

# 85 Sharps Road, Tullamarine VIC 3043

Planning permit no. PA2403452



Officer Assessment Report  
Development Approvals & Design

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## Contents

<b>Executive Summary</b>	<b>2</b>
<b>Proposal</b>	<b>4</b>
<b>Application Process</b>	<b>4</b>
<b>Proposal Summary</b>	<b>5</b>
<b>Subject Site and Surrounds</b>	<b>8</b>
<b>Referrals and Notice</b>	<b>11</b>
<b>Assessment</b>	<b>14</b>
<b>Recommendation</b>	<b>23</b>

# Executive Summary



Key Information	Details		
DFP Application No:	PPA-775		
Application No:	PA2403452		
Received by DFP	19 September 2024		
Date lodged in POL	20 December 2024		
Statutory Days:	44 as of 08 April 2025		
Applicant:	EMKC3 Pty Ltd C/O Urbis Pty Ltd		
Planning Scheme:	Brimbank		
Land Address:	85 Sharps Road, Tullamarine 3043		
Proposal:	Use and development of the land for a data centre		
Development Value:	\$973,974,248		
Why is the Minister responsible?	In accordance with the schedule to Clause 72.01 of the Planning Scheme, the Minister for Planning is the Responsible Authority for this application because of the use or development of land for which Clause 53.22 applies.		
DFP eligibility criteria in accordance with 53.22	<b>Category:</b> Category 1		
	<b>Sector:</b> Digital technologies (data centre)		
	<b>Land use:</b> Data centre – nested under 'Utility Installation' Clause 73.03		
	<b>Location:</b> Brimbank City Council		
	<b>Alignment with DFP threshold/criteria:</b> Yes - \$973 million development cost (\$20 million threshold within metropolitan Melbourne)		
	<b>OVGA:</b> No.		
	<b>Invest Victoria:</b> Yes (dated 27 November 2024)		
	<b>Quantity Surveyor report:</b> No.		
Why is a permit required?	<b>Clause</b>	<b>Control</b>	<b>Trigger</b>
<b>Zone:</b>	33.01	Industrial Zone – Schedule 1	Clause 33.01- 1 – Utility Installation (Section 2). Clause 33.01-4 – To construct a building or construct or carry out works.
<b>Overlays:</b>	45.06	Development Contributions Plan Overlay	N/A
<b>Particular Provisions:</b>	52.06	Car Parking	<i>Car parking spaces must be provided to the satisfaction of the responsible authority.</i>
	52.17	Native Vegetation	Clause 52.17-1 – To remove, destroy or lop native vegetation, including dead native vegetation.
	52.29	Land Adjacent to the Principal Road Network	Clause 52.29-2 - Create or alter access to a road in a Transport Zone 2.
	52.34	Bicycle Facilities	N/A
	53.22	Significant Economic Development	N/A



<b>Cultural Heritage:</b>	No – not located in an area of cultural heritage sensitivity		
<b>Total Site Area:</b>	80,700 sqm		
<b>Gross Floor Area:</b>	45,578 sqm		
<b>Height:</b>	38.15 metres		
<b>Parking:</b>	<b>Cars</b>	<b>Motorcycles</b>	<b>Bicycles</b>
	164	6	8
<b>Referral Authorities:</b>	WorkSafe (Section 55) Head, Transport Victoria (Section 55) Brimbank City Council (Section 52) DEECA (Section 52)		
<b>Public Notice:</b>	Owners and occupiers of adjacent properties, including Melbourne Airport (Section 52). No objections were received as of 11 April 2025.		
<b>Informal Notice:</b>	Fire Rescue		
<b>Delegates List:</b>	Approval to determine under delegation received on 07 April 2025		



## Application Process

### Background

1. The key milestones in the application process were as follows:

Development Facilitation Program: Pre-application	
Enquiry lodgement	19 September 2024
Informal advice	4 December 2024
Invest Victoria	27 November 2024

Application process	
Application lodgement	20 December 2024
Further information requested	N/A
Further information received	N/A
Decision Plans	Architectural plans prepared by Greenbox Rev G, dated 18/12/2024
Other Assessment Documents	<ul style="list-style-type: none"><li>• Acoustic Environmental Impact Assessment prepared by Acoustic Logic, dated 18/12/2024</li><li>• Arborist Report prepared by Melbourne Tree Care, dated 29/11/2024</li><li>• BCA Section J Report prepared by Low Impact Development Consulting, dated 19/12/2024</li><li>• Ecology Letter prepared by WSP, dated 14/08/2024</li><li>• Green Travel Plan prepared by Low Impact Development Consulting dated 19/12/2024</li><li>• Landscape Documentation prepared by Geoscapes, dated 18/12/2024</li><li>• Native Vegetation Removal Plan prepared by WSP dated by 11/12/2024</li><li>• Town Planning Report, prepared by Urbis, dated December 2024</li><li>• Preliminary Hazard Plan prepared by SLR Consulting, dated 13/12/2024.</li><li>• Stormwater Management Plan prepared by Enstruct, dated 19/12/2024</li><li>• Sustainability Management Plan, prepared Low Impact Development Consulting, dated 19/12/2024</li><li>• Traffic and Transport Impact Assessment prepared by Impact, dated 29/08/2024</li><li>• Traffic Response to Referral Comments prepared by Impact, dated 19/12/2024</li></ul>

2. The subject of this report is the decision plans (as described above).



## Proposal Summary

3. The proposal can be summarised as follows:

<b>Proposal:</b>	Use and development of the land for a data centre
<b>Total Site Area:</b>	80,700 sqm
<b>Gross Floor Area:</b>	45,578 sqm
<b>Height:</b>	32.5 metres (38.15 metres including plant)
<b>Setbacks:</b>	23.38 metres to north (Sharps Road) 17.51 metres to east (43-51 Assembly Drive) 15.50 metres to south (51-57 Assembly Drive, 49.40 metres to south (100 Keilor Park Drive) 19.16 metres to west (Keilor Park Drive)
<b>Land Uses:</b>	Data Centre
<b>Car Parking:</b>	164 car spaces
<b>Bicycle Parking:</b>	6 spaces
<b>Motorcycle Parking:</b>	8
<b>Loading and Waste arrangements:</b>	Loading Dock with waste room accessible via internal driveway.

4. Specific details of the application include:

- Data centre with ancillary substations, water tanks and guard kiosk. The materials and finishes include precast concrete, grey tinted louvers and grey tinted glazing.
- The application is also proposing the removal of native vegetation and access to a road in a Transport Zone 2.
- The data centre will operate for 24 hours, 7 days a week, with up to 180 people onsite (staff and customers).
- 164 car spaces, with access provided via 3 crossovers on to Sharps Road and 1 crossover on to Keilor Park Drive.
- Landscaping is proposed around the building and within the car park area.

5. The applicant has provided the following concept image/s of the proposal:

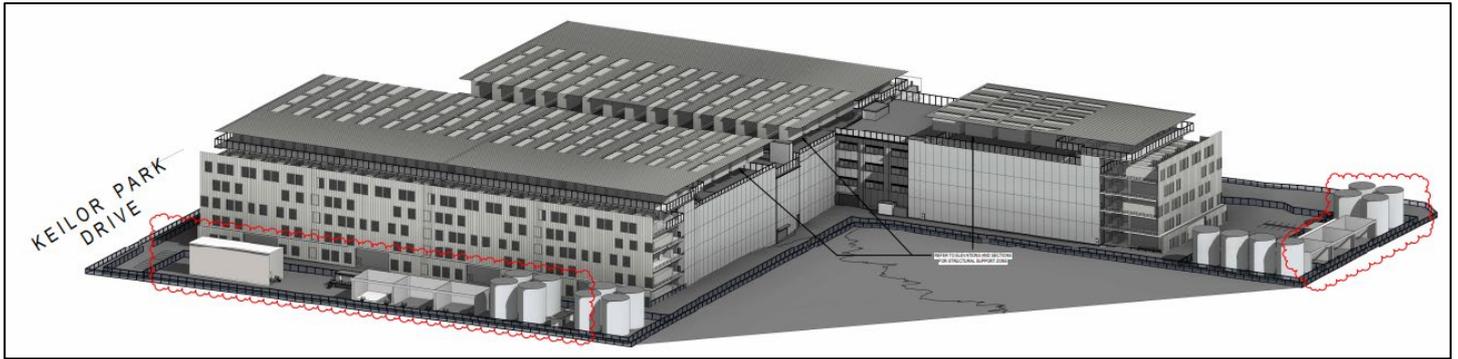


Figure 1 – Architectural render of the proposed development as viewed from the south.

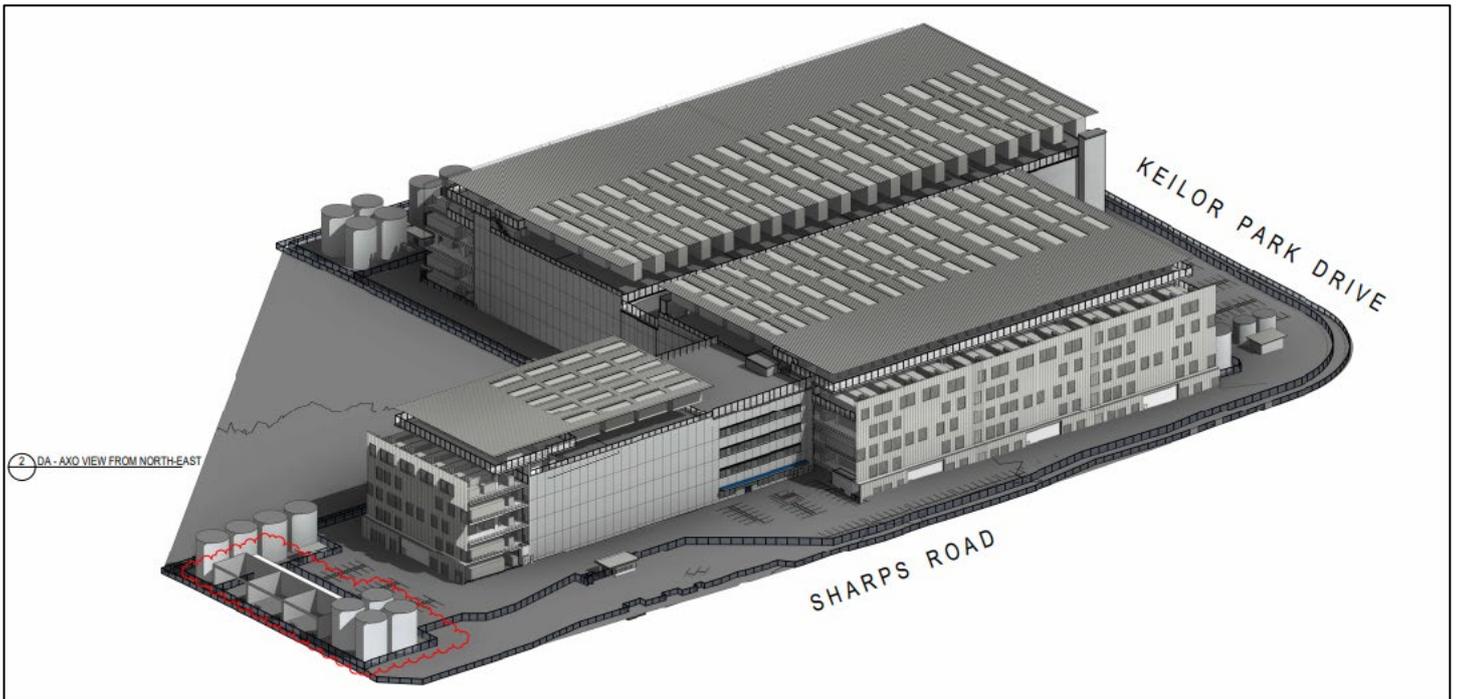


Figure 2 – Architectural render of the proposed development as viewed from the north-east.



# Subject Site and Surrounds

## Site Description

- The site is located in Tullamarine and currently contains a 16,742m<sup>2</sup> two storey warehouse with ancillary office buildings and car parking, formerly tenanted by Honda. The total site area is 8.070 Hectares.
- The site is located on the corner of Sharps Road and Keilor Park Drive, within the Tullamarine Industrial Area identified in the Brimbank Planning Scheme. The broader precinct is characterised by a wide variety of industrial uses of varying size.

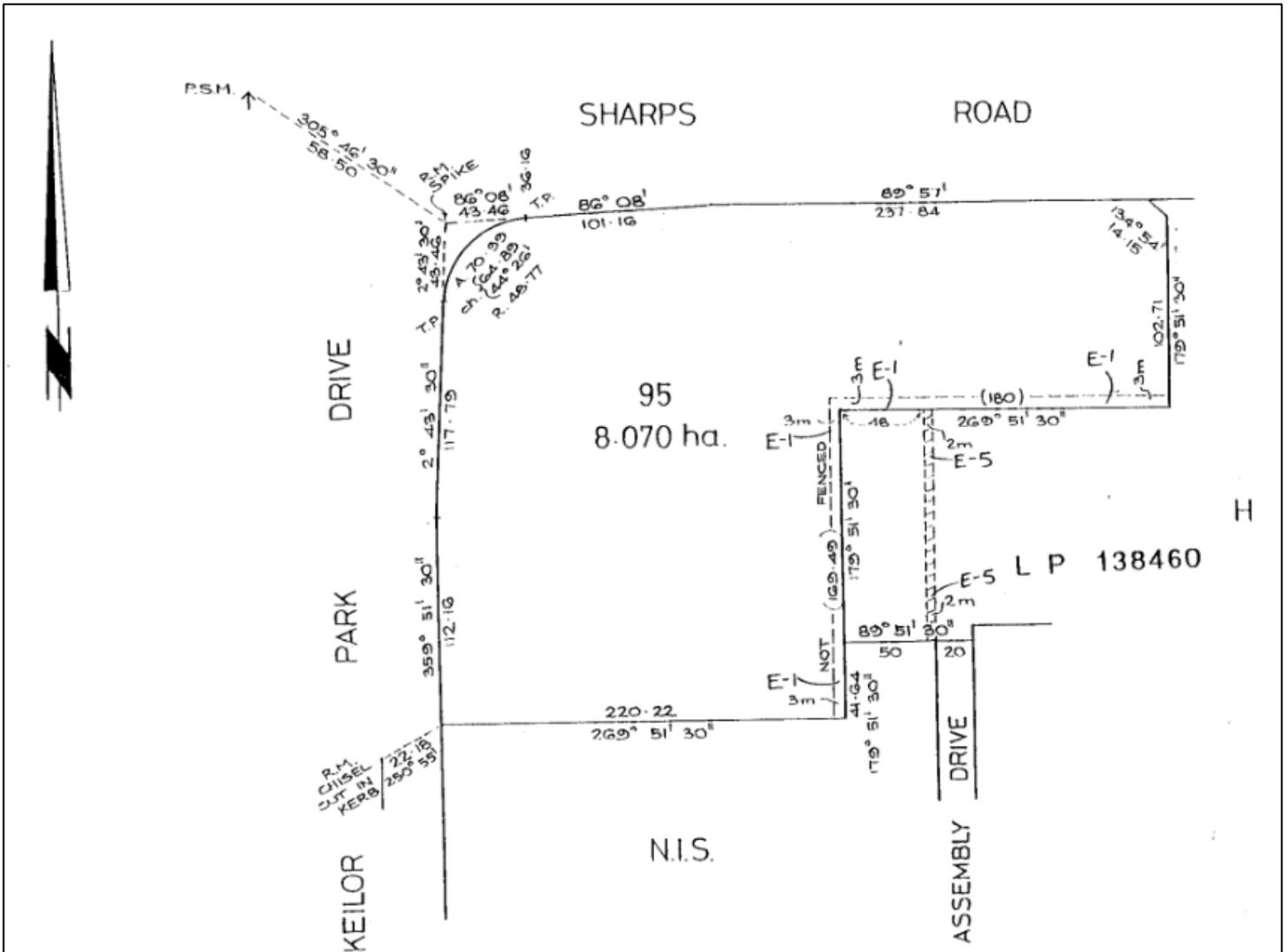


Figure 4 – Title.

- The site has a 342.22 metre frontage to Sharps Road and 247.68 metre frontage to Keilor Park Drive.
- The site is formally described as Lot 95 on Plan of Subdivision 135452
- The site is subject to a drainage and sewerage easement 3m wide running along the south-eastern boundary.
- There are no restrictive covenants or s173 agreements registered on title.

## Site Surrounds

12. The surrounding development consists mainly of industrial land uses, Melbourne Airport land and residential land approximately 500m to the east of the site.
13. Development surrounding the site includes:
  - To the **north** of the site is Sharps Road, north of Sharps Road is 130 and 140 Sharps Road are two large multi-level office/showrooms with warehouse facilities.
  - To the **south** is 100 Keilor Park Drive, Tullamarine. The site spans approximately 40,470 square metres, with the majority of the area occupied by to three-storey box gabled warehouses, located to the north and south.
  - To the **east** of the site is Assembly Drive. The land east of Assembly Drive is characterized by a variety of small to medium-sized industrial warehouses.
  - To the **west** of the site is Keilor Park Drive. West of Keilor Park Drive is 125 Keilor Park Drive, Tullamarine, a vacant lot of approximately 45,130 square metres.



Figure 5 - Subject site in blue, VicPlan, 24/02/2024.

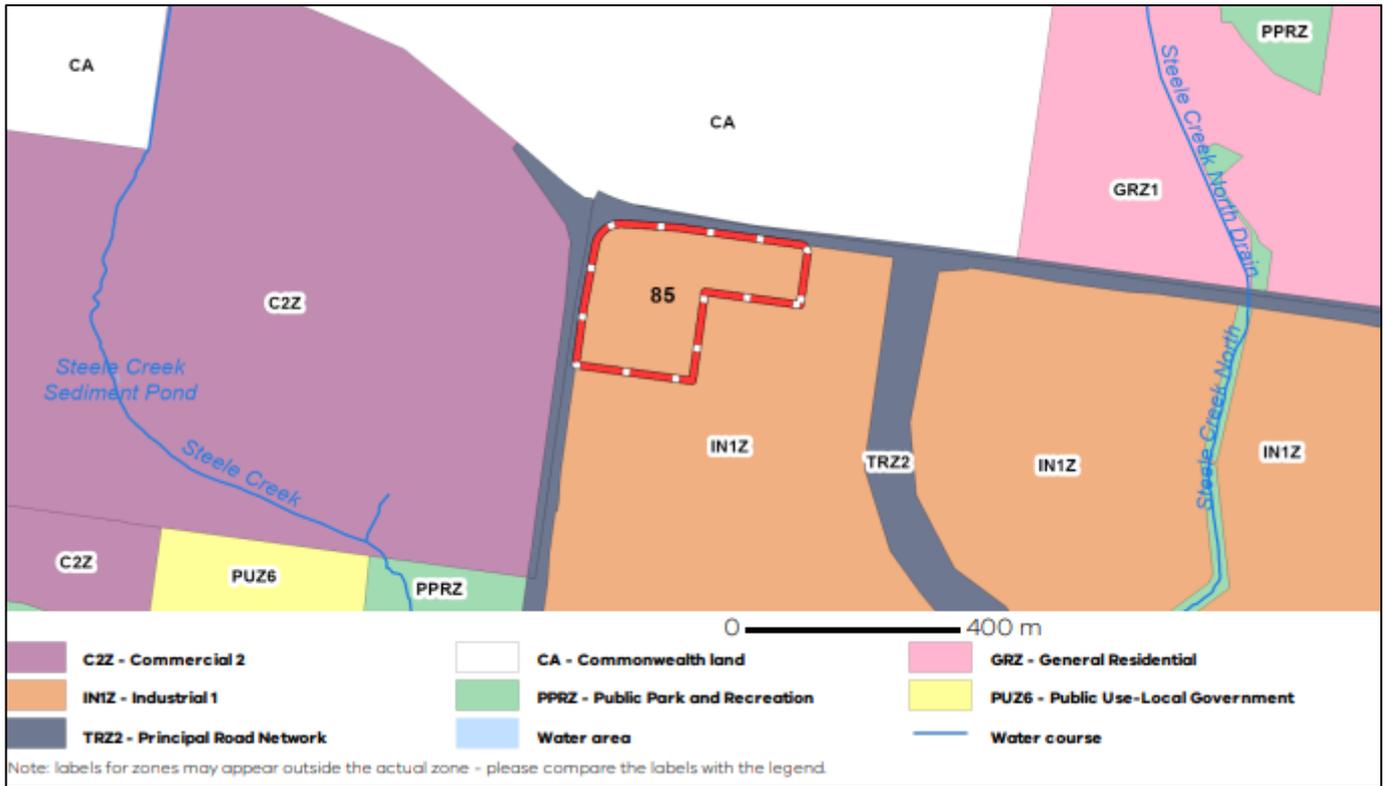


Figure 6 - Zoning map.

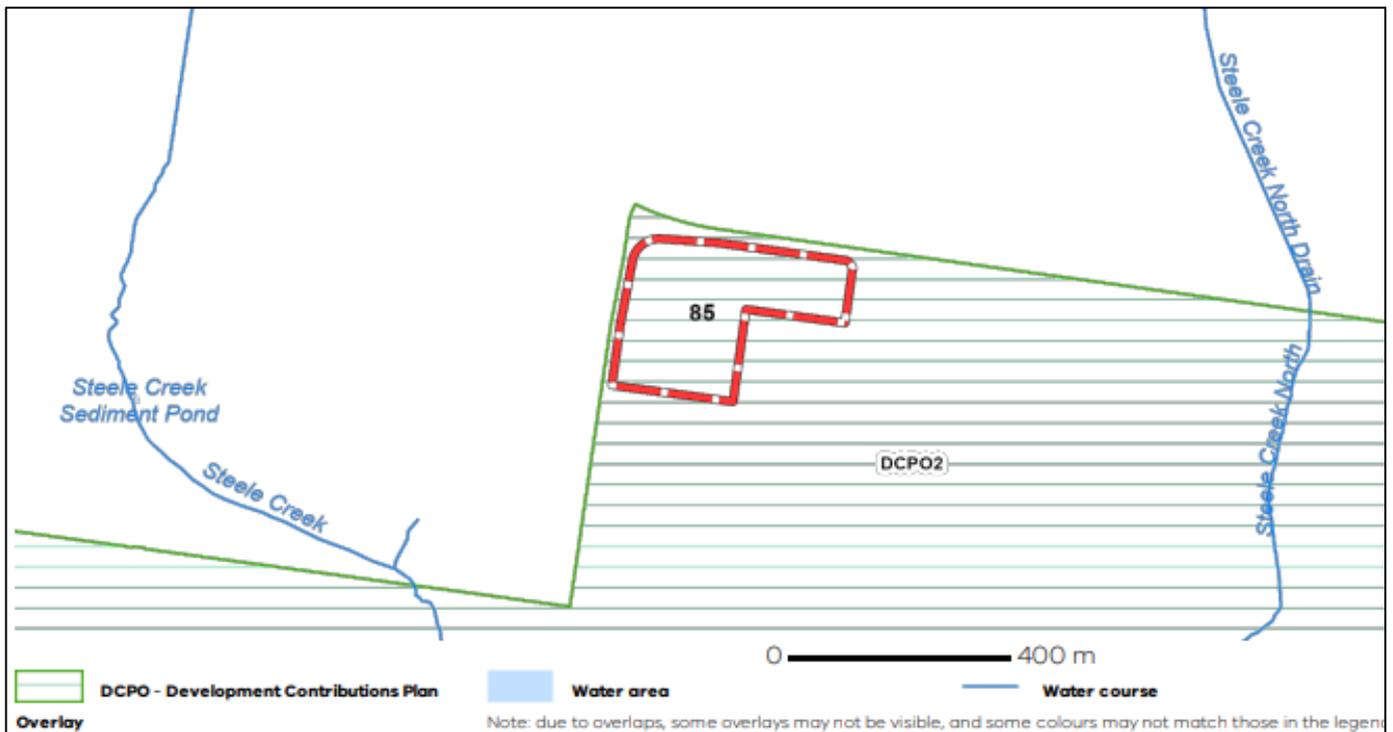


Figure 7 - Development Contributions Plan Overlay Schedule 3 map.



## Referrals

14. The application was referred to the following agencies:

Provision / Clause	Organisation	Response and date received
<b>Section 55 Referral – Determining</b>	WorkSafe Victoria	11/03/2025 Pursuant to Section 56(1) of the <i>Planning and Environment Act 1987</i> , WorkSafe Victoria does not object to the grant of a planning permit subject to conditions being placed on any permit issued.  Conditions request a fire safety study and a emergency management plan being prepared prior to the Building Permit approval (except for construction of those preliminary works that are outside the scope of the hazard studies).
<b>Section 55 Referral – Determining</b>	Head, Transport for Victoria	18/12/2025 Pursuant to Section 56(1) of the <i>Planning and Environment Act 1987</i> , Head, Transport Victoria does not object to the grant of a planning permit subject to conditions being placed on any permit issued.  Conditions request modifications to the plans prior to the commencement of the development.

## Notice

15. The application is not exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) of the *Planning and Environment Act 1987* pursuant to the industrial 1 Zone.

16. The application was put on notice by way of notifying adjoining owners and occupiers.

17. The application was referred to the following agencies:

Provision / Clause	Organisation	Response and date received
<b>Section 52 Referral – Recommending</b>	Brimbank City Council	03/03/2025 Pursuant to Section 52 of the <i>Planning and Environment Act 1987</i> , Brimbank City Council does not object to the grant of a planning permit subject to conditions being placed on any permit issued.  Conditions are standard in nature and generally supported by DTP. The following conditions were not included:

Proposed Condition	DTP Amended condition	DTP Officer Response
<i>Before the use and/or development start(s), amended plans and / or reports to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans and / or reports will be endorsed and will then form part of the permit. The plans must</i>	Before the use and development starts, excluding demolition, bulk excavation, piling works and site preparation works, plans must be approved and	Amend to allow early works to start prior to the endorsement of plans. The applicant has received a VicSmart Permit to begin early works.



<p><i>be drawn to scale with dimensions. The plans and / or reports must be generally in accordance with the plans and / or reports submitted with the application but modified to show:</i></p>	<p>endorsed by the responsible authority. The plans must be prepared to the satisfaction of the responsible authority, be drawn to scale with dimensions, be generally in accordance with the Architectural Plans prepared by Greenbox Architecture, dated 03/09/2024, but amended to show the following details:</p>	
<p><i>Where practical additional canopy tree planting to be provided along the Keilor Park Drive frontage and the western side of the Sharps Road frontage within the front setback landscape area.</i></p>	<p>N/A.</p>	<p>The applicant is providing an acceptable amount of canopy trees on site. Further, canopy trees can impact the security risk of the proposed facility.</p>
<p><i>The design of the primary entrance to the building and the office space area redesigned to define it as a focal point of the building through measures such as contrasting colours and material e.g. bold accent colours or textured cladding and incorporating features such as artistic elements, or architectural.</i></p>	<p>a)The design of the primary entrance to the building and the office space area redesigned to define it as a focal point of the building through measures such as revised colours and material.</p>	<p>Wording of the condition amended to remove reference to artistic or architectural elements. Amended condition is as follows:</p> <p>The design of the primary entrance to the building and the office space area redesigned to define it as a focal point of the building through measures such as revised colours and material.</p>
<p><i>Revise the plans to achieve best practice in ESD as follows:</i></p> <ul style="list-style-type: none"> <li>- <i>Note the thermal performance of exposed floors and ceilings (forming part of the building envelope) have a minimum 10% improvement in required insulation levels in the National Construction Code 2022.</i></li> <li>- <i>Provide external shading for glazing of habitable or conditioned spaces:</i> <ul style="list-style-type: none"> <li>o <i>Indicate the extent of shading on the elevations and plans, note the shading type and material (note: overhanging elements are inadequate to protect from low-angle, eastern and western summer sun).</i></li> <li>o <i>Provide typical details for shading devices per orientation, with key dimensions appropriate to demonstrate their effectiveness.</i></li> </ul> </li> <li>- <i>Indicate the Visible Light</i></li> </ul>	<p>b)The following measures to achieve best practice in ESD:</p> <p>i. Provide external shading for glazing:</p> <ul style="list-style-type: none"> <li>• Indicate the extent of shading on the elevations and plans, note the shading type and material (note: overhanging elements are inadequate to protect from low-angle, eastern and western summer sun).</li> <li>• Provide typical details for shading devices per orientation, with key dimensions appropriate to demonstrate their effectiveness.</li> </ul> <p>ii. Indicate the</p>	<p>Wording of the condition amended to remove reference to the thermal performance of the exposed floors and ceilings to have a 10% minimum improvement. The removal of this condition has been agreed with between the applicant and the council ESD officer. Amended condition is as follows:</p> <p>Revise the plans to achieve best practice in ESD as follows:</p> <ul style="list-style-type: none"> <li>- Provide external shading for glazing of habitable or conditioned spaces: <ul style="list-style-type: none"> <li>o Indicate the extent of shading on the elevations and plans, note the shading type and material (note: overhanging elements are inadequate to protect from low-angle, eastern and western summer sun).</li> <li>o Provide typical details for shading devices per orientation, with key</li> </ul> </li> </ul>



		<p><i>Transmission (VLT) for glazing, per the daylight modelling.</i></p> <ul style="list-style-type: none"> <li>- <i>Position the electric vehicle charging points to allow each to be used across two car parking bays.</i></li> </ul>	<p>Visible Light Transmission (VLT) for glazing, per the daylight modelling.</p> <ul style="list-style-type: none"> <li>iii. Position the electric vehicle charging points to allow each to be used across two car parking bays.</li> </ul>	<p>dimensions appropriate to demonstrate their effectiveness.</p> <ul style="list-style-type: none"> <li>- Indicate the Visible Light Transmission (VLT) for glazing, per the daylight modelling.</li> <li>- Position the electric vehicle charging points to allow each to be used across two car parking bays.</li> </ul>
<b>Section 52 Referral – Recommending</b>	DEECA	25/02/2025	<p>Pursuant to Section 52 of the <i>Planning and Environment Act 1987</i>, the Department of Energy, Environment and Climate Action does not object to the grant of a planning permit subject to conditions being placed on any permit issued.</p> <p>No conditions are requested to be imposed.</p>	
<b>Section 52 Referral – Recommending</b>	Owners and Occupiers	<p>No submissions were made upon conclusion of advertising to the owners and occupiers of the adjoining properties.</p>		

18. Informal notice of the application was given to the following organisations:

Organisation	Response Received (date)
<b>Fire Rescue Victoria</b>	<p>19/08/2024 – No objection, subject to conditions. DTP officers accept the below conditions:</p> <p><i>At least one month prior to the commencement of construction of the development (except for construction of those preliminary works that are outside the scope of the hazard studies), or within such further period as the planning department may agree, the Applicant must prepare and submit a Fire Safety Study (FSS) for the development. The FSS must:</i></p> <ol style="list-style-type: none"> <li>1. <i>Meet the operational requirements of FRV;</i></li> <li>2. <i>Address the relevant aspects of the:</i> <ol style="list-style-type: none"> <li>a. <i>FRV fire safety guidelines GL -54 Fire Safety Study; and</i></li> <li>b. <i>FRV Fire Safety Guideline GI-12 for contaminated water retention and treatment systems; and</i></li> </ol> </li> <li>3. <i>Consider the operational capability of local fire agencies and the need for the facility to achieve an adequate level of on-site fire and life safety independence.</i></li> <li>4. <i>Verify that the final design of the fire safety system(s) complies with:</i> <ol style="list-style-type: none"> <li>a. <i>AS/NZS 4681:2000 The storage and handling of Class 9 (miscellaneous) dangerous goods and articles (Standards Australia, 2000);</i></li> <li>b. <i>IEC 62619:2022 Secondary cells and batteries containing alkaline or other non-acid electrolytes – Safety requirements for secondary lithium cells and batteries, for use in industrial applications (Standards Australia, 2023).</i></li> <li>c. <i>FM Global Loss Prevention Data Sheet 5- 32 – Data centre or equivalent; and</i></li> <li>d. <i>NFPA 855:2023 Standard for the Installation of Stationary Energy Storage Systems or equivalent.</i></li> </ol> </li> </ol> <p><i>In the event of an inconsistency between the requirements listed above, the requirements as agreed to with FRV shall prevail to the extent of inconsistency.</i></p>



## Statutory Controls – Brimbank Planning Scheme

Provision		Permit Trigger
<b>Zone</b>	Clause 33.01 – Industrial Zone – Schedule 1	Clause 33.01- 1 – Use of the land for the purpose of a data centre (utility installation). Clause 33.01-4 – To construct a building or construct or carry out works.
<b>Overlay</b>	Clause 45.06 Development Contributions Plan Overlay Schedule 2	N/A - <b>No permit requirement</b>
<b>Particular and General Provisions</b>	Clause 52.06 (Car Parking)	Car parking spaces must be provided to the satisfaction of the responsible authority.
	Clause 52.17 (Native Vegetation)	Clause 52.17 -1 - to remove, destroy or lop native vegetation, including dead native vegetation
	Clause 52.29 (Land Adjacent to the Principle Road Network).	Clause 52.29-2 - Create or alter access to a road in a Transport Zone 2.
	Clause 52.34 Bicycle Facilities	N/A
	Clause 53.22 (Significant Economic Development)	<b>No permit required</b> – this clause applies to the application as it qualifies for the provision under Category 1 (see summary table for further details on eligibility)

## Strategic Planning Context

### Strategic Direction and Land Use

#### Plan for Victoria

19. Plan for Victoria outlines a long-term, strategic framework that ensures sustainable growth, increased liveability, support for economic development, and the delivery of infrastructure to meet the needs of Victoria’s growing population. The development of a data centre in Tullamarine aligns with the Plan for Victoria, especially in areas of economic growth, infrastructure, and technological advancement. The plan highlights the importance of employment and innovation precincts, supporting industries such as technology, research, and digital services.
20. Tullamarine’s location within a state-significant industrial precinct is consistent with the proposed development, as these areas are designed to support industries that drive economic expansion and innovation. Additionally, the plan emphasises the need for critical digital infrastructure to enhance Victoria’s competitiveness and future-proof its economy. A data centre in this location would contribute to job creation, support the growing demand for digital services, and strengthen Victoria’s position as a leader in technology and innovation.

#### Plan Melbourne

21. Plan Melbourne 2017-2050 (Plan Melbourne) outlines the key strategic directions with regard to the provision of housing and commercial activity within Melbourne’s urban areas. The strategic outcomes outlined in the document are required to be considered as part of the decision-making process and include (inter-alia):
  - Outcome 1: *‘Melbourne is a productive city that attracts investment, supports innovation and creates jobs.’*
    - Direction 1.1 – Create a city structure that strengthens Melbourne’s competitiveness for jobs and investment.



- Policy 1.1.6 – Plan for industrial land in the right locations to support employment and investment opportunities.
- Direction 1.2 of Plan Melbourne is to ‘*improve access to jobs across Melbourne and closer to where people live*’.

22. The site is accessible to a number of key arterial roads within the Melbourne Road network, including the Western Ring Road and Calder Freeway. Plan Melbourne is a background document to the Brimbank Planning Scheme.
23. Plan Melbourne has recently been superseded by the new Plan for Victoria (looking ahead to 2050). The plan is yet to be introduced to planning schemes at Clause 11. The new plan identifies a number of actions to enable more jobs close to homes by delivering and readying land for industrial and commercial development in well-serviced locations.

**Brimbank Planning Policy Framework**

24. The *Planning Policy Framework* encourages appropriate land use and development which enhances the built environment, supports economic growth, meets the community expectations on retail and commercial provision, delivers diversity in housing supply to meet existing and future needs, and integrates transport and infrastructure planning.
25. The relevant Brimbank Planning Scheme (BPS) and Planning Policy Framework (PPF) policies have been considered in assessing the application and the following are considered relevant:

Clause	Description
<b>Clause 11</b>	<b>Settlement</b>
11.02-1S	Supply of Urban Land
11.03-2S	Growth Areas
<b>Clause 13</b>	<b>Environmental Risks and Amenity</b>
13.01-1S	Natural Hazards and Climate Change
13.05-1S	Noise management
13.07-1S	Land use compatibility
<b>Clause 14</b>	<b>Natural Resource Management</b>
Clause 14.02-1S	Catchment planning and management
<b>Clause 15</b>	<b>Built Environment and Heritage</b>
15.01-2L-01	Building design - Brimbank
15.01-2L-02	Environmentally Sustainable Development
<b>Clause 17</b>	<b>Economic Development</b>
17.01-1R	Diversified economy – Metropolitan Melbourne
17.03-1S	Industrial Land Supply
17.03-1L	Industrial Land Supply - Brimbank
17.03-2S	Sustainable Industry
17.03-3R	Regionally Significant Industrial Land – Metropolitan Melbourne
<b>Clause 19</b>	<b>Infrastructure</b>
19.03-1S	Development and infrastructure contribution plans

26. The proposal is generally supported the state and local policies. A response to the relevant BPS and PPF policies is as follows:



- Policy seeks the consolidation, redevelopment and intensification of existing urban areas (Clause 11.02-1S). The proposal is redeveloping the site which was previously a two storey office / warehouse formerly tenanted by Honda, utilising the redevelopment of the land within an existing urban area in Tullamarine.
- Policy seeks to provide for significant amounts of local employment opportunities and in some areas, provide large scale industrial or other more regional employment generators along key transport corridors (Clause 02.03-6 and 11.03-2S). Brimbank's growth strategy aims to concentrate urban expansion near transport corridors and services, ensuring infrastructure efficiency and environmental protection. It includes increasing residential densities, timely public transport provision, creating local employment opportunities, and preserving heritage and environmental areas. The strategy also involves developing mixed-use activity centres, diverse housing types, and safe neighbourhoods, guided by Growth Area Framework Plans and Precinct Structure Planning Guidelines. The proposal is accessible by the Western Ring Road and the Calder Freeway and would support and facilitate the development of the Tullamarine industrial area while creating local employment opportunities and significant investment into the broader precinct and its further development.
- Policy seeks to ensure that use and development does not detrimentally impact on community amenity is compatible with adjoining or nearby land uses (Clauses 13.05-1S and 13.07-1S). The subject land is situated centrally within an industrial area which is surrounded by industrial land uses. The applicant has submitted an Acoustic Report and Stormwater Management Plan in support of the proposed development (both discussed in detail below) while submitted concept images of the development demonstrate the proposal would be consistent with envisioned industrial character of the area.
- Policy seeks to ensure that wastewater and stormwater discharge from development is managed and detrimental effects on downstream waterways are appropriately mitigated (Clauses 02.03-4 and 14.02-1S). Policy also seeks to ensure industrial and commercial land uses incorporate stormwater treatment measures into the design of development, facilitated well-connected open spaces and waterway corridors, and ensure development includes stormwater treatment measures that improve the quality and reduce the flow of water discharged to waterways (Clauses 02.03-9 and 19.03-3S). The applicant has submitted a Stormwater Management Plan that details the stormwater management measures to be implemented within the development (discussed in greater detail below).
- Policy seeks to create safe and functional urban environments while delivering design and siting outcomes that contribute positively to the local context. Further policy seeks to ensure the delivery of high quality development in new growth areas across Brimbank that enhances visual and streetscape amenity of industrial area to attract investment and high quality work environments (15.01-1S). Local policy seeks a range of design outcomes including office components fronting streets, outbuildings and ancillary installations that are compatible with the design theme established by primary buildings, concealing of plant and equipment, materiality suited to the type of building and its use and glazing incorporated into street frontages, transparent fencing and high-quality landscaping (Clause 15.01-2L-01). On balance, the development has been designed to be generally consistent with policy and design requirements/guidelines detailed within the Scheme. An assessment of the built form and compliance with relevant requirements and guidelines is detailed below.
- Policy seeks to achieve best practice environmentally sustainable development in precinct wide master planning and within large-scale development in new growth areas (Clauses 02.03-2, 02.03-3 and 15.01-2L-02). The applicant has prepared a Sustainability Management Plan which details the sustainable design initiatives incorporated into the development which includes energy management, water management



recycling, building materials, cooling systems and water sensitive urban design. The application is also supported Landscape Plan which details the extent of proposed planting to be provided around the site. An assessment of these documents is provided below.

- Policy seeks to strengthen and facilitate economic growth in Melbourne's outer areas, including within state significant industrial land, through the delivery of jobs across a broad range of employment sectors within existing and future employment land (Clauses 02.03-6, 17.01-1S and 17.01-1R). This strategy aims to diversify Melbourne's economy by supporting the Central City's growth, redeveloping urban precincts, developing employment clusters, enhancing health and education precincts, supporting diverse employment in industrial areas, and facilitating investment in outer areas.
- Policy seeks the timely provision of planned infrastructure to communities through the preparation and implementation of development contributions plans and infrastructure contributions plans (Clause 19.03-1S). The requirement for a DCP will be required via condition.

## Use

27. The proposal seeks approval for the use of the land for a Data Centre. The proposed facility will operate 24 hours a day, 7 days a week. The buildings and works include the construction of buildings six-storey's high along with ancillary requirements (substations, water tanks, guard kiosk).
28. The proposal has been accepted through the Clause 53.22 – Significant Economic Development pathway, which includes written advice from Invest Victoria that the proposal is likely to be financially feasible. The proposal is expected to generate significant investment, facilitate employment generation and associated economic benefits. The proposal aligns with the purpose of the IN1Z as detailed above, and the economic development policies under Clause 17.01-1S and 17.01-1L by increasing creating opportunities within emerging industries. The proposal generally meets the purpose of the IN1Z. Specifically, the use of the land for a Data Centre (Utility Installation) facilitates the provision of an emerging technology-based industry infrastructure that is critical to support of the digital economy through data storage, processing and management of information.
29. Clause 13.07-1S (land use compatibility) outline the objective of protecting community amenity, human health and safety while facilitating appropriate commercial, industrial, infrastructure or other uses. The use is located with sufficient setbacks from roads and is expected to have minimal impact on the surrounding areas which is mostly industrial and vacant land.
30. No residential or further sensitive uses are present within the immediate surrounds, however the proposal has presented a considerate design which will retain coherence within its context. An acoustic report has been prepared for the site by Acoustic Logic with the assessment determining the predicted noise levels were found to be compliance with the noise emissions criteria for all day, evening and night periods for all receivers.
31. Traffic generation, as outlined in the transport impact assessment, is expected to be approximately 36 movements in the AM peak and 27 movements in the PM peak hours which is not expected to have significant impact on the operation of the surrounding road network.



## Buildings and Works

32. In considering the design and built form of the proposed development, the most relevant clauses of the scheme are Clause 15.01-1S (Urban design), 15.01-1R (Urban design – Metropolitan Melbourne), 15.01-2L-02 (Environmentally Sustainability Design) and 15.01-2S (Building Design).
33. The Brimbank Industrial Design Guidelines (BIDG) July 2021 is also pertinent to the proposal. the BIDG is not an incorporated or referenced document within the Brimbank Planning Scheme and is directed to supplement rather than conflict with any existing policy in the planning scheme. Adherence to requirements of the Brimbank Planning Scheme retains precedence over noncompliance to any items within the BIDG.
34. The following assessment will consider the building design response with respect to height, massing and setbacks, to ensure new development is of a suitable design quality, high amenity, environmentally sustainable and contributes positively to the public realm.

## Building Height

35. The proposed overall building height is 38.15 metres. There are no height requirements for developments not fronting residential land within the Brimbank Planning Scheme or the BIDG. The proposed height is significantly taller than the surrounding buildings, however due to the space intensive requirements of the proposed use, the additional height is considered acceptable. The increased articulation of the façade minimises the visual impact of the proposed development. The built form proposed is consistent with the design requirements for a data centre and presents a reasonable response to the site context.

## Setbacks

36. The BIDG requires a 20 metre setback to Sharps Road, a 3 metre setback to Keilor Park Drive and a 2 metre setback to side and rear within the Tullamarine Zone. The proposed setbacks to both Sharps Road and Keilor Park Drive are in excess of 20 metres, and the side and rear setbacks are in excess of 2 metres, complying with the desired front setbacks contained within the BIDG. A 3-metre landscape buffer is applied across the entirety of the site's frontages, as required for sites with no residential interfaces. Associated infrastructure for the buildings such as water tanks, substations, and water pumps are located outside the setback areas and comply with the BIDG setbacks.

## Design Detail

37. The applicant has provided design principles for the development which includes façade delineation and colour variation to decrease solar heating and reduce visual impact, lighter coloured paving and water tank / substation areas and glazing to reduce the interior thermal needs of the data centre. The development has been designed to minimise visual intrusion while serving the purpose for a data centre. The building's facades feature a combination of power -coated louvres, glass, and pre -cast concrete. This mix of materials achieves a balance between functionality and design, contributing to a standard, consistent design that still meets practical needs.

## Amenity

38. The applicant has submitted an Acoustic Environmental Impact Assessment prepared by Aurecon, dated 11 June 2024. This assessment and associated noise limits were derived utilising the *Environment Protection Authority Regulations 2021* (EPA 2021) and *EPA Publication 1826: Noise Limit and Assessment Protocol for the Control of*



Noise from Commercial, Industrial and Trade Premises and Entertainment Venues (Noise Protocol) (EPA Publication 1826).

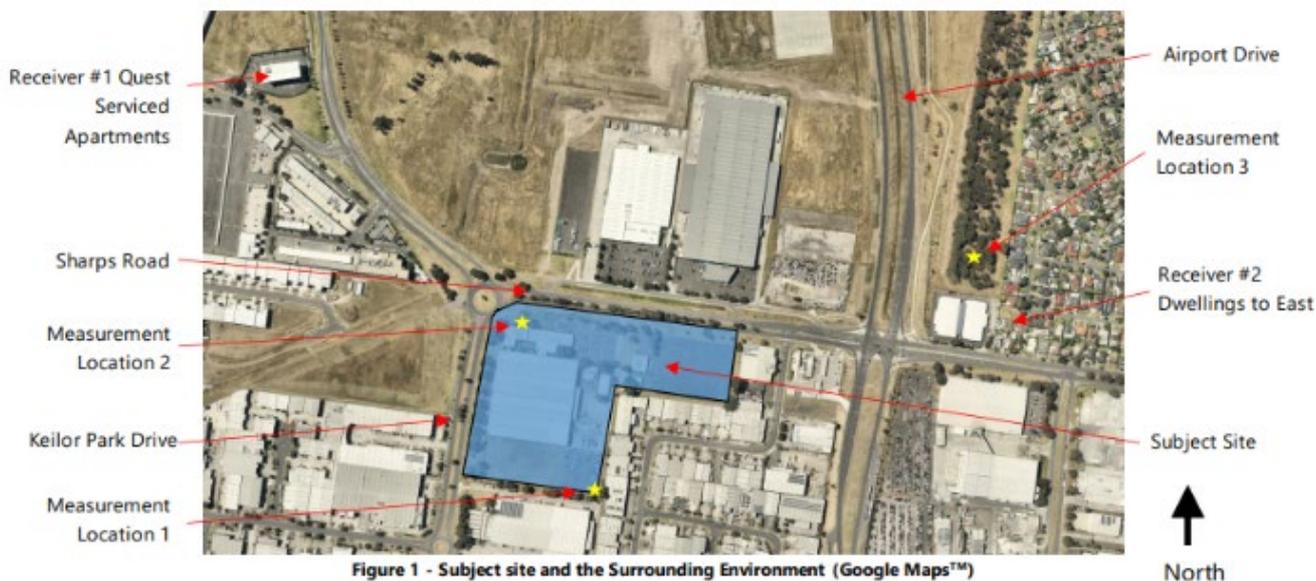


Figure 1 - Subject site and the Surrounding Environment (Google Maps™)

Figure 7: Acoustic report surrounding receivers

- 39. The noise limits to each sensitive receptor during the night period would range between 40-44  $L_{Aq}$  dBA . The operation category applies a zoning adjustment during the evening/night period which result in a noise limit range between 48 to 47  $L_{Aq}$  dBA.
- 40. The noise modelling indicates that predicted noise levels will comply with the night period noise limit criteria with no exceedances recorded.

### Landscaping

- 41. The applicant has provided a landscape plan prepared by Geoscapes, dated 18/12/2024. The landscaping includes the provision of 67 trees and hardy vegetation which will require low amounts of water and do not rely on irrigation. The proposal is provided with a wide range of vegetation including canopy trees, shrubs, grasses/rushes and groundcovers.
- 42. As per the BIDG, lots over 2,000sqm should provide a minimum 2m landscaped side setback to car parking areas. Useable landscaped areas have been provided in accordance with the BIDG.
- 43. The proposed design integrates with the landscape character of the industrial setting and local context.

### Car and Bicycle Parking, Loading, and Other Services

#### Car Parking

44. The following car parking rates are relevant to the application:

Proposed Use	Rate	Amount Required	Amount Provided
Data Centre	N/A	N/A	164



45. A data centre (utility installation) is not listed as a use in Table 1 and therefore Clause 52.06-6 applies and the number of car parking spaces must be provided to the satisfaction of the responsible authority. Car parking provision is expected to adequately accommodate peak parking requirements, with surplus parking for periods of increased demand.
46. The site has limited connectivity to public transport and active transport infrastructure. The route 482 bus (Airport West Shopp Centre to Melbourne Airport) operates along Keilor Park Drive, south of Lambeck Drive, with bus stops located 200m south of the southern boundary of the subject site. This has been considered in the assessment, providing an acceptable outcome with a greater proportion of staff and customers being expected to drive to the site.
47. The Traffic and Transport Impact Assessment prepared by Impact, dated 29 August 2024 states it is expected that the provision of 179 spaces on the site will adequately accommodate peak parking requirements by personal on the site, in addition to surplus parking to accommodate short periods of increased demand associated with shift changeover periods.
48. Dependent on shift staggering, for short durations around shift changeover time, an increased demand could occur. It is expected however that the provision of 179 spaces on the site will adequately accommodate peak parking requirements by personal on the site, in addition to surplus parking to accommodate short periods of increased demand associated with shift changeover periods. The car parking provided is considered satisfactory.

#### **Design Standards for Car Parking**

49. The Traffic and Transport Impact Assessment prepared by Impact, dated 29 August 2024, includes an assessment against Clause 52.06-9 and the proposal complies with these standards.

#### **Access, Traffic Movement and Circulation**

50. The Transport Impact Assessment includes a swept path analysis which demonstrates adequate access by 12.5m Heavy Rigid Vehicle and 20m Semi-Trailer vehicles, capable of entering and exiting the site in a forward direction.
51. Impact Traffic Consultants provided updated comments in response to Brimbank City Councils RFI comments, which address the concerns raised by the council.
52. The proposal is anticipated to contribute up to 36 vehicle movements to the road network in any peak hour. This level of traffic is deemed low in traffic engineering terms and will not have any detrimental impacts to the operation of the surrounding road network.

#### **Bicycle Facilities**

53. Clause 52.34-1 of the Scheme does not list utility installation (data centre) as a use with bicycle requirements.
54. Notwithstanding, the proposal would provide of eight (8) bicycle spaces adjacent the main building entry point.
55. The Green Travel Plan prepared by LID Consulting dated 19 December 2024 specifies that end-of-trip facilities will be provided in proximity to the bicycle parking locations.
56. However, this is not shown on the plans and will be required via condition.

#### **Loading / Unloading**

57. Off-street loading areas are provided for the site capable of accommodating 12.5m Heavy Rigid Vehicle and 20m Semi-Trailer vehicles. Swept path analysis within the Traffic Impact Assessment prepared by Impact, dated 29 August 2024, demonstrates adequate access by 12.5m Heavy Rigid Vehicle and 20m Semi-Trailer vehicles, capable of entering and exiting the site in a forward direction, specifically designed for the proposed data centre use.
58. The proposed loading arrangements are considered appropriate.



## Waste

59. A waste management plan has not been provided as part of the application package. Permit conditions will require the submission of a satisfactory waste management plan that details the waste a recycling collection methods and generation.

## Environment

### Environmental Risks

60. An Ecology Assessment prepared by WSP, dated 14 August 2024 concludes that the site is highly modified, evidenced from factory buildings, carparks, roads and hard stand areas which dominate the site. Planted trees and open exotic grassed areas surround the factory and carpark. One EVC was recorded across three Habitat Zones totalling 0.325 hectares.
61. No EPBC Act-listed species or communities are considered likely to occur or be impacted by the proposed works, therefore an EPBC Act referral is not considered necessary. There were no threatened flora or ecological communities listed under the FFG Act observed within the study area.
62. There is a high likelihood that if left as is, this vegetation will continue to degrade as a result of weed incursion and detrimental management and will be lost.
63. It is therefore considered that the ecology response to the the proposed development is considered acceptable.

### Environmentally Sustainable Design (ESD)

64. The applicant has provided a Sustainability Management Plan prepared by Low Impact Development Consulting, dated 19/12/2024), which is a suitable assessment for data centres. The ESD assessment details the measures which meet the mandatory ESD requirements for data centre developments.
65. The proposal incorporates a number of sustainable design initiatives including energy, integrated water management, landscaping, and construction measures. The development provides connections for EV charging and 8 bicycle spaces.

### Stormwater Management

66. Clause 53.18 (Stormwater management in urban development) is relevant to this application. The purpose of this clause is to ensure that stormwater in urban development, including retention and reuse, is managed to mitigate the impacts of stormwater on the environment, property, and public safety, and to provide cooling, local habitat and amenity benefits. The applicant has provided a Stormwater Management Plan, prepared by Enstruct, dated 19/12/2024.
67. The council recommended to impose one condition regarding stormwater management. The condition requires an on-site stormwater drainage retention/detention system must be designed by a qualified Engineer and installed on the subject land to the satisfaction of the Responsible Authority. The on-site retention/detention system is to be constructed before occupancy permit or statement of compliance whichever is the earliest.
68. A MUSIC analysis has been conducted. The proposed system achieves the best practice water quality performance objectives.
69. It is considered the stormwater management plan is appropriate, meeting Clause 56.07-4 (Stormwater Management Objectives and Clause 19.03-3L (Integrated water management). Standard stormwater permit conditions will be included should a permit be issued.
70. Subject to the above conditions, the proposal will result in appropriate stormwater outcomes.

## Native Vegetation

71. The proposed development proposes to remove 0.325 hectares of native grassland on the site. The applicant has provided the following documents in relation to the removal of native vegetation:
- Ecology Assessment, prepared by WSP Australia Pty Ltd dated 14/08/2025, The provided Arborist Report (prepared by Active Green Services, dated 20/08/2024).
  - Preliminary arboriculture report assessment prepared by Melbourne Tree Care dated 29/11/2024.
  - Native Vegetation Removal Plan prepared by WSP Australia Pty Ltd.
72. The Ecology Assessment concludes that no EPBC Act-listed species or communities are considered likely to occur or be impacted by the proposed works, therefore an EPBC Act referral is not considered necessary. There were no threatened flora or ecological communities listed under the FFG Act observed within the study area.
73. A permit condition will secure the required native vegetation offsets of 0.113 General Habitat units.
74. The council provided no comments about the removal of the trees proposed to be removed. Standard permit conditions should be placed on the permit to ensure tree protection of the retained trees.

## Other Matters

### Development Contributions

75. The subject site is located within a Development Contributions Plan Overlay Schedule 2, and therefore requires development contributions.
76. The following permit condition must be included:

*Development Contribution in accordance with the approved Development Contributions Plan must be paid to Brimbank City Council. Payment of the Development Infrastructure Levy (DIL) must: (a) Be paid prior to the issue of a building permit for the land or prior to Statement of Compliance (SOC) for the subdivision of the land associated with the development permit, whichever comes first; OR (b) When a staged subdivision is sought, be paid prior to the issue of a Statement of Compliance based on the net increase within each stage.*

### Dangerous Goods Storage

77. The proposal required a Section 55 determining referral pursuant to Clause 66.02-7 to the Victorian WorkCover Authority (WorkSafe) under the Dangerous Goods (Storage and Handling) Regulations 2012 and a licence is required under the Dangerous Goods (Explosives) Regulations 2011. The applicant provided a Preliminary Hazard Assessment prepared by SLR Consulting dated 13/12/2024 and a and a Fire Strategy Memo, prepared by ARUP dated 7/03/2025
78. WorkSafe responded with no objection, subject to conditions that require a fire safety study and an emergency management plan be completed prior to the developments phase 1 building permit.

### Signage

79. No signs are proposed as part of the development.

# Recommendation



80. The proposal is generally consistent with the relevant planning policies of the **Brimbank** Planning Scheme and will contribute to the provision of a **data centre** within the **Tullamarine** area.
81. The proposal is generally supported by the various referral agencies.
82. It is **recommended** that Planning Permit No. **PA2403452** for the **use and development of the land for a data centre** at 85 Sharps Road, Tullamarine be issued subject to conditions.
83. It is **recommended** that the applicant and the council be notified of the above in writing.



**Prepared by:**

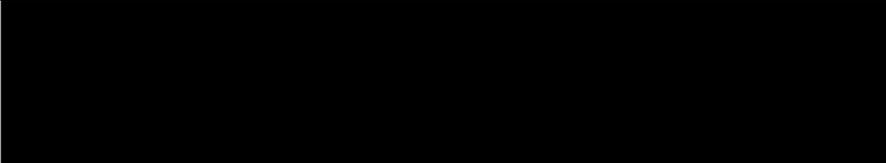
I have considered whether there is a conflict of interest in assessing this application and I have determined that I have:

- No Conflict**
- Conflict and have therefore undertaken the following actions:
  - Completed the **Statutory Planning Services declaration of Conflict/Interest form.**
  - Attached the Statutory Planning Services declaration of Conflict/Interest form on to the hardcopy file.
  - Attached the Statutory Planning Services declaration of Conflict/Interest form into the relevant electronic workspace.

Name:

Title:

Phone:



**Reviewed by:**

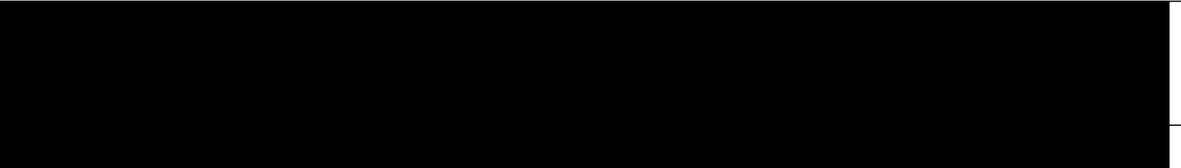
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**Approved by:**

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