



SOUTHGATE REDEVELOPMENT PROPOSAL

Amendment C384 to the Melbourne Planning Scheme

Architecture and Urban Design Evidence

OCTOBER 6 2022

PREPARED BY

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PREPARED FOR

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Architectural and urban design expert witness statement of Nicky Drobis

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1.0

INTRODUCTION

I have been asked by Hall & Wilcox on behalf of ESR, to review Amendment C384 and provide my opinion on the architectural and urban design impacts of the amendment having regard to the design plans referenced in the Incorporated Document for the Southgate Redevelopment Project.

My instructions from Hall & Wilcox are at Appendix 5.1

I have been engaged by ESR as the Project Director since 2018 to provide master planning and architectural design services.

My role was to design an integrated retail and commercial development for the site.

1.1 EXECUTIVE SUMMARY

This document provides an analysis of the impact of Amendment C384 on the planning proposal of the Southgate Redevelopment in terms of architectural and urban design matters.

The Southgate Master Planning and Urban Context Report prepared by Fender Katsalidis Architects dated April 2020 adopted the following design objectives:

- Reconnecting Southgate to masterplans surrounding its precinct
- Reopening Southgate by re-connecting the river to City Road, and
- Regenerating Southgate through the introduction of a new infill-built form

Seven key Design Principles were established through the Southgate master planning process in collaboration with City of Melbourne (CoM) and DELWP (Department of Environment, Land, Water and Planning). These include:

1. Create open spaces
2. Create better engagement with river and promenade
3. Create an address to City Road with more active frontages to bounding streets
4. Create more permeability
5. Create opportunity through built form
6. Create a rationalised servicing network, and
7. Create linkages to Arts precinct.

To meet Melbourne Water’s recommended Nominal Flood Protection Level (NFPL) on the Southgate Redevelopment site, level transitions along the subject site’s northern promenade boundary (along the promenade public realm) will range between 1.14m - 1.55m.

These height transitions pose a significant challenge to street activation and universal accessibility requirements. The raised levels compromise the ability to relate to the human scale along the promenade public realm, which is a requirement stipulated within the endorsed Incorporated Document.

The report highlights key design principles compromised by Amendment C384, analyses the impact of the raised flood levels against the approved scheme and demonstrates considerations of keys areas affected.

1.2 PLANNING PROCESSES TO DATE

MASTER PLANNING PROCESS

The master planning process for the Southgate redevelopment was a 10-month collaboration between the ESR team (previously ARA Australia), City of Melbourne and DELWP (Department of Environment, Land, Water and Planning) which began back in July 2019. Jointly we analysed the site and workshopped the key design principles to inform the overall development proposal.

The collaboration process commenced in July 2019 following a first engagement back in 2018 where the project site constraints and opportunities were presented.

5 workshops were held between stakeholders:

- July 2018 - Project introduction to DELWP and CoM
- July 2019 - Workshop #1
- September 2019 - Workshop #2
- December 2019 - Workshop #3
- February 2020 - Workshop #4
- March 2020 - Workshop #5
- May 2020 - Southgate Redevelopment Town Planning Lodgement

In May 2020, the Southgate Redevelopment Town planning documents was lodged with finished floor levels at 2.76M (AHD) to match existing retail slab levels.

In August 2020, our project team received confirmation from Melbourne Water that existing retail slab levels at 2.67M was acceptable.

New infrastructure works containing substations, gas meters, fire controls etc. should not be set lower than 3.0M (AHD), unless otherwise accepted by the relevant utility authorities/service providers in relation to the risk of flood damage.

These levels are consistent with the lodged and approved Massing and Development Envelope Plans showing finish floor levels at approximately 3.0M (AHD).

On 7 December 2022, updated advice was received from Melbourne Water that the applicable flood level for Southgate under the Amendment C384 modelling was 3.44m (AHD).

The Incorporated Document provides that:

“The use and development of the land must be in accordance with the detailed development plans endorsed under the conditions of the Incorporated Document and must be generally in accordance with the ‘Incorporated Plans’ prepared by Fender Katsalidis Architects, titled ‘Massing and Development Envelope Plans’ and dated 28 January 2021”

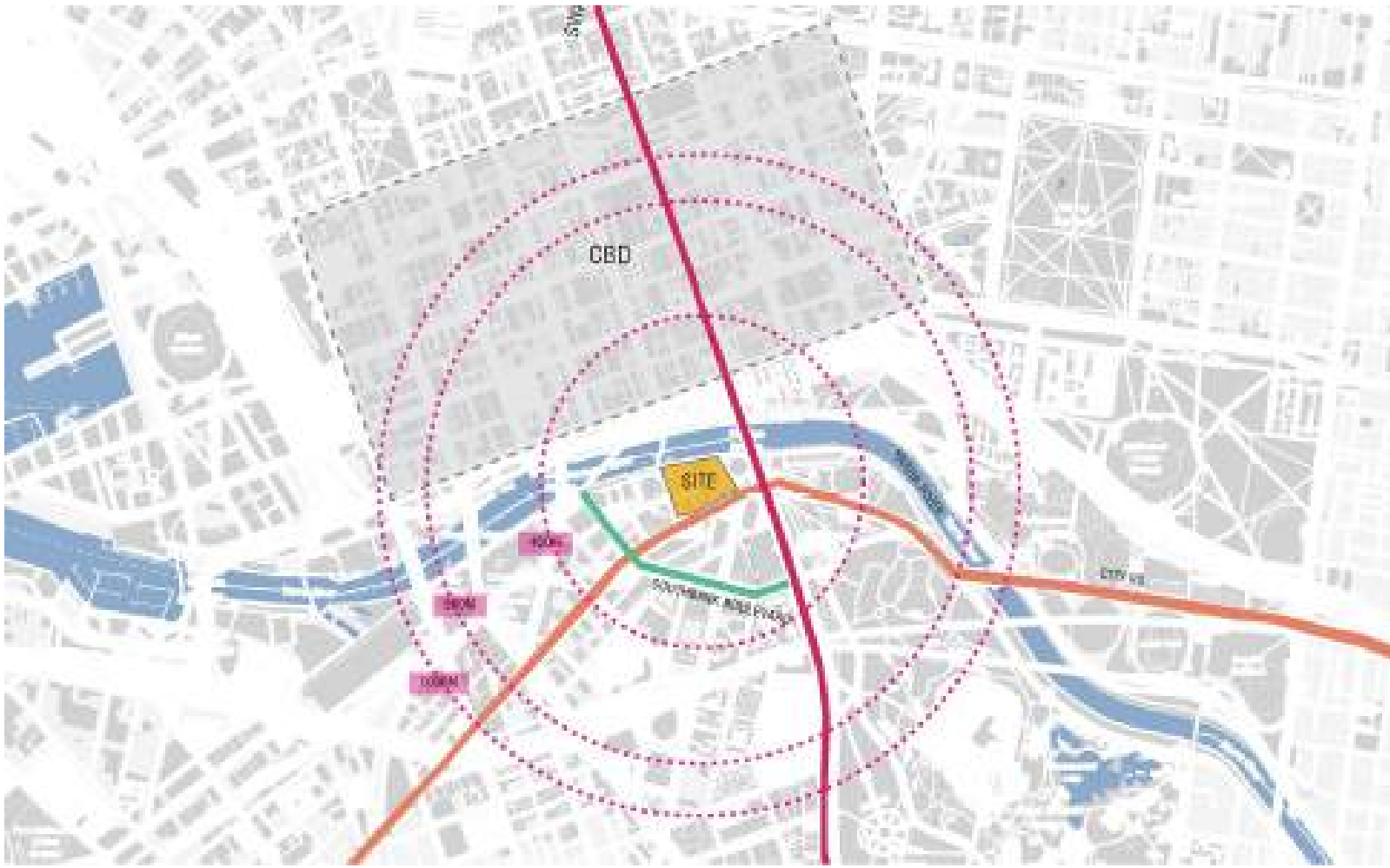


FIGURE 1
SITE LOCATION PLAN - CBD PROXIMITY

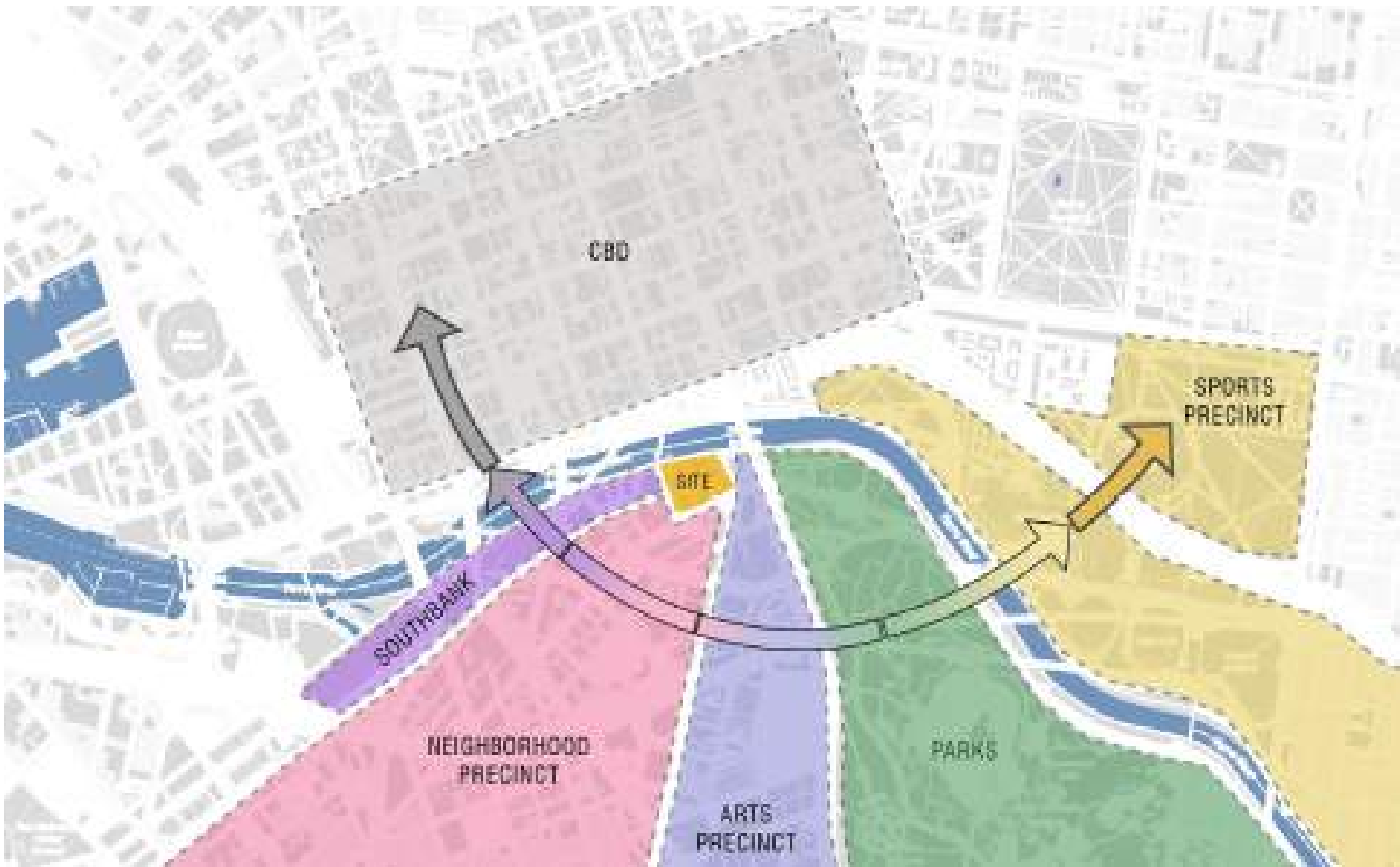


FIGURE 2
SITE LOCATION PLAN - CONNECTING PRECINCTS

1.3 SITE CONSTRAINTS

The existing Southgate complex consists of a retail podium facing the Yarra River with two commercial towers bounding on the south side of the retail podium. The two towers are located on City Road, which is the southern boundary of the Southgate site, and its entries face into the retail area rather than onto City Road. The retail podium has four levels above ground complete with two basement levels. It is split into east and west with differing ownership titles.

The diagrams shown in the following page describe the plan and 3-dimensional view of the physical characteristics and constraints of the current Southgate complex so as to provide context for this report.

The opportunities of the Southgate Redevelopment project reside in the history and reputation of Southgate, with its location adjacent the Yarra River and the Melbourne CBD.

The constraints of the site include the statutory planning framework and the physical nature of the existing complex. Indicated in the following diagrams are some of those constraints, including a complex three-dimensional web of easements throughout Southgate, significant services infrastructure, existing basement carparks which new building structure would have to penetrate, and rights of access for neighbouring properties.

These drawings also indicate the constraints for retail performance of the existing Southgate complex. Those include:

- the precinct which turns its back on all frontages but the river, and which only provides a small number of entries from that interface;
- a lack of street address for the existing office towers;
- difficult navigation,
- public circulation which leads to dead ends, differing levels which are confusing to navigate, and
- difficult interfaces with the Langham Hotel.

EXISTING SITE AREAS

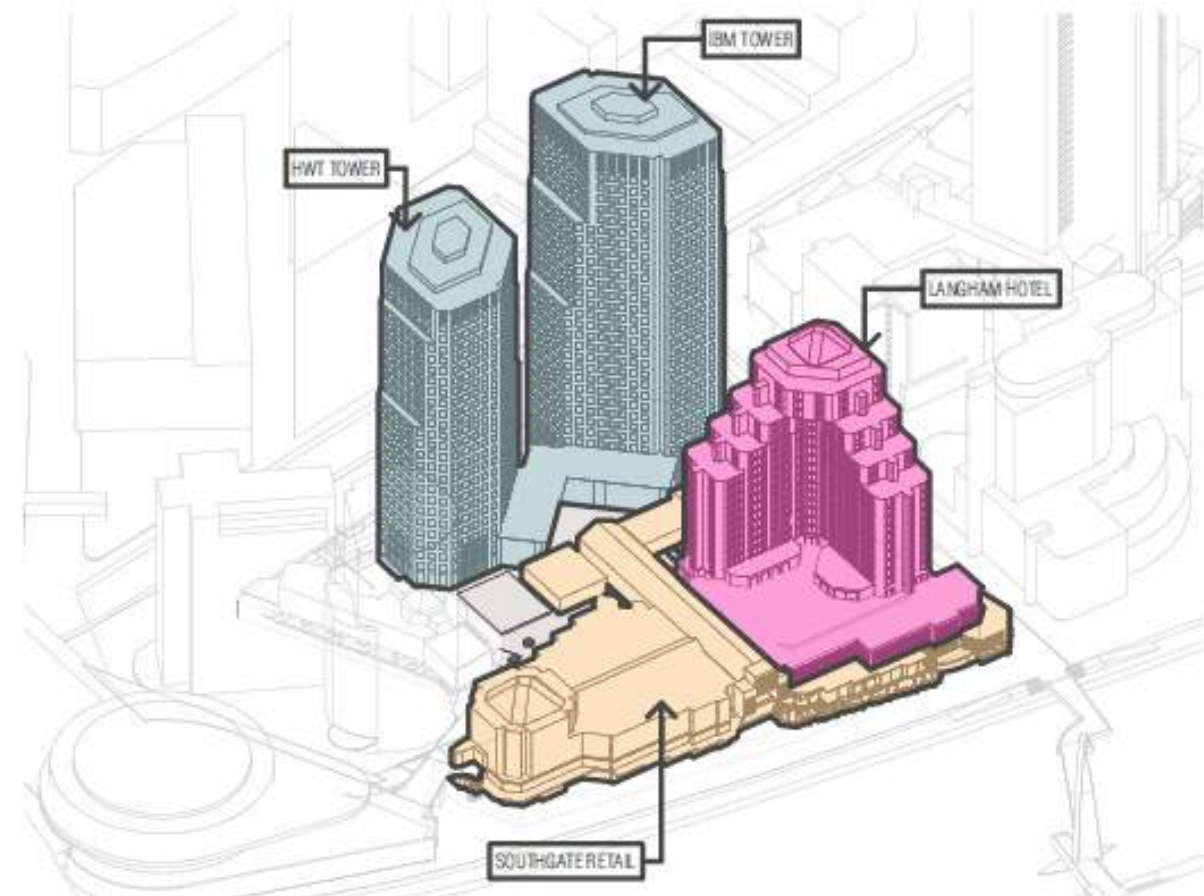


FIGURE 3

Existing GFA Summary

- IBM Tower - 46 010m²
- HWT Tower - 39 250m²
- Langham Hotel - 26 565m²
- Southgate Retail - 17 537m²

3D view of existing Southgate complex. ESR ownership includes IBM Tower, HWT Tower, and Retail podium

Langham Hotel is a separate ownership title within site.

DEVELOPMENT OVERLAYS - EASEMENTS AND TITLES

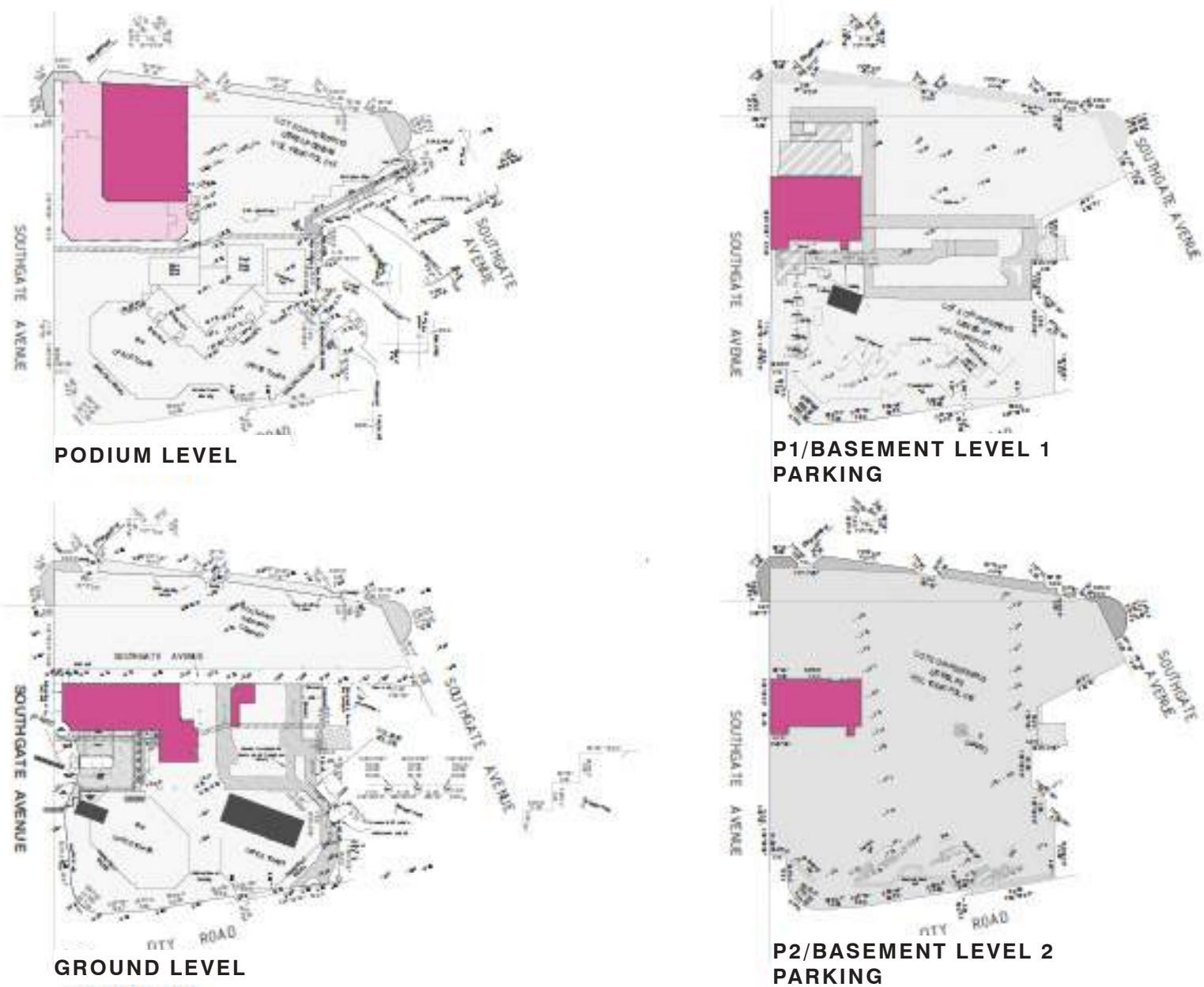


FIGURE 4: DIAGRAM OF PRECINCT OWNERSHIP AND EASEMENT OVERLAYS (LANGHAM HOTEL HIGHLIGHTED)

SITE TITLES AND EASEMENTS

Southgate has a complicated ownership title & easements overlay.

Legend

- Yarra River
- ESR Title
- Langham Hotel Title
- City of Melbourne

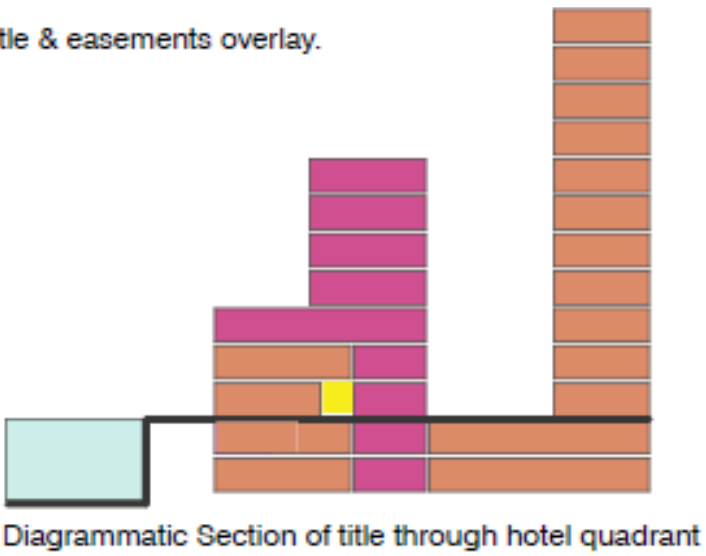


FIGURE 5

1.4 KEY DESIGN PRINCIPLES

DIAGRAMS REPRESENTING KEY DESIGN PRINCIPLES ADOPTED IN PRECINCT PLANNING
FIGURE 6

Key Design Principles in the *Southgate Redevelopment Masterplanning and Urban Context Report* established with authorities through the Southgate master planning process are:

- 1. Create open spaces
- 2. Create better engagement with river and promenade
- 3. Create an address to City Road with more active frontages to bounding streets
- 4. Create more permeability
- 5. Create opportunity through built form
- 6. Create a rationalised servicing network, and
- 7. Create linkages to Arts precinct.

In our investigation into the impacts of the raised flood level, the key principles particularly affected are the development's commitment to creating better engagement with the promenade and increasing permeability through the site. (Refer principle 2 and 4 extract below)

KEY PRINCIPLE #2

Create better engagement with river and promenade, through:

- the creation of pedestrian shelter along promenade which results in greater amenity
- integrating with proposed river promenade improvements and collaborating with authorities to achieve a desirable public realm outcome
- through creating articulation along

the building line which encourages dwelling, which also offers sheltered spaces off the river promenade.

- creating multiple entry points of entry into precinct, and maximising visibility between the inside and outdoors

The proposal responded to design principle #2 with:-

The arrangement of the retail shop fronts which seeks to enhance the engagement with the river promenade public realm. Retail shop fronts will be composed to offer a variety of publicly occupiable seating/resting areas along the northern boundary extent. The 160M long northern border offers 4 points of entry into the precinct.

Retail blocks along promenade are carved into small blocks to enable permeability across precinct and direct sight-lines through to alternative connections offered across the site. Two new public stairs and lifts are proposed at opposite ends of the eastern podium connecting the promenade to the new elevated public park offered on St Kilda Rd level.

KEY PRINCIPLE #4

Create more permeability, through:

- The creation of a North-South link to City Road
- Improving pedestrian experience along Southgate Avenue
- Creating linkages from river to Arts Precinct, and
- Retaining and enhancing an east-west link from St Kilda Road to

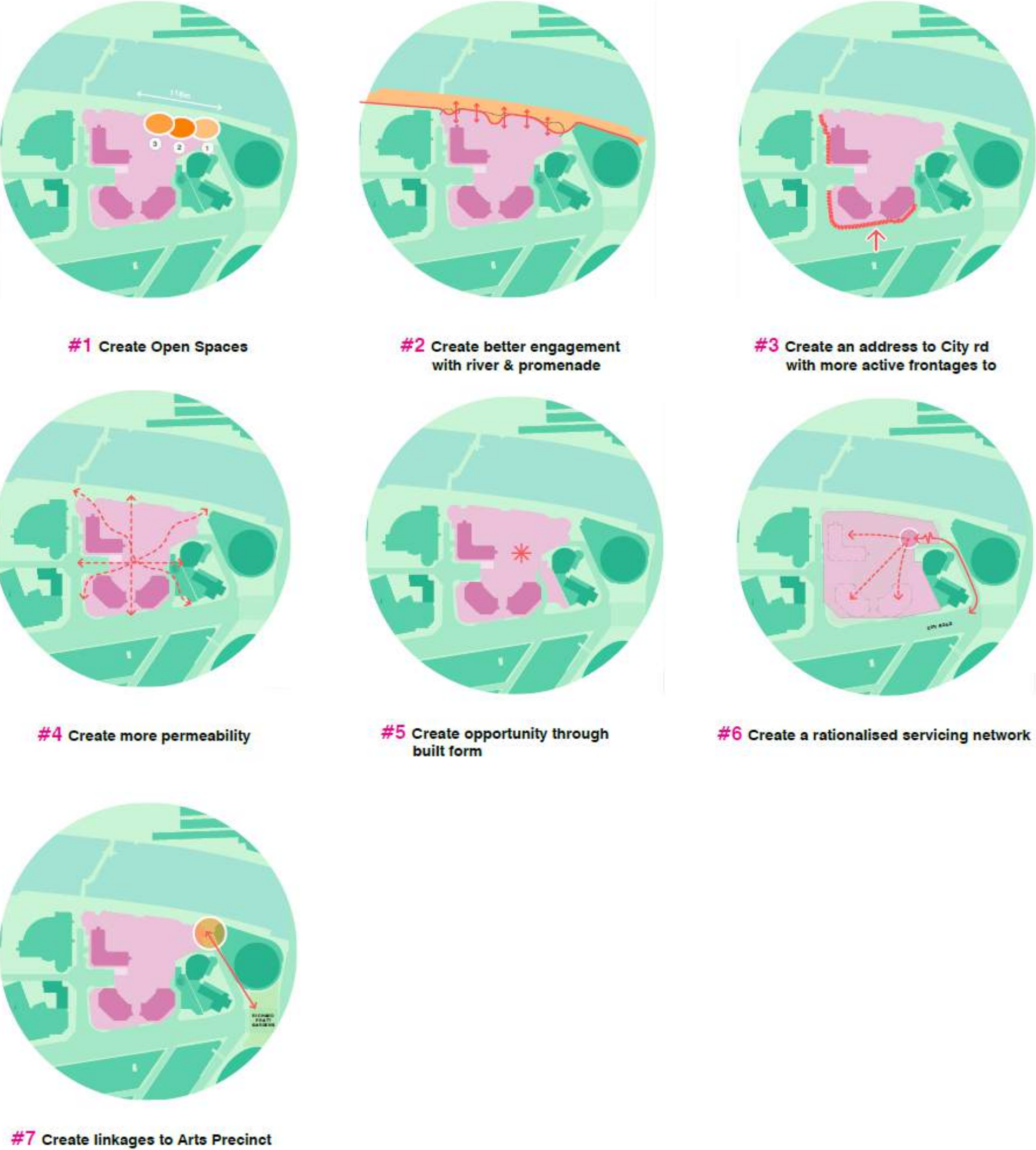
Riverside Quay

The proposal responded to design principle #4 with:-

A new mid-block north-south link is created between City Rd and Southbank Promenade. The link offers a main entry into retail and commercial precinct at about the 80M point along the 160M northern boundary. A proposed new vertical connection at City Road permits the through link from the promenade to City Rd and Southbank beyond. This link seeks to improve walking distances to the commercial tower entrances as well as across the block.

The existing two-way Southgate Avenue east-west under croft laneway is suggested to become a one-way traffic roadway. This is to enable a pedestrian footpath to be added along both sides of the roadway allowing safe pedestrian access along the road. Majority of the existing retail loading zones is relocated to the basement allowing new north-south connections to be added to the northern half of the precinct which also allows direct sightlines to the river promenade from the laneway.

Scale of retail blocks to both ground planes are reduced to enable higher permeability through precinct. Where possible, additional floor height is offered to new retail podium to east.



2.0

ARCHITECTURAL IMPACT

2.1 PROPOSED GROUND FLOOR PLAN

PROPOSED GROUND FLOOR PLAN - SOUTHBANK REDEVELOPMENT

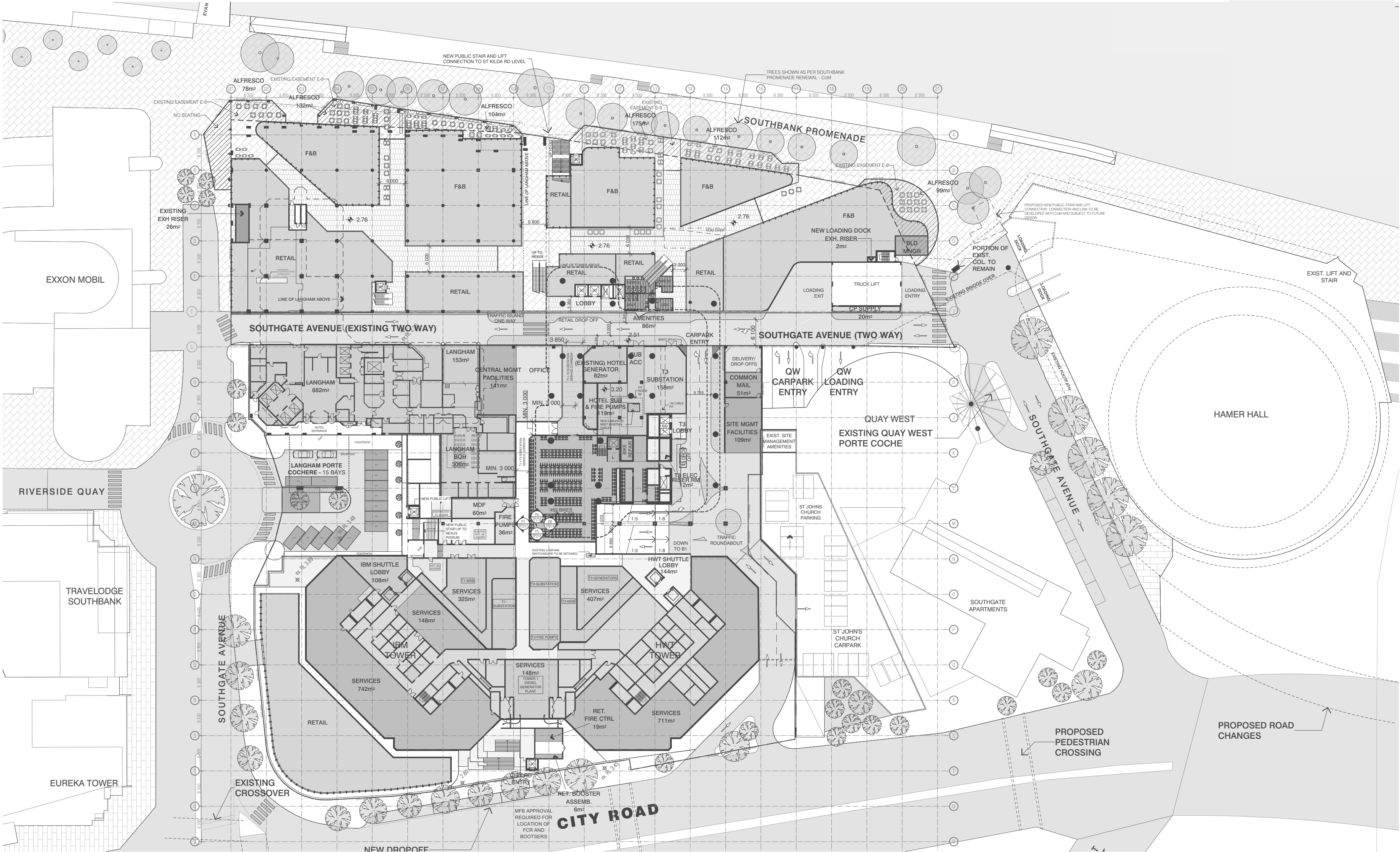


FIGURE 8 CURRENT GROUND FLOOR PLAN AS LODGED WITH DELWP FOR AMENDMENT C390

2.2 IMPACTED AREAS

PROPOSED GROUND FLOOR PLAN - SOUTHBANK REDEVELOPMENT
FLOODING AREA (AHD 4.04 - 3.44 RL WITH 600MM FREEBOARD)

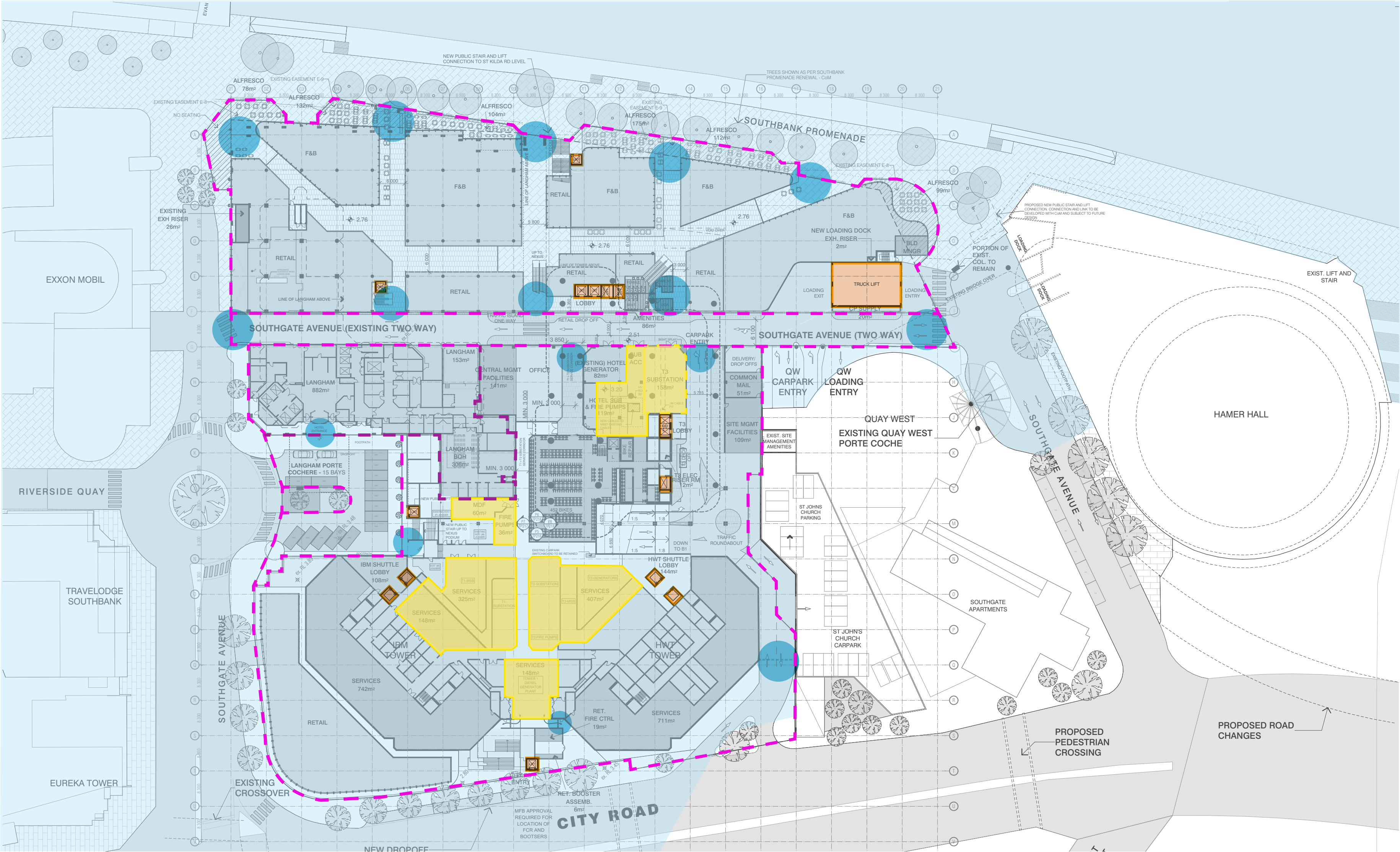


Diagram highlighting extent of AHD4.04 (freeboard level) and flood sensitive elements within existing and proposed redevelopment zone.

FIGURE 9: DIAGRAM HIGHLIGHTING EXTENT OF AHD4.04 (FREEBOARD LEVEL) AND FLOOD SENSITIVE ELEMENTS WITHIN EXISTING AND PROPOSED REDEVELOPMENT ZONE.

- FLOOD SENSITIVE ELEMENTS AND INUNDATION EXTENT**
- AREA BELOW AHD 4.04
 - ACCESS AND EGRESS POINTS
 - LIFTS
 - SUBSTATION (EXISTING)
 - SUBSTATION (PROPOSED)
 - SITE BOUNDARY
 - LANGHAM SITE BOUNDARY

2.3 IMPACTED TRANSITION ZONE CONSIDERATIONS

GROUND FLOOR PLAN - TRANSITION ZONES HIGHLIGHTED (AHD 4.04 - 3.44 RL WITH 600MM FREEBOARD)

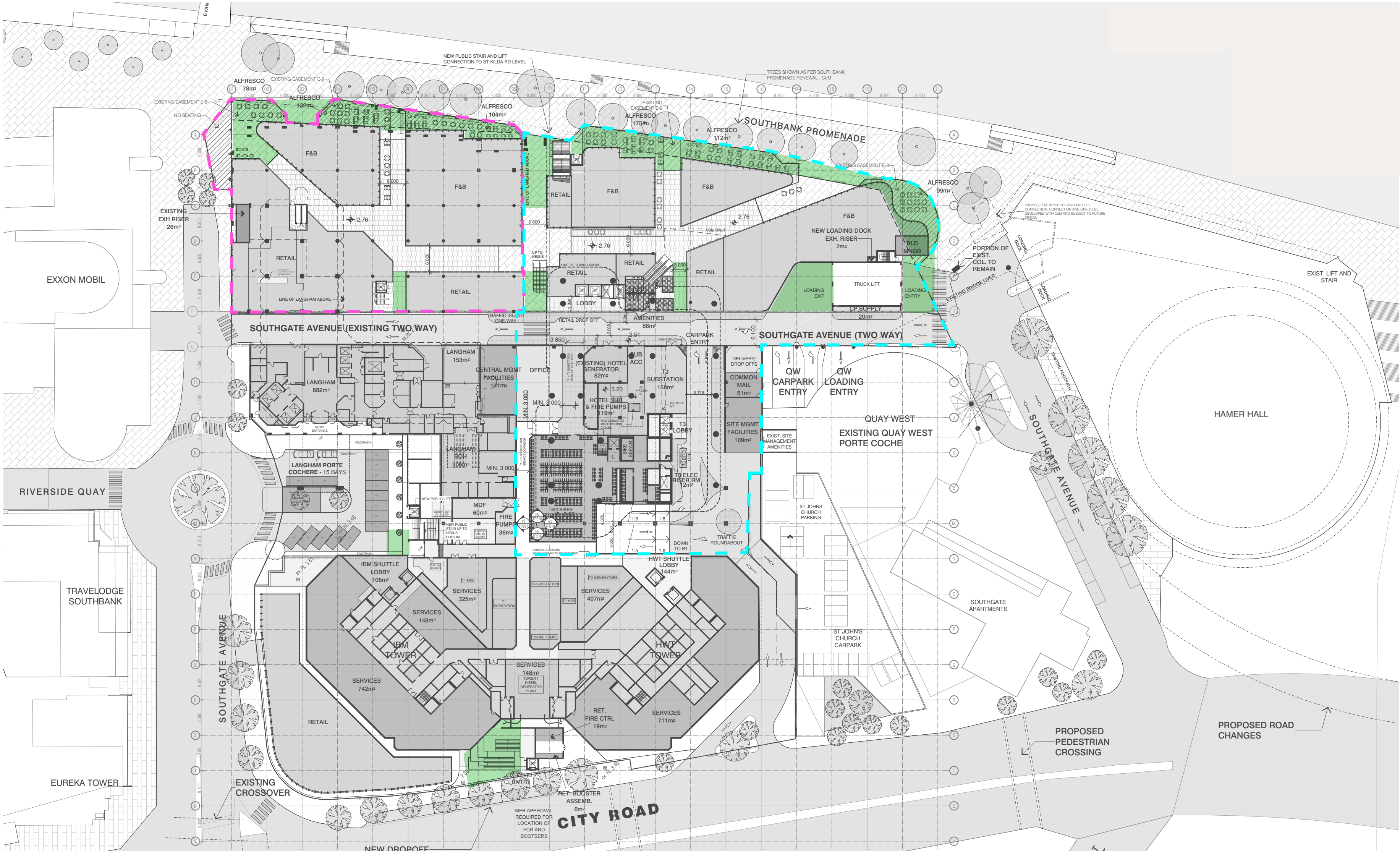


FIGURE 10: PROPOSED GROUND FLOOR PLAN WITH TRANSITION ZONES HIGHLIGHTED IN GREEN

Proposed ground floor plan with transition zones highlighted in green.

Diagram highlights main area of “new works” for redevelopment concentrated under new office tower (north east quadrant) and retail redevelopment (north west quadrant under the existing Langham hotel)

Transition zones definition:
The bigger the difference between Nominal Flood Protection Level (NFPL) and the natural ground level, the larger the space required to transition from footpath to floor level. The design of these areas are defined as transition zones, which is a key focus of the Good Design Guide.

- NEW WORK - MAIN AREAS (PODIUM RETAIL/F&B + OFFICE TOWER)
- NEW WORK - STRUCTURE RETAINED (PODIUM RETAIL/F&B)
- TRANSITION ZONE

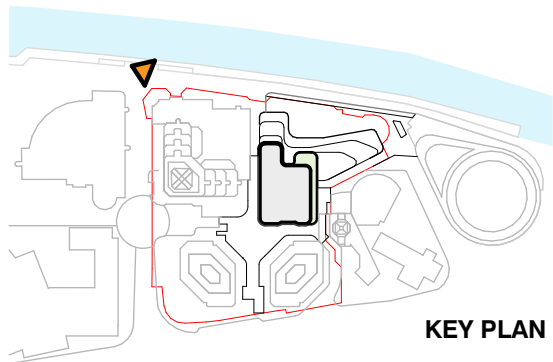
2.4 KEY VIEWS

SOUTHBANK PROMENADE WEST VIEW



EXISTING NORTHWEST CORNER OF SITE

FIGURE 11: PHOTO OF EXISTING NORTHWEST CORNER OF SITE LOOKING EAST ALONG PROMENADE AND SOUTHGATE AVENUE



KEY PLAN

SOUTHBANK PROMENADE WEST VIEW



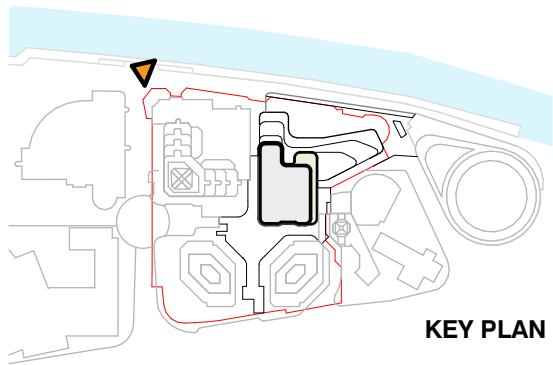
FIGURE 12
PROPOSED PROMENADE INTERFACE FROM APPROVED PLANNING PERMIT (AHD 2.76)

The existing promenade levels vary from AHD 2.22 up to AHD 2.76 with the lower level from its western corner.

The whitecard model comparison in Fig 13 displays the difference of 1.59m between Nominal Flood Protection Level (NFPL) and the existing Southbank promenade level.



FIGURE 13
FLOOD LEVEL RAISED GROUND FLOOR IMPACT (AHD 4.04)

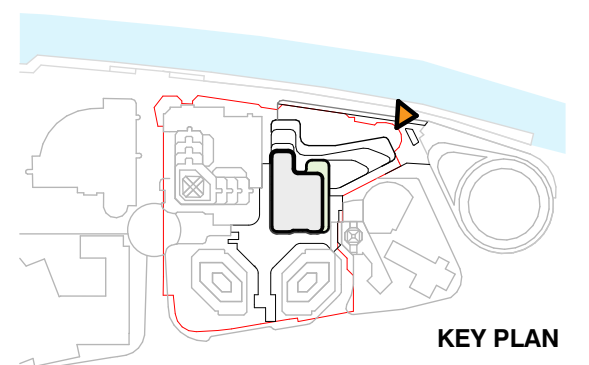


SOUTHBANK PROMENADE EAST VIEW



EXISTING NORTH EAST CORNER OF SITE

FIGURE 14 PHOTO OF EXISTING NORTH-EAST CORNER OF SITE LOOKING WEST ALONG SOUTHBANK PROMENADE



SOUTHBANK PROMENADE EAST VIEW



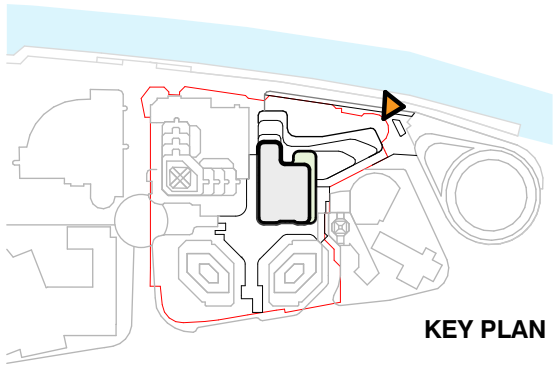
FIGURE 15
PROPOSED PROMENADE INTERFACE FROM APPROVED PLANNING PERMIT (AHD 2.76)

The existing promenade levels vary from AHD 2.22 up to AHD 2.76 with the lower level from its western corner.

The whitecard model comparison in Fig 16 displays the difference of 1.2m between Nominal Flood Protection Level (NFPL) and the existing Southbank promenade level.



FIGURE 16
FLOOD LEVEL RAISED GROUND FLOOR IMPACT (AHD 4.04)



KEY PLAN

2.5 STOREY HEIGHT IMPACT

SOUTHBANK REDEVELOPMENT CURRENT TOWN PLANNING PROPOSAL - CEILING HEIGHT

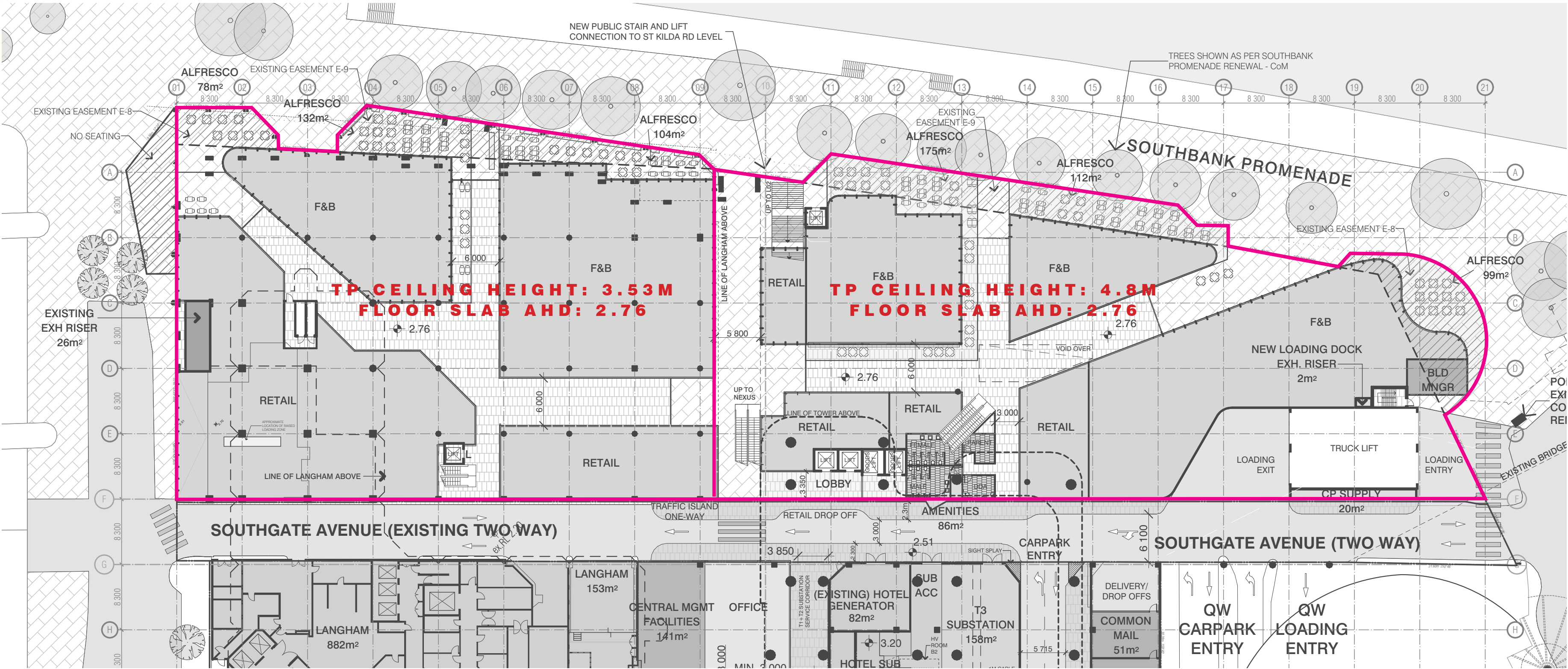


FIGURE 17
DIAGRAM OVERLAY OF CEILING HEIGHTS AS LODGED WITH DELWP FOR AMENDMENT C390

West Retail
The two existing levels within the western podium (under Langham Hotel) provides internal ceiling heights on ground level at 3.53m and at first floor level at 4.16m.

East Retail
Within the eastern portion of the retail block, the current town planning proposal provides internal ceiling heights of 4.8m at ground level.

SOUTHBANK REDEVELOPMENT RAISED GROUND FLOOR - CEILING HEIGHT IMPACT

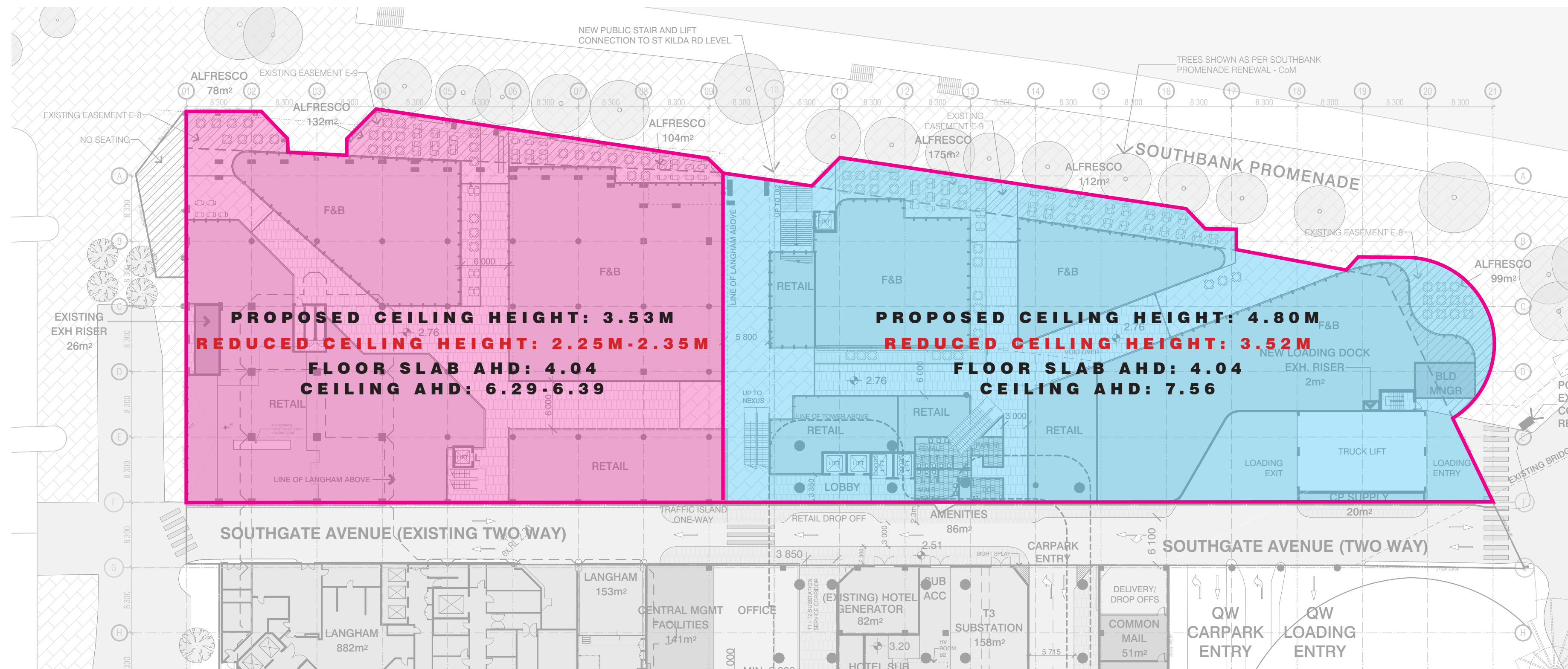




FIGURE 18
DIAGRAM OVERLAY OF CEILING HEIGHT IMPACT TO RAISED GROUND SLAB LEVEL

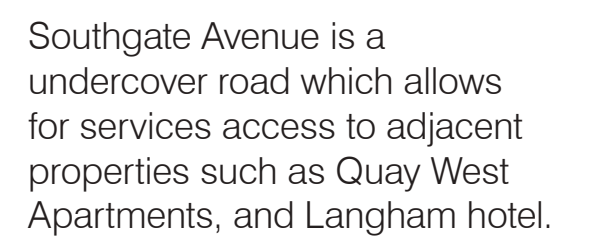
West Retail
The raised levels within the western portion of the existing retail ground level (under Langham Hotel) results in internal ceiling heights at 2.25m-2.35m which is deemed non-compliant with the National Construction Code (NCC) standards Section F requiring heights of rooms and other spaces within a Class 6 building to be not less than 2.4m for retail uses.

East Retail
The raised levels within the eastern portion of the retail block reduces internal ceiling heights from 4.8m to 3.52m.

Whilst the internal ceiling height meets the NCC code, the reduced internal ceiling heights are not in alignment with current market best practices which in retail design aims to achieve 4m - 4.5m internal ceiling clearances to enable visual height and spatial flexibility and accommodate adequate provision for mechanical and hydraulic services.

 RAISED SLAB
 EXISTING SLAB
 AREA WITH NON HABITABLE CEILING HEIGHTS DUE TO RAISED SLAB

GROUND FLOOR PLAN - SOUTHBANK PROMENADE (CURRENT TOWN PLANNING PROPOSAL)



-  LIFTS
-  STAIRS/RAMPS
-  TRANSITION ZONE

2.7 GROUND PLANE IMPACT

GROUND FLOOR APPROACH - RAISED VERTICAL CIRCULATION

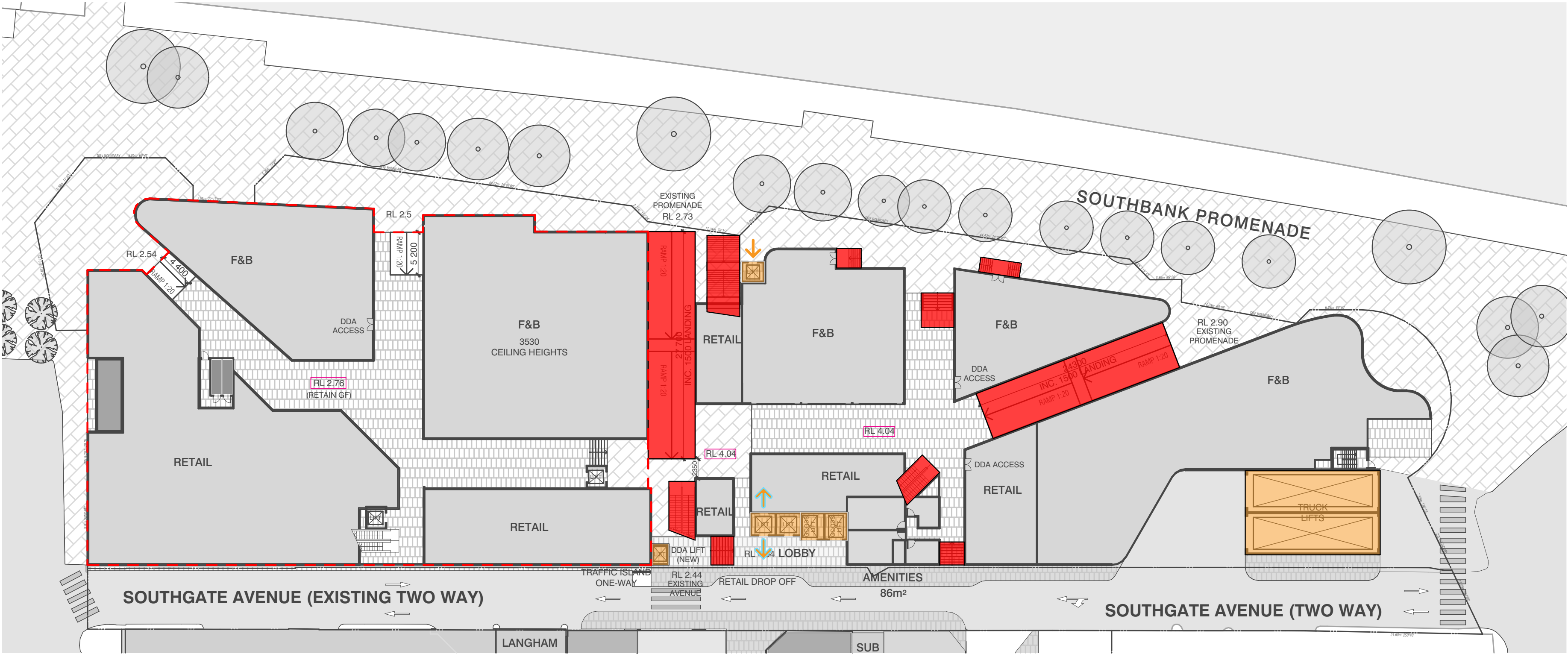


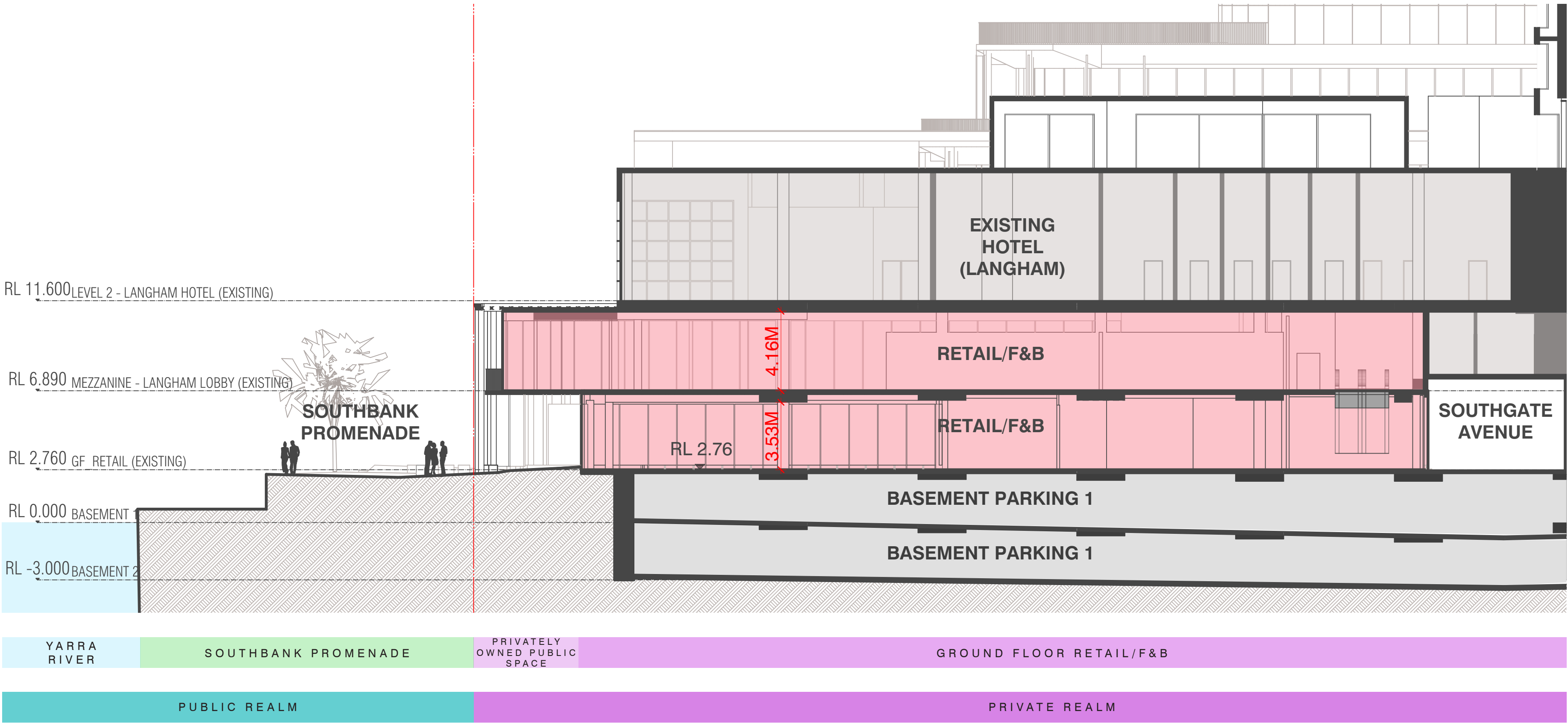
FIGURE 20
DIAGRAM OVERLAY DISPLAYING RESULTANT ADDITIONAL VERTICAL CONNECTORS FROM RAISED SLAB IMPACT

Ground floor study of level transitions to eastern retail block highlighting ramps in blue (@1:20 gradients) enabling transitions onto nominated NFPL (4.04 AHD). Heights of vertical transitions affect internal laneway circulation network and future flexibility for retail tenancy subdivisions. Truck lift access to proposed precinct central loading dock within basement accessed via Southgate Avenue will require consideration of flood barriers.

- LIFTS
- STAIRS/RAMPS
- NO CHANGE TO WEST RETAIL BLOCK
- LIFT ENTRY DIRECTION

2.8 SECTION ANALYSIS

SECTION A - LANGHAM HOTEL
APPROVED INCORPORATED DOCUMENT



Retail block refurbishment to occur under Landham Hotel (separate ownership title). Structural elements supporting tower above to be retained

- RETAIL/F&B
- COMMERCIAL
- EXISTING

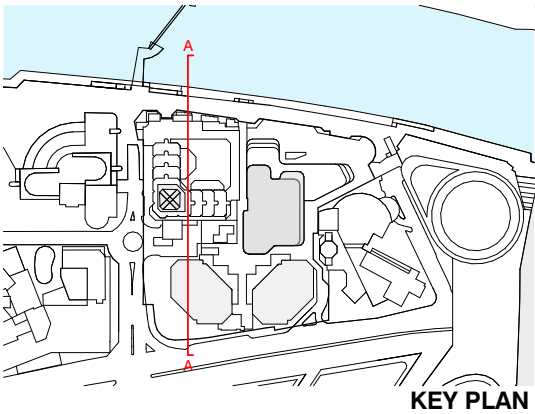
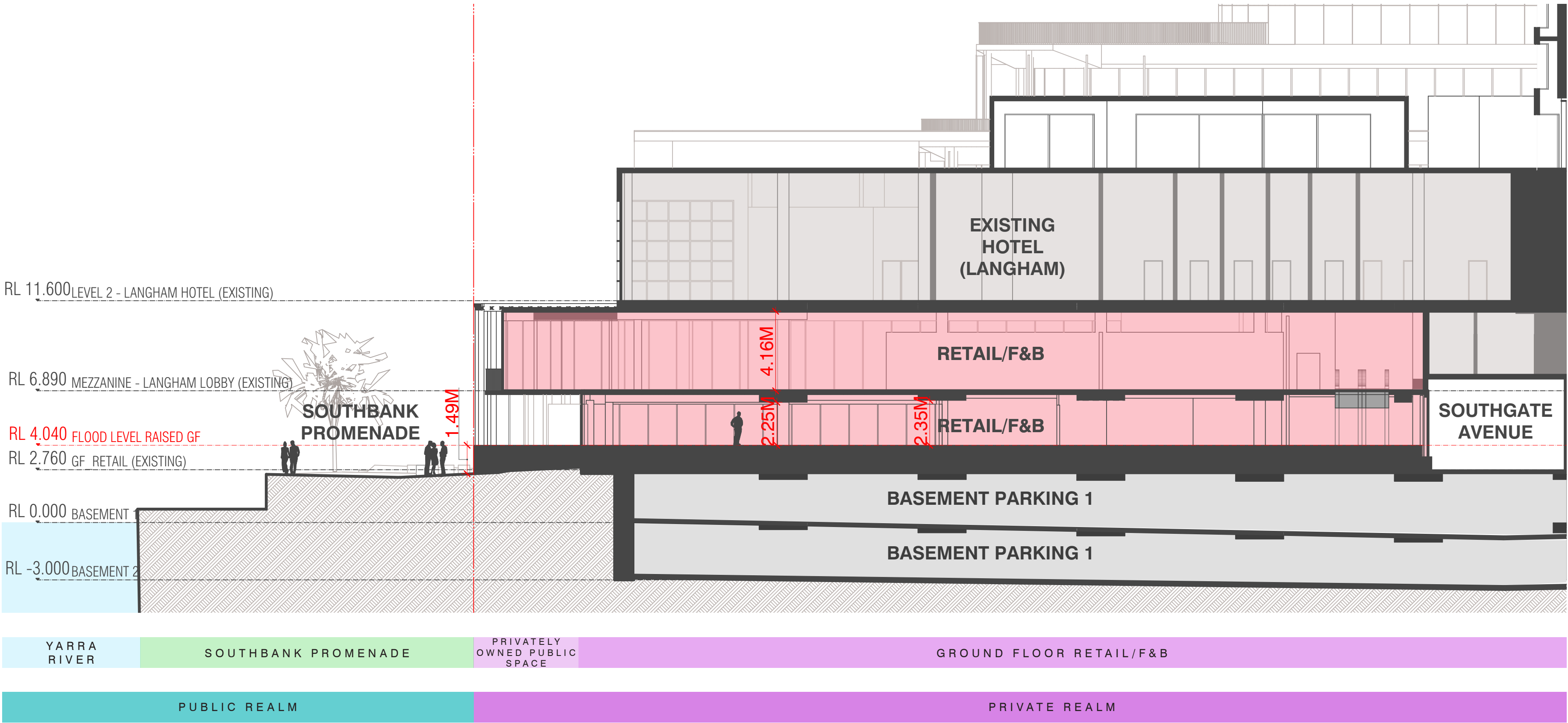


FIGURE 21
SECTION THROUGH WESTERN PODIUM RETAIL BLOCK SHOWING GROUND LEVEL AND THE MEZZANINE LEVEL
RETAINED AT EXISTING LEVELS UNDER LANGHAM HOTEL

SECTION A - LANGHAM HOTEL
FLOOD LEVEL RAISED GROUND SLAB



Proposed NFPL (4.04 AHD) reduces the western retail block internal ceiling clearances to 2.35m in certain areas.

This is deemed non-compliant with the National Construction Code (NCC) standards Section F requiring heights of rooms and other spaces within a Class 6 building to be not less than 2.4m for retail uses.

- RETAIL/F&B
- COMMERCIAL
- EXISTING

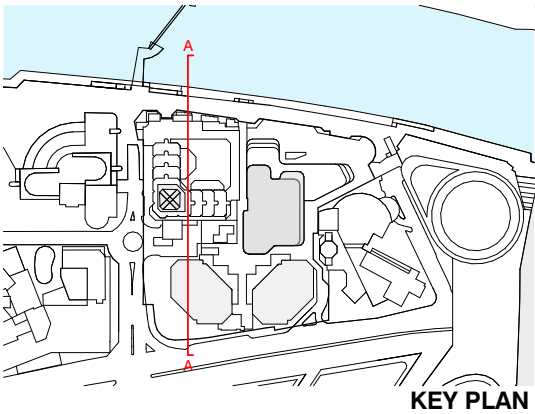
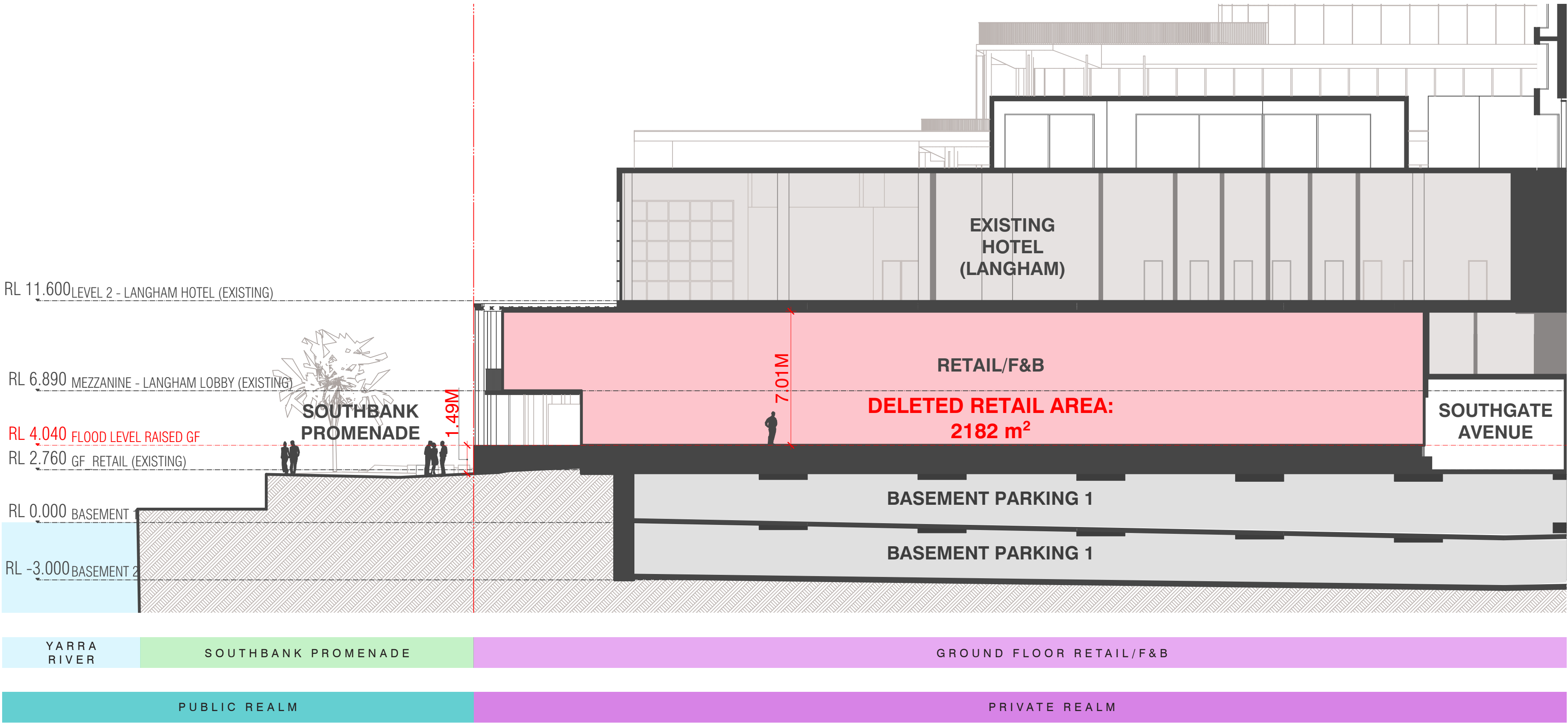


FIGURE 22
SECTION THROUGH WESTERN PODIUM RETAIL BLOCK SHOWING 1.5M LEVEL DIFFERENCE TO PROMENADE

SECTION A - LANGHAM HOTEL
FLOOD LEVEL RAISED GROUND SLAB



To negate the non-compliant ceiling heights through the western retail podium, the mezzanine level slab will need to be removed in order to achieve a greater headroom. This approach removes approximately 2000m2 of retail NLA from the development yield

- RETAIL / F&B
- COMMERCIAL
- EXISTING

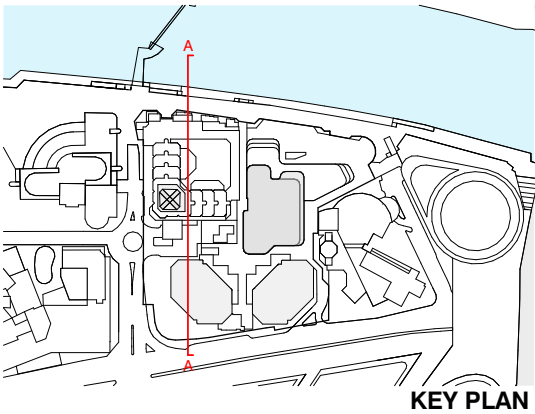
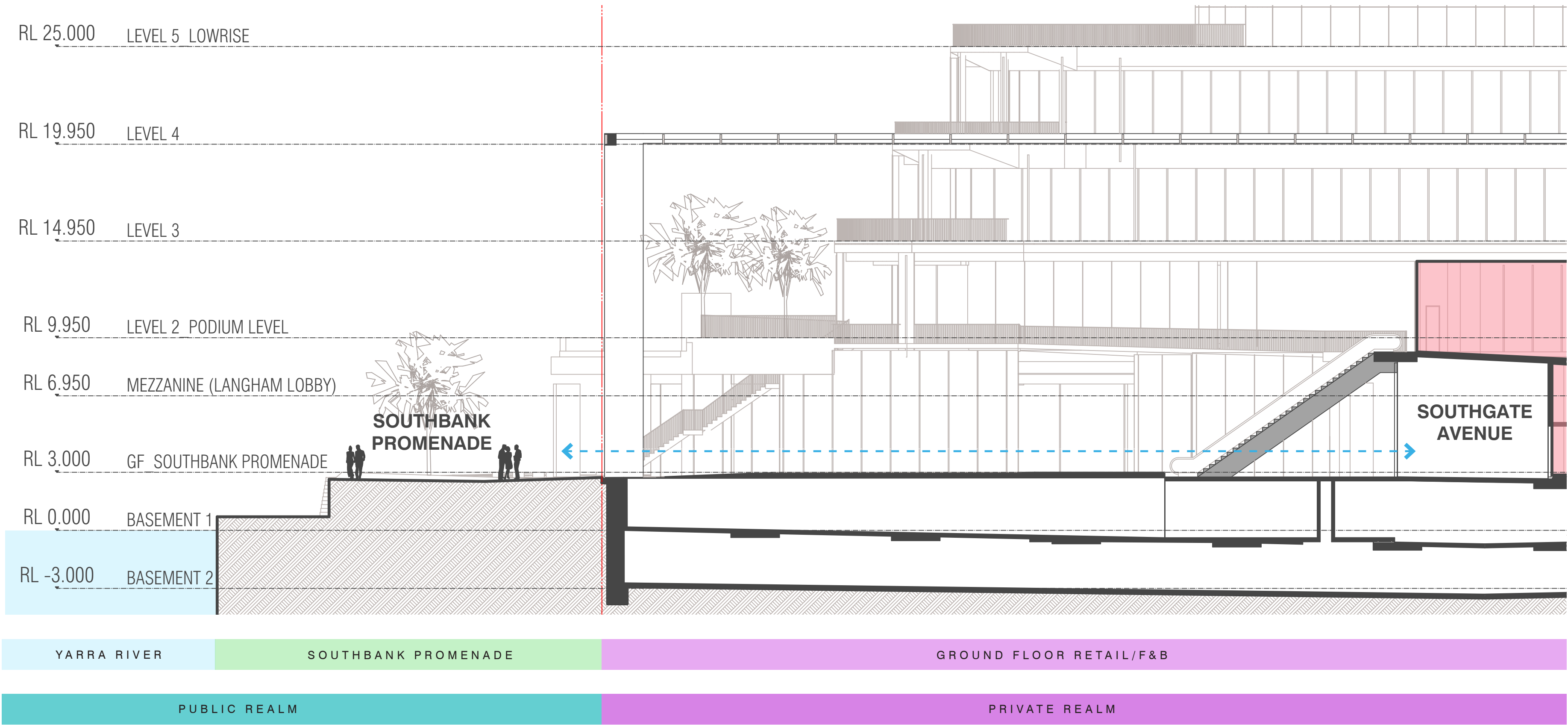


FIGURE 23
SECTION THROUGH WESTERN PODIUM RETAIL BLOCK SHOWING 1.5M LEVEL DIFFERENCE TO PROMENADE AND MEZZANINE LEVEL SLAB REMOVED TO MITIGATE CEILING HEIGHT NON-COMPLIANCE

SECTION B - ENTRY TO COMMERCIAL PRECINCT
APPROVED INCORPORATED DOCUMENT



This proposed north-south connection allows direct sight lines and access from Southgate Avenue under cover laneway to Southbank Promenade. The connection is open to sky and marked by a feature canopy structure designed to be an entry marker from the river promenade to the commercial precinct

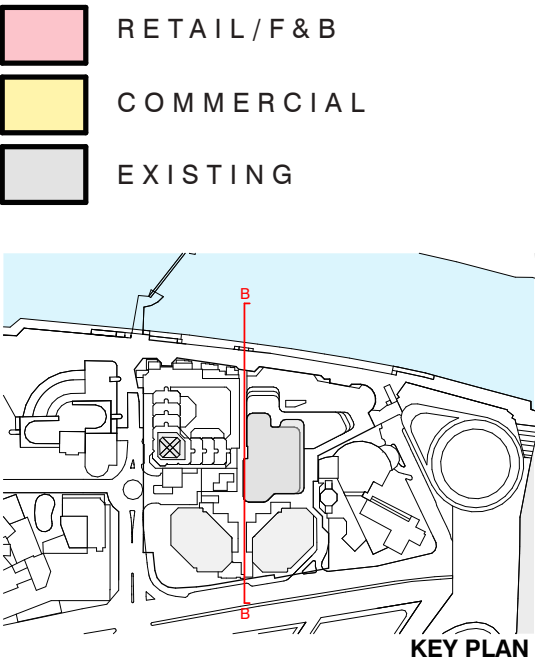


FIGURE 24
SECTION THROUGH MID BLOCK CONNECTION

SECTION B - ENTRY TO COMMERCIAL PRECINCT
FLOOD LEVEL RAISED GROUND SLAB

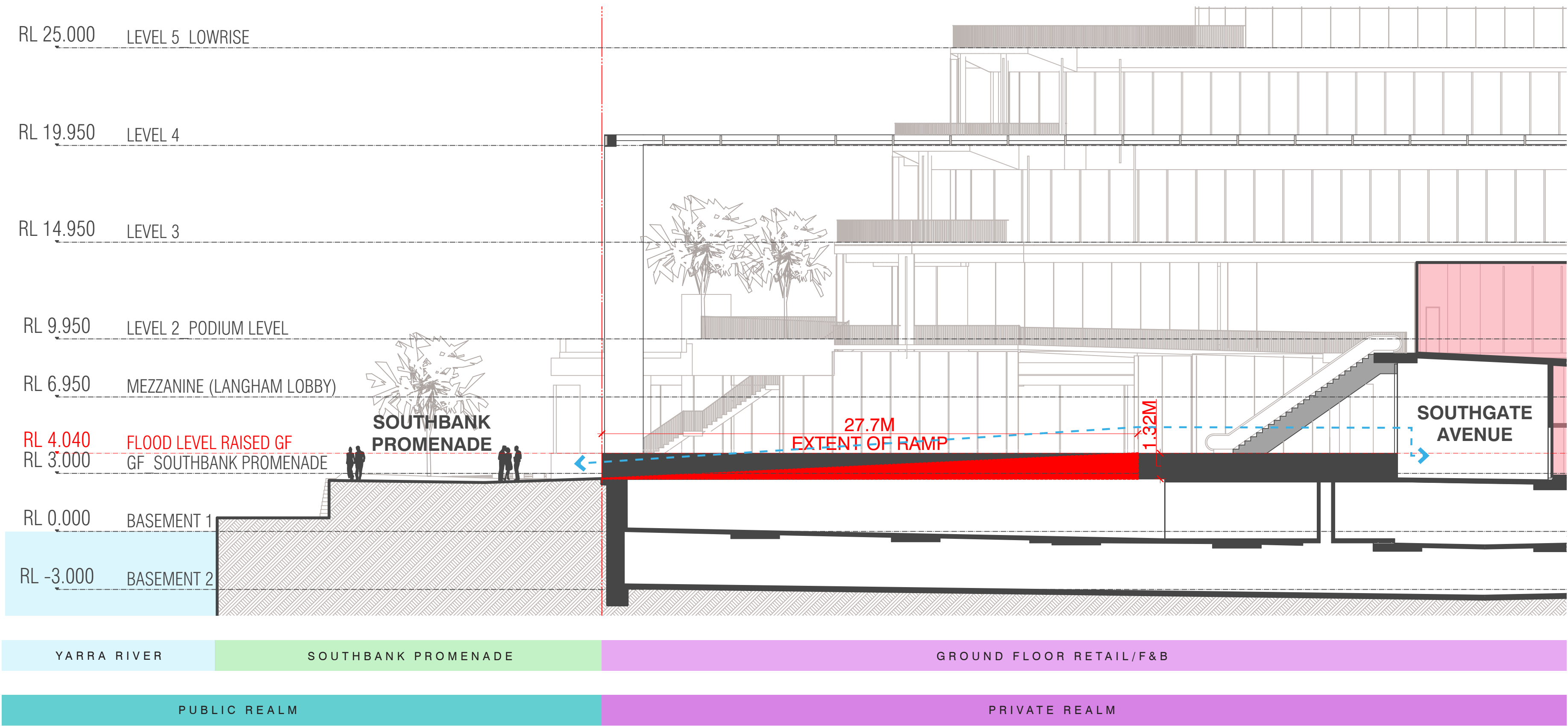


Diagram indicating extent of ramp transition required through mid-block laneway from promenade to NFPL (4.04 AHD) Raised level disconnects ability to transition via ramp access to link the promenade and Southgate Avenue.

- RETAIL/F&B
- COMMERCIAL
- EXISTING

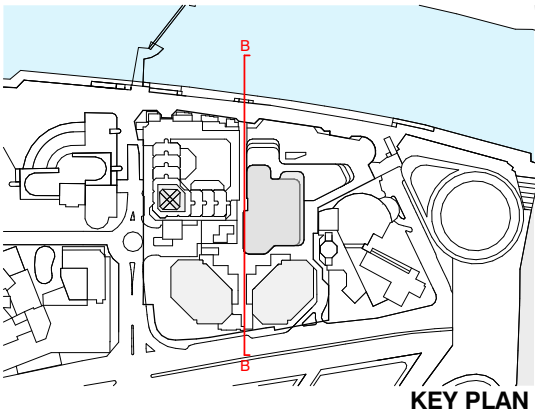
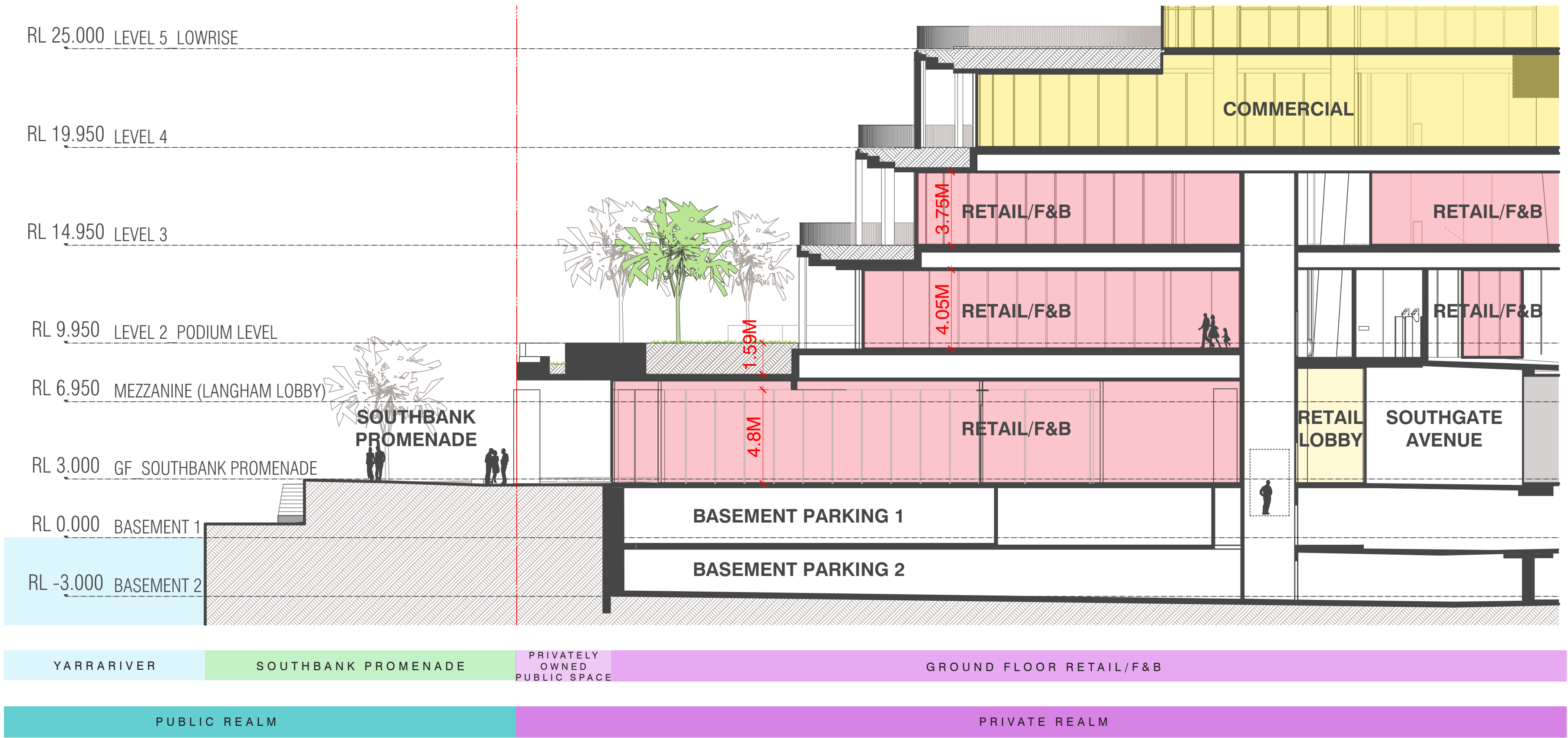


FIGURE 25
SECTION THROUGH MID BLOCK CONNECTION WITH RAISED GROUND LEVEL SLAB

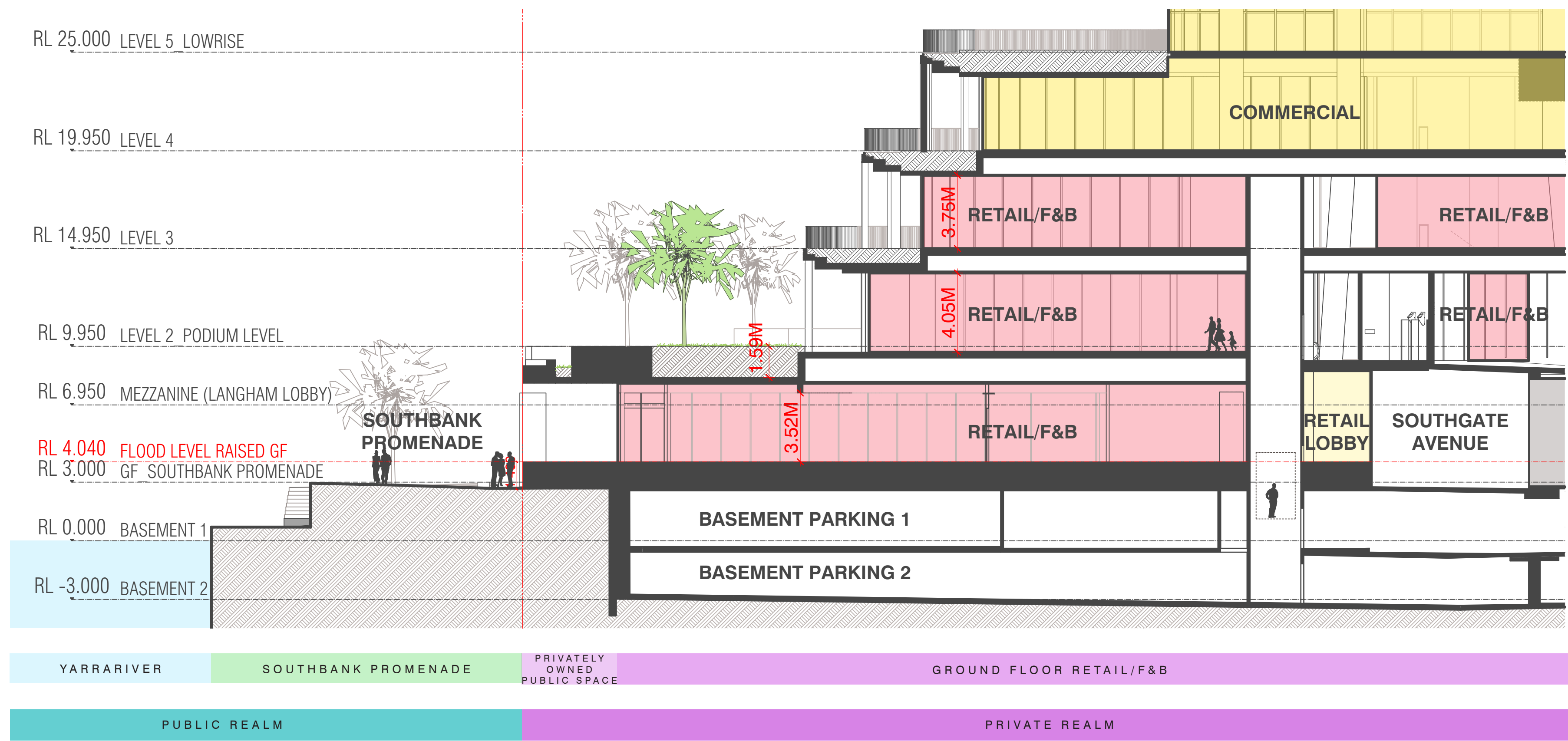
SECTION C - EASTERN PROMENADE
APPROVED INCORPORATED DOCUMENT



Current proposal to eastern block demonstrating best-practice 4.5m floor-ceiling heights to ground level retail. 7.2m floor-to-floor established in planning scheme facilitates deep soil planting and structure infrastructure above retail zone to enable proposed elevated park above.

FIGURE 26
SECTION THROUGH EAST RETAIL PODIUM

SECTION C - EASTERN PROMENADE FLOOD LEVEL RAISED GROUND SLAB



This figure is well above the maximum height of 600mm to maintain an active, pedestrian prioritised street frontage as recommended within the Good Design Guide

KEY PLAN

FIGURE 27
SECTION THROUGH EAST RETAIL PODIUM WITH RAISED GROUND LEVEL SLAB

SECTION D - RETAIL CORRIDOR
APPROVED INCORPORATED DOCUMENT

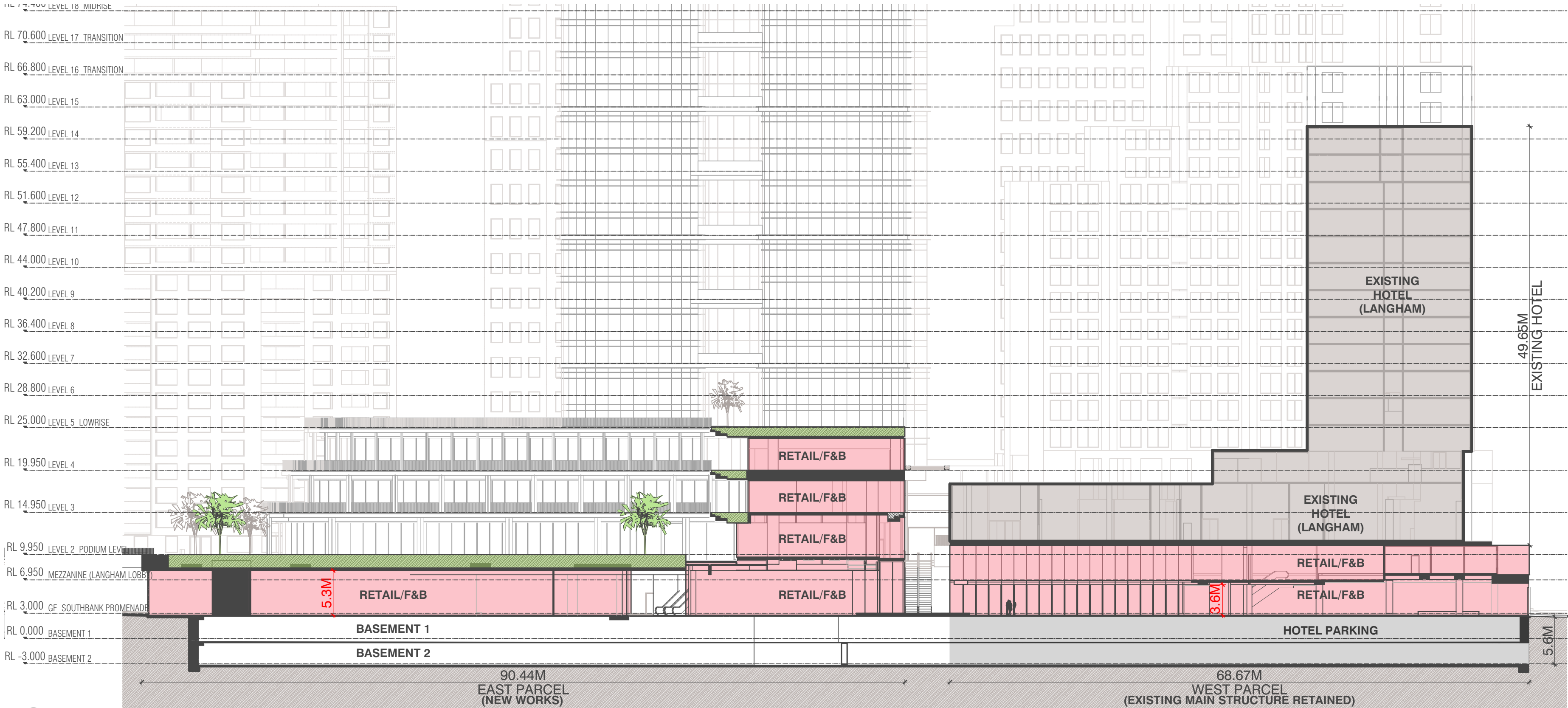
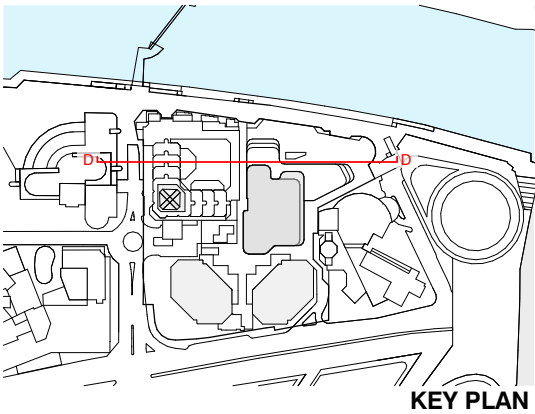
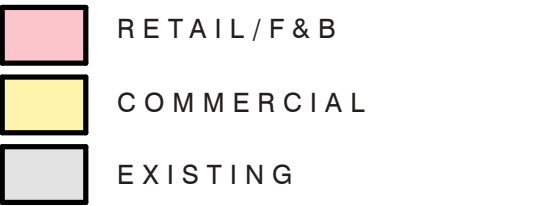


FIGURE 28
SECTION THROUGH EAST RETAIL PODIUM WITH RAISED GROUND LEVEL SLAB

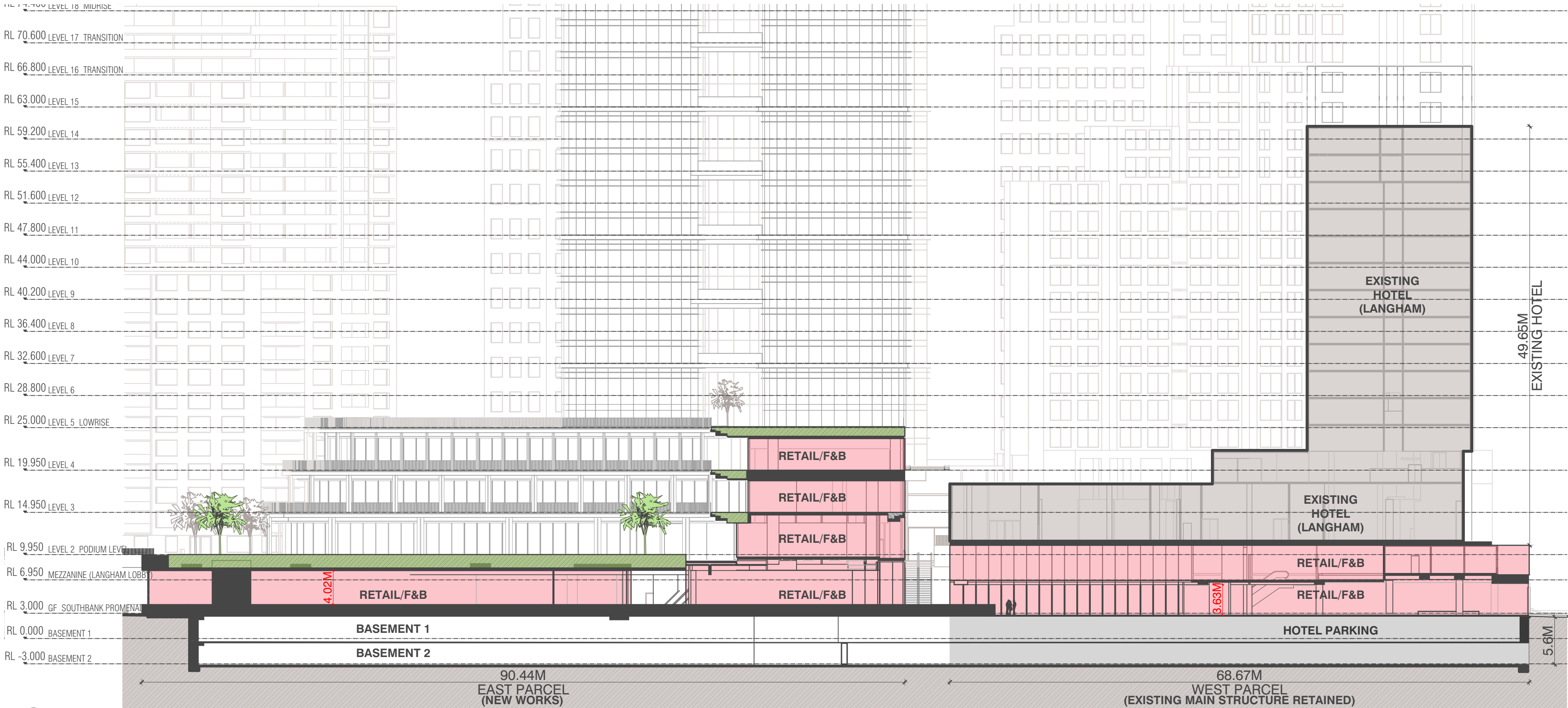
The diagram shows an east-west cut section looking south through the proposed Southgate retail podium.

To the right (west) is sited the Existing Langham Hotel above the 2 storey retail podium. To the left (east) is the main area of new works for the proposed office tower above a 4 storey retail podium.

The proposed 2000m2 publicly accessible open space is sited above the promenade level retail precinct.



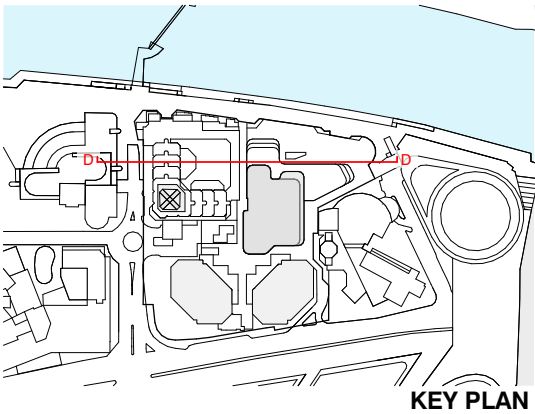
SECTION D - RETAIL CORRIDOR
FLOOD LEVEL RAISED GROUND SLAB



The diagram highlights the change in level between the east and western retail precinct. The 1.28m level difference creates a disconnect between the ground level retail precinct which was intended to be a gentle transition between the two quadrants.

- RETAIL / F & B
- COMMERCIAL
- EXISTING

FIGURE 29
SECTION THROUGH RETAIL PODIUM WITH RAISED GROUND LEVEL SLAB



3.0

URBAN DESIGN IMPACT

3.1 SITE INTERFACES

PEDESTRIAN SITE ENTRIES

CURRENT PROPOSAL

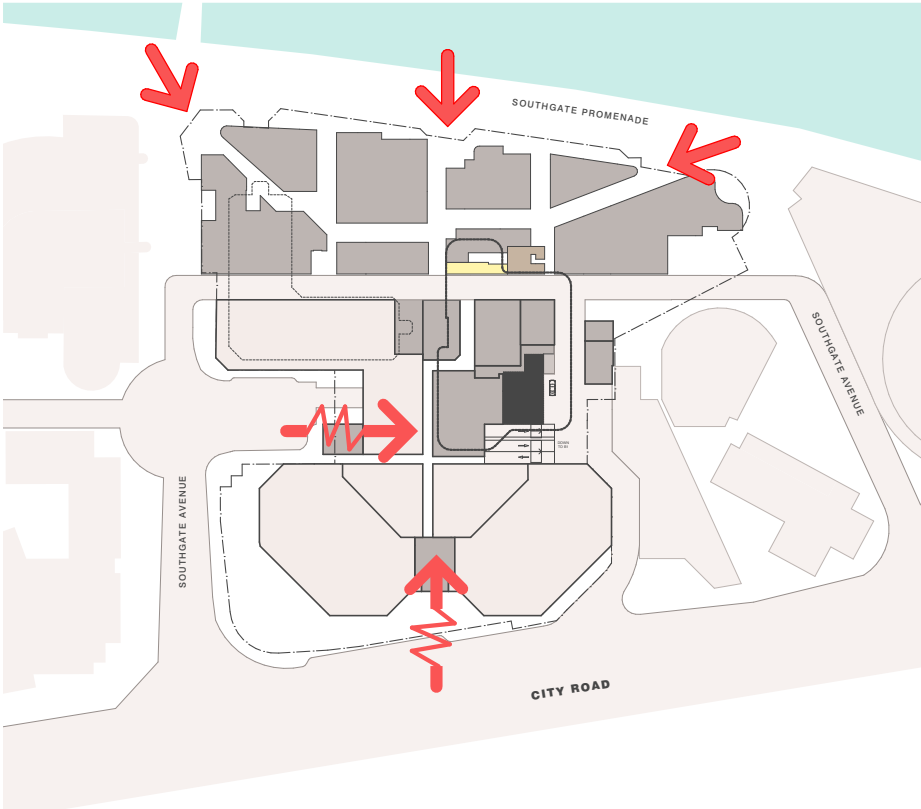


FIGURE 30

PRIMARY ENTRIES

- › 5 primary entries to the precinct from Ground floor/ promenade level
- › 3 from Southbank promenade along 160m frontage
- › 1 from west corner off Hotel porte cochere
- › 1 from city rd which provides main precinct address for the commercial towers

IMPACT ASSESSMENT

- › 3 primary entries from north (promenade) require review of public interface along promenade

CURRENT PROPOSAL

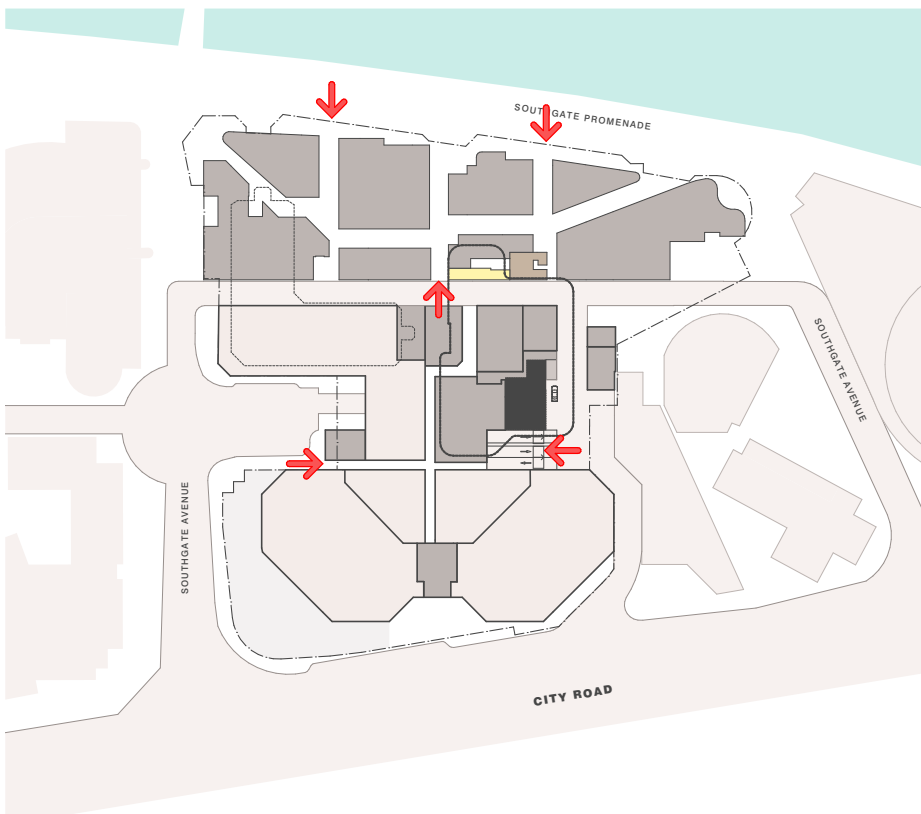


FIGURE 32

SECONDARY ENTRIES

- › Northern block entries via smaller laneway entries

IMPACT ASSESSMENT

- › 2 entries from north (promenade) require review of public interface along promenade.
- › Southgate Avenue connection into retail interrupted by significant level change.
- › EOT facilities access interrupted with level changes

LINKAGE TYPOLOGIES

CURRENT PROPOSAL

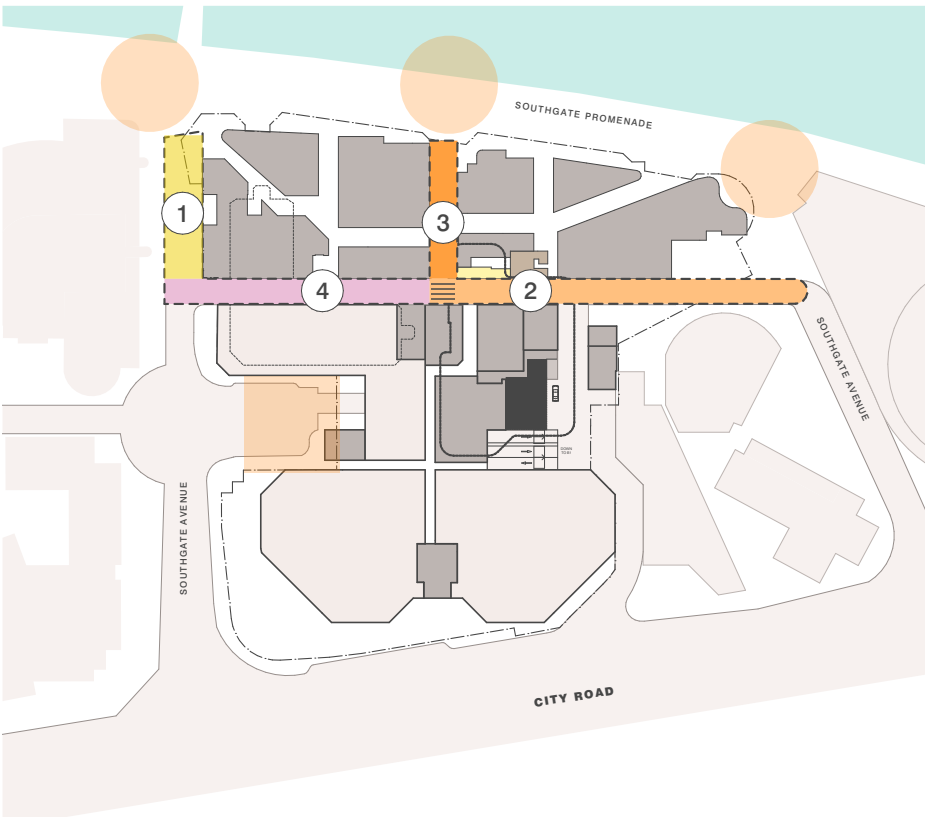


FIGURE 31

- 1. STREET (PED ONLY)
- 2. SHARED ZONE STREET (UNDERCOVER) (VEH + PED) (7M WIDE)
- 3. LANEWAY (PED ONLY) (6M WIDE)
- 4. STREET (VEH ONLY) (7M WIDE)

IMPACT ASSESSMENT

- › Universal access considerations required to north-south connection (No. 3)

PUBLIC VERTICAL CONNECTORS

CURRENT PROPOSAL

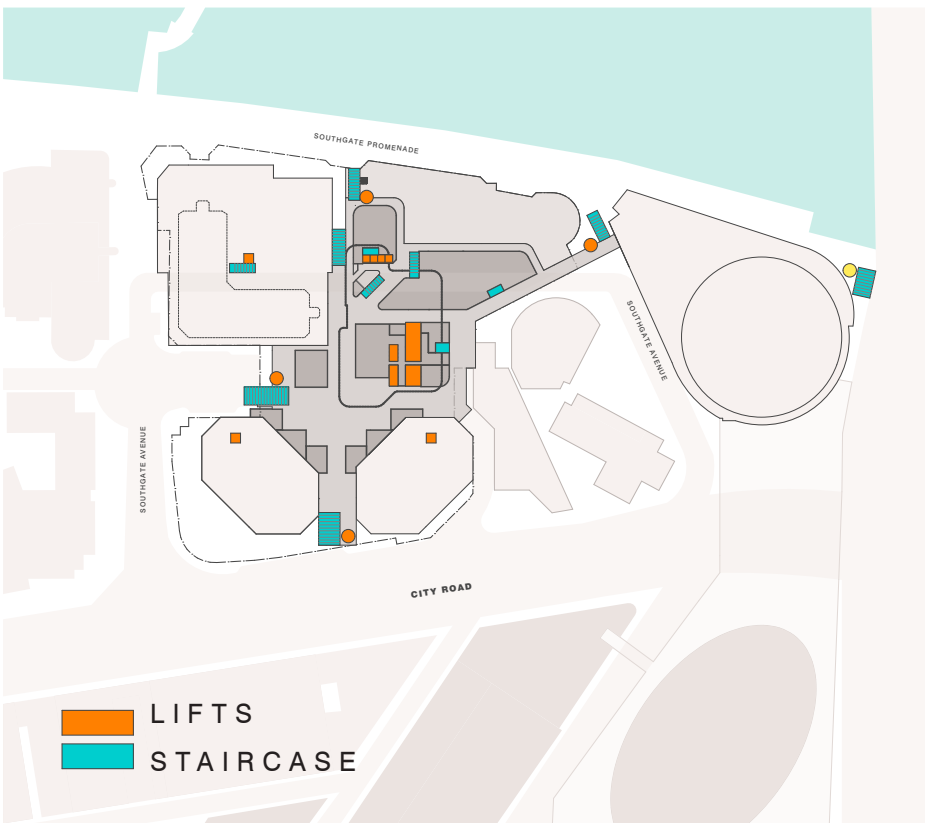


FIGURE 33

IMPACT ASSESSMENT

- › Lift lobbies to be raised to revised Nominal Flood Protection Level (NFPL) at 4.04 AHD
- › Additional ramping/DDA platform lifts required to mitigate level transitions

ACTIVE FRONTAGES

CURRENT PROPOSAL

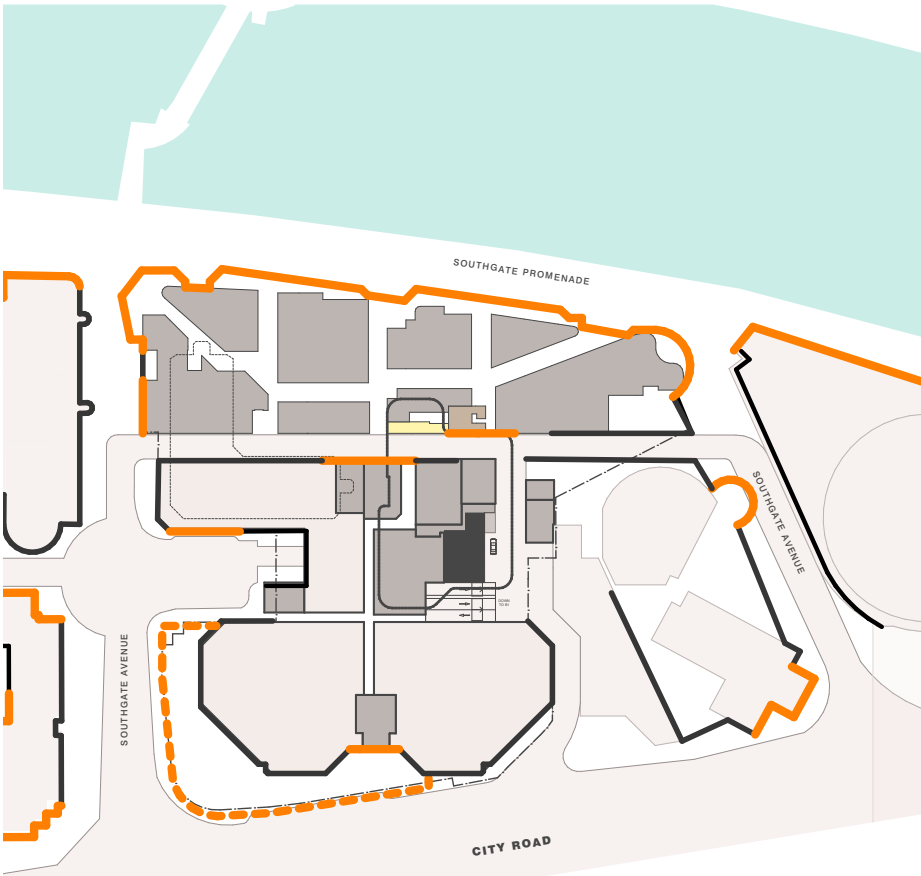


FIGURE 34

Proposed active frontages in masterplan proposal

- ACTIVE FRONTAGE
- NON-ACTIVE FRONTAGE

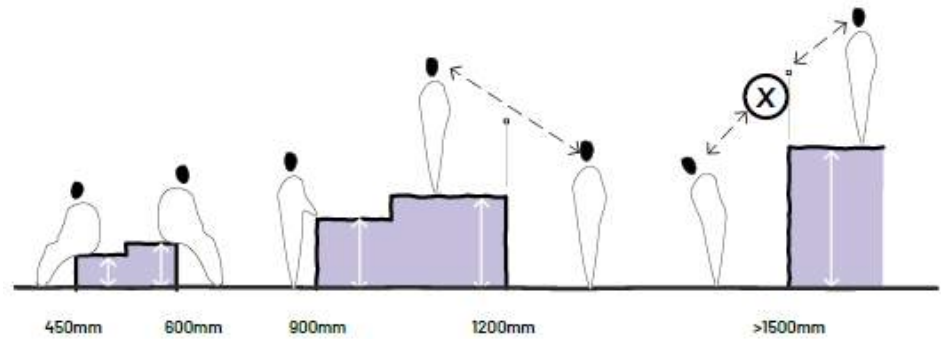
RAISED GF IMPACT



FIGURE 36

IMPACT ASSESSMENT

Active frontages along promenade impacted by raised level varying from 1.2-1.6m above existing promenade.



- DIAGRAM EXTRACTED FROM GOOD DESIGN GUIDE FOR BUILDINGS IN FLOOD AFFECTED AREAS
- ACTIVE FRONTAGE
 - NON-ACTIVE FRONTAGE
 - IMPACTED FRONTAGE

CURRENT PROPOSAL

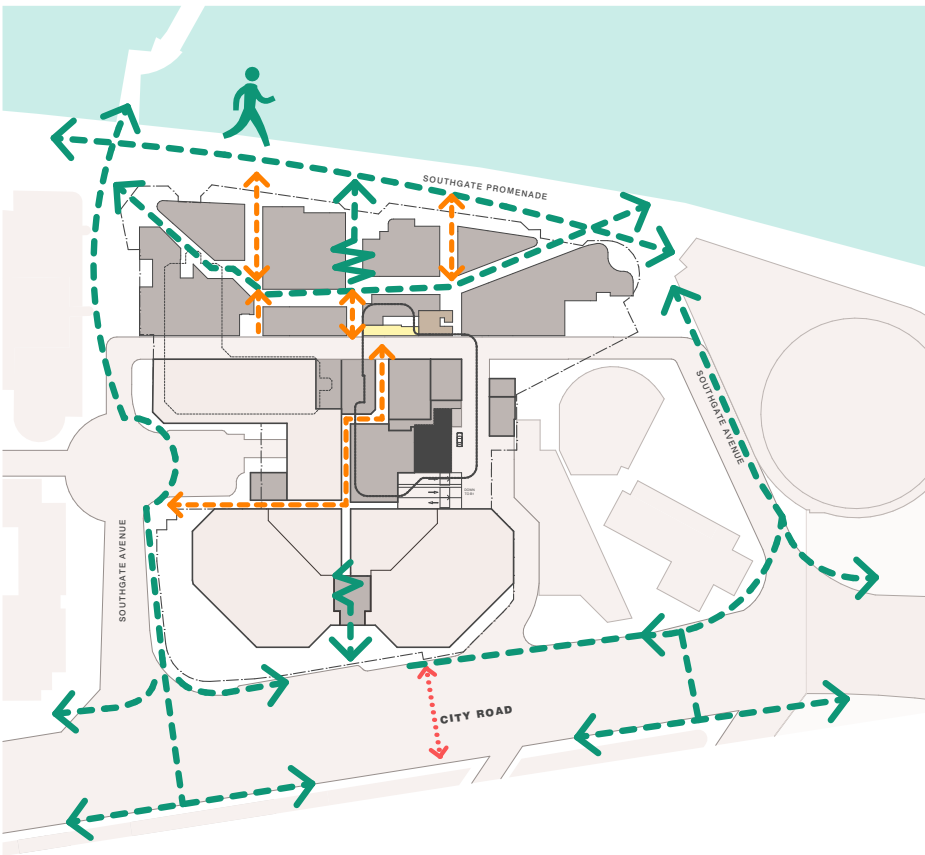


FIGURE 35

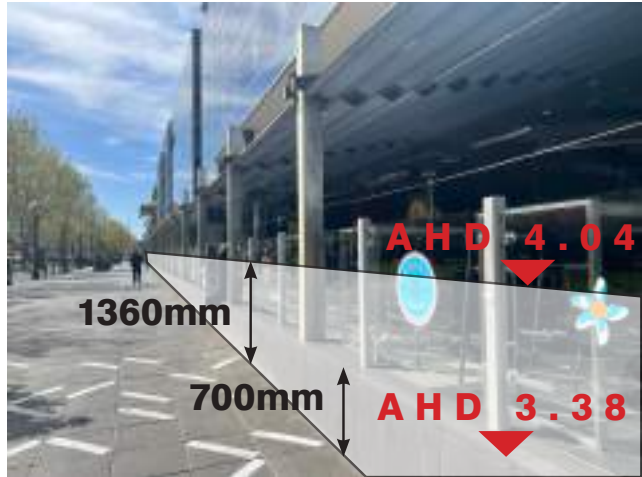
IMPACT ASSESSMENT

Movement network interrupted by significant level changes requiring ramps/stairs/lift access

- PRIMARY CIRCULATION
- SECONDARY CIRCULATION
- EXISTING CONNECTION TO BE RELOCATED

3.3 GROUND PLANE INTERFACE - WIDER CONTEXT

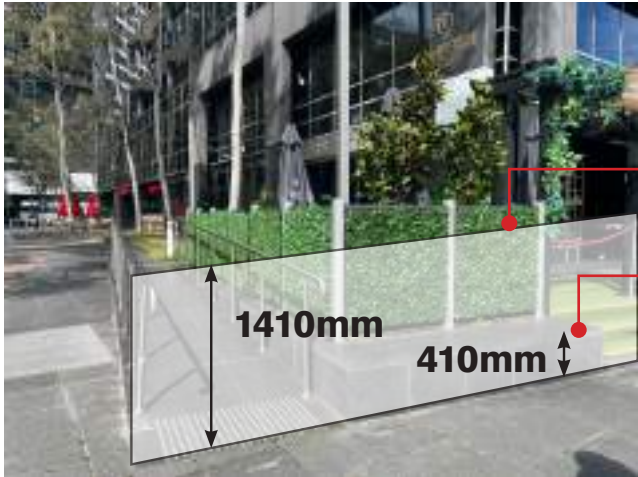
1. ENTRY TO RESTAURANTS



2. ALLEYWAY TO RIVERSIDE QUAY



3. ACCESS TO RIVERSIDE QUAY



4. SOUTHGATE ACCESS ALONG SOUTHBANK PROMENADE

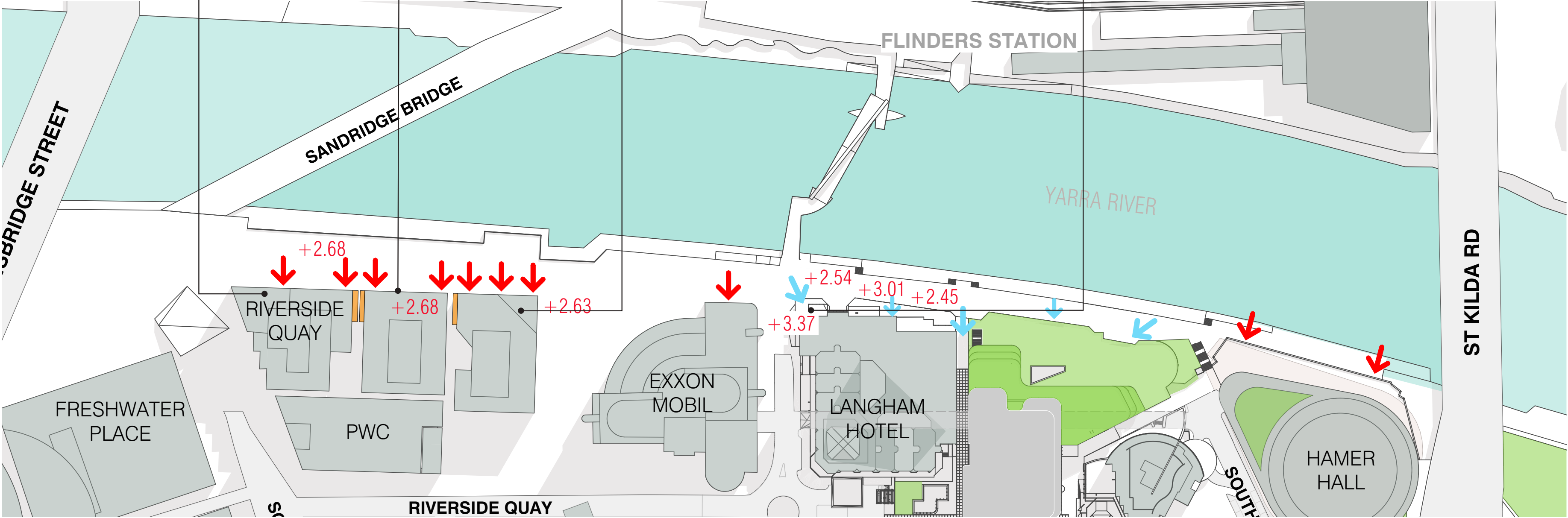
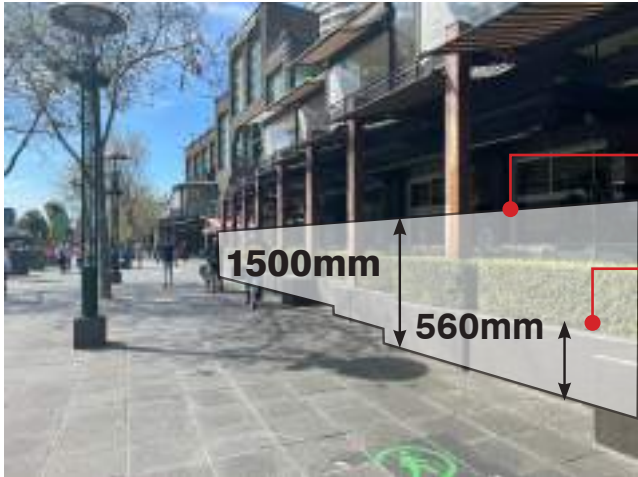


FIGURE 37

Diagram showing broader context of existing and proposed active edges and frontages along Southbank Promenade.

Photos describe potential impact to edges following proposed flood level overlay (Amendment C384).

- +0.00 AHD LEVELS
- RAMP/DDA ACCESS
- EXISTING GROUND LEVEL LANEWAY/RETAIL/OFFICE TENANCY ACCESS POINTS
- PROPOSED SOUTHBANK REDEVELOPMENT GROUND LEVEL ACCESS POINTS

4.0

CONCLUSION

CONCLUSION

The subject site has a 160m of public interface along the Yarra River promenade.

The raising of the flood level to 3.44m AHD plus 600mm freeboard has a significant impact across the approved Southgate Redevelopment proposal.

Good design is defined within the draft ‘Good Design Guide’ reference document as places that are people-centred, activated, equitable and resilient. The increased 2100 1% AEP Climate Change Flood Level compromises the project’s ability to achieve this as well as its master planning key design principles in the creation of better engagement with the promenade and site permeability.

Whilst the site is considered a large block which typically enables flood-protection strategies to be employed more effectively, existing built forms and inter-twining land ownerships within the site boundary curtails some areas from adopting recommended flood-protection strategies.

To meet the recommended Nominal Flood Protection Level (NFPL), level transitions along the subject site’s promenade boundary (public realm) will range between 1.14m - 1.55m.

These height transitions pose a significant challenge to street activation and universal accessibility requirements. These raised levels remove the ability to relate to the human scale along the promenade public realm which is a design response stipulated within the endorsed Incorporated Document.

As the development seeks to re-establish its precinct as Melbourne’s finest F&B, Arts and Tourist destination, the site’s unique position warrants further engagement and consultation with planning and floodplain management authorities who have the discretion to review the precinct freeboard.

The Southgate Redevelopment master planning process which begun in 2017 was concluded with the following statement which stands to date and highlights the importance of balancing activation and flood mitigation:

“The Southgate precinct is deserving of a revitalisation as it is in dire need of one.

To return vitality back to one of Melbourne’s fastest growing and most densely populated areas, we must re-imagine how the city interacts with the place where life converges along the river, to become once again a locally loved social hotspot and an enviable workplace.

To accomplish this vision, the project connects what currently is a fragmented network by creating multiple publicly accessible linkages. The creation of open green spaces will improve solar penetration into the precinct as well as enhancing its engagement with the river. This will address the existing circulation complexity and provide much needed green spaces along Southbank Promenade as well as the wider neighbourhood.

The proposal will energise the current dormant nature of the precinct by further activation, which will also provide a new address to the existing office towers.

The proposed permeability will reveal city and river sightlines and improve wayfinding. The new built form will respond to the existing surrounding buildings and will rationalise the existing grid.

5.0

APPENDIX



16 September 2022

Nicky Drobis
Director
Fender Karsalidis
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Southbank VIC 3006

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Dear Nicky

Amendment C384 to the Melbourne Planning Scheme
Application of the Land Subject to Inundation Overlay

1 Introduction

- 1.1 We act on behalf of ESR Real Estate (Australia) Pty Ltd (**ESR**), submitter 30 to Amendment C384 to the Melbourne Planning Scheme (**Amendment**) and is one of the owners of 3 Southgate Avenue, Southbank and 16-60 City Road, Southbank (**Southgate**).

1.2 The purpose of the Amendment is to “*implement updated flood modelling undertaken for local catchments within the City of Melbourne by introducing and applying new **schedules** to the Land Subject to Inundation Overlay (**LSIO**) and Special Building Overlay (**SBO**) and making other consequential changes to the Melbourne Planning Scheme*”.

1.3 On 7 October 2021, Melbourne City Council (**Council**) acting as the planning authority placed the Amendment on exhibition and sought feedback from stakeholders.

1.4 Specifically, the Amendment proposes the following changes:

Amendment	Proposed changes
Amendment C384 to the Melbourne Planning Scheme	<div><ul style="list-style-type: none">Amend the wording in Schedules 1 and 2 to the LSIO;Introduce a new Schedule 3 to the LSIO;Introduce new Schedules 1, 2 and 3 to the SBOIntroduce new background documents to the Schedule to Clause 72.08Amend the mapping associated with the LSIO and SBO.</div>

- 1.5 On 29 November 2021, ESR lodged a submission to Council outlining its position in relation to the Amendment.

1.6 On 2 August 2022, Council considered the submissions received and resolved to refer all submission onto a Planning Panel.

1.7 A Panel hearing is listed to commence on 17 October 2022 and run until 28 October 2022.
- 2 The Land**
- 2.1 ESR is part owner of the following properties which make up Southgate (approximately 2 hectares):

(a) 3 Southgate Avenue, Southbank; and

(b) 16-60 City Road, Southbank.



Figure 1 - Aerial image

- 2.2 Currently the Land:

(a) is within the Capital City Zone - Schedule 3 (Southbank); and

(b) is subject to the following overlays:

(i) Design and Development Overlay (partially):

(A) Schedule 1 (Urban Design in Central Melbourne);

(B) Schedule 10 (General Development Area- Built Form); and

(C) Schedule 60 (Special Character Areas- Built Form (Southbank));

- (ii) Parking Overlay (Schedule 1: Capital City Zone - Outside the Retail Core);
- (iii) Specific Controls Overlay (Schedule 25 - Southgate Redevelopment Project). This provides site specific approval to the redevelopment proposal and exempts the land from the application of other planning controls.



Figure 2 - Zoning map

3 Amendment C384

- 3.1 Council has partnered with Melbourne Water to update flood mapping for areas experiencing increased growth and urban development. The new modelling used to arrive at new LSIO and SBO boundaries incorporates climate change factors, such as increased rainfall intensity and sea level rise, that are predicted to influence inundation.
- 3.2 Specifically, the Amendment seeks to update flood mapping (SBOs and LSIOs) to reflect new flood modelling that incorporates Australian Rainfall and Runoff 2019 standards for climate change:
 - (a) an 18.5% increase in rainfall intensity by 2100;
 - (b) for Moonee Ponds Creek and the Lower Yarra River, a boundary condition inclusive of a starting water surface level of a 10% Annual Exceedance Probability (AEP) tidal level plus a 0.8 metre sea level rise in 2100.
- 3.3 In relation to Southgate, based on the new modelling, the Amendment proposes to include part of the land within the new LSIO - Schedule 3 (Moonee Ponds Creek and Lower Yarra River Waterways):

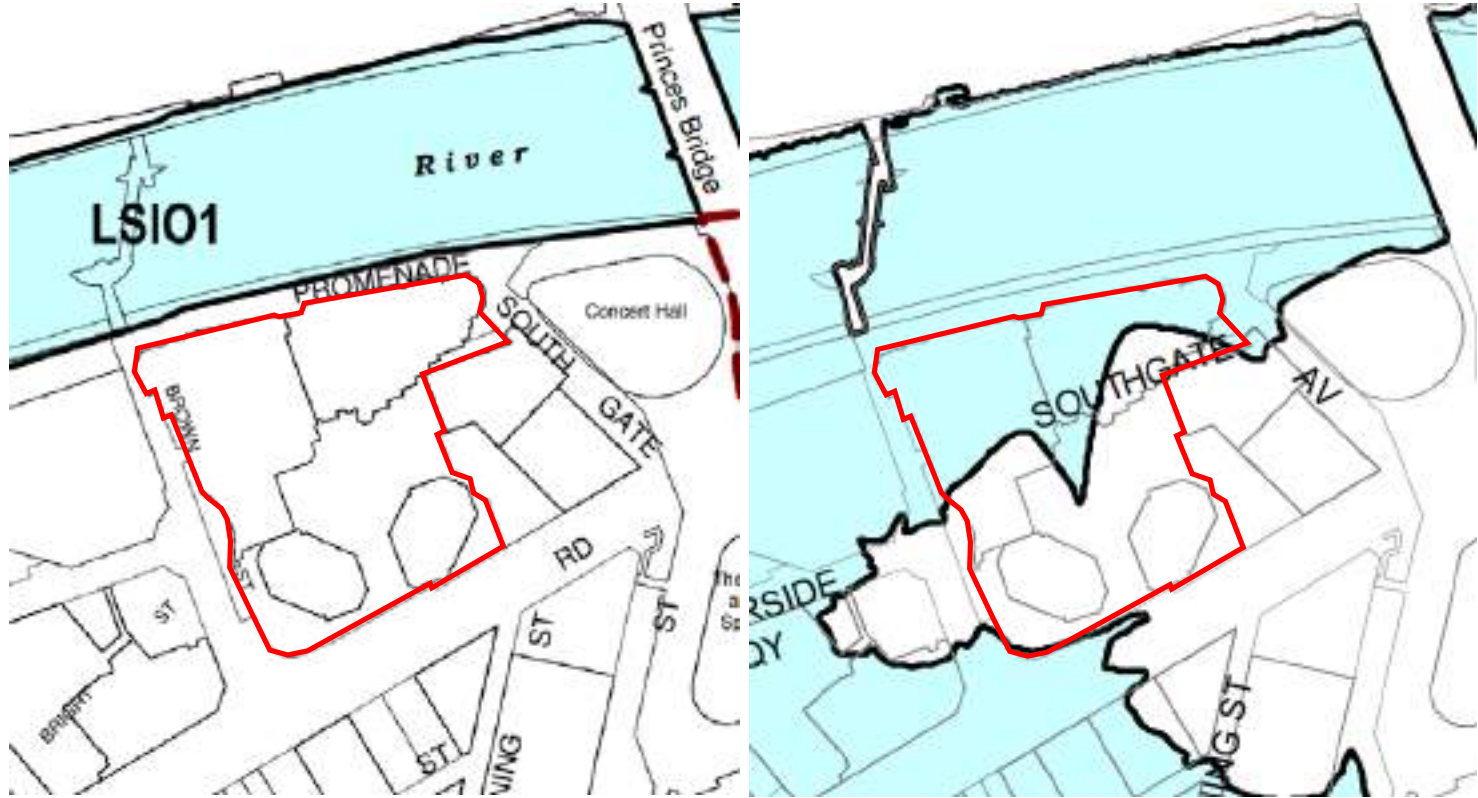


Figure 3 - Current extent of LSIO

Figure 4 - Proposed LSIO extent under C384

- 3.4 A new Schedule 3 (Moonee Ponds Creek and Lower Yarra River Waterways) to the LSIO (LSIO3) is to apply to Southgate. The objectives of LSIO3 are to:
 - (a) identify land in areas that may be inundated by the combined effects of the 1% Annual Exceedance Probability (AEP) flood event incorporating an 18.5% increase in rainfall intensity due to climate change by the year 2100;
 - (b) protect life, property, public health, assets and the environment from flood hazard;
 - (c) minimise the impact of development on flood extent, depth and the flow velocity;
 - (d) ensure new development is suitably designed to be compatible with local drainage characteristics and identified flood hazard; and
 - (e) ensure development simultaneously achieves safe access and egress, good urban design and equitable access.
- 3.5 The Amendment is supported by a number of background and technical reports, which are proposed to form part of the Schedule to Clause 72.08, including:
 - (a) Technical Report 01: *Australian Rainfall Runoff Sensitivity Analysis* (Engeny Water Management dated 22 July 2020)
 - (b) Technical Report 02: *Southbank Flood Modelling Update and Climate Change Scenarios* (Water Modelling Solutions dated 21 April 2020)
 - (c) Technical Report 03: *Southbank Stormwater Infrastructure Assessment: Final Report* (BMT WBM dated August 2015)
 - (d) Technical Report 04: *Elizabeth Street Melbourne Flood Modelling Report (Water Technology, dated August 2017) including the Memorandums dated 9 April 2020 and 13 February 2020*

- (e) Technical Report 05: *Arden Macaulay Precinct & Moonee Ponds Creek Flood Modelling* (Engeny Water Management dated August 2020)
- (f) Technical Report 06: *Lower Yarra River Flood Mapping* (GHD dated 24 September 2020)
- (g) Technical Report 07: *Hobsons Road Catchment Flood Mapping Update (Venant Solutions dated 17 June 2020) including the review response dated 22 April 2020*
- (h) Technical Report 08: *Fishermans Bend Flood Mapping* (GHD dated November 2020)
- (i) Technical Report 09: *Overlay Delineation Report* (Engeny Water Management dated 27 October 2020)
- (j) *Planning for Sea Level Rise Guidelines* (Melbourne Water. February 2017)
- (k) Guidelines for Development in Flood Affected Areas (Department of Environment, Land, Water and Planning, 2019)
- (l) *Good Design Guide for Buildings in Flood Affected Areas in Fishermans Bend, Arden and Macaulay* (City of Melbourne, Melbourne Water and City of Port Phillip, 2021).

4 Southgate’s planning background

- 4.1 On 24 December 2021, the Minister for Planning approved and gazetted Amendment C390 to the Melbourne Planning Scheme which introduced the Specific Controls Overlay to facilitate the Southgate Redevelopment Project (**Project**) by introducing an incorporated document titled ‘*Southgate Redevelopment Project – 3 Southgate Avenue, Southbank – September 2021*’ (**Incorporated Document**).
- 4.2 Prior to the approval and gazettal of Amendment C390, the Minister for Planning sought advice from Melbourne Water in relation to flooding. On 14 August 2020, Melbourne Water advised in an email to Michael Cawood (project engineer) that:
- (a) “*The applicable adjacent flood level associated with the Yarra River for a storm event with a 1% chance of occurrence in any given year is 2.0 metres to Australian Height Datum (AHD).*”
 - (b) *Southgate will be affected by a rise of 0.8 metres in the mean sea level of Port Phillip Bay by 2100 and therefore this property will be affected by flooding from the Bay in the future.*
 - (c) *Historically, Melbourne Water has adopted a 1 in 100 year flood level of 1.6 metres to AHD for Port Phillip Bay. A future sea level rise of not less than 0.8 metres by 2100 will translate to a level for Port Phillip Bay of 2.4 metres to AHD.”*
 - (d) Southgate’s architectural drawings should address the following:
 - (i) “*the finished floor levels of the new sections of the building, including lift lobbies and entrances to the basement, should be set no lower than 3.0 metres to AHD, to provide 600mm of flood protection above the applicable 2100 year flood level of 2.4 metres to AHD associated with coastal inundation;*

- (ii) *concessions to the finished floor levels of the retail, storage & transitions areas down to 2.6 metres to AHD can be considered, where the natural surface levels of the property and design constraints associated with the existing building limit the ability to achieve a finished floor level of 3.0 metres to AHD. This level provides a minimum 600mm flood protection from the adjacent Yarra River flood level.*
- (iii) *where protection to the retail areas at 2.76 metres to AHD is provided through existing floor levels, it is recommended that these levels are not further reduced.*
- (iv) *The finished floor levels of areas containing electrical fittings e.g. substations, gas meters, fire controls etc. should be set no lower than 3.0 metres to AHD, unless otherwise accepted by the relevant utility authorities/service providers in relation to the risk of flood damage.”*

4.3 The Incorporated Document provides that:

“The use and development of the land must be in accordance with the detailed development plans endorsed under the conditions of the Incorporated Document and must be generally in accordance with the ‘Incorporated Plans’ prepared by Fender Katsalidis Architects, titled ‘Massing and Development Envelope Plans’ and dated 28 January 2021”

4.4 The Massing and Development Envelope Plans show finished floor levels at approximately RL 3m, in accordance with Melbourne Water’s advice. On that basis, the Minister for Planning approved and gazetted Amendment C390.

4.5 In order to commence works, the Project must comply with a number of conditions under the Incorporated Document. Condition 2(e) of the Incorporated Document provides that detailed development plans must provide:

“Design details at 1:50 scale (or as otherwise agreed with the Minister for Planning) of the lower podium levels including the interfaces to the public open space to demonstrate careful consideration of the building canopies, entries, active frontages, and services. Drawings should demonstrate finished material and detail that respond to the human scale and the function and character of the threshold from private to public land. Any level changes to the ground floor interface resulting from Melbourne Water requirements should have regard to balancing activation and flood mitigation.” [our emphasis]

4.6 On 7 December 2021, Melbourne Water advised that the applicable flood level for Southgate under the Amendment C384 modelling was 3.44m. Given that Southgate is in a riverine environment, a freeboard allowance of 600mm would also be required meaning finished floor levels for the Project would need to be raised to 4.06m to satisfy Melbourne Water.

4.7 We understand that Southgate has yet to submit detailed development plans under the Incorporated Document to the Minister for Planning for her consideration.

5 Panel hearing

5.1 Keys dates for the Panel hearing are as follows:

- (a) by 3 October – Council and Melbourne Water to circulate Part A Submission and expert evidence;
- (b) by 6 October – Submitter parties to circulate expert evidence;
- (c) by 11 October – Council and Melbourne Water to circulate Part B Submission;
- (d) on 17 October – Hearing commences;
- (e) by 12pm on 21 October – ESR to circulate its written submission and, if required, expert witness slides and responses to ‘like’ evidence; and
- (f) on 24 and 28 October - ESR is listed to present its evidence and submissions.

6 Counsel and experts

- 6.1 Tiphanie Acreman of counsel has been engaged to appear on behalf of ESR at the Panel hearing.
- 6.2 In addition to your architecture/urban design evidence, ESR is likely to call expert witnesses in relation to hydrology/flooding and planning.

7 Your instructions

7.1 Our client has instructed us to engage you to undertake the following work:

- (a) review all materials enclosed in your brief;
- (b) prepare an expert witness statement addressing architecture/urban design matters for the purpose of the Panel hearing. In addition to any matters that you consider relevant, your witness statement should address:
 - (i) the architectural and urban design impacts of Melbourne Water adopting a 3.44m applicable flood level, with 600mm of freeboard, for Southgate having regard to the design plans referenced in the Incorporated Document (Master Planning & Urban Context Report prepared by Fender Katsalidis dated April 2020 and Massing & Development Envelope Plans prepared by Fender Katsilidis dated 28 January 2021) which approves redevelopment of the Southgate complex;
 - (ii) whether an amended design scheme that is compliant with Melbourne Water’s requirements will result in an acceptable outcome from an architectural and urban design perspective; and
 - (iii) whether the LSIO3 is drafted appropriately and includes all matters you consider relevant in the Decision Guidelines from an urban design perspective.
- (c) if instructed, advise on the merits and technical issues raised in any opposing expert architecture/urban design or planning evidence; and

- (d) appear at the Panel hearing to present your evidence in relation to architecture/urban design matters.

7.2 Please provide your fee proposal to this office, addressed to:

Duncan Scott
Project Director
Duncan.Scott@esr.com

7.3 Your expert witness report should be prepared in accordance with the *Planning Panels Victoria Guide to Expert Evidence*.

7.4 Please note that your evidence is due to be filed and served **on 6 October 2022**. As such, we would appreciate a draft of your witness statement **by 29 September 2022**.

7.5 Please advise us as soon as possible as to whether you require any further information in relation to the Amendment and its supporting documents.

8 Confidentiality

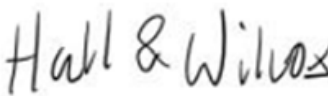
- 8.1 This letter and enclosed documents and all future communications between us and between you are confidential (**Confidential Information**), and are subject to a claim for privilege and must not be disclosed without our consent or the consent of our client.
- 8.2 The duty of confidentiality will continue beyond the conclusion of your instructions.
- 8.3 If you are obliged by law to disclose Confidential Information, it is not a breach of this engagement if you first give written notice to us of that obligation, if you can do so without breach of any law.
- 8.4 You must return all documents and other media, including copies, which contain Confidential Information to us. You must delete all electronically stored material immediately when requested to do so by us.
- 8.5 You must take all steps necessary to maintain Confidential Information and notes in strictest confidence.

9 Change of opinion

- 9.1 If for some reason, you change your opinion after delivering your report, please advise us as soon as possible. If that change is material, a supplementary report will need to be prepared, which explains the reasons for the change in your opinion.

Please contact Meg Lee on (03) 9603 3312 or Jamie Truong on (03) 9603 3427 should you have any queries.

Yours faithfully



Hall & Wilcox

Encl.

Index

Volume 1 - Documents regarding the Land

No	Document	Date
1	Planning Property Reports	-
2	Planning Scheme Controls and Extracts	-
3	Title search information	-

Volume 2 - Amendment C384 documents

No	Document	Date
4	Authorisation documents: <div>a. Council officer report, including attachments</div> <div>b. Letter from DELWP authorising amendment</div>	3 August 2021 18 August 2021
5	Exhibited ordinances and maps: <div>a. Explanatory Report</div> <div>b. Instruction Sheet</div> <div>c. Clause 44.04 (Land Subject to Inundation Overlay - Schedule 1)</div> <div>d. Clause 44.04 (Land Subject to Inundation Overlay - Schedule 2)</div> <div>e. Clause 44.04 (Land Subject to Inundation Overlay - Schedule 3)</div> <div>f. Clause 44.05 (Special Building Overlay - Schedule 1)</div> <div>g. Clause 44.05 (Special Building Overlay - Schedule 2)</div> <div>h. Clause 44.05 (Special Building Overlay - Schedule 3)</div> <div>i. Clause 72.08 Schedule</div> <div>j. Overlay maps</div>	October 2021
6	Exhibited background reports: <div>a. Technical Report 01: <i>Australian Rainfall Runoff Sensitivity Analysis</i> (Engeny Water Management)</div> <div>b. Technical Report 02: <i>Southbank Flood Modelling Update and Climate Change Scenarios</i> (Water Modelling Solutions)</div> <div>c. Technical Report 03: <i>Southbank Stormwater Infrastructure Assessment: Final Report</i> (BMT WBM)</div> <div>d. Technical Report 04: <i>Elizabeth Street Melbourne Flood Modelling Report</i> (Water Technology, dated August 2017) including the Memorandums</div> <div>e. Technical Report 05: <i>Arden Macaulay Precinct & Moonee Ponds Creek Flood Modelling</i> (Engeny Water Management)</div> <div>f. Technical Report 06: <i>Lower Yarra River Flood Mapping</i> (GHD)</div> <div>g. Technical Report 07: <i>Hobsons Road Catchment Flood Mapping Update</i> (Venant Solutions) including the review response</div>	22 July 2020 21 April 2020 August 2015 9 April 2020 and 13 February 2020 August 2020 24 September 2020 17 June 2020 and 22 April 2020

No	Document	Date
	h. Technical Report 08: <i>Fishermans Bend Flood Mapping</i> (GHD)	November 2020
	i. Technical Report 09: <i>Overlay Delineation Report</i> (Engeny Water Management)	27 October 2020
	j. <i>Planning for Sea Level Rise Guidelines</i> (Melbourne Water)	February 2017
	k. <i>Guidelines for Development in Flood Affected Areas</i> (Department of Environment, Land, Water and Planning)	2019
	l. <i>Good Design Guide for Buildings in Flood Affected Areas in Fishermans Bend, Arden and Macaulay</i> (City of Melbourne, Melbourne Water and City of Port Phillip)	2021

Volume 3 - Southgate approvals documents

No	Document	Date
7	Amendment C390 documents: <div>a. Explanatory report;</div> <div>b. <i>Southgate Redevelopment Project – 3 Southgate Avenue, Southbank – September 2021</i></div> <div>c. Minister’s reasons for intervention</div>	December 2021 September 2021 21 November 2021
8	Letter from Melbourne Water regarding applicable flood levels	14 August 2020
9	Email from Melbourne Water regarding applicable flood levels	7 December 2021
10	Design plans referenced in the Incorporated Document: <div>a. Master Planning & Urban Context Report by Fender Katsalidis</div> <div>b. Massing & Development Envelope Plans prepared by Fender Katsilidis</div>	April 2020 28 January 2021

Volume 4 - Submissions to Council and referral of submissions

No	Document	Date
11	ESR’s submission	29 November 2021
12	Council’s consideration of submissions: <div>a. Officer report and attachments</div> <div>b. Council meeting minutes</div>	2 August 2022

Volume 5 - Panel documents

No	Document	Date
13	Letter from PPV giving notice of directions hearing	12 August 2022
14	Panel directions and hearing timetable (v1)	6 September 2022

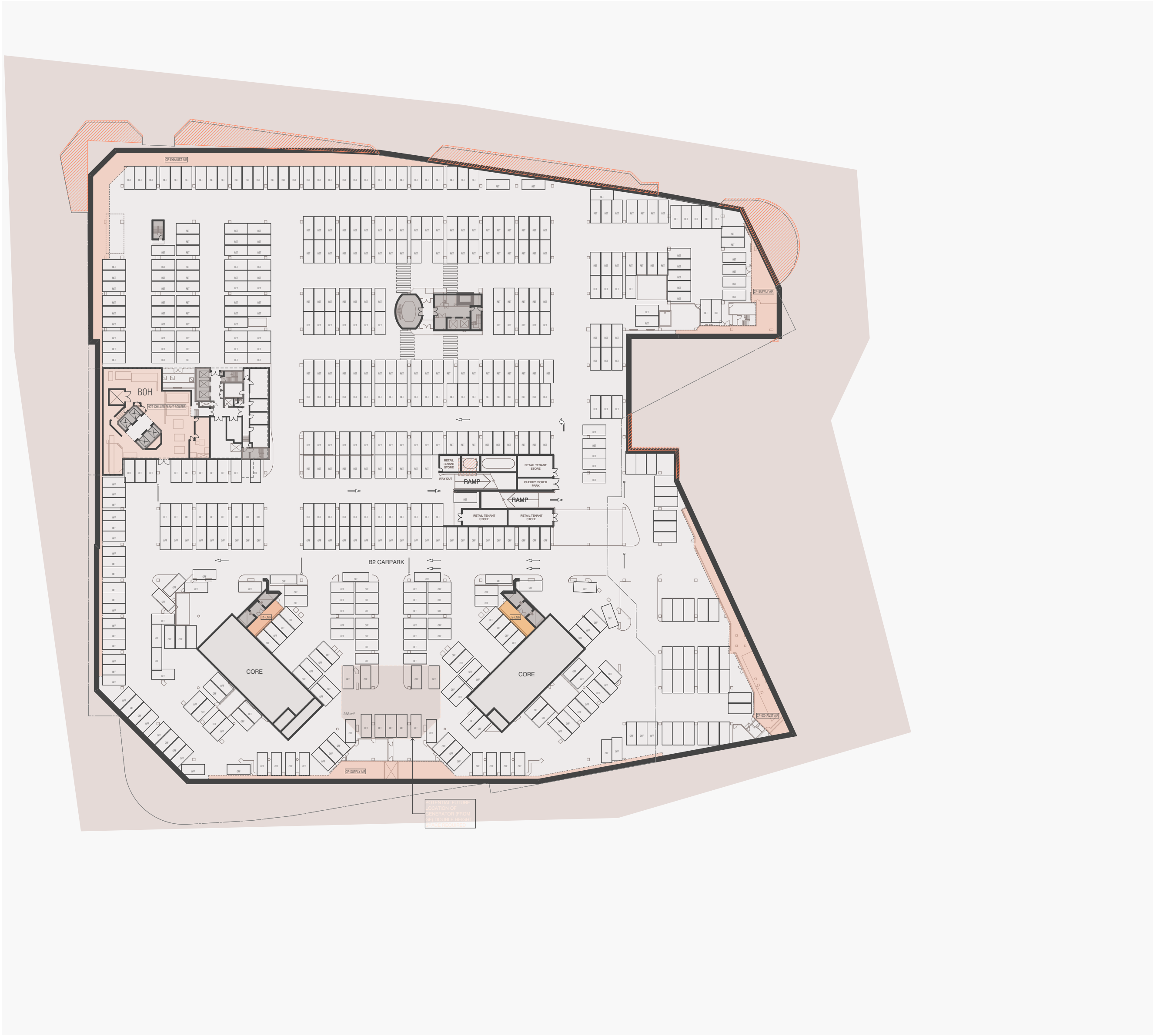
No	Document	Date
15	Panel hearing timetable (v2)	14 September 2022

Volume 6 - Other strategic documents

No	Document	Date
16	Background/strategy documents provided by Council: a. Health and Wellbeing Action Plan 2021 b. Asset Plan 2021-31 c. Built Environment Climate Change Adaptation Action Plan 2022 – 2026 d. The Climate Change Adaptation Strategy Refresh (2017) e. Climate Change Mitigation Strategy (2018) f. Docklands Waterways Strategic Plan (2009-2018) g. Elizabeth Street Catchment Integrated Water Cycle Management Plan h. Local Government Climate Change Adaptation Roles and Responsibilities under Victorian Legislation (2020) i. Maribyrnong Waterfront (2020) j. Melbourne Flood Management Plan (2018) k. Moonee Ponds Creek Strategic Opportunities Plan (2019) l. Municipal Integrated Water Management Plan (2017) m. Planning Practice Note 12 – Applying the Flood Provisions in Planning Schemes, June 2015 n. Review of the 2021-2011 Flood Warnings and Response o. Yarra River – Birrarung Strategy (2019)	5 September 2022

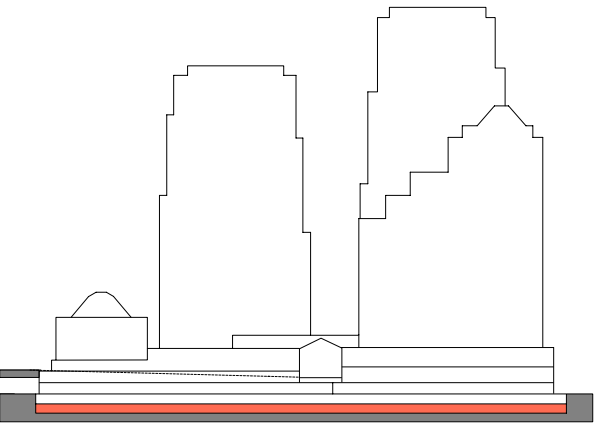
5.2 EXISTING SOUTHGATE BUILDING PLANS & EASEMENT OVERLAYS

EXISTING PLANS - BASEMENT 2

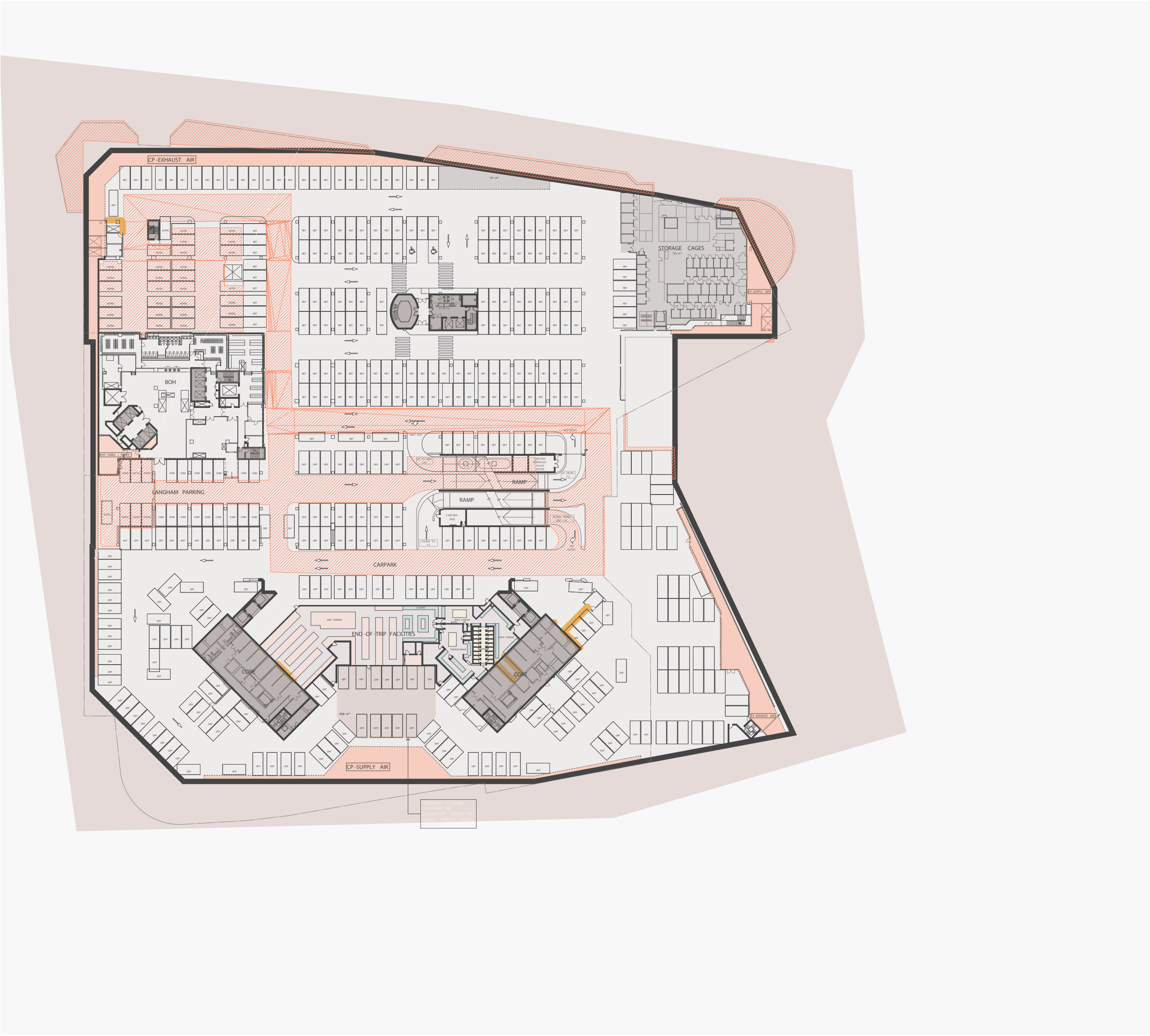


- Location of Services
- Site
 - Carpark
 - Hotel
 - Retail
 - Tower 1 (IBM-W)
 - Tower 2 (HWT-E)
 - Existing Site Easements

Connection to Arts Precinct
Southgate Promenade

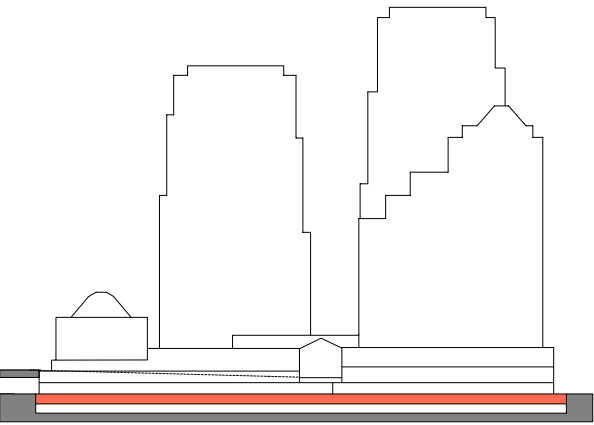


EXISTING PLANS - BASEMENT 1

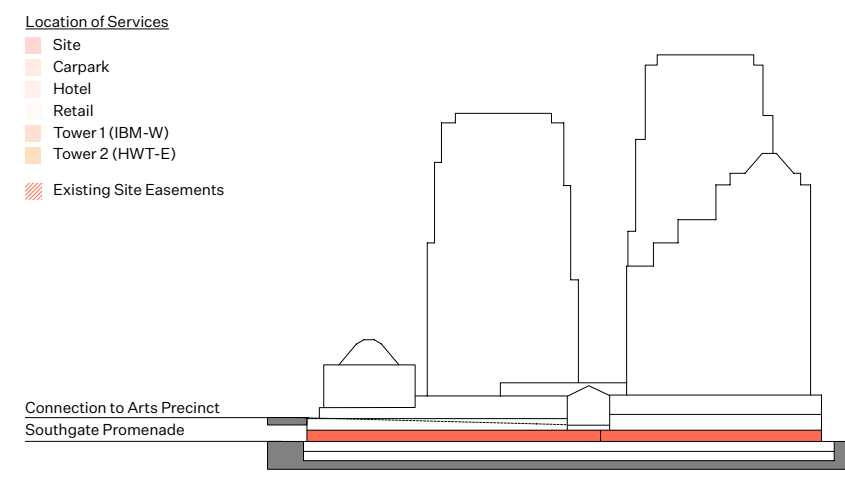
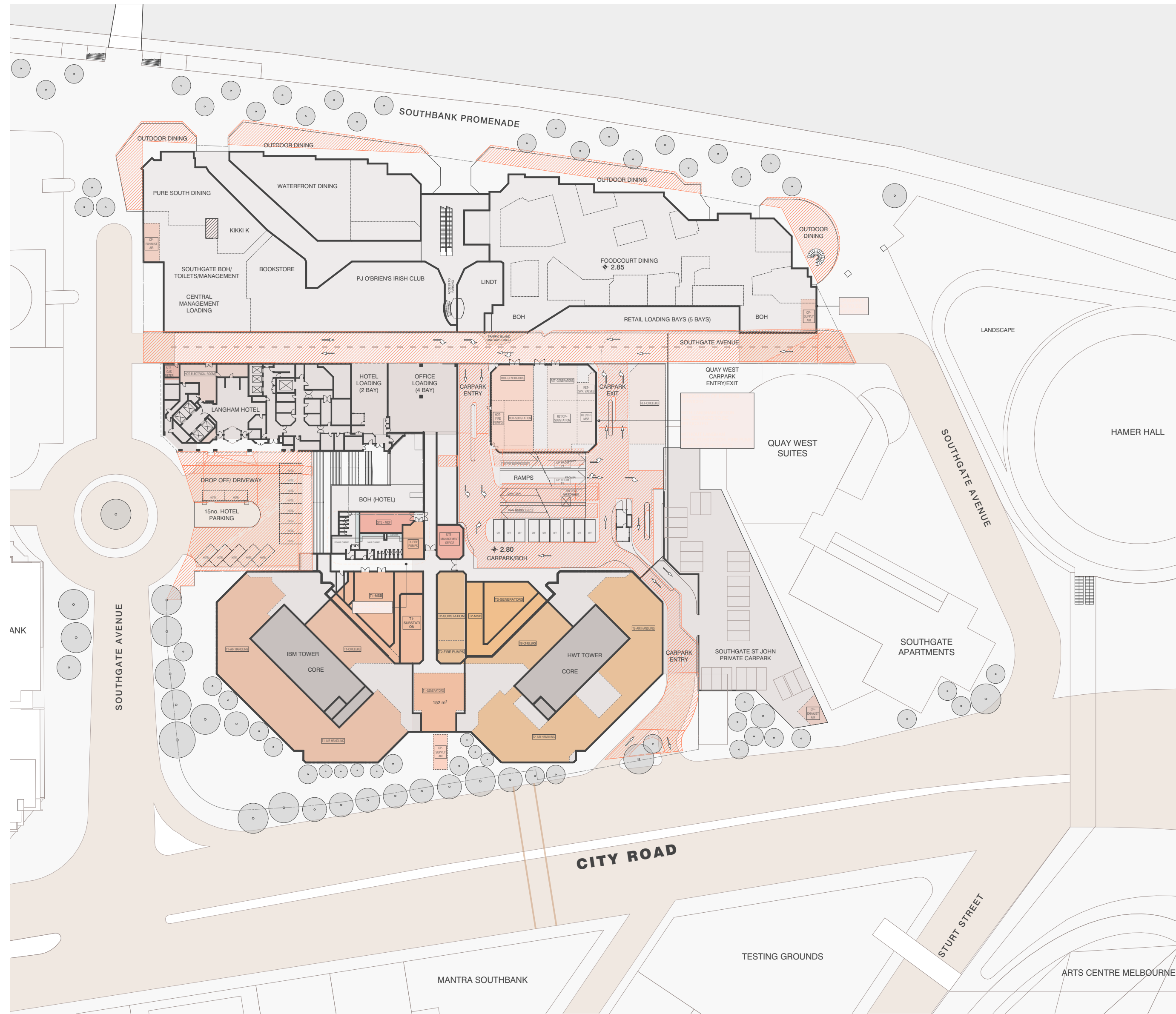


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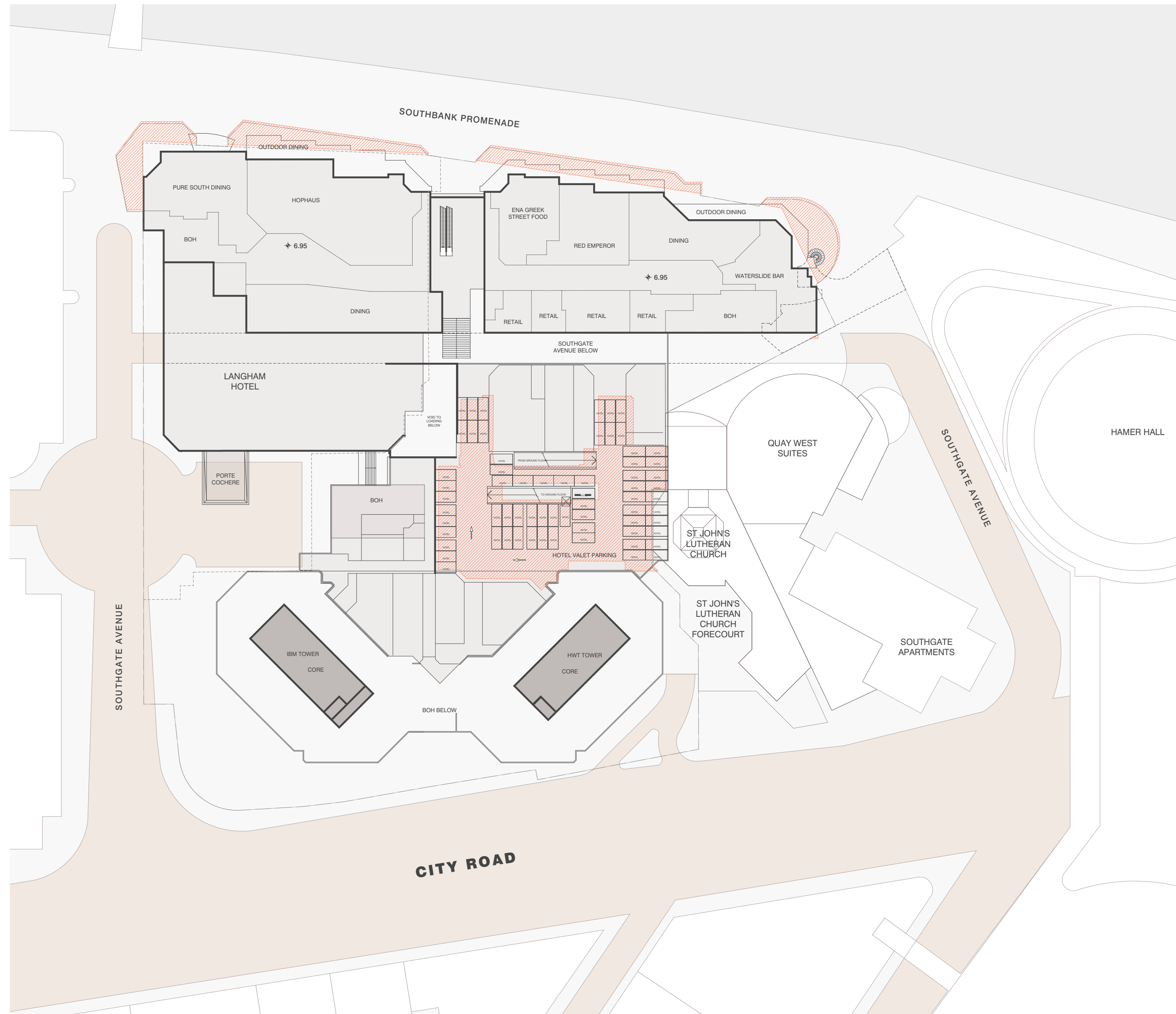
Connection to Arts Precinct
Southgate Promenade



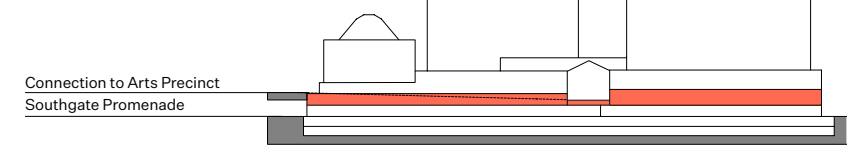
EXISTING PLANS - GROUND FLOOR
SOUTHBANK PROMENADE



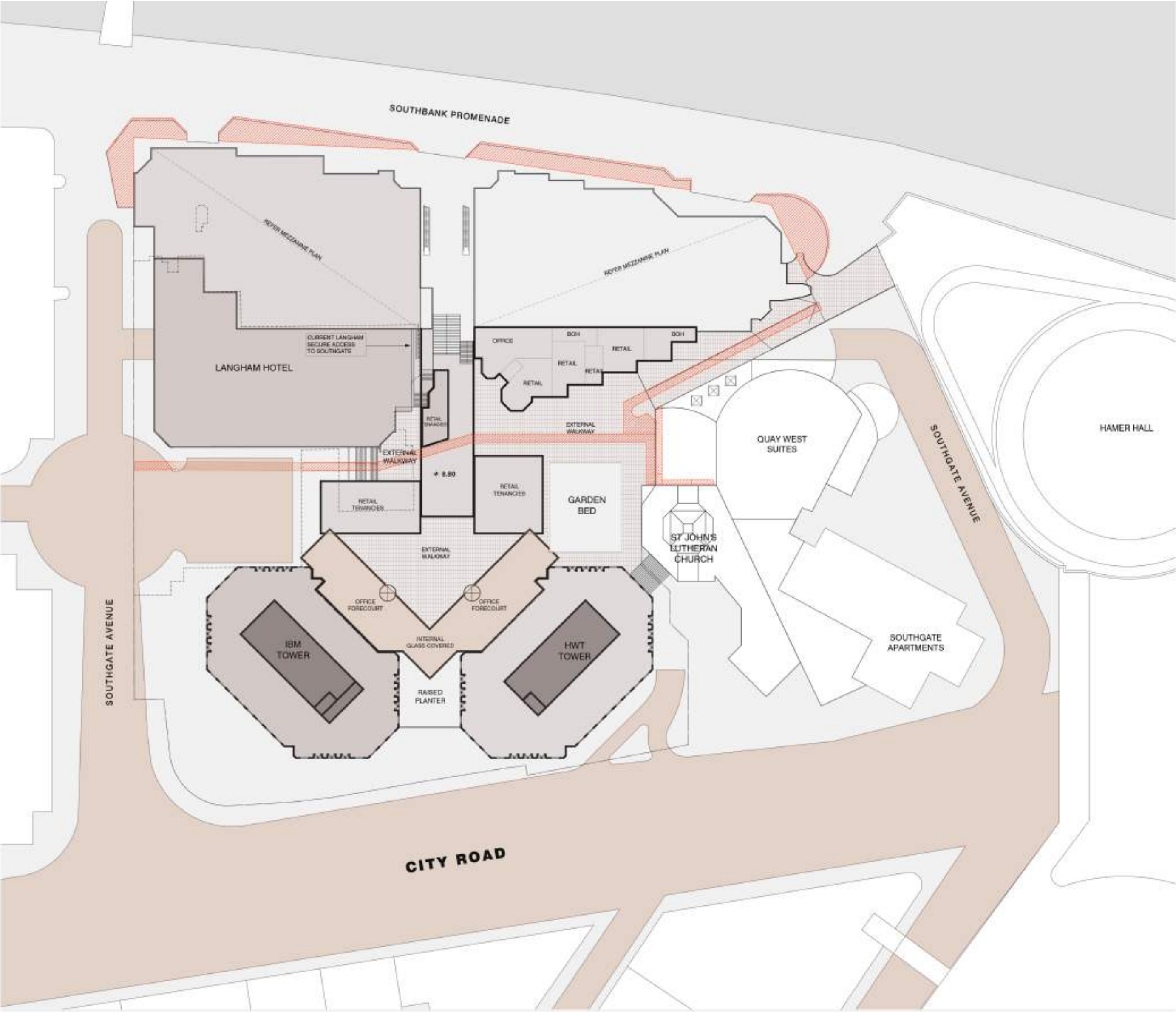
EXISTING PLANS - LEVEL 01 MID PODIUM / MEZZANINE



- Location of Services
- Site
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 - Hotel
 - Retail
 - Tower 1 (IBM-W)
 - Tower 2 (HWT-E)
 - Existing Site Easements

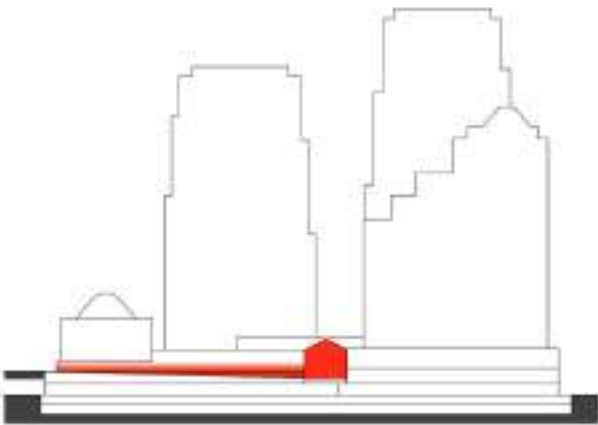


EXISTING PLANS - LEVEL 02 PODIUM LEVEL
IBM/HWT ENTRY

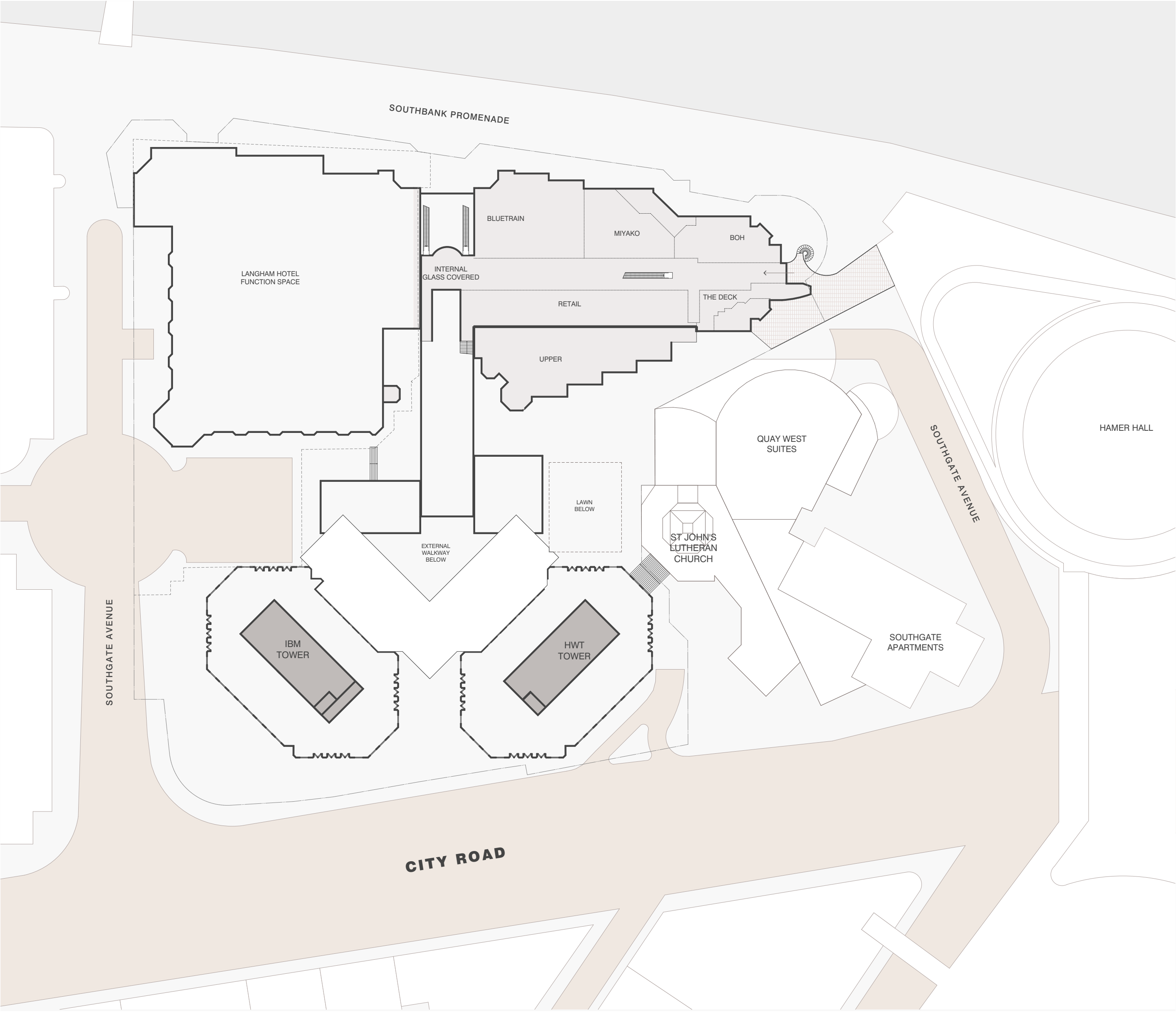


- Location of Services
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Southgate Promenade

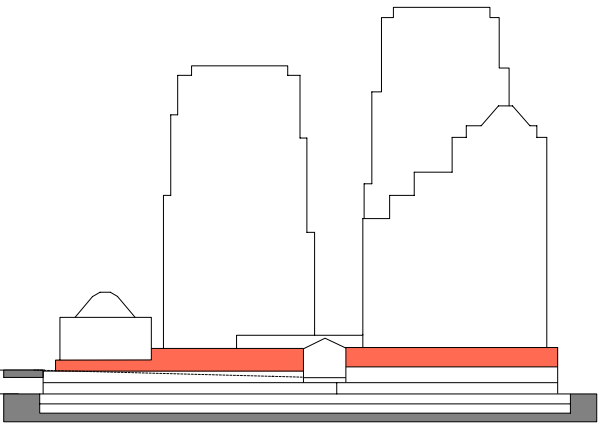


EXISTING PLANS - LEVEL 03 UPPER PODIUM
LEVEL ST KILDA RD

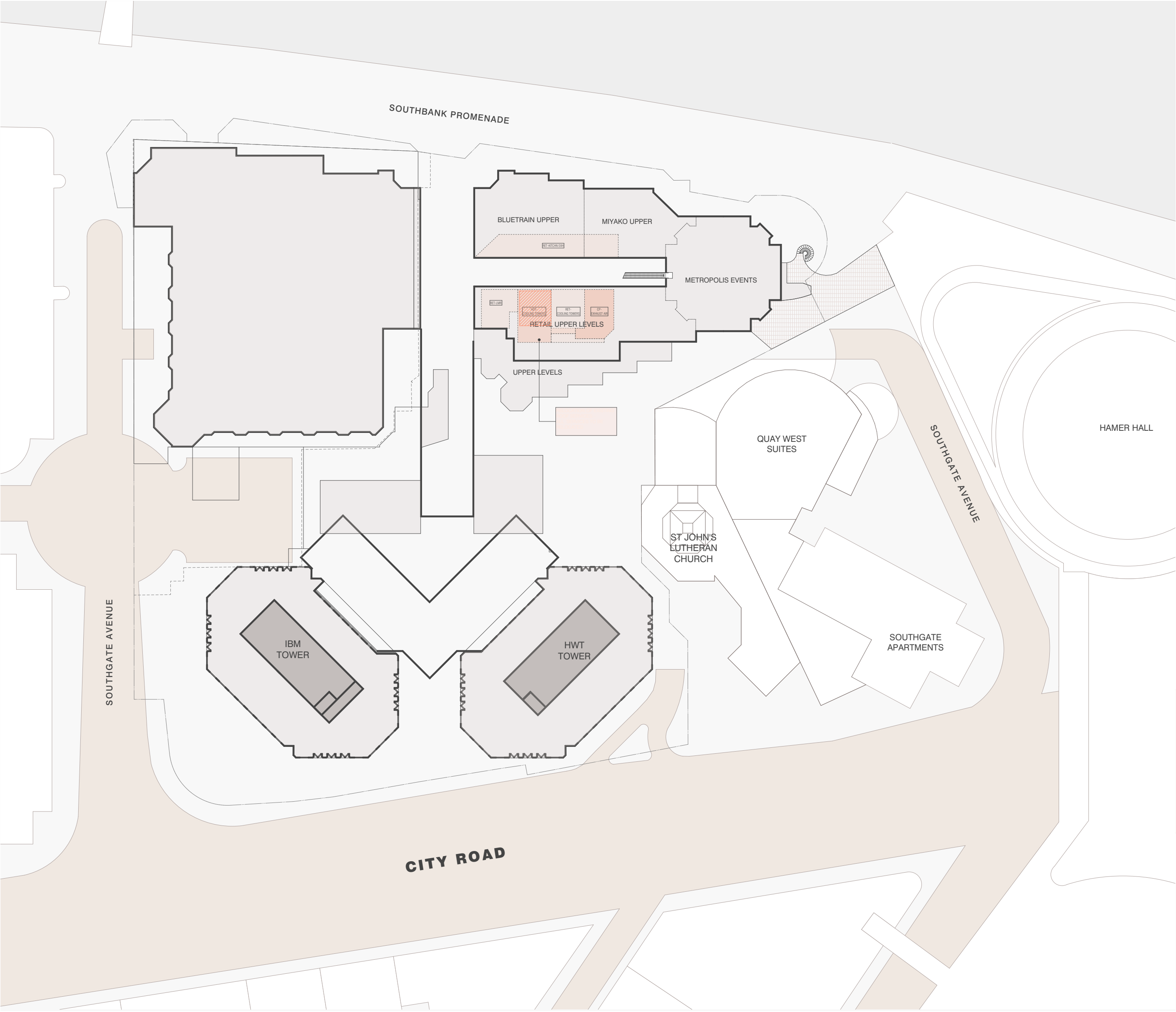


- Location of Services
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Connection to Arts Precinct
Southgate Promenade

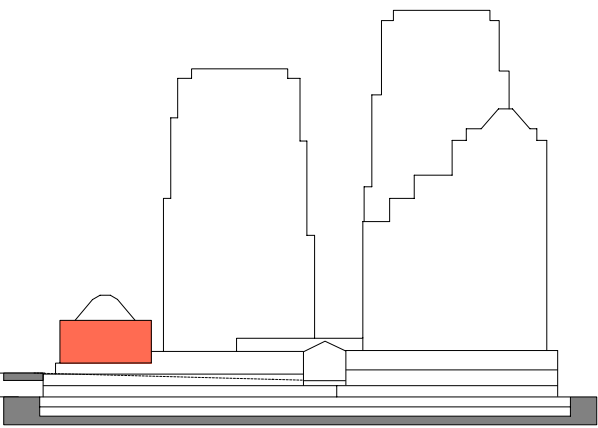


EXISTING PLANS - LEVEL 04 UPPER PODIUM

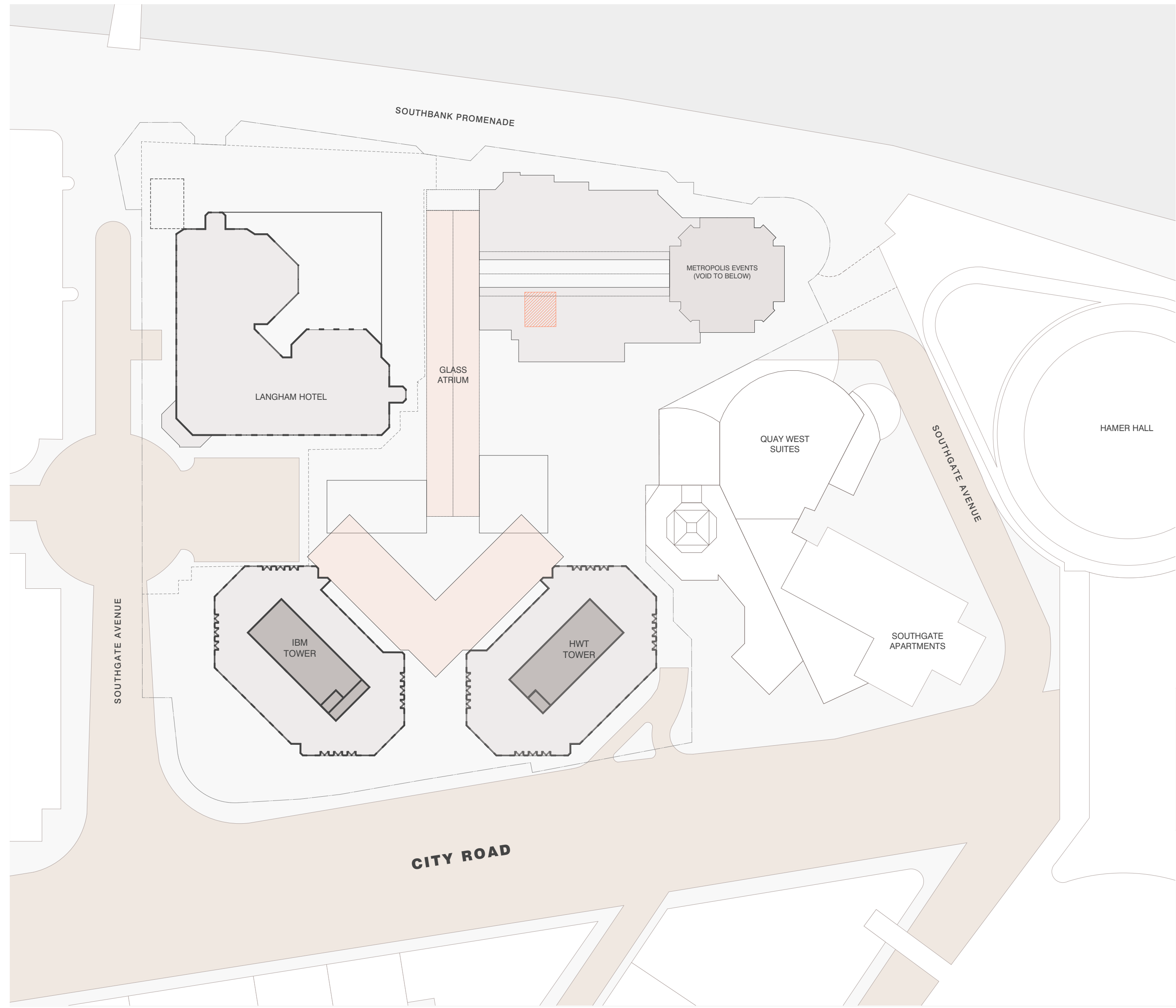


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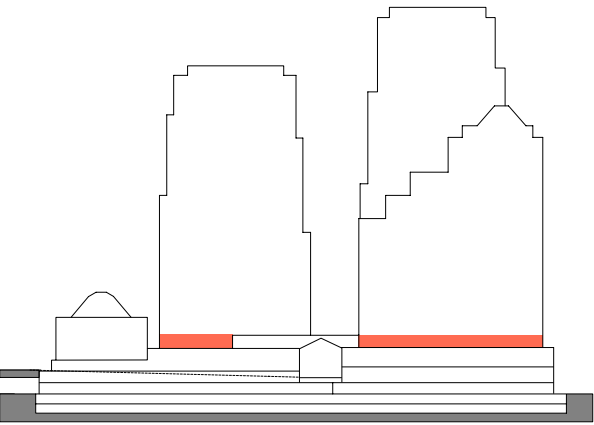


EXISTING PLANS - LEVEL 05 PODIUM ROOF

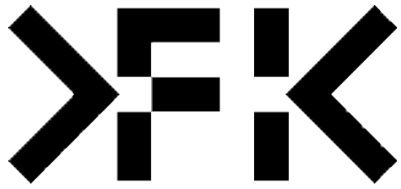


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Southgate Promenade



5.3 WITNESS DECLARATION



FENDER KATSALIDIS (AUST) PTY LTD
ACN 002 943 032

DATE _____

6/10/2022

Witness Statements for Master Planning & Urban Context Report

Nicky Drobis
Fender Katsalidis
2 Riverside Quay
Southbank VIC 3006

Qualifications and Professional Associations

Bachelor of Arts (Majoring in Architectural and Art History, Monash University 1993)
Bachelor of Architecture, RMIT University 2000

Professional Employment and Appointments

Director, Fender Katsalidis (Duration at FK: 20 years)

Area of Expertise

Extensive architectural and urban design advice to architects, designers and clients involved in medium and high-density residential, commercial, and hospitality projects.

Design lead and planning of complex master planning and urban design projects such as Southgate Redevelopment, Melbourne Quarter, Eastside Gibraltar and E-Gate Melbourne.

Experience in the preparation of master planning and urban context reports.

Preparation and presentation of evidence before VCAT, and various government appointed independent panels and advisory committees.

Expertise to prepare this report

Professional qualifications and experience in master planning and urban design including:

- Ongoing involvement in a range of residential, mixed use, commercial developments
- Experience in new community development projects.
- Involvement in cultural, urban character and visual impacts through leading massing design exercises
- Specialist experience in medium and large-scale development plans

This report is co-authored by Jessica Lee, a Principal at Fender Katsalidis with 18 years of practice experience. Jessica has been part of the Southgate Redevelopment design team and led the planning application process of the project since 2018

Investigations and research

In preparing this evidence I have:

- Reviewed briefing material provided by Hall and Wilcox
- Considered the architectural and urban design impacts of Melbourne Water adopting a 3.44m applicable flood level, with 600mm of freeboard against the approved Southgate Redevelopment planning proposal

Summary of opinions

My conclusions are summarised in the conclusion of this report.



Declaration

I have made all the inquiries that I believe are desirable and appropriate and no matters of significance which I regard as relevant have to my knowledge been withheld from the Panel

Furthermore, I confirm that I:

- will be alone in the room from which I am giving evidence and will not make or receive any communication with another person while giving my evidence except with the express leave of the Panel
- I will inform the Panel immediately should another person enter the room from which I am giving evidence
- during breaks in evidence, when under cross-examination, I will not discuss my evidence with any other person, except with the leave of the Panel
- I will not have before me any document, other than my expert witness statement and documents referred to therein, or any other document which the Panel expressly permits me to view.

LOCATIONS

Fender Katsalidis is based in Melbourne, Sydney and Brisbane.
We also have a sister office in London.

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