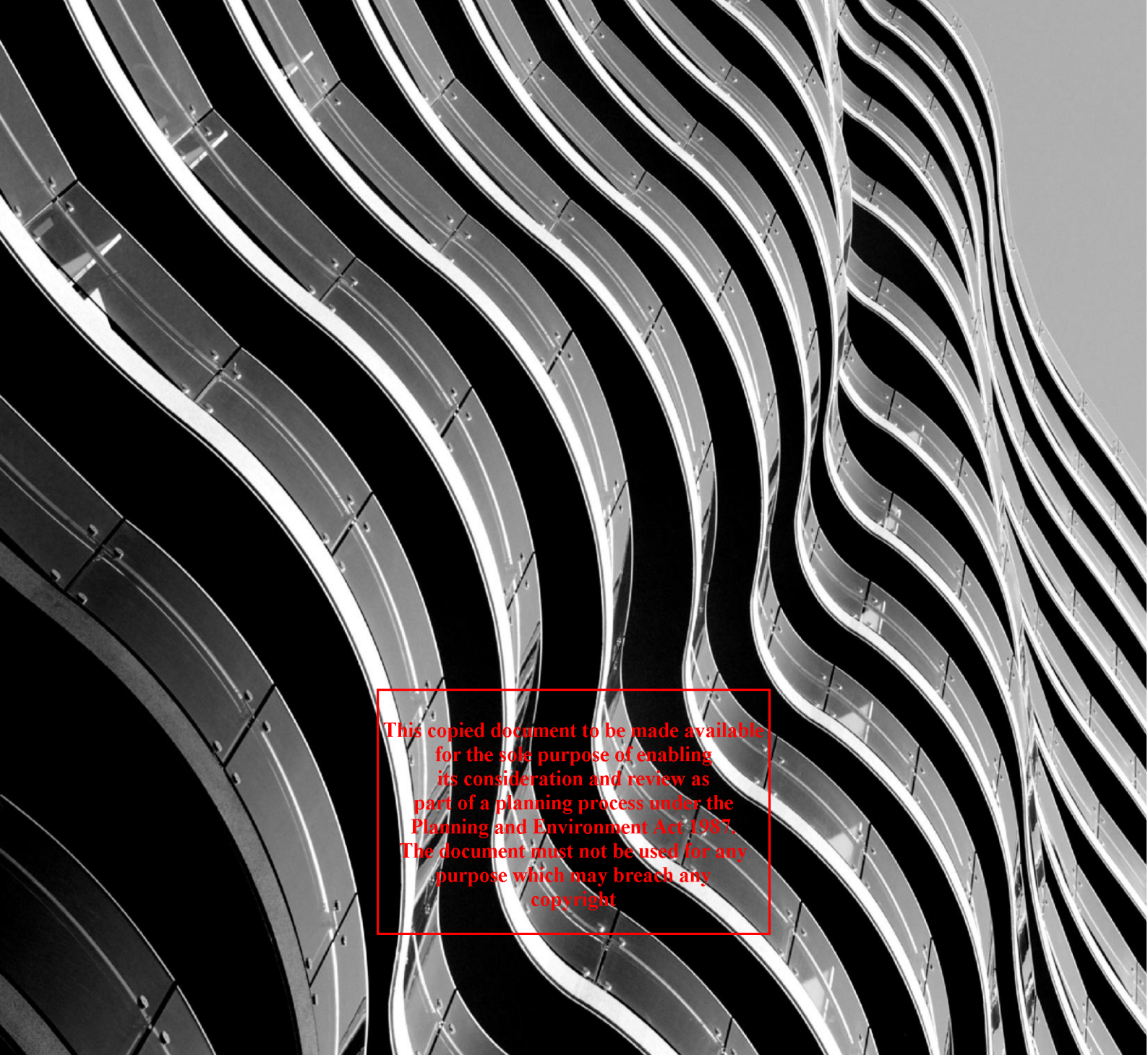




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PLANNING &
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TOWN PLANNING REPORT

165 Williamsons Road, South Morang

August 2026

Prepared for: *Dover1 SM2 Pty Ltd*

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1. Introduction

1.1. Project Overview

This report accompanies a planning permit application for the use and development of a Data Centre, removal of vegetation and construction and display of signs on the land at 165 Williamsons Road, South Morang ('the Site').

The Site has been designated for employment under both the Plenty Valley Town Centre Structure Plan and the South Morang Local Structure Plan, noting that the land sits adjacent to the *Plenty Valley South Morang Activity Centre*, which is categorised as a major town centre under the strategic framework and Activity centres plan of Clause 02.04-2 Whittlesea Planning Scheme (the 'Scheme'). The land also sits directly adjacent to the existing South Morang Terminal Station within land designated 'Urban Land' under the Economic Development Plan at Clause 02.04-6.

The proposal responds to a growing demand for data storage with increasing reliance on information technology and evolution of 'AI'. The Site has been selected due to its positioning within an identified employment precinct, within the Commercial 2 Zone and co-locating the facility adjacent to an existing utility installation in the significant SP Ausnet land to the west.

A Data Centre of this extent has been identified by the State Government as a priority project under Clause 53.22 of the Planning Scheme. Following the initial review period through the Development Facilitation Program, the applicant has been invited to prepare the formal application under the provision on the basis that:

- The proposed land use ('Data Centre') is listed under Table 2 of Clause 53.22-1,
- The proposed estimated cost of development exceeds \$20 million, and
- Information demonstrating the likely feasibility of the proposal has been provided to the satisfaction of the Minister for Planning, including written advice from the Chief Executive Officer (or delegate) of Invest Victoria.

The application can be pursued under a facilitated pathway as it will produce significant economic benefits to the local and broader community including investment and employment opportunities.

The Site is dissected by significant HV cables and corresponding easements through the Site, in addition to a water supply easement. These features may otherwise limit some other development options but note that the proposal has responded to the features of the Site, the particular interfaces, and has appropriately positioned the built form, car parking areas and service zones.

The Site is strategically well placed to accommodate this use and facility noting its co-location with the South Morang Terminal Station, which holds capacity for the facility within this growth area. Noting this, it would be difficult to locate a better placed Site in which to realise this facility, noting challenges with connections to other Terminal Stations within Melbourne owing to zoning, land use designations and protected land green wedge land. Moreover, there is significant efficiency with the abuttal to the Terminal Station, which reduces embodied energy and infrastructure costs through shorter cabling and minimal road disruption, for example.

The site's proximity to another approved data centre campus forming part of this project in McDonalds Road enhances operational synergies and is attractive to operators, and the site is within proximity of infrastructure-type uses (e.g., Melbourne Water asset authority), this clustering supports compatibility and long-term viability.

The Site has relatively limited sensitive interfaces with separation from the residential precinct, is strategically located within employment designated land, within proximity to the Principal Road Network

and Principal Public Transport Network, as well as responding to the employment opportunities for skilled workers in a growing housing region i.e. 'closer to where people live' (Clause 17.01-1S).

The proposal is further supported by Pillar 2 of *Plan for Victoria* and the *Economic Growth Statement* by providing accessible jobs and services, and more jobs close to home. The economic analysis forecasts the facility is expected to generate 110-210 direct FTE jobs once completed, with both direct and indirect jobs up to 548 ongoing FTE positions during stable operation. The construction phase will also include substantial employment opportunities including fit out, safety and compliance.

This report provides an assessment of the proposal against relevant provisions of the Scheme and should be read in association with:

- Plans prepared by *Ewert Leaf Pty Ltd*;
- Landscape plan prepared by *Greenjoy*;
- Urban Design Assessment prepared by *Lat Studios*;
- Traffic Impact Assessment prepared by *One Mile Grid Pty Ltd*;
- Waste Management Plan prepared by *Leigh Design Pty Ltd*;
- Cultural Heritage Management Plan prepared by *Biosis Pty Ltd*;
- Acoustic Report prepared by *ADP Consulting Pty Ltd*;
- Arboricultural Impact Assessment prepared by *TMC Reports*;
- Biodiversity Report and associated NVR prepared by *Abzeo Pty Ltd*;
- Stormwater Management Plan prepared by *Matter Consulting*;
- Sustainability Management Plan prepared by *GIW Environmental Solutions Pty Ltd*;
- Dangerous Goods Storage and Planning Report prepared by *Focus Environmental Pty Ltd*;
- Fire Study including Preliminary Hazard Analysis and Emergency Response prepared by *Orbe Fire Safety Engineering Consultants*;
- Economic Impacts Assessment prepared by *Macroplan Holdings Pty Ltd*; and
- Cost Plan prepared by *WTP Australia Pty Ltd*.

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1.2. Planning Controls and Permit Requirements

The Site is located within the Commercial 2 Zone ('C2Z'), pursuant to provisions of the Whittlesea Planning Scheme (the 'Planning Scheme') and is affected by the Development Plan Overlay – Schedule 7 ('DPO7') and the Vegetation Protection Overlay – Schedule 1 ('VPO1'). The Site is also located within an area of Aboriginal Cultural Heritage Sensitivity, which has been assessed and with a Cultural Heritage Management Plan approved.

The application seeks planning permission under the Planning Scheme for the following:

- Use the land for a data centre (nesting under utility installation) pursuant to Clause 34.02-1 (C2Z);
- Construct a building or construct or carry out works pursuant to Clause 34.02-4 (C2Z);
- Remove trees pursuant to Clause 42.02-2 (VPO1);
- Construction and display of signs pursuant to Clause 52.05 (Signs); and
- Remove native vegetation pursuant to Clause 52.17 (Native vegetation).

2. Site context

2.1. The Site

The Site is located at 165 Williamsons Road, South Morang and is more formally described as Lot 1 on Plan of Subdivision 822500V.

No restrictive covenants exist on title, however, is subject to a series of easements. E-1 and E-2 are reserved for the purposes of high voltage transmission lines (Transmission of Electricity) in favour of the State Electricity Commission of Victoria and Melbourne Metropolitan Board of Works, per the title. The easements extend through the Site from the adjoining SP Ausnet facility to the west and includes two alignments which in effect dissect the land.

Further easements E-2 and E-3 are reserved for the purposes of water supply in favour of Melbourne Metropolitan Board of Works, per title.

The Site includes a significant land area of approximately 8.6 hectares and is currently void of any built form. The land includes two distinct areas between the easements which include stands of trees in an otherwise grassed field.

Site access is provided via Findon Road in the north-east section of the Site, and the site also has legal access to the Williamsons Road alignment abutting the northern boundary by way of title, whilst not made.

A full copy of title accompanies this application.



Figure 1 – Aerial View of Subject Site (in white outline)

Source: www.landchecker.com

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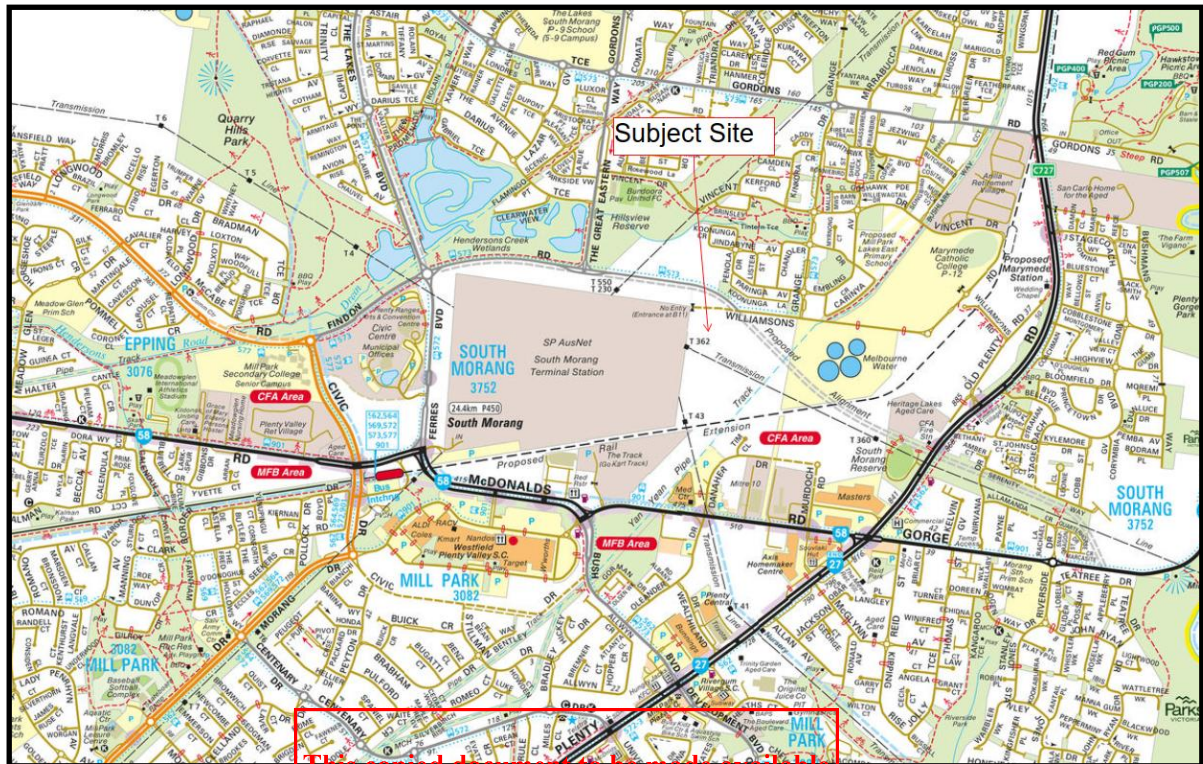


Figure 2 – Location Map

Source: www.melway.com.au

2.2. Surrounding Strategic and Physical Context under the Planning and Environment Act 1987.

The surrounding area is transitioning from a rural landscape to a low density urban landscape as the township of South Morang establishes with additional housing, employment and services in proximity to Marymeade Railway Station in accordance with the Plenty Valley Town Centre Framework Plan.

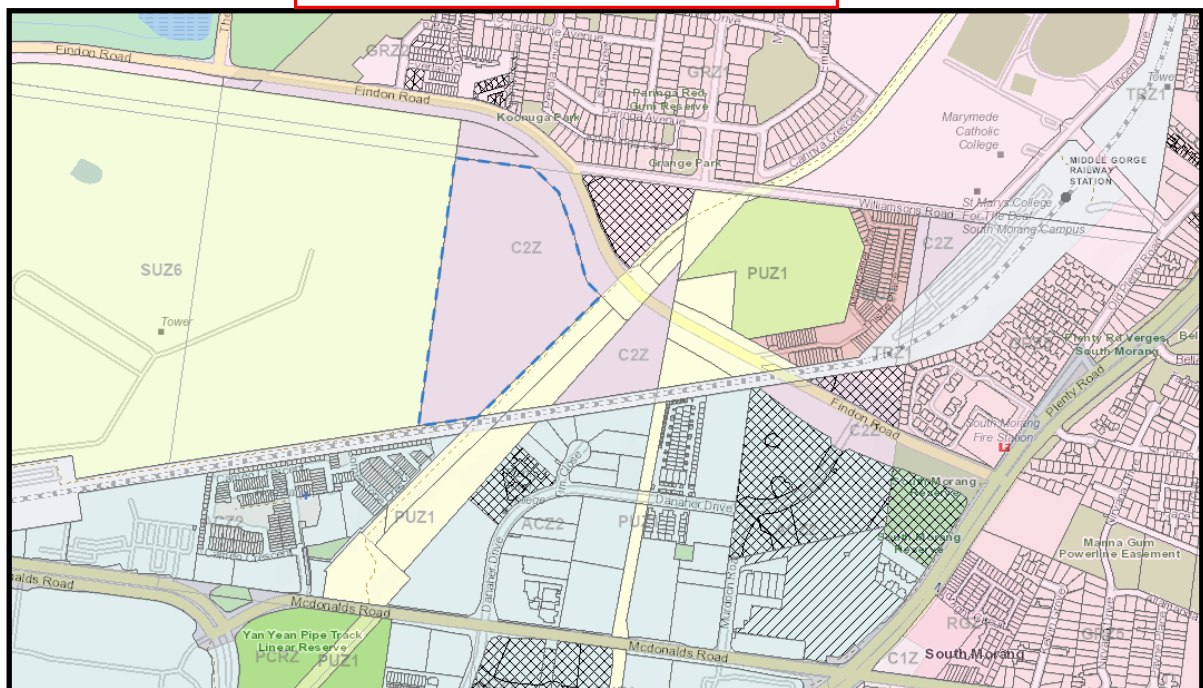


Figure 3 – Zoning Map (outlined in blue)

Source: www.mapshare.vic.gov.au/vicplan

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North and East

Findon Road is in the process of being widened and will facilitate significant traffic movements around the outskirts of the South Morange Plenty Valley Activity Centre and connection down to Plenty Road in the future. The carriageway is significant owing to previous acquisition to facilitate the project. The road includes a wide verge with stands of established trees.

Land on the northern side of Williamsons Road and Findon Road includes more recently constructed generally detached housing of single and double storey forms.

Williamsons Road intersects with Findon Road adjacent to the Site, and on title abuts the Site to the north. However, the section west of Findon Road has not been constructed and is not currently used for access.

130 Williamsons Road is located to the north of the unconstructed road reserve, and is currently under construction for an approved 4 storey self-storage facility over two built forms and with a height of approximately 15 metres. The site is accessed from Findon Road to the north and retains one River Red Gum tree in the western section. This approval supersedes a previous approval for a commercial development comprising retail, food and drink premises and offices across a generally two storey built form, and car parking.



Figure 4 – Self-storage facility at 130 Williamsons Road

Source: BN Group

Land to the east of Findon Road includes a combination of undeveloped land and utilities, including the Public Use Zone with the Yan Yean Pipe Track (linear path) and further service land comprising Melbourne Water storage facility with large cylindrical tanks.

135 Williamsons Road is located to the east of the Site, within the General Residential Zone and has previously been the subject of a planning permit for a residential subdivision (716165/1) in 2017. It is understood that the planning permit has now lapsed and the land has transferred to Whittlesea City Council. The title include revegetation requirements, and note the presence of various trees throughout the land.

West

The land immediately to the west has long been used as a Terminal Station and currently operated by SP Ausnet. The facility includes infrastructure, built form, towers and high voltage cables which extend through the Site and surrounding area running power to the network.

Large buffer distances are in place between the infrastructure and site boundaries with generally open field in between.

South

The land to the south and south-east includes the Yan Yean Pipe Track which extends beneath the Mernda Railway Line and through the South Morang Activity Centre. This and the railway line separate the Site from the remainder of the ACZ2 land.

Activity Centre and Employment Context

The *South Morang Local Structure Plan (1997)* is intended to guide development within the South Morang area and as the *South Morang Place Snapshot* advises, can be subject to change, noting the time since its inception. The focus of planning evolution from this document has culminated in the definition of the South Morang Plenty Valley Activity Centre, and the ACZ2 which applies to the centre.

The Plenty Valley South Morang Major Activity Centre is fast developing under five distinct precincts including civic, transport hub, central shopping, live and work, and the employment precinct, which is located to the south of the Site and railway line.

In some respects, the Terminal Station, 130 Williamsons Road and the Site could be considered an extension to the Activity Centre noting its physical alignment and Findon Road bordering around the north and eastern sections.

The Terminal Station will remain within the Special Use Zone and the Site and 130 Williamsons Road are designated for employment uses under the C2Z and DP07.

The *South Morang Local Structure Plan* envisaged broad spectrum planning for the area including commercial, mixed use areas, residential, open space, community facilities, employment precincts, public transport and the definition of major roads including Findon Road and its expansion around the boundaries of the activity centre and employment or service areas, which is intended to be a future arterial road.

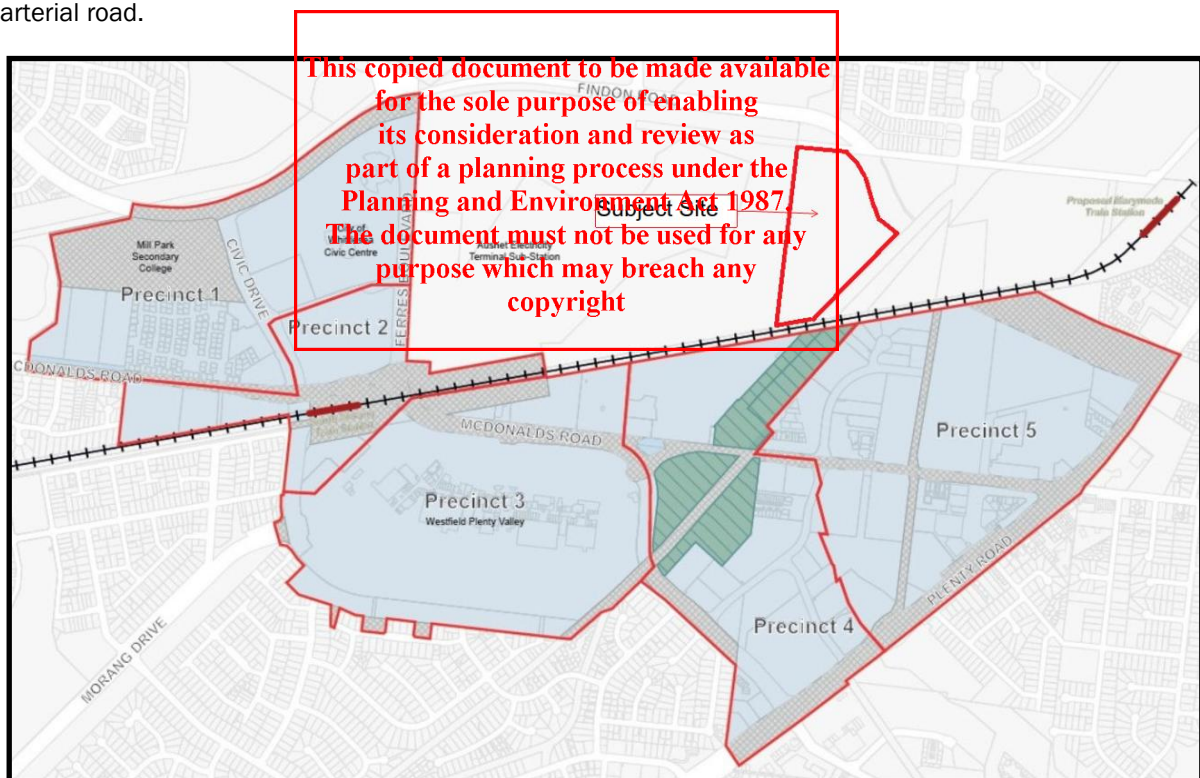


Figure 5 – ACZ2 – Plenty Valley Town Centre Framework Plan

Source: Clause 37.08 Whittlesea Planning Scheme

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3. Proposal

3.1. Proposal Overview

This report accompanies a planning permit application for use and development of the land for a data centre including the removal of vegetation. Aspects of the proposed use and development are detailed below:

3.2. Data Centre Use

The proposed data centre will have the following operational use aspects:

- Operating 24 hours a day, 7 days a week;
- Includes data storage hall / infrastructure, loading and associated office / administration;
- Includes 72,392 square metres of gross floor area inclusive of approximately 436 square metres of ancillary office area; and
- Operating with no more than approximately 260 staff and contractors expected on-site at any time.

3.3. Buildings and Works

The proposal includes a ~~three storey facility situated on the northern section~~ of the Site, with integrated administration areas and on-site loading.

The proposed building includes an ~~approximate height of 24 metres~~ across most of the built form, and with a raised roof parapet, and services ~~located above~~.

The building has been set back ~~between approximately 6 – 9 metres from~~ Williamsons Road, Findon Road and from the SP Ausnet land ~~to the West~~.

The buildings incorporate a highly contemporary architectural form which is framed towards the site geometry in the northern section with angled alignment and building breaks to each turn. The building achieves passive cooling ~~through use of permeable and ventilated facades, with textured and coloured panels, which are applied in a refined architectural form.~~

The data centre building will include a basement area comprising services, including water and fuel storage in addition to other site services. The three levels will predominantly include data halls and associated infrastructure on each including generators.

The administration area comprises a number of office and associated administration spaces as the primary entrance to the building, in addition to an integrated loading bay for 20 metre long articulated vehicles.

The site will be primarily accessed via a formalised accessway on Findon Road with associated upgrades on the carriageway to accommodate turning movements into the site, without impacting the flow of traffic. A low scale guard house is proposed within the Site frontage between the two split accessways for secure access to the facility.

A separate substation and secure compound will be provided in the southern section of the Site, in addition to proposed tanks and services.

An open air car park is provided in between the two building areas which includes 230 car spaces and associated accessways, along with landscaped areas and WSUD features, including a raingarden.

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Figure 6 – North-east perspective of the proposed development

Source: Ewert Leaf

3.4. Removal of vegetation

The application also seeks removal of native vegetation, primarily on the northern section of the Site, which include River Red Gum trees in various states of health or life expectancy including, low, moderate and high value.

Some native grasses and woodland exist on the Site and also proposed for removal within the location of development. Development is generally confined to three areas of the Site and notably, a vast area of the field and woodland will remain around the built form, parking, accessway and service area. A landscape plan accompanies the application prepared by *Greenjoy*, which notes the areas of retention and additional planting.

3.5. Signs

The application proposes a provision for business identification signs. This includes two ‘high wall’ mounted signs on the eastern elevation and the northern elevation.

The signs will measure 6 metres by 6 metres with panel areas of 36 square metres, and sit proportionately within the architectural panels of the building.

The signs are not illuminated and will represent the corporate branding of the operator.

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4. Planning Controls

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4.1. Zoning Controls

Commercial 2 Zone

The Site is located within the C2Z and the purpose of the zone is:

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To encourage commercial areas for offices, appropriate manufacturing and industries, bulky goods retailing, other retail uses, and associated business and commercial services.

To ensure that uses do not affect the safety and amenity of adjacent, more sensitive uses.

Under the Zone, a data centre is listed as a Section 2 (planning permit required) use (nesting under Utility installation), which triggers the need for a planning permit under Clause 34.02-1.

A permit is also required to construct or to construct or carry out works pursuant to Clause 34.02-1 of the Zone.

Clause 34.02-6 provides that:

An application to subdivide land or construct a building or construct or carry out works is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act. This exemption does not apply to land within 30 metres of land (not a road) which is in a residential zone; land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

It is noted that the closest residential zone to the Site is located on the north-eastern side of Findon Road within the GRZ1 and located over 46 metres from the property boundary. Dwellings to the south of the railway corridor includes ACZ2 zoned land which is not included within the residential suite of zones under the Planning Scheme.

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4.2. Overlay Controls

Development Plan Overlay Schedule 7

The Site is affected by the DPO7 which comprises the *South Morang Employment Development Plan*. The DPO7 does not include any specific objectives. It is understood that a Development Plan has not been approved for this Site.

Clause 2.0 of the schedule provides that:

The Responsible Authority may grant a permit for subdivision, use or development prior to approval of a development plan provided that the Responsible Authority is satisfied that the subdivision, use or development will not prejudice the future use or development of the land for the purpose of the zone or any other aspect of the Municipal Planning Strategy.

The proposal includes an employment generating use within the C2Z which co-locates and closely aligns existing utility installations within this precinct of South Morang and is considered to achieve the outcomes intended by the DPO7. It is open to the Minister for Planning to grant a planning permit for the development if this site accordingly noting that it would not prejudice the use and development of the land for the purpose of the C2Z.

Vegetation Protection Overlay Schedule 1

The Site is affected by the VPO1 and the Purpose of the Overlay is:

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To protect areas of significant vegetation.

To ensure that development minimises loss of vegetation.

To preserve existing trees and other vegetation.

To recognise vegetation protection areas as locations of special significance, natural beauty, interest and importance.

To maintain and enhance habitat and habitat corridors for indigenous fauna.

To encourage the regeneration of native vegetation.

The VPO1 is titled *Significant Vegetation (River Redgum Grassy Woodland)* and seeks to protect River Red Gum, Black Box, White Box, Grey Box, Yellow Box and various native grasses.

The Site includes a number of trees within the proposed area of works which will be removed by this proposal. The trees were inspected and an Arboricultural Impact Assessment was prepared by *TMC Reports*, which sets out the particular tree details, permissions and recommendations, in addition to the work by *Abzeco Pty Ltd*.

The balance of the land outside of the developable areas does not contain many significant trees, other than along the eastern Site boundary, and are generally clear of the HV transmission lines..

Pursuant to Clause 42.02-2, a planning permit is required to remove native vegetation associated with this proposal.

4.3. Planning Policy Framework

The Planning Policy Framework provides general principles for land use and development in Victoria. Planning authorities must take account of and give effect to the general principles and the specific policies contained in the Planning Policy Framework. The following provisions of the Planning Scheme are relevant to the proposal:

- **Clause 02.03 Strategic directions**
 - 02.03-1 Settlement
 - 02.03-2 Environmental and landscape values
 - 02.03-5 Built environment and heritage
 - 02.03-7 Economic development
 - 02.03-9 Infrastructure
- **Clause 02.04 Strategic framework plans**
 - 02.04-1 Municipal framework plan
 - 02.04-3 Environmental and landscape values plan
 - 02.04-6 Economic development plan
- **Clause 11 Settlement**
 - 11.01-1R Settlement - Metropolitan Melbourne
 - 11.03-2S Growth areas
 - 11.03-2L Growth areas
- **Clause 12 Biodiversity**
 - 12.01-1S Protection of biodiversity
 - 12.01-1L Protection of biodiversity

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- 12.01-1L River Red Gum protection
 - 12.01-2S Native vegetation management
 - 12.05-2S Landscapes
- **Clause 13 Environmental Risks and Amenity**
 - 13.05-1S Noise Management
 - 13.07-1S Land Use Compatibility
- **Clause 15 Built Environment and Heritage**
 - 15.01-1S Urban design
 - 15.01-1R Urban design - Metropolitan Melbourne
 - 15.01-1L Urban design in the City of Whittlesea
 - 15.01-1L Signs
 - 15.01-2S Building design
 - 15.01-2L Environmentally sustainable development
 - 15.01-4S Healthy neighbourhoods
 - 15.01-4R Healthy neighbourhoods - Metropolitan Melbourne
 - 15.01-5S Neighbourhood character
 - 15.03-2S Aboriginal cultural heritage
- **Clause 17 Economic Development**
 - 17.01-1S Diversified economy
 - 17.01-1R Diversified economy - Metropolitan Melbourne
 - 17.01-1L Diversified economy
 - 17.02-1S Business
- **Clause 18 Transport**
 - 18.01-1S Land use and transport integration
 - 18.01-1L Land use and transport planning
 - 18.01-3S Sustainable and safe transport
 - 18.01-3R Sustainable and safe transport - Metropolitan Melbourne
 - 18.02-4S Roads
- **Clause 19 Infrastructure**
 - 19.03-3S Integrated water management

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The Planning Policy Framework includes support for employment generating uses in appropriate locations that service the region and strengthen the local economy.

This use and development are required to address its context, contribute to cultural identity and a sense of place, respond to its interfaces and encourage sustainable transport and building practices.

4.4. Particular and General Provisions

Particular provisions are specific prerequisites or planning provisions for a range of particular uses and developments. They apply in addition to the requirements of a zone or overlay and the following are of relevance to the current proposal:

Clause 52.05 Signs

The Purpose of Clause 52.05 is:

To regulate the development of land for signs and associated structures.

To ensure signs are compatible with the amenity and visual appearance of an area, including the existing or desired future character.

To ensure signs do not contribute to excessive visual clutter or visual disorder.

To ensure that signs do not cause loss of amenity or adversely affect the natural or built environment or the safety, appearance or efficiency of a road.

The C2Z sets out that the zone is within Category 1 – Commercial Areas – ‘Minimum limitation’ with respect to signs.

The proposal includes high wall business identification signs, which trigger a planning permit to exceed 8 square metres and for the high wall component.

The signs are not illuminated.

Clause 52.06 Car Parking

The Purpose of Clause 52.06 is:

To ensure that car parking is provided in accordance with the Municipal Planning Strategy and the Planning Policy Framework.

To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.

To support sustainable transport alternatives to the motor car. To promote the efficient use of car parking spaces through the consolidation of car parking facilities.

To ensure that car parking does not adversely affect the amenity of the locality.

To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.

The clause details car parking requirements which apply to new development and design requirements related to the layout of this car parking and the accessways.

A Data Centre is not assigned to Clause 52.06-5 and must be provided to the satisfaction of the responsible authority.

Clause 52.06-9 sets out a relevant car parking and accessway design standards to be achieved.

A planning permit is not triggered under this provision and must be provided to the satisfaction of the responsible authority.

Clause 52.17 Native Vegetation

The Purpose of Clause 52.17 is:

To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation. This is achieved by applying the following three step approach in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning, 2017) (the Guidelines):

- 1. Avoid the removal, destruction or lopping of native vegetation.*
- 2. Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.*
- 3. Provide an offset to compensate for the biodiversity impact if a permit is granted to remove, destroy or lop native vegetation.*

To manage the removal, destruction or lopping of native vegetation to minimise land and water degradation.

The land comprises a vast area of former farmland with a number of trees in areas not generally affected by the easement alignments. The Arboricultural Impact Assessment & Biodiversity Report identifies each

tree, and confirms those subject to the provisions of Clause 52.17 (Native vegetation) as well as the VPO1, noting that a planning permit is required to remove native vegetation under this provision. Offset requirements have also been set out within the Biodiversity Report.

Clause 52.34 Bicycle Facilities

The Purpose of Clause 52.34 is:

To encourage cycling as a mode of transport.

To provide secure, accessible and convenient bicycle parking spaces and associated shower and change facilities.

Bicycle parking is to be provided in accordance with Table 1 to Clause 52.34-5, however, note that Data Centre is not listed with an assigned parking rate and thus, is not triggered. A connection will nonetheless be made to the Pipe Track.

Clause 53.18 Stormwater

The Purpose of Clause 53.18 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 proposal incorporates water sensitive urban design measures to assist in stormwater management and site cooling and note that whilst development has been concentrated on the northern section of the land, a significant area will be retained for vegetation and passive filtration, as detailed on the landscape plan. This has been set out in the Stormwater Management Plan prepared by Matter Consulting. Sediment control and construction management and protection of the drain can be addressed by way of permit condition.

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Clause 53.22 Significant Economic Development

The Purpose of Clause 53.22 is:

To prioritise and facilitate the planning, assessment and delivery of projects that will make a significant contribution to Victoria's economy and provide substantial public benefit, including jobs for Victorians.

To provide for the efficient and effective use of land and facilitate use and development with high quality urban design, architecture and landscape architecture.

The proposal is eligible for State facilitation under this pathway due to the significant investment of over \$600M for the construction of the warm shell and overall investment of \$2.58B in the facility, including creation of jobs.

Clause 65 Decision guidelines

Clause 65 sets out Decision Guidelines and Clause 65.01 sets out issues that the Responsible Authority must consider when making a decision as follows:

- *The matters set out in section 60 of the Act.*
- *Any significant effects the environment, including the contamination of land, may have on the use or development.*
- *The Municipal Planning Strategy and the Planning Policy Framework.*
- *The purpose of the zone, overlay or other provision.*

- Any matter required to be considered in the zone, overlay or other provision.
- The orderly planning of the area.
- The effect on the environment, human health and amenity of the area.
- The proximity of the land to any public land.
- Factors likely to cause or contribute to land degradation, salinity or reduce water quality.
- Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.
- The extent and character of native vegetation and the likelihood of its destruction.
- Whether native vegetation is to be or can be protected, planted or allowed to regenerate.
- The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.
- The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.
- The impact the use or development will have on the current and future development and operation of the transport system.

The requirements of Clause 66.02 have been covered throughout this report and further analysis of key considerations is detailed in the following sections.

Clause 66.02 Use and Development Referrals

Clause 66.02-1 Environment Protection Authority Licence applies to a use or development requiring a Development Licence or Operating Licence in accordance with the Environment Protection Act 2017. As the use will require a development licence, the EPA is a *Determining Authority* under this provision.

Clause 66.02-2 Native vegetation applies to applications which seek to remove native vegetation in the Detailed Assessment Pathway as defined in the Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning, 2017). The accompanying Flora and Fauna Report prepared by Abzeco Pty Ltd confirms that this is the applicable assessment pathway associated with this proposal to remove vegetation. The application must be referred to the Secretary to the Department of Environment, Land, Water, and Planning, as a *Recommending Authority*.

Clause 66.02-4 Major electricity line or easement applies to applications which seek to construct a building or construct or carry out works on land within 60 metres of a major electricity transmission line (220 kilovolts or more) or an electricity transmission easement. The application must be referred to the relevant electricity transmission authority, as a *Determining Authority*.

Clause 66.02-7 Industry, utility installation or warehouse applies to an application to use land for a Utility installation as the storage of fuel will exceed the fire protection quantity of 100kl mandated by the Dangerous Goods (Storage and Handling) Regulations 2022. The basement will include 16x 110,000L tanks for the purposes of supplying back-up generators within the Data Centre. The nearest residential use appears to be located approximately 60 metres from the Site. WorkSafe Victoria is a *Determining Authority* in this respect and the proposal also referred to the EPA.

Plan for Victoria

Plan for Victoria (2025) is the State Government's long-term strategic plan to guide Victoria's growth through to 2050. The plan is structured around five pillars including:

Pillar 1: Housing for all Victorians

Pillar 2: Accessible jobs and services

Pillar 3: Great places, suburbs and towns

Pillar 4: Sustainable environments

Pillar 5: Self-determination and caring for Country.

Pillar 2 is of particular relevance to the consideration of this proposal and with respect to employment. The plan identifies a need for land to accommodate approximately 1.7 million additional jobs by 2050, prioritising well-located industrial and commercial land close to skilled workers and freight networks, supporting regional communities to benefit from the renewable energy transition, and decentralising employment opportunities through initiatives such as Economic Growth Victoria, and the Economic Growth Statement. Of the various initiatives, it seeks to promote the Victorian workforce to build new skills, and in particular through digital technologies, with a future focus area including AI to assist in remaining globally competitive.

The plan includes a strong focus on housing and setting targets around the delivery of higher built form in activity centres and close to public transport nodes. Beyond this, the plan promotes modern methods of construction and innovative building solutions that reduce costs and construction timeframes while embedding Traditional Owners' knowledge in urban design guidance.

The plan commits to climate-resilient urban planning, a transition to renewable energy, conservation of natural values, a 30 per cent tree canopy cover target, improved stormwater management, and waste reduction through a circular economy.

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5. Planning Assessment

5.1. Key Considerations

The key planning matters to be considered in an assessment of the proposed use and development comprise the following:

- The Site's strategic planning context;
- The Economic benefits of the proposal including significant investment and employment opportunities;
- The use of the land in respect to the context;
- The appropriateness of the proposed development in the context;
- Vegetation considerations;
- The suitability of vehicular access and car parking; and
- Waste collection arrangements.

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A consideration of these matters is provided below.

5.2. Strategic Planning Context and Land Use Considerations

The proposed use is considered to be a significant project by way of its inclusion in Clause 53.22, and noting that it will include significant investment and facilitate employment generation, with associated economic benefits. The use includes a significant built form for the data storage infrastructure, requiring a significant area of land. The proposal takes advantage of this strategic location, within an establishing large format, accessible commercial area, which appropriately positions itself adjacent to a major terminal station.

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The proposed use specifically aligns with the purpose of zoning under which it sits, including relevant policy prompts including employment generation, and offering a diversity of employment options within the northern region. Indeed, this is underpinned through Clause 17.01-1L (Diversified economy), which seeks to support employment growth in South Morang (inter alia) and which will support a diversity of employment uses.

The DPO7 is applied to the Site and parts of the surrounds and which includes a designation for future employment generating uses consistent with the South Morang Local Structure Plan. We note that it is somewhat of a legacy control, with the Strategic Plan facilitating the rezoning of the area through the late 1980s and early 1990s and designating the area for commercial / employment under the controls of the day, noting the abuttal to the Transmission Station.

The region has seen a gradual transition from former pastoral land, with development of commercial, retail, industrial, residential and education precincts primarily, with road upgrades and connection, public transport through further strategic planning work. The more recent Plenty Valley Town Centre Framework Plan has informed the designation of the South Morang Major Activity Centre and later controls including the ACZ2.

The Site has remained with its commercial and employment designation likely due to its separation from the ACZ2 via the Terminal Station, railway land to the south and the HV transmission lines dissecting the Site.

The proposal includes an employment generating use within the C2Z which co-locates and closely aligns existing utility installations within this precinct of South Morang and is considered to achieve the outcomes

intended by the DPO7. Noting the physical constraints, the proposed use of the land for a data centre could be said to be the most appropriate use for this land and context. The proposal will underpin Action 8 of Plan for Victoria by providing more jobs closer to where people live.

Notably, it is open to the Minister for Planning to grant a planning permit for the development of this site accordingly noting that it would not prejudice the use and development of the land for the purpose of the C2Z. It is indeed the case the other nearby approvals have proceeded without a development plan in place and noting the varied nature of zoning within this immediate area, there is limited benefit in a broad based development plan where the proposal before the State is real and will deliver the aspirational economic and employment benefits intended under the strategic framework. Accordingly, the proposal will not prejudice the future use and development of C2Z land or undermine the strategic objectives of the Planning Scheme.

The recent approval issued for the land to the north at 130 Williamsons Road provides a level of synergy in land use with storage and a higher built form, with a modern commercial presentation. Such uses provide appropriate buffer and transition from the utilitarian terminal station.

Clause 02.03-1 acknowledges the Plenty Valley (South Morang) Activity Centre is a 'growing sub-regional centre and has a key role providing for a concentration of housing, economic activities, civic and community uses'. Whilst the proposal sits just outside of the activity centre boundaries, the proposal will support the Municipal aims for employment growth under Clause 02.03-7 (Economic Development) including:

- Providing a greater balance between housing supply and employment opportunities.
- Supporting economic activity that is responsive to the investment and employment needs of the community, has respect for the environment and is resilient to changes in the economic climate.
- Increasing the choice and location of land available for employment generating activities particularly in locations with easy access to residential areas or in and around activity centres.
- Achieving a high level of containment in identifying employment land in precinct structure planning and development plans.
- Identifying opportunities for future employment areas, particularly in the Northern Quarries Investigation Area (part of the North Growth Corridor Plan).

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The proposal is further supported by Pillar 2 of *Plan for Victoria* and the *Economic Growth Statement* by providing accessible jobs and services, and more jobs close to home. The Economic Analysis prepared by *Macroplan Holdings Pty Ltd* identifies that the proposal will generate approximately 500 direct full time equivalent construction jobs on site (across the 1.5 year construction phase), in addition to another 658 indirect jobs within the economy, totalling 1,158 through construction.

The fit-out phase will create approximately 100 direct full time equivalent jobs and up to 198 indirect full time equivalent jobs, totalling up to 298 jobs.

When in operation, the data centre will generate up to 210 direct jobs, and a further 338 indirect jobs, totalling up to 548 full time equivalent jobs.

The Site's position adjacent to the Terminal Station, within the C2Z and noting the significant width of Findon Road, is sufficiently buffered from any sensitive interfaces and residential areas. The acoustic inputs will ensure that in operation, the infrastructure within will be appropriately treated and the proposed use will be relatively innocuous, not resulting in any unreasonable off-site amenity impacts. Owing to the particular context of the site, the continuous operation of the facility (i.e. 24 hours a day) is suitable in respect to adjoining interfaces.

The accompanying Acoustic Report sets out suitable treatments and operational procedures that will ensure limited external impact from the Site, which may form part of the permit conditions.

The below annotated image provides context to the Site and the particular interfaces, which demonstrates that the proposal has limited sensitivity in respect to it's interfaces.



Figure 7 - Aerial photograph

Source: VicPlan

Access and articulated vehicle movements would form the most conspicuous element and the site has convenient access to Findon Road. The *OneMileGrid* designed road concept includes an appropriate access lane from Findon Road to account for the necessary vehicle movements, and which will include updates to the adjacent culvert.

The proposal will include the storage of fuel within tanks, and owing to the capacity will require a dangerous goods licence. The accompanying Dangerous Goods Storage and Planning Report prepared by *Focus Environmental* seeks to address the regulatory requirements, including emergency management. This work is furthered by the Fire Study and preliminary hazard and emergency plans prepared by *Orbe Fire Safety Engineering Consultants*.

The relevant WorkSafe and EPA requirements will include a substantial works for the detailed operational, servicing and emergency management inputs through the detailed design and pre-commissioning stages, beyond the planning approval, and which will be addressed through conditions of planning permit.

The Site is strategically well placed to accommodate this use and facility noting its co-location with the South Morang Terminal Substation, which currently holds capacity for the facility within this growth area. Noting this, it would be difficult to locate a better placed Site in which to realise this facility, noting challenges with connections to other Terminal Stations within Melbourne owing to zoning, residential designations and protected land green wedge land. Moreover, there is significant efficiency of abutting the

Terminal Station, which drastically reduces embodied energy and infrastructure costs through shorter cabling and minimal road disruption, for example.

From a context perspective, the Site is highly accessible and located adjacent to the Activity Centre and Railway Station, however, the high voltage transmission lines which extend through the Site make it unsuitable for many uses. A data centre on this land is considered highly suitable in this regard.

5.3. Built form considerations

The building and site layout has been informed through the various contextual, site specific, interface and policy framework considerations. Specifically:

- Urban design policy including Clause 15.01-1L (Urban design in the City of Whittlesea) and ESD principles under Clause 15.01-2L (Environmentally sustainable development);
- The transmission lines dissecting the Site and limiting development below and the desire to screen the structures;
- Environmental Sustainable Design and Water Sensitive Urban Design principles, with siting and vegetation; and
- Site amenities and establishing an appropriate landscape character to complement the development and establishing urban form.

Clause 02.03-5 (Built environment) seeks to encourage built form which will 'upgrade the image and appearance of Whittlesea through its development for the following purposes:

- Activity centres.
- Major gateways and transport corridors.
- Industrial areas.
- Employment centres particularly in established areas.'

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The proposal is consistent with the Urban design principles contained within Clause 15.01-1S (Urban design), and more specifically, Clauses 02.03-5 and 15.01-1L (Urban design in the City of Whittlesea) in acknowledgement of road interfaces, landscape design, activation, siting, building materiality and fencing.

Building massing and siting

The Site is a significant holding comprising over 8.6 hectares of undeveloped land, however, noting the transmission lines and water supply easement, development has been concentrated within the northern section of the Site.

Other than its zoning and overlays, there is limited built form guidance under the Planning Scheme for this Site other than its broad employment land use designation under the DPO7 and Plenty Valley Town Centre Structure Plan. It is noted that Site is bounded by the extensive Findon Road reserve to the north and east, which also extends around the boundary of the South Morang Plenty Valley Activity Centre. Noting this, contextual and built form cues can be taken from the Activity Centre Zone Schedule 2 in respect to the activity centre boundary interface treatments as an indication of appropriate scale and transition to lower scale built form beyond.

In this regard, it is noted that generally non-sensitive interfacing land within the outer precincts would generally anticipate a scale of 21 metres around the edges of the centre and with generally 5 metre side and rear setbacks. It is noted that under the ACZ2, roof plant does not contribute to overall building height, though in any event, has generally been set back approximately 3 metres from the building's edges to assist in grounding the built form and receding the infrastructure above.

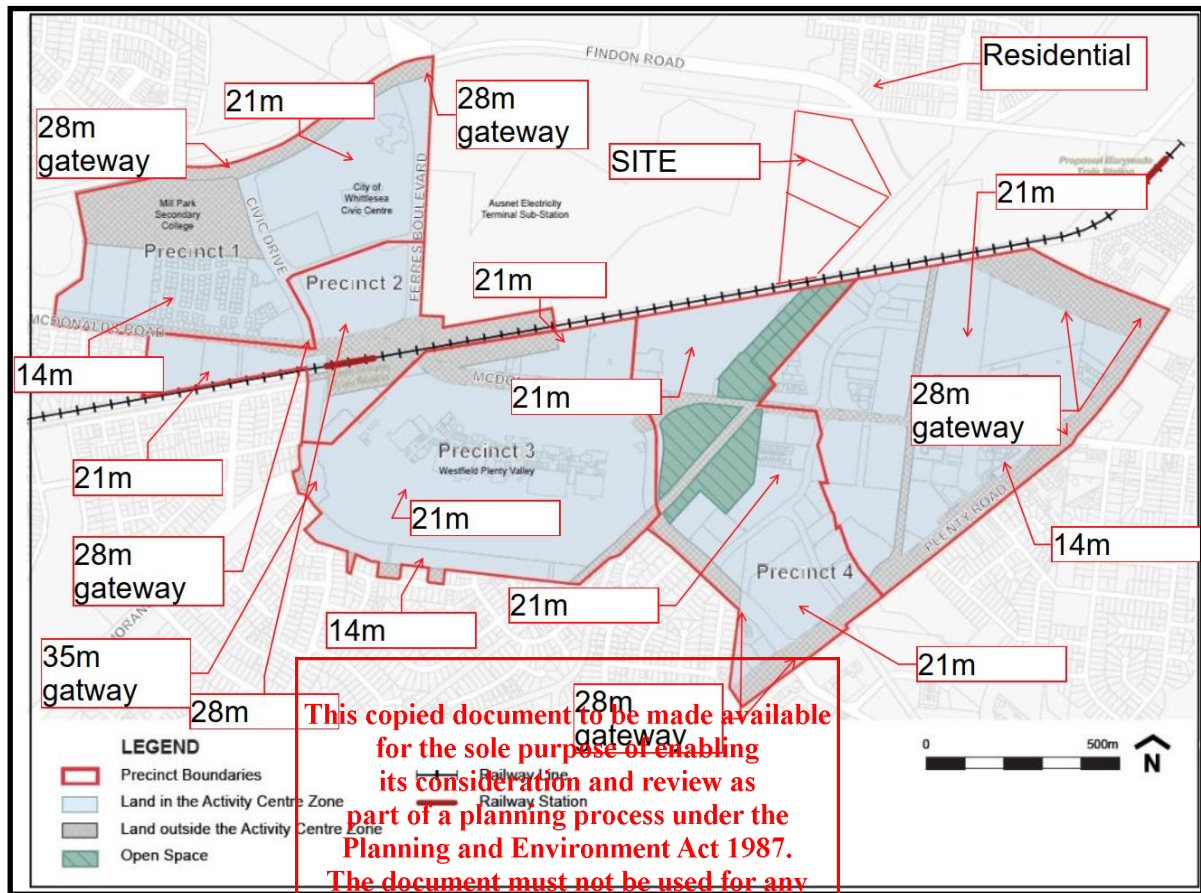


Figure 8 – ACZ2

Source: Whittlesea Planning Scheme

The building includes a height of 21 metres to the roof level, with slightly raised parapets and lightly coloured and perforated screening applied to the servicing zones above. The building has been set back between approximately 6 – 9 metres from Williamsons Road, Findon Road and from the SP Ausnet land to the West.

The building has been designed to appear like a commercial building, and which will be achieved through its separation from public areas such as the distance from carriageway on Findon Road, and being partially concealed by the four storey commercial built form on 130 Williamsons Road, which will also complement the structure.

A detailed analysis of key views formed part of the initial site appreciation and understanding its interface with a series of 3D perspectives forming part of the architectural package. The accompanying Urban Design analysis by Lat Studios has considered the form and confirms that through its architectural treatments and vegetation response, the proposed built form is acceptable in this context.

The building includes a well defined entrance in the north-east section of the site and with separate loading area.

Servicing and ESD

The proposal has the benefit of specialist service inputs by ADP to assist in understanding the particular requirements for the facility. This has been an important component in the advanced planning for this facility noting that there has been an ability to rationalise the particular requirements and to provide an appropriate weighting to architectural and urban design response.

The particular requirements include the need for vertical alignment of plant over the built form, which has included the provision of lightweight and perforated screening above.

Interchanging of generators and infrastructure over time will be necessary and the proposed siting of the built form has allowed for a circulation access road around the outside of the building (also for fire service requirements) and with direct connection to Williamsons Road as necessary for service vehicles. The building includes removable panels, which enables access for this purpose.

Noting the access requirements, landscape zones are provided in other parts of the site and note that the majority of this component is weighted towards the unused Williamsons Road interface, which would be largely shielded by the approved mixed use built form on 130 Williamsons Road. The extensive Findon Road interface includes a large verge width and there is ability and willingness from the project to include additional planting within the reserve adjacent to the Site boundary to soften the built form and provide improvements within the public realm, which has been detailed within the accompanying Landscape Plan prepared by *Greenjoy*.

Electricity and water connections are important for the cooling of the infrastructure, and the proposal will be assisted through the provision of reticulated water systems and more passive cooling through a naturally ventilated architectural response with perforated metal cladding in efforts to address ESD principles in line with Clause 15.01-1L and Action 18 of *Plan for Victoria*. The proposal is supplemented by the Sustainability Management Plan prepared by *GIW Environmental Solutions Pty Ltd* and Stormwater Management Plan prepared by *Matter Consulting Pty Ltd* in this regard.

Noting the transmission line easement, the proposed open air car park has been ideally placed in this location and which sits directly adjacent to the two development zones. Specific obligations will need to be met in relation to development below the cables including limit heights to any posts and vegetation. This arrangement is envisaged within the South Morang Local Structure Plan which acknowledges the easements extending through private property and the ability to use the areas below for car parking and the like. It also encourages screening of the large pylon structures, generally through landscaping and which will be achieved on this site in combination with the built form.

Site B will include a lower built form including substation and tanks, with perimeter security fencing. The proposal effectively incorporates a transition of built form from north to south and will not result in any material off-site impacts.

5.4. Vegetation and natural environment

Clause 02.03-2 (Environmental and landscape values) acknowledges the need to protect areas of biodiversity and specifically seeks for the retention of mature River Red Gums. This is echoed through other relevant policy contained in Clause 12, as well as the VPO1. Clause 12.01-1L includes the City of Whittlesea River Red Gum Protection Policy which seeks to protect River Red Gum trees within development sites as appropriate, integrate and allow for the planting of juvenile trees to complement.

This is echoed within the VPO1 that applies to the Site and surrounds and which includes the following vegetation protection objectives sought to be achieved:

- *To preserve and maintain significant vegetation and the character of the area;*
- *Maintain soil qualities and minimise the impacts of erosion;*
- *Preserve natural habitat for flora and fauna.*

The VPO1 only applies to native vegetation, and requires the provision of plans and reporting showing existing River Red Gums on the land and their retention value. As set out above, the Site was inspected and an Arboricultural Impact Assessment was prepared by *TMC Reports* and a Biodiversity Assessment

prepared by Abzeco Pty Ltd and which confirm the vast majority of vegetation on the land is captured by the provisions of the VPO1 and Clause 52.17 in particular.

The Purpose of Clause 52.17 is to ensure there is no net loss to biodiversity stemming from the removal of vegetation, and applies a three stepped approach in accordance with the *Guidelines for the removal, destruction or lopping of native vegetation* (Department of Energy, Environment and Climate Action, 2025), including Avoid, Minimise and Offset.

It should be said from the outset that given the land's designation and strategic setting, the spread of trees cannot act to sterilise it's development. The areas comprising the easements across the land have long been cleared, leaving two distinct areas on the Site for redevelopment. The alignment of easements through the site has limited the available building area to the northern section of the site, and with servicing infrastructure within the southern section. The trees stand in random positions throughout the remaining areas and thus, there is a reasonable expectation that there will be a loss of vegetation. Noting the accessibility requirements and proposed built form, most vegetation within the northern section will be removed save for some periphery vegetation.

Removal of vegetation is a necessary outcome in order to achieve the broader economic imperatives set by the Planning Scheme and associated strategic framework. The proposal includes a significant built form, which is strategically located adjacent to necessary infrastructure, and which is only possible or viable in specific settings such as this. In order to activate and unlock the employment benefits, removal of a number of trees is unavoidable in respect to the VPO1 and Clause 52.17. The nature of the built form is substantial on the basis of the inherent use, which require large volumes for data halls and storage capabilities.

It is noted that the Site has not been identified as an area of Environmental significance under the Environmental and landscape values plan under Clause 02.04-3 and appropriately so noting the clear intentions for redevelopment for employment uses.

Whilst unavoidable, as set out in the accompanying landscape plan prepared by Greenjoy and the Lat Studios analysis, a number of trees including River Red Gums is to be retained around the Site entrance and scattered around the eastern and southern periphery of the Site.

The final design and layout has followed a number of iterations including two separate data centre built forms on the north and south parcels, which has now been consolidated and built form only occupying a relatively low percentage of the site area. Additionally, further areas of hard stand and car parking have been reduced and areas of regeneration identified. A number of trees have sought to be retained around the more appreciable areas including the east and south adjacent to Findon Road and the pipe track.

The proposal includes removal of 4 large trees in patches, 2 large trees, 3 small trees, 3 scattered trees (0.140ha) and 2.858ha of patch vegetation. The proposal includes a Detailed assessment pathway and will be referred to DEECA for assessment.

The third tier of the assessment includes offset requirements to ensure there is no net loss of biodiversity under the provisions. The proposal generates a requirement for 1.1880 General Habitat Units and 6 large trees, with a minimum Strategic Biodiversity Value of 0.5294. The Offset is to be made within the MWCMA region or the City of Whittlesea.

The Native Vegetation Offset Register identifies suitable sites to accept the offset requirements and addressed through an accredited Offset Broker, with this process currently in train with Vegetation Link. It is further noted that a third party agreement has been secured through a signed MOU to accommodate Federal requirements in Moyston, Victoria.

Landscape within the GEWVVP areas will require maintenance regimes to address weed control primarily. This is a more critical component for the maintenance of the Site given it's current condition, and strategic

control of woody weeds and encouraging natural recruitment of native herbs and grasses through a future Weed / Conservation Management Plan will be appropriate as set out within the Biodiversity Report.

Proposed landscape will include Matted Flax Lily and Grassy Eucalypt Woodland within regeneration areas on the site. It includes the salvaging of *Dianella amoena* from within the building footprint and translocation to suitable spaces, which will assist in maintaining habitat.

The proposal has had regard to the placement of existing trees around the edges of the Site, and has sought to increase canopy cover in areas outside of the required development zones consistent with Action 12 of *Plan for Victoria*. Blackwood trees are proposed along the north and east boundaries and with screening vegetation to assist in softening the form.

High value vegetation sought to be retained, particularly at the property frontage can be protected through appropriate management for retention during construction.

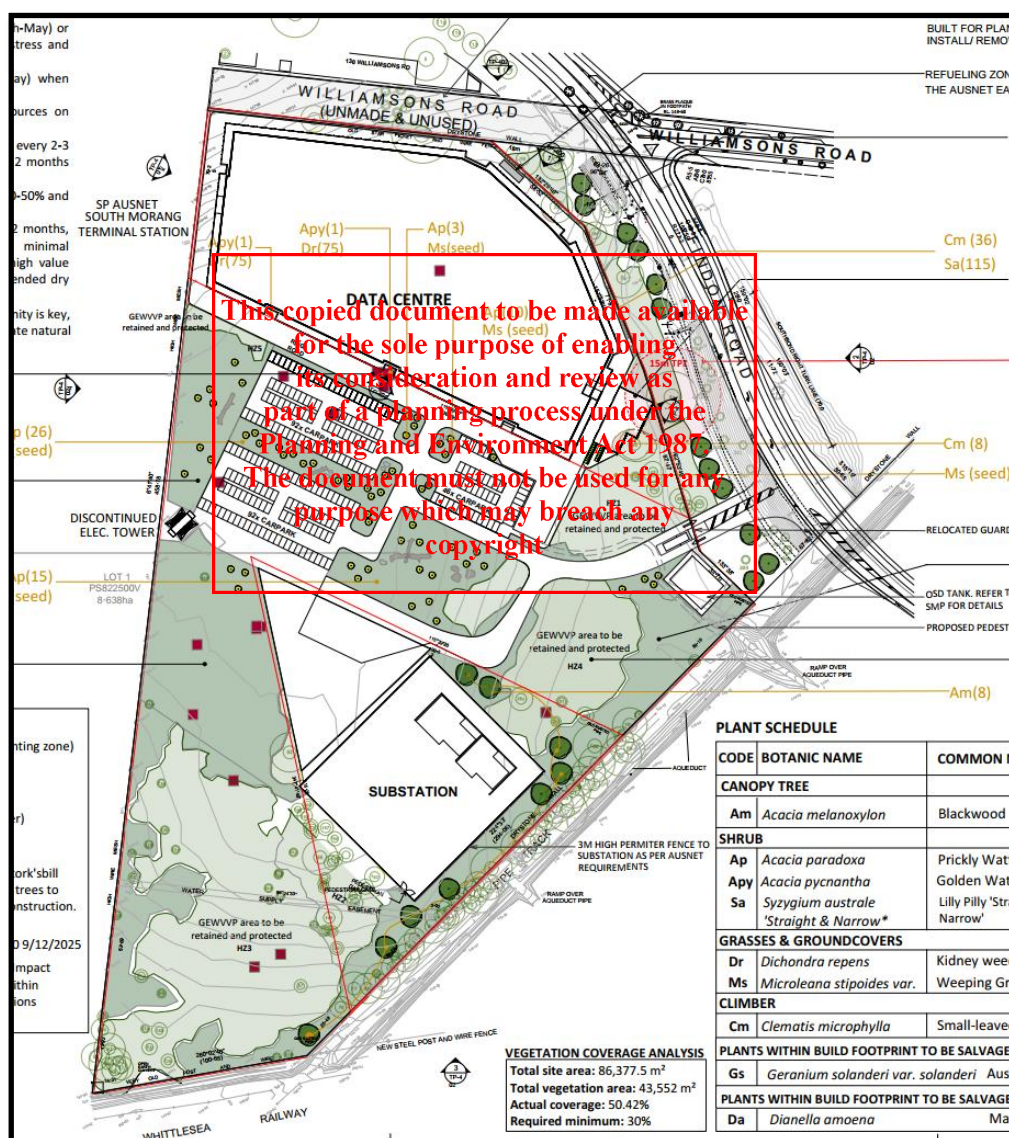


Figure 9 – Proposed landscape masterplan

Source: Greenjoy

The landscape plan includes opportunity for revegetation and will also promote onsite infiltration of stormwater and WSUD principles including stormwater management, site cooling and habitat under Clause

53.18 of the Scheme, as addressed through the Stormwater Management Plan prepared by *Matter Consulting* and identified on the above Landscape Plan.

5.5. Car Parking and Access

The proposal is accompanied by a Traffic Impact Assessment prepared by *One Mile Grid Pty Ltd*, which includes a car parking demand assessment, including journey to work data which indicates that 86% of work trips within the area are undertaken by car trips. The assessment calculates that a parking demand of 224 car parking spaces will be generated by the proposal based on approximately 260 staff and contractors at any one time. It confirms that the proposal will meet the parking demand with the proposed provision of 230 car spaces, in addition to public transport access, will provide sufficient parking and access to the site.

On-site loading has been provided to cater for 20 metre long articulated vehicles to accommodate deliveries to the site and on-site generator fuel storage.

A more formalised Site access arrangement will be provided as part of the proposal from a fully directional site access point to Findon Road. It will provide for two-way movements and be controlled by a guard house within the entry to the site. Upgrades to the road will include a left turn deceleration lane and right turn lane as detailed within the Traffic Impact Assessment prepared by *OneMileGrid Pty Ltd* and in response to initial feedback from Council.

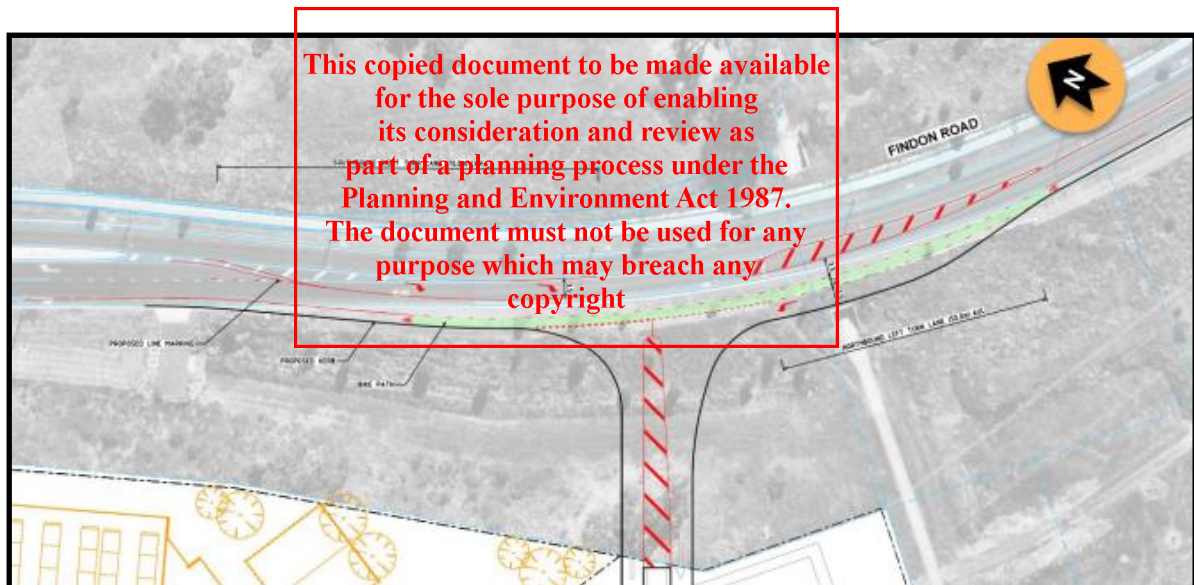


Figure 10 – Proposed site access road improvements

Source: *OneMileGrid Pty Ltd*

A more detailed consideration of onsite car parking provisions including the design requirements under Clause 52.06-9 are found within the assessment.

As a result of these considerations, onsite car parking provision together with the design of the car parking and accessway are considered to be appropriate.

5.6. Waste Management

A Waste Management Plan prepared by *Leigh Design Pty Ltd* accompanies the application and identifies that the anticipated waste generation will be met with the proposed designated waste storage at ground level of the development is of a sufficient size and dimension to accommodate the required waste receptacles.

Waste from the development will be collected by a private contractor from the designated collection area, which is generally out of view from the public realm and appropriately located adjacent to the loading area. The accompanying swept path analysis demonstrates that the waste collection and articulated vehicles can enter and exit the site in a forward direction.

5.7. Signs

The proposal includes two high wall business identification signs affixed to the north and east elevations, with presentation to Findon Road.

The signs are supported through the objectives of Clause 15.01-1L (Signs) of the Planning Scheme which seek:

- *To encourage signs that are designed, positioned and maintained in a manner that responds to the size and scale of development on the land.*
- *To encourage signs that are integrated into, and do not dominate, the host building or site.*
- *To ensure that signs in, or visible from, residential areas do not adversely impact the amenity of the area.*

The signage zones are proportionate to the built form, and aesthetically commensurate with the architectural panelling. The signs are not illuminated and will simply display the branding of the operator.

The signs are appropriately placed on the building and positioned to the entrance of the site from Findon Road, and will sit in the backdrop of the storage facility to the north. Accordingly, the signs will not detract from or adversely affect the proximate residential area.

The signs will not cause visual clutter or result in any potential driver distraction in respect to the road, and thus are appropriate in this context.

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6. Conclusion

As outlined in this submission, the proposed use and development of the land for a data centre and associated vegetation removal at 165 Williamsons Road is consistent with relevant policies of the Planning Scheme.

The data centre will provide much needed service to support the expanding information technology network within the northern region of Melbourne noting the increasing need for data storage, and will generate significant employment opportunities within the region. The proposal supports Plan for Victoria's economic focus of supplying jobs close to where people live, and promotes digital technologies for broader economic competitiveness.

The proposed use and development is consistent with the purpose of the Commercial 2 Zone and the Site's designation for employment related uses under the South Morang Local Structure Plan. Noting this, the proposal will not prejudice the future use or development noting the purpose of the zone and the strategic framework.

The use will be managed through the supporting acoustic treatments and operational safety management under the specialist inputs, and which would limit any potential off-site amenity impacts. The site is accessible by public transport and provides sufficient car parking to meet the anticipated parking demand.

The contextual analysis which has informed the proposed built form includes general interface outcomes sought by the adjacent ACZ2. The wide Findon Road carriageway width provides substantial buffering from the adjacent residential areas and opportunities for increased tree planting on the road reserve.

The building responds appropriately to its interfaces and constraints including the high voltage transmission lines extending through the site and is a compatible use in this regard. The site offers worker amenity through external areas and with a complementary landscape scheme throughout the Site.

Removal of the vegetation on this Site is appropriate on the basis of its strategic location and co-location with the adjoining Terminal Station. Vegetation removal will be appropriately off-set under the provisions of Clause 52.17 and with proposed planting through the detailed landscape plan prepared by *Greenjoy*.

On this basis, the proposal as a whole comprises an appropriate use of the land and has appropriately responded to its interfaces. The much needed service is of State significance, and the employment and economic benefits presented renders this application worthy of approval.

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