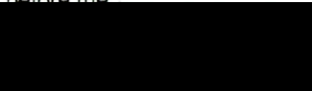
The previous versions have been updated based on the following comments received from Penrith City Council (Council) after review of the reports:

Contention 6 – Contamination

- 22. This contention is not resolved.
- 23. The sampling strategy in the detailed site investigation is unsatisfactory.
- 24. Volatile organic compounds were not test in-situ using a photoionization detector on site at the time of sample collection.
- 25. Borehole locations in the rear yard do not correspond with historical fill locations. The fill in the rear garden beds and immediately surrounding the shed have not been assessed.
- 26. The remediation action plan does not incorporate fill material deposited in the garden bed north of the existing driveway. The fill in the rear garden beds and immediately surrounding the shed have not been incorporated.

On receipt of the above comments EHO prepared a revised scope and the following figure showing the proposed sampling locations intended to be investigated in order to close out the issues raised by Council in Contention 6 – Contamination:

This and the following ² pages is
the annexure marked " F " referred to in the
Affidavit of Anthony Boskovitz
sworn / ~~affirmed~~
at Edgecliff this 31st day of July 2020
before me



Solicitor / Katherine Boskovitz Tiffany Stolar

ABN 49 620 205 192



The above figure accompanied an email forwarded to Council on behalf of the Client, by Boskovitz Lawyers, on 25 May 2020, as follows:

Without prejudice

Andrew and Matthew

We refer to the contention in respect of contamination.

We understand that the council seeks further testing to be undertaken.

As outlined previously we have already done a lot of testing and it appears that each time that we do more testing another area is identified as needing testing.

On this basis we provide to you a diagram showing the existing test holes and those which we intend to test to resolve the contention.

Can you please confirm whether these test sites are acceptable and whether they satisfy the council in respect of this matter.

Once we have this confirmation we will attend to the testing of those sites.

Regards,

*Anthony Boskovitz
Boskovitz Lawyers*

In response, and before EHO proceeding with the proposed works, Boskovitz Lawyers received the following email from Council, on 29 May 2020:

Without Prejudice

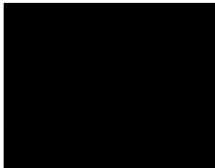
Hi Anthony,

*Thank you for your email.
I confirm the proposed contamination testing areas are suitable.
Kind regards,
Andrew Avery
Legal Officer
Penrith City Council*

The resulting documents have therefore been prepared based on the above Council response and EHO trusts that this closes out in full Council's remaining contentions regarding the characterisation and treatment of actual and/or potential contamination at the Site.

Should you have any queries regarding the revised Consolidated P2ESA report or RAP, please contact EHO at your convenience.

Regards



Craig Wellings
Manager – Environmental Services
EHO Consulting Pty Ltd