Independent insight.

28 March 2018

Ms Kate Morris  
Chair of Fishermans bend Planning Review Panel  
Planning Panels Victoria

Dear Kate,

Fishermans Bend Expert Witness Report Follow up

As requested by the Review Panel during the hearing I have provided:

- my full letter of instruction (attached), and
- A data table of employment forecasts for the CBD and other central city precincts as presented in Figure 5, 6 and 7 of my statement of evidence.

<table>
<thead>
<tr>
<th>TABLE 1: CENTRAL CITY PRECINCT EMPLOYMENT FORECASTS</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Total employment</strong></td>
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<tr>
<td><strong>Gross employment density (jobs per hectare)</strong></td>
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<tr>
<td><strong>2016</strong></td>
</tr>
<tr>
<td>Melbourne CBD</td>
</tr>
<tr>
<td>Docklands</td>
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<tr>
<td>Southbank</td>
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<tr>
<td>City North</td>
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<tr>
<td>North Melbourne</td>
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<tr>
<td>South East Melbourne</td>
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<tr>
<td>Carlton</td>
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<tr>
<td>East Melbourne</td>
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<td>Fitzroy</td>
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<td>Arden</td>
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<td>E-Gate</td>
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<td>Collingwood</td>
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<td>Parkville</td>
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<tr>
<td>South Melbourne</td>
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<tr>
<td>Port Melbourne</td>
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<tr>
<td>Dynon Rd</td>
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<tr>
<td>Melbourne Port (Core)</td>
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<tr>
<td>Melbourne Port (South)</td>
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<tr>
<td>FB: Montague</td>
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<tr>
<td>FB: Lorimer</td>
</tr>
<tr>
<td>FB: Sandridge</td>
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<tr>
<td>FB: Employment</td>
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<tr>
<td>FB: Wirraway</td>
</tr>
</tbody>
</table>

Source: SGS Economics and Planning

Please do not hesitate to contact me if you require further clarification.

Yours sincerely,

Julian Szafraniec  
Principal | Partner | Director  
SGS Economics & Planning Pty Ltd  
Mobile: 0412 880 409
Dear Julian

Fishermans Bend Planning Review Panel
Draft Planning Scheme Amendment GC81 (the Amendment)

We act for the Minister for Planning in this matter.

As you may know, the planning for Fishermans Bend has been led by the Fishermans Bend Taskforce (the Taskforce). The Taskforce comprises members from the Department of Environment Land Water and Planning (DELWP), Port Phillip and Melbourne City Councils and Development Victoria. The Taskforce is an administrative office within DELWP.

The draft Amendment has been prepared by the Taskforce to implement the Fishermans Bend Vision – The next chapter in Melbourne’s growth story, September 2016 by introducing new controls and policies into and amending existing policies in the Port Phillip and Melbourne Planning Schemes and introducing a new Fishermans Bend Framework, draft for consultation, 2017. The draft Amendment and Framework together with various background reports to the draft Framework may be viewed at: http://www.fishermansbend.vic.gov.au/.


The Minister has appointed an advisory committee known as the Fisherman’s Bend Planning Review Panel to consider the draft Amendment and all public submissions referred to it and to carry out a public hearing to provide an opportunity for anyone who requests to be heard to present their submission to the Panel. The Minister will be the planning authority for the Amendment, should it proceed.


The directions hearing was held on Wednesday 20 December 2017. The Panel directed the hearing be held in two stages:

- Stage 1 commences on 19 February 2018. In that first week, we are required to make submissions and call our evidence in full on behalf of the Minister for Planning. We will be followed by Melbourne City Council and Port Phillip City Council in week 2 commencing on 26 February.
- Stage 2 is expected to commence on 9 April 2018 and conclude on 2 May 2018. It will involve the affected property owners and other submitters.
presenting their cases. The Minister and municipal councils will have a right of reply and the opportunity to recall experts where appropriate.

See Panel's Directions letter. (PDF, 220.7 KB).

Instructions

We are instructed to brief you to:

1. Review this email letter and the documents to which it refers;
2. Advise whether you are willing and available to:
   a. Prepare an expert witness report for circulation on 12 February 2018. Your statement would need to:
      i. identify your role in preparing the Fishermans Bend Economic and Employment Study 2016 by SGS;
      ii. state whether you adopt the Fishermans Bend Economic and Employment Study 2016 by SGS, as your written expert evidence for the purposes of the:
         • explaining the broad economic context of Fishermans Bend; and
         • recommending economic and employment related policies which should be adopted to achieve the Vision for the area;
      iii. consider the appropriateness of the proposed Amendment having regard to your statement regarding (ii) above;
      iv. address the relevant submissions referred to you to the extent they address:
         • explaining the broad economic context of Fishermans Bend;
         • the economic and employment related policies which should be adopted to achieve the Vision for the area;
      v. identify all facts, matters and assumptions upon which your evidence report proceeds;
      vi. identify any documents and other materials you have been instructed to consider or take into account in preparing your evidence report, and the literature or other material used in preparing your evidence report;
      vii. contain a summary of your opinion or opinions;
      viii. include a statement identifying any opinions which are provisional (i.e. why such opinions have not been or cannot be fully researched); and
      ix. include a statement setting out:
         • any matters falling outside your expertise, and
         • why your report is incomplete or inaccurate in any respect.
      x. identify any changes you recommend to the draft Framework or Amendment in response to the submissions referred to you;
      xi. be prepared in accordance with the Guide to Expert Evidence by Planning Panels Victoria which may be found here: Guide to Expert Evidence (DOCX, 99.0 KB); and
   b. Present a summary of your evidence and response to submissions at the upcoming Planning Panel Review Hearing, noting we anticipate you will need to make yourself available on 19, 20 or 21 February 2018; and
3. Provide a fee proposal to:
   a. Review and provide your opinion on the economic impact (costs and benefits) of the draft Amendment and Framework and where relevant, any changes you recommend to the same;
   b. Review and advise on relevant submissions referred to you, lodged in response to the draft Amendment;
   c. If directed, prepare an expert witness report for the Planning Panel Review hearing;
   d. Review and advise on relevant expert witness reports on behalf of other parties; and
   e. Present your evidence at the Planning Panel Review hearing.

Your fee proposal should allow for up to three meetings at our offices (approximately 3 hours in total) and set out the details of any persons nominated to assist you in relation to the Project.

Your fees
We request you prepare a fee proposal for our client and send it by email c/- kmorris@ha.legal.

The fee proposal should include an overall fee, with inclusions and exclusions clearly stated, as well as an itemised breakdown. Hourly rates and any disbursements should be included.

You should not commence any substantive work on this matter until you have received our confirmation that your fee proposal has been approved.

The Taskforce will be responsible for your fees. We require that any tax invoices be addressed to the Taskforce and a copy emailed to us.

**Legal Professional Privilege**

We confirm that your professional opinion is sought in the context of us providing legal advice to the Minister. Consequently, your advice attracts legal professional privilege. The Minister is therefore not required to disclose any advice provided by you to any other party unless legal professional privilege is waived (by the Minister).

To ensure legal professional privilege is maintained, please keep your opinion/advice confidential.

We will notify you if legal professional privilege is waived in respect of your advice.

If you have any queries, please contact Kate Morris on 0414870447 or Allison Tansley on (03) 9611 0197.

Yours faithfully,

Kate Morris

HARWOOD ANDREWS