

## PLANNING PERMIT

<b>Permit No.:</b>	PA2504032
<b>Planning scheme:</b>	Melton Planning Scheme
<b>Responsible authority:</b>	Minister for Planning
<b>ADDRESS OF THE LAND:</b>	1 Oroya Drive (Lot 3 PS907826R) and 435 Mount Atkinson Road, Truganina (Reserve 2 PS907826R)

### THE PERMIT ALLOWS:

<b>Planning scheme clause</b>	<b>Matter for which a permit is required</b>
37.07-9	Use the land for a data centre
37.07-11	Construct a building or construct or carry out works for a data centre
33.01-1	Use the land for a data centre
33.01-4	Construct a building or construct or carry out works for a data centre
52.05-12	Display of more than one directional sign

### THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

#### Compliance with documents approved under this permit

1. At all times what the permit allows must be carried out in accordance with the requirements of any document approved under this permit to the satisfaction of the responsible authority.

#### Commencement

2. This permit will operate from the issued date of this permit.

#### Amended plans

3. Before the use or development starts, plans must be approved and 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 Woods Bagot, dated 24 October 2025, but amended to show the following details:

- a) Notation the signs will not be illuminated.



- b) A greater variation in façade materials on the northeast corner of the data hall part of the building.
- c) Minimum 34 square metre waste room in accordance with the Waste Management Plan.  
All to the satisfaction of the responsible authority.

**Layout not altered**

- 4. The use or development as shown on the endorsed plans must not be altered (unless the Melton Planning Scheme specifies that a permit is not required) without the prior written consent of the responsible authority.

**Landscaping**

- 5. Before the development starts, excluding demolition, bulk excavation and site preparation works, a landscaping plan must be approved and endorsed by the responsible authority. The landscaping plan must be prepared to the satisfaction of the responsible authority, be drawn to scale with dimensions, be generally in accordance with the landscape plan prepared by Aurecon and dated 24 October 2024. The landscape plan should include the following details:
  - a) Any changes required by Condition 1 or the Bushfire Management Plan.
  - b) Layout of landscaping and planting within all open areas of the site.
  - c) Details of surface finishes of pathways and driveways.
  - d) A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant.
  - e) Clear demarcation of public realm and private spaces, including arrangements for pedestrian, bicycle and vehicular circulation.
  - f) The extent of any cut, fill, embankments or retaining walls associated with the landscape treatment of the site.
- 6. Before the use starts or development is occupied, the landscaping shown on the approved landscape plan must be carried out and completed to the satisfaction of the responsible authority. The responsible authority may consent in writing to vary this requirement.
- 7. At all times the landscaping shown on the approved landscape plan must be maintained (including the replacement of any dead, diseased or damaged plants) to the satisfaction of the Melton City Council.

**Stormwater Management Plan**

- 8. Before the use or development starts, a stormwater management plan must be approved and endorsed by Melton City Council. The stormwater management plan must be prepared to the satisfaction of Melton City Council, be generally in accordance with the Stormwater Management Plan prepared by Aurecon, dated 2 April 2026, and must:
  - a) Be updated to be consistent with the drainage solution to be approved by Melton City Council and Melbourne Water under Planning Permit PA2022/7987.



9. The stormwater management system approved by Melton City Council and Melbourne Water and included in the endorsed stormwater management plan must be constructed, managed and maintained to the satisfaction of the Melton City Council.
10. The details of the stormwater management system must not be altered from the details in the endorsed stormwater management plan without the written consent of Melton City Council, in consultation with Melbourne Water.
11. Before the use or development starts, a temporary drainage solution approved under Planning Permit PA2022/7987 must be fully constructed and completed to the satisfaction of Melton City Council and Melbourne Water.

#### **Car park construction**

12. Before the use starts or development is occupied, the areas set aside for the parking of vehicles and bicycles, and access lanes, driveways and pedestrian footpaths as shown on the endorsed plans must be:
  - a) constructed;
  - b) properly formed to such levels that they can be used in accordance with the plans;
  - c) surfaced with an all-weather-seal coat;
  - d) drained;
  - e) line marked to indicate each car space and all access lanes; and
  - f) clearly marked to show the direction of traffic along access lanes and driveways, to the satisfaction of the responsible authority.

At all times car and bicycle spaces, access lanes, driveways and pedestrian footpaths must be kept available for these purposes.

Once constructed, these areas must be maintained to the satisfaction of Melton City Council.

#### **Vehicular crossings**

13. Before the use starts or the development is occupied, any new vehicular crossings must be constructed and any existing disused or redundant vehicle crossings must be removed and the nature strip and kerb and channel reinstated, all to the satisfaction of the Melton City Council.

#### **Loading/unloading**

14. The loading and unloading of goods from vehicles must only be carried out on the land within the designated loading bays and must not disrupt the circulation and parking of vehicles on the land to the satisfaction of Melton City Council.

#### **Waste Management Plan**

15. Before the use or development starts, excluding demolition, bulk excavation and site preparation works, the waste management plan prepared by Aurecon, dated 24 October 2024, must be approved and endorsed by the responsible authority.



**Noise attenuation**

16. The recommendations of the approved Environmental Noise Report must be implemented to the satisfaction of Melton City Council.

The responsible authority may consent in writing to alter the requirements.

17. At all times noise emanating from the land must comply with the requirements of the Environment Protection Regulations 2021 (as amended from time to time) as measured in accordance with the Noise Protocol to the satisfaction of Melton City Council.

**Generator testing**

18. Generator testing must be only undertaken during the Day Period as described in *Environment Protection Regulations 2021*.

**Environmental sustainable design (ESD)**

19. Before the development starts, excluding demolition, bulk excavation and site preparation works, the sustainability management plan (SMP) prepared by Aurecon, dated 24 October 2024 must be approved and endorsed by the responsible authority.
20. Within six months of the occupation of the development, a report from the author of the endorsed SMP, or a suitably qualified ESD consultant must be submitted to and approved by the responsible authority. The report must outline how the design initiatives implemented within the completed development achieve the performance outcomes specified in the endorsed report, to the satisfaction of the responsible authority.

**Amenity**

21. The use and development must be managed so that the amenity of the area is not detrimentally affected, through the;
- a) Transport of materials, goods or commodities to or from the land;
  - b) Appearance of any building, works or materials;
  - c) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil; and
  - d) Presence of vermin,

to the satisfaction of Melton City Council.

**Control of light spill**

22. External lighting must be designed, baffled and located so as to prevent any adverse effect on adjoining land to the satisfaction of the responsible authority.

**Preliminary Hazard and Risk Assessment**

23. The recommendations of the endorsed Preliminary Hazard and Risk Assessment prepared by Aurecon, dated 4 May 2026 must be implemented to the satisfaction of Melton City Council.

**Salvage and translocation**

24. Prior to the commencement of development, a salvage inquiry form must be submitted to the



Secretary, Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*) (Secretary), and where required the Secretary must be permitted to access the land to conduct salvage operations, in accordance with the requirements of the Salvage and Translocation Protocol for Melbourne's Growth Corridors 2018 (Department of Environment, Land, Water and Planning, 2018).

**Signs not to be altered**

25. The location and details of the signs, and any supporting structure, as shown on the endorsed plans, must not be altered without the written consent of the responsible authority.

**Sign maintenance**

26. The signs, including the structure and content, must be constructed and maintained to the satisfaction of Melton City Council.

**Melbourne Water Conditions**

27. Before the use starts or development is occupied, whichever comes first, evidence must be provided to Melbourne Water that:

- a) Melton City Council have approved the Temporary Works Stormwater Management Strategy (SWMS) prepared by SPIIRE, dated September 2025.
- b) The interim assets as detailed in the Temporary Works SWMS prepared by SPIIRE dated September 2025, have been constructed, are operational and have sufficient capacity to the satisfaction of Melton City Council and Melbourne Water.
- c) As-constructed information for all relevant works to demonstrate that the interim assets have achieved the appropriate standards, targets, and requirements.
- d) All interim assets will be owned and maintained by the land owner or developer until the ultimate downstream Development Services Scheme assets are completed.

**WorkSafe Conditions**

28. At least one month prior to the commencement of construction (except for preliminary site works that will not be affected by the outcome from any fire-related hazard assessment), the permit holder must develop, implement and maintain written plans for dealing with any emergency associated with the storage and handling of dangerous goods onsite. The plans must include:

- a) A 'preliminary' Emergency Management Plan (EMP) for the operational phase of the full site development, capable of being handed over to any future owner/occupiers. As a minimum the EMP assessment is required for the high-risk fire-related hazards associated with dangerous goods storage and handling.
- b) Consultation with the relevant fire authority's Dangerous Goods Unit. Consultation must be documented and included within the 'preliminary' EMP. The fire protection system design must be amended, if required, to comply with any recommendations made by the fire authority.
- c) Preliminary Pre-Incident Plans (PIPs) must be developed for the high-risk fire related incidents in line with FRV's Fire Safety Guideline *GL-52: Development of Pre-Incident Plans at Major Hazard Facility and Dangerous Goods Sites*.



29. Prior to dangerous goods arriving onsite, the permit holder must complete a detailed Fire Safety Study (FSS) to identify and mitigate all fire-related hazards associated with the premises, including any future development phases where feasible. The FSS must include consequence assessment (including modelling where necessary), including any specific hazards required by the relevant fire authority's dangerous goods unit. It is a requirement under Reg 51 of the *Dangerous Goods (Storage and Handling) Regulations 2022* to provide a suitable fire protection system(s). The permit holder must also engage with the fire authority to agree appropriate response and systems.

#### **Expiry – Use and Development**

30. This permit will expire if one of the following circumstances applies:

- a) The development is not started within 3 years of the issued date of this permit.
- b) The development is not completed within 6 years of the issued date of this permit.
- c) The use does not start within 3 years of completion of the development.
- d) The use is discontinued for a period of 3 years.

In accordance with Section 69 of the *Planning and Environment Act 1987*, the responsible authority may extend the permit if a request is made in writing before the permit expires, or within six months afterwards. The responsible authority may extend the time for completion of the development if a request is made in writing within twelve months after the permit expires and the development started lawfully before the permit expired.

#### **PERMIT NOTES**

1. The permitted use or development may need to comply with, or obtain the following further approvals:
  - o A building permit under the Building Act 1993.

#### **Greater Western Water**

2. It is essential the owner of the land enters into an agreement with Greater Western Water for the provision of water supply.
3. It is essential the owner of the land enters into an agreement with Greater Western Water for the provision of sewerage.
4. A *Commercial/Multi-unit Plumbing Application – with fire service or with no fire service* for the approved development is required to be lodged with Greater Western Water in order to obtain their servicing requirements. The online application is accessible via <https://propertyplus.gww.com.au/pplus/guest>



Planning and Environment  
Regulations 2015

Form 4

Sections 63, 64, 64A and 86

## IMPORTANT INFORMATION ABOUT THIS PERMIT

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### WHAT HAS BEEN DECIDED?

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The responsible authority has issued a permit.

(Note: This is not a permit granted under Division 5 or 6 of Part 4 of the **Planning and Environment Act 1987**.)

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### CAN THE RESPONSIBLE AUTHORITY AMEND THIS PERMIT?

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The responsible authority may amend this permit under Division 1A of Part 4 of the **Planning and Environment Act 1987**.

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### WHEN DOES A PERMIT BEGIN?

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A permit operates:

- from the date specified in the permit; or
- if no date is specified, from—
  - i. the date of the decision of the Victorian Civil and Administrative Tribunal, if the permit was issued at the direction of the Tribunal; or
  - ii. the date on which it was issued, in any other case.

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### WHEN DOES A PERMIT EXPIRE?

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1. A permit for the development of land expires if—
  - the development or any stage of it does not start within the time specified in the permit; or
  - the development requires the certification of a plan of subdivision or consolidation under the **Subdivision Act 1988** and the plan is not certified within two years of the issue of the permit, unless the permit contains a different provision; or
  - the development or any stage is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit or in the case of a subdivision or consolidation, within five years of the certification of the plan of subdivision or consolidation under the **Subdivision Act 1988**.
2. A permit for the use of land expires if—
  - the use does not start within the time specified in the permit, or if no time is specified, within two years after the issue of the permit; or
  - the use is discontinued for a period of two years.
3. A permit for the development and use of land expires if—
  - the development or any stage of it does not start within the time specified in the permit; or
  - the development or any stage of it is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit; or
  - the use does not start within the time specified in the permit, or, if no time is specified, within two years after the completion of the development; or
  - the use is discontinued for a period of two years.
4. If a permit for the use of land or the development and use of land or relating to any of the circumstances mentioned in section 6A(2) of the **Planning and Environment Act 1987**, or to any combination of use, development or any of those circumstances requires the certification of a plan under the **Subdivision Act 1988**, unless the permit contains a different provision—
  - the use or development of any stage is to be taken to have started when the plan is certified; and
  - the permit expires if the plan is not certified within two years of the issue of the permit.
5. The expiry of a permit does not affect the validity of anything done under that permit before the expiry.

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### WHAT ABOUT REVIEWS?

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- The person who applied for the permit may apply for a review of any condition in the permit unless it was granted at the direction of the Victorian Civil and Administrative Tribunal, in which case no right of review exists.
- An application for review must be lodged within 60 days after the permit was issued, unless a notice of decision to grant a permit has been issued previously, in which case the application for review must be lodged within 60 days after the giving of that notice.
- An application for review is lodged with the Victorian Civil and Administrative Tribunal.
- An application for review must be made on the relevant form which can be obtained from the Victorian Civil and Administrative Tribunal, and be accompanied by the applicable fee.
- An application for review must state the grounds upon which it is based.
- A copy of an application for review must also be served on the responsible authority.
- Details about applications for review and the fees payable can be obtained from the Victorian Civil and Administrative Tribunal.

