Proposed Hume Amendment
Craigieburn West PSP

Expert Statement of Evidence

15th April 2021

Prepared by:
Rod Wiese
Principal Engineer
Storm Consulting

Prepared for:
Porter Davis Projects Pty Ltd

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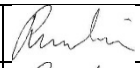
Prepared by	Rod Wiese		V1	19/4/21
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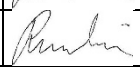
Issued by	Rod Wiese			
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This report has been compiled at the level of detail specified in the report and no responsibility is accepted for interpretations made at more detailed levels than so indicated.

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1.0 INTRODUCTION

This report details the Statement of Evidence for Proposed Planning Scheme Amendment to the Hume Planning Scheme – Craigieburn West Precinct Structure Plan. I have been requested by Ellen Tarasenko of Herbert Smith Freehills on behalf of Porter Davis Projects Pty Ltd to prepare an expert report for the above hearing.

1.1. Expert's Name and Address

Rodney N Wiese
FIEAust CPEng EngExec MIE Aust NER APEC Engineer IntPE (Aus)
Principal Engineer

Storm Consulting
Suite 7
84 Church Street
Richmond Victoria 3121

1.2. Qualifications and Experience

Bachelor of Engineering, Civil (Hons.), University of Technology 1993

BE Civil (Hons) - University of Technology, Sydney
Principal Engineer of Storm Consulting
Past President of Stormwater Victoria
Recent Board member of Stormwater Australia

I have 27 years' experience as a Civil/Environmental Engineer initially in State government, then in the consulting arena. I formed Storm Consulting Pty Ltd in 1997 where I operated in a senior role to plan and deliver a wide range of water engineering projects, particularly in relation to stormwater, to both government and the private sector. This business is now owned by Craig and Rhodes Pty Ltd where I am a Principal Engineer. I am a past President of Stormwater Victoria and until recently served on the Board of Stormwater Australia. Australian Water Association has recognised me as a highly commended water professional in 2012 and I have since been recognised as a Fellow by Engineers Australia.

My work typically includes planning, design, construction inspections and general advice on stormwater management which includes various developments, stream restoration, wetlands, subdivision design, environmental flows assessment, flood risk assessment including flood response plans, stormwater harvesting, integrated water cycle management, irrigation and water sensitive urban design.

Details of my qualifications, affiliations and experience are within my Curriculum Vitae (attached in Appendix A).

1.3. Instructions

My company, Craig and Rhodes Pty Ltd trading as Storm Consulting, has been engaged by Porter Davis Projects Pty Ltd to provide expert opinion on the PSP and associated submissions on how it may affect lands at 1360-1370 Mickleham Rd, Craigieburn.

A letter from Ellen Tarasenko of Herbert Smith Freehills dated 31st March 2021 set out my instructions. The Letter of Instruction is included in Appendix B.

1.4. Reference documents and materials

The key reference materials relied upon for the preparation of this statement are:

1. PSP 1068 – Craigieburn West Precinct Structure Plan, draft for public consultation, Victoria Planning Authority (November 2020)
2. Craigieburn West Stormwater Management Strategy, Stormy Water Solutions (September 2020)
3. Consideration of submissions, Victoria Planning Authority (undated)
4. Email from Laurence Newcombe, PSP Coordinator, Melbourne Water (7/04/20)

1.5. Declaration

I have read, and my evidence complies with, the Planning Panels Victoria Guide to Expert Evidence located at https://www.planning.vic.gov.au/panels-and-committees/planning-panel-guides/guide-to-the-expert-evidence

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

Rod Wiese FIEAust CPEng EngExec MIE Aust NER APEC Engineer IntPE (Aus)
Principal Engineer
Craig & Rhodes Pty Ltd T/A Storm Consulting

19th April 2021

2.0 OPINION

2.1. Site description in context of Drainage

1. The site is located at 1360-1370 Mickleham Road in Craigieburn (Site) and is bounded by Mickleham Road on the west and land owned by Peet Craigieburn Pty Ltd (Peet) to the north, east and south.

Figure 1: Site location

2. A significant dam exists adjacent to Mickleham Road within lands owned by Peet to the north of the Site. This dam receives runoff from the gap catchment upstream and also appears to receive runoff from land extending further north which is diverted via a channel on the eastern side of Mickleham Road corridor. This is shown in the Google Streetview photo below in Figure 2 with the existing dam located further to the right.

Figure 2: Northern diversion into existing dam (out of view on right)

3. The Site sits in the headwaters of two catchments. The south-west portion currently drains to Upper Brodies Creek and the remainder drains west to Moonee Ponds Creek. Upper Brodies Creek is subject to a Drainage Scheme (DS) known as DS4381 however the remainder of the Site draining to Moonee Ponds Creek is currently a gap catchment where no DS applies.

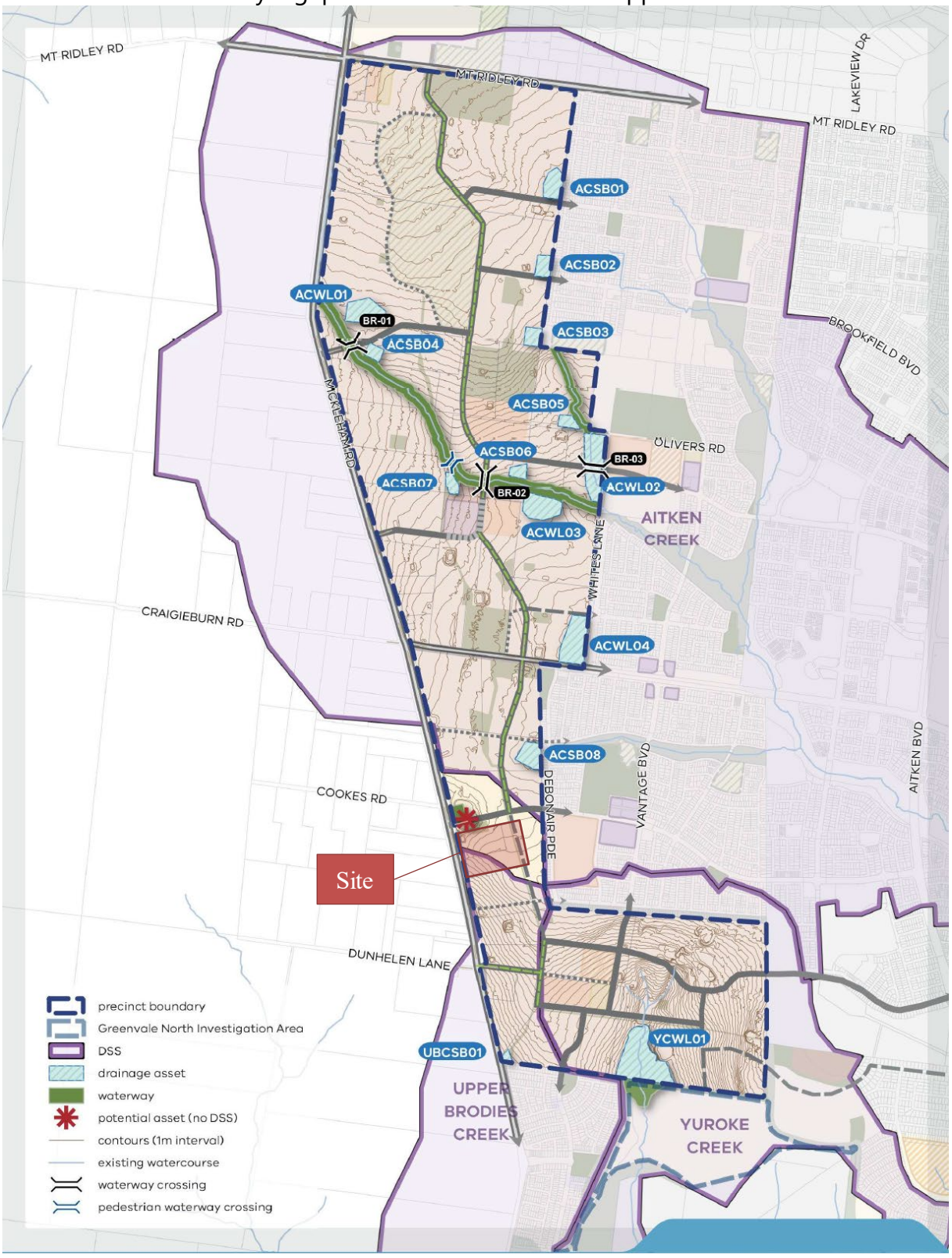

Figure 3: Plan 6 of PSP by VPA showing DS boundaries

4. The road drainage from the eastern half of Mickleham Road and associated road reserve area outside the dam diversion drains to the sag located west of the existing dam on Peets' land. A culvert comprising twin 375mm diameter pipes conveys these flows under Mickleham Road and seemingly into the smaller dam on the western side of Mickleham Road reserve. The overflows on the smaller dam drain west through the rural property and then south west to Moonee Ponds Creek. This is shown in Figure 4 below.

Figure 4: Current drainage configuration

5. The capacity of the twin culverts has been calculated by Stormy Water Solutions (advisors to Peet) to be 350L/s or 0.35m^3/s. Independent calculations were undertaken by Storm Consulting to confirm this estimate. It is not known how these culverts were sized nor the flood immunity recurrence interval they are intended to provide however it does appear to be undersized for this catchment.
6. Standard practice for sizing road culverts downstream of dam structures is to ignore the dam in the case that it is full at the time of the design storm event occurring or the dam is decommissioned in future.
7. In this case it appears that the dam catchment may have largely been discounted from the assessment and/or there is a low flood immunity of Mickleham Road proposed at this location. Alternatively, the installation of these culverts may have been undertaken without proper consultation with designers.

2.2. Precinct Structure Plan

8. A drainage asset is proposed in the Precinct Structure Plan in lands owned by Peet just north of the Site at the location of the existing dam. This future drainage asset is proposed to manage the gap catchment that receives runoff from lands what are wholly owned by Porter Davis as well as Peet.
9. The proposed extension of Elevation Boulevard to Mickleham Road will pass through this existing dam. It is noted that there has been some discussion on relocating this proposed extension further south but still within Peet lands or further north to connect with Cookes Road. Either option will result in the proposed road passing through the existing dam. It is also noted that there is some flexibility for locating this asset as long as it is in the vicinity of the Mickleham Road culvert.

Figure 5: Extract from Plan 6 of the PSP showing proposed drainage asset related to the lands and the route of Elevation Boulevard extension

10. The asset is expected to be maintained by Council as indicated in Reference 4.

11. The dam is very likely to be decommissioned to facilitate development in this area as well as the road extension and the proposed drainage assets including their associated structures. The dam wall may also not be to current design standards given the significant age.
12. The existing dam is large compared to the catchment draining to it. Historical photos suggest that it is not often full and therefore expected to spill flows only rarely. It is therefore likely to have a significant impact on reducing flows to the road culvert by way of storing the runoff in the dam where it is then subject to evaporation. Removal of this dam will increase peak flows and volumes to the culvert and subsequently downstream.
13. The presence of the existing dam in the current catchment is expected to have a greater impact on the more frequent flows. It is acknowledged that it will also impact on the extreme events (eg 1% AEP) however the more frequent flows that yield less runoff volumes are more likely to be stored in the dam and evaporated instead of flowing downstream.
14. These small and more frequent events have a greater impact on the geomorphology and ecology of the downstream waterways and typically relate to events up to the 50% AEP. Maintaining these frequent events to a pre-development level reduces the risk of waterway degradation downstream depending on its current condition. This speaks to G23 of the PSP noting that maintaining the 1% AEP peak flow to pre-development levels is a key requirement. The key issue is what should be considered as the pre-development condition as the dam has existed for many decades.
15. Urban development within the gap catchment will exacerbate the peak flows and volumes greater than that of the dam removal. This is proposed to be mitigated with a drainage asset as shown in Figure 5 and the nominated area in Table 3 of the PSP is 0.52 Ha. However, there is currently a lack of detailed assessment that informs the sizing of this asset particularly the assumption regarding the adopted pre-development condition to determine peak flows.

2.3. Submissions

16. The submissions for the PSP relating particularly to drainage were reviewed. The key matters noted relate to Peet's submission which draws heavily on the Stormwater Management Strategy (SMS) prepared by Stormy Water Solutions (SWS 2020). I have therefore relied upon the SWS 2020 document and note that the two key issues with respect to the Site are:
    a. diverting areas of the gap catchment in Peet lands to existing DS's
    b. potentially splitting the gap catchment drainage asset in the PSP into 2 parts so that Peet can implement development separately to Porter Davis.

17. It was also gleaned that a theme of upgrading Mickleham Road emerged. This was not assessed in detail but noted with respect to the potential upgrade of road drainage assets.

2.3.1. Diverting gap catchment flows

18. SWS propose that drainage from part Peet lands be diverted to existing DS's as shown in Figure 6:

    a. The Aitken Creek Drainage Scheme (DS 4480) in the north; and
    b. The Upper Brodies Creek DS (DS 4381) in the south

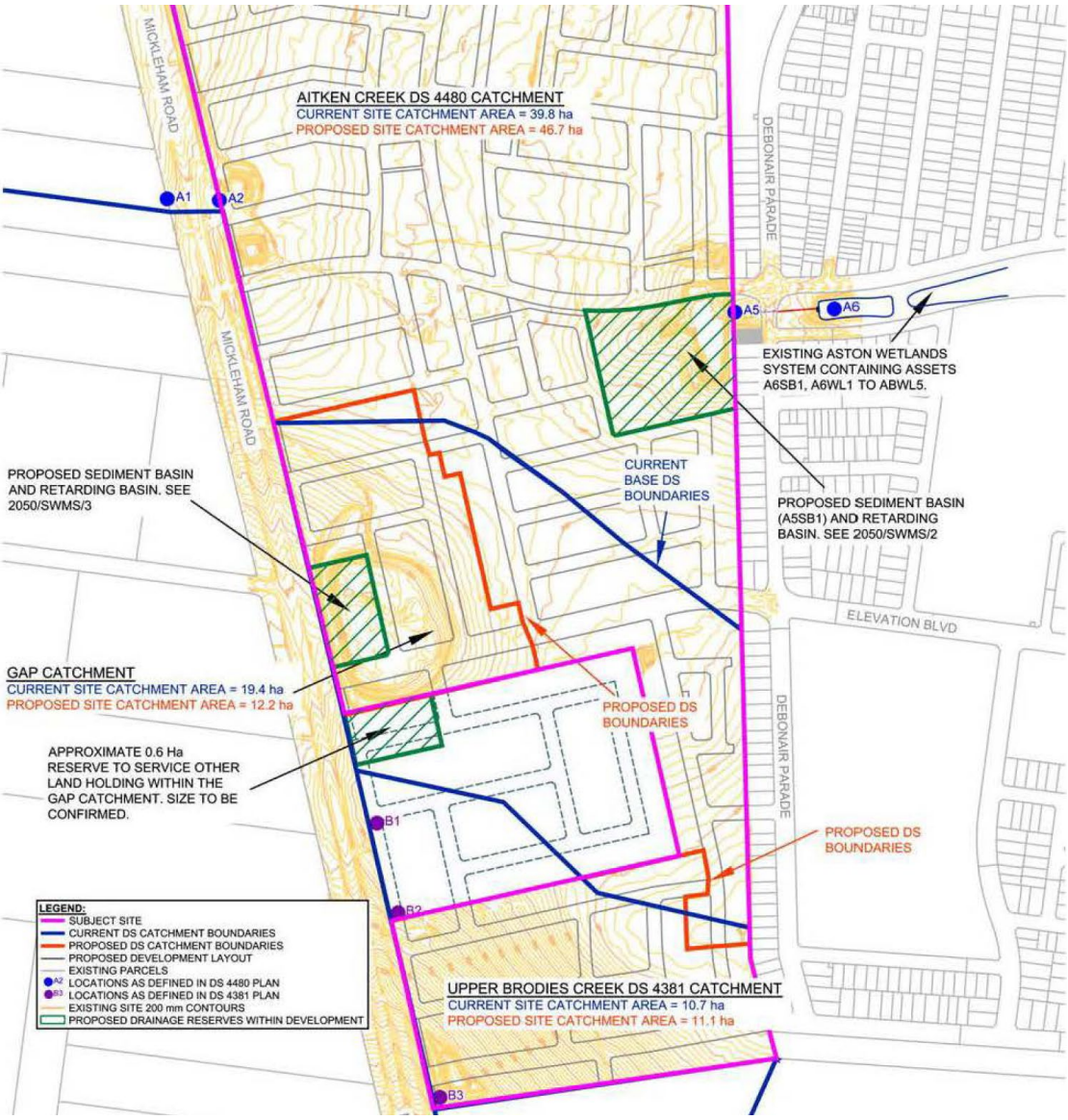

Figure 6: Proposed drainage diversion by SWS for Peet (includes separated drainage assets)

19. SWS have calculated that the resulting change in catchments are:

Catchment		Original 'Base Case' DS Area	Proposed SWMS DS Area	Change[2]
Aitken Creek DS 4480		39.8 ha	46.7 ha	+ 6.9 ha
Upper Brodies Creek DS 4381		10.7 ha	11.1 ha	+ 0.4 ha
Gap	Subject Site	13.8 ha	6.6 ha	- 7.2 ha
	1360-1370 Mickleham Road[1]	5.6 ha	5.6 ha	0 ha

Figure 7: Extract from SWS 2020 resulting catchment areas with diversions

20. Melbourne Water have acknowledged in Reference 4 that this diversion is permissible.

21. The diversion appears to create advantages in the following ways:

    a. Development can proceed in the diverted catchments as the DS's already exist

    b. The drainage solution proposed by SWS appears to improve the outcome for Aitken Creek DS4480

    c. There may also be a financial gain for Peet noted by SWS

    d. Reduction of the gap catchment which is not subject to a DS and therefore not fully investigated to identify necessary infrastructure

    e. The reduction in the gap catchment would improve the flood immunity of Mickleham Road in its current condition but particularly when the dam is decommissioned. The importance of this point should not go unnoticed.

22. These same advantages would apply if lands within the Site were also diverted. It appears possible to divert a portion of the Site to Upper Brodies Creek DS4381 as well as to Aitken Creek DS4480. A commercial arrangement with Peet would need to be considered in context of the drainage scheme costs including offsets.

2.3.2. Splitting drainage assets in gap catchment

23. SWS propose that the drainage asset nominated in the PSP can be split into 2 assets that would apply to Peet and Porter Davis lands separately. This is presumably under the guise of keeping the development implementation as independent as possible and there are some advantages to this.

24. There are considerable disadvantages in splitting the drainage asset. Separating the assets means duplication of infrastructure associated with the system. This duplication creates additional land-take to account for the duplication as well as the batters to accommodate the asset in the landscape. It is difficult to estimate an accurate additional land-take without further assessment however it is thought to be significant.

25. Separated assets also means that maintenance is separated. This is likely to increase maintenance costs above that of a single system and Council is unlikely to favour separated systems.
26. Economies of scale are also likely to be noted for the construction of a single large asset compared to separated systems.
27. The outflows from Porter Davis land likely need to drain through Peet land to the vicinity of the Mickleham Road culverts regardless of whether the solution comprises a single or separated assets.

2.4. Mickleham Road culvert

28. SWS have suggested the drainage scheme should be designed to convey the 1% AEP event through the twin 375mm diameter culverts and have based the estimations for sizing the retarding basin on this key assumption. It is acknowledged that this was higher level advice provided to Peet and would naturally be quite conservative. Although Department of Transport (assumed owner) would likely prefer this same flood immunity, the validity of this is questioned.
29. It is known that the Pacific Highway north of Newcastle is cut by 5% AEP flooding with no known plans to address this despite the massive investment in bypass road infrastructure just north of the location of flooding. To define an appropriate flood immunity for Mickleham Road the ease of utilising alternative routes to accessing homes in this area should be assessed.
30. The assumptions of the pre-development condition are not clear nor are they readily resolved. The pre-development condition may exclude the dam which is typically undertaken. In this case the flood immunity of the road is expected to be low (until upgraded) and the flows down to Moonee Ponds Creek are likely to be higher in the pre-developed condition than the current site condition. If the dam is included in the pre-development condition then the starting condition of the dam needs to be determined to undertake the event-based assessment. This is very difficult to define. A discussion on the likely impacts of including or excluding the dam in the pre-development condition is provided in Table 1.

Table 1: Likely impacts of including or excluding the dam in pre-development condition

Flow regime	Exclude dam	Include dam
1% AEP (typical adopted flood to set floor levels and riparian zone definition)	It is typical to exclude impact of dams as they are normally considered full for assessing the 1% AEP. However this dam is relatively large for the catchment and therefore likely to result in greater flows draining through lands downstream if it was excluded.	This is likely to reduce the pre-development flows if the dam was not considered to be full at the time of the event. The challenge is to determine the starting condition for the assessment as it is acknowledged that the likelihood of having a 1% AEP storm in combination with the dam being full results in a likelihood less than 1% AEP.
4EY (typical for WSUD elements)	Runoff will likely occur into the downstream properties. WSUD in the gap catchment would reduce these flows considerably.	Including the dam in pre-development flows is likely to result in no runoff for these small events. This excludes Mickleham Road catchment.
50% AEP (typical regime to consider for protection of stream geomorphology)	Runoff will likely occur into the downstream properties. WSUD in the gap catchment would reduce these flows but not to the same extent as expected in the 4EY. Some mitigation in a drainage asset is expected to be required.	There would be a major reduction in gap flows and probably no notable dam overflows being experienced. This excludes Mickleham Road catchment which has no controls.
5% AEP (a starting point to consider flood immunity for Mickleham Road)	Significant flows are expected to the culvert for the pre-development condition with no dam.	A significant reduction in the pre-development condition is expected although significant runoff from Mickleham Road catchment is expected which has no controls.

31. The dam diversions adjacent Mickleham Road direct water from north of the DS boundary indicated in Figure 5 and do not appear to have been included in the current assessment by SWS. If there is an attempt to define the start condition of the dam for the 1% AEP flood assessment then the entire existing catchment should be considered.

32. The SMS also does not appear to account for the half road reserve catchment that also drains to the culverts. It is acknowledged this is a high-level assessment and outside the PSP but will need further investigations to inform the culvert assessment.

33. It is recognised that Mickleham Road is not part of the PSP however this has been questioned by submitters for various reasons. If it is included in the PSP then there will be an opportunity to upgrade the culverts in the PSP as it directly relates to the gap catchment upstream.
34. The upgrade of Mickleham Road will result in road widening which increases the impervious area draining to the culverts. The culverts will require augmentation with the upgrade of the road. The desired flood immunity of the road can be incorporated at this time noting that the downstream impacts also need to be considered. Therefore the interim flood immunity can be considered as temporary and perhaps a lower standard is acceptable.
35. Assessing the impact of the 1% AEP event on downstream properties is required regardless of upgrading Mickleham Road.

2.5. Summary and Recommendations

36. Diversion of the gap catchment into existing DS's is encouraged for both Peet and Porter Davis lands. This will provide a better outcome for the gap catchment in future including flood immunity of Mickleham Road.
37. Adopt a single drainage asset for the gap catchment to minimise necessary land-take, reduce construction costs and minimise the maintenance burden for council.
38. Investigate the gap catchment drainage to define the sizing of the drainage asset required which includes:
    a. Determining the pre-development condition to adopt in the assessment
    b. Consider the current flood immunity of Mickleham Road and downstream properties
    c. Consider the impact of the Mickleham Road and culvert upgrade including likely timings
39. The size of the drainage asset in the PSP (Table 3 and associated locations) should note the allowance is an estimate and subject to change upon more detailed investigations.
40. Consider the inclusion of Mickleham Road in the PSP to assist in resolving these matters as it directly relates to the gap catchment.

APPENDIX A

Rod Wiese - Summary

Curriculum Vitae

A division of CRAIG & RHODES

Rod Wiese

Principal Engineer

Qualifications

Bachelor of Engineering, Civil (Hons)

Professional Associations

- Chartered Professional Engineer (EngExec)
- Fellow Institute Engineers Australia
- National Engineer Register
- APEC Engineer
- IntPE (Aus)
- White Card

Core Strengths

- Stormwater management
- Stormwater quality treatment
- Water Sensitive Urban Design
- Flooding Assessments
- Integrated Water Management
- Wetlands and Ponds
- Creek rehabilitation
- Stormwater harvesting
- Pesticide mass balance assessment

SUSTAINABLE WATER
STORMWATER &
RUNOFF STREAM &
WATERWAY CIVIL &
INFRASTRUCTURE

Rod has 25+ years' experience as a Civil/Environmental Engineer. He has operated in a senior role to plan and deliver a wide range of water engineering projects, particularly in relation to stormwater, to both government and the private sector. Rod is a past President of Stormwater Victoria and recently served on the Board of Stormwater Australia. Australian Water Association also recognised Rod as highly commended water professional of the year in 2012 and have since been recognised as Fellow by Engineers Australia.

His work typically includes planning, design, construction inspections and general advice on stormwater management which includes various developments, stream restoration, wetlands, subdivision design, environmental flows assessment, flood assessment, stormwater harvesting, integrated water cycle management, irrigation and water sensitive urban design. He also assists regularly the Land and Environment Court or Victorian Civil and Administrative Tribunal in dispute matters as an industry expert. Rod also authored the design chapters of the Constructed Wetland Manual for NSW government.

Professional Experience

- Council Depots. Stonnington (Development of Integrated Water Management solution through to detailed design including roof water capture and re-use, stormwater treatment, truck wash recycling system); Banyule (water quality improvement particularly related to sediment and airborne paper fragments from recycling process); Moonee Valley (water management strategy to minimise pollutant export); Whittlesea (water management strategy.
- Urban Waterways. Many projects from stabilization to full restoration such as Clear Paddock Creek.
- Quarries. Water management within various quarries mainly related to water quality during operation but also flooding.
- Industrial development. Most recent and notable is Kinross Business Park which is located in sandy soils above water supply aquifer. My input was from planning, research, applied research and detailed design of the systems.
- Residential development. Many examples including sub-divisions to address water quality, flood management, riparian treatments and integrated water solutions which sometimes includes stormwater harvesting.
- Golf Clubs. Water management of various golf clubs mostly focusing on integrated water management and stormwater harvesting but also includes riparian solutions. Eastern Golf Club is most notable where detailed design of Integrated Water Management solution including stormwater treatment (WSUD), wetland design and recirculation system. A Tier 2 pesticide risk assessment was undertaken with Ecos Environmental which required development of a water and pesticide mass balance model to estimate the potential to export pesticides.
- Expert Witness for various VCAT and Land and Environment Court matters.
- Regular reviewer of conference papers for Australian Water Association and Stormwater Australia.

APPENDIX B

Letter of Instruction

HERBERT SMITH FREEHILLS

Rod Wiese
Managing Director & Principal Engineer
Storm Consulting
Suite 7, 84 Church Street
RICHMOND VIC 3121
rwiese@stormconsulting.com.au

31 March 2021
Matter 82717185
By Email

Dear Rod

Confidential

Engagement to prepare expert evidence
Proposed Hume Amendment
Craigieburn West PSP

1 Introduction

We act as legal advisers to Porter Davis Projects Pty Ltd (**Client**) in relation to their development of 1360-1370 Mickleham Road, Craigieburn, Vic 3064 (**Site**).

The Site lies within the Craigieburn West precinct. The precinct is the subject of a proposed amendment to the Hume Planning Scheme (**Amendment**), for which the Victorian Planning Authority (**VPA**) is the planning authority. The Amendment proposes to make the following changes to the Hume Planning Scheme:

- incorporate the Craigieburn West Precinct Structure Plan (**PSP**);
- rezone land to Urban Growth Zone Schedule 12; and
- make associated changes to the planning policy framework.

The Amendment is being progressed through the VPA's fast-track program, as part of the Victorian Government's economic recovery response to the Covid-19 pandemic.

The Amendment has been referred to the VPA Standing Advisory Committee (**SAC**) with the following dates:

- a directions hearing was held on 26 March 2021; and
- the hearing is due to commence on 26 April 2021 and run for three weeks. You will be required to attend on **29 and 30 April 2021**.

A copy of the SAC directions and timetable is enclosed.

2 Description of the Site

The Site is located at 1360-1370 Mickleham Road, Craigieburn (described as parcels 32 and 33 in the PSP).

The Site is situated within the Hume Planning Scheme area and is currently zoned as 'Urban Growth Zone (Part A applies).

Copies of the relevant Planning Property Reports and Planning Control are enclosed.

3 The Amendment process

Between 17 November 2020 and 18 December 2020, the VPA undertook a targeted public consultation process for the proposed Amendment. The Client made a submission

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to the VPA on 18 December 2020. A copy of the Client's submission and the VPA's submission summary are enclosed.

On 12 March 2021, our Client received notification that the Minister referred the proposed Amendment to the SAC to consider all unresolved submissions in accordance with the SAC's terms of reference dated 17 July 2020. The SAC will consider unresolved matters and provide advice to the Minister and the VPA, before the VPA finalises the Amendment for the Minister's consideration.

4 Drainage and stormwater issues

Peet Limited (**Peet**) is the developer and registered proprietor of 1340, 1390, 1430, 1480 Mickleham Road Craigieburn and 665 Craigieburn Road (PSP parcels 34, 31, 30, 28 and 29 of the PSP respectively). Peet made a submission in respect of the PSP dated 18 December 2020 (enclosed).

Peet's submission proposed changes to the PSP in relation to drainage (amongst other proposed changes) which have the potential to adversely affect the Site. Peet's submission was supported by a Stormwater Management Strategy prepared by Stormy Water Solutions dated 25 September 2020. Stormy Water Solutions also prepared a letter to our Client dated 30 November 2020 in relation to the proposed drainage changes. Both documents are enclosed.

In summary:

(a) Parts of the Site and the Peet land are outside of any Melbourne Water Drainage Services Scheme (within a 'gap' catchment);

(b) Plan 6 (Integrated Water Management) of the PSP identifies a 'potential asset' being required on the Peet land;

(c) Table 3 (Water Infrastructure) of the PSP identifies the size of the potential asset;

(d) Stormy Water Solutions have developed an alternative strategy whereby two assets are proposed; one on the Peet land and one on the Site.

We are instructed that there are capacity constraints within the existing culverts beneath Mickleham Road which need to be considered as part of considering the Stormy Water Solutions strategy.

5 Scope of work

As part of your engagement we request that you undertake the following scope of work:

(a) review the documents enclosed with this letter, as relevant;

(b) attend a meeting/s with representatives of the Client and Herbert Smith Freehills, as required, to discuss drainage matters;

(c) prepare an evidence statement addressing these matters and attend the hearing on **29 and 30 April 2021** to give expert evidence. In particular, your statement is to address the following:

  (1) whether the changes proposed by Peet and Stormy Water Solutions are necessary and appropriate (from a drainage and engineering perspective);

  (2) whether there is any constraint to Peet providing a single, larger, drainage system on the Peet land; and

  (3) the benefits and disbenefits of the Stormy Water Solutions strategy, having regard to (among other things) land take, ongoing drainage authority management, culvert capacity and other relevant considerations.

As part of the hearing, you may also be required to respond to evidence or expert opinions if and when received from other parties.

6 Timing

We request that you provide your fee proposal and list of any further information required to complete your assessment as soon as possible. Subject to your fee proposal being accepted by the Client please take this letter as confirming your engagement.

Your evidence statement is to be filed with the SAC by 19 April 2021 and we would therefore require your draft by 15 April 2021.

Please note your engagement does not entitle you to payment by Herbert Smith Freehills. The Client is responsible for payment of your fees. Invoices should be addressed to the Client and be sent directly to them at the following address:

Sebastian Catalfamo
sebastian.catalfamo@porterdavis.com.au
Level 10, 720 Bourke Street
Docklands 3008 VIC
0418576516

7 Planning Panels Victoria Guide to Expert Evidence

Your role is that of an independent expert. You are not an advocate for any party.

Though you are retained by the Client, you are retained as an independent expert to assist the SAC and you have an overriding duty to it. The SAC expects you to be objective, professional and to form an independent view as to the matters in respect of which your opinion is sought.

Your duties are set out in the Guide to Expert Evidence enclosed with this letter.

8 Confidentiality

This letter, your fee proposal and any draft or final plans or reports are confidential and are not to be copied or used for any purpose unrelated to the purpose for which it is requested without the permission of our client.

9 Conflicts of interest

As an independent expert, it is important that you are free from any possible conflict of interest in providing your advice. You should ensure that you have no connection with any other party which would preclude you from providing your opinion in an objective and independent manner.

We understand that you do not have any conflict of interest or possible conflict of interest in respect of the matters outlined in this letter. Please notify us immediately if any conflict of interest arises in relation to you carrying out this engagement.

10 Communications

All communications, whether verbal or written, should be directed to our office, so that we can coordinate, manage and integrate work activities with legal requirements and ensure privilege is maintained as appropriate.

If, at any stage, you change your view on a particular matter, you should inform us in writing of the change of view without delay. You should also make it clear if a particular question or issue falls outside your area of expertise.

Please contact us if you have any queries.

Yours sincerely

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HERBERT SMITH FREEHILLS

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3	Planning Property report for 1370 Mickleham Road, Craigieburn
4	Urban Growth Zone
5	Craigieburn West Precinct Structure Plan dated November 2020
6	Submission prepared by SMEC on behalf of the Client to the Victorian Planning Authority dated 18 December 2020
7	Submission of Peet Limited to Victorian Planning Authority dated 18 December 2020
8	Stormwater Management Strategy prepared by Stormy Water Solutions dated 25 September 2020
9	Letter from Stormy Water Solutions to the Client dated 30 November 2020
10	Victorian Planning Authority Submissions Summary dated 15 March 2021
11	Planning Panels Victoria Guide to Expert Evidence