

20 May 2026

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Alicia Desgrand
Development Facilitation Program
Department of Transport and Planning
Level 7, 8 Nicholson Street
East Melbourne VIC 3002

Via online portal.

Dear Alicia,

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PLANNING PERMIT APPLICATION 413 FRANCIS STREET, BROOKLYN

proUrban make this planning permit application on behalf of *Stockland Development Pty Ltd* ('the applicant') to the Department of Transport and Planning ('the Responsible Authority') in relation to the land at 413 Francis Street, Brooklyn ('the Site').

This application is supported by the following documents:

- Metropolitan Planning Levy Certificate;
- Copy of title and plan;
- Quantity Surveyors report (dated 20 May 2026) prepared by Jacobs;
- Architectural Plans (dated 20 May 2026) prepared by Jacobs;
- Urban context report and design response (dated 20 May 2026) prepared by Jacobs;
- Arborist report (dated 20 May 2026) prepared by Homewood Consulting Pty Ltd;
- Acoustic Assessment (dated 19 May 2026) prepared by Marshall Day Acoustics (Australia) Pty Ltd;
- Air Quality and Plume Rise Assessment (dated 20 May 2026) prepared by Jacobs;
- Environmentally Sustainable Design assessment (dated 20 May 2026) prepared by Jacobs;
- Infrastructure Servicing Report (dated 20 May 2026) prepared by Jacobs;
- Landscape Plan (dated 20 May 2026) prepared by Jacobs;
- Preliminary Risks and Hazard Assessment (dated 20 May 2026) prepared by Jacobs;
- Traffic Impact Assessment (dated 20 May 2026) prepared by Jacobs;
- Waste Management Plan (dated 20 May 2026) prepared by Jacobs;
- Stormwater Management Plan (dated 20 May 2026) prepared by Jacobs; and
- Green Travel Plan (dated 20 May 2026) prepared by Jacobs.

This cover letter also provides a response to comments received from the eligibility letter and referral authorities. The responses are included in the appendices attached:

- Appendix 1: Response to preliminary matters raised within the eligibility letter dated 16 March 2026.
- Appendix 2: Response to comments received from internal and external referral authorities.

Additional changes

Floor-to-floor height

In addition to the appendices listed above and provided below, additional changes to the floor-to-floor heights have increased as a result of further advancements to the proposed operating equipment to be utilised within the data centre building. Accordingly, the floor-to-floor heights have increased from 7.5 metres to 9 metres for both levels. To ensure that this does not result in a further increase to the overall maximum building height for the project, detailed consideration has been made to reduce the height of the services to accommodate the additional floor to floor heights. Therefore, the overall maximum building height remains to be no greater 25.5 metres.

To ensure that the rooftop plant and cooling equipment has not resulted in an increase to the overall building height, testing has been undertaken with the acoustic and services engineer to provide for a more efficient height of the rooftop equipment. Testing has been undertaken to ensure that the cooling requirements and noise attenuation measures can continue to comply with the relevant EPA requirements.

Subdivision

Following the initial pre-application engagement, an application has been made to subdivide the Site into two lots (SPEAR: S266704), stage 1 consisting of all areas subject to this application, with stage 2 consisting of existing warehouse buildings to be retained. As a result of the subdivision application, a minor alteration to the staging boundary is required to retain existing electrical infrastructure associated with the retained stage 2 area.

As a result of this, the car parking located along the south of building 2 is re-located to the southern side of the internal access road, with the same number of car parking spaces maintained. The access arrangement continues to provide an appropriate outcome with updated swept path analysis provided within the updated Traffic Impact Assessment prepared by Jacobs.

We seek to undertake a collaborative application process and look forward to working with the Department of Transport and Planning on this project. If you require any further information or clarification, please do not hesitate to contact us on 9939 0886, or via email at daniel.letty@pro-urban.com.au.

Yours sincerely,



Daniel Letty

Senior Consultant

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Appendix 1 Response to Eligibility Letter

413 FRANCIS STREET, BROOKLYN | DFP PRE-APPLICATION NO. PPA-1627

ACTION TABLE FOR ELIGIBILITY LETTER COMMENTS

PRELIMINARY COMMENTS	INITIAL COMMENTS AND ACTIONS
<p><u>Urban Design</u></p> <p>The following outstanding urban design matters are requested to be addressed:</p> <ul style="list-style-type: none"> - Relocate ancillary structures within the northern setback to an alternative location to enhance the streetscape along Francis Street and maximise tree retention and planting. We acknowledge that these facilities are a necessary part of the proposal; however, they appear as an afterthought and result in an undesirable presentation to the street frontage. - Further articulate the façade and roof plant; for example, distinguish the plant screen and projecting fire stairs from the main building to improve visual interest. - Investigate opportunities for increased landscaping, including new canopy trees, particularly in the north-western portion of the site where the existing crossover is being removed and within the front setback to Francis Street. This may necessitate relocating the ancillary structures. 	<p>Since the soft lodgement and pre-application stage, the proposed layout of buildings and fuel storage fronting Francis Street has changed with bulk fuel storage structures being reconfigured and moved away from this location. The only structures remaining within the front setback to Francis Street are the Security Guardhouse and Fire Water storage as required for the functional requirements and overall Site layout efficiencies. The canopy tree line along the Francis Street frontage will provide visual screening of structures from outside of the Site in addition to the proposed under storey planting.</p> <p>The updated design as part of this formal lodgement has provided further facade articulation, please refer to the updated Architectural Plans demonstrating the various forms and colours of materials incorporated into the facade, with further details also provided in the Urban Design Report.</p> <p>Meaningful landscaping is proposed within the front setback to Francis Street with the incorporation of large trees proposed able to achieve a mature height of up to ten metres. Further details are provided within the Landscape plan in this submission. It is note that functional requirements of the Site including large vehicle access roads, clearances around perimeter security fences, the accommodation of major electrical supply equipment including the Ausnet substation, and other built form requirements for a data centre, limit the amount of landscaping possible. The landscape response should be considered within those constraints, also noting that it is an improvement feature of the current Site conditions.</p>
<p><u>Amenity Impacts</u></p> <p>An acoustic report has not been submitted and is requested to form part of the planning permit application package. The development must incorporate adequate noise attenuation measures to ensure the facility complies with relevant regulations.</p>	<p>Acoustic assessment is provided as part of formal lodgement of the application, demonstrating compliance with relevant EPA regulations.</p>
<p><u>Tree Retention and Landscaping</u></p> <p>An arborist report has not been submitted and is requested to form part of the planning permit application package. Retention of mature trees on the Site is strongly encouraged.</p>	<p>Arborist report is provided as part of formal lodgement.</p> <p>As detailed within the accompanying town planning report, the agreement applies to all land fronting Export Drive. With no built form provided on the Site at 22-24</p>

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<p>It is noted that there is an agreement on the Title Volume 11883 Folio 707 PC 373205M. The agreement prioritises quality development and substantial landscaping for all lots fronting Export Drive. The applicant is required to demonstrate how the proposal complies with this agreement.</p>	<p>Export Drive as part of this proposal, the agreement is continued to be met.</p>
<p><u>Traffic Impact Assessment</u></p> <p>The Traffic Impact Assessment (TIA) submitted relies on traffic survey data from 2022 which is considered to be outdated. A revised TIA should be prepared to account for more recent data and the traffic related matters raised by Hobsons Bay City Council in their addendum referral comments dated 11 February 2026.</p>	<p>Please refer to the updated Traffic Impact Assessment prepared by Jacobs and updated to include traffic counts taken from February 2026.</p>
<p><u>WorkSafe</u></p> <p>Based on the information submitted, WorkSafe has not been able to provide preliminary referral comments. WorkSafe has requested:</p> <ul style="list-style-type: none"> • Preliminary Hazard Analysis • Proposed dangerous goods and quantities • Proposed location of dangerous goods on site, including diesel generator back up storages and battery storages • Proposed fire safety systems. <p>Referral comments will be requested from WorkSafe, Fire Rescue Victoria, and any relevant electricity and water authorities, as required.</p>	<p>Please refer to the accompanying Preliminary Risk Hazard Assessment report prepared by Jacobs addressing the listed requirements.</p>
<p><u>Environmental Protection Authority Victoria</u></p> <p>Based on the information submitted, the Environmental Protection Authority (EPA) Victoria has identified matters that require further information to enable a complete assessment. A response to the EPA is requested to form part of the planning permit application package.</p>	<p>Following discussions in the pre-application stage with the EPA, a pathways advice request has been made to EPA and has subsequently received feedback by email dated 14.05.2026. Concurrently to the planning permit application, relevant development licence or development licence exemption will be sought.</p>
<p><u>Flooding</u></p> <p>All relevant flood requirements outlined in Melbourne Water's preliminary referral response, dated 29 January 2026, are required to be addressed as part of the planning permit application package.</p>	<p>As detailed in the updated architectural plans prepared by Jacobs, all applicable minimum floor levels specified by Melbourne Water have been adopted to the relevant aspects of the proposed buildings.</p>

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FURTHER INFORMATION	INITIAL COMMENTS AND ACTIONS
In addition to the matters above, I advise the following information is required to be submitted with a planning permit application:	-
a. A recent copy of the Certificate of Title pertaining to each land parcel, including any encumbrances, covenants, notices and agreements (searched within 3 months).	Please refer to recent copy of title, plans and agreements provided within three months of lodgement.
b. A valid Metropolitan Planning Levy (MPL) certificate.	Please refer to the accompanying MPL certificate.
c. A report prepared by a suitably qualified quantity surveyor which specifies the estimated cost of the proposed development.	An updated QS report outlining estimated development costs forms part of this formal lodgement.
d. A feature and level survey.	Please refer to the accompanying feature and level survey provided by Taylors.
<p>e. Architectural plans drawn to scale, with dimensions, generally in accordance with the plans submitted with the pre-application request (prepared by Jacobs, dated 15/12/2025), and modified to incorporate the following:</p> <ul style="list-style-type: none"> i. All changes made in response to this letter and any recommendations from the supporting subconsultant documentation. ii. Details of proposed boundary fencing. iii. Detailed elevational drawings showing the proposed architectural articulation. iv. Details of mechanical plant screening. v. Details of the kerb and channel to Francis Street. vi. A materials schedule. vii. Any acoustic barriers. viii. A site layout map clearly identifying all locations and quantities of dangerous goods on site. ix. Any changes to the plans clearly identified. 	<p>These items are all marked on the Architectural Plans and Urban Design Report that form part of this submission.</p> <p style="text-align: center;">ADVERTISED PLAN</p>
<p>f. Supporting subconsultant documentation that corresponds with the final revision of the architectural plans, including:</p> <ul style="list-style-type: none"> i. A town planning report, updated to: <ul style="list-style-type: none"> - Delete signage from the description of the proposal. - Provide justification for the proposed tree removal, including a consideration of Clause 52.01-1L-02. 	Please refer to the cover letter prepared by proUrban for confirmation on all material accompanying this submission. All items listed have been included with the formal lodgement of the application.

<ul style="list-style-type: none"> ii. A TIA, updated to: <ul style="list-style-type: none"> - Address findings predicated on the most recent traffic survey data available. - Include a Green Travel Plan to satisfy the requirements of Clause 15.01-2L-04. iii. A waste management plan. iv. An acoustic report. v. A landscape plan. vi. An arborist report, updated to: <ul style="list-style-type: none"> - Identify native trees proposed to be removed and retained. - Identify non-native trees proposed to be removed and retained. vii. A preliminary risk hazard assessment, updated to include: <ul style="list-style-type: none"> - Preliminary Hazard Analysis; - Proposed dangerous goods and quantities (including diesel storage volumes); - Proposed location of dangerous goods, including diesel generator back up storages and battery storages; and - Proposed fire safety systems / fire safety system. 	
<p>g. A Sustainability Management Plan (SMP) (including an assessment using BESS/Green star, STORM/MUSIC or other methods) and a Green Travel Plan.</p>	<p>ESD Design Report submitted includes overview of sustainability initiatives, assessment using BESS framework, and information relating to MUSIC modelling and assessment of site water management (which is also covered in the Stormwater Management Plan).</p> <p>In addition to the above, please refer to the accompanying Green Travel Plan prepared by Traffix Group Pty Ltd.</p>
<p>h. A Stormwater Management Plan (SMP), addressing:</p> <ul style="list-style-type: none"> - Nominates containment controls to prevent run-off. - MUSIC modelling to determine the adequacy of the water quality treatment strategy. 	<p>Stormwater Management Plan submitted addresses the relevant run-off management controls, as well as MUSIC modelling and assessment.</p>
<p>i. A Function Layout Plan (FLP), that includes:</p> <ul style="list-style-type: none"> - Detailed plans, including swept paths, for the accessway along Francis Street; - Clarification on the use and development intended for each access point, including traffic volumes; 	<p>Confirmation has been provided on 10/04/2026 that the requirement of a functional layout plan can form part of a condition within any future planning permit.</p>

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<ul style="list-style-type: none"> - Traffic management measures for vehicle overflow are recommended; - Details pertaining to footpaths, kerbs, and channel along the Francis Street frontage; - Provision of pedestrian visibility splays at all access points; - Provision of safety barriers along the northern side of Francis Street to protect existing power poles; and - Signage which prohibits parking/standing along Francis Street. 	
<p>j. Any other document required by the Hobsons Bay Planning Scheme.</p>	<p>All requirements are included in the formal lodgement package.</p>

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Appendix 2 Response to Referral Comments

413 FRANCIS STREET, BROOKLYN | DFP PRE-APPLICATION NO. PPA-1627

ACTION TABLE FOR REFERRAL COMMENTS

HOBSONS BAY COUNCIL COMMENTS	INITIAL COMMENTS AND ACTIONS
<p>Thank you for advising Hobsons Bay City Council of a pre-application meeting (reference PPA-1627) in relation to the development of part of the land for a data centre at 413 Francis Street, Brooklyn. The land is within an Industrial 1 Zone (IN1Z) and subject to a Special Building Overlay (SBO) and requires access alterations to a road within a Transport Zone 2.</p> <p>Council officers have undertaken a preliminary review of the submitted documentation. We wish to advise that, whilst the use is consistent with the industrial zoning, there are concerns with the proposal that need to be addressed. If a formal application was to be lodged and referred to Council, Council would oppose this development in its current form. In light of this, we encourage the applicant to reconsider their proposal and have regard to the comments below:</p>	<p>-</p>
<p><u>Traffic Impact Assessment</u></p> <ol style="list-style-type: none"> 1. The report draws conclusions from a traffic survey conducted in 2022. This data is considered to be outdated and of little relevance particularly as the state was in a substantially different position some 4 years ago to what it is today, including recent traffic bans. 2. 100 car spaces provided appears adequate. TIA claims daily visitors 20-100 persons. Clarification is required if this includes employees. 3. TIA does not provide sufficient analysis regarding spacing of proposed crossovers nor does it provide swept paths for the proposed turn around bay located at the guard house. 4. Further detail is required to confirm General Access Vehicles (GAVs) (19 metre length) can turn around in this area. Alternatively, Council’s earlier concerns remain and suggest distance between crossovers is increased to provide for better ingress/egress. 5. Turn around bay at entry will need to ensure GAV is not required to perform any reverse manoeuvres (particularly beyond site boundary) prior to utilise turn around area. 6. Guard house to be positioned so that if GAV is required to wait before entry is approved that the GAV does not overhang site boundary. 7. Justification for two egress points into Francis is required and has not been provided within TIA. 8. One entry and one exit point should be provided at appropriate industrial standards. 	<ol style="list-style-type: none"> 1. Updated traffic survey data has been collected and utilised for assessment, with commentary on this 2026 survey data included in Section 2.3.1 of the Traffic Impact Assessment provided in support of this formal planning submission. A comparison between the 2022 and 2026 data is provided within the assessment, demonstrating that no unreasonable impacts result to the surrounding road network as a result of the Project. 2. Parking numbers have been updated, with a total of 110 car spaces and 10 bicycle spaces provided (refer Traffic Impact Assessment table ES-1 and Sections 3.6, 4.1 and 4.3). The car parking is for both employees and visitors. 50 employees are anticipated on the site during the day with visitor numbers expected to be low. The traffic assessment concludes

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that the expected traffic generation can comfortably be accommodated within the proposed car parking spaces and is informed by previous statistics from operational data centres.

3. Turning circles for GAV have been included in the Traffic Impact Assessment, refer Traffic Impact Assessment Appendix A (Sheet 1).
4. Turning circles for GAV have been included in the Traffic Impact Assessment, refer Traffic Impact Assessment Appendix A (Sheet 1).
5. This is acknowledged and was considered in the vehicle path study was undertaken as part of the Traffic Impact Assessment provided in support of this formal planning submission.
6. This is acknowledged and was considered in the vehicle path study was undertaken as part of the Traffic Impact Assessment provided in support of this formal planning submission.
7. - 8. A dedicated entry and exit lane are provided to allow for primary secure controlled vehicle entry to the Site via Francis Street. The secondary point is not intended for general use and is mainly for controlled exit of vehicles, which are not permitted entry to the Site.

Sustainability Management Plan (SMP)

A Sustainability Management Plan (SMP) has not been submitted with this application. It is widely known that Data Centres consume significant amounts of energy and resources, including water. Hobsons Bay City Council encourages development to be sustainable. It is noted a Stormwater Management Plan has been submitted with the application;

The development ESD Design Report is included with this formal planning submission. It outlines project sustainability principles, key initiatives, as well as items which will be further carried through to future stages of design and implementation.

<p>however, it is recommended that the development goes beyond stormwater and encompasses all areas of sustainability.</p> <p>Accordingly, we request that a SMP be submitted to ensure the development minimises broader environmental impacts. We refer to Clause 15.01-2L-04 of the Hobsons Bay Planning Scheme which outlines matters that should be considered in development proposals.</p>	<p>The Sustainability Management Plan includes a BESS assessment and MUSIC modelling in response to Clause 15.01-2L-04 of the Hobsons Bay Planning Scheme. In addition to this a Green Travel Plan prepared by Traffix Group Pty Ltd also accompanies the application.</p>
<p><u>Amenity impacts, substation, fuel storage and fire equipment</u></p> <ol style="list-style-type: none"> 1. Council Officers are aware of complaints and enquiries which have been received by Council relating to the ongoing operation of data centres namely the concerns relate to the large substations they require, this has also included the use of generators. The suburb of Brooklyn is one of the inner west communities which have been exposed to high levels of air pollution over many years and has recently seen two other data centres built near this site. 2. The enquiry into the future operations of the Westgate Tunnel looked at improving the quality of the amenity of Brooklyn. Accordingly, reports or other justification needs to be provided which confirms how this facility will minimise its impacts to the Brooklyn community and what measures are being proposed to ensure this facility does not cause unreasonable impacts. 3. It is a favourable response to see the larger substation located to rear of the site. However, the smaller substations, fuel storage, associated tanks and the fire equipment including the fire tanks and fire pump should be relocated to the sides of the buildings (and well behind any building frontage) or central to the site and between buildings. We acknowledge these facilities are necessary part of the proposal but appear as an afterthought and create an undesirable appearance to the street frontages and reinforce a 'back of house' and affirm the industrial nature of this site. 4. The nearest sensitive receivers to the development are the residential properties located opposite Millers Road, less than 200m away from the development. These properties fall within the Hobsons Bay City Council municipal boundaries. 5. The development should incorporate adequate noise attenuation measures (i.e. fully enclosed, higher density acoustic barriers) to ensure that the facility will always meet the EPA Noise limits, including if the 	<ol style="list-style-type: none"> 1. Acoustic Assessment, Air Quality, Wind Impact Assessment, Preliminary Risk and Hazard Assessment have been submitted as part of this formal application lodgement, pre-emptively addressing any potential concerns. Refer to the related reports included in support of this planning submission. 2. As above. Confirming all potential impacts have been mitigated and the current design and additional landscape response provides a clear improvement from the existing site conditions, which is and remains an industrial zoned site. 3. The fuel storage locations have been dispersed closer to the generators across 32 fuel tanks, located along the side of the data halls. The fire equipment has been located to ensure safe access to water reserves in the event of an emergency. Landscaping and setbacks to the fire pump and water storage have been designed to allow for landscaping around the infrastructure and minimise unreasonable views from the Francis Street frontage. Regarding street frontages, please see the item below on 'Passive

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devices are required to operate at 100% capacity at night periods.

6. Council have been informed that through proposed Amendment GC276, the zoning of this area is proposed to change from Industrial 1 Zone to an Industrial 3 Zone. This zoning has higher regard for the amenity of nearby more sensitive uses and reinforces the need for any future use and development application to address the matters raised above and consider the amenity of nearby residential zones.
7. It is suggested that any plant equipment should be restricted to ground level and positioned behind the built form. This will both reduce noise impacts to the nearby residential properties and reduce the visual bulk to the active street frontages.

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Surveillance and active street frontages’.

4. It is acknowledged that residential properties are located on the western side of Millers Road. Acoustic, air quality and wind assessments have been prepared, with the plans updated to implement any additional design measures to ensure no off-site amenity impacts to these residential properties.
5. All adequate noise attenuation measures provided, refer to section 7.2.5 of Acoustic Report and A200 and A300 architectural drawings.
6. Regarding the proposed rezoning, we are seeking clarification from DTP on the timeframe. Nonetheless, it is not anticipated that the proposed rezoning will be implemented prior to the lodgement of this application. The application will therefore continue to be assessed under the current Industrial 1 Zone that applies to the Site. In the likely event that the rezoning is implemented during the course of the formal application, it does not fundamentally change the assessment and relevant considerations of the proposal.
7. Plant equipment location has been carefully considered and building frontage to Franics Street is set back by 54 metres. Acoustic Louvres to roof screens all Roof Plant equipment. The generators

	<p>are housed within containerised units.</p>
<p><u>Passive Surveillance and active street frontages</u></p> <p>It is acknowledged that there is a centralised administration area within Building 1 and Building 2. The location of these administration areas should be located on and facing Francis Street frontage for Building 1 and Export Drive for Building 2, to provide a better sense of address, passive surveillance over streets and a presentation to these street frontages.</p> <p>The current arrangement turns its back to these streets and reinforces the industrial nature and harshness of the street. This combined with the removal of the plant and equipment in the front setbacks will improve the streetscape character consistent with the decision guidelines under the current Industrial 1 Zone (IN1Z).</p> <p>Notably there is a proposed breakout area located in front of Building 1, this should be relocated to the area in which the generators and fuel stores are currently located. In addition, breakout opportunities should be created alongside the driveway from Export Drive.</p>	<p>Each central admin area serves the sets of Data Halls on both sides, with several critical functions housed within that relate to IT distribution, operations, security, and secure access corridors. Relocating the admin building locations would detrimentally impact the building functionality, as well as its efficiency with functions needing duplication and resulting in a substantially lower IT capacity for the Data Centres.</p> <p>Setbacks from Francis Street and tree planting have been set out to soften the visual impact from outside of the Site and will result in a significant improvement to the current Site condition.</p>
<p><u>Generators/data hall and mechanical equipment screened from view</u></p> <p>All mechanical plant and equipment including generators should be appropriately screened with a maximum of 25 per cent transparency to minimise views of this equipment and improve the streetscape character in line with the requirements of the IN1Z (and incoming IN3Z).</p> <p style="text-align: center;">ADVERTISED PLAN</p>	<p>The current design incorporates substantial tree planting and canopy foliage at the front of the Site, which will significantly reduce visual exposure of mechanical equipment and contribute positively to the streetscape character.</p> <p>It is noted that applying physical screening to certain mechanical equipment will compromise operational performance, ventilation, and compliance with manufacturer requirements. To address this, the design locates major plant—such as chillers—on the roof with acoustic louvres screening the plant to remove these elements from direct street-level view.</p> <p>Further design development was undertaken to investigate appropriate visual treatment options for remaining equipment, ensuring compliance with council expectations while maintaining functional and mechanical performance.</p>

<p><u>Fencing around the perimeter of the Site</u></p> <p>The site boundary fences for both Francis and Export Drive should be metal picket fencing similar to that which is currently in place. Chain wire mesh fencing should be avoided.</p>	<p>The proposed palisade security fencing is as represented in the Architectural Plans and reference imagery included in the Urban Design Report, refer to section 4.6 and architectural drawings A104 and A 400. The plans demonstrate a metal picket fence consistent with the recommendations of Council.</p>
<p><u>Mature landscaping within the site</u></p> <p>Clause 02.03-3 (Environmental risks and amenity) and Clause 15.01-1L-02 (Landscape design and canopy tree cover) identify the challenges faced with extreme heat within urban areas, whereby the loss of canopy cover can contribute to increased temperatures in these areas. This is particularly common in industrial areas, where canopy cover is often limited. Any mature trees on site must be retained. An Arborist Report should accompany any development application which seeks the removal of any significant trees under the Hobsons Bay Community Local Law.</p>	<p>An Arborist Report has been submitted as part of this formal application lodgement. Mature trees have been retained where possible. To offset removal, substantial new tree planting has been provided as shown in the Landscape Report and associated plans, providing a significant improvement to the existing conditions.</p>
<p><u>All services into the site to be underground</u></p> <p>Further to the above, all services, including water, electricity, gas, sewerage and telephone must be installed underground and located to the satisfaction of the Responsible Authority in order to maximise the opportunity to retain existing trees and plant new canopy trees.</p>	<p>All services—including water, electricity, gas, sewerage, and telecommunications will be installed underground and positioned to the satisfaction of the Responsible Authority. This approach maximises opportunities to retain existing trees and to accommodate new canopy planting.</p>
<p><u>Greater clarity on elevations and materials</u></p> <p>The elevations provided are in greyscale and lack clarity surrounding the material palette. Clause 15.01-2L-03 Industrial Building Design of the Hobsons Bay Planning Scheme includes strategies to Design developments (including through materiality, mass, site orientation and landscaping) to enhance the character and visual amenity of the area, reduce energy use and optimise natural ventilation, daylight and solar access.</p> <p>The colour palette proposed is too dark and lacks visual interest, a lighter and varied palette should be incorporated to enhance the character of the area.</p> <p>Greater detail is required for Council to provide its assessment of the building facades and elevations.</p>	<p>The updated design as part of this formal submission has addressed this comment, please refer to the Architectural Plans. Further details on building articulation and materiality are also included in the Urban Design Report and Architectural Plans demonstrating additional materials and colours throughout the elevations to improve articulation.</p>
<p><u>Public Realm Works</u></p> <p>The existing public realm to Francis Street is of poor quality and should be improved. The kerb and channel to Francis Street</p>	<p>As per the existing approval in place, it is agreed that an appropriately worded conditions, consistent with the existing approval be applied to any future decision to ensure public realm upgrades are</p>

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<p>should be constructed. This was a condition of the previous development approval. A copy of the previous permit can be found via Council's online permit management portal Greenlight: PA230986-1. Ideally, Francis Street kerb and channel is to follow the alignment of the existing kerb and channel either side of the site.</p> <p>Further, any redundant vehicle crossovers facing Francis Street must be removed and the footpath, kerb and channel reinstated (constructed if none exist) and made good to the satisfaction of Hobsons Bay City Council and Head, Transport for Victoria at the cost of the owner.</p> <p>Any conditions relating to public realm improvements from the previous development permit, should be imposed on any new permit.</p>	<p>delivered by the Project. The example of the existing condition included in planning permit PA230986-1 is extracted below:</p> <p><i>18. Any vehicle crossings must be constructed in the location shown on the endorsed plan to a standard satisfactory to the Responsible Authority. The relocation of any services including electricity poles, drainage pits, Telstra pits, fire hydrants and the like must be at the expense of the owner and approved by the appropriate authority prior to undertaking such works. Consent for such crossings must be obtained through Council's Contracts, Procurement and Asset Protection Department prior to construction.</i></p>
<p><u>Agreement on Title</u></p> <p>There is an agreement on the Title Volume 11883 Folio 707 PC 373205M. The agreement prioritises quality development and substantial landscaping for all lots fronting Export Drive. The proposal must comply with this agreement. Future landscaping must significantly enhance the landscaping on the site consistent with the comments provided above.</p>	<p>We are aware of this title restriction. The proposal has included substantive landscaped setback to Export Drive, in line with the title agreement, refer to Landscape plan within the Landscape report. A response to the title particulars has also been provided as part of the town planning report prepared by proUrban, refer to section 3.1.</p>

EPA COMMENTS	INITIAL COMMENTS AND ACTIONS
<p>We identified that the nearest residential zone is less than 100m from the property boundary, and if the proposal includes diesel storage greater than 2000tn, the application would not meet the threshold distance in Clause 53.10 of the Hobsons Bay Planning Scheme.</p> <p>Furthermore, the proposed diesel storage volumes are likely to be a prescribed permission activity under the Environment Protection Regulations 2021 for:</p> <ul style="list-style-type: none"> • G04 (Bulk Storage) • K01 (Power generation) <p>Therefore, the EPA is likely to be a determining authority under s55 of the <i>Planning and Environment Act 1987</i> for an application pursuant to both:</p> <ul style="list-style-type: none"> • Clause 66.02-1 – For a use or development requiring any of the following: 	<p>An EPA Pathways Advice request has been initiated (PWY008960 CRM:0155538729) to confirm the required licensing associated with the diesel fuel storage and onsite backup generators.</p> <p>This is understood to be a process separate from planning approval, however confirming enquiries to progress this have already commenced.</p>

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<ul style="list-style-type: none"> ○ A Development Licence or Operating Licence in accordance with Part 4.4 of the Environment Protection Act 2017. ○ Amendment of a licence in accordance with Part 4.3 of the Environment Protection Act 2017. ● Clause 66.02-7 – to use land for an industry, utility installation or warehouse for a purpose listed in the table to Clause 53.10 with no threshold distance specified or if the threshold distance is not to be met. 	
<p>If the application triggers a referral to the EPA, the following additional information should accompany the application:</p> <ul style="list-style-type: none"> ● Acoustic assessment, including details of type of the generators and other potential noise sources, (& proposed attenuation measures/controls) to address potential impacts on the nearest sensitive receptors in accordance with EPA Publication 1826.5 Noise Limit and assessment protocol for the control of noise from commercial, industrial and trade premises and entertainment venues; ● Confirmation of the diesel storage volumes (conflicting volumes are given in the planning report) to determine if the volumes meet the threshold distance requirements in Clause 53.10 of the Hobsons Bay Planning Scheme; ● Details of the proposed cooling system and treatment of any water associated with the proposed cooling systems; and ● Fire risk assessment including firewater containment. <p>The 'EPA Application Requirements for Data Centres' provides further guidance.</p>	<ul style="list-style-type: none"> ● An Acoustic Assessment Report has been included within the planning submission, which demonstrates from review and modelling of noise sources that environmental requirements of the proposed development will be met. ● Diesel storage volumes are as outlined in the Infrastructure Servicing Report (refer Section 3.6) and Preliminary Hazard Analysis Report (refer Sections 1.3 and 3.1). ● Cooling systems do not propose the use of open circuit cooling towers, only closed loop cooling systems. ● Fire risk assessment is addressed in the Preliminary Hazard Analysis Report, refer Table 4.4 - Summary of Potential Major incident Scenarios & Residual Risk after Implementation of Controls. The requirement for a Fire Safety Study to be undertaken as part of detailed design has also been captured.
<p>3. Risk to human health and the environment</p> <p>The general environmental duty (GED) is a centrepiece of the Environment Protection Act 2017. The use may give rise to a risk to human health or the environment from pollution or waste, therefore assessing and identifying risks of harm is a critical step in the process of risk mitigation. Failure to mitigate</p>	<p>Noted.</p>

<p>risks so far as reasonably practicable could result in compliance action under the Environment Protection Act 2017.</p> <p>Risks expected from a data centre can include but are not limited to, noise, potential contamination to land and surface water, discharge to atmosphere/ pollutant emissions and fire hazards. EPA encourages and expects the proponent to adopt a preventative approach to the generation of noise pollution and contamination from all operations on site.</p>	
<p><i>Comments on the proposed Data Centre</i></p>	
<p><u>Noise</u></p> <p>Following the preliminary assessment, the proposal is likely to generate noise impacts. The nearest sensitive receptor is located approximately 160m from the activity area. The proposal includes an air-cooling system.</p> <p>An Acoustic Assessment should accompany the planning application and should include an assessment of noise sources, low frequency noise, relevant environmental values within the Environment Reference Standard and the GED.</p> <p>Overall, the noise assessment must be in accordance with EPA Publication 1826.5: Noise limit and assessment protocol for the control of noise from commercial, industrial and trade premises and entertainment venues.</p>	<p>An Acoustic Assessment Report has been included within the planning submission, which demonstrates from review and modelling of noise sources that environmental requirements of the proposed development will be met.</p>
<p><u>Potential contamination to land and surface water</u></p> <p>A Stormwater Management Plan must form part of the application and include containment controls such as secondary containment infrastructure to ensure run-off (from stormwater, fuels, chemicals, etc.) does not travel offsite and into the wider environment. This includes firewater containment.</p>	<p>A Stormwater Management Plan has been submitted as part of this formal application lodgement and includes containment controls. Please refer to sections 4, 5 and 6 of the Stormwater Management Plan.</p>
<p><u>Fire risk</u></p> <p>The proposed use is a potential fire risk and further information is required to address the fire management strategy.</p>	<p>A Preliminary Risk and Hazard Assessment has been submitted as part of this formal application lodgement. Fire risks have been captured in this, including in Table 4.4 - Summary of Potential Major incident Scenarios & Residual Risk after Implementation of Controls. The requirement for a Fire Safety Study to be undertaken as part of detailed design has also been captured.</p>

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<p><u>Potential emissions discharge</u></p> <p>The consideration and meeting of climate change and greenhouse gas emission requirements are obligations of the general environmental duty. EPA Publication 2048: Guideline for minimising greenhouse gas emissions provides advice for operators to help them meet their responsibilities under the Environment Protection Act 2017.</p>	<p>Air Quality Assessment and Sustainability Management Plan have been submitted as part of this formal application lodgement.</p>
<p><u>General comments</u></p> <p>Diesel storage volumes should be confirmed as the planning report includes inconsistencies of the amounts to be held on site. The volumes will determine the Clause 53.10 threshold distances and referral provision(s).</p>	<p>Diesel storage volumes are 3.2ML within bulk storage tanks (3.312ML including additional storage located within generator day fuel tanks). Any discrepancy has been rectified in the Pro-Urban Town Planning reports, refer to section 4.3.</p>
<p>4. EPA Permissions</p> <p>EPA advises that the proposed data centre is likely to require a development and operating licence as the following are prescribed activities under the Environment Protection Regulations 2021:</p> <ul style="list-style-type: none"> • G04 (Bulk Storage) • K01 (Power generation) <p>For more information on EPA Permissions including submitting an enquiry for approval advice, go to https://www.epa.vic.gov.au/for-business/permissions.</p>	<p>An EPA Pathways Advice request has been initiated (PWY008960 CRM:0155538729) to confirm the required licensing associated with the diesel fuel storage and onsite backup generators.</p> <p>This is understood to be a process separate to planning approval, however confirming enquiries to progress this have already commenced with the applicable development and operating licences to be sought concurrently with this application.</p>
<p>5. Further guidance material</p> <p>EPA also encourages the responsible authority and the permit applicant to familiarise themselves with the following publications/websites, to support both the assessment and future operation of the site, should a permit be issued:</p> <ul style="list-style-type: none"> • Stormwater, EPA webpage, https://epa.vic.gov.au/stormwater • Assessing and controlling risk: A guide for business, EPA Publication 1695.1, https://www.epa.vic.gov.au/16951-assessing-and-controlling-risk-guide-business • EPA Publication 1698: Liquid storage and handling guidelines, https://www.epa.vic.gov.au/liquid-storage-and-handling-guidelines • Firewater run-off, EPA Publication 1722, https://www.epa.vic.gov.au/firewater-run 	<p>Noted and acknowledged.</p>

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<ul style="list-style-type: none"> • EPA Publication 1826.4, Noise limit and assessment protocol for the control of noise from commercial, industrial and trade premises and entertainment venues (the Noise Protocol), https://www.epa.vic.gov.au/noise-limit-and-assessment-protocol-control-noise-commercial-industrial-and-trade-premises-and-0 • EPA Publication 1949: Separation distance guidelines, https://www.epa.vic.gov.au/supporting-informationseparation-distance-and-landfill-buffer-guidelines • Know Your Duties, https://www.epa.vic.gov.au/know-your-duties • General Environment Duty for businesses and meeting your obligations, EPA website, https://www.epa.vic.gov.au/meeting-your-obligations 	
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JEMENA COMMENTS	INITIAL COMMENTS AND ACTIONS
<p>Subject to the following conditions, Jemena has no objection to the issue of a Planning Permit in respect of the above mentioned application:</p> <ol style="list-style-type: none"> 1. The plan of subdivision submitted for certification under the Subdivision Act 1988 shall be referred to Jemena in accordance with Section 8 of that Act; 2. The Applicant shall enter into an agreement for the extension, upgrading or rearrangement of the electricity supply to lots on the plan of subdivision as required by Jemena. A payment to cover the cost of such work will be required and easements internal and external to the subdivision and provision of sites for substations may also be required; 3. Where buildings or other installations exist on the land to be subdivided and these are connected to the electricity supply, they shall be upgraded to comply with current Victorian Supply and Installation Rules (VSIRs) to the extent determined by Jemena; 4. The No Go Zone requirements must be adhered to. These requirements can be found on Energy Safe Victoria's website: https://esv.vic.gov.au/ and on Jemena's website: https://jemena.com.au/electricity/safety/no-go-zones. 	<p>Noted and acknowledged.</p>
<p>It is recommended that the applicant commences negotiations for supply of electricity via the Jemena portal https://jemena.com.au/electricity/our-services as early as possible. This will allow for supply arrangements to be worked out in detail and prescribed information to be issued without delay.</p>	<p>Stockland are currently working through power supply options for Stage 1 of the Brooklyn development and intend to construct a new 220/33kV substation to meet the prospective load requirements.</p> <p>With the Site being subdivided, the power supply to the Site currently provided by</p>

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<p>Further enquiries regarding the above should be directed to the Jemena Electricity Customer Enquiries Team on 1300 131 871.</p> <p>Arrangements for supply are conditional on obtaining the agreement of other Authorities and any landowners affected by routes of the electric lines required to supply the lots, and planning permits for any tree clearing.</p>	<p>Jemena will need to be reconfigured as part of the subdivision process. Stockland will be contacting Jemena in due course.</p>
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HEAD, TRANSPORT FOR VICTORIA COMMENTS	INITIAL COMMENTS AND ACTIONS
<p><u>Information relevant to the site and/or proposal</u></p> <p>Francis Street is a Transport Zone 2 and a permit is required to alter the access proposed and is a statutory referral to the HTfV</p>	Noted.
<p><u>Any advice previously provided regarding this proposal</u></p> <p>HTfV have considered a prior application for the site for warehouse development. The application had 2 access points from Francis Street which has now been consolidated to one access to the east of the property.</p>	Noted.
<p><u>Any further information required by your organisation</u></p> <p>We have no in principal objection to the access strategy proposed but would impose conditions similar to those of the 2024 approval along the following lines:</p>	-
<p>(1) Prior to the commencement of development, <u>excluding site preparatory works, demolition and excavation</u>, a Function Layout Plan (FLP) must be submitted to and approved by the Responsible Authority. The FLP must be prepared generally in accordance with and addressing the views of the Head, Transport for Victoria. The FLP must include the following (but not limited too):</p> <ol style="list-style-type: none"> I. detailed plans for the access to Francis Street (Transport Zone 2) including swept paths and designs to comply with the Road Management Act 2004 II. the use and development intended for each access including traffic volumes III. traffic management for vehicle overflow or rejection IV. provide for footpaths and kerb and channel along the Francis Street frontage and connection to the pedestrian network V. Pedestrian visibility splays to be provided at all access points. VI. Safety barriers along the northern side of Francis Street to protect existing power poles. VII. Signage to provide for no parking / standing along the Francis Street frontage of the site. 	Noted.
<p>(2) All vehicles associated with the use and development must be able to conveniently enter and exit the subject land in a forward direction to the satisfaction of the Responsible Authority and the Head, Transport for Victoria.</p>	Noted

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(3) All disused or redundant crossings along Francis Street must be removed and the area reinstated to kerb, channel and footpath to the satisfaction of and at no cost to the Head, Transport for Victoria prior to the occupation of the buildings hereby approved.	Noted
(4) A Traffic Management Plan may also be required during construction but can be confirmed when the application becomes formal	Noted
Permit Note: Separate consent for works within the road reserve and the specifications of these works is required under the Road Management Act 2004. The proposed development requires construction of new crossover to Francis Street. Please contact the Department of Transport prior to commencing any works on email MetroExternalProjectsDevelopment@roads.vic.gov.au	Noted

GREAT WESTERN WATER COMMENTS	INITIAL COMMENTS AND ACTIONS
Greater Western Water advises that, as the water supply and sewerage authority, will require the following conditions to be met.	
WATER It is essential the owner of the land enters into an agreement with Greater Western Water for the provision of water supply.	Noted. Separate to planning process.
SEWER It is essential the owner of the land enters into an agreement with Greater Western Water for the provision of sewerage.	Noted. Separate to planning process.
Prior to certification, the Plan of Subdivision must be referred to Greater Western Water in accordance with Section 8 of the Subdivision Act 1988.	Noted. Applicable only to the subdivision application.
The following is for information purposes only. 1. The applicant should be made aware that a Servicing Requirement Assessment for the proposed development is required to be lodged with Greater Western Water in order to obtain our servicing requirements. The online application is accessible via our website https://propertyplus.gww.com.au/pplus/guest It would be appreciated if Greater Western Water's reference number (LND/26/00018) could be quoted on any correspondence.	SRA/24/00197 was received 17th April 2025. Offer LND/25/01022 was applied for 18th July 2025 and is with Greater Western Water for approval.

DTP INTERNAL DESIGN TEAM COMMENTS	INITIAL COMMENTS AND ACTIONS
1. The significant street setback and retention of canopy trees along the Francis Street frontage are key design features. 2. The consolidation of vehicle crossings assists landscaping opportunities, where the 'horseshoe' access and guardhouse are suitably legible.	Noted.

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<ol style="list-style-type: none"> 3. The central/recessed admin building modulates the façade, provides a legible building entry conveniently accessed from nearby car parking. 4. The material palette is suitably industrial where the glazed admin building modulates the Francis Street façade. 5. The siting across the balance of the site provides a for logical circulation, landscaping opportunities and internalised loading facilities. 6. The reduction in roof space and prevalence of bioretention measures will reduce stormwater runoff. 7. The scale of the building (including its high F2Fs and plant) is reasonable given the context and absence of sensitive interfaces. 	
<p>Whilst supported in principle, the applicant should be invited to explore:</p> <ol style="list-style-type: none"> 1. Relocating the fuel and water tanks (particularly the fuel tanks given their significant size, location between Francis Street and the admin building and required tree removal). 2. Further articulation of the façade and roof plant. For example, the plant screen and projecting fire stairs could be further distinguished from the balance of the building. 3. Opportunities for canopy trees in the north-west where the existing crossover is being removed. 4. Further detail in due course regarding landscaping, surface treatments and fencing. <p style="text-align: center;">ADVERTISED PLAN</p>	<p>Please see response to the respective items below:</p> <ol style="list-style-type: none"> 1. Bulk Fuel Storage arrangements have since been updated, with tanks relocated to a number of smaller storage systems adjacent to the generator clusters that they serve. Refer to Infrastructure Servicing Report and Architectural Plans for details. 2. The updated design as part of this formal submission has addressed this comment, please refer to the Architectural Plans. Further details on building articulation and materiality is also included in the Urban Design Report and Architectural Plans demonstrating additional materials and colours throughout the elevations to improve articulation. 3. The proposed removal of canopy trees has been rationalised as far as possible, noting some changes to area of Site referenced as bulk fuel strategy has developed which has resulted in a positive impact on existing tree cover in this area 4. Landscape Plans and Urban Design Reports have been submitted as part of this formal lodgement.

FIRE RESCUE VICTORIA COMMENTS	INITIAL COMMENTS AND ACTIONS
TBD.	Comments were sought from FRV and advised the no comment will be provided

	as part of the pre-application submission. A formal response will be provided following the lodgement of the planning application.
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