

AMENDMENT C243 TO THE HUME  
PLANNING SCHEME:

# SUNBURY SOUTH AND LANCEFIELD ROAD INFRASTRUCTURE CONTRIBUTIONS PLAN



## URBAN DESIGN - EXPERT WITNESS STATEMENT

23<sup>RD</sup> OCTOBER 2020

THIS REPORT HAS BEEN REQUESTED BY HARWOOD ANDREWS ON BEHALF  
OF HUME CITY COUNCIL AND ACCORDINGLY, IS SUBJECT TO LEGAL  
PROFESSIONAL PRIVILEGE.



**URBIS STAFF RESPONSIBLE FOR THIS REPORT WERE:**

Director	Peter Haack
Project Code	P0028334
Report Number	C243_Urbis_Panel Report



Approved by	Peter Haack
Position	Director
Date	23 <sup>rd</sup> October 2020

## TABLE OF CONTENTS

1.	Introduction .....	5
1.1.	Qualifications and experience.....	5
1.2.	Areas excluded from my evidence .....	6
1.3.	Summary of opinion.....	6
2.	Context .....	7
2.1.	Broader setting .....	7
2.2.	The area of interest.....	7
2.3.	Existing planning.....	7
3.	Opinions of the expert.....	12
3.1.	Landscape character and scenic quality .....	12
3.2.	Bridge aesthetics .....	13
4.	Conclusion .....	18

**Appendix A**      Response to Planning Panels Victoria - G2 Guide to Expert Evidence

**Appendix B**      My Instructions in this Matter

**Appendix C**      Bridge Design Options

**Appendix D**      Sunbury Leader Article





# 1. INTRODUCTION

## 1.1. QUALIFICATIONS AND EXPERIENCE

My name is Peter Graham Haack and I am a Landscape Architect and Urban Designer and a Director with Urbis Pty Ltd (Urbis), Level 10, 477 Collins Street, Melbourne. My qualifications and experience are set out in **Appendix A** of this report and summarised below.

I have over 30 years' experience on a diverse range of projects, locally, nationally and overseas. My experience includes landscape and visual impact assessment and planning and design of transport infrastructure.

My work has encompassed most aspects of landscape architecture and urban design and I have project directed and managed many transport related projects. A typical range of projects includes:

- Road – urban, peri-urban and rural areas;
- Passenger rail;
- Freight rail;
- Light rail;
- Business cases;
- Landscape and visual impact assessment;
- Design guidelines;
- Reference designs;
- Concept design;
- Design documentation and delivery; and
- General advice on urban design and landscape issues.

In this matter, I act on behalf of Hume City Council.

The Amendment proposes to amend the Hume Planning Scheme to delete the existing interim Sunbury South and Lancefield Road Infrastructure Contributions Plan, November 2019 (Interim ICP) and incorporate a new Sunbury South and Lancefield Road Infrastructure Contributions Plan, April 2020 (ICP).

The Amendment also proposes to apply the Public Acquisition Overlay (PAO) over the land required to deliver Yirrangana Road and remove of the existing PAO which was aligned with Viaduct Way.

The key aspects of the amendment that are of concern to my client include the following:

- Impacts on the scenic and landscape quality of the Jacksons Creek valley by the proposed northern crossing bridge; and
- The aesthetic quality of the proposed bridge design options and their appropriateness within the context of a landscape of scenic quality.

As a preliminary matter, I was instructed to review the briefing material provided, the subject of the Amendment (refer to **Appendix B**). I was then directed to provide analysis and opinions in respect of the following matters:

*i. assess the landscape values at the location of Project ID LR-BR-01, being the bridge at the northern crossing of Jacksons Creek;*

*ii. assess the proposed bridge design for LR-BR-01 described as 'Option 2' at page 12 of the GHD Report and Appendix D (tabs 10 and 14 of your brief) and advise whether that design is acceptable;*

*iii. assess the alternative proposed bridge design for LR-BR-01 described as 'Option 1' at page 12 of the GHD Report and Appendix D (tabs 10 and 14 of your brief) and advise whether that design is acceptable;*

*iv. advise whether there is a material difference (having regard to your expertise) in the two alternative bridge designs (Option 1 and Option 2) for LR-BR-01; and*

*v. advise which bridge design for LR-BR-01 is the preferred design, having regard to landscape values, and provide evidence of the same.*

In undertaking my expert report, I have undertaken a desktop analysis of the site and surrounding areas and have considered the following documents:

- Sunbury South and Lancefield Road Infrastructure Contributions Plan (April 2020).
- Lancefield Road Precinct Structure Plan (2018 – Amended 2019).
- Sunbury Sth and Lancefield Rd ICP – Design and Costings (2019).
- Bridge Aesthetics - Design Guideline to Improve the Appearance of Bridges in NSW (2019).

## **1.2. AREAS EXCLUDED FROM MY EVIDENCE**

I make no comment on the following matters:

- Alternative locations for the bridge.
- The economic viability of the bridge.
- Cultural heritage matters.
- The equitability of the application of the ICP.

## **1.3. SUMMARY OF OPINION**

The Jacksons Creek valley within the area of interest exhibits the physical characteristic consistent with those that are recognised to contribute to higher levels of scenic quality.

Additionally, the proposed establishment of the Jackson Creek Parklands for recreational and environmental purposes further reinforces the significance of the landscape of the setting.

Within a landscape setting of higher landscape scenic quality, a well-considered aesthetic design response is considered appropriate and consistent with current practices for the design of infrastructure, particularly given the length of the bridge and its potential visual prominence.

The development of additional residences surrounding the creek valley will result in the bridge being viewed from more locations which would be considered to be visually sensitive.

It is my opinion that of the current designs reviewed, that Alternative Long Option 3 provides the most appropriate aesthetic for the scenic quality of the setting.

It displays attributes which are considered to be result in a more aesthetic outcome than the Alternative Long Option.

A bridge design comprised of piers with exposed cross heads and beams, is one of the most utilitarian construction methods available. Typical applications would be crossings of relatively minor waterways in rural areas with minimal visual exposure.

For both options, consideration should be given to designing the eastern and western abutments to ensure that they are well integrated with the associated areas of cut and fill.

## 2. CONTEXT

### 2.1. BROADER SETTING

The area surrounding Jacksons Creek valley is subject to ongoing change with residential development occurring to the north of Sunbury along the eastern and western sides of the Jacksons Creek valley.

Together with Emu Creek and Deep Creek, Jacksons Creek their deeply incised valleys punctuate the otherwise mostly featureless landscape of the basalt plain to the west of Melbourne (refer **Figure 1**).

Although the landscape has been mostly cleared of its original vegetation, remnant trees and other associated lower vegetation exists along the waterways.

### 2.2. THE AREA OF INTEREST

The area of interest is located within the Lancefield Road (Sunbury East) area of the PSP boundary (refer to **Figure 2**). The area of particular interest to this evidence is the section of the Jacksons Creek valley from the historic rail bridge on the Bendigo railway line, to the east of the centre of Sunbury, to the area near The Glade, in the proximity of the historic Emu Bottom Homestead, approximately (refer to **Figure 3**).

Jacksons Creek is a major natural feature within the region with its incised, sinuous form and associated riparian vegetation creating a landscape that contrasts strongly with the surrounding basalt plain.

The openness of the landscape, due to its lack of taller vegetation which would otherwise provide a degree of visual screening, results in the dramatic form of the valley being readily apparent from surrounding viewpoints along the escarpment edge.

### 2.3. EXISTING PLANNING

Development within the area of interest is being planned and designed to be consistent with the direction of the Lancefield Road PSP (refer to **Figure 4**).

#### 2.3.1. Zoning

The zoning for the majority of the area of interest is Rural Conservation Zone and Urban Growth Zone.

Environmental Significance Overlays (ESO) apply to a large extent of the valley within the area of interest.

Interestingly, no significant landscape overlay (SLO) exists for the area and, as far as I am aware, there are no overlays relating to landscape significance within Hume. However, ESO 1 defines a broad range of attributes that indicate that landscape scenic values exist.

#### ESO 1

*The rural areas of the municipality contain a number of waterways which are significant visual and geological significant features of the rural landscape and which serve important environmental, drainage and recreation functions. These waterways provide a habitat for a range of flora and fauna species and make a significant visual contribution to the overall character, amenity and identity of the municipality.*

#### ESO 10

ESO 10 recognises the importance of protecting environmental values in areas subject to ongoing urban development.

*The areas covered by this overlay include some existing conservation reserves, areas of significant remnant native vegetation and a number of areas that provide habitat for threatened flora and fauna.*

#### 2.3.2. Future Land Uses

##### Urban Development

The Lancefield Road PSP proposes significant development in the areas surrounding the Jacksons Creek valley.

## Jacksons Creek Parklands

The Jacksons Creek Parklands, comprising an area of approximately 1,000 hectares (ha) is planned to be established between Diggers Rest and Sunbury, incorporating part of the area of interest. The parklands are intended to provide protection of new areas for biodiversity and connect trails and open space areas, including the following:

- Holden Flora Reserve;
- The Nook;
- Apex Park;
- Vista Park;
- Emu Bottom Wetlands; and
- The Glade Reserve.

### 2.3.3. The proposed bridge

The bridge is a significant structure, spanning either 315 metres (m) or 490 m (depending on the option) between the eastern escarpment, at approximately 255 metres (m) AHD, and the western escarpment, at approximately 230 m AHD, depending on the option.

As proposed, its deck will slope from east to west and sit up to approximately 40 m above Jackson's Creek.

Cutting is required on the eastern escarpment and filling on the western escarpment to ensure an acceptable longitudinal gradient on the bridge deck.

A number of design options have been prepared for the bridge. However, the Alternative Long Option and Alternative Long Option 3 are the two options identified for consideration by the VPA. These are included within Appendix A of the Current Drawings of the ICP Design and Costing Report (refer to **Appendix C** of this report).



Figure 1 – Site context (Source: Google Earth)





Figure 2 - C243 Hume Amendment Area (Sunbury South and Lancefield Road)

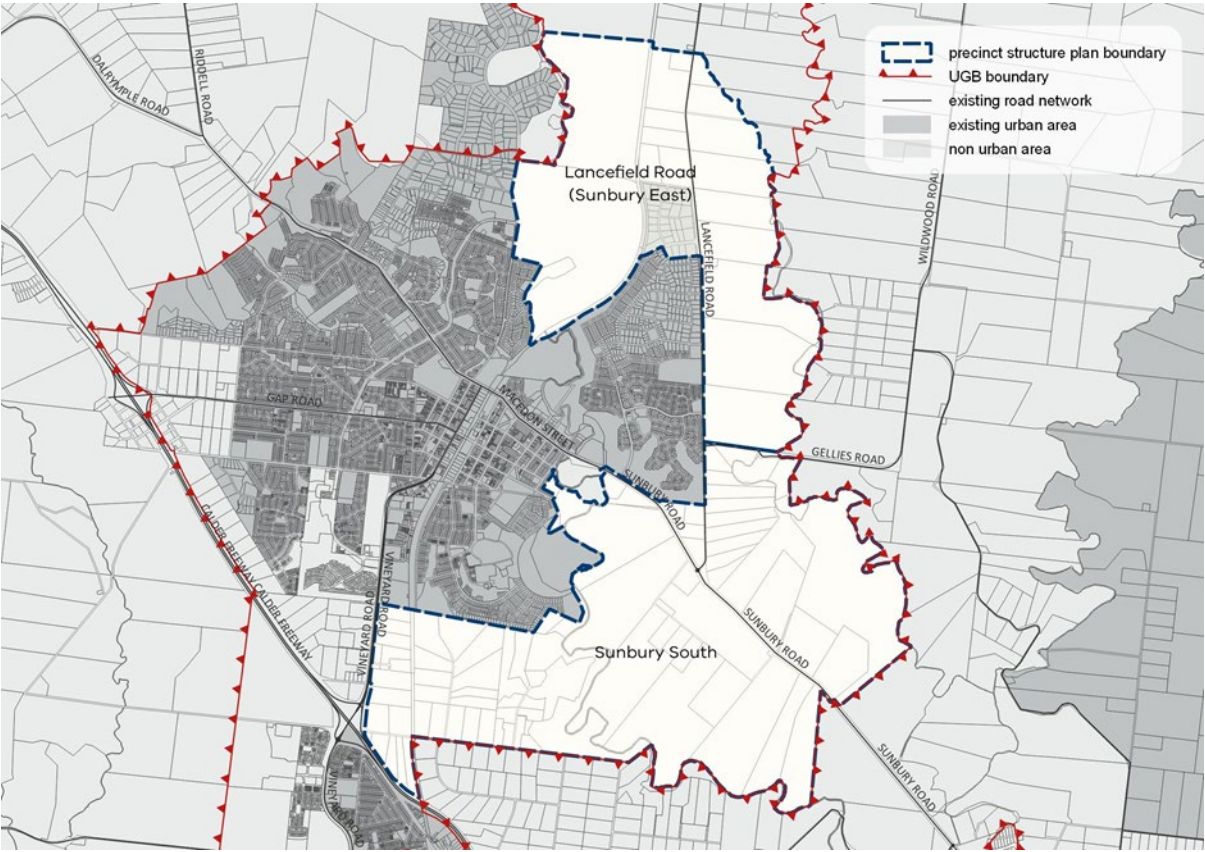
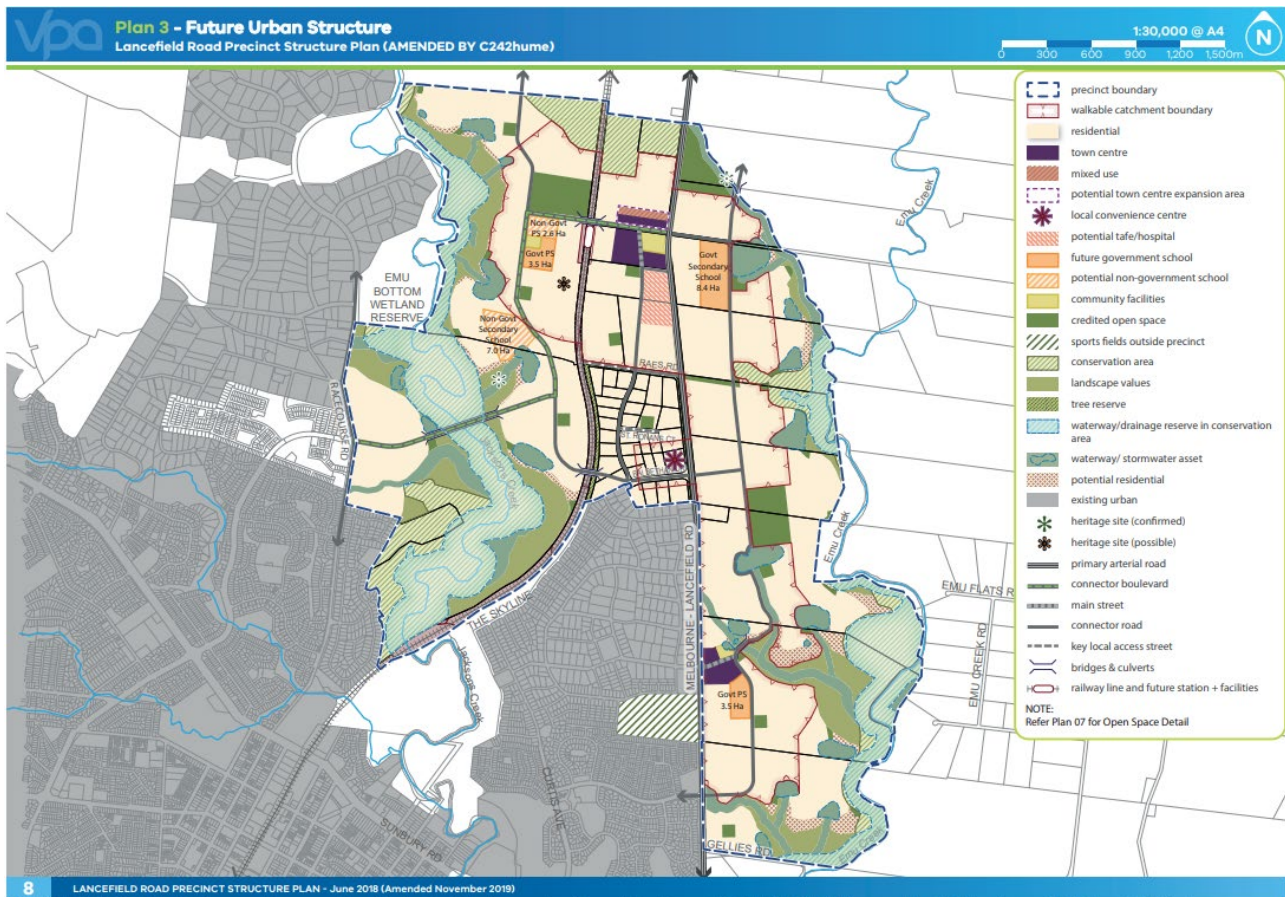


Figure 3 – Jacksons Creek valley area of interest and location of proposed bridge (red) and abutments (yellow)





Figure 4 – Lancefield Road PSP – Future urban structure



## 3. OPINIONS OF THE EXPERT

### 3.1. LANDSCAPE CHARACTER AND SCENIC QUALITY

Landscape character is the relationship between geology, topography, vegetation, waterbodies and other natural features, combined with the effects of land use and built form, where present. Assessing the landscape character of an area provides the basis for understanding the features and views that are important and how different types of development sit within the landscape.

The approach I regularly apply is based on a method developed in Victoria by Leonard and Hammond (1984)<sup>1</sup> which defines principles of what constitutes landscape and scenic quality. Scenic quality is somewhat subjective, but typically is a combination of a range of factors that have been found to contribute to the human appreciation of landscape. The factors are - topographic variation and ruggedness, strong patterning of vegetation and the presence of water.

#### 3.1.1. Character of Jacksons Creek valley

Jacksons Creek meanders along an often broad valley, approximately 50 metres (m) below the eastern escarpment and is most pronounced just to the south of the proposed bridge. Its steep sides slope down to the creek at gradients of between 1:2 to 1:3 (vertical : horizontal).

The western escarpment is less pronounced than the eastern escarpment, rising up to approximately 30 m above the creek and with gentler side slopes in the order of 1:10 to 1:20 (refer to **Figure 5**).

The most scenic views are those from the north, south and west that either look along the valley, or directly towards the eastern embankment (refer to **Figure 6**).

It is my opinion that Jacksons Creek, from its confluence with the Maribyrnong River to its upper reaches near Gisborne, has landscape attributes which define it as having high scenic quality.

The significance of the landscape form of the valley is recognised in the following documents:

- Victorian Resources Online<sup>2</sup> and Rosengren (1986)<sup>3</sup> - Identify the broad incised meander of Jacksons Creek at Sunbury, with its associated geological and geomorphological elements, as a significant feature.
- Sense of Place (2002)<sup>4</sup> – Identifies the importance of the intimacy provided by the creek environments within the Western Basalt Plain to provide a valued (potential) scenic and recreation resource and the principle to retain the character of the incised creek valleys in key open areas in association with urban development.

The scenic quality of the setting is recognised by the desire for residential developments to take advantage of views along the valley and its escarpments. A spokesperson for Villawood Properties Pty Ltd stated, in 2017, that if their proposed adjacent residential community was not allowed to proceed it “*would deny access to some of the most scenic landscape in Sunbury*” (refer to **Appendix D**).

#### 3.1.2. The historic rail bridge

Whilst not providing an opinion on cultural heritage matters, I do provide an opinion on the aesthetic quality of the existing railway bridge over Jacksons Creek to the south of the proposed bridge location.

The viaduct, built in the mid 19<sup>th</sup> Century was designed in the Victorian manner of the time, with engineering and aesthetics combined to create structures that reflected learning, technology and culture (refer to **Figure 6**).

The proposed bridge will be located approximately 1.5 km to the north of the railway viaduct, with both being visible within views along the valley.

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<sup>1</sup> Landscape Character Types of Victoria, Leonard and Hammond (1984)

<sup>2</sup> <http://vro.agriculture.vic.gov.au/>

<sup>3</sup> Sites of Geological and Geomorphological Significance in the Western Region of Melbourne, Neville Rosengren (1986)

<sup>4</sup> Sense of Place: Urban Design Principles for the Metropolitan Strategy, Department of Infrastructure (2002)

### 3.1.3. How will the bridge be viewed?

The proposed bridge will be viewed in the round from the following visually sensitive locations (refer to **Figures 7, 8 and 9**):

- Residential areas to the west;
- Residential areas to the east;
- The future Jackson's Creek Regional Parkland to the north and south; and
- The Melbourne to Bendigo Rail line.

Of these views, the views from the residential areas beyond the escarpment edge will be of the side profile of the bridge. Views from the future parklands will generally be from a lower elevation and, from closer viewpoints, of the underside of the bridge in particular.

## 3.2. BRIDGE AESTHETICS

As far as I am aware, there is no specific bridge aesthetic design guideline document of direct relevance to Victoria. It is my experience that aesthetic design direction for bridges has been provided by the following documents:

- Bridge Aesthetics - Design guideline to improve the appearance of bridges in NSW<sup>5</sup>. This document has also been referenced in a number of other states, such as Queensland; and
- The design brief for a specific project which may articulate the desired design outcome, or may reference the NSW guideline.

In my experience the urban design expectation for all infrastructure projects, but publicly funded ones in particular, is that aesthetics play an important role. An example of this is the level crossing removal program where aesthetic design outcomes were directly tied to financial incentives under the alliance model.

Formalised urban design processes for major infrastructure projects, with oversight and direction being provided by either the Office of the Victorian Government Architect (OVGA) or a government appointed Urban Design Advisory Panel (UDAP), are now commonplace.

### 3.2.1. Review of bridge options

The primary consideration I have applied in reviewing the design options for the bridge is:

- Does the location warrant a bridge with a higher level or standard of design detail than any other bridge in a residential or riparian setting?

The design of the recently constructed new bridge over the Yarra River on the Chandler Highway at Alphington was driven by the significance of the landscape of the setting as well as views from sensitive adjacent open space areas and adjacent residences.

Key considerations were:

- Reduction of piers to reduce visual clutter.
- Maintenance of a slender profile or deck depth to length ratio.
- Clean and light underside / soffit.
- Elegant piers to make the undercroft area as visually open as possible.
- Spill through abutments for visual openness.

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<sup>5</sup> Bridge Aesthetics - Design Guideline to Improve the Appearance of Bridges in NSW, Centre for Urban Design (2019)

Bridge designs featuring piers with exposed cross heads and beams are one of the most utilitarian construction methods available. Typical applications would be crossings of relatively minor waterways in rural areas with little vertical clearance and with minimal visual exposure from surrounding sensitive viewpoints.

Typical enhancements to a baseline bridge of this type would include painting of various components, feature cladding of abutments and the external faces of barriers, or the use of a separate rail above the crash barriers to reduce the visual bulk of the bridge edge.

These enhancements would potentially make a bridge more appropriate where it crosses another road, for example rural roads crossing highways or freeways.

In the case of Jackson's Creek, as with the recent Chandler Highway bridge, it is my opinion that a more elegant design response is required.

### **Alternative Long Option**

This option comprises all concrete construction, featuring eight sets of twin piers, 35 m apart, supporting a separate crosshead, which in turn supports five beams.

The total bridge deck length is 315 m

The total deck depth, from top of crash barrier to underside of the beams is approximately 3 m.

The crosshead visually interrupts the line of the bridge soffit and the multiple angular beams create visual clutter and shadowing.

The twin sets of piers located at relatively close centres results in a cluttered and inelegant effect in views towards the bridge and from under the bridge when viewed along the alignment of the bridge.

The relative shallowness of the bridge deck is offset by the exposed cross heads and closely spaced piers.

### **Alternative Long Option 3**

This option is a combination of concrete and steel construction. It features nine singular blade piers, 45 m from the abutments at the bridge ends and 50 m apart, supporting three girders.

The total bridge deck length is 490 m.

Total deck depth, from top of crash barrier to underside of the girders is slightly deeper than the Alternative Option due to the additional depth of the fewer number of girders over the more numerous concrete beams.

The three girders, tapered in section, along with the lack of crossheads, result in a cleaner soffit line and less visually cluttered and shadowed underside.

It is my opinion that the slightly deeper deck is not a significant factor given the length of the bridge

Option 3 is very similar in concept to the new Chandler Highway bridge (refer to **Figure 9**).

### **3.2.2. Bridge abutments**

Given the difference in level between the eastern and western escarpments, significant cut and fill is required around the bridge abutments to achieve an appropriate longitudinal fall across the bridge. These areas have the potential to impact on the character of the setting as they will change the profile of the valley escarpment.

The design of abutments and area of cut and fill should be minimised where possible and designed to ensure that they are well integrated to reduce the impact on the landscape.

### **3.2.3. Summary of option review**

It is my opinion, also borne out in recent road projects, that an approach based on an integral design response that focuses on clever solutions that minimise the amount of structure, will provide a better design than embellishing a purely functional, rudimentary design.

Experience with the OVGA and UDAPs on major projects have indicated a strong preference for clever, well considered, integrated design solutions as opposed to embellished utilitarian designs. The scenic quality of the setting is such to warrant a well-considered design response.

As a result of my assessment, it is my opinion that Alternative Option 3 is the most suitable design for the scenic quality of the setting of the Jacksons Creek valley.



Figure 5 – Precinct Features (Source: Lancefield Road PSP)

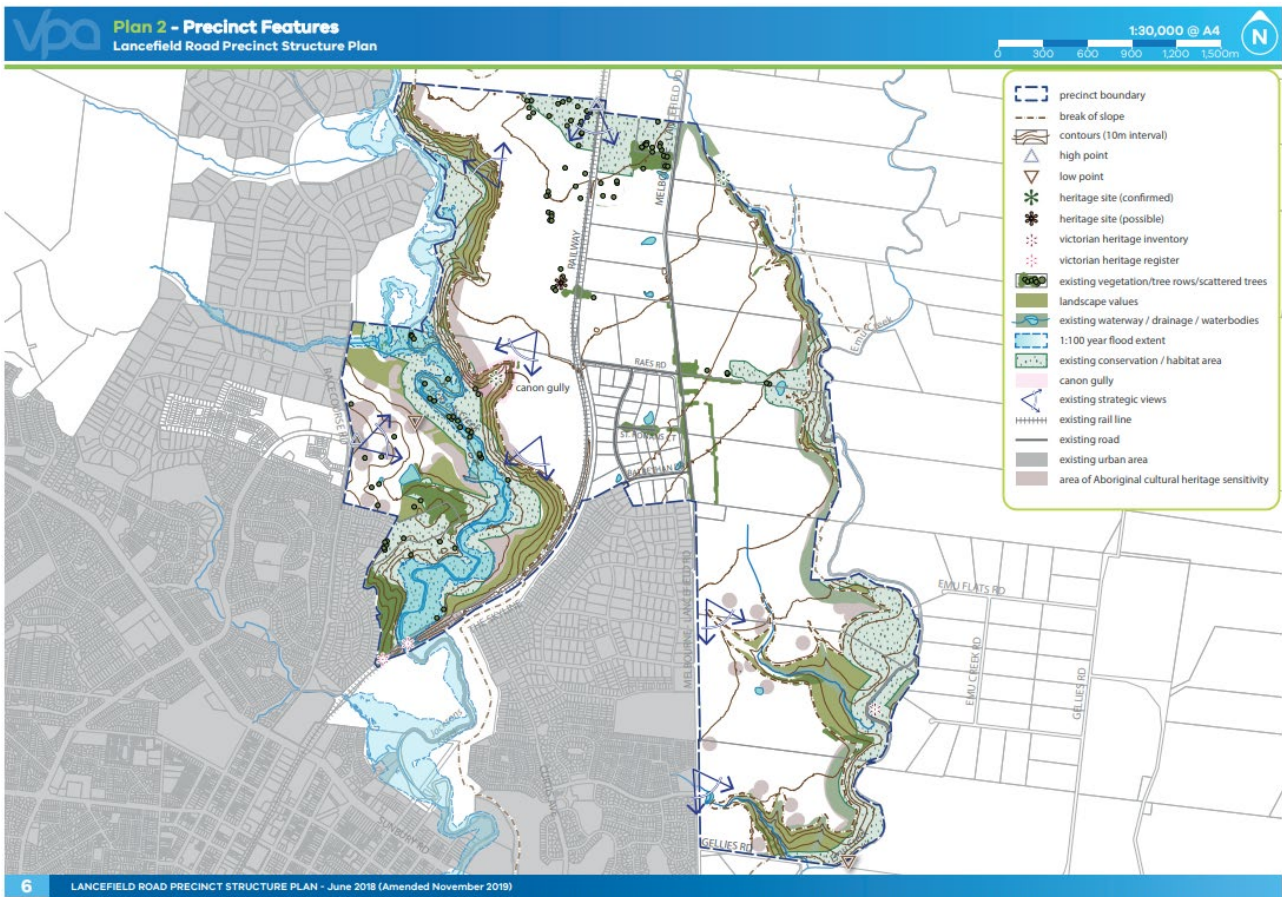


Figure 6 – The rail bridge over Jacksons Creek.





*Figure 7 – Elevated view from the edge of the residential area to southeast towards the proposed bridge.*



*Figure 8 – Elevated view from the edge of the residential area to southwest towards the proposed bridge.*





*Figure 9 – Elevated view from the edge of the low density residential area to north west, near Emu Bottom Wetlands, towards the proposed bridge.*



*Figure 9 - View of the underside of the new Chandler Highway bridge on the Yarra River at Alphington.*



## 4. CONCLUSION

The Jacksons Creek valley within the area of interest exhibits the physical characteristic consistent with those that are recognised to contribute to higher levels of scenic quality.

Additionally, the proposed establishment of the Jackson Creek Parklands for recreational and environmental purposes further reinforces the significance of the landscape of the setting.

Within a landscape setting of higher landscape scenic quality, a well-considered aesthetic design response is considered appropriate and consistent with current practices for the design of infrastructure, particularly given the length of the bridge and its potential visual prominence.

The development of additional residences surrounding the creek valley will result in the bridge being viewed from more locations which would be considered to be visually sensitive.

It is my opinion that of the current designs reviewed, that Alternative Long Option 3 provides the most appropriate aesthetic for the scenic quality of the setting.

It displays attributes which are considered to be result in a more aesthetic outcome than the Alternative Long Option.

For both options, consideration should be given to designing the eastern and western abutments to ensure that they are well integrated with the associated areas of cut and fill.

I have made all enquires that I believe are desirable and appropriate in order to provide accurate evidence. No matters of significance that I regard to be noteworthy have been withheld from the Panel.

# APPENDIX A      RESPONSE TO PLANNING PANELS

## VICTORIA - G2 GUIDE TO EXPERT EVIDENCE

### 1.      Name and Professional Address of Expert

Peter Haack.

Director, Landscape Architecture and Urban Design.

Urbis Pty Ltd.

Level 10, 477 Collins Street, Melbourne.

Telephone No: 8663 4888, Facsimile No: 8663 4999.

### 2.      Qualifications and experience

#### *Qualifications and Professional Affiliations*

Bachelor of Landscape Architecture, RMIT 1990.

Diploma of Applied Science (Amenity Horticulture), University of Melbourne, 1981.

Registered Landscape Architect – # 000619 – Current.

Fellow of the Australian Institute of Landscape Architects (AILA).

Member AILA National Education Committee – 2005 to 2018.

Member Parks and Leisure Australia- Current.

#### *Experience*

Loder and Bayly Consulting Group - Associate, 1985 – 1995.

EDAW / AECOM - Senior Associate and Principal, 1995 – 2008.

Urbis - Director, Melbourne Design Studio Lead, July 2008 onwards.

### 3.      Area of expertise

I have over 30 years' experience on a diverse range of projects, locally, nationally and overseas. My experience includes landscape and visual impact assessment and planning and design of transport infrastructure.

My work has encompassed most aspects of landscape architecture and urban design and I have project directed and managed many transport related projects. A typical range of projects includes:

- Road – Urban, peri-urban and rural areas;
- Passenger rail;
- Freight rail;
- Light rail;

- Business cases;
- Landscape and visual impact assessment;
- Design guidelines;
- Reference designs;
- Concept design;
- Design documentation and delivery; and
- General advice on urban design and landscape issues.

#### **4. Expertise to prepare this Report**

I have worked as an Urban Designer and Landscape Architect for over 30 years as a consultant and have extensive experience in providing evidence to planning panels, as well as VCAT.

I have provided landscape architectural and urban design advice on numerous transport infrastructure projects including:

- West Gate Tunnel Project;
- Western Road Upgrade Project;
- North East Link Early Works;
- Chandler Highway Duplication;
- Peninsula Link Project;
- Melbourne Metro rail Project;
- Burke and Greater North Level Crossing Removal;
- City Link Project;
- Eastlink Independent Reviewer;
- Manukau Expressway, NZ;
- State Highway 16, NZ; and
- Dublin Light Rail, ROI.

#### **5. Instructions received in relation to this matter**

I have been instructed by Harwood Andrews, in briefing material dated 23<sup>rd</sup> September 2020, to provide expert evidence in relation to the scenic quality of the Jacksons Creek valley and the relative aesthetic design quality of the bridge design options.

#### **6. Facts, matters and assumptions upon which the report proceeds**

My evidence is based on the documents specified within this evidence.

#### **7. Reference documents used to prepare the report**

As specified in the evidence.

#### **8. Identity of the person and Supporting Professionals**

Other persons relied upon in the preparation of this report:

- Site and aerial photography was undertaken by Ravi Krishnamurthi, Acting Coordinator Subdivision Supervision, Hume City Council.

## **APPENDIX B      MY INSTRUCTIONS IN THIS MATTER**



Our ref: GFT:AMC:22003369  
Contact: Amara Coleman  
Direct Line: 03 9611 0156  
Direct Email: [acoleman@ha.legal](mailto:acoleman@ha.legal)  
Principal: Greg Tobin

Level 5, 707 Collins Street  
Melbourne VIC 3008

23 September 2020

DX 30970

Peter Haack  
Urbis  
**Email:** [phaack@urbis.com.au](mailto:phaack@urbis.com.au)

PO Box 633  
Collins St West VIC 8007

T 03 9620 9399  
F 03 9620 9288

ABN 98 076 868 034

[harwoodandrews.com.au](http://harwoodandrews.com.au)

***Subject to legal professional privilege***

Dear Peter,

**Planning Scheme Amendment C243 (Amendment)**

1. We act for Hume City Council (**Council**) in relation to proposed amendment C243 to the Hume Planning Scheme (**the Amendment**).
2. The Amendment has been prepared by the Victoria Planning Authority (**VPA**), in the VPA's capacity as planning authority.

*The Amendment*

3. The Amendment proposes to amend the Hume Planning Scheme to delete the existing interim *Sunbury South and Lancefield Road Infrastructure Contributions Plan, November 2019 (Interim ICP)* and incorporate a new *Sunbury South and Lancefield Road Infrastructure Contributions Plan, April 2020 (ICP)*.
4. The Amendment also proposes to apply the Public Acquisition Overlay (**PAO**) over the land required to deliver Yirrangan Road, and remove of the existing PAO which was aligned with Viaduct Way.
5. Council resolved to provide a submission to the VPA in response to the exhibited Amendment indicating:
  - a. support for the ICP as exhibited;
  - b. support for the inclusion of all infrastructure projects as proposed (design/costing/priority) within the standard and supplementary levy; and
  - c. support for the application of the PAO over the land required to deliver Yirrangan Road and the removal of the existing PAO.
6. A copy of Council's submission dated 3 July 2020 is at tab 26 of your brief.

*Panel Hearing*

7. The VPA has referred all submissions to a Panel, comprised of Tim Hellsten (Chair), Michael Ballock and Nicola Ward (**Panel**).

**Instructions**

8. We are instructed to brief you to provide a fee proposal to:



- a. Review the ICP and associated material set out in the brief of documents, in particular:
  - i. the report entitled “*Sunbury South and Lancefield Road ICP - Design and Costings*” prepared by GHD dated November 2019 (**GHD Report**), and Appendix D, at tabs 10 and 14 of your brief; and
  - ii. the VPA document entitled “Bridge Design Options Considerations” (including links contained therein), at tab 39 of your brief;
- b. Provide a summary opinion as follows:
  - i. assess the landscape values at the location of **Project ID LR-BR-01**, being the bridge at the northern crossing of Jacksons Creek;
  - ii. assess the proposed bridge design for LR-BR-01 described as ‘Option 2’ at page 12 of the GHD Report and Appendix D (tabs 10 and 14 of your brief) and advise whether that design is acceptable;
  - iii. assess the alternative proposed bridge design for LR-BR-01 described as ‘Option 1’ at page 12 of the GHD Report and Appendix D (tabs 10 and 14 of your brief) and advise whether that design is acceptable;
  - iv. advise whether there is a material difference (having regard to your expertise) in the two alternative bridge designs (Option 1 and Option 2) for LR-BR-01;
  - v. advise which bridge design for LR-BR-01 is the preferred design, having regard to landscape values, and provide evidence of the same; and
- c. If instructed:
  - i. prepare an expert witness report for circulation prior to 4:00pm on **Friday 23 October 2020**;
  - ii. be available to consider any relevant written questions of experts (circulated by 12:00 pm on Tuesday 27 October), and provide a written response to same for circulation by 2:00 pm on **Friday 30 October 2020**; and
  - iii. appear to give evidence at the Panel hearing on **Wednesday 11 November 2020**.

### Further background

9. The ICP has been prepared in conjunction with the Sunbury South and Lancefield Road PSPs (**PSPs**), which were initially approved, incorporated into the Hume Planning Scheme and operational from 17 January 2019,<sup>1</sup> and later amended and operational from 5 December 2019.<sup>2</sup> Copies of the initial PSPs and related Panel report, and amended PSPs, are at tabs 28 to 32 of your brief.
10. The ICP facilitates transport, community and recreation infrastructure to the construction value of \$567 million. Council, as the Collecting Agency and Development Agency, will be responsible for collecting, administering and delivering the infrastructure projects which are expected to occur over the next 20 years.
11. There are a number of submissions in response to the ICP (as exhibited) which generally address the financing, apportionment and delivery of the significant infrastructure projects crossing Jacksons Creek. Some submissions propose that the delivery of one ICP across both PSP areas is inequitable, and some request further justification for infrastructure project costing. Copies of these submissions are at tabs 15 to 25 of your brief.

<sup>1</sup> Amendments C207 and C208 to the Hume Planning Scheme.

<sup>2</sup> Amendment C242 to the Hume Planning Scheme.

12. Council's response to these submissions, and the Amendment more broadly, is summarised in the Council Officer's Report at tab 40 of your brief and Council's submission to the Amendment at tab 26 of your brief.
13. We also enclose at tabs 42 and 43 of your brief a copy of the following material that relates to the locality from where LR-BR-01 launches in the west, and Villawood's submission:
  - a. Planning Permit P22159.01; and
  - b. Proposed subdivision layout plan.

Please note that the permit is granted but the plans are not yet endorsed. They are provided on the basis that they represent the Villawood's intent for that submission.

14. Please note that we also intend to provide further details of the alternate bridge options shortly, once that material is received.

#### **Brief of documents**

15. All documents are provided [here](#).

#### **Your fees**

16. Our client will remain responsible for your fees. We request that you prepare a fee proposal for our client and send it by email c/- [gtobin@ha.legal](mailto:gtobin@ha.legal) and [acoleman@ha.legal](mailto:acoleman@ha.legal).
17. 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.
18. Tax invoices should be directed to our client c/o: Caroline Rollis, [CarolineR@hume.vic.gov.au](mailto:CarolineR@hume.vic.gov.au).
19. Please do not commence any substantive work until we confirm that your fee proposal is approved.

#### **Legal Professional Privilege**

20. We confirm that your professional opinion is sought in the context of us providing legal advice in relation to this matter. Our advice, and your advice by virtue of you being engaged by us, attracts legal professional privilege. Our client is therefore not required to disclose any advice provided by you to any other party unless that legal professional privilege is waived.
21. To ensure that legal professional privilege is maintained, we request that you do not advise anyone, other than our client or Harwood Andrews, that you have been requested to provide expert advice in relation to this matter.
22. We will notify you if legal professional privilege is waived in respect of your advice.

#### **Next steps**

23. If you have any queries or require any further information, please contact Greg Tobin ([gtobin@ha.legal](mailto:gtobin@ha.legal); 5225 5252) or Amara Coleman ([acoleman@ha.legal](mailto:acoleman@ha.legal); 9611 0156).

Yours faithfully,



**Greg Tobin**  
**HARWOOD ANDREWS**  
 Encl.

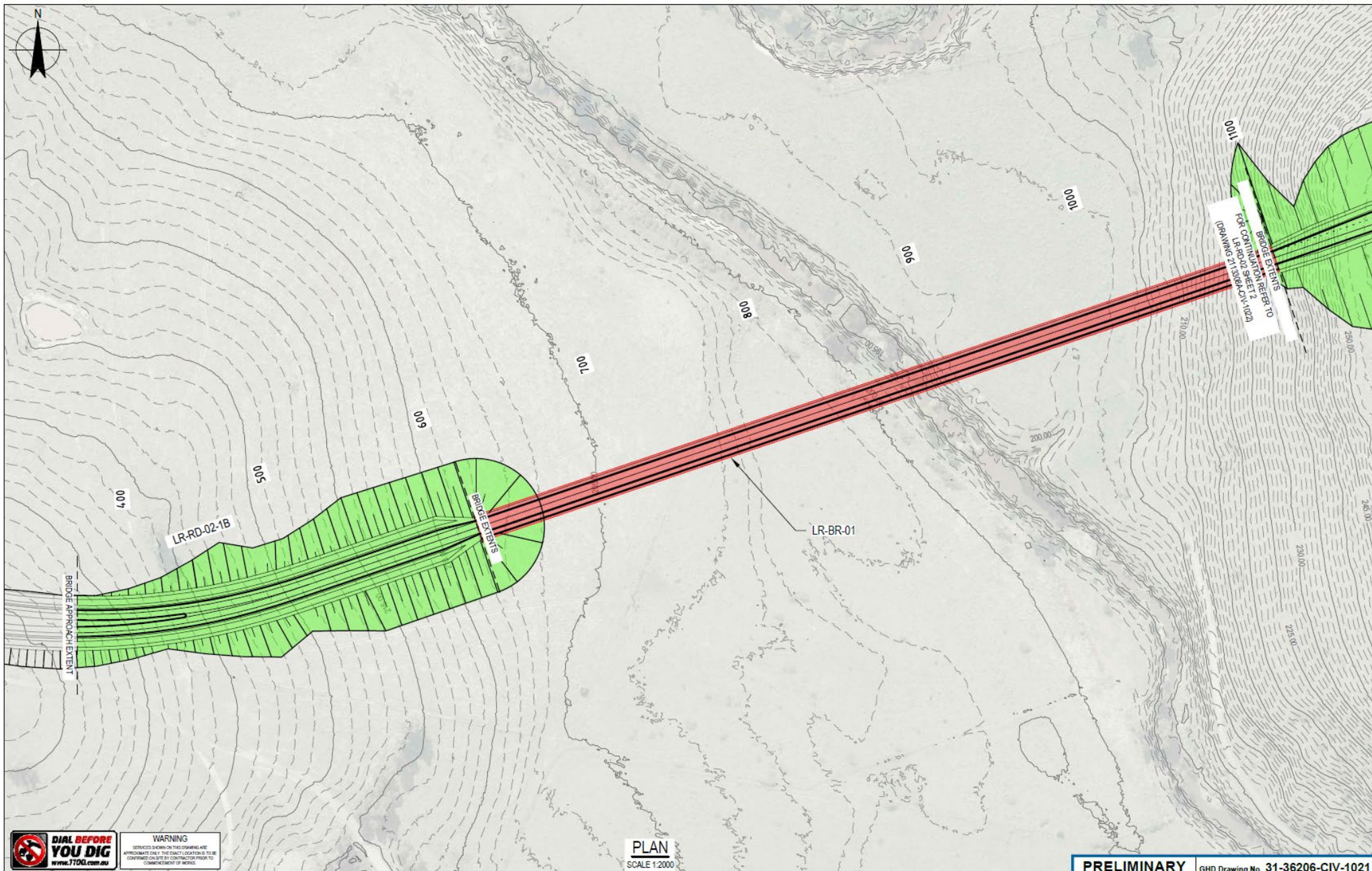
### Index to Brief of Documents

Doc No.	Document
<b>A. Exhibited documents</b>	
<b>Explanatory Documents</b>	
1.	Instruction Sheet – April 2020
2.	Explanatory Report – April 2020
<b>Infrastructure Contributions Plan</b>	
3.	Sunbury South and Lancefield Road Infrastructure Contribution Plan April 2020 (Exhibition)
<b>Planning Scheme Ordinance</b>	
4.	Hume C243hume 72.04s Exhibition Final track changes April 2020
5.	Hume C243hume 72.04s Exhibition Final April 2020
6.	Hume C243hume 45.11.s01 Exhibition Final track changes April 2020
7.	Hume C243hume 45.11.s01 Exhibition Final April 2020
<b>Planning Scheme Maps</b>	
8.	Hume C243hume 001paoMaps06.13 Exhibition April 2020
9.	Hume C243hume 002paoMaps06.13 Exhibition April 2020
<b>B. Background studies</b>	
10.	Sunbury South and Lancefield Road ICP - Infrastructure Design and Costings Report (GHD) - November 2019_Section 1
11.	Sunbury South and Lancefield Road ICP - Infrastructure Design and Costings Report (GHD) - November 2019_Appendix_A_Part1
12.	Sunbury South and Lancefield Road ICP - Infrastructure Design and Costings Report (GHD) - November 2019_Appendix_A_Part2
13.	Sunbury South and Lancefield Road ICP - Infrastructure Design and Costings Report (GHD) - November 2019_Appendix_A_Part3
14.	Sunbury South and Lancefield Road ICP - Infrastructure Design and Costings Report (GHD) - November 2019_Appendices_BCDEFGH
<b>C. Submissions to Amendment</b>	
15.	Submission 1 – Department of Environment Land Water and Planning
16.	Submission 2 and attachment – Major Road Projects Victoria
17.	Submission 3 – Asia-Pacific Property Pty Ltd
18.	Submission 4 – Rail Projects Victoria
19.	Submission 5 – Resi Ventures Pty Ltd
20.	Submission 6 – Villawood Properties Pty Ltd
21.	Submission 7 and Appendix 1 – Melbourne Water
22.	Submission 8 – Hi-Quality Quarry Products Pty Ltd
23.	Submission 9 – Department of Transport
24.	Submission 10 – Sunbury Hills Pty Ltd
25.	Submission 11 – Moremac Property Group

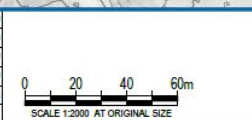
Doc No.	Document
26.	Submission 12 – Hume City Council
<b>D. Interim ICP</b>	
27.	Hume C230 Hume Sunbury South and Lancefield Road ICP November 2019 Approval Gazetted 2
<b>E. Precinct Structure Plans</b>	
28.	Panel Report – Amendments C207 and C208 to the Hume Planning Scheme – 15 December 2017
29.	Lancefield Road PSP Gazetted 17 January 2019
30.	Sunbury South PSP Gazetted 17 January 2019
31.	Lancefield Road PSP Gazetted 5 December 2019 1
32.	Sunbury South PSP Gazetted 5 December 2019 1
<b>F. Panel Documents</b>	
<b>Panel Correspondence</b>	
33.	Panel notification letter dated 23 July 2020
34.	Panel directions, timetable and distribution list (Version 1) dated 11 August 2020
35.	Panel timetable and distribution list (Version 3) dated 11 September 2020
36.	Panel directions dated 11 September 2020
<b>VPA Documents</b>	
37.	<i>Sunbury Growth Corridor – Strategy Modelling for Sunbury South PSP (1074) &amp; Lancefield Road PSP (1075) – Supplementary Modelling Report</i> , prepared by GTA Consultants dated 9 September 2020 (Issue A)
38.	Site Inspection Map & Sites for Panel to include in its inspection
39.	Bridge Design Options Considerations
<b>G. Council Documents</b>	
40.	Council Officer Report (22 June 2020)
41.	Submission Summary Table – VPA Response
42.	Planning Permit P22159.01 – Sherwood Heights
43.	Proposed Subdivisional Layout Plan – Sherwood Heights (not endorsed)
<b>H. PPV Guide to Expert Evidence</b>	
44.	PPV Guide to Expert Evidence (April 2019)

# APPENDIX C      BRIDGE DESIGN OPTIONS





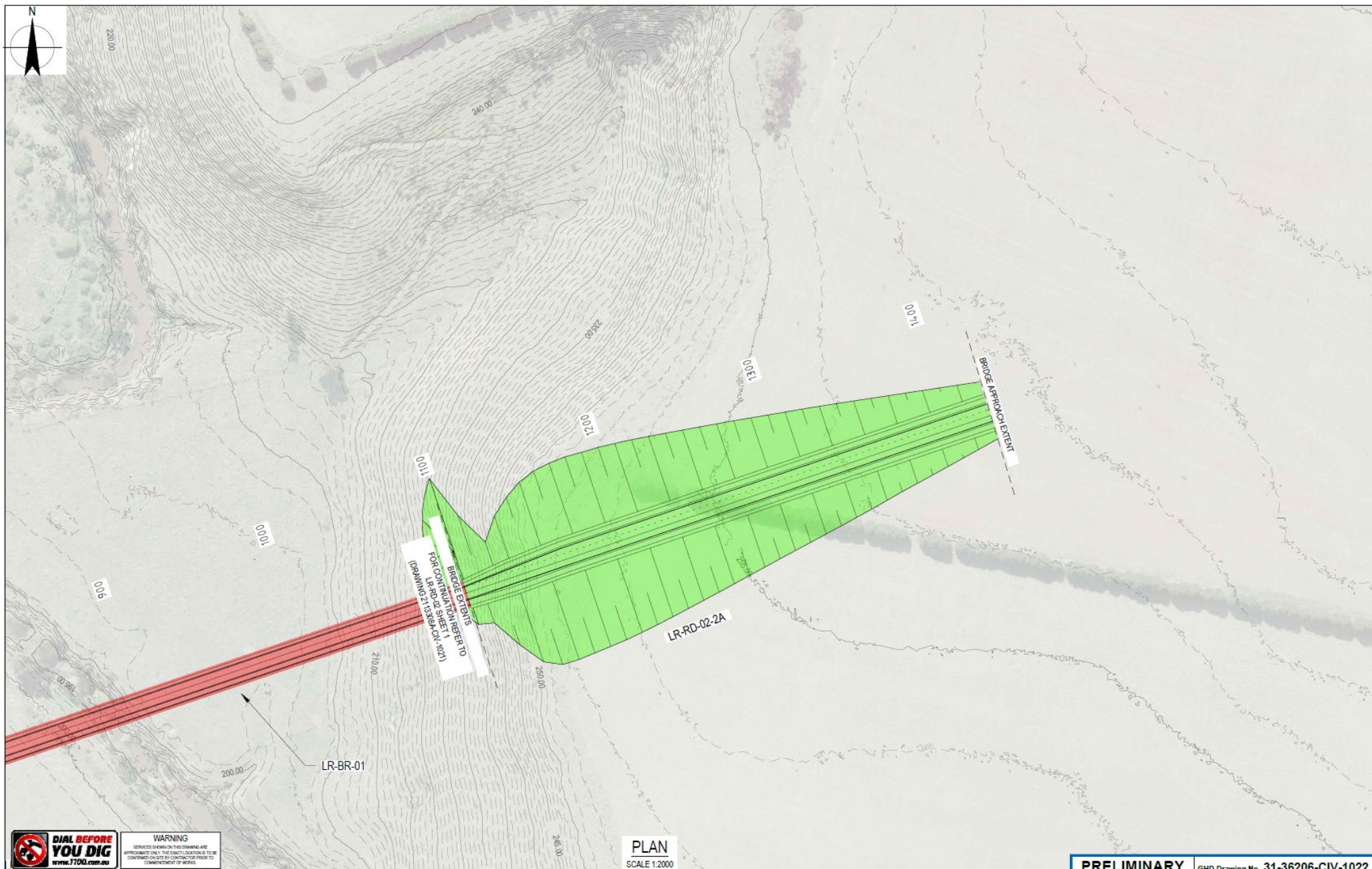
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H	AMENDED TO COMMENTS - GHD	SL	LM*	MW*	08.02.19
G	AMENDED TO VPA COMMENTS - GHD	DAC	LM*	MW*	02.08.18
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Drawing No:	2113308A-CIV-1021
Rev:	K





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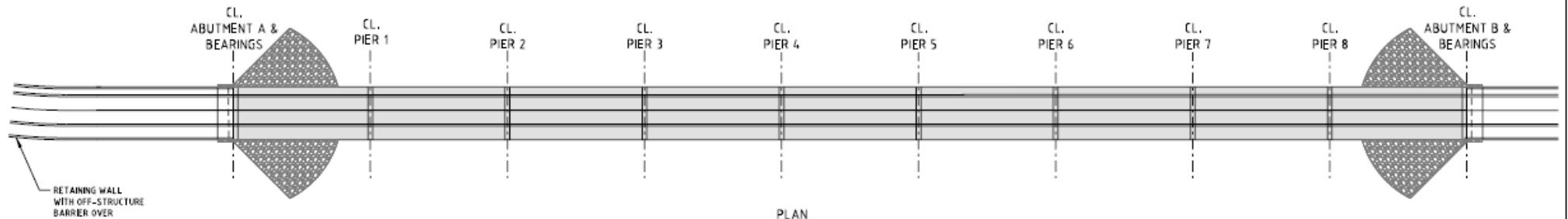
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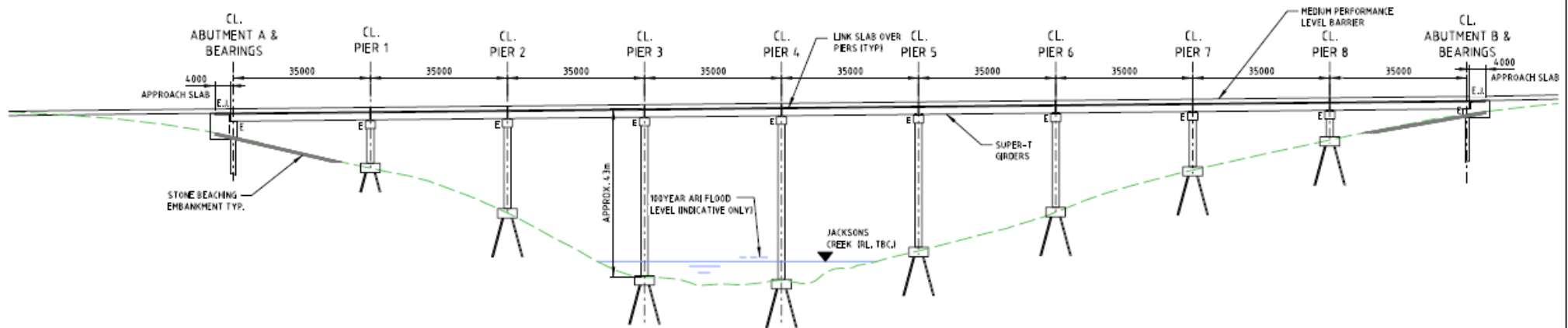
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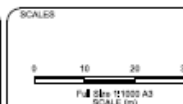


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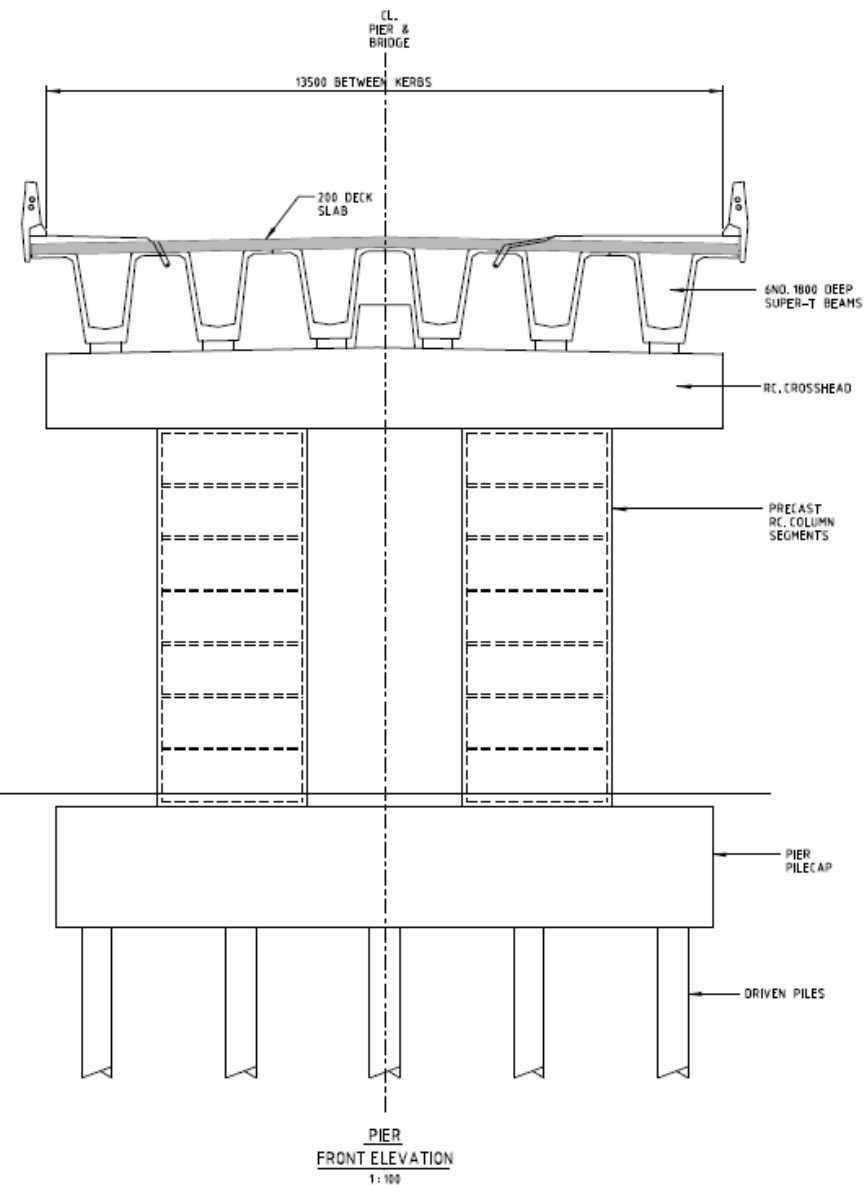
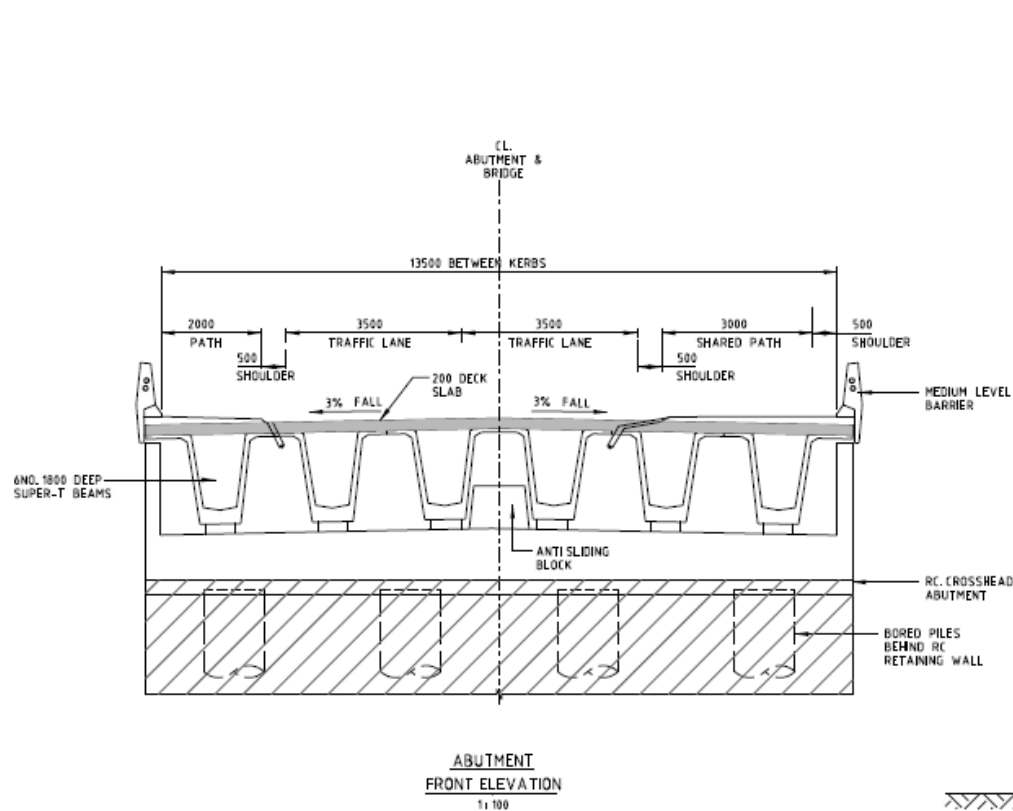


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PROJECT NO. 2113308A	DISCIPLINE - STR -	NUMBER 0102	REV. A



EXISTING SURFACE LEVEL

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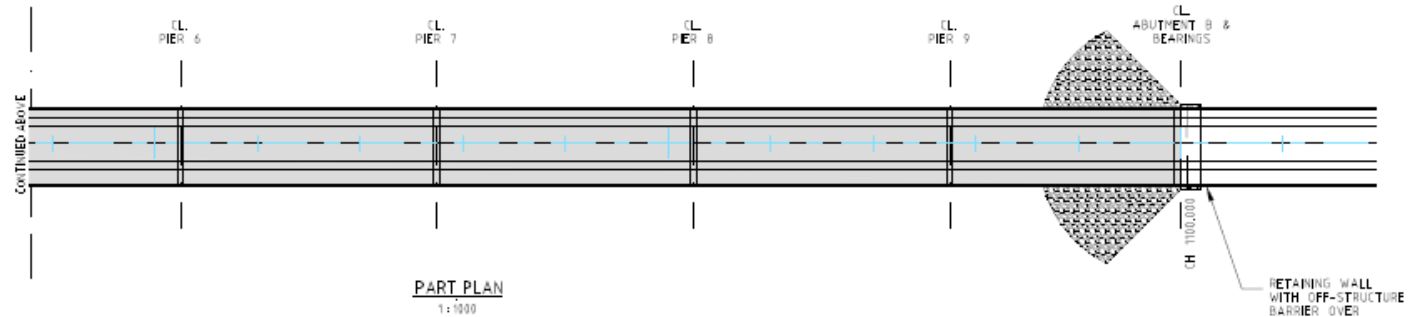
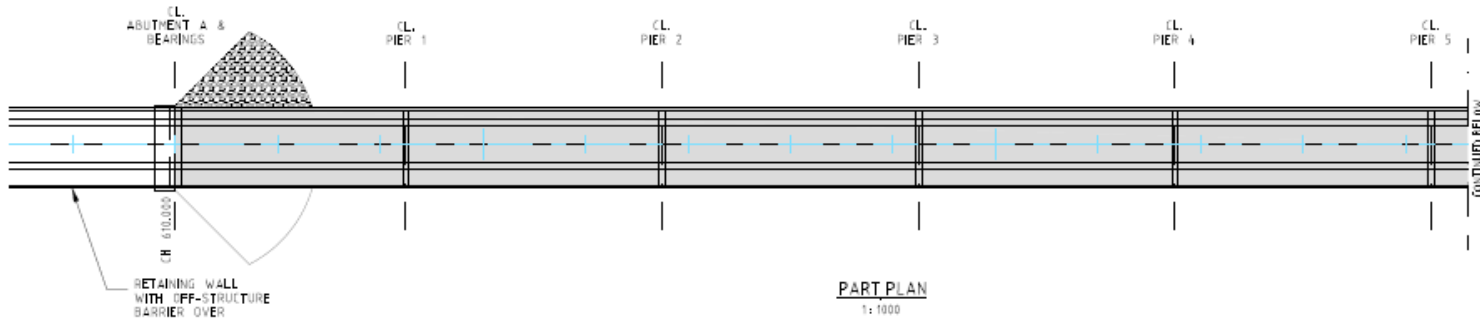
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**SUNBURY STH AND LANCEFIELD RD PSP**  
JACKSON CREEK BRIDGE (SS-801)  
ALTERNATIVE LONG OPTION  
GENERAL ARRANGEMENT  
SHEET 2

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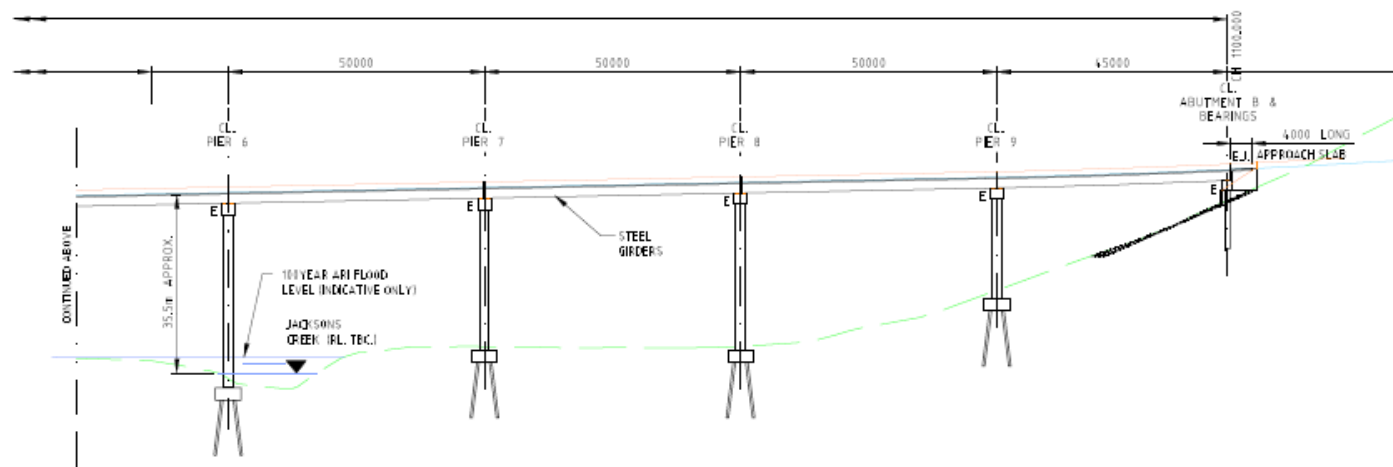
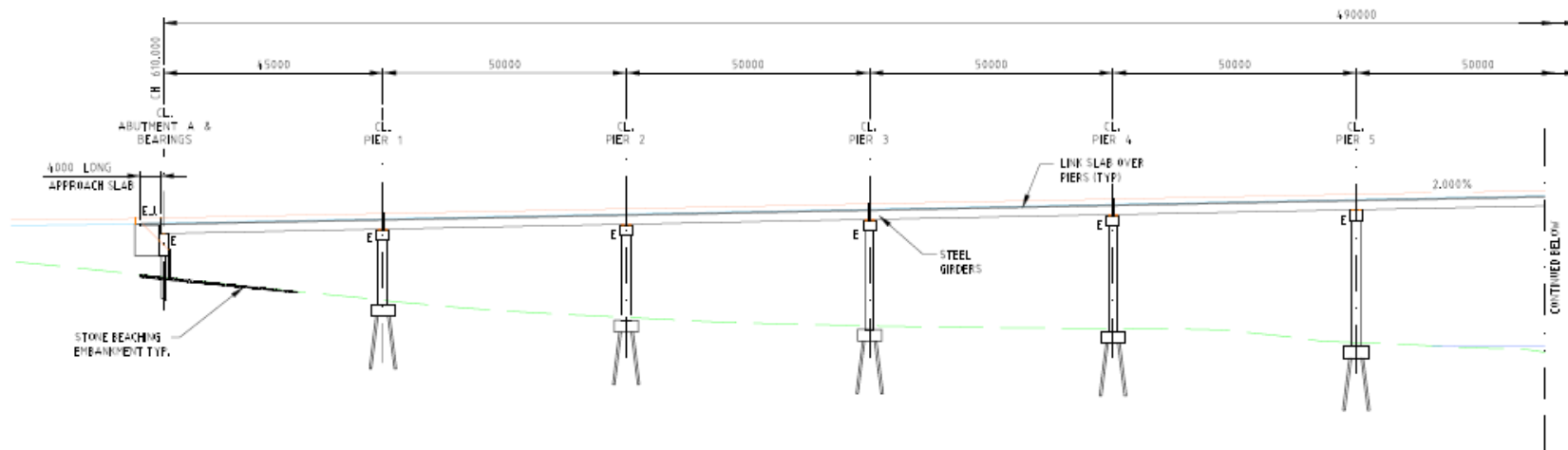
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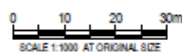


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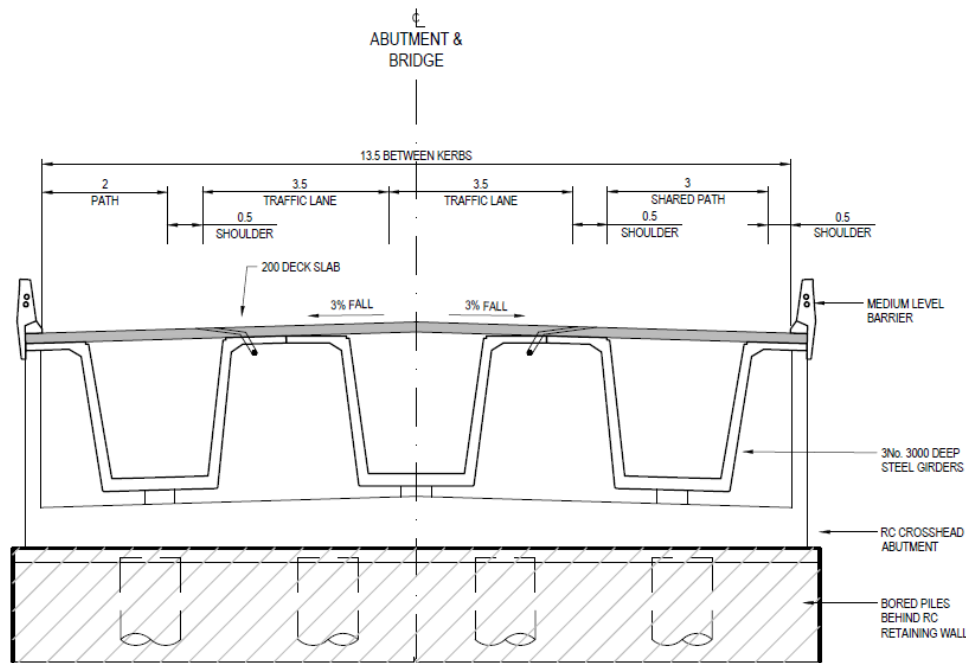
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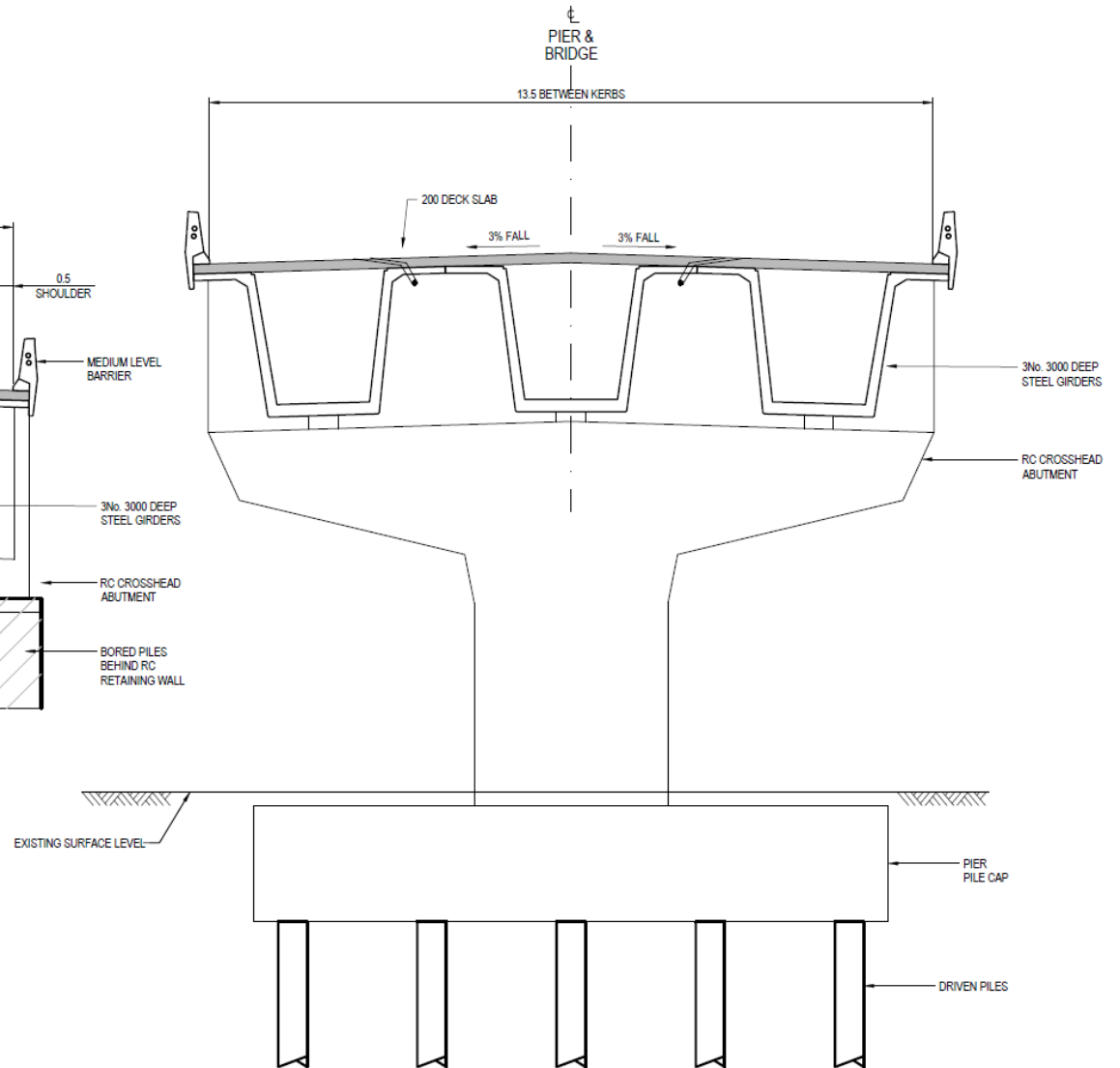
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	GENERAL ARRANGEMENT SHEET 2
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Rev.	C





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**APPENDIX D      SUNBURY LEADER ARTICLE**

# Villawood defends Jacksons Creek Valley plan in Sunbury

Sunbury Leader

March 16, 2017 12:00am



VILLAWOOD Properties says a campaign against its proposed development at Jacksons Creek valley threatens to stagnate the Sunbury economy and deny residents access to the region's "bountiful natural features".

As reported by the *Leader* on February 7, Villawood plans to build a 406-lot development on behalf of the Salesian Society. The land is currently used for private farming and education behind Salesian College.

Its development among 230ha of land would be part of the Victoria Planning Authority's (VPA) [Lancefield Rd Precinct Structure Plan](#).

However, a group of residents fighting the proposal have received the backing of Hume councillor Leigh Johnson, while a [change.org online petition](#) for the "beautiful historical valley" to be "saved for all future generations of Victorians to enjoy" has attracted more than 1770 supporters.

Opponents of the development have voiced concerns the land abuts indigenous landmarks such as the Wurundjeri-owned Sunbury rings, Jacksons Creek and its platypus population, and Canon Gully which hosted war games in the 1860s-70s.

## [SUNBURY SITE HERITAGE OUTRAGE](#)

## **SUNBURY BORA RINGS PLANTING DAY**

### **JACKSONS CREEK ABORIGINAL HISTORY INSPIRES**

The National Trust Australia (Victoria) has supported the group and applied to Heritage Victoria to have the region protected.

Villawood Properties executive director Tony Johnson said not developing the site would deny access to some of the most scenic landscape in Sunbury.

“Opening this private land up to showcase Sunbury’s natural features will drive visitation and provide a boost to the local economy,” he said.

“Additionally, the development will enable the Salesian College Rupertswood to build a second campus in Sunbury.

“The ultimate vision is to develop world-class space for conservation and recreation that would be over seven times larger than the current Emu Bottom Wetlands.”

Mr Johnson said although the Sunbury rings weren’t in the area to be developed, Villawood had developed a cultural heritage management plan to protect it and the new housing would be no closer than homes in the existing Sherwood community.

Mr Johnson said his message to those calling for the preservation of Jacksons Creek was “we 100 per cent agree that the creek must be protected, which is why more 60 per cent of the land we’re looking to develop is being put aside for conservation and recreation”.

VPA chief executive Peter Seamer said the authority would “work with the National Trust to determine how the PSP can best respond to the matters outlined in their submission”.

Mr Seamer said if the petition was presented to the VPA it would be considered with all other submissions.



### **BRISBANE**

Level 7, 123 Albert Street  
Brisbane QLD 4000  
Australia  
T +61 7 3007 3800

### **GOLD COAST**

45 Nerang Street,  
Southport QLD 4215  
Australia  
T +61 7 5600 4900

### **MELBOURNE**

Level 12, 120 Collins Street  
Melbourne VIC 3000  
Australia  
T +61 3 8663 4888

### **PERTH**

Level 14, The Quadrant  
1 William Street  
Perth WA 6000  
Australia  
T +61 8 9346 0500

### **SYDNEY**

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201 Sussex Street  
Sydney NSW 2000  
Australia  
T +61 2 8233 9900

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