



Town Planning and Urban Context Report

# 140 – 204 Western Avenue, Westmeadows

November 2022



## 140 – 204 Western Avenue, Westmeadows

November 2022

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# 1 Introduction

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This report has been prepared to accompany a request to amend the Hume Planning Scheme and applications for planning permits pursuant to Section 96A of the *Planning and Environment Act 1987*.

The proposal relates to land at 140 – 204 Western Avenue, Westmeadows. The Planning Scheme amendment would:

- Rezone the land from part Farming Zone (FZ) and Public Use Zone (PUZ) to part Industrial 3 Zone (IN3Z), Public Park and Recreation Zone (PPRZ) and Public Use Zone (PUZ); and
- Allow planning permits to be granted for subdivision, construction and use of a utility installation (stormwater bioretention area), removal of native vegetation, use and development for a utility installation (data centre) and warehouses and a reduction in the car parking requirements.

This report provides:

- A description of the subject land and surrounds;
- A description of the proposed subdivision, use and development;
- A summary of the relevant statutory framework contained within the Hume Planning Scheme;
- An assessment of the proposal in relation to the relevant provisions of the Hume Planning Scheme; and
- An assessment of the proposal in relation to the Strategic Assessment Guidelines.

The project team comprises:

- **Contour Consultants Australia**  
Town Planners
- **Impact**  
Traffic Consultants
- **DCE**  
Servicing / Infrastructure
- **Ecology & Heritage Partners**  
Biodiversity Consultants
- **Senversa**  
Environmental
- **Cultural Heritage Management Group**  
Cultural Heritage
- **Tract**  
Landscape and Urban Design
- **Leigh Design**  
Waste Management



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## 2 Subject Site and Surrounds

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### 2.1 Subject Site

The subject site, 140-204 Western Avenue, Westmeadows is located on the north side of the Tullamarine Freeway, generally opposite the Freeway exit onto Mercer Drive.

The land comprises Lots 1 & 2 on TP512682 (2 parcels): 140-204 Western Avenue.

The land is irregular in shape and is 29.95 hectares in area. The site boundaries are defined by Tullamarine Freeway to the south, Wright Street to the east, Victoria Street to the west (unformed) and the Moonee Ponds Creek to the north. Western Avenue separates the southern portion of the land from the balance of the subject site.

The land is presently undeveloped. Trees are located along property boundaries and within the Moonee Ponds Creek environs. Parts of the land host degraded native grass.

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### 2.2 Surrounds

The subject land separates the former Tullamarine landfill to the west from the residential area to the east of Wright Street. The former landfill site currently hosts a temporary vehicle depot operated by Cleanaway.

The northern portion of the subject land is reserved for public use – service and utility purposes. The Moonee Ponds Creek Trail is located north of the Moonee Ponds Creek and crosses over the creek adjacent to the north-east corner of the site.

The land to the south-east (on both sides of Tullamarine Freeway) is developed and used for a range of commercial, light industrial and transport/logistics uses.

Melbourne Airport and associated infrastructure is located on the south western side of the Tullamarine Freeway.



## 2 Subject Site and Surrounds

Figure 2.1  
Locality Plan

Source: Melways Online

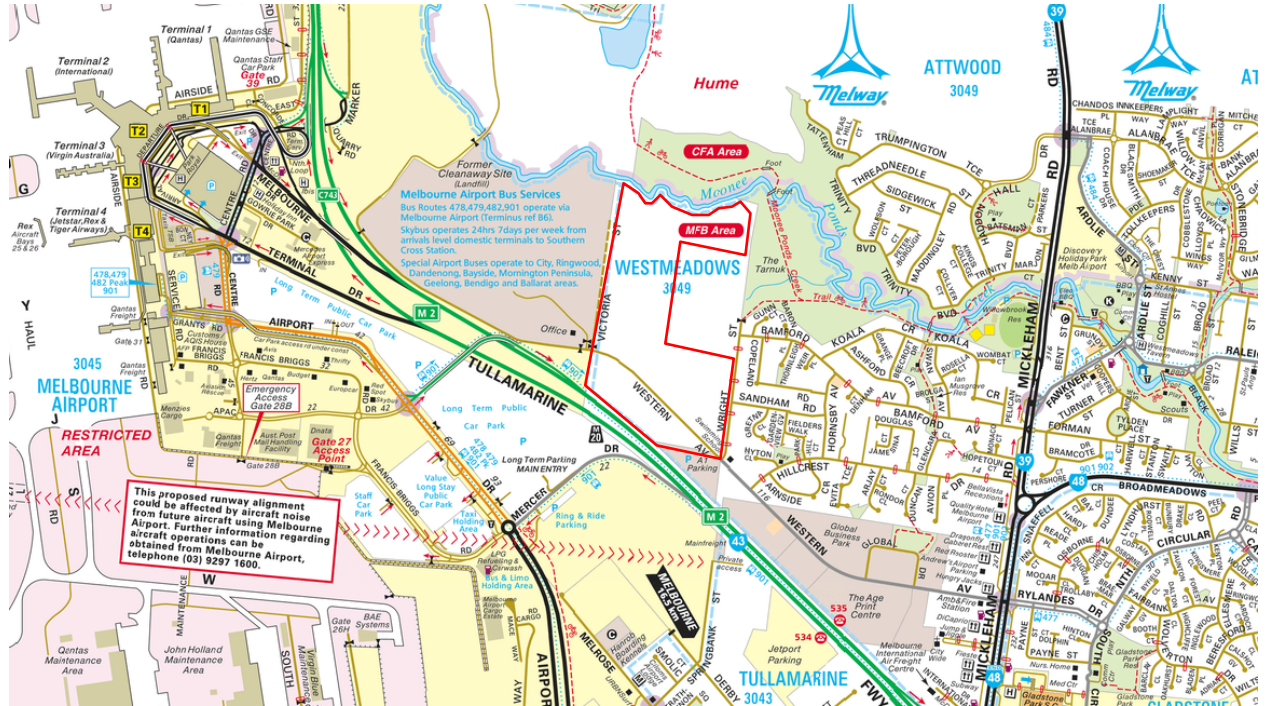


Figure 2.2  
Aerial Photograph (1)

Source: Nearmap, 23 November 2019



## 2 Subject Site and Surrounds

Figure 2.3  
Aerial Photograph (2)

Source: Nearmap, 23 November 2019



## 3 Background

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The subject land has been the subject of previous planning scheme amendments including:

### **2009 & 2010**

The 2009 and 2010 planning scheme amendment proposals included the adjacent landfill area to the west as well as the subject land. The two Wright Street properties (46-67 and 69-99 Wright Street) were not included. Neither proposal progressed to authorisation or exhibition.

### **2012**

Proposed Planning Scheme Amendment C160 excluded the adjacent landfill and the two Wright Street properties. Following public exhibition, the proposed amendment was abandoned.

### **2015**

Proposed Planning Scheme Amendment C202 excluded the adjacent landfill and the two Wright Street properties. The amendment sought to rezone the land to a Comprehensive Development Zone for warehousing, industry and office uses. The amendment was also abandoned.

### **2022**

Proposed Planning Scheme Amendment C250 included the subject land and adjacent land in Wright Street. Rezoning to Industrial 1 and General Residential, together with a Development Plan Overlay was proposed. The amendment was abandoned by the City of Hume prior to the review of submissions by an independent Planning Panel.



## 4 Proposal

### 4.1 Proposed Amendment

The proposed planning scheme amendment seeks to amend the Hume Planning Scheme as follows:

- Rezone part of the land within the Urban Growth Boundary from Farming Zone (FZ3) to Industrial 3 Zone (IN3Z).
- Rezone the proposed public open space reserve to Public Park and Recreation Zone.
- The balance of the land will remain as currently zoned which will facilitate the proposed utility installation (bioretention area) remaining within the Public Use Zone.
- Existing overlays are maintained.

The proposed amendment will also facilitate the following outcomes for the land:

- Enable the site to be used and developed for industrial/commercial uses, complementing the existing commercial areas located along Tullamarine Freeway to the northeast.
- Create an internal road network connecting the industrial area to Western Avenue.
- Provide an area of public open space adjacent to the Moonee Ponds Creek.

### 4.2 Planning Permits

Planning permits are sought for:

**1. *Staged multi lot subdivision, construction and use of a Utility installation (stormwater bioretention area), part removal of a drystone wall and removal of native vegetation in accordance with endorsed plans***

The multi lot subdivision will be undertaken in stages and include a range of lots intended to respond to current market and future market demand. The subdivision will include removal of native grasses and the creation of an area for Public Open Space adjacent to the Moonee Ponds Creek together with stormwater infrastructure. The subdivision will provide an immediate opportunity for new development which is for businesses seeking close proximity to the freeway and airport.

Building envelopes are proposed for lots adjacent to Wright Street to facilitate significant separation from the nearest residential properties.

**2. *Staged development of the land for use as warehouse and a reduction in the car parking requirements generally in accordance with the endorsed plans***

The three warehouses will comprise significant floor space together with associated office adjacent to the Tullamarine Freeway. The warehouses are designed to address the Tullamarine Freeway frontage of the land with



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## 4 Proposal

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contemporary architectural expression, with commercial vehicle loading provided to the rear of each building with direct access from Western Avenue.

**3. *Use and development of the land for a Utility installation (data centre) and associated office, generally in accordance with the endorsed plans***

The proposed data centre will occupy land in the western portion of the site with direct access from Victoria Street and Western Avenue and provide a significant data centre opportunity within the vicinity of Melbourne Airport.

# 5 Hume Planning Scheme Provisions

## 5.1 Planning Policy Framework

The land is affected by the Hume Planning Scheme. The following clauses from the Planning Policy Framework are relevant to the proposed planning scheme amendment and subdivision:

Clause 11	Settlement
Clause 12	Environmental and Landscape Values
Clause 13	Environmental Risks and Amenity
Clause 14	Natural Resource Management
Clause 15	Built Environment and Heritage
Clause 16	Housing
Clause 17	Economic Development
Clause 18	Transport
Clause 19	Infrastructure

### Settlement (Clause 11.01-1S)

*Plan Melbourne 2017-2050 (2017)* and *Plan Melbourne 2017-2050: Addendum 2019* are background documents and referenced at Clause 11.01-1S (Settlement).

*Plan Melbourne 2017-2050* nominates Melbourne Airport as a 'State Significant Transport Gateway' and seeks to protect these areas from incompatible land uses and encourages adjacent complementary uses and employment generating activity.

*Plan Melbourne 2017-2050: Addendum 2019* projects that an additional 144,000 jobs are to be provided in the northern region of metropolitan Melbourne, an increase of 33,000 on 2017 projections.

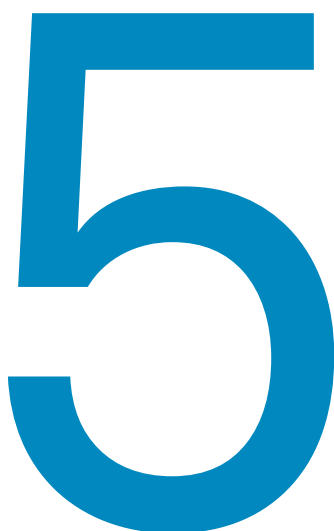
The objective of Clause 11.01-1S is:

*To promote the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements.*

Strategies include:

*Develop sustainable communities through a settlement framework offering convenient access to jobs, services, infrastructure and community facilities.*

*Plan for development and investment opportunities along existing and planned transport infrastructure.*



## 5 Hume Planning Scheme Provisions

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*Promote and capitalise on opportunities for urban renewal and infill development.*

### River corridors, waterways and wetlands (Clause 12.03-1S)

The objective of Clause 12.03-1S is:

*To protect and enhance river corridors, waterways, lakes and wetlands.*

Strategies to achieve this objective include:

Ensure development responds to and respects the significant environmental, conservation, cultural, aesthetic, open space, recreation and tourism assets of water bodies and wetlands;

Ensure development is sensitively designed and sited to maintain and enhance environmental assets, significant views and landscapes along river corridors and waterways and adjacent to lakes and wetlands;

Ensure development does not compromise bank stability, increase erosion or impact on a water body or wetland's natural capacity to manage flood flow;

### Contaminated and potentially contaminated land (Clause 13.04-1S)

This clause seeks

*To ensure that potentially contaminated land is suitable for its intended future use and development and that contaminated land is used safely.*

Strategies proposed to achieve this objective include:

*Require applicants to provide adequate information on the potential for contamination to have adverse effects on future land use if the subject land is known to have been used for industry, mining or the storage of chemicals, gas, wastes or liquid fuel.*

*Facilitate the remediation of contaminated land, particularly on sites in developed areas with potential for residential development.*

### Water Quality (Clause 14.02-2S)

The objective of this clause is to protect water quality.

## 5 Hume Planning Scheme Provisions

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### Subdivision Design (Clause 15.01-3S)

Clause 15.01-3S seeks

*To ensure the design of subdivisions achieves attractive, safe, accessible, diverse and sustainable neighbourhoods.*

### Aboriginal Cultural Heritage (Clause 15.03-2S)

The objective of this Clause is:

*To ensure the protection and conservation of places of Aboriginal cultural heritage significance.*

### Diversified Economy (Clause 17.01-1S & Clause 17.01-1R)

The objective of this clause is to strengthen and diversify the economy.

Strategies include:

*Protect and strengthen existing and planned employment areas and plan for new employment areas.*

*Improve access to jobs closer to where people live.*

*Plan for industrial land in suitable locations to support employment and investment opportunities.*

*Facilitate investment in Melbourne's outer areas to increase local access to employment.*

### Industrial Land Supply (Clause 17.03-1S)

The objective of Clause 17.03-1S is to ensure availability of land for industry.

Strategies include:

*Provide an adequate supply of industrial land in appropriate locations including sufficient stocks of large sites for strategic investment.*

*Identify land for industrial development in urban growth areas where:*

- *Good access for employees, freight and road transport is available.*
- *Appropriate buffer areas can be provided between the proposed industrial land and nearby sensitive land uses.*

## 5 Hume Planning Scheme Provisions

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### Public Transport (Clause 18.02-3S)

The objective of this Clause is

*To facilitate greater use of public transport and promote increased development close to high quality public transport routes.*

### Principal Public Transport Network (Clause 18.02-3R)

Strategies listed under this Clause include:

*Maximise the use of existing infrastructure and increase the diversity and density of development along the Principal Public Transport Network, particularly at interchanges, activity centres and where principal public transport routes intersect.*

### Melbourne Airport (Clause 18.02-7R)

The strategies of this Clause are to:

*Protect the curfew-free status of Melbourne Airport and ensure any new use or development does not prejudice its operation or optimum usage.*

### Freight Links (Clause 18.02-5S)

The objective of Clause 18.02-5S is

*To develop the key Transport Gateways and freight links and maintain Victoria's position as the nation's premier logistics centre.*

Relevant strategies include:

*Support major transport Gateways as important locations for employment and economic activity by .... Encouraging adjacent complementary uses and employment generating activities.*

These policies have been considered in the preparation of the proposed amendment and an assessment of relevant matters is provided in Section 6 of this report.

## 5 Hume Planning Scheme Provisions

### 5.2 Local Planning Policy Framework

The following clauses from the Local Planning Policy Framework are relevant to the proposed planning scheme amendment:

Clause 21.01	Municipal Profile
Clause 21.02	Urban Structure and Settlement
Clause 21.04	Built Environment and Heritage
Clause 21.06	Economic Development
Clause 21.07	Transport Connectivity and Infrastructure
Clause 21.08	Natural Environment and Environmental Risk
Clause 22.01	Industrial Local Policy
Clause 22.19	Industrial Stormwater Management

#### Municipal Profile (Clause 21.01)

Figure 1 - The Regional Context Map at Clause 21.01 shows the subject land contained within an existing major employment area and proximate to Melbourne Airport.

Melbourne Airport is *designated as a Transport Gateway and is one of Victoria's key strategic assets and economic drivers. Directly employing around 12,500 people, it is one of the largest employment generators in Melbourne.*

Figure 2 – Strategic Framework Plan at Clause 21.01 nominates the future use of the land as to *be determined*. The Attwood Connector, a future arterial road linking Pascoe Vale Road to the Melbourne Airport, is proposed to be located to the west of the subject land. We note this proposal is not shown in *Plan Melbourne* or confirmed by the Department of Roads.

#### Urban Structure and Settlement (Clause 21.02)

Clause 21.02-2 (Hume Corridor) states:

*The southern end of the Hume corridor will also accommodate increased population through infill development in established suburbs and the redevelopment of strategic development sites ...*

*Existing employment land along the Hume Highway in Campbellfield and around the airport, and the existing intermodal freight terminal in Somerton continue to provide for and support the growth of Hume's manufacturing, transport and logistic sectors. The Attwood connector, a potential new link between Pascoe Vale Road and the airport, will facilitate greater east-west connection between these major employment precincts.*

Objectives for the Hume Corridor include:

## 5 Hume Planning Scheme Provisions

*To plan for and enable large scale change within the Hume Corridor.*

*To increase the number and diversity of jobs in the Hume Corridor.*

*To reinforce the role of Melbourne Airport as one of Victoria's key economic assets.*

### Economic Development (Clause 21.06)

Key issues identified in this Clause include:

*Growing and diversifying the employment options in Hume.*

*Promoting Hume as a place for business attraction and investment.*

The objective of this clause is

*To facilitate economic growth and job diversity through the continued support of existing businesses and the attraction of new businesses.*

### Natural Environment and Environmental Risk (Clause 21.08)

Objectives of this Clause include:

*To protect, conserve and enhance natural heritage for biodiversity, amenity and landscape character purposes.*

*To improve the land health of the natural environment.*

*To protect water quality and ensure that water resources are managed in a sustainable way.*

*To minimise the risk to life, property and the environment from flood and bushfire*

### Industrial Local Policy (Clause 22.01)

This policy applies to land located in the Industrial 1 and Industrial 3 Zones and Commercial 2 Zoned land as nominated on Map 1 to the Policy.

The policy identifies that

*The development of land around Melbourne Airport and along the Hume Highway, Hume Freeway and Donnybrook Road for employment and business growth are key strategies of the MSS.*

The objectives of the policy include:

*To provide for a range of lot sizes to meet current and anticipated employment needs.*

## 5 Hume Planning Scheme Provisions

*To ensure that new development is well designed and will enhance the visual and streetscape amenity of the area, particularly along roads with a residential interface.*

*To discourage non-industrial uses that have a negative impact on the operation of industrial uses or would be more appropriately located within a Commercial Zone.*

*To protect significant natural and cultural heritage sites wherever possible.*

*To provide for effective stormwater management as part of new development proposals.*

*To ensure that new development along major roads such as the Hume Highway and Cooper Street enhances the appearance and function of those roads.*

*To establish and maintain a consistently high quality industry and business environment that protects and enhances the investment of those who choose to locate and work within, and the amenity of those who reside near, the City's business parks and industrial areas.*

*To create an attractive park-like setting in the City's business parks focussing on ample landscaped open areas complemented by high quality architecture and urban design.*

*To create gateway features at the intersection of Cooper Street with the Hume Highway to identify the Cooper Street precinct.*

*To create a consistent built form and landscaping character along Cooper Street.*

The policy also provides requirements for subdivision design, building setbacks, architecture, building materials and finishes, fencing, car parking and access, storage and disposal of waste, lighting and landscaping.

### Industrial Stormwater Management Policy (Clause 22.19)

This policy applies to applications for subdivision for industry and warehouse. The objectives of this policy are:

*To promote the use of water sensitive urban design, including stormwater re-use.*

*To mitigate the detrimental effect of development on downstream waterways.*

*To apply best practice stormwater management to industrial development and subdivision.*

*To minimise peak stormwater flows and stormwater pollutants to improve the health of water bodies.*

## 5 Hume Planning Scheme Provisions

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*To reintegrate urban water into the landscape.*

*To ensure that ongoing management practices will prevent materials and waste from reaching groundwater and stormwater drains.*

These policies have been considered in the preparation of the proposed planning scheme amendment and subdivision. An assessment of relevant matters is provided in Section 6 of this report.

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### 5.3 Zoning

Most of the subject site is in the Farming Zone (FZ). A small portion of the land is in the Public Use Zone – Service and Utility.

The purpose of the Farming Zone (FZ) is:

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

*To provide for the use of land for agriculture.*

*To encourage the retention of productive agricultural land.*

*To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.*

*To encourage the retention of employment and population to support rural communities.*

*To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.*

*To provide for the use and development of land for the specific purposes identified in a schedule to this zone.*

The purpose of the Public Use Zone – Service and Utility (PUZ) is:

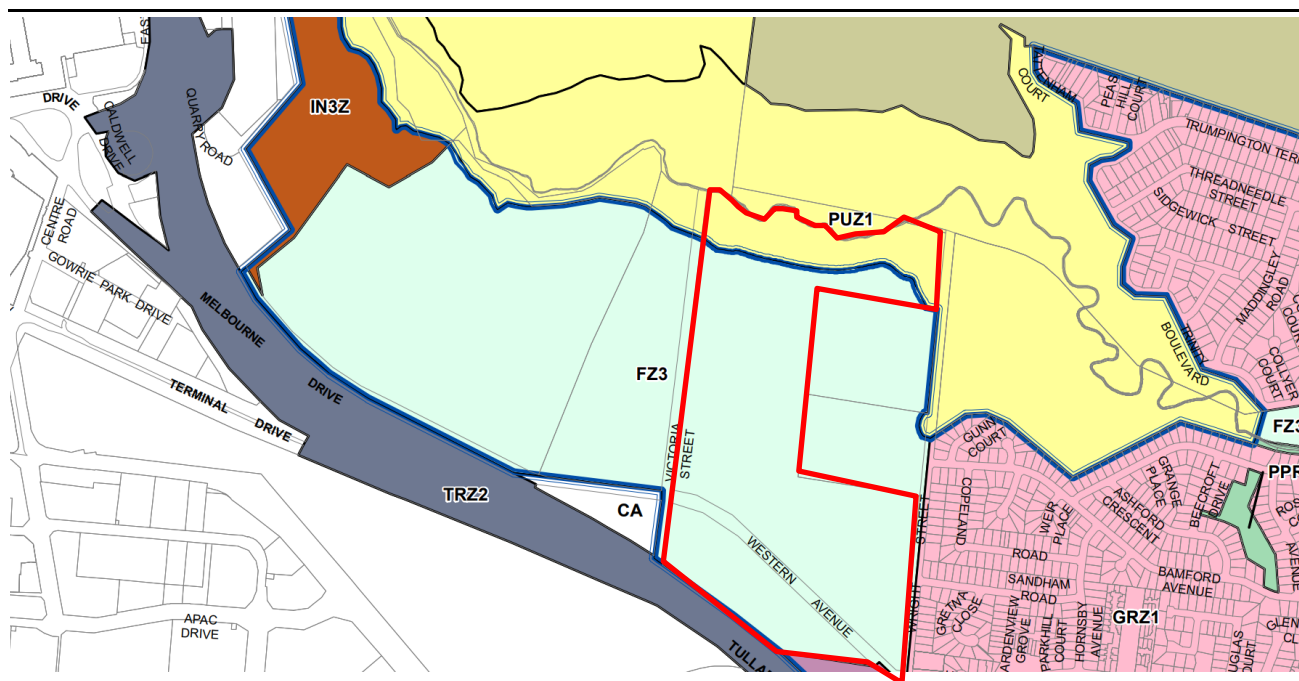
*To implement the Municipal Planning Strategy and the Planning Policy Framework.*

*To recognise public land use for public utility and community services and facilities.*

*To provide for associated uses that are consistent with the intent of the public land reservation or purpose.*

Clause 36.01-6 lists the purpose of public land shown as PUZ1 as ‘service and utility’. The inclusion of this zone on private land is an anomaly.

## 5 Hume Planning Scheme Provisions

5.4  
Overlays

The subject site is affected by the following overlays:

- *Environmental Significance Overlay (part)*
- *Environmental Audit Overlay (part)*
- *Land Subject to Inundation Overlay (part)*
- *Melbourne Airport Environs Overlay (part)*

## 5 Hume Planning Scheme Provisions

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### Environmental Significance Overlay

The northern portion of the site is affected by the ESO2. Schedule 2 to the Environmental Significance Overlay relates to the Merri Creek and Moonee Ponds Creek and Environs

The environmental objectives to be achieved are:

#### Ecological Function

*To restore and revitalise the creeks and adjoining open space to a more natural and ecologically diverse environment.*

*To ensure the health and vitality of the natural systems of the creeks and their environs.*

*To protect and enhance the diversity, integrity and health of the local native riparian, escarpment and plains vegetation associated with the creeks.*

*To ensure the suitability of the riparian, escarpment and plains vegetation habitat and in-stream habitats for local native animals.*

*To improve the water quality of the creek.*

*To provide for the retention, restoration and revegetation of local native plant species.*

#### Waterway function

*To sustain flood, regional drainage and waterway*

*To improve flood mitigation, drainage works and water quality through the creation of more natural bed and bank treatments where these have been modified from the natural.*

#### Recreation use

*To create a peaceful, passive open space quality in the creek parkland and valley.*

*To provide a linear open space link, including the provision of a shared pedestrian and cycle use path along one side of the waterway corridor.*

*To provide for links, views and access from surrounding areas to the creeks and open space.*

## 5 Hume Planning Scheme Provisions

### Landscape character

*To protect and enhance the natural and visual character of the waterway corridor.*

*To ensure that the scenic qualities and visual character of the waterway corridor are not compromised by the inappropriate siting of buildings, the placement of fill, or lack of screening vegetation.*

*To restore those sections of the waterway corridor which have been man modified to create artificial bed, banks and landforms to more natural, visually attractive and ecologically diverse landscapes.*

### Heritage

*To protect areas of sensitivity for Aboriginal heritage.*

*To protect natural landforms and geological features.*

Figure 5.2  
Environmental Significance Overlay

Source Planning Schemes Online



## 5 Hume Planning Scheme Provisions

### Environmental Audit Overlay

The Environmental Audit Overlay applies to part of the site to the north of Western Avenue.

The purpose of the overlay is

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

*To ensure that potentially contaminated land is suitable for a use which could be significantly adversely affected by any contamination.*

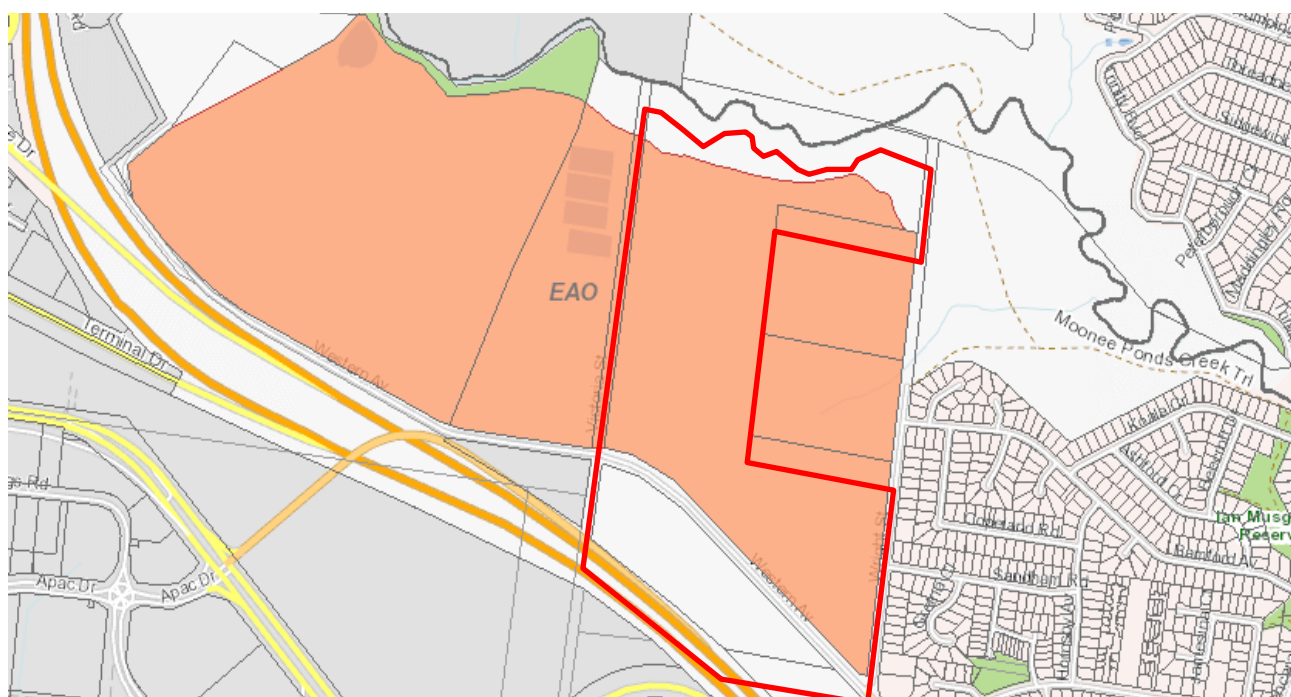
Before a sensitive use (residential use, child care centre, pre-school centre or primary school) commences or before the construction or carrying out of buildings and works in association with a sensitive use commences, either:

*A certificate of environmental audit must be issued for the land in accordance with Part IXD of the Environment Protection Act 1970, or*

*An environmental auditor appointed under the Environment Protection Act 1970 must make a statement in accordance with Part IXD of that Act that the environmental conditions of the land are suitable for the sensitive use.*

Figure 5.3  
Environmental Audit Overlay

Source Planning Schemes Online



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## 5 Hume Planning Scheme Provisions

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### Land Subject to Inundation Overlay

The land subject to inundation overlay affects a small area on the northern boundary of the subject site. The purpose of the Overlay is:

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

*To identify land in a flood storage or flood fringe area affected by the 1 in 100 year flood or any other area determined by the floodplain management authority.*

*To ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, is compatible with the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.*

*To reflect any declaration under Division 4 of Part 10 of the Water Act, 1989 where a declaration has been made.*

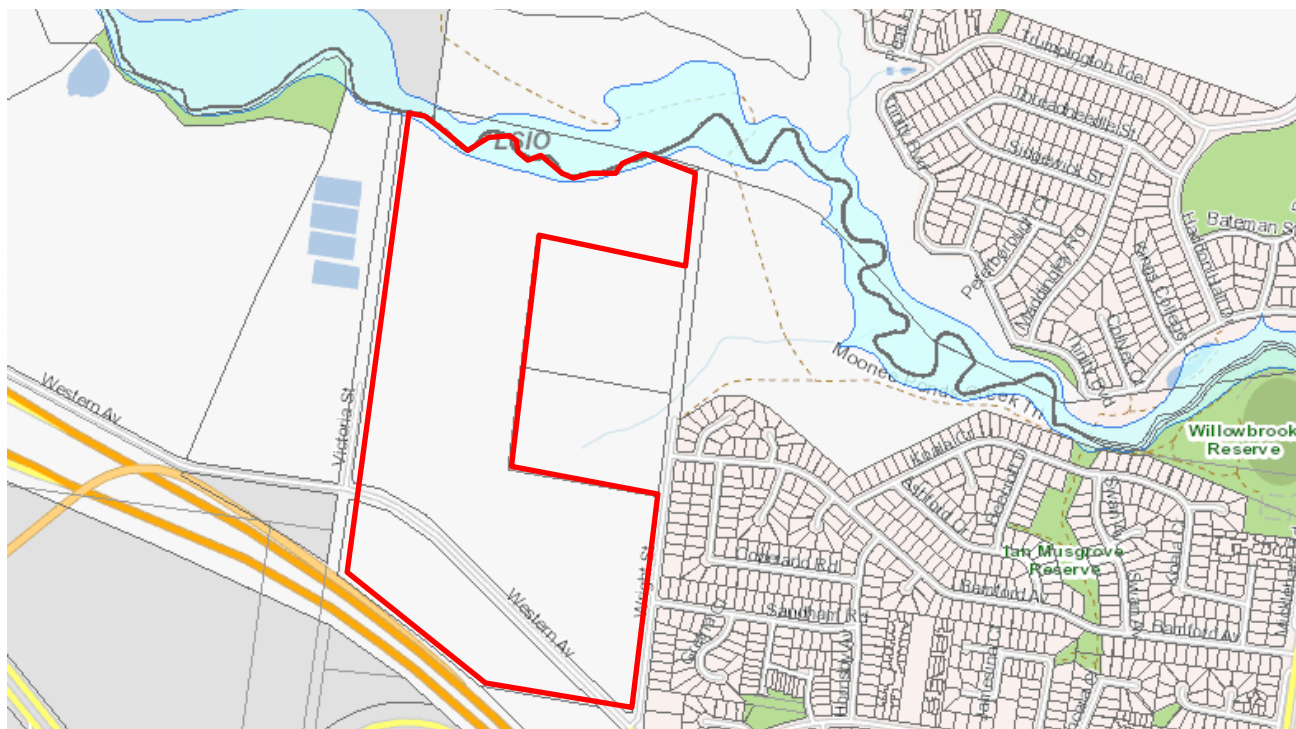
*To protect water quality in accordance with the provisions of relevant State Environment Protection Policies, particularly in accordance with Clauses 33 and 35 of the State Environment Protection Policy (Waters of Victoria).*

*To ensure that development maintains or improves river and wetland health, waterway protection and flood plain health.*

## 5 Hume Planning Scheme Provisions

Figure 5.4  
Land Subject to Inundation Overlay

Source Planning Schemes Online



### 5.5 Melbourne Airport Environs Overlay

The Melbourne Airport Environs Overlay (MAEO2) applies to part of the land.

The purpose of the MAEO2 is:

*To identify areas that are or will be subject to moderate levels of aircraft noise based on the 20-25 Australian Noise Exposure Forecast (ANEF) contours and to limit use and development to that which is appropriate to that level of exposure.*

A permit is required to subdivide land.

Each lot must be at least 300sqm unless the following is met:

*A permit may be granted to create smaller lots:*

- *If the responsible authority is satisfied the lots will not be used for Accommodation; or*
- *Provided the average area of all lots is not less than 300 square metres. An agreement under Section 173 of the Act must be entered into with the owner of each lot created which ensures that the land may not be further subdivided.*

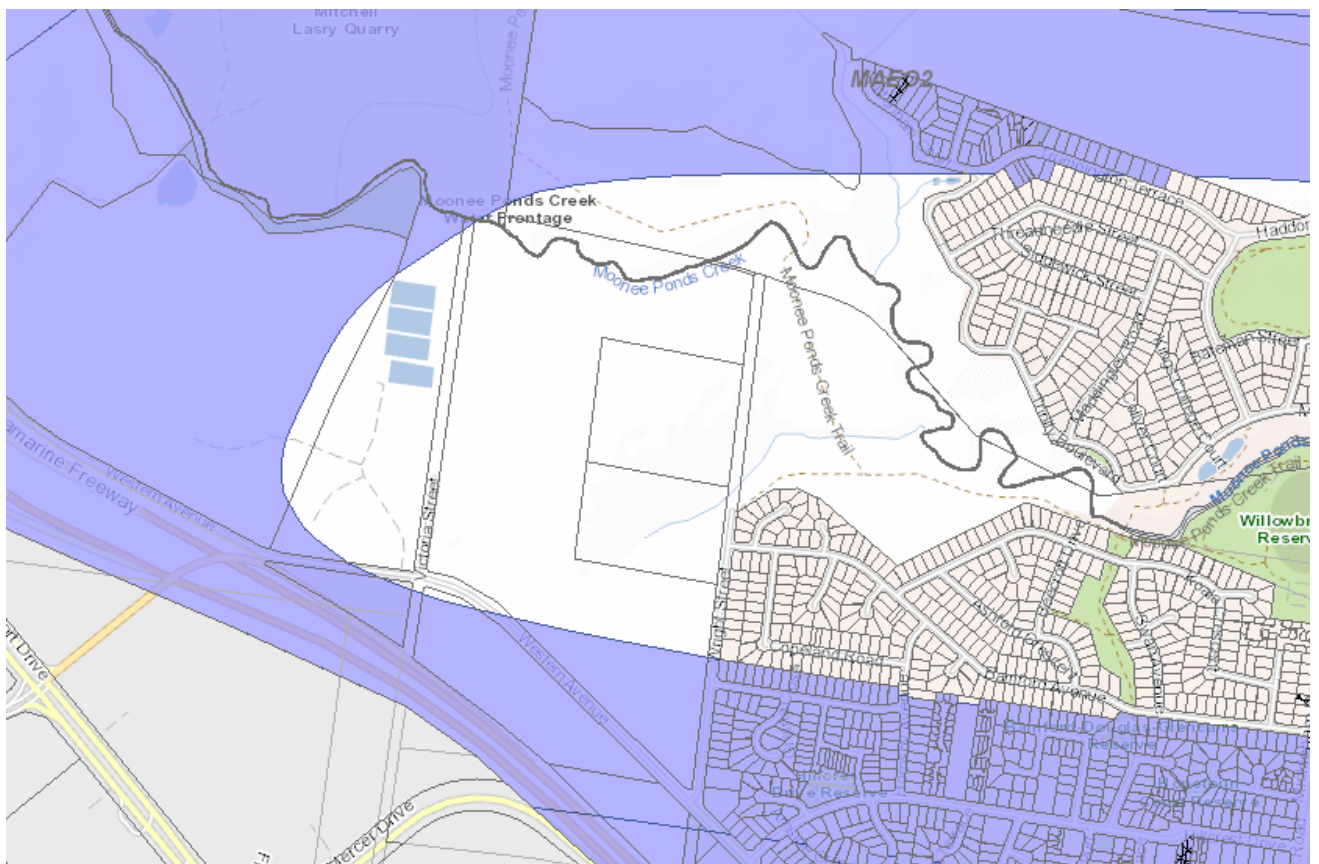
*The above lot size provisions do not apply to the subdivision of land in respect of which a permit was granted before the date of*

## 5 Hume Planning Scheme Provisions

*commencement of Amendment VC173 to allow the development of that land so long as the form of the subdivision is consistent with the permitted development.*

Figure 5.5  
Melbourne Airport Environs Overlay

Source: Planning Schemes Online



### 5.6 Particular and General Provisions

The following particular provisions are relevant to the proposed planning scheme amendment and subdivision.

- Native Vegetation (Clause 52.17);
- Land adjacent to the principal road network (Clause 52.29);
- Post Boxes and Dry Stone Walls (Clause 52.33);
- Public Open Space Contribution and Subdivision (Clause 53.01); and
- Stormwater Management in Urban Development (Clause 53.18).

## 5 Hume Planning Scheme Provisions

### 5.7 Hume Corridor HIGAP Spatial Strategy and Delivery Strategy, 2015

The Hume Corridor HIGAP Spatial Strategy and Delivery Strategy, Hume City Council, 2015 is a reference document to the Hume Planning Scheme.

The subject site is located within an 'Area of Change'.

Table 3.6 – Major Transport Infrastructure Upgrades shows the Attwood Connector, a new state arterial road with dedicated bus way proposed to the west of the subject site. This arterial road will provide a link between Pascoe Value Road and the airport. Refer to previous note in Section 5.2 regarding the status of this road proposal.

The Attwood Connector (and Aitken Boulevard) are further described as:

*Aitken Boulevard and Attwood Connector are particularly important and beneficial to future additions to the road and public transport. Whilst costly to deliver, they will link existing and future residential communities in Roxburgh Park, Craigieburn, Merrifield, and Beveridge to employment and services opportunities in Merrifield, Craigieburn Town Centre, Broadmeadows and Melbourne Airport. They will reduce traffic congestion significantly from Pascoe Vale Road, Mickleham Road and Somerton Road and maintain or reduce travel time.*

*Hume Corridor are poorly served by the Craigieburn and Upfield Train lines. These new roads, with potential for a dedicated bus lane, have the potential to offer a comparably quick and direct level of service as trains. Transport Assessments has shown that buses utilising these roads from Wallan to Broadmeadows and to Melbourne Airport could carry over 15,000 passengers a day by 2026 and ultimately over 45,000 passengers a day. They are particularly important for managing travel demand within the Hume Corridor.*

### 5.8 Other Considerations

#### Melbourne Industrial and Commercial Land Use Plan 2020

The Melbourne Industrial and Commercial Land Use Plan builds on the relevant policies and actions of Plan Melbourne 2017-2050

The Plan provides an overview of current and future needs for industrial and commercial land across metropolitan Melbourne. The Plan shows the subject land as 'urban area'.

# 6 Planning Assessment – Proposed Planning Scheme Amendment

## 6.1 Purpose of the Amendment

The proposed amendment to the Hume Planning Scheme is required in order to:

- Rezone part of the land to the Industrial 3 Zone (INZ3);
- Rezone the proposed public open space reserve to Public Park and Recreation Zone;
- Maintain the balance of the land as currently zoned which will facilitate the proposed utility installation (bioretention area) remaining within the Public Use Zone;
- Allow for planning permits are required for subdivision, construction and use of a utility installation (stormwater bioretention area), part removal of a dry stone wall, removal of native vegetation, use and development for a utility installation (data centre) and warehouses and a reduction in the car parking requirements.

These specific proposals are addressed in Section 7 of this report.

## 6.2 Policy Considerations

### Planning Policy Framework

The Planning Policy Framework (PPF) identifies a set of land use and development planning principles for Victoria and outlines specific policies each with its own set of objectives and strategies.

The amendment advances the following provisions of the PPF, inter alia:

- The amendment facilitates the use of vacant land within the Urban Growth Boundary (Clause 11.02-1S).
- Environmental Audits have been undertaken on the amendment land. The views of the EPA have been obtained (Clause 13.04-1S).
- The amendment utilises the INZ3 to provide an appropriate buffer to residential use and ensure that off site amenity impacts are considered in future planning applications
- A Cultural Heritage Management Plan (CHMP) has been prepared for the land at 140-204 Western Avenue.
- The amendment facilitates the supply of industrial land within an existing employment area that is well connected to supporting infrastructure. The proposal for the industrial precinct includes a range of lot sizes that will attract a diverse range of businesses and investment opportunities (Clause 17.01-01S and Clause 17.03-1S).
- The amendment has been informed by a Stormwater Management Strategy (Clause 19.03-3S).

### Local Planning Policy Framework



## 6 Planning Assessment – Proposed Planning Scheme Amendment

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The amendment advances the following provisions of the LPPF (Local Planning Policy Framework) including the Municipal Strategic Statement and the relevant local planning policy as follows:

### Clause 21.01-3 – Municipal Profile

The amendment implements the strategic planning aim and land use and development vision by:

- Confirming a long-term and appropriate land use for the buffer land between the Tullamarine Closed Landfill and existing Westmeadows residential area.
- Providing employment land within the Melbourne Airport transport gateway on vacant and underutilised urban land.
- Protecting cultural and environmental heritage.
- Providing increased and enhanced public open space and continuous public access along the Moonee Ponds Creek
- Ensuring the land is developed in a logical and efficient manner.

### Clause 21.02-2 Hume Corridor

This clause seeks to plan for and enable large scale change and increase the number and diversity of jobs in the Hume Corridor, and reinforce the role of Melbourne Airport as one of Victoria's key economic assets. This will all be achieved by the amendment.

The proposed planning permits for the use and development of the land for a data centre, warehouse and offices will contribute to facilitating a greater diversity of employment opportunities for businesses seeking close proximity to the freeway and airport.

### Clause 21.06 – Economic Development

The amendment and proposed planning permits support economic growth and job diversity through the provision of a range of industrial lots in proximity to Melbourne Airport, a designated Transport Gateway.

### Clause 21.07-1 Connectivity and Choice

The industrial land will benefit from proximity to the Tullamarine Freeway to the south and connectivity to the Hume Highway corridor to the east. The proposed road layout within the industrial precinct provides a permeable and legible street network which links to Mickleham Road via Western Avenue.

Conditions proposed in the subdivision approval include requirements to upgrade the intersection of Mickleham Road and Western Avenue with a suite of works agreed to improve the function of the intersection.

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### Clause 21.08-1 Natural Heritage

The proposal has been informed by ecological and biodiversity assessments.

The proposed multi-lot subdivision includes the creation of an area for Public Open Space adjacent to the Moonee Ponds Creek together with stormwater infrastructure.

The Biodiversity Assessment prepared by Ecology and Heritage Partners concludes that:

- The study area contains approximately 9.978 hectares of native vegetation and one native scattered tree.
- No species or ecological communities of national significance were recorded within the study area during targeted surveys.
- One ecological community of state significance was recorded within the study area. (Western (Basalt) Plains Grasslands Community)
- The proposed stormwater wetland site is subject to an ESO. This area is also covered by a BioSite of regional significance.
- Further requirements associated with the development of the study area are listed at Table 9.

### Industrial Local Policy (Clause 22.01)

The policy seeks to enhance the design and amenity of industrial areas in Hume by providing guidance on subdivision layout, building setbacks, architecture, building materials and finishes, landscaping, fencing, car parking and access, storage and disposal of waste.

The proposed warehouses and subdivision layout respond to the Tullamarine Freeway interface in addition to providing an appropriate future streetscape for the industrial subdivision.

### Industrial Stormwater Management Policy (Clause 22.19)

The amendment has been informed by a Stormwater Management Strategy prepared by Dalton Consulting Engineers. The proposed stormwater system for the land incorporates a sedimentation basin and terraced bioretention system located in the northeast corner of the site, adjacent to Moonee Ponds Creek.

The report concludes:

*The 39.5 hectare subject site will comprise industrial development. The subject site drains directly to Moonee Ponds Creek, and the development must manage stormwater such that the high-value waterway is protected.*

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*In minor events, up to 10% AEP event the underground drainage network will safely convey stormwater from the proposed development to the proposed stormwater quality treatment infrastructure and thence to Moonee Ponds Creek via a single outlet. The detail of the creek connection will be finalised in detailed design.*

*In major events, up to and including the 1% AEP event, when the capacity of the minor drainage network is exceeded, safe overland flow paths will be provided. Major event flows from the developed site will be conveyed either through the future road network, underground drains, the existing road east of the subject site – Wright Street, and through reserves and open space areas.*

*Development of the subject site must ensure that stormwater is treated to best practice standards prior to being discharged to Moonee Ponds Creek. A GPT, sediment basin and terraced bioretention system incorporating retaining walls is proposed to fit the unique location and topography of the subject site. The concept design of the stormwater quality treatment has been informed by MUSIC modelling.*

*This stormwater drainage and management strategy has been developed in accordance with Hume City Council, Melbourne Water and EDCM (GAA, 2011) guidelines. This strategy incorporates concept drainage designs and will be refined further during detailed design.*

### 6.3 Proposed Zone

#### Change to Zoning

The rezoning of part of the land currently within the Farming Zone to the **Industrial 3 Zone (INZ3)** is appropriate given that the land is:

- Within an existing major employment area;
- Proximate to a State Significant Transport Gateway (Melbourne Airport); and
- Within a Principal Public Transport Network area (bus).

The purpose of the Industrial 3 Zone is:

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

*To provide for industries and associated uses in specific areas where special consideration of the nature and impacts of industrial uses is required or to avoid inter-industry conflict.*

*To provide a buffer between the Industrial 1 Zone or Industrial 2 Zone and local communities, which allows for industries and associated uses compatible with the nearby community.*

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*To allow limited retail opportunities including convenience shops, small scale supermarkets and associated shops in appropriate locations.*

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

### Overlays

#### Environmental Significance Overlay (ESO)

The amendment will not affect the ESO in relation to the northern and eastern portion of the subject site. Schedule 2 to the ESO relates to 'Merri Creek and Moonee Ponds Creek and Environs'. This overlay presently includes a requirement for a planning permit for buildings and works, bicycle pathways, subdivision of the land and to remove native vegetation (some exemptions apply).

#### Environmental Audit Overlay (EAO)

The EAO requires that before a sensitive use (i.e., residential use) commences or before the construction or carrying out of buildings and works in association with a sensitive use commences, either:

*A certificate of environmental audit must be issued for the land in accordance with Part IXD of the Environment Protection Act 1970 or*

*An environmental auditor appointed under the Environment Protection Act 1970 must make a statement in accordance with Part IXD of that Act that the environmental conditions of the land are suitable for the sensitive use.*

An environmental summary report prepared by Senversa (dated 13 July 2022) provides a summary of the previous environmental investigation completed at the site and adjacent land.

The report (Section 4.0) refers to the land at 140-204 Western Avenue and states:

*An S53X contaminated land environmental audit was completed by Mr Anthony Lane in February 2014. As part of the audit, the auditor issued a Statement of Environmental Audit (SoEA). The audit was completed voluntarily. The SoEA confirms that the site is suitable for the following uses:*

- *Agricultural uses.*
- *Sensitive uses (high density and other)\*.*
- *Recreation and open space uses.*
- *Commercial uses.*
- *Industrial uses.*

*The uses for the site deemed suitable by the auditor in issuing the SoEA are subject to two conditions that relate to contaminated groundwater*

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*at the site (not related to site activities, but rather, related for the activities of the Tullamarine Closed Landfill), being:*

- *No extraction of groundwater at the site for potable mineral water supply, agricultural uses, parks and garden uses, stock watering, industrial uses and primary contact recreation uses (e.g. swimming); and*
- *A number of the existing groundwater monitoring wells must be maintained and remain accessible for the purpose of ongoing monitoring by the party responsible for the aftercare of the Tullamarine Closed Landfill.*

*The conditions of the SoEA are still applicable. These conditions are considered acceptable and reasonable and commonly apply to many mixed use sites.*

The report concludes:

*In summary, the findings of the various investigations at the Tullamarine Closed Landfill, Western Lands and Wright Street parcels confirm low risk and has not identified any constraints that would preclude the development proposed. The statutory contaminated land environmental audit for the Western Lands confirm suitability of the site for use. The Tullamarine Closed Landfill is subject to ongoing aftercare management. For the Wright Street parcels, there is an environmental audit currently underway and the preliminary and detailed site investigations have confirmed low overall risk, with a plan for clean up of minor wastes scheduled to be completed.*

The Environmental Audit Report and Statement of Environmental Audit (dated February 2014) and the Preliminary Environmental Site Assessment (dated 7 June 2019) prepared by Senversa, accompany this amendment request.

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#### 6.4 Ministerial Direction

The proposed planning scheme amendment responds to:

##### **Ministerial Direction 11 – Strategic Assessment of Amendments**

- Why is an amendment required?

The Amendment is required to facilitate the subdivision, use and development of land at 140-204 Western Avenue, Westmeadows consistent with State policy which seeks to deliver new employment opportunities and support industry in appropriate locations.

- How does the amendment implement the objectives of planning in Victoria?

The amendment implements the following objectives contained in Section 4(1) of the Planning and Environment Act 1987:

- *to provide for the fair, orderly, economic and sustainable use, and development of land;*

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- *to secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria;*
  - *to protect public utilities and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community*
  - *to facilitate development in accordance with the objectives set out in paragraphs (a), (b), (c), (d) and (e);*
  - *to balance the present and future interests of all Victorians.*

The amendment implements the objectives listed above by providing an orderly and sustainable use and development of land that has been identified as suitable for industrial development.

The amendment will:

- Provide for the rezoning of the land from part Farming Zone and Public Use Zone to the Industrial 3 Zone which is consistent with the long term objectives for land in proximity to Melbourne Airport and the arterial road network.
  - Facilitate the development of land that will provide pleasant, safe and efficient working environments for Victorians and visitors to Victoria.
  - Provides for the formal protection of land adjacent to Moonee Ponds Creek via the creation of a large public open space reserve.
  - Balances the present and future interests of Victorians by providing for employment generating uses within the existing urban area.
- How does the amendment address any environmental, social and economic effects?

### **Environmental Effects**

Environmental assessment and audits have been carried out to confirm satisfactory environmental conditions of land adjacent to a former landfill. The audit concluded for the land at 140-204 Western Avenue that the site is suitable for industrial and sensitive uses subject to a number of restrictions and on-going monitoring.

### **Social Effects**

The proposed outcomes are anticipated to generate a positive social impact for the City of Hume and surrounding areas. The proposal provides additional industrial land within a designated employment area, creating employment opportunities.

The provision of public open space along the Moonee Ponds Creek would provide new passive recreation opportunities and connections to the existing pedestrian paths and Moonee Ponds Creek Trail.

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### Economic Effects

The proposed amendment would attract investment for the development of currently vacant land and facilitate employment opportunities once developed.

- How does the amendment address any relevant bushfire risk?

The land is not within the Bushfire Management Overlay but is within a designated Bushfire Prone Area. Future development of the land would incorporate the necessary bushfire protection infrastructure and that future buildings would be constructed in accordance with the requirements of the Building Code of Australia and the Building Regulations, 2006.

- Does the amendment comply with the requirements of any other Minister's Direction applicable to the amendment?

#### Direction No. 1: Potentially Contaminated Land

An Environmental Audit of 140-204 Western Avenue has been completed and a Statement of Environmental Audit has been issued. The Audit concludes that the land can be developed for industrial and sensitive land uses, subject to restrictions and conditions.

#### Direction No. 9 Metropolitan Planning Strategy

The proposed amendment would facilitate the development of land within the urban growth boundary of Metropolitan Melbourne. In particular, the proposed amendment responds to Metropolitan Planning Strategy:

Policy 1.1.5 'Support major transport gateways as important locations for employment and economic activity' by providing industrial land within the Melbourne Airport corridor.

Policy 1.1.6 'Plan for industrial land in the right locations to support employment and investment opportunities' by contributing to the supply of industrial land near transport gateways.

Policy 2.1.2 'Support new housing in activity centres and other places that offer good access to jobs, services and public transport' in ensuring a range of new housing options adjacent to an established residential area proximate to Melbourne Airport, one of the largest employment generators in Melbourne.

Policy 2.4.2 'Facilitate the remediation of contaminated land, particularly on sites in developed areas of Melbourne with potential for residential development' in ensuring the necessary audits and assessments are undertaken within the buffer land adjacent to the closed Tullamarine landfill.

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### Direction No. 11 Strategic Assessment of Amendments

This direction seeks to ensure a comprehensive strategic evaluation of a planning scheme amendment. This report addresses the requirements outlined in this Direction.

### Direction No. 19 - The Preparation and Content of Amendments that may Significantly Impact the Environment, Amenity and Human Health

The purpose of this direction is to require planning authorities to seek the views of the Environment Protection Authority (EPA) in the preparation of planning scheme reviews and amendments that could result in use or development of land that may result in significant impacts on the environment, amenity and human health due to pollution and waste.

The EPA has previously indicated no objection to the proposed rezoning.

- How does the amendment support or implement the Planning Policy Framework and any adopted State policy?

Refer to Section 5 of this report.

- If the planning scheme includes a Local Planning Policy Framework, how does the amendment support or implement the Local Planning Policy Framework, and specifically the Municipal Strategic Statement?

Refer to Section 5 of this report.

- If the planning scheme includes a Municipal Planning Strategy, how does the amendment support or implement the Municipal Planning Strategy?

N/A

- Does the amendment make proper use of the Victoria Planning Provisions?

The planning framework to facilitate the delivery of the project makes proper use of the Victorian Planning Provisions.

The amendment rezones land within the urban growth boundary to allow for future employment and residential uses.

An Environmental Audit Overlay also applies to the land to ensure the land is suitable for sensitive uses.

- How does the amendment address the views of any relevant agency?

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## 6 Planning Assessment – Proposed Planning Scheme Amendment

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It is anticipated that the proposal will be referred to the relevant agencies.

- Does the amendment address the requirements of the Transport Integration Act 2010?

The Transport Integration Act 2010 requires interface bodies (including a planning authority) to have regard to the transport system objectives, the decision making principles and any applicable statement of policy principles when exercising powers and performing functions that are likely to have a significant impact on the transport system.

There do not appear to be any relevant statements of policy principles prepared under section 22 of the Transport Integration Act 2010.

# 7 Planning Permit Applications

The following provides further detail in relation to each proposed planning permit application.

## 7.1 Subdivision

This application for planning permit seeks approval for:

*Staged multi lot subdivision, construction and use of a utility installation (stormwater bioretention area), part removal fo a dry stone wall and removal of native vegetation in accordance with endorsed plans*

This application will facilitate the creation of lots, internal roads, upgrading and construction of existing roads, the construction of a terraced stormwater bioretention system, part removal of a dry stone wall and removal of native vegetation.

The proposed subdivision is detailed on the Concept Plan prepared by Landair Surveys.

### **Planning Permit Triggers**

A planning permit is required within the Industrial 3 Zone to:

- Subdivide land (Clause 33.03-3)
- Construct a building or construct or carry out works (Clause 33.03-4)
- Remove native vegetation (Clause 52.17)

### **Strategic Context**

The subject land is ideally located within an existing major employment area to provide new industrial land in proximity to Melbourne Airport (a Transport Gateway), at the southern end of the 'Hume Corridor' and existing transport infrastructure.

The proposal for the staged subdivision of the land assists in the implementation of the objectives for industrial land and infill development by providing a range of lot sizes that are anticipated to support economic activity and jobs.

The creation of new industrial zoned lots in this location supports a diversified economy by improving access to jobs close to where people live and by supporting employment and investment opportunities in a suitable location.

In designing the subdivision, the proposed lot layout integrates with the existing street network to provide for the orderly planned and developed network of roads and ease of access into and out of the area. The proposal is specifically encouraged by state 'freight links' policy which encourages complementary uses and employment generating activities adjacent to major transport gateways such as Melbourne Airport.

The proposal is located adjacent to the proposed 'Attwood Connector' road identified at Clause 21.01. While this arterial road project is not confirmed, we note the proposal will not prejudice the delivery of this project in the future.



## 7 Planning Permit Applications

The proposed lot layout also responds positively to the topographic and natural features of the land by providing considered lot layout that is informed by a Biodiversity Assessment prepared by Ecology & Heritage Partners (August 2022). The proposed lots are set back from the Moonee Ponds Creek and includes the creation of a large linear reserve for public open space along the northern boundary of the site. This assists in achieving the river corridor objectives at Clause 12.03-1S.

Matters relating to potentially contaminated land at Clause 13.04-1S are addressed by the Environmental Summary Report prepared by Senversa dated 13 July 2022. It is noted that an environmental audit has been completed for the land and a Statement of Environmental Audit has been issued that confirms the suitability of the land for a range of uses including industrial.

Aboriginal Cultural Heritage has been addressed via the preparation of a Cultural Heritage Management Plan (CHMP No. 11038 prepared by Tardis Enterprises Pty Ltd dated 5 November 2010) and the memorandum of advice prepared by Cultural Heritage Management Group dated 23 August 2022.

### **Proposed Works**

The proposal includes the creation of a tiered stormwater bioretention system at the north-east corner of the land.

The Industrial Local Policy at Clause 22.01 applies to land included in the Industrial 1 and Industrial 3 Zones and is considered relevant to the consideration of these applications for planning permit which are intended to be located on Industrial 3 land once rezoned.

The following provides a response to each of the relevant policies at Clause 22.01:

### **Subdivision design**

<b>Policy</b>	<b>Response</b>
New subdivisions should provide a range of lot sizes that cater for different types of employment uses.	The proposal seeks to provide a range of lot sizes from 1321sqm to 3.011ha that are capable of accommodating a range of employment generating uses.
Subdivisions should be designed so that natural heritage sites become a feature or focus of the development, rather than backing onto these sites.	The proposed subdivision provides generous setbacks to the Moonee Ponds Creek which allows for the creation of a large public open space reserve and drainage reserve.
New lots should: <ul style="list-style-type: none"> <li>• be at least 4000 square metres in area, where</li> </ul>	The proposed subdivision layout includes:

## 7 Planning Permit Applications

<p>adjoining a road included in a Road Zone.</p> <ul style="list-style-type: none"> <li>• be at least 800 square metres in area, where adjoining any other road;</li> <li>• have a frontage to a road that is at least 21.2 metres wide; and</li> <li>• have a depth of at least 30 metres.</li> </ul>	<ul style="list-style-type: none"> <li>• larger lots (greater than 8662sqm) closest to the Tullamarine Freeway. These lots are separated from the road reserve by a new internal road.</li> <li>• All lots greater than 800sqm.</li> <li>• All lots with frontage to a road that is greater than 21.2m wide. We note that Lot 22 is a corner lot with frontages of at least 21.0 and 44.9m to Road A.</li> <li>• All lots with a depth of greater than 30m.</li> </ul>
<p>A clutter of small allotments along major road frontages or adjacent to non-industrial zones are discouraged.</p>	<p>The proposal includes larger lots towards the Tullamarine Freeway that are proposed to be developed into three warehouses via a separate planning permit application.</p> <p>Proposed lots along the eastern boundary of the site have been designed to provide a landscaped interface to existing residential properties. This is achieved via the introduction of building envelopes that restrict development fronting Wright Street and a 0.3m Tree Reserve along the Wright Street boundary which ensures Lots 4-7 do not have frontage to the road reserve.</p> <p>The Landscape Masterplan prepared by Tract that accompanies the application includes a 40m landscape buffer (inclusive of a 10m planted buffer and fence) to the eastern boundary. This is provided in addition to the naturestrips and road pavement that separate the subject land from existing residential properties.</p>

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	Smaller lots are located towards the centre of the subject land and front a new internal road.
Large, 'prestigious' style lots should be located on service roads along roads in a Road Zone.	<p>The frontage to Tullamarine Freeway is proposed to accommodate two larger lots which will facilitate development fronting a new road which will be directly visible from the freeway.</p> <p>Other larger lots within the proposed subdivision are designed to accommodate a range of built form and land use types and lots with suitable topography for future development.</p> <p>In this regard we note the two larger lots towards the northern site boundary incorporate a significant fall towards the Moonee Ponds Creek and are not able to be developed to their full extent.</p>
High amenity, larger scale developments that will benefit from close proximity to the metropolitan freeway network and Melbourne Airport, are encouraged on Annandale Road.	N/A

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### **ESD and Industrial Stormwater**

A Stormwater Management Strategy has been prepared by Dalton Consulting Engineers for the proposed subdivision.

The report confirms the capability of the site to manage stormwater and identifies the need for a GPT, sediment basin and terraced bioretention system incorporating retaining walls to fit the unique location and topography of the subject site.

Melbourne Water has been consulted and has confirmed it is acceptable for the bioretention system to be constructed in the proposed location.

Separate Sustainability Management Plans (SMP) have been prepared by Sustainable Development Consultants for the proposed warehouse and data centre applications.

### **Traffic**

The Traffic and Transport Assessment prepared by Impact confirms the suitability of the proposed road network and identifies works required to:

- extend/upgrade Western Avenue.
- upgrade the intersection of Western Avenue/Mickleham Road and Mickleham Road/Broadmeadows Road roundabout.

The proposal has been designed to accommodate larger vehicles up to 26m B-doubles.

### **Decision Guidelines (Clause 65.02)**

The following provides an assessment of the proposed subdivision having regard to the decision guidelines for applications to subdivide land:

Decision Guideline	Response
The suitability of the land for subdivision.	<p>The land is considered suitable for subdivision having regard to its location, proximity to a major transport gateway (Melbourne Airport), access to existing freight networks, frontages to existing roads that are capable of being upgraded to accommodate anticipated vehicle movements and availability of reticulated services.</p> <p>In addition, environmental, cultural heritage and stormwater management considerations have been reviewed. The application is</p>

## 7 Planning Permit Applications

	accompanied by technical reports relating to these areas.
The existing use and possible future development of the land and nearby land.	The land is currently vacant and is proposed to be used for a range of industrial uses in accordance with the proposed Industrial 3 Zone.  Nearby land is anticipated to continue to be used for industrial, residential and conservation/open space uses.
The availability of subdivided land in the locality, and the need for the creation of further lots.	The proposed subdivision will provide a variety of lot sizes to cater for anticipated demand.
The effect of development on the use or development of other land which has a common means of drainage.	Refer to the Stormwater Management Strategy prepared by Dalton Consulting Engineers for the proposed subdivision.
The subdivision pattern having regard to the physical characteristics of the land including existing vegetation.	The proposed subdivision has been designed having regard to the topography of the land, the existing road frontages and the protection of existing vegetation via the creation of a public open space reserve along the Moonee Ponds Creek.
The density of the proposed development.	The proposed subdivision creates 34 new lots, a public open space reserve and a drainage reserve.  The proposed lot density is considered appropriate in this location.
The area and dimensions of each lot in the subdivision.	The proposed lot areas and dimensions have been designed to provides lots capable of meeting market demand.
The layout of roads having regard to their function and relationship to existing roads.	The proposed road network has been assessed by Impact. Please refer to the accompanying Traffic Impact Assessment for further detail.
The movement of pedestrians and vehicles throughout the subdivision and the ease of access to all lots.	As above.

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The provision and location of reserves for public open space and other community facilities.	The proposed subdivision includes the creation of a large public open space reserve adjacent to the Moonee Ponds Creek.
The staging of the subdivision.	The proposal seeks approval for the staged subdivision of the land.  It is anticipated that detailed staging plans, including the proposed ordering of stages can be provided by way of planning permit condition.
The design and siting of buildings having regard to safety and the risk of spread of fire.	N/A
The provision of off-street parking.	All lots are of sufficient size to accommodate off-street parking.
The provision and location of common property.	Common property is not proposed.
The functions of any body corporate.	N/A
The availability and provision of utility services, including water, sewerage, drainage, electricity and gas.	The Infrastructure Servicing Report prepared by Dalton Consulting Engineers that accompanies the application confirms the availability of services to the site including water, sewerage, electricity and gas.  Details relating to Stormwater Management are contained within the Stormwater Management Strategy prepared by Dalton Consulting Engineers for the proposed subdivision.
If the land is not sewered and no provision has been made for the land to be sewered, the capacity of the land to treat and retain all sewage and sullage within the boundaries of each lot.	N/A
Whether, in relation to subdivision plans, native vegetation can be protected through subdivision and siting of open space areas.	Refer to the Biodiversity Assessment prepared by Ecology & Heritage Partners that accompanies the application.

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The impact the development will have on the current and future development and operation of the transport system.	Refer to the Transport Impact Assessment prepared by Impact that accompanies the application.
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### 7.2 Warehouses

This application for planning permit seeks approval for:

*Staged development of the land for use as warehouse and a reduction in the car parking requirements generally in accordance with the endorsed plans.*

This application will facilitate the development of three new warehouses.

The proposed development is detailed on the plans prepared by Watson Young Architects.

#### **Planning Permit Triggers**

A planning permit is required within the Industrial 3 Zone to:

- Construct a building or construct or carry out works (Clause 33.03-4)
- Reduce the number of car parking spaces required (Clause 52.06-3)

A planning permit is not required to use the proposed buildings for a 'Warehouse' unless the 'Section 1' requirements contained within the IN3Z are not met.

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### Strategic Context

The establishment of new employment generating uses such as warehouses is encouraged by both State and local planning policy in locations that have excellent access to the metropolitan freeway network and Melbourne Airport.

The development of the land for three new warehouses assists in implementing objectives relating to growth of employment generating uses and business by providing well designed, functional warehouses that are anticipated to meet market demand.

### Buildings and Works

The proposal includes the creation of three new warehouses, car parking, hardstand and landscaping.

The Industrial Local Policy at Clause 22.01 applies to land included in the Industrial 1 and Industrial 3 Zones and is considered relevant to the consideration of these applications for planning permit which are intended to be located on Industrial 3 land once rezoned.

The following provides a response to each of the relevant policies at Clause 22.01:

#### Building setbacks

Policy	Response
<p>New developments should be setback:</p> <p>6 metres (including a 3 metre landscape strip) plus 0.5 metre per 1000 square metres of site area above 4000 square metres to <b>any other road</b>.</p> <p>5 metres (including a 1.8 metre landscape strip) to <b>side boundaries</b>.</p>	<p>The proposed warehouses are set back between 16.64m and 24.54m from the proposed internal road.</p> <p>The proposed warehouses are also set back a minimum of 30.78m from the Tullamarine Freeway reservation.</p>

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Architecture

Policy	Response
Development adjacent to open space area or waterways should complement the scale and appearance of the open space area or waterway environs.	The proposed warehouses are not located adjacent to open space areas or waterways.
Buildings in Business Parks proposed for each site should seek to achieve a high standard of design.	<p>The proposed warehouses provide a high quality built form response, particularly to the southern road frontage which is visible from the Tullamarine Freeway.</p> <p>Proposed administration areas are oriented towards the south to provide an active and interesting frontage towards the Tullamarine Freeway and new internal road.</p> <p>Vehicle entries and loading areas are accessed via Western Avenue to provide efficient access and minimise unnecessary large vehicle movements through the site.</p> <p>Each building incorporates high quality façade treatment with corner elements and office spaces designed to provide a high level of interest.</p> <p>Significant landscaped areas are provided adjacent to the car park and loading areas.</p>
Outbuildings and/or ancillary installations in Business Parks should be compatible with the design theme established by primary buildings on each site.	No outbuildings are proposed.
Plant and equipment in developments in Business Parks should be concealed or, in the case of freestanding structures, appropriately screened from view.	Plant and equipment is proposed to be located within each building, on the roof (eg solar panels) or within dedicated service areas at ground level (eg fire services).
Buildings in Area A of the Northcorp Industrial Park should be designed and finished having a high regard to	N/A

## 7 Planning Permit Applications

their prominent position in Camp Road. Specifically, buildings in this Area should address this frontage and Northcorp Boulevard and/or Lakeside Drive, where relevant.	
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Building materials and finishes

Policy	Response
Buildings should be constructed in masonry or other material suited to the type of building and its use with appropriate use of glazing.	The proposed external finishes are consistent with the type and scale of warehouse proposed.  It is noted that a high level of glazing is proposed to office areas associated with each warehouse.
External walls should be painted or finished with a quality textured coating.	External walls are proposed to comprise a combination of precast concrete panels with a texture paint finish, Colorbond cladding in a variety of colours and aluminium framed glazing.  The northern façade of the warehouse buildings will contain a canopy and loading bay doors.
The use of timber as a dominant building material should be avoided	No timber finishes are proposed.
Except in the Cooper Street precinct buildings constructed of colourbond materials should be avoided.	While Colorbond finishes are proposed, a range of colours are sought to be utilised to provide visually interesting façades.
In the Cooper Street Precinct a combination of colourbond steel and precast concrete should be used. Buildings constructed of galvanised iron should be avoided unless they are adequately screened from roadways and abutting properties.	N/A

Fencing

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Policy	Response
Fencing along the frontage of a site should be low, designed to have a high degree of transparency and be located behind the front landscape setback.	No front fencing is proposed to the frontages of each warehouse.
Side and rear boundary fences should be black plastic coated cyclone wire.	1800mm high black vinyl coated cyclone fencing is proposed to the loading areas.
In the Cooper Street Precinct security fencing should be black chainmesh or steel. Screen fencing should be solid timber, 'earthy' coloured colourbond steel fencing is discouraged.	N/A

Car Parking and Access

Policy	Response
A 1.5 metre wide landscaped area should be provided between car parking and buildings/side property boundaries to provide a visual contrast and ensure safe vehicular movements.	
Large areas set aside for car parking should be provided with landscape islands to allow the planting of shade trees and shrubs.	
A minimum of one (1) shade tree must be provided for every 10 car parks, distributed evenly across the site to ensure maximum shade potential	<p>The Landscape Masterplan that accompanies the proposed subdivision application includes provision for new street trees in addition to any shade trees provided within the subject lot.</p> <p>The enclosed plans include provision for large landscaping areas within each premises, including areas capable of accommodating shade trees at regular intervals within the car parking areas.</p>

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All car parking areas should be provided with suitable lighting to ensure safety and security of users after dark.	Lighting can be provided to all car parking areas by way of permit condition.
Car parking areas external to buildings are encouraged to be screened and designed so as not to be visible from Vineyard Road.	N/A
Loading and servicing areas should be designed as an integral part of the development on each site.	Loading and service areas have been designed having regard to the overall functionality of each warehouse.
Land uses generating regular truck movements are to provide designated truck parking in addition to spaces provided within loading bays.	Each warehouse is provided with generous hardstand areas that are able to accommodate truck parking if required by future occupants.

Storage and disposal of waste

Policy	Response
Where possible, storage areas should be an integrated part of the design of buildings.	Storage areas have been considered as part of the overall design of each warehouse.  For details relating to waste storage, please refer to the Waste Management Plan prepared by Leigh Design that accompanies the application.
Outside storage areas should be screened and designed to prevent the proliferation of litter and other material within and beyond the site.	Each warehouse is provided within a fenced waste storage area.
Frontage setbacks should not be used to store goods, materials or waste.	Waste storage areas are located to the north side of each warehouse, within the hardstand area and within a dedicated waste enclosure.

Lighting

Policy	Response
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## 7 Planning Permit Applications

All lighting should be located, directed and baffled to limit light spill beyond the site boundaries.	The location and direction of proposed external lighting can be managed by way of permit condition.
All premises should provide external lighting to ensure adequate site security.	External lighting of each warehouse can be required by way of permit condition.

### Landscaping

Policy	Response
Landscaping is to achieve a very high quality and appropriately scaled landscape in the front setback, and is to include shade trees	<p>The application is accompanied by a Landscape Masterplan prepared by Tract.</p> <p>The Landscape Masterplan provides the overarching vision for the wider site and includes both significant street tree planting as well as concept drawings for the provision of high quality landscaping within the setbacks to each warehouse.</p>
Where buildings are not built to side and rear boundaries, a landscape screen should be established along these boundaries	Please refer to the Landscape Masterplan prepared by Tract which demonstrates the ability for the site to be suitably landscaped.

### Traffic and Car Parking

The subject site is located within the Principal Public Transport Network.

A Traffic Impact Assessment has been undertaken by Impact Consultants in relation to the car parking provision, bicycle facilities, access and loading arrangements and the impact of traffic on the existing road network.

The conclusions of this report in relation to car parking include:

- *The proposed development satisfies relevant statutory requirements as they relate to design of car parking and loading areas.*
- *Where the statutory requirements are not explicitly met, in regard to car parking provision, the development satisfies decision guidelines that allow for a reduction of the car parking requirement.*
- *There are no traffic and transport grounds that should prohibit the issue of a permit.*

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## 7 Planning Permit Applications

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### 7.3 Data Centre

This application for planning permit seeks approval for:

*Use and development of the land for a utility installation (data centre) and associated office, generally in accordance with the endorsed plans*

This application will facilitate the development of three new warehouses.

The proposed development is detailed on the plans prepared by Watson Young Architects.

#### **Planning Permit Triggers**

A planning permit is required within the Industrial 3 Zone to:

- Use part of the land for a Utility installation (data centre) (Clause 33.03-1)
- Construct a building or construct or carry out works (Clause 33.03-4)

## 7 Planning Permit Applications

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### **Strategic Context**

The establishment of a new utility installation (data centre) will provide a purpose built facility capable of meeting growing demand for an important urban infrastructure type.

Changes to Victorian Planning Schemes on 8 August 2019 (VC159) recognised a 'Data centre' as a land use nested within the broader 'Utility installation' definition.

Data centres are required to support the operation of Victoria's growing industries.

### **Land Use**

The application proposes to use the land for a Utility installation (data centre) which is a Section 2, permit required use within the Industrial 3 Zone.

The use of the land for a data centre is considered appropriate having regard to the provisions of Clause 33.03-2 which require consideration of:

- *The Municipal Planning Strategy and the Planning Policy Framework.*
  - The use of the land for a data centre will assist in implementing state-wide objectives relating to business, innovation and industry.
- *The effect that the use may have on nearby existing or proposed residential areas or other uses which are sensitive to industrial off-site effects, having regard to any comments or directions of the referral authorities.*
  - The proposal is located more than 350m from the nearest residential property and is separated by other lots within the proposed subdivision.
- *The effect that nearby industries may have on the proposed use.*
  - The proposed data centre is not close to any existing industries and is unlikely to be affected by future warehouse or industrial activity in the Industrial 3 Zone.
- *The drainage of the land.*
  - Drainage matters have been considered by Dalton Consulting Engineers as part of the subdivision of the land. Please refer to the Stormwater Management Strategy.
- *The availability of and connection to services.*
  - The Infrastructure Servicing Report prepared by Dalton Consulting Engineers that accompanies the subdivision application confirms the availability of services to the site including water, sewerage, electricity and gas.

## 7 Planning Permit Applications

- *The effect of traffic to be generated on roads.*
  - Traffic generation has been confirmed as acceptable by the Transport Impact Assessment prepared by Impact that accompanies the application.
- *The interim use of those parts of the land not required for the proposed use.*
  - N/A
- *The effect on nearby industries.*
  - The proposal is not anticipated to generate any off-site impacts to nearby industries.

### **Buildings and Works**

The proposal includes the construction of a new building to be used as a data centre, car parking and landscaping.

The Industrial Local Policy at Clause 22.01 applies to land included in the Industrial 1 and Industrial 3 Zones and is considered relevant to the consideration of this application.

The following provides a response to each of the relevant policies at Clause 22.01:

#### **Building setbacks**

<b>Policy</b>	<b>Response</b>
<p>New developments should be setback:</p> <p>6 metres (including a 3 metre landscape strip) plus 0.5 metre per 1000 square metres of site area above 4000 square metres to <b>any other road</b>.</p> <p>5 metres (including a 1.8 metre landscape strip) to <b>side boundaries</b>.</p>	<p>The proposed data centre is set back a minimum of 42.5m from the northern site boundary, 14.5m to the eastern site boundary, 35.82m from the Western Avenue frontage to the south and 11.75m to the Victoria Street frontage to the west.</p> <p>Each setback is well in excess of the policy and includes generous landscaping areas with minimum widths of between 2.0m and 5.0m.</p>

## 7 Planning Permit Applications

Architecture

Policy	Response
Development adjacent to open space area or waterways should complement the scale and appearance of the open space area or waterway environs.	The proposed data centre is not located adjacent to open space areas or waterways.
Buildings in Business Parks proposed for each site should seek to achieve a high standard of design.	<p>The proposed data centre has been designed to provide high quality buildings that respond positively to Western Avenue and Victoria Street.</p> <p>Administration areas are oriented towards the south to provide an active and interesting frontage to the Western Avenue while vehicle entries and loading areas are consolidated with one crossover to Western Avenue and one crossover to Victoria Street which provides efficient access for both passenger vehicles and trucks.</p> <p>The proposed building incorporates high quality façade treatment.</p> <p>Significant landscaping areas are provided around the perimeter of the site.</p>
Outbuildings and/or ancillary installations in Business Parks should be compatible with the design theme established by primary buildings on each site.	No outbuildings are proposed.
Plant and equipment in developments in Business Parks should be concealed or, in the case of freestanding structures, appropriately screened from view.	<p>Plant and equipment is proposed to be located on the roof and within dedicated plant areas at ground level towards the rear (north) of the site.</p> <p>Proposed roof plant is screened to a height of approximately 3.5m.</p>
Buildings in Area A of the Northcorp Industrial Park should be designed and finished having a high regard to their prominent position in Camp Road. Specifically, buildings in this	N/A

## 7 Planning Permit Applications

Area should address this frontage and Northcorp Boulevard and/or Lakeside Drive, where relevant.	
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Building materials and finishes

Policy	Response
Buildings should be constructed in masonry or other material suited to the type of building and its use with appropriate use of glazing.	<p>The proposed external finishes are consistent with the type and scale of building proposed.</p> <p>It is noted that a high level of glazing is proposed to the office area and that the proposal is supported by a Landscape Masterplan that includes a range of small, medium and feature trees, lawn and garden areas and outdoor seating for staff.</p>
External walls should be painted or finished with a quality textured coating.	External walls are proposed to comprise a combination of prefinished insulated panels that are required to support the effective operation of the data centre, precast concrete panels with oxide pigments, aluminium cladding, powder coated louvres and clear and coloured glazing.
The use of timber as a dominant building material should be avoided	No timber finishes are proposed.
Except in the Cooper Street precinct buildings constructed of colourbond materials should be avoided.	<p>A range of finishes are proposed.</p> <p>Please refer to the application plans prepared by Watson Young Architects for further details.</p>
In the Cooper Street Precinct a combination of colourbond steel and precast concrete should be used. Buildings constructed of galvanised iron should be avoided unless they are adequately screened from roadways and abutting properties.	N/A

Fencing

## 7 Planning Permit Applications

Policy	Response
Fencing along the frontage of a site should be low, designed to have a high degree of transparency and be located behind the front landscape setback.	<p>To the Western Avenue and Victoria Street Frontages a 180mm high black painted metal picket fence is proposed.</p> <p>These fences are set back a minimum of 2m from the site boundary and are proposed to be located behind landscaping.</p>
Side and rear boundary fences should be black plastic coated cyclone wire.	1800mm high black vinyl coated cyclone fencing is proposed to north and east site boundaries.
In the Cooper Street Precinct security fencing should be black chainmesh or steel. Screen fencing should be solid timber, 'earthy' coloured colourbond steel fencing is discouraged.	N/A

## 7 Planning Permit Applications

Car Parking and Access

Policy	Response
A 1.5 metre wide landscaped area should be provided between car parking and buildings/side property boundaries to provide a visual contrast and ensure safe vehicular movements.	Landscaping is proposed within the car park and to all site boundaries.  Please refer to the Landscape Masterplan prepared by Tract for further details.
Large areas set aside for car parking should be provided with landscape islands to allow the planting of shade trees and shrubs.	Opportunities for shade tree planting are provided on the Landscape Masterplan.
A minimum of one (1) shade tree must be provided for every 10 car parks, distributed evenly across the site to ensure maximum shade potential	The Landscape Masterplan that accompanies the proposed subdivision application includes provision for new street trees in addition to any shade trees provided within the subject lot.  The enclosed plans include provision for large landscaping areas including the provision of shade trees adjacent to the proposed car park.
All car parking areas should be provided with suitable lighting to ensure safety and security of users after dark.	Lighting can be provided to all car parking areas by way of permit condition.
Car parking areas external to buildings are encouraged to be screened and designed so as not to be visible from Vineyard Road.	N/A
Loading and servicing areas should be designed as an integral part of the development on each site.	Loading and service areas have been designed having regard to the overall operation of the data centre.
Land uses generating regular truck movements are to provide designated truck parking in addition to spaces provided within loading bays.	The proposed use is not anticipated to generate demand for on-site truck parking.

Storage and disposal of waste

Policy	Response
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## 7 Planning Permit Applications

Where possible, storage areas should be an integrated part of the design of buildings.	Storage areas have been considered and are provided within the building.  For details relating to waste storage, please refer to the Waste Management Plan prepared by Leigh Design that accompanies the application.
Outside storage areas should be screened and designed to prevent the proliferation of litter and other material within and beyond the site.	Outdoor waste storage is not proposed.
Frontage setbacks should not be used to store goods, materials or waste.	The storage of goods or waste is not proposed within the setbacks to Western Avenue or Victoria Street.

Lighting

Policy	Response
All lighting should be located, directed and baffled to limit light spill beyond the site boundaries.	The location and direction of proposed external lighting can be managed by way of permit condition.
All premises should provide external lighting to ensure adequate site security.	External lighting can be required by way of permit condition.

Landscaping

Policy	Response
Landscaping is to achieve a very high quality and appropriately scaled landscape in the front setback, and is to include shade trees	The application is accompanied by a Landscape Masterplan prepared by Tract.  The Landscape Masterplan provides the overarching vision for the wider site and includes both significant street tree planting as well as concept drawings for the provision of high quality landscaping within each setback.

## 7 Planning Permit Applications

Where buildings are not built to side and rear boundaries, a landscape screen should be established along these boundaries	Please refer to the Landscape Masterplan prepared by Tract which demonstrates the ability for the site to be suitably landscaped.
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### **Traffic and Car Parking**

The subject site is located within the Principal Public Transport Network.

A Traffic Impact Assessment has been undertaken by Impact Consultants in relation to the car parking provision, bicycle facilities, access and loading arrangements and the impact of traffic on the existing road network.

The conclusions of this report in relation to car parking includes:

- *The proposed development satisfies relevant statutory requirements as they relate to design of car parking and loading areas.*
- *Where the statutory requirements are not explicitly met, regarding car parking provision, the development satisfies decision guidelines that allow for a reduction of the car parking requirement.*
- *There are no traffic and transport grounds that should prohibit the issue of a permit.*

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## 8 Conclusion

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The proposed amendment to the Hume Planning Scheme will rezone land within the urban growth boundary to 'Industrial'.

The amendment and Planning Permits sought will facilitate the subdivision of the land to provide additional industrial lots within an existing major employment area and adjacent to an existing transport gateway. The proposal furthers the objectives of the Planning Policy Framework that seeks to grow and diversify employment options and promote Hume as a place for business.

The amendment provides a well-considered development solution for a large, vacant site previously preserved as 'buffer land' between the closed Tullamarine landfill and residential land to the east.

The proposal will provide employment opportunities and protect the amenity of local communities and ensure the proper ongoing operation of the local road network.

The proposed planning scheme amendment and planning permits sought for staged subdivision, native vegetation removal and use and development for warehouses and a data centre are reasonable and appropriate.



