

27 April 2018

Your ref:  
Our ref: HXWM/DXPM/5658267

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**Attention: Ms Kathy Mitchell, Chair**

Dear Ms Mitchell

**Fishermans Bend Planning Review Panel – APN DF2 Project 1 Pty Ltd (Submitter No. 157)  
277-281 Ingles Street, Port Melbourne**

We continue to act for APN DF2 Project 1 Pty Ltd in relation to the Fishermans Bend Planning Review Panel Hearing.

APN is presently scheduled to make a submission on 2 May 2018.

Our client has recently instructed us that its circumstances have changed and it no longer wishes to participate in the proceeding. Consequently, APN requests the Panel to vacate its allocated hearing time on 2 May 2018.

APN continues to rely on the submission it made to the Amendment.

The expert reports of Mr Song and Mr Walsh address the Amendment insofar as it affects APN's land. We do not intend to have Mr Song or Mr Walsh address the APN land during the presentation of their evidence, given APN's decision not to participate in the proceeding.

If you have any questions or require further information please do not hesitate to contact Jenelle Cramer on +61 3 8568 9534 or [jcramer@millsoakley.com.au](mailto:jcramer@millsoakley.com.au)

Yours sincerely

per.

**DAVID PASSARELLA  
PARTNER**