

Assessment Officer Report

PA2503651 1061 Mountain
Highway, Boronia



Officer Assessment Report
Development Assessment

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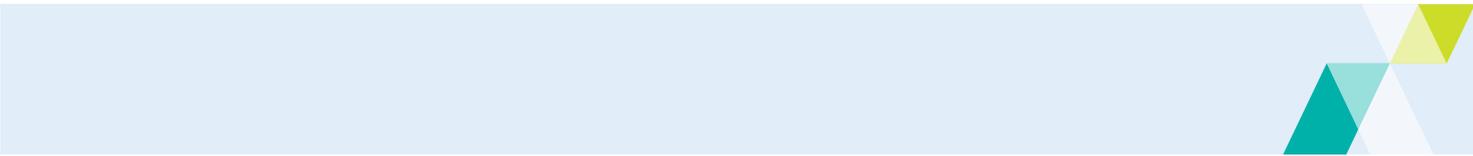
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Executive Summary



Key Information	Details		
Application No:	PA2503651		
Received:	24 April 2025		
Statutory Days:	62		
Applicant:	Bieson Pty Ltd CPIF Boronia Trust		
Planning Scheme:	Knox		
Land Address:	1061 Mountain Highway, Boronia		
Proposal:	Use and develop land for a staged warehouse development, alteration of access to a road in a Transport 2 Zone, removal of native vegetation, display of business identification signage and a reduction in the carparking requirement		
Development Value:	\$77.63 m		
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 Clause 53.22 application.		
DFP eligibility criteria in accordance with 53.22	Category	1	
	Sector	Warehouse	
	Land use	Warehouse	
	Location	Metro	
	Alignment with the DFP threshold/criteria	Yes - \$73 million development cost (\$30 million threshold)	
	OVGA	No	
	Invest Victoria	Yes (provided 12 March 2025)	
	QS Report	Yes, refer to QS Report prepared by Napier & Blakeley, dated 11 April 2025	
	Why is a permit required?	Clause	Control
Zone:	Clause 33.01-1	Industrial 1 Zone	<ul style="list-style-type: none"> To use land as a Warehouse as a fire protection quantity is exceeded under the Dangerous Goods regulations
	Clause 33.01-4		<ul style="list-style-type: none"> To construct a building or to construct or carry out works
Overlays:	Clause 42.01-2 and Clause 3.0 of Schedule 3	Environmental Significance Overlay, Schedule 3	<ul style="list-style-type: none"> To remove indigenous vegetation
Particular Provisions:	Clause 52.05-12	Signs	<ul style="list-style-type: none"> To display business identification signs with an area in excess of 8 square metres per premise
	Clause 52.06-3	Car Parking	<ul style="list-style-type: none"> To reduce the number of car parking spaces required under Clause 52.06-5

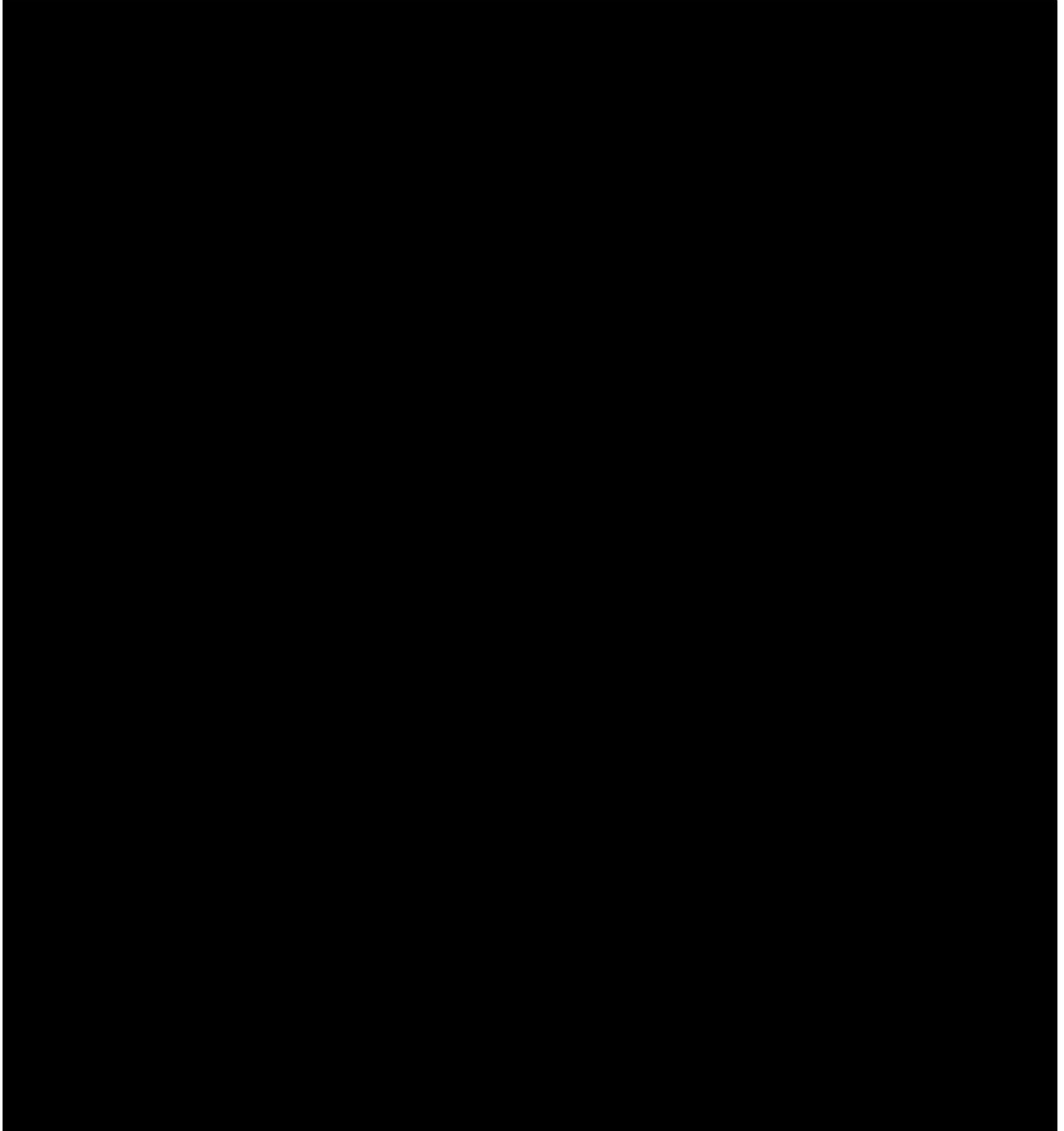


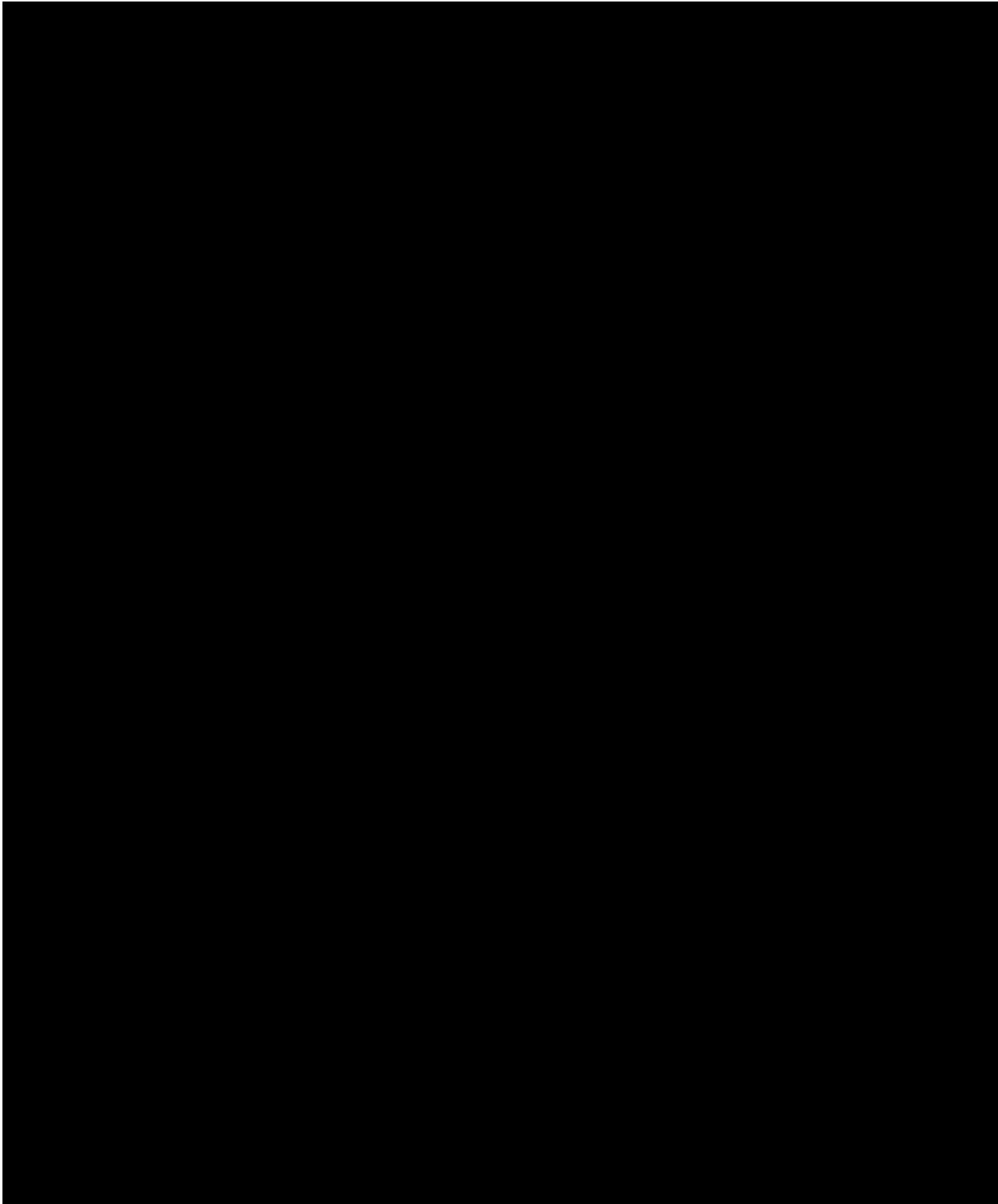
	Clause 52.17-1	Native Vegetation	<ul style="list-style-type: none">To remove, destroy or lop native vegetation, excluding planted vegetation.	
	Clause 52.29-1	Land Adjacent to the Principal Road Network	<ul style="list-style-type: none">To create or alter access to a road in the Transport Zone 2.	
Cultural Heritage:	The northern part of the site is located within an area of Cultural Heritage Sensitivity. The applicant has provided a certified Preliminary Aboriginal Heritage Test (PAHT) signed 21 February 2024 which concludes that the site has been subject to significant ground disturbance and therefore a cultural heritage management plan is not required by the Aboriginal Heritage Regulations 2018.			
Total Site Area:	168,000	m ²		
Gross Floor Area:	78,656	m ²		
Height:	14.6	metres		
Land Uses:	Dwellings	Office	Retail	Warehouse
	N/a	2,081 sqm (Stage 1)	N/a	31,582 sqm (Stage 1)
Parking (Stage 1):	Cars	Motorcycles	Bicycles	
	272	10	12	
Referral Authorities:	<ul style="list-style-type: none">Worksafe (s55 – determining referral)Head, Transport for Victoria (s55 – determining referral)			
Advice sought:	Knox City Council			
Public Notice:	Notice of the application was undertaken by the applicant at the direction of the Minister for Planning in the following manner: 11 submissions have been received as of 24 June 2024 .			
Delegates List:	Approval to determine under delegation received on 24 June 2024			

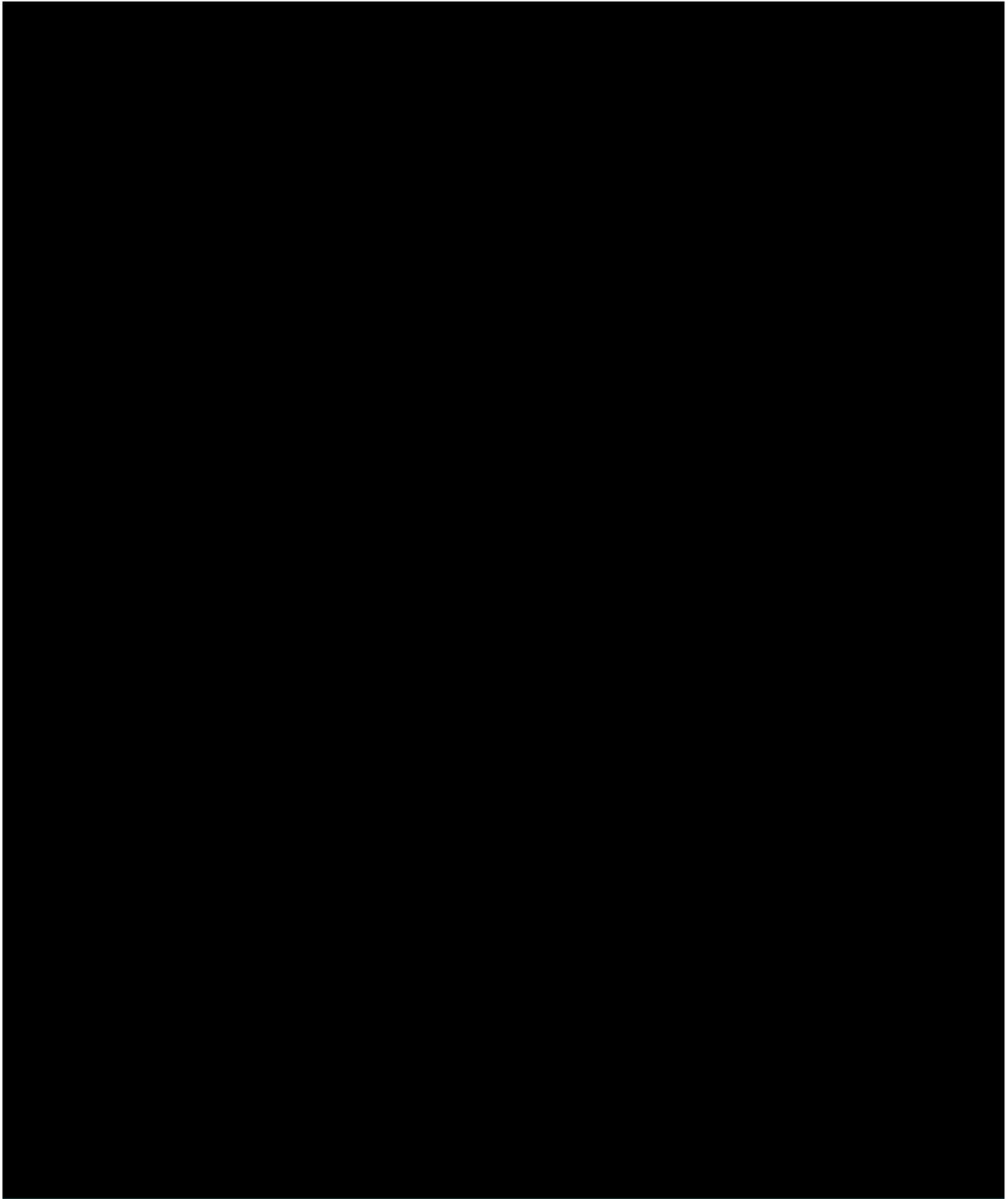


1.0 Pre-application

1. An enquiry was lodged with the Development Facilitation team (DF) on 15 November 2024. The DF team undertook early consultation with stakeholders with their views summarised as follows:









2.0 Application Process

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

Milestone	Date
Enquiry lodgement (DF)	15 November 2024
Application lodgement	24 April 2024
Further information requested	N/A
Decision Plans	Architectural Plans, prepared by Watson Young, dated 11 April 2025
Other Assessment Documents	<ul style="list-style-type: none">• Invest Victoria letter, dated 12 March 2025• MPL Certificate• Preliminary Aboriginal Heritage Test, prepared by Biosis, certified 21 February 2024• Transport Impact Assessment, prepared by Eukai, dated 11 April 2025• Green Transport Plan, prepared by Eukai, dated 11 April 2025• Landscape Plan (Estate and Cool Drive), Rev B, prepared by Habit8, dated 11 April 2025• Waste Management Plan, prepared by Leigh Design, dated 30 October 2024• Sustainability Management Plan, V4, prepared by Sustainable Development Consultants, dated April 2025• Flora and Fauna Assessment, prepared by Biosis, dated 11 April 2025• EPBC Advice, prepared by Biosis, dated 7 February 2025• Arboricultural Impact Assessment, V3, prepared by Sustainable Tree Management, dated 1 April 2025• Drainage Strategy, prepared by KLMS, dated 14 April 2025• Hydrologist peer review, prepared by Andrew Scanlon, dated 19 March 2025• Economic Benefits Assessment, prepared by Urbis, dated April 2025• Dangerous Goods Report, prepared by Riskcon, dated 11 November 2024• EPA Permissions Advice, prepared by JBS&G, dated 14 November 2024• Ancillary use supporting letter, prepared by Blanchard Racing Team, dated 19 March 2025• QS Report, prepared by Napier & Blakeley, dated 11 April 2025



3.0 Proposal Summary

3. The application proposes to use and develop the site as an industrial estate. The proposal seeks approval for a master plan and Stage 1 of the works as detailed below.

Master Plan

4. The applicant proposes to construct a master-planned industrial estate on the site, incorporating four separate warehouses (refer to Figure 1). All existing buildings will be demolished. The proposed warehouses are expected to operate 24 hours per day, seven days a week. The future stages of the proposal are speculative in nature, with no committed tenant at the time of lodgement. The submitted estate plan indicates building envelopes and carparking and hardstand areas for each future warehouse. At a high level, the masterplan incorporates the following components.

STAGE	WAREHOUSE	Warehouse GFA	Office GFA	Car spaces	Operating hours	Staff
Stage 1	Cool Drive	33,780 sqm	2,191 sqm	272	24 hours, 7 days a week	225 staff on site at any one time <ul style="list-style-type: none"> • Office: 100 staff • Warehouse AM: 95 staff (incl. 15 BRT staff) • Warehouse PM: 40 staff
Future Stages	Warehouse 1	1A: 12,205 sqm 1B: 9,759 sqm	1A: 650 sqm 1B: 761 sqm	Warehouse 1A: 80 spaces Warehouse 1B: 107 spaces	24 hours, 7 days a week	
	Warehouse 2	10,015 sqm	764 sqm	57 spaces	24 hours, 7 days a week	
	Warehouse 3	11,486 sqm	760 sqm	70 spaces	24 hours, 7 days a week	



Figure 1: Masterplan

Stage 1

5. Stage 1 consists of the development of the Cool Drive warehouse and associated infrastructure (the internal estate road, the proposed signalised intersection, estate signage, and delivery of the required drainage infrastructure (including the bund in the eastern part of the site and the on-site detention tank in the north-west)). The following specific details are provided:
 - **Land use:** The proposal is for the use of the land as warehouses. Stage 1 includes the 'Cool Drive' Warehouse on the western portion of the site which includes the storage of dangerous goods, and a fire protection quantity is exceeded.
 - **Buildings and works:** The maximum building height will measure 14.6m. A double storey office, fronting Mountain Highway is located to the south of the warehouse and has a maximum building height of 8.7m.



- **Access and car parking:** Stage 1 of the proposal includes the construction of a consolidated new signalised intersection on Mountain Highway. A private road with a minimum of width of 8.5 metres will be provided north/south throughout the site to accommodate B-Double trucks with a court bowl proposed at the northern end to allow truck turning internal to the site. 225 car parking spaces are proposed for the Cool Drive warehouse, with space set aside for future stages as outlined in the table above.
- **Bicycle Parking:** Stage 1 includes the provision of 12 bicycle spaces to be provided to the Cool Drive warehouse. Area is set aside for additional bicycle parking for each subsequent warehouse.
- **Vegetation removal:** The proposal includes removal of the following vegetation:
 - Within the site, removal of habitat zones 11, 12, 13, 14, 18, 19 and 20.
 - Within the Mountain Highway road reserve, removal of trees 434, 435, 436, and 437 because of the construction of the signalised intersection. The applicant has indicated that a further three trees may require removal because of the intersection design. A condition will require this to be confirmed concurrent with the approval of the functional layout plans and prior to the removal of any vegetation in the road reserve (refer to Condition 13).
 - The proposed removal of native vegetation within the submitted application equates to the removal of 0.219 habitat hectares, including three small and one large, scattered tree.
 - Other trees are to be removed from within the site. However, the submitted arborist report and flora and fauna assessment confirm that these are planted and as such do not require planning permission to remove.

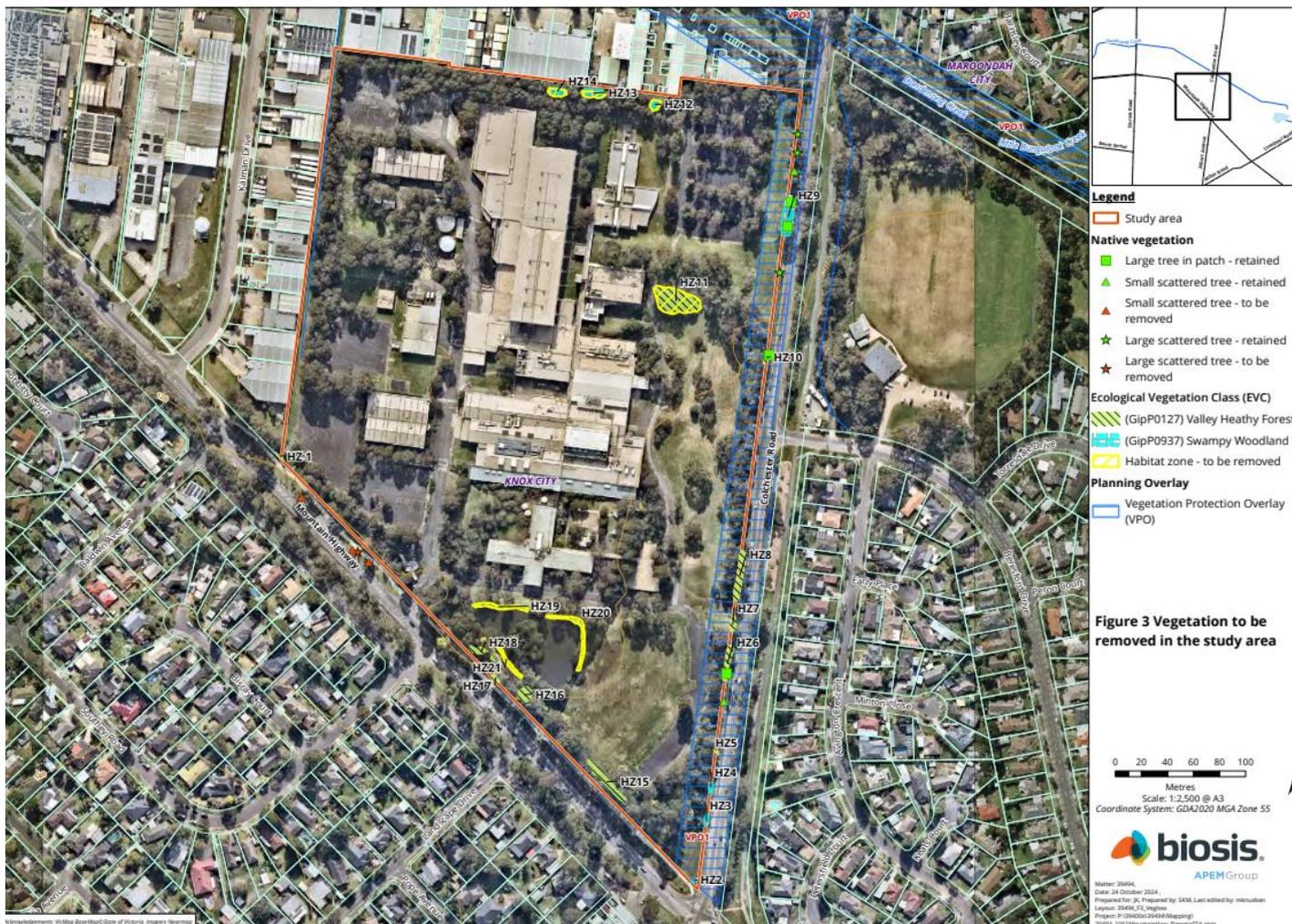


Figure 2: Vegetation to be removed from the subject site



- **Environmentally Sustainable Design:** The proposal includes the implementation of best practice ESD initiatives, including a significant portion of solar PV panels, full equipped EV charging car parks 10% improvement on NCC2022 energy efficiency requirements for Stage 1 development.
- **Drainage:** The proposal includes the construction of a drainage bund in the eastern part of the site to prevent overland flooding.
- **Signage:** The proposal includes the following business identification signs within the site: estate entry signage, Cool Drive business identification signs, indicative signage zones and directional signs.
- **Materials and finishes:** The proposal includes the use of concrete, cladding, metal and glazing of various scales and compositions.
- **Interim Use:** the permit applicant has stated that ‘the future stages will be removed of all buildings, pavements, and in-ground services from the original GSK improvements. Topsoil will be re-spread across the site to keep dust to a minimum prior to any future development. New fencing will be installed to the site perimeter and along the internal road boundaries to prevent unauthorised access and maintain the site in a clean and safe condition. Charter Hall will engage a Property / Facilities Manager to monitor the site and manage any site cleanliness / safety concerns that may arise during occupancy of the estate. This will ensure that offsite amenity impacts as a result of the interim use of the land are avoided at all times’. A condition has also been included within the recommendation requiring the submission of an interim treatment plan which details the fencing and maintenance of the site prior to the development of the subsequent stages (refer to Condition7).

6. The applicant has provided the following concept images of the proposal



Figure 3: Render of the proposal



5.0 Site Description

7. The site is located on the north-western corner of Colchester Road and Mountain Highway. The site is irregular in shape with a frontage to Mountain Highway of approximately 461.28m and a frontage to Colchester Road of 622.59m. The site has a total area of 16.8 hectares.
8. The site is the former headquarters of ClaxoSmithKline and is currently occupied by a range of one and two storey buildings, with large areas of at-grade carparking and internal roads between the buildings. Various landscaped areas are located on site, particularly in the south-eastern part of the lot which also includes a man-made water feature. Vehicle access is provided via Mountain Highway to the south.



Figure 4: Existing site conditions

9. The land is formally known as Lot 1, PS 632442R, and is affected by the following encumbrances:
 - Drainage Easement E1: width of 5m along western boundary. Benefits Melbourne Water Corporation.
 - Drainage and Sewerage Easement E3: 5m x 6m, north-western corner. Benefits Melbourne Water Corporation and South-east Water.All relevant easements have been shown on the plans and the built form has been setback from these easements.
 - Application by Acquiring Authority AX577946T: By Head, TfV to compulsorily acquire land in the south-eastern corner of the site for the purpose of the Mountain Highway, Colchester Road and Albert Avenue Intersection Upgrade. This land has already been acquired and does not form part of the application.

6.0 Site Surrounds

10. Strategically, the site is identified within Melbourne Commercial and Industrial Land Use Plan (MICLUP) and, within the Bayswater Business Precinct, an identified core employment area within the Cities of Knox and Maroondah. The subject site represents one of the largest un-subdivided industrial blocks within the area.



11. The site is at the edge of an industrial node and currently acts as a transitional area between industrially zoned land located to the north-west and residentially zoned land (General Residential Zone) located to the south and east of the subject site.



Figure5: Site and surrounds

12. Development surrounding the site can be described as follows:

- To the **north**: land is within the Industrial 1 Zone, comprising of a number of single and double storey warehouses and light industrial buildings, accessed from Prospect Place. These comprise part of the Bayswater Business Precinct. Further north is the Dandenong Creek and associated shared user path.
- To the **south**: Mountain Highway, a DTP Road (located in the Transport Zone 2 ('TRZ2')), and providing a single lane of vehicle traffic in each direction. A service road is also within the road reserve, located south of the main carriageway. A vegetated median separates the service road from the main carriageway. Land further south is located within the Neighbourhood Residential Zone – Schedule 1, with built form generally comprising of single and double storey dwellings with generous front, side and rear setbacks.
- To the **east**: Colchester Road, a council road (located in the Transport Zone 3 ('TRZ3')) providing a single lane of vehicle traffic in each direction. A number of mature trees are within the road reserve. East of the carriageway is a shared path, separated from the carriageway by a wide median. Further east is the Colchester Reserve, and a number of residential properties.
- To the **west** is an industrial area, consisting of a number of single and double storey warehouses and light-industrial buildings, accessed from Kalman Drive, and forming part of the Bayswater Business Precinct.



7.0 Referrals

13. The application was referred to the following groups:

Section	Provision / Clause	Organisation	Response and date received
Section 55 Referral – Determining	Clause 52.29-4 – An application to create or alter access to, or to subdivide land adjacent to, a road declared as a freeway or an arterial road under the Road Management Act 2004.	Head, Transport for Victoria	On 5 June 2025, Head, TfV confirmed that they did not object to the grant of the permit, subject to conditions. The proposed conditions have been included in the recommendation.
	66.02-7 (Industry, utility installation or warehouse) - To use land for an industry, utility installation or warehouse if any of the following apply: - A fire protection quantity is exceeded under the Dangerous Goods (Storage and Handling) Regulations 2022.	WorkSafe	On 23 June 2025, WorkSafe confirmed that they did not object to the grant of the permit, subject to conditions. The proposed conditions have been included in the recommendation.

8.0 Notice

14. Notice of the application was given in accordance with Section 52(1) of the Act, pursuant to the following provisions:

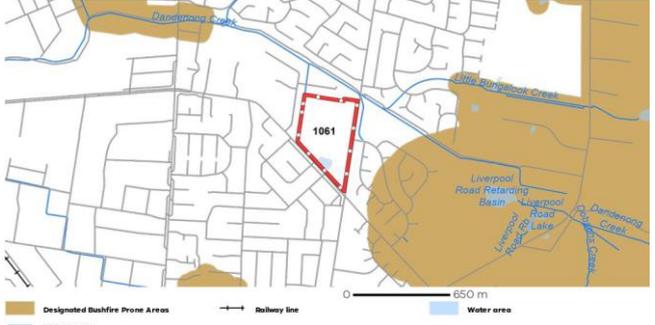
Provision	Organisation	Response Received (date)
Notice		
Section 52(1)(a)	Owners and occupiers of adjoining allotments	11 submissions (outlined below)
Section 52(1)(b)	Knox City Council	In addition to the pre-application response summarized above, Council provided a response on 29 May 2025 – Council offered no objection, however raised concerns with the landscaping setback for the Cool Drive portion of the development and, provided the associated removal costs for street trees. Council's concerns have been addressed in the body of this report.
Section 52(1)(c)	N/a	N/a
Section 51(1)(d)	N/a	N/a

Objections

15. At the time of writing this report, 11 objections have been received from owners and occupiers adjoining the subject site. The following key issues were raised by objectors:

Objector Concern	Applicant Response	DTP Response
Land Use	<ul style="list-style-type: none"> The site is strategically located and zoned appropriately to support industrial land uses. The applicant has confirmed that the site has been used for industrial purposes since approximately the 1970's with GlazoSmithKline occupying the site for manufacturing purposes. 	It is noted that a Warehouse is identified as a Section 1 use (permit not required); however, this is on the condition that a fire protection quantity is not exceeded under the Dangerous Goods (Storage and Handling) Regulations 2012. A full assessment of the land use is provided in the body of this report (refer to Section 12)



<p>Storage of dangerous goods</p>	<ul style="list-style-type: none"> The application was supported by a Dangerous Goods Report, prepared by Riskcon, dated 11 November 2024 which provided a complete response to the Dangerous Goods to be stored on the site, clearly specifying the quantities to be stored and the measures required to store them safely. The development has been designed to ensure that the Dangerous Goods store is physically located as far away from residents as possible, further minimising any risk to the community. Ongoing compliance is required under the Dangerous Goods Act 1985 and the Occupational Health and Safety Act 2004 to control fire risks associated with any Dangerous Goods storage. 	<p>The application was referred to WorkSafe who offered no objection to the application, subject to conditions requiring the submission of a emergency response plan and fire safety study (refer to conditions 36-38)</p> <p>A full assessment of the land use is provided in the body of this report (refer to Section 12).</p>
<p>Bushfire risk</p>	<p>The site is not located within a Bushfire Management Overlay or within a Bushfire Prone Area. Fire management is also a standard part of BCA requirements which is a detailed design consideration beyond the planning stage.</p>	<p>DTP agree with the applicant's assessment of bushfire risk on the site and do not consider it necessary to further integrate. Despite this, it is noted that the conditions recommended by WorkSafe include the requirement for a fire safety study to the satisfaction of the relevant fire authority.</p> 
<p>Ecological impact</p>	<p>The application was supported by a Flora and Fauna Assessment, prepared by Biosis, dated 11 April 2025. Overall, the proposal considers the ecological values of the site and achieves an acceptable balance between ecological protection and economic development, consistent with planning policy.</p>	<p>A full assessment of ecological impacts is provided in the body of this report (refer to Section 16).</p>
<p>Amenity impacts including noise, light and air pollution</p>	<p>There is unlikely to be any noise or air pollution given the proposal does not include manufacturing on the site. Conditions would be appropriate to ensure any amenity risks can be managed.</p>	<p>A full assessment of amenity impacts is provided in the body of this report (refer to Section 14)</p>
<p>Traffic impacts and associated scale of development including location of the site access</p>	<p>The application was supported by a Transport Impact Assessment, prepared by Eukai, dated 11 April 2025) and reviewed by the Head, Transport for Victoria, conclude that the additional traffic generated by the development will not have any significant impact on the operating conditions of Mountain Highway, and that the proposed signalised intersection will operate satisfactorily.</p>	<p>The application was referred to both Head, Transport for Victoria and the Council, no objection was received. Conditions have been included within the recommendation which seek to appropriately manage traffic on site including via the use of a functional layout plan and road safety audit. A full assessment of traffic impacts is provided in the body of this report (refer to Section 15)</p>
<p>Character</p>	<p>The proposed development is in accordance with the site's designation as a core employment area, and located within the Industrial 1 Zone. Development of this nature is entirely consistent with this designation. Policy</p>	<p>A full assessment of built form/character is provided in the body of this report (refer to Section 13)</p>



	<p>also seeks to ensure that development provides a suitable interface to its surroundings and is consistent with the broader bush character of the municipality. We consider that the proposal has responded effectively to these policies, ensuring that the character of the site is preserved and enhanced:</p> <ul style="list-style-type: none">• The existing setback to Mountain Highway west of the proposed intersection is to be retained which aligns with the existing kerb line, ensuring the vegetation in this area can be retained.• A 20 metre setback, consistent with the policy, is proposed east of the proposed intersection.• No vegetation is to be removed in the VPO1.• Impacts to vegetation within the road reserve have been minimised to the extent required by the Head, Transport for Victoria.• Extensive replacement planting is proposed throughout the site.	
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9.0 Statutory Planning Controls

Provision		Permit Trigger
Zone	Industrial 1 Zone	<p>Permit required.</p> <p>Pursuant to Clause 33.01-1, a planning permit is required to use land for a Warehouse, as a fire protection quantity is exceeded under the Dangerous Goods (Storage and Handling) Regulations 2012.</p> <p>Pursuant to Clause 33.01-4, a planning permit is required to construct a building or construct or carry out works.</p> <p>Pursuant to Clause 33.01-5, signs are at Clause 52.05. This zone is in Category 2.</p>
	Transport 2 Zone – Mountain Highway (adjacent to site)	A planning permit is not required for the proposed roadworks as they are exempt under Clause 62.02-2, and are not specifically required under the zone provisions.
Overlay	Clause 42.01 (Environmental Significance Overlay, Schedule 3)	<p>Permit required.</p> <p>Pursuant to Clause 42.01-2 and Clause 3.0 of Schedule 3, a planning permit is required to remove indigenous vegetation within Knox. As four trees are proposed for removal within the nature strip (trees 434, 435, 436, 437) to accommodate access into the site, a permit is required.</p>



Figure 4: Extent of ESO on subject site

	Clause 42.02 (Vegetation Protection Overlay)	<p>No Permit required.</p> <p>No works are proposed within the VPO other than landscape planting, and as such no planning permit is required.</p>
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Figure 5: Extent of VPO on subject site

Clause 44.05
(Special
Building
Overlay)

No Permit required.

No works are proposed within the SBO other than landscape planting, and as such no planning permit is required.



Figure 6: Extent of SBO on subject site

Particular and General Provisions

Clause 52.05 –
Signs

Permit required.

Pursuant to Clause 52.05-12 (Category 2 – Office and Industrial):

A ‘business identification sign’ is a Section 1 use, provided the total display area of all signs to each premises does not exceed 8sqm.

The application seeks approval for business identification signs exceeding 8sqm, therefore a permit is required.

A full assessment in accordance with Clause 52.05 is provided below.

Clause 52.06
(Car Parking)

Permit required.

Pursuant to Clause 52.06-5, 1,187 spaces area required, and 586 spaces are proposed. Therefore, a permit is required pursuant to Clause 52.06-3 to reduce the number of car parking spaces.

Car parking assessment in accordance with Clause 52.06-5					
Use	Stage	Size	Statutory Rate	Statutory Requirement	Proposed
Warehouse	Cool Drive (Stage 1)	33,780sqm	2 spaces per premises plus 1.0 spaces per 100 sqm of	508 car spaces	272
	Warehouse 1A	12,12,855sqm		194	80



	Warehouse 1B	10,015sqm	net floor area	159	107
	Warehouse 2	10,015sqm		152	57
	Warehouse 3	11,486sqm		174	70
	Total			1,187 spaces	586

Clause 52.17 (Native Vegetation) **Permit required.**
 Pursuant to Clause 52.17-1, a permit is required to remove, destroy, or lop native vegetation, including native vegetation. The application was supported by an Arboricultural Report prepared by Sustainable Tree Management dated 1 April 2025 which 0.106 hectares of patch vegetation are to be removed, as well as 3 small scattered trees and 1 large scattered tree. This is equivalent to a total of 0.219 hectares of native vegetation to be removed from the site.

Clause 52.29 (Land Adjacent to the Principal Road Network) **Permit required.**
 Pursuant to Clause 52.29-2, a permit is required to create or alter access to a road in a Transport Zone 2. A full assessment is provided below.

Clause 52.34 (Bicycle Facilities). **No permit required.**
 The development proposal includes a total of 12 bicycle spaces, exceeding the provision requirements of Clause 52.34, therefore no permit is required.

Bicycle parking assessment in accordance with Clause 52.06-5				
Use	Size	Statutory Rate	Statutory Requirement	Proposed
Warehouse	31,582sqm (Stage 1)	N/a	0	12
Total			0	12

Clause 53.18 (Stormwater Management in Urban Development) **No permit required** - this clause applies to an application under a provision of a zone to construct a building or construct or carry out works. An application to construct a building or to construct or carry out works:
 a) Must meet all of the objectives of Clauses 53.18-5 and 53.18-6.
 b) Should meet all of the standards of Clauses 53.18-5 and 53.18-6.

Clause 53.22 (Significant Economic Development) **No permit required** – this clause applies to an application under any provision of this planning scheme if the condition corresponding to a category in Table 1 to Clause 53.22 is met. The proposal meets Category 1 requirements and is therefore eligible to apply for a planning permit to the Minister for Planning, who is the responsible authority pursuant to Clause 72.01-1.

Clause 62.02-2 (Buildings and works not requiring a permit unless specifically required by the planning scheme) **No permit required** – Clause 62.02-2 states that any requirement in this scheme relating to the construction of a building or the construction or carrying out of works does not apply to:
 • A fence.
 • Roadworks

Clause 62.05 (Demolition) **No permit required** - for the demolition or removal of a building or works unless a permit is specifically required for demolition or removal.

Clause 64.01 (Land used for more than one use) **No permit required.**
 Pursuant to Clause 64.01, if land is used for more than one use and one is not ancillary to the other, each use must comply with this scheme. The proposed offices and Blanchard Racing Team (BRT) workspace are ancillary to the primary use of the land for warehouses and therefore no permit is required.

10.0 Strategic Planning Context

Policy alignment:

State policy

Melbourne Commercial and Industrial Land Use Plan (MICLUP)

- The site is identified within a regionally significant industrial precinct. The purpose of these precincts includes providing opportunities for industry and business to grow and innovate for a range of industrial uses.
- A key policy of MICLUP includes ensuring long term supply of industrial and commercial land.

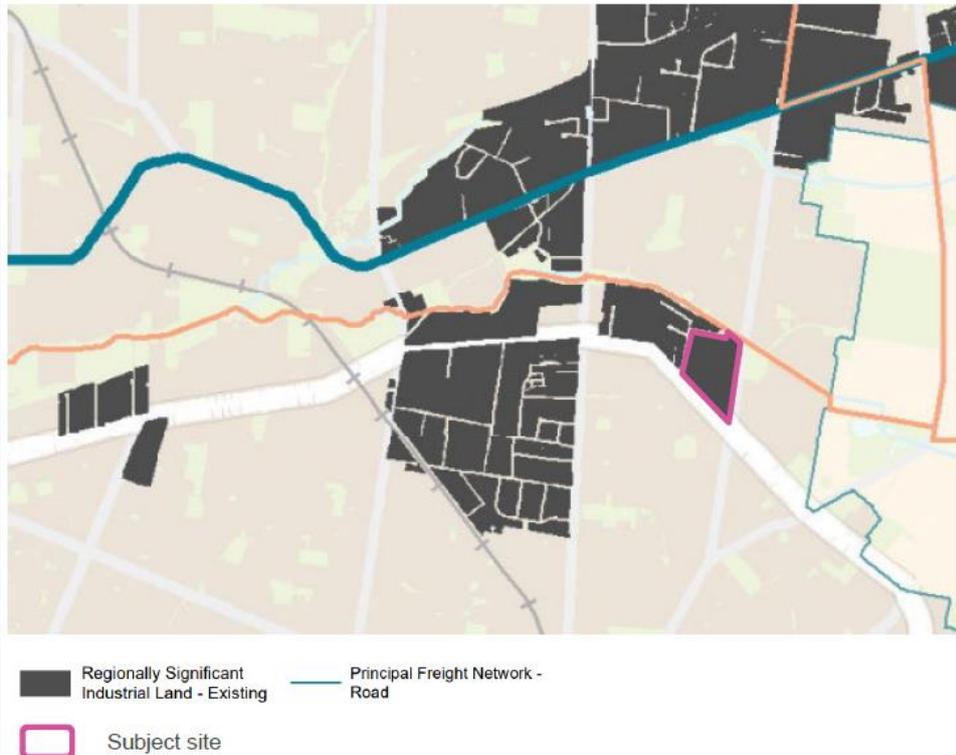


Figure 6: MICLUP Eastern Region

Plan Melbourne 2017-2050

- *Plan Melbourne 2017-2050* is Melbourne's integrated land use and transport policy.
- Action 8 and Action 12 in *Plan Melbourne 2017-2050* seeks to ensure the ongoing supply of industrial and commercial land across the city and gives rise to MICLUP. These two actions harness the need to drive employment alongside the need to maintain land use accessible to industry.
- The plan recognises the site as an existing industrial node. Renewal of the Boronia Logistics estate site presents opportunity to respond to these actions by implementing planning controls which secure the role of the site for future industrial uses.

Plan for Victoria

- *Plan for Victoria* is the new Planning Strategy for all of Victoria, replacing *Plan Melbourne 2017-2050*. The Plan provides the vision for use and development of Victoria until 2050.
- Action 8 seeks to 'Ensure new industrial and commercial land is ready for development'. The Plan acknowledges the importance of ensuring land is available for the provision of job opportunities surrounding where people live.
- The Plan acknowledges that a new Victorian Industry Policy is being prepared to provide direction over the next three years to drive economic growth through Victoria. This policy is expected to be released in 2025.

Bayswater Business Precinct Transformation Strategy

- Regional Development Victoria have prepared the Bayswater Business Precinct Transformation Strategy to inform the potential future of this employment area. While the Strategy has no statutory significance and has not informed the planning scheme, it recognises the importance of the Precinct, and the strategic significance of the subject site to the Precinct's success. It promotes the densification and redevelopment of strategic sites such as this for employment-focused uses.



11.0 Knox Planning Policy Framework

16. The *Planning Policy Framework* encourage 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.
17. The relevant MPS and PPF policies have been considered in assessing the application and the following are considered relevant:

Clause	Description
Clause 02	Municipal Planning Strategy
Clause 02.02	Vision
Clause 02.03-2	Environmental and landscape values
Clause 02.03-4	Built environment and heritage
Clause 02.03-6	Economic Development
Clause 02.04	Strategic Framework Plans
Clause 11	Settlement
Clause 12	Environmental and Landscape Values
Clause 12.01-1S	Protection of biodiversity
Clause 12.01-1L	Protection of biodiversity
Clause 12.01-2S	Native vegetation management
Clause 15	Built Environment and Heritage
Clause 15.01-1S	Urban design
Clause 15.01-1R	Urban design – Metropolitan Melbourne
Clause 15.01-1L	Urban design
Clause 15.01-1L	Urban Design in Industrial Zones and Commercial 2 Zone land
Clause 15.01-1L	Signs
Clause 15.01-2S	Building design
Clause 15.01-2L	Environmentally sustainable development
Clause 15.01-2L	Urban heat island reduction
Clause 17	Economic Development
Clause 17.01-1S	Diversified economy
Clause 17.01-1R	Diversified economy – Metropolitan Melbourne
Clause 17.01-1L	Diversified economy
Clause 17.03-1S	Industrial land supply
Clause 17.03-3R	Regionally significant industrial land – Metropolitan Melbourne
Clause 17.03-3R	Regionally significant industrial land – Metropolitan Melbourne – Eastern Metro Region
Clause 18	Transport

Clause 18.01-1S Land use and transport

Clause 18.02-5S Freight

Clause 19 Infrastructure

Clause 19.03-3S Integrated water management

Clause 19.03-3L Integrated water management

Clause 19.03-5S Waste and resource recovery

18. The proposed land use is consistent with the strategic direction of the following policies:

- Policy generally encourages the intensification of industrial development (**Clause 17.03-3R – Regionally Significant Industrial Land – Metropolitan Melbourne – Eastern Metro Region**).
- The design of the proposal responds to the existing built form context and sits comfortably among other residential and commercial/industrial development in the area (**Clause 15.01-1S – Urban Design and 15.01—1L -Urban Design in Industrial Zones and Commercial 2 Zone land**). In addition, the proposed signage provides a coordinated approach to advertising within a large industrial area in accordance with **Clause 15.01-1L (Signs)**.
- The proposed native vegetation removal is offset by replacement landscaping including indigenous planting in accordance with **Clause 12.01-1L (Protection of Biodiversity)** and **Clause 12.01-2S (Native Vegetation Management)**.
- The proposed use and development is compatible with surrounding development and has been appropriately designed (including layout) to appropriately manage environmental risks and off-site amenity impacts in accordance with **Clause 13.05-1S – Noise management**, **Clauses 13.07-1S – Land use compatibility** and **Clause 13.04-1S (Contaminated and Potentially Contaminated Land)**.
- A portion of the subject site is located within an area of cultural heritage sensitivity. In addition, the proposal is classified as a high impact activity under regulation 46 of the Aboriginal Heritage Regulations 2018. The proposed works are not considered to result in significant ground disturbance given the site has already been subject to significant ground disturbance. Accordingly, the proposal responds to **Clause 15.03-2S (Aboriginal Cultural Heritage)** which seeks to ensure the protection and conservation of places of Aboriginal cultural heritage significance.
- The site has access to public transport and includes car and bicycle parking (including end of trip facilities) (**Clause 18.01-1S – Land use and transport integration, Clause 18.02-2S – Cycling, Clause 18.02-2R - Cycling – Metropolitan Melbourne**). The proposal will contribute to a 20-minute neighbourhood (**Clause 15.01-4R – Healthy Neighbourhoods – Metropolitan Melbourne**).
- The proposal responds to environmentally sustainable design (ESD) initiatives with the provision of high-performance materials, energy efficient building services, bicycle facilities, sustainable waste management, and stormwater reuse and treatment measures (**Clause 15.01-2L (Environmentally Sustainable Design), Clause 19.03-3L-01 – Integrated Water Management, 19.03-3L-02 (Stormwater management) and Clause 53.18 (Stormwater Management in Urban Development)**). Assessment of the ESD response is detailed below.

12.0 Land Use

19. The proposal seeks approval for the use of the land for warehouses, as the Fire Protection Quantities are exceeded for storage of batteries and non-flammable refrigerant gas. The proposal seeks to operate 24 hours a day, 7 days a week including 225 staff comprising of 100 office staff, 95 warehouse AM staff and 40 PM warehouse staff.
20. In accordance with Clause 64.01 (Land Use for More One Use) if land is used for more than one use and one is not ancillary to the other, each use must comply with this scheme. DTP is satisfied that the proposed BRT workspace and office are ancillary to the warehouses noting that:



- The permit applicant provided relevant case law including *Wholesalers Pty Ltd v Northcote CC & Ors [1994] VicAATRp 22 (1994)* which concluded that there is no one test of whether a use is considered ancillary, however instead relevant matters may include 'comparative scale', 'degrees of intensity' and 'close association between the principal and ancillary uses.'
- Ancillary offices are commonly associated within warehouses of this scale noting that there is a close association between the uses. The plans clearly demonstrate that the warehouse however remains the dominant use.
- The application was supported by a letter from BRT which confirmed that BRT is a subsidiary of Automotive Imports Pty Ltd (Cool Drive Auto Parts), and all operations undertaken onsite by BRT are exclusively related to vehicles owned and operated by the Blanchard Racing Team (BRT). In addition, the following operation details are provided:
 - Hours of operation of BRT are Monday to Sunday, from 8:00 AM to 6:00 PM, with after-hours operations occurring only on an exceptional basis.
 - There are no third-party operations conducted onsite. All maintenance activities are exclusively performed on BRT owned vehicles, with a maximum of six (6) vehicles on-site at any given time.
 - Maintenance activities take place daily outside of the racing calendar. The racing calendar includes approximately ten races per year where the cars are offsite.
 - BRT does not provide any services to the public and/or maintenance to other cars.
 - No major panel beating, spray painting, or similar works are performed onsite. The work undertaken is 'fine tuning' rather than comprehensive mechanical repairs.
 - Any necessary panel beating is conducted offsite.

As a result of the above, the permit applicant submitted that there is a close association between the use and the broader use of the warehouse which they considered to be consistent with *Indigo Shire Council v Carter [2014] VCAT 1273* which considered a contractors depot which included the small-scale repairs of vehicles used for the depot. Ultimately, the decision found that *'...I do not think that the land use in that case would be transformed into two uses, with one of them being motor repairs, unless motor repair facilities or services were being offered to the public in general. If maintenance and running repairs were to be carried out on that land in relation to the trucks of somebody garaging them there pursuant to an agreement with the entity conducting business on that site, I think such maintenance and repairs would remain ancillary. They would not constitute a separate and second use'*.

21. DTP is satisfied with the evidence provided above by the applicant to confirm the land uses will be ancillary to the warehouses.
22. A number of submissions were received in relation to the use of the land as a result of the 24 hour operation and amenity impacts.
23. DTP consider the proposed use of the land for warehouses considered acceptable and support the intent of both the PPF (outlined above) and the purpose of the zone which seeks to *'provide for manufacturing industry, the storage and distribution of goods and associated uses in a manner which does not affect the safety and amenity of local communities'*.
24. Council raised no concerns with the proposed use of the land noting that the site is currently occupied by an industrial use and will continue to be used in a strategic manner. Further, Council noted that the development will create significant employment and economic benefits for Knox and metropolitan Melbourne.
25. Further, the proposed uses are considered to provide an acceptable response to the decision guidelines of the IN1Z and Clause 13.07-1S (Land Use Compatibility) as follows:
 - The subject site has been used for industrial purposes since the 1970's and thus the proposal would not alter the existing conditions from a land use perspective. In addition, given the site already operates as an industrial business park there is considered to be sufficient availability and connection to services.
 - There are no nearby industries that would impact on the proposed use, noting that the site already exists as an industrial business park and this application only seeks to intensify the existing business park opportunities.



- Planning policy generally seeks to avoid retail and office uses within industrial zones, except where such uses form part of an integrated development plan for industrial estates. The proposed offices are considered appropriate given they support the wider operations of the development, do not adversely impact on surrounding 24-hour industrial operation and would not prejudice any future industrial land uses.
- A complete assessment is provided below with respect to off-site amenity impacts and traffic.

Dangerous goods

26. As outlined above, the application will contain a dedicated dangerous goods and refrigerant store area within the Cool Drive (Stage 1) warehouse. The Dangerous Goods report prepared by Riskcon outlines the goods to be stored on site and assesses these against the relevant regulations. Furthermore, it is noted that the 'Cool Drive' warehouse where dangerous goods will be stored is located in the extreme north-west point of the site, in the order of 300 metres from residentially zoned land. This ensures sufficient separation is provided from the proposed dangerous goods.
27. A number of submissions were received in relation to the storage of hazardous goods and the potential impacts on health and safety as a result.
28. The application was referred to WorkSafe who offered no objection to the storage of dangerous goods, subject to conditions which have been included within the recommendation (refer to conditions 36-38).

Master Plan

29. This application seeks approval for a master plan to deliver separate stages of the development. The master plan indicates building envelopes, car parking and hardstand areas for future warehouses. The recommendation includes a number of conditions (discussed in detail throughout the body of this report) to ensure that detailed design documentation would be submitted prior to the commencement of each stage including architectural plans, landscape plan, further traffic assessments, waste management plans, sustainability management plans and green travel plans.
30. The approval of the master plan is supported as it provides understanding of the anticipated future use and development of the site. Moreover, the master plan sets up a framework to guide the future development in line with current planning scheme provisions and the PSP. A condition has therefore been included within the recommendation requiring the endorsement of the master plan (refer to condition 3). A number of minor modifications are required to ensure that details of the masterplan are shown including the relevant setbacks and exclusion of the SBO to make it clear for future stages.

13.0 Buildings and Works

31. As described in the proposal section of this report, the built form generally comprises of the construction of a new warehouse (Stage 1), within a wider precinct of five warehouses.
32. Planning policy at Clause 15.01-1L (Urban Design), 15.01-2S (Building Design) and the decision guidelines of the IN1Z provide guidance on built form. The following assessment is provided:
 - The proposal has been designed to make a significant contribution to the strategic industry and employment opportunities whilst delivering a form, scale and design that responds to the surrounding interfaces. Specifically:
 - Stage 1 includes a maximum building height of 14.6m, with a double storey office fronting Mountain Highway located to the south of the warehouse and a maximum building height of 8.7m. The built form responds appropriately to the interfaces to the north and east of the subject site which consist of 1-2 storey industrial buildings, whilst also providing an appropriate transition to the residential interfaces to the south and east where the Neighbourhood Residential Zone includes a mandatory building height for residential dwellings of 2 storeys and 9m.

- The proposal includes the use of metal cladding, concrete, glazing in various scales and compositions. The proposed materials are generally consistent with the surrounding commercial/industrial built form which comprise of brick, concrete, corrugated iron and cladding with hard standing car parking areas. A standard condition has been included within the recommendation to ensure that all external materials are maintained over time (refer to Condition 44).
- The proposed setbacks are generally consistent with the existing conditions which respond to the adjoining interface conditions, reduce visual bulk impacts and ensure sufficient landscaping can be accommodated. Specifically, the setbacks are considered acceptable as follows:
 - The proposal has been setback 9m from the northern boundary, 16.87m from the eastern boundary (Colchester Road), 14.9-20m from the southern boundary (Mountain Highway) and 5m along the western boundary. The proposed setbacks are considered sufficient given they are associated with similarly constructed industrial estates and arterial roads.
 - Council raised concerns with the proposed southern setback, noting that Clause 15.01-1L seeks to provide a minimum 20m setback from all TR22 roads. The proposal has been setback 20m to the east of the intersection, however a variation is sought to the west of the intersection where the proposal is setback 14.31m from Mountain Highway. The variation is considered acceptable noting that this is an existing condition (as per Figure 7) and only occurs for a small portion of the frontage. In addition, it is noted that a number of other sites along Mountain Highway include carparking areas encroaching within the 20 metre setback, including at 1019 Mountain Highway, 1003-1005 Mountain Highway, and 999 Mountain Highway, among others.

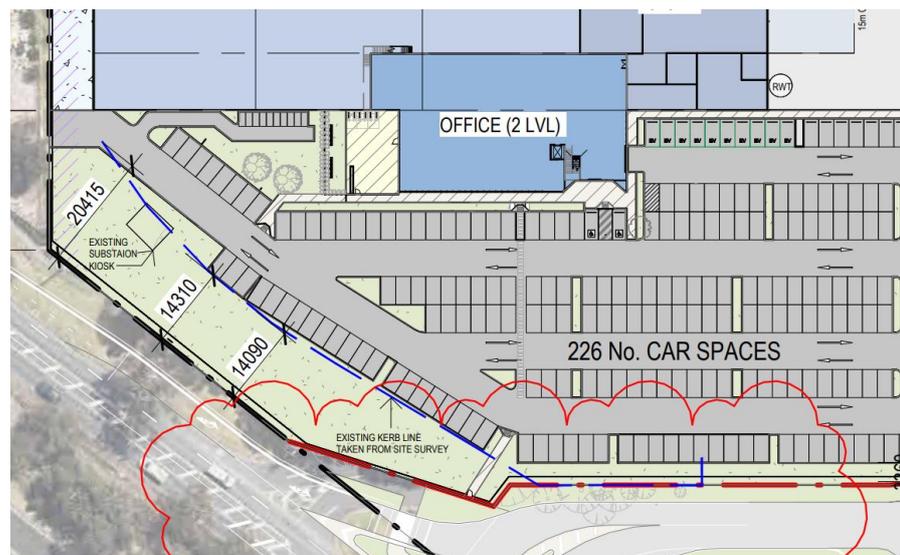


Figure 7: Southern setback to Mountain Highway

- Landscaping, parking and site access, loading and services areas, stormwater discharge will be discussed in detail below.

14.0 Amenity Impacts (internal and offsite)

33. Clause 13.07-1S, Clause 15.01-1L and the IN1Z seek to ensure that the proposal does not result in unreasonable amenity impacts to adjoining properties through design. A detailed assessment of the relevant amenity impacts is provided below.
34. In relation to amenity impacts, Clause 53.10 requires threshold distances, for certain types of uses and activities which if not appropriately designed and located, may cause offence or unacceptable risk to the neighbourhood. It is noted that this application does not include a type of use or activity listed in the table to Clause 53.10-1. Despite this,



the nearest residentially zoned land is located more than 30 metres from the title boundary, separated by Mountain Highway and Colchester Road with built form setback a minimum of 20 metres from the title boundary.

35. The site is located within an Industrial Zone where planning policy seeks to “Avoid non-industrial land uses that will prejudice the availability of land in identified industrial areas for future industrial use”, however the interface with the residential zone creates a dual policy objective to ensure that residential amenity is protected. For the reasons set out below, the proposed land use is considered to be consistent with the zoning of the site, and the reasonable amenity expectations in this interface location.

36.

Noise

37. Clause 13.05-1S seeks to ensure that development, community amenity and human health is not adversely impacted by noise emissions. The planning report submitted as part of the application concluded that no manufacturing would take place on the site, and therefore noise generation will result from loading and standard warehouse operations.

38. The application was informally referred to the EPA who concluded that the 24/7 warehouse operations and construction may impact on nearby residential areas, noting that noise mitigation and dust control measures are recommended. Despite this, EPA did not recommend the inclusion of any permit conditions.

39. Conditions requiring compliance with the EPA Publication 1826 – Noise Limit and Assessment Protocol for the Control of Noise from Commercial, Industrial and Trade Premises and Entertainment Venues at all times have been included within the recommendation (Refer to Condition 35).

Light

40. The planning report confirms that all estate lighting will be appropriately baffled to ensure no unreasonable amenity impacts to nearby residential properties. Whilst DTP consider that the impact on residential properties is likely limited due to the significant buffer distances, lighting on the site is also important for the safety of staff/visitors given the 24 hour operation. A condition has been included within the recommendation to require that a comprehensive lighting plan is provided, prior to the occupation of the development (refer to Condition 43).

Overshadowing

41. The proposal is setback a minimum 75m from the nearest residential property and therefore, will not result in overshadowing to surrounding residential properties. Further, given the proposed built form, orientation of the site and proposed setbacks, overshadowing impacts will likely be contained within the site, which is considered acceptable.

42. Overall, the proposal is not considered to detrimentally impact on the amenity of the surrounding area. Standard conditions have been included within the recommendation to ensure that the amenity of the area is not detrimentally affected by the use and development and, a construction management plan be provided to address amenity impacts during construction (refer to condition 44 and 45).

15.0 Car and Bicycle Parking, Loading, and Other Services

Car Parking

43. As outlined previously, the proposal seeks a reduction in the statutory car parking of 601 spaces. The masterplan generates a statutory requirement of 1,187 spaces, while a total of 586 spaces are being indicatively proposed to be provided across the estate, including a total of 272 spaces for Stage 1.

44. The application was supported by a Traffic Report which concluded that the proposed car parking rates were considered acceptable noting:

- A comparison of similar sized logistical warehouse developments was undertaken which demonstrated an average rate of 0.28 per 100sqm. The application seeks to adopt the following indicative rates across the site:

Warehouse Number	Indicative Proposed Spaces	Indicative Proposed Rate
Cool drive	272 spaces	0.8
1A	80 spaces	0.62 spaces per 100sqm
1B	107 spaces	1.02 spaces per 100sqm
2	57 spaces	0.57 spaces per 100 sqm
3	70 spaces	0.61 spaces per 100sqm

The adopted rate is marginally higher than the average rate and is considered appropriate having regard for the site's context (subdivision and allotment size, public transport accessibility, cycling accessibility, etc.).

45. The planning report further concluded that, based on the operational parameters outlined for Cool Drive, a maximum of 225 staff are to be located on site at one time during the shift changeover, the proposed provision of 272 spaces (including 10 of electric vehicle parking and 2 accessible spaces) ensures that more than one space is available for each worker.
46. The proposal is considered to meet the requirements of Clause 52.06 and the relevant Australian Standards for car parking design associated with Stage 1.
47. Based on the above, DTP consider the proposed car parking for Stage 1 appropriate subject to the following conditions:
 - Council raised concerns with the reduction of car parking for Stage 1, recommending that future stages requiring traffic reports. Conditions have been included in the recommendation to require a TIAR for each future stage (refer to Condition 27).
 - Standard conditions have been included within the recommendation to ensure the construction/ongoing maintenance of areas set aside for car parking (Conditions 49 and 50).

Vehicle Access

48. Vehicle access for the site is proposed to be retained on Mountain Highway with the existing access point to be upgraded to a signalised intersection. As part of the Traffic Impact Assessment Report (TIAR) concept designs were prepared which indicated the following features:
 - Left turn entry slip lane (inclusive of 55m deceleration lane as per Austroads requirements)
 - Right turn entry lane (55m as per AustRoads requirements)
 - Additional short through lane on Mountain Highway
 - Separate exit lanes, including left turn slip lane
 - Raised platform shared user path crossings on slip lanes
 - Realignment of Shared User Path on northern side of Mountain Highway Transport Advisory
 - Relocation of power pole and other services



Figure 8: Altered access to Mountain Highway

49. Head, TfV noted that the additional east-bound lane indicated on the plans does not comply with AustRoads requirements and additional lane length is required to both sides of the intersection to achieve compliance. As a result, Head, TfV indicated that the lane length extensions (both approach and departure) may impact on existing native vegetation along the Mountain Highway. However, ultimately offered no objection subject to standard conditions requiring the submission of a functional layout plan, practical completion of the works and, the relocation of the bus stop and associated infrastructure located on the corner of Mountain Highway and Baldwin Avenue (to the west of the site). DTP have included all Head, TfV conditions within the recommendation and consider these appropriately address the access arrangements (refer to Conditions 31-34).
50. In addition, it is noted that Council raised concerns during the pre-application stage with the realignment of the shared user path along Mountain Highway, which requires a lease agreement if located on private property, conflicts between cyclists and drivers due to slip lane design and, recommended that the proposed signalised pedestrian crossing must be connected to existing footpaths, ensuring DDA compliance and accommodating bicycles. Since Council's comments were received, the application has been further amended to address a number of concerns regarding access to the site. Despite this, DTP consider that any outstanding matters will ultimately be covered by the conditions imposed by Head, TfV, which requires the submission of a functional layout plan and road safety audit to be submitted prior to the commencement of any road works.
51. Further, a number of submissions were received which raised concerns with the proposed traffic impacts resulting from the proposed development. The TIAR appropriately considered the traffic impacts of the proposal, concluding that:
- This indicates that the proposal could be expected to generate in the order of 197 and 2,753 movements during a peak hour and across the course of the day, respectively.
 - The anticipated traffic volumes generated by the estate have been assessed with SIDRA modelling and the results indicate the site access point is expected to operate well and will not compromise the functionality or safety of the surrounding road network.

- Queue lengths associated with vehicles entering and exiting the estate are expected to be contained well within the proposed turn lane lengths and not to extend to adjacent intersections.

52. Overall, the proposed access and traffic impacts are considered acceptable, subject to the conditions which have been included within the recommendation to ensure that the detail design of the intersection can be resolved through a functional layout plan and road safety audit (refer to Condition 31).

Bicycle Facilities

53. As outlined previously, there is no statutory requirement for bicycle facilities associated with a warehouse. Despite this, Stage 1 has been provided with 12 bicycle spaces with shower and change room facilities provided for employee use within the ancillary office space.
54. Council did not raise any concerns with the proposed bicycle facilities noting that future stages should include further provision for bicycle facilities. Noting that there is no statutory requirement, it is considered acceptable to consider bicycle facilities for future stages upon receipt of the detail design of each stage. DTP consider there to be sufficient space for bicycle facilities for each stage adjacent to the ancillary offices should bicycle facilities be required.
55. Council also noted that the realignment of the shared user path and pedestrian crossing must meet safety standards, and the bicycle crossing should be incorporated at the signalised intersection. As outlined above, conditions have been included within the recommendation to require functional layout plans and a road safety audit prior to the commencement of any road works. However, it is noted that Head, TfV has not required the applicant to include a pedestrian crossing/bicycle crossing within the intersection. Despite this, the intersection will be designed to ensure that future upgrades can be accommodated to allow for a pedestrian crossing/bicycle crossing within the intersection.

Loading / Unloading

56. The proposal includes a private north/south accessway which is designed with a courtbowl at the northern end to allow vehicles (including B-double trucks) to turnaround. The TIA includes swept path diagrams for the accessway demonstrating that a B-double truck may pass a 19m prime-mover.
57. Within Stage 1 of the development, heavy vehicles are expected to use the main loading area via the northern end of the loading area and exit via the southern end, with loading areas provided on the eastern side of the 'cool drive' warehouse.
58. Council raised no concerns with the proposed loading arrangements. DTP consider the proposed loading arrangements to be appropriate and consistent with an industrial business park of this nature. A standard condition has been included within the recommendation to ensure that loading and unloading is carried out on the subject site (refer to Condition 53).
59. It is noted that Council raised concerns with the loading area for Warehouse 1B and 1A as it utilises the court bowl for an anticlockwise direction, recommending that the applicant reconsider the design and consider opportunities for access including a turntable. A condition has been included within the recommendation requiring further Transport Impact Assessments for each future stage and will also require the submission of updated swept path diagrams confirming appropriate loading areas for all additional warehouses (refer to Condition 28).

Waste

60. Leigh Design have prepared a Waste Management Plan (WMP) for the proposal, which outlines the proposed waste management approach for the Cool Drive warehouse. The WMP also includes general principles which will apply for the overall estate, with the expectation that detailed waste management information will be submitted for each future stage. A condition has been included within the recommendation to ensure that a WMP is provided for each warehouse prior to the commencement of that stage (refer to Condition 29)
61. Council noted that there is no indication or provision for waste collection or storage shown on the plans. A condition has been included within the recommendation to ensure that waste details are shown on the plans for endorsement



consistent with the WMP (refer to Condition 4). In addition, DTP have included standard conditions for waste management (refer to Conditions 25 and 26).

16.0 Environmental Impacts

Landscaping

62. Planning Policy at Clause 15.01-1L, Clause 42.01 and Clause 52.17 generally seeks to retain existing vegetation (where practical) and encourage landscape planting that softens and screens development, address the road frontages and, include landscaping along accessways to soften the appearance of a paved surface. A number of submissions were received in relation to the proposed removal of vegetation, including impact of biodiversity and amenity and character of the area. A full assessment of landscaping is provided below.
63. The application seeks approval for the removal of a total of 0.219 hectares of native vegetation, including three small and one large tree (Trees 434, 435, 436 and 437) within the Mountain Highway Road reserve. It is noted that the application seeks to retain the tree reserve along the eastern boundary and therefore, no permit is required under the VPO1.
64. The application was supported by an Arboricultural Impact Assessment which provided an assessment of vegetation removal in accordance with Clause 52.17 (Native Vegetation) and Clause 42.01 (ESO3). The report concludes:

The expansive Australian native garden created by Glaxo Smith Kline holds amenity and environmental value not only to the site itself, but to the general community as a whole. The large private gardens consist of a diverse range of Australian flora, much of which is indigenous to the local area. The gardens have been well designed and consistently maintained over a period of many years from the late 1970's to the time the site was vacated during 2022. From an Arboricultural perspective, the retention and incorporation of native vegetation growing on site should remain a priority for any future development.

The assessment of over 1,700 trees on-site, most of which are planted based on historical evidence, indicates that their removal would not require a Planning Permit under Clause 52.17 of the Knox Planning Scheme. Although indigenous species are present, their uniform spacing and garden design suggest intentional planting rather than natural recruitment. Additionally, stump regrowth observed is not considered natural recruitment as it arises from pre-existing root systems.

Indigenous Council trees numbered 434, 435, 436 and 437 appear to be remnant specimens. Their proposed removal will require a Planning Permit under ESO3 and likely offsetting under Clause 52.17.

Once detailed engineering and landscaping plans for the site have been finalised and approved, a Tree Management Plan (TMP) should be prepared by the nominated project arborist. The TMP is to ensure the trees endorsed for retention are not negatively impacted upon during construction works. The TMP will include the steps to be taken to ensure the trees are adequately protected during all phases of the site development. The endorsed TMP must be based upon the Australian Standard AS4970: 2009 – Protection of Trees on Development Sites and must follow a chronological order to ensure long term protection of the trees, see Appendix C for general tree protection guidelines. Should you have any questions please do not hesitate to make contact.

65. DTP consider that the proposed removal of vegetation is acceptable given:
- During the pre-application stage, DEECA noted that the VPO along Colchester and Dandenong Creek should be retained to protect ecological connectivity and, further opportunities noted that further opportunities should be explored to minimise the impact on vegetation patches, particularly along Mountain Highway. The impacts to scattered trees (trees 434, 435, 436 and 437, and a potential further three trees) is the minimum necessary to establish the accessway from Mountain Highway. Otherwise, the above demonstrates significant effort on the part of the applicant to avoid impacts to the native vegetation located on site including the retention of all vegetation under the VPO1. Where impacts to vegetation cannot be avoided, they will be offset in accordance with the Guidelines Head, TfV noted that the additional trees within the road reserve may be impacted by the



expanded intersection design required to be accommodated. A condition has been included in the recommendation requiring that the impacts to native vegetation within the road reserve be confirmed through the submission of a new flora and fauna assessment and, Native Vegetation Removal (NVR) report, concurrent with the submission of a Functional Layout Plan for endorsement (refer to Condition 13). Two conditions have also been included within the recommendation to ensure that offsets can be secured for native vegetation loss within the subject site and, within the road reserve (refer to Conditions 17 and 18). The conditions for offsets are consistent with DEECA's preliminary advice which generally sought to require offsets before vegetation removal occurred and, to ensure that the NVR accurately reflected the projects final design. Standard conditions have also been included within the recommendation relating to the native vegetation protection (refer to Conditions 14-16).

- b. Council raised no concerns with the proposed landscaping, commending the retention of vegetation under the VPO1. Council recommended that standard conditions should be included within the recommendation to ensure that appropriate tree protection fencing, and replacement planting of street trees (refer to Condition 20). Similarly, DEECA recommended that standard conditions be included within the recommendation to ensure the appropriate buffer zones and TPZ's are implemented for trees near construction areas.
- c. As outlined above, the site is considered to hold amenity and environmental value to not only the site, but to the community. Several submissions raised concerns with impacts on local character and ecology. The application was supported by a concept Landscape Plan which provides:
 - i. clear areas for the landscape setback to Mountain Highway (with a minimum depth of 14.3 metres, increasing to a maximum of 20 metres), landscaping to the north incorporating retained and planted canopy trees (varying from a minimum of approximately 6.9 metres to a maximum of approximately 20 metres depth) and Colchester Road (depth of minimum 16.87 metres), ensuring retention of vegetation and that the proposal's contribution to the broader landscape character is maximised.
 - ii. The proposed internal private estate road incorporates regular large canopy trees within the 3m landscape setback, ensuring this accessway and pedestrian route will be suitably shaded and contribute to the amenity of the estate.
 - iii. Within the carparking areas to Cool Drive, landscape breaks are regularly provided to shade the carpark and improve the amenity of these areas. These are also indicatively shown within the carparking areas for the future stages.
- d. The landscaping approach ensures that the proposal achieves the outcomes sought within Clause 15.01-1L and that the site contributes to the 'bush boulevard' character sought within planning policy. A condition has been included in the recommendation requiring the submission of detailed landscape plans for each stage concurrent with the endorsement of plans for that stage (refer to Conditions 7-9). In addition, standard conditions pertaining to landscaping completion and maintenance have been included within the recommendation (refer to Conditions 11 and 12).
- e. DEECA noted during pre-application stage that the site provides habitat for species listed under the Flora and Fauna Guarantee Act 1988 including Gang-gang Cockatoo, Grey headed Flying-fox, Swift Parrot and Powerful Owl. No FFG permit is required, but ongoing habitat monitoring or a contingency management plan is recommended. DTP have not sought to include a contingency management plan given the application was supported by a Flora and Fauna assessment which concluded that whilst these species may occasionally occur within the study area, they are unlikely to regularly utilise or significantly depend on this habitat. Further, the study area is highly modified and subject to existing disturbances.

Environmental Audit

66. The site has a history of diesel storage and pharmaceutical production as considered by the submitted Environmental Due Diligence Assessment (produced by WSP, dated 30 March 2021).



67. The application was referred to the EPA during the pre-application process. The EPA concluded that it had not undertaken a technical review of the information submitted, however referred the applicant and the Department to Planning Practice Note 30 (PPN30, July 2021). As such, there is considered to be a potential for contamination in accordance with Table 3 of PPN30. Based on Table 3, the proposed industrial/commercial use as well as open space triggers a preliminary site investigation to inform the need for an audit.
68. The application was supported by a contamination status letter prepared by WSP dated 24 June 2025. The letter concludes that the following environmental investigations of the site have been undertaken:
- WSP (2021) Phase 1 Environmental Due Diligence Assessment: 1061 Mountain Highway, Boronia Victoria, produced by WSP Australia Pty Limited for CBRE Pty Ltd, dated 5 February 2021 (Report Reference: PS123386-CLM-REP-003 RevA GSK).
 - WSP (2021a) Environmental Due Diligence Assessment: 1061 Mountain Highway, Boronia Victoria, produced by WSP Australia Pty Limited for CBRE Pty Ltd, dated 30 March 2021 (Report Reference: PS123823-CLM-REP-001 RevB).
 - WSP (2023) Desktop Environmental and Geotechnical Due Diligence Assessment: 1061 Mountain Hwy, Boronia, produced by WSP Australia Pty Limited for Charter Hall Holdings Pty Ltd, dated 17 July 2023 (Report Reference: PS13533-VIC-CLM-LTR-001 RevA_CH_Boronia).
 - WSP (2025) Environmental Site Assessment: Qanstruct - 1061 Mountain Hwy, Boronia VIC 3155, produced by WSP Australia Pty Limited for Qanstruct (Aust) Pty Ltd, dated 27 May 2025 (Report Reference: PS221764-WSP-MEL-CLMLTR-001 RevB).

The letter concludes:

Although the former use of the site (i.e., pharmaceutical manufacturing with fuel and chemical storage) means that the land is considered to be “Potentially Contaminated Land” in accordance with Ministerial Direction No 1 a “high potential for contamination” per definitions provided in PPN30, historical environmental investigations have shown that gross contamination to soil and groundwater has not been identified, and where contamination has been identified is considered to be isolated. The identified contamination can be managed through standard construction practices, including (but not limited to) Construction, Environmental Management Plan (CEMP) including appropriate unexpected finds protocols, and offsite soil disposal requirements (noting that WSP understands that offsite disposal of soil is not anticipated during the proposed development),. Based on the findings of the assessments to date, and in consideration of the intended land use (i.e., commercial/industrial), WSP does not consider that a PRSA and/or Environmental Audit is required in accordance with PPN30.

69. EPA concluded that should a planning permit be approved, they would be unlikely to require the inclusion of any permit conditions, however recommended permit notes which have been included within the recommendation. DTP have therefore included a CEMP condition which is considered to appropriately address contamination, as per the recommendations outlined above (refer to Condition 44).

17.0 Sustainability

Environmentally Sustainable Design (ESD)

70. Planning policy at Clauses 15.01-2S, 15.01-2L, 53.18 and 65.01 include relevant policies to achieve best practice environmentally sustainable development.
71. The application was supported by a sustainable management plan (SMP) and a green travel plan as required by Clause 15.01-2L for non-residential developments with a gross floor area exceeding 2,499sqm. A condition has therefore been included within the recommendation requiring the endorsement of the green travel plan for Stage 1 and documentation for each future stage (refer to Conditions 29 and 30).
72. The SMP establishes overall principles for the sustainable development of the estate, and a detailed assessment for the Stage 1 warehouse. A condition has been included within the recommendation requiring submission of updated



ESD documentation for each future stage (refer to Conditions 22 and 23). With respect to Stage 1, the proposal will achieve best practice requirements through initiatives outlined in the SMP including:

- 300 kW solar PV system on the roof.
- High-efficiency LED lighting.
- Energy efficient air conditioning systems.
- Efficient water fixtures and fittings, and water-efficient appliances.
- 25,000L rainwater tank for rainwater reuse.
- Water efficient landscaping.
- 10% improvement on NCC2022 energy efficiency requirements.
- Use of recycled and sustainable building materials where practical.
- Provision of electric vehicle infrastructure for 10 car spaces.
- Provision of six bicycle parking racks (12 spaces) and end of trip facilities within the development

73. In addition, the application was supported by a Drainage Strategy, prepared by KLM Spatial. The report considers the stormwater and drainage matters relevant to the entire site, having regard to the existing conditions. The report concludes:

- *The proposed drainage strategy for the site ensures that both minor and major flows can be safely discharged to the existing stormwater network.*
- *As the minor flows that will result from the development are greater than the capacity of the existing pipe, on-site detention is required. An on-site detention tank will be located in the north-west corner of the site, and will have a capacity of 726 cubic metres prior to discharge, sufficient to reduce the flows to the capacity of the existing pipe.*
- *The OSD tank will be delivered in full as part of stage 1.*
- *Major flows will be conveyed overland, consistent with Council and Melbourne Water design standards. No additional detention is required for major flows, as they are expected to be below the capacity of the existing channel and culvert.*
- *A new bund is required in the eastern part of the site to prevent overland flooding. An existing bund is located in this area, but will need to be enhanced to provide suitable protection for the facility. The proposed bund is located entirely outside the SBO area. The proposed bund will be delivered as part of stage 1.*
- *Finished Floor Levels for the warehouses have been determined having regard to the site's flood risk, with a 600mm freeboard to be provided to the Cool Drive warehouse.*
- *Appropriate stormwater treatment products will be installed to ensure best practice treatment is achieved.*

74. In relation to stormwater, Council noted the following:

Council	Applicant Response	DTP recommendation
Stormwater		
The site's discharge is directed to a Melbourne Water drain in the north-west corner. Melbourne Water is the relevant	Advice received from the applicant's civil engineering team indicates that no hydraulic modelling is necessary	A condition has been included within the recommendation the endorsement of a stormwater management plan to the



<p>authority for discharge details and connection configuration.</p>	<p>to demonstrate clearly that the flow paths will not be impeded and that flood conditions will not be worsened. The memorandum of advice to this effect has been included with this submission.</p>	<p>satisfaction of Knox City Council and Melbourne Water (refer to Condition 24).</p>
<p>Internal roads and drainage are assumed to remain privately owned, but if intended for Council handover, they must meet specific design standards. Mechanical systems or underground tanks may be acceptable for private management but not for Council.</p>	<p>Additionally, a further memorandum has been obtained from a qualified hydrologist which peer reviews the drainage strategy and original memorandum, which further supports the conclusion that hydraulic modelling is not required and would not provide any additional insight. Specifically:</p>	
<p>The property is subject to flooding during a 1% AEP rainfall event and is part of an overland flowpath from the south. The development must account for external catchment flows and flooding impacts.</p>	<ul style="list-style-type: none"> • The existing site is already developed – there will be no material increase proposed to pervious areas. • The site currently discharges directly to the Melbourne Water drain with no onsite detention. The proposed development includes significant detention in the form of a 726 cubic metre detention tank, greatly reducing flows from current conditions. 	
<p>The existing pond south of the site functions as an informal retarding basin. The development must address any potential loss of flood storage.</p>	<ul style="list-style-type: none"> • Existing overland flowpaths are informal and undersized to adequately convey flows. As part of the development, the flow paths will be formalised and appropriately sized to convey the flows across the site 	
<p>The applicant must provide 2D hydraulic modelling, ensuring the development doesn't impede flow paths or worsen flood conditions on surrounding properties. An afflux analysis must show no increase in flood levels greater than 30mm.</p>		
<p>The modelling should include flood safety criteria to ensure safe access and egress during storm events, including those with climate change impacts.</p>		
<p>Flow values, flood extents, and related parameters can be requested from Council for use in the modelling process.</p>		
<p>Water Quality Improvement</p>		
<p>The use of water quality improvement systems is required to be provided for this development. The use of rainwater tanks, bioretention systems and vegetated swales can be used and these are to be incorporated in the stormwater drainage design plans.</p>	<p>We note that no subdivision is proposed and that the internal road network will be retained by Charter Hall. As such, there is no requirement for the proposal to adhere to Council's standards.</p>	<p>A condition has been included within the recommendation for the endorsement of a stormwater management plan to the satisfaction of Knox City Council and Melbourne Water (refer to Condition 24).</p>
<p>The plan should incorporate Raingardens and/or Bioswales to treat the water runoff from the hard surfaces (car parks and driveway's). The surface area of the proposed raingarden should be 3-5% of the surface area of the catchment feeding it. The levels should be shown on the plan and the concrete pavement should be shaped to drain into the raingarden (at the lowest point) through gaps in the kerbing. Details of the raingarden (cross section enclosed) should be shown on drainage and landscape plan in accordance with Knox City Council's standard.</p>	<p>However, the applicant consents to the inclusion of an appropriate condition on a permit, should one issue, requiring the treatment train and drainage infrastructure to be constructed to these standards or an alternative to the satisfaction of Knox City Council.</p>	
<p>At least 50% of the vegetation species located in the raingarden should comprise of at least two of the following species; Carex sp, Juncus sp, Melaleuca and Goodenia. This ensures adequate removal of Nitrogen and Phosphorus.</p>		



75. Subject to the conditions outlined above, DTP consider the proposal will achieve best practice environmentally sustainable development.

18.0 Other Matters

Signage

76. The proposal seeks approval for the following business identification and wayfinding signage as described in the submitted planning report and shown on TP08:

Sign	Location	Display Area and Description
Estate entry sign	Estate entry, Mountain Highway frontage	<ul style="list-style-type: none"> • 2.85m wide x 5.9m high • Pylon sign providing estate identification and Charter Hall branding • No illumination
Cool Drive business identification sign	Cool Drive carparking entrance	<ul style="list-style-type: none"> • 0.9m wide x 0.91m high • Cool Drive business identification
Indicative signage zones (x2)	Cool Drive warehouse, southern façade.	<ul style="list-style-type: none"> • 7m wide x 1.5m high • Cool Drive business identification • No illumination
Directional signs	Internal road	<ul style="list-style-type: none"> • 0.3m x 0.71m • Directional signage (no permit required)
Future signage zones	Warehouse facades, future stages	<ul style="list-style-type: none"> • 7m wide x 1.5m high • Tenant business identification • No illumination

77. Clause 15.01-1L-02 and Clause 52.05 aims inter alia to discourage visual clutter, encourage signs to be sited within the overall building façade, rather than siting above the building line, protruding from the building into the skyline or extending beyond the edge of its host building. The proposed signage is considered to respond appropriately to the relevant planning policy for the reasons outlined below:

- The proposed signage is not considered to impact on the amenity of the area given the surrounding interfaces are mostly commercial and industrial development, with arterial roads providing a buffer between the nearby residential areas.
- The size of the proposed signs are considered to be appropriate having regard to the other signs in the area, the size of site and the existing and proposed built form. The proposed signs are of a high quality, clearly identify the business and provide necessary wayfinding details consistent with an industrial business park. The design, colours and materials are considered to be acceptable.
- No illumination is proposed and therefore will not impact on the safety of pedestrians or vehicles or, the amenity of nearby residents.

78. Despite DTP being generally comfortable with the proposed signage, it is noted that there are a number of inconsistencies with the documentation submitted specifically:

- a. The architectural plans indicate signage zones on the eastern elevation of the 'Cool Drive' warehouse with no dimensions provided on the plans, and no mention of the signage within the planning report.
- b. Signage detail 4 included in the architectural plans is not referenced in the planning report.

79. Consequently, a condition has been included within the recommendation requiring detailed signage plans for each stage of the development (refer to Condition 39). In addition, standard signage conditions have been included (refer to Conditions 40-42).

Recommendation



80. The proposal is generally consistent with the relevant planning policies of the Knox Planning Scheme and will contribute to the provision of large warehouses, which will contribute to the provision of jobs within a strategically significant industrial precinct area within Knox
81. The proposal is generally supported by the various referral agencies.
82. It is **recommended** that Planning Permit No. PA2503651 at 1061 Mountain Highway, Boronia be issued subject to conditions.
83. It is **recommended** that the applicant, submitters and the council be notified of the above in writing.

