

Planning and Environment Act 1987

Panel Report

**Manningham Planning Scheme Amendment C104 and
Advisory Committee
Westfield Doncaster**

24 October 2018

Planning and Environment Act 1987

Panel Report pursuant to section 25 of the Act

Manningham Planning Scheme Amendment C104 and Advisory Committee

Westfield Doncaster

24 October 2018



Kathy Mitchell, Chair



Rodger Eade, Member



Peter Edwards, Member

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List of Abbreviations

<i>Development Plan</i>	Westfield Doncaster Development Plan version 24A
DPO4	Development Plan Overlay Schedule 4
ESD	Ecologically Sustainable Development
IPO	Incorporated Plan Overlay
MSS	Municipal Strategic Statement
PPF	Planning Policy Framework
PPN	Principal Pedestrian Network
RL	Reduced Level
S	Submission number
TfV	Transport for Victoria
The Centre	Westfield Doncaster
The Minister	The Minister for Planning
the Panel	Combined Panel and Manningham Planning Scheme Amendment C104 – Proposed Westfield Doncaster Development Plan Advisory Committee
VCAT	Victorian Civil and Administrative Tribunal

Overview

Amendment summary

The Amendment	Manningham Planning Scheme Amendment C104 (Panel) and Manningham Planning Scheme Amendment C104 and Advisory Committee (Advisory Committee)
Brief description	Amendment to facilitate Westfield Doncaster expansion accompanied by a proposed Development Plan
Subject land	619 Doncaster Road and 20-34 Westfield Drive, Doncaster
The Proponent	Scentre Group
Planning Authority	City of Manningham
Authorisation	27 June 2016 - Number A03370
Exhibition	21 July – 1 September 2016 26 October - 27 November 2017, and 7 December 2017 – 12 January 2018
Submissions	87, with 78 from residents, the majority of which opposed aspects of the Amendment or Development Plan, and recommended changes (listed in Appendix B)

Panel process

Panel and Advisory Committee	Kathy Mitchell, Chair Rodger Eade Peter Edwards
Directions Hearing	Manningham City Council Offices, 28 February 2017, 26 April 2017 and 24 July 2018
Panel Hearing	Manningham City Council Offices, 3, 4, 5 and 13 September 2018
Site inspections	Unaccompanied on various dates
Citation	Manningham PSA C104 [2018] PPV
Date of this Report	24 October 2018

Executive summary

(i) Summary

Amendment C104 seeks to apply Development Plan Overlay Schedule 4 to Westfield Doncaster and approve a concurrently exhibited *Development Plan* to facilitate the future expansion to the north and north west of the existing Centre by providing:

- an additional, approximately 43,000 square metres of retail floor space and 18,000 square metres of commercial office space generally to the north of the site
- a commercial 'gateway building' with a maximum height of ten to fourteen storeys above a two-level podium in the north west sector of the site
- an enhanced and expanded bus interchange
- improved vehicular and pedestrian access to and within the centre
- additional car parking providing for an overall retail rate of 4.17 spaces per 100 square metres of floor space, as a whole of centre assessment and an overall commercial rate of 3.5 spaces per 100 square metres of floor space throughout the centre
- improved public realm outcomes.

Westfield Doncaster has undergone a series of expansions since it was first developed around 50 years ago. These expansions have accommodated the retail needs of a growing population in its trade area and the changing form of retailing from enclosed mall type centres.

The Amendment was first exhibited in 2016 but at the request of the Proponent, the Scentre Group, the Hearing scheduled for early 2017 was delayed. Both the Amendment and the *Development Plan* were amended as a result of the Proponent purchasing 20-34 Westfield Drive Doncaster. The current *Development Plan* will facilitate the future development of the Centre for the next 15 years.

As a result of the exhibition and subsequent re-exhibition, 87 submissions were received, the majority from residents who objected to at least part of the proposed development or recommended changes to make the proposal more acceptable to them. To ensure that submissions to the Development Plan were considered, the Minister for Planning appointed the Panel as an Advisory Committee.

Issues raised included:

- built form along the northern interface
- height of the commercial tower – location/visual impact
- quality of public realm/landscaping
- traffic and transport impacts
- provision of community facilities
- amenity impacts during and post construction – visual, noise and pollution.

The Panel has considered all submissions made to it both in writing and at the Hearing and draws the following overall conclusions:

- Amendment C104 is well supported strategically through State and local policy.

- The proposed Westfield Doncaster expansion to the north and north-west will create a significant new interface with existing residential properties but amenity impacts either have been well mitigated or can be mitigated at the planning permit stage such that amenity impacts are acceptable for an interface of this nature.
- Access to the Centre by way of a new northern access point has been acceptably resolved. The access needs of the Westfield Drive residents, consequent upon the closure of Westfield Drive at Williamsons Road have been satisfactorily met.
- Access and traffic issues raised by residents in the surrounding area have been considered by the Proponent and Council and resolved albeit, recognising that not all to the satisfaction of all the resident submitters.
- The proposal will provide for an enhanced outcome and will continue to consolidate the role of Westfield Doncaster for the overall net community benefit of local and regional existing and emerging population.

(ii) Recommendations

Based on the reasons set out in this Report, the Panel recommends that Manningham Planning Scheme Amendment C104 be adopted as exhibited, subject to the following:

- 1. Review Amendment C104 documentation and the Westfield Doncaster Development Plan prior to submitting them for approval, to ensure that they are consistent with the changes implemented through Amendment VC148**
- 2. Adopt the Panel recommended versions of the following, included at Appendices E, F, G, H, and I:**
 - a) Clause 21.09 of the Manningham Planning Scheme (subject to updating Maps 1, 2 and 5)**
 - b) Activity Centre Zone Schedule 1**
 - c) Development Plan Overlay Schedule 4 (subject to updating the Concept Plan at Clause 4)**
 - d) Development Contributions Plan Overlay Schedule 1**
 - e) Parking Overlay Schedule 1**
 - f) Road Closure Overlay (as exhibited but not appended).**
- 3. Approve the Westfield Doncaster Development Plan Version 24A (October 2017) in accordance with changes set out in Appendix D.**

1 Introduction

1.1 The Amendment

The purpose of the Amendment is to facilitate the preparation and approval of a Development Plan to guide the further development and expansion of Westfield Doncaster (the Centre). In summary, the Amendment proposes to:

- introduce and apply Schedule 4 to the Development Plan Overlay (DPO4) to the land at 619 Doncaster Road, and 20-34 Westfield Drive, Doncaster
- introduce the *Westfield Doncaster Development Plan October 2017* (the *Development Plan*) into the Planning Scheme
- amend the Municipal Strategic Statement at Clause 21.09 (Activity Centres and Commercial Areas)
- amend Schedule 1 to the Activity Centre Zone at Clause 37.08, and the provisions relating to Precinct 4: Westfield Doncaster
- delete Clause 43.03 and Schedule 1 to the Incorporated Plan Overlay (IPO1) at Clause 43.03 and remove the overlay from the land at 619 Doncaster Road and 1 Grosvenor Street, Doncaster
- introduce the Road Closure Overlay at Clause 45.04 to the westernmost end of Westfield Drive adjoining the northern boundary of the Westfield site
- amend Schedule 1 to the Development Contributions Plan Overlay at Clause 45.06 to clarify the development contributions that would apply to the site
- amend Schedule 1 to the Parking Overlay at Clause 45.09 to specify retail (shop) and commercial (office) car parking rates for the site
- amend the schedule to Clause 61.03 to delete reference to map 7IPO and to introduce Road Closure Overlay Map 7
- amend the Schedule to Clause 81.01 to remove reference to the Incorporated Document which forms the basis of IPO1 titled '*Westfield Shoppingtown Doncaster Concept Plan, September 1996*'.

Specifically, the *Development Plan (Version 24A, October 2017)*¹ provides for:

- an additional, approximately 43,000 square metres of retail floor space and 18,000 square metres of commercial office space generally to the north of the site
- a commercial 'gateway building' with a maximum height of ten to fourteen storeys above a two-level podium in the north west sector of the site
- an enhanced and expanded bus interchange
- improved vehicular and pedestrian access to and within the centre
- additional car parking providing for an overall retail rate of 4.17 spaces per 100 square metres of floor space, as a whole of centre assessment and an overall commercial rate of 3.5 spaces per 100 square metres of floor space throughout the Centre

¹ The initially exhibited version of the *Development Plan* was dated April 2016. All references to the *Development Plan* in this report are to the re-exhibited version 24A.

- improved public realm outcomes.

The Amendment was prepared by the City of Manningham at the request of the Scentre Group (the Proponent).

The Amendment applies to the land at 619 Doncaster Road and 20-34 Westfield Drive, Doncaster, which is known as Westfield Doncaster. The Amendment also applies to the land at 1 Grosvenor Street, Doncaster.

Figure 1: The subject land



Source: Document 5 - Part A submission, Manningham City Council

1.2 Panel process

Under the provisions of s153 & s155 of the *Planning and Environment Act 1987* a Panel to consider the Amendment was appointed under delegation from the Minister for Planning (the Minister) on 27 January 2017 and comprised Kathy Mitchell (Chair), Peter Edwards and William O’Neil. The Panel members were also appointed by the Minister as an Advisory Committee to consider submissions made to the *Development Plan*.

A Directions Hearing was first held on 28 February 2017, from which a Hearing timetable and Directions were provided.

At the request of the Proponent, a second Directions Hearing was held on 26 April 2017 to consider the Proponent’s request to adjourn the Hearing. The adjournment was requested because of the Proponent purchasing the land at 20-34 Westfield Drive, Doncaster (Uniting Church site) and the resultant intention to amend the proposal. The Panel supported the adjournment.

A third Directions Hearing was held on 24 July 2018. Due to the unavailability of Member O’Neil, the Minister reconstituted the Advisory Committee to include Member Rodger Eade on 4 July 2018. He was also appointed to the Panel under delegation on 8 June 2018. The Advisory Committee and Panel will be referred to as the Panel in this report. The Panel was assisted by Andrea Harwood, Senior Project Manager of Planning Panels Victoria.

On 4 July 2018 the Minister approved revised Terms of Reference to include the land at 20-34 Westfield Drive Doncaster as part of the considerations and other minor changes (Appendix 1). These and other key dates are summarised in Table 1.

Table 1: Summary of relevant dates

Date	Action
27 June 2016	Amendment C104 authorised
21 July to 1 September 2016	Amendment and draft Development Plan placed on exhibition
13 December 2016	Council resolved to refer submissions to a Panel
28 February 2017	First Directions Hearing held
26 April 2017	Second Directions Hearing held
26 October to 27 November 2017; and 7 December 2017 to 12 January 2018	Revised Amendment and draft Development Plan placed on exhibition
27 February 2018	Council resolved to refer submissions from both exhibition periods to the Panel
24 July 2018	Third Directions Hearing held
3, 4, 5, and 13 September 2018	Panel and Advisory Committee Hearing held

As a result of the two periods of exhibition, 87 submissions were received, 33 of which were in addition to the submissions made to the original proposal. Three of these were from

statutory authorities, 78 from residents, one on behalf of a school, one of behalf of Council's Access and Equity Advisory Committee and three from commercial businesses. Twelve addendums to previous submissions were received. Most of the resident submitters opposed aspects of the *Development Plan* or suggested amendments to it.

Submissions to both the Amendment and the *Development Plan* were consolidated by Council in its summary of submissions at Attachment 1 to its Part A submission. For this reason, they are considered together by the Panel. As the Amendment and *Development Plan*, both initial and revised, were exhibited concurrently it is not possible to readily distinguish between submissions relating to each. Because of the integrated nature of the two components the Panel and Advisory Committee treat these together in this report.

Parties to the Hearing are set out in Table 2.

Table 2: Parties to the Panel Hearing

Submitter	Represented by
Manningham City Council	Terry Montebello of Maddocks Lawyers, assisted by Lydia Winstanley of Council who called the following expert witnesses: <ul style="list-style-type: none"> - Craig Czarny of Hansen Partnership, urban design - Charmaine Dunstan of Traffix Group, traffic
Scentre Group	Chris Townshend QC and Barnaby Chessell of Counsel instructed by Minter Ellison Lawyers, who called the following expert witnesses: <ul style="list-style-type: none"> - Stuart McGurn of Urbis, planning - John Kiriakidis of GTA Consultants, traffic - Stephen Hunt of Ratio, traffic
The Ridge Owners Corporation	John Slattery and Noel McClelland
Sovereign Point Court “Users	Noel McClelland
Catherine McClelland	Noel McClelland
Ian Keese	Ian Keese
Arthur John Fitzgerald	Noel McClelland

1.3 Procedural issues

At the conclusion of the Hearing, Council and the Proponent indicated that it was having on-going discussions to resolve outstanding development contribution issues and requested a further week to resolve. The Panel concurred and issued a Direction to this effect, further directing that all submitters be provided with a further week to comment on the agreed resolution. No further submissions were received.

Further, the Panel noted at the closing that the relevant Amendment documentation included some obsolete and inconsistent terminology arising from various scheme changes over recent years. It suggested that Council use this opportunity to make further policy

neutral changes to the documentation. Council agreed to do this within seven days. A letter from Council dated 20 September 2018 summarised the changes:

- *Updating the current reference of the Doncaster Hill Activity Centre from Principal to Major as identified in Plan Melbourne 2017-2050*
- *Updating the status of documents referred to in the provisions such as current document titles and dates, as well as removing obsolete clauses providing consistency in reference to sustainability management plan outcomes for the expanded part of the centre*
- *More clearly distinguishing between the gateway entry point built form treatment at the north-west corner of Westfield Doncaster and the landmark building proposed to be located above the forecourt area; and*
- *More clearly defining requirements or outcomes to be achieved as part of future expansion of the centre².*

1.4 Background to the proposal

As directed, Council's Part A submission set out the background to the current proposal. The Part A submission included a detailed planning history of the site, the salient parts of which are included in Chapter 2.2 of this report.

On 2 November 2015, Contour Consultants, on behalf of the Proponent lodged a formal request to amend the Planning Scheme to change the planning controls that apply to Westfield Doncaster to facilitate the future expansion.

Both the Amendment and the *Development Plan* were supported by a series of technical reports with both the original and updated reports provided to the Panel. These provided important background information and justification for the proposal as depicted in the proposed *Development Plan*. Reports provided included:

- *Town Planning and Urban Context Report, Contour* (April 2016) (Revised October 2017)
- *Westfield Doncaster Urban Design Report, Tract Consultants and Land Design Partnership* (April 2016) (revised October 2017)
- *Westfield Doncaster Economic Benefits Assessment, Urbis* (March 2016), with a letter updating relevant data provided at the Panel's direction in August 2018 (Document 6)
- *Westfield Doncaster Acoustic Assessment, Acoustic Logic* (April 2016) (revised July 2017)
- *Westfield Doncaster Development Plan Sustainability Commitments, Cundall* (March 2016) (Revised September 2017)
- *Westfield Doncaster Master Plan Integrated Transport and Access Plan, GTA Consultants* (April 2016) (Revised October 2017)
- *Westfield Doncaster Assessment of Potential Social Impacts, Urbis* (April 2016).

² Correspondence from City of Manningham, Document 32

The *Development Plan* was prepared in accordance with the DPO4 provisions proposed to be introduced by the Amendment. The Development Plan Overlay requires that before a planning permit is granted, a development plan must be prepared to the satisfaction of the Responsible Authority. Any planning permit must then be generally in accordance with the approved *Development Plan*.

DPO4 contained a number of requirements that the *Development Plan* must meet, including an Urban Design Vision:

To create a vibrant, world-class retail and commercial complex at the heart of the Doncaster Hill Activity Centre that offers a diverse mix of activity, transport and employment opportunities to improve and meet the needs of the growing residential and worker population.

Westfield Doncaster will be distinctive in scale and form to signify the regional significance of the complex, and built form will reinforce the Doncaster Road and Williamsons Road boulevards and establish a defined gateway to Doncaster Hill. Pedestrians, cyclists and public transport users will be prioritised through improved public realm along key roads, a new entry forecourt, and an upgraded bus interchange.³

The last major expansion of Westfield Doncaster, completed in 2008, focussed on the redevelopment of the southern and central parts of the site. The *Development Plan* seeks to develop land across the north of the site, linking with the existing built form on the site.

The modified Amendment and *Development Plan* support the expansion and development of Westfield Doncaster. The key aspects of the proposed expansion, including the floor areas for retail and commercial generally remain unchanged from the version initially exhibited. The key change to the Amendment is reference in relevant clauses to the recently acquired property at 20-34 Westfield Drive Doncaster.

Whilst the general structure of the *Development Plan* and Urban Design Vision remained unchanged, it is noted that more detail had been included to provide additional guidance regarding certain matters, including landscaping and traffic movements.

1.5 Summary of issues raised in submissions

The key issues raised in the submissions are briefly summarised as:

- built form along the northern interface
- quality of public realm/landscaping
- traffic and transport impacts
- provision of community facilities
- height of commercial tower – location/visual impact
- amenity impacts during and post construction – visual, noise and pollution.

³ Westfield Doncaster Development Plan, p23.

1.6 Issues dealt with in this Report

The Panel has considered all submissions made in response to the exhibition of the Amendment and the *Development Plan*, observations from site visits, and submissions, evidence and other material presented to it during the Hearing.

The Panel has reviewed a large volume of material. The Panel has generally referred to the more relevant or determinative material in the Report. All submissions and materials have been considered by the Panel in reaching its conclusions, regardless of whether they are specifically mentioned in the Report.

This Report deals with the issues under the following headings:

- Planning context
- Urban design
- Road network traffic modelling
- Local intersection access issues
- Other traffic issues
- Development Plan issues
- Amendment C104 and the Development Plan.

Several issues were raised in submissions which were outside the scope of the Amendment and *Development Plan*. This included potential for anti-social and 'hoon' behaviour, predominantly in car parks; on street parking; removal of the Frederick Street midblock road closure; impact on property values; traffic signal phasing; speed limits; referring future permit applications to Council's Access and Equity Committee. The Panel acknowledges these submissions but makes little comment about them.

Council made recommendations on several the out of scope issues but acknowledged that these were not for the consideration of the Panel.

2 Planning context

Council provided a response to the Strategic Assessment Guidelines as part of the exhibited Explanatory Report.

The Panel has reviewed Council's response and the policy context of the Amendment and has made a brief appraisal of the relevant zone and overlay controls and other relevant planning strategies.

2.1 Planning Policy Framework

The Panel notes that Amendment VC148 to the Manningham Planning Scheme came into effect on 31 July 2018 creating a new Planning Policy Framework (PPF) which has state, regional and local components. This new PPF is intended to be policy neutral and as a result Council advised that the Amendment and the associated proposal is supported by key clauses in the PPF as set out below.

(i) State and regional policy

Clause 11.03-1S Activity Centres: As part of *Plan Melbourne*, Doncaster Hill is recognised as a Major Activity Centre. The objective under the Clause is:

To encourage the concentration of major retail, residential, commercial, administrative, entertainment and cultural developments into activity centres which provide a variety of land uses and are highly accessible to the community.

Clause 11.03-1R Activity centre – Metropolitan Melbourne: The intention is to locate new education, justice, community, administrative and health facilities in major activity centres.

Clause 13.05-1S Noise abatement: The objective is to assist the control of noise effects on sensitive land uses.

Clause 15 Built Environment and heritage: This clause states that planning should recognise the role of urban design and building design in delivering liveable and sustainable cities, towns and neighbourhoods and promote development that is environmentally sustainable and should minimise detrimental impacts on the built and natural environment.

Clause 15.01-1S Urban design: The objective is to create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.

Clause 15.02-1S Energy and resource efficiency: The objective is to encourage land use and development that is energy and resource efficient, supports a cooler environment and minimises greenhouse gas emissions. Environmental sustainability is a key focus and initiative within the Doncaster Hill Activity Centre.

Clause 17.02-1S Business: The objective for business is to encourage development that meets the communities' needs for retail, entertainment, office and other commercial services.

Clause 17.01-1S Diversified economy: The objective of is to strengthen and diversify the economy including bringing jobs closer to where people live.

Clause 18.01-1S Land use and transport planning: The objective is to create a safe and sustainable transport system by integrating land use and transport.

Clause 18.02-1S Sustainable personal transport: The objective is to promote the use of sustainable personal transport.

Clause 18.02-2S Public Transport: The objective is to facilitate greater use of public transport and promote increased development close to high quality public transport routes.

Clause 18.02-3S Road system: The objective is to manage the road system to achieve integration, choice and balance by developing an efficient and safe network and making the most of existing infrastructure.

Clause 18.02-4S Car parking: The objective is to ensure an adequate supply of car parking that is appropriately designed and located.

The Panel is satisfied that the Amendment and *Development Plan* are broadly consistent with the relevant clauses of the PPF.

(ii) Local policy

Council advised that sections of the local component of the PPF provide support for the Amendment and *Development Plan*. These include:

Clause 21.04 – Vision – Strategic Framework: The Doncaster Hill precinct of which Westfield Doncaster forms a key part, is nominated as a Principal Activity Centre on the Strategic Framework Overview Plan. *Plan Melbourne* designates Doncaster Hill as a Major Activity Centre.

Clause 21.02 – Municipal Profile: Retail is recognised as a substantial contributor to the local and regional economy. It creates substantial employment opportunities with over 12,000 people employed in the wholesale and retail trade industry, representing more than 22 per cent of all employed residents. In addition, based on the Eastern Region Housing Statement, 11,000 new households will be required by 2031. Many of these are being provided in the area immediately around Westfield Doncaster.

Clause 21.03 – Key Issues: In setting out key issues, Clause 21.03 notes:

Initiatives which promote the economic well-being of the principal, major, neighbourhood and local activity centres as the commercial and social focus for the local community, will be of a high priority.

Changing shopping patterns and competition from larger centres, including the regional centres of Doncaster Shoppingtown, Greensborough, Ringwood and Box Hill will influence the viability of neighbourhood and local shopping centres.

Clause 21.09 – Activity Centres and Commercial Areas: This Clause recognises Doncaster Hill as a prime location for redevelopment. With an area of 58 hectares, it has been designated in Council policy for higher-density residential development and housing growth, with a

focus on sustainability. The Westfield Doncaster site is acknowledged as the principal retail and entertainment focus of the precinct. Council's vision for the Westfield site is:

As the Principal retail and entertainment focus of the Doncaster Hill Activity Centre it is envisaged that Westfield Shoppingtown will be better integrated into Doncaster Hill Activity Centre and the surrounding community. Future developments of Westfield Shoppingtown should be consistent with the vision of Doncaster Hill Activity Centre by incorporating activated street frontages and external spaces, a greater mix of uses, pedestrian accessibility, an accessible and prominent public transport interchange and improved engagement with the main intersection.

Clause 21.10 – Ecologically Sustainable Development: DPO4 requires a Sustainability Management Plan, Clause 21.10 seeks to achieve best practice design, construction and operation for new development, including strategies for:

- building energy management
- water-sensitive urban design
- external environmental amenity
- waste management
- quality of public and private realm
- transport.

Clause 21.12 – Infrastructure: This clause includes objectives and strategies for roads and public transport. Of relevance are the following policies to:

- *facilitate the location and development of transport hubs at or adjoining activity centres*
- *facilitate the provision of bus shelters at high use public transport sites*
- *require that design and construction standards cater for safe, efficient and effective vehicle movement and servicing needs*
- *promote cycling and walking opportunities by providing safe bicycle routes and expanding the bicycle network, and providing pedestrian trails to improve accessibility to local and regional commercial, community and recreational facilities*
- *provide opportunities to enhance the amenity of Doncaster Road and other main roads.*

In his expert evidence, Mr McGurn identified further local policies relevant to the site:

- Clause 22.06 Eating and Entertainment Premises Policy
- Clause 22.07 Outdoor Advertising Signs Policy
- Clause 22.08 Access for Disabled People Policy
- Clause 22.12 Environmentally Sustainable Development.

The Panel acknowledges the relevance of these, particularly in later stages of the planning process.

(iii) Other planning strategies or policies

Plan Melbourne 2017-2050

A key initiative is to encourage better use of existing assets including road-based transport and to aim for '20-minute neighbourhoods'.

Doncaster Hill Strategy (October 2002, revised 2004)

The *Doncaster Hill Strategy (October 2002, revised 2004)* states that Doncaster Hill is a 58-hectare precinct in a visually prominent location in Doncaster with Westfield Doncaster as its retail and commercial hub. The *Doncaster Hill Strategy* is the key overarching 20-year strategy for the activity centre. It provides an integrated planning approach to creating a sustainable, contemporary mixed-use centre, comprising apartment style living opportunities, retail, commercial, social, community and entertainment facilities. The strategy included a target population of 10,000 residents in 5400 dwellings and 20,000 square metres of commercial office by 2030. By 2018 there are almost 2,000 dwellings completed and permits issued for a further 1,600.

By any measure Doncaster Hill must be regarded as a success with the initial 2030 targets well within reach. At a metropolitan level it must be regarded as a great success story of a well-planned middle suburb consolidation and a testament to Council's vision and planning for the area over the last couple of decades.

At the Hearing, the Panel asked Council about its plans regarding possible locations for a railway station if the recently announced government policy for a metropolitan orbital rail came to fruition. Council advised that planning was not well advanced but that the preferred location would be near the Doncaster Road/Williamsons Road intersection and most likely underground.

The Panel notes that this strategy is now almost 15 years old and that it was advised at the Hearing that Council intends to undertake a review of it soon. This appears timely in the context of the significant development that has occurred in the intervening period and the ongoing interface issues in and around the Doncaster Hill precinct, including the possibility of a metropolitan orbital rail project. Doncaster Hill and the surrounding community could be enhanced by fixed rail public transport going forward.

Doncaster Hill Pedestrian and Cycling Plan (2009)

The *Doncaster Hill Pedestrian and Cycling Plan* identifies future works within Doncaster Hill to ensure stronger links to public transport. It responds to health and social elements of pedestrian and cycling issues and opportunities and facilitates the delivery of these works and initiatives through Actions Plans.

Doncaster Hill Mode Shift Plan (2014)

The *Doncaster Hill Mode Shift Plan* identifies actions to encourage a mode shift of 30 per cent to sustainable transport modes prior to full development of Doncaster Hill, which is anticipated to occur over the next 20 to 30 years.

Bicycle Strategy (2013)

The *Manningham Bicycle Strategy* considers State and Federal Government objectives of encouraging a greater uptake of cycling as a viable and safe mode of transport within Manningham. The Strategy guides Council in implementing local initiatives such as bike path development, end of trip facilities, advocacy initiatives, marketing and promotional activities.

Making Manningham Mobile (2010)

This strategy sets out key actions to improve, manage and promote all transport modes, with particular emphasis on sustainable transport such as walking, cycling and public transport.

The strategy is consistent with the objectives of the *Transport Integration Act 2010* which has the goal of an integrated transport system and enshrines a triple bottom line approach to the integration of transport and land use planning.

VicRoads Smart Roads Policy sets modal priorities and in relation to Westfield Doncaster, identifies Doncaster Road and Williamsons Road as priority bus and bicycle routes.

2.2 Planning history of the site

Since the mid-1990s, there have been a series of planning scheme amendments specifically related to the site and these have guided its development to the major activity centre it has become. In summary these include:

Amendment L93

Amendment L93 to the former Doncaster and Templestowe Planning Scheme was gazetted on 14 November 1996. The Amendment rezoned relevant land to the Doncaster Regional Retail Centre Zone, replaced a concept plan for the centre and permitted development which departed from the concept plan if a permit was granted for such works. It included access details and outlined maximum building heights through an IPO.

Amendment C33

Amendment C33 (Part 1) which was gazetted on 26 February 2004, introduced the Doncaster Hill Activity Centre Framework Plan, to an area which includes Westfield Doncaster. The Amendment introduced a new zone and new overlay provisions into the Planning Scheme as well as implementing the *Doncaster Hill Strategy*.

Amendment C35

Amendment C35 was gazetted on 16 September 2004 and incorporated the Doncaster Hill Parking Precinct Plan (5 July 2004) into the Planning Scheme through the Schedule to Clause 81.

Amendment C30

Amendment C30 (8 September 2005), introduced Clause 45.06 and Schedule 1 – Doncaster Hill Development Contributions Plan Overlay which set out infrastructure items and amounts to be paid through development and community levies and incorporated it into the planning

scheme. It made changes to Clause 21.05 to introduce a new Key Issue relating to infrastructure requirements in the Doncaster Hill Activity Centre.

Amendment VC59

Amendment VC59 (17 September 2009), introduced a new zone, namely Clause 37.08, Activity Centre Zone into the Victoria Planning Provisions. The Activity Centre Zone was applied to the whole of the Doncaster Hill Activity Centre, including Westfield Doncaster through Schedule 1. That Schedule gave effect to the key requirements set out in the *Doncaster Hill Strategy* and replaced a range of other existing zones with a uniform zone across the activity centre. It replaced Schedule 6 to the Design and Development Overlay Schedule 6, which identified mandatory height controls across the activity centre.

The Doncaster Hill Activity Centre is made up of seven precincts and each precinct has different requirements and objectives reflected within sub-precincts. Sub-precincts 4A, 4C and 4D of Precinct 4 relate to Westfield Doncaster, including the newly acquired site at 20-34 Westfield Drive, Doncaster. Except for sub-precincts 4B and 4D, no height controls apply within Precinct 4.

Amendment C87

Amendment C87 was gazetted on 3 June 2010 and corrected several inadvertent anomalies within the Activity Centre Zone Schedule 1.

Amendment GC6

Amendment GC6 was gazetted on 5 June 2014 and removed the 90,000 square metre floor space cap for Westfield Doncaster in Section 1, Table of uses for Shop within the Activity Centre Zone Schedule 1.

2.3 Planning scheme provisions

(i) Zones

The site is currently in the Activity Centre Zone and the Amendment proposes to make several changes to Schedule 1.

(ii) Overlays

The following Overlays currently apply to the site:

- **Incorporated Plan Overlay Schedule 1** - proposed to be replaced by DPO
- **Parking Overlay Schedule 1** - proposed to be amended.
- **Development Contributions Plan Overlay Schedule 1** - proposed to be amended.

2.4 Ministerial Directions and Practice Notes

Ministerial Directions

Council submitted that the Amendment meets the relevant requirements of:

- Ministerial Direction 11 (Strategic Assessment of Amendments)
- Ministerial Direction on the Form and Content of Planning Schemes under section 7(5) of the Act.

Planning Practice Notes

Council submitted that the Amendment is consistent with relevant Practice Notes, including:

- Planning Practice Note 46 (PPN46) Strategic Assessment Guidelines, August 2018
- Planning Practice Note 56 (PPN56) Activity Centre Zone, June 2015.

2.5 Conclusions and recommendation

The Panel concludes that the Amendment is supported by, and implements, the relevant sections of the Planning Policy Framework, and is consistent with the relevant Ministerial Directions and Practice Notes. The Amendment is well founded and strategically justified, and the Amendment should proceed subject to addressing the more specific issues raised in submissions as discussed in the following chapters.

Doncaster Hill is the key focus in Manningham for retail, commercial and residential growth. This Amendment continues that focus and provides for new components of the Centre to ensure its continued growth and viability.

The Panel notes that Council and the Proponent have worked collaboratively to prepare this Amendment and to resolve issues arising from submissions and issues raised at the Hearing and are to be commended for the positive and proactive approach to this process.

Further, the Panel concludes that Council's submission takes account of changes to the PPF as introduced through Amendment VC148. However, the Panel concludes that prior to approval of Amendment C104 and the *Development Plan*, a further check should be made to ensure that the Amendment and the *Development Plan* align with Amendment VC148.

The Panel recommends:

- 1. Review Amendment C104 documentation and the Westfield Doncaster Development Plan prior to submitting them for approval, to ensure that they are consistent with the changes implemented through Amendment VC148.**

3 Urban design

This Chapter addresses several urban design issues including the various interfaces of the Centre with surrounding residential areas, and the location and height of the proposed landmark building.

3.1 Interface with existing development to the north

(i) The issue

From the Panel's perspective there are three sensitive interfaces with residential areas to the north of the Centre:

- interface with the south facing apartments at 36-38 Westfield Drive
- interface with the west facing apartments at 36-38 Westfield Drive
- interface with the residential properties on the north side of Westfield Drive.

The key issue to be resolved is:

- whether the proposed *Development Plan* and, in particular the building envelope and relevant treatments to the façade and mitigating measures proposed, appropriately address the amenity of the existing residential uses to the north.

(ii) Evidence and submissions

The proposal will significantly change the interface with the residential properties to the north as illustrated in Figure 2.

Figure 2: Northern interface with Westfield Drive



Source: *Development Plan* (2017) Figure 83.

The Proponent submitted:

The Centre's interface with the residential properties to the north and east will require careful assessment and treatment as part of any future development application. Located at the interface between the higher order activity centre and a residential precinct zoned General Residential Zone Schedule 2, however it is reasonable to anticipate relatively marked contrasts in the building heights along these frontages.

The Panel notes that existing properties on the northern side of Westfield Drive are in General Residential Zone Schedule 2, except for the property on the corner of Williamsons Road which is in the Residential Growth Zone Schedule 2.

The Proponent submitted that amenity issues in interfaces such as this should not be viewed in the same way as many interface amenity issues. Mr Townshend quoted a Victorian Civil and Administrative Tribunal (VCAT) decision which stated that it is *"inappropriate to constrain development that satisfies policies that are strategically important ... simply because that development would introduce a significant degree of change."*⁴ The Proponent relied on the evidence of Mr McGurn who stated:

Whilst the northern edge of the centre will clearly be significantly greater in scale to the residential properties opposite, I consider this to be acceptable in planning and urban design principles as:

- *there is a 'pattern' of scale disparity apparent in this centre i.e. much larger development juxtaposed with finer grain, domestic stock*
- *the proposed northern interface will 'mark' and significantly improve the appearance of the centre (replacing the current at grade carparking)*
- *the commitment to high quality architecture and highly articulated facades*
- *the increased level of permeability and activation*
- *the upper level setbacks contemplated*
- *the lack of direct physical amenity impacts such as overlooking or overshadowing.*⁵

Mr McGurn's evidence included an undated aerial photograph, understood to be early to mid-1970s. It showed the Centre was well established with car parking to the north but with perhaps only the three eastern most dwellings on the northern side of Westfield Drive built at that time.

In answer to a question from the Panel, Mr McGurn opined that there is a case for reviewing the General Residential Zone Schedule 2 of these properties as part of the foreshadowed review of the *Doncaster Hill Strategy*.

Council relied on the evidence of Mr Czarny and emphasised the significant amount of work that had been undertaken in understanding this interface, including the preparation of 10 cross sections. Council submitted that it accepted there are some potential impacts of the

⁴ Document 16 - Submission by Scentre Group, p25.

⁵ Document 6 - Evidence statement of Mr McGurn, p29.

proposed development on the surrounding residential properties but what is proposed will minimise amenity impacts. Mr Czarny stated:

... there has long been recognition of the need for development to effectively transition down to the interface in a manner that mitigates visual bulk and mass.⁶

Mr Czarny explained the stepped back nature of the building form proposed with a 6-metre landscape buffer along the site boundary and then a series of building setbacks with the built form approximately 35 metres Reduced Level 127 metres (RL) above ground level, set back 15 metres. Further to the west the tallest built form at that interface (RL136) is set back approximately 30 -33 metres from the Westfield Drive property boundary. Mr Czarny stated:

The relationships to the existing development at 36 Westfield Drive leading to the corner of Grosvenor Street (on the south side) comprising a three to four storey building is particularly challenging.⁷

Mr Czarny noted that there are habitable rooms and balconies on the south and west sides of 36-38 Westfield Drive which face the proposed development. On the south side these are only some 6-7 metres from the property boundary, which immediately abuts a retaining wall, approximately the height of the roof of the residential property. Mr Czarny explained the building heights and setbacks above the retaining wall are designed “to limit the visibility and exposure of upper form”.

Mr Czarny considered that the proposed built form will not be visible from the southern balconies on 36-38 Westfield Drive, but he could not be certain of this and that further investigation will be required at the planning permit stage. The Proponent tabled the endorsed plans for the development at 36-38 Westfield Drive (September 2000), and noted that while there are several south facing ground floor pergolas, there is only one south facing balcony. In answer to a question from the Panel, the Proponent emphasised that the existing retaining wall was in place when these plans were endorsed.

The acquisition of 20-34 Westfield Drive by the Proponent means that 36-38 Westfield Drive now has a direct western interface with the future development. Mr Czarny explained the proposed building form is set back 9 metres from the western boundary of 36-38 Westfield Drive with taller building forms set back a further 9 metres at the northern extent of the proposed envelope tapering back to 5 metres opposite the southern boundary of 36-38 Westfield Drive. This is illustrated, albeit not clearly, in Figure 2. Immediately west of 36-38 Westfield Drive the tallest built form is at RL127, that is an average of approximately 42 metres above ground level.

The shadow diagrams at pages 34 and 35 of the *Development Plan* show some shadow over the south west corner of 36-38 Westfield Drive at 3:00pm at the spring equinox but no shadow between 9:00am and 3:00 pm at the winter solstice. The extent of the shadow on the building façade and balcony is unclear.

⁶ Document 5 - Evidence statement of Mr Czarny, p13.

⁷ Ibid, p14.

Mr Czarny took the Panel to the detail of the western façade of 36-38 Westfield Drive and explained that there is some private open space and one balcony on the western façade. The extent of any shadow on these features is unclear. He advised that Council should carefully assess amenity impacts, including shadowing when a specific development proposal is before it.

There were six submissions from owners or occupiers of 36-38 Westfield Drive and nine submissions from owners or occupiers on the northern side of Westfield Drive. Of the submissions from 36-38 Westfield Drive, three directly referenced the building mass or potential overshadowing.

Of the submissions from the northern side of Westfield Drive, two (S28 and S38) placed some emphasis on the building bulk, form or setbacks from Westfield Drive.

(iii) Discussion

There is no doubt that the proposed development will be visually present and imposing when viewed from the north from nearby residential properties. The existing car park proximate to 36-38 Westfield Drive is significantly taller than the adjoining residential development. The Panel took the opportunity to visit this car park to gain a better appreciation of the extent to which the existing car park impacts on 36-38 Westfield Drive. The Panel is cognisant of Mr Czarny's advice that he could not be sure whether the proposed new built form immediately south of 36-38 Westfield Drive would be visible from the dwellings or whether the existing car park would shield the view of the taller built form to the south. This should be carefully assessed at the permit stage.

The proposed built form west of 36-38 Westfield Drive will have a significant visual impact for these residents and will be very different to the current situation. The question for the Panel is whether this visual impact will be unacceptable, and it is cognisant of the following factors:

- Westfield Doncaster has been in this location for much longer than the subject residential buildings, albeit there is currently a low-rise building associated with a church to its west
- when 36-38 Westfield Drive was built, the high retaining wall adjacent to its southern boundary was in place
- as submitted by the Proponent, residents abutting a major retail centre cannot expect the same level of amenity protection usually afforded adjoining premises.

The Panel further notes that it is not clear whether the proposed built form to the west of 36-38 Westfield Drive breaches overshadowing guidelines, and this needs to be carefully checked at the permit stage. It appears likely that there will be some overshadowing in the late afternoon at the spring solstice. In summary, the Panel can see no reason why the proposed built form is not acceptable as far as 36-38 Westfield Drive is concerned.

As far as the amenity impacts on residents on the north side of Westfield Drive, the Panel notes that the Centre was well established in the early to mid-seventies, albeit at this stage

the interface was with an at grade car park.⁸ At that stage, Westfield Drive was mostly vacant land.

Given this history, and the setbacks and landscaping buffer proposed, the Panel was presented with no evidence which convinced it that the amenity impacts of the proposed development will be unacceptable. This said, the Panel expressed some concern about possible noise impacts emanating from the upper level dining terrace proposed for the northern end of the built form (see Chapter 7.2).

(iv) Conclusions

The Panel concludes:

- subject to detailed consideration at the planning permit stage, the amenity impacts at the interface to the south and west of 36-38 Westfield Drive appear acceptable from an urban design perspective
- the amenity impacts on dwellings to the north of Westfield Drive appear acceptable subject to conclusions drawn about noise impacts in Chapter 7.2.

3.2 Location and height of the commercial tower

(i) The issue

The key issue to be resolved is:

- whether the proposed location, height and potential uses of the planned commercial tower are appropriate.

(ii) Evidence and submissions

In closing, Council submitted that the preferred terminology for the proposed commercial tower is now 'landmark building', and that terminology is used here (unless specifically referring the previous terminology in planning documents).

In the initially exhibited *Development Plan*, the landmark building was proposed to be located near the northwest corner of the Centre close to Williamsons Road and close to a location marked on the Framework Plan in the Municipal Strategic Statement as a 'gateway entry point' to Doncaster Hill, approaching from the north.

As a result of the initial exhibition, a number of submitters (including S2, S15, S18, S22, S45, S50 and S69) commented on aspects of the location and height of the proposed landmark building. Concerns included that it:

- will set an undesirable precedent for the height of future buildings in the precinct
- was too close to Williamsons Road
- was too near the edge of the centre
- will unbalance the urban form
- will increase overlooking and overshadowing
- will impact on residents' privacy for 'several kilometres'.

⁸ Document 6 – Evidence Statement of Mr McGurn, Figure 4.

After considering submissions and upon further review, the building was relocated further south and set back further from Williamson Road. The location is now proposed near the bus interchange and pedestrian forecourt, marking a pedestrian entrance to the Centre.

Council relied on the evidence of Mr Czarny with respect to the revised location who stated:

Its proposed position in my view reinforces the new retail entry to the north-west sector and signals the important integrated transport node which serves as a new address to the Centre as a complement to the Williamsons and Doncaster Road junction to the south⁹.

Further, Mr Czarny considered the proposed tower to be appropriate in form and height. Council submitted that it was comfortable with the landmark building's proposed setting.

The Proponent submitted the proposed landmark building is consistent with the Doncaster Hill Strategy and this was supported by the evidence of Mr McGurn who stated:

... I am also comfortable that the commercial development as proposed does respond to the Activity Centre Zone requirement of a gateway building. It is not a concern that the building is setback and not directly at Williamsons Road frontage or located right at the corner. I believe that this location will still achieve the objectives of a gateway building as viewed from the north looking south.¹⁰

Submitter 2, who had commented on the initial location of the landmark building, made a further submission indicating that the relocated tower had addressed their primary concern. No other submitter commented on the new location of the landmark building.

With regard to uses in the landmark building, the Proponent indicated that offices or indeed a residential hotel are possibilities. To accommodate a range of possible future uses, and on the advice of Mr McGurn, the Proponent recommended that the *Development Plan* be amended to add the sentence to section 3.4:

Other land uses may be contemplated within the Centre as appropriate.

(iii) Discussion

It is clear to the Panel that the revised location of the landmark building is superior in urban design terms. It has addressed the concerns of at least some submitters. Re-exhibition after the landmark building was relocated did not result in further submissions on this issue.

The Panel considers that while the proposed landmark building will be visually prominent, this is one of its attributes, in that is contributing to the marking of this important precinct. A height which may be approximately 14 storeys is not out of context in Doncaster Hill and in many urban contexts, would be considered mid-rise. The Panel does not accept that overshadowing or overlooking impacts or privacy are issues of concern in either the original or the revised locations because of the distance from residential properties.

⁹ Document 5 - Evidence statement of Mr Czarny p11.

¹⁰ Document 6 - Evidence statement of Mr McGurn p30.

In the dynamic commercial and retail environment which exists, the Panel considers it appropriate to provide flexibility to accommodate a range of possible uses appropriate in a major retail centre and supports the proposed addition to the *Development Plan*.

(iv) Conclusions

The Panel concludes:

- the landmark building is in a suitable location and of an acceptable height in the range of 10 to 14 storeys
- there should be flexibility to consider future uses of the landmark building consistent with amenity considerations.

3.3 Interfaces to the east and west

(i) The issue

The key issue to be resolved is:

- whether the interfaces with neighbouring areas to the east and west of the proposed development are appropriately treated to protect residential amenity.

(ii) Evidence and submissions

To the east, the existing multi-storey car park has an interface with the existing dwellings on the west side of Roseville Avenue. It is proposed to add extra decks to the existing car park increasing its height by approximately 14 metres but set back more than 11 metres from the eastern edge of the existing car park. The proposed car park addition extends further south than the existing car park.

The two submitters from Roseville Avenue did not raise this issue.

One resident of Grosvenor Street (S59), north east of the car park, raised several local amenity issues relating to noise and light spill.

In evidence, Mr Czarny said that *“the setbacks and parapet transitions will ensure that the exposure to rear gardens (noting the belt of existing vegetation) and the Roseville Avenue streetscape will be acceptable in the Activity Centre context”*¹¹.

In his verbal evidence, Mr Czarny categorised the levels of activation which can be applied to built form facing streets. He considered that the Williamsons Road interface was being appropriately treated.

The Proponent and Council accepted Mr McGurn’s recommendation for additional criteria to be added to the Development Guidelines in the *Development Plan* for the eastern interface to ensure daylight, overlooking and overshadowing are properly assessed at the permit stage. Mr McGurn stated:

¹¹ Document 5 - Evidence statement of Mr Czarny p15.

I consider that the building envelopes shown are appropriate given this is an extremely robust physical environment with multiple lanes of traffic and high density residential development on the opposite (western) side of the road.¹²

(iii) Discussion

The Panel is satisfied that the interfaces to the east and west are sufficiently resolved at this stage. It notes there are local amenity issues including noise, overlooking, overshadowing and possibly light spill which will need to be addressed in more detail at the permit stage. The Panel agrees with the additional Design Criteria recommended by Mr McGurn.

The western interface to the centre is buffered by the width of Williamsons Road from the nearest residents.

The Panel agrees with Mr Czarny with the façade treatment to the western interface. It notes that this will be a further step along the way to helping the Centre have a more attractive interface with the Street.

(iv) Conclusions

The Panel concludes that:

- the eastern and western interfaces are appropriately resolved at this stage, subject to more careful consideration of amenity issues at the permit stage.

¹² Document 5 - Evidence statement of Mr McGurn p30.

4 Road network traffic modelling

This Chapter and the following two address traffic and access related issues which were a key concern of many of the resident submitters:

- Chapter 4 provides a context for discussing the local traffic and access issues by examining the road network near the Centre and the modelling of traffic flows, the parameters and assumptions which underpin the modelling
- Chapter 5 examines the intersections in the immediate vicinity and in particular proposed changes to access to local streets and the Centre
- Chapter 6 addresses other traffic issues, including non-vehicular access to the Centre, the bus interchange and parking.

In part, due to the complex and varied nature of traffic submissions, and ensure these submissions were thoroughly examined, a traffic conclave was held on 28 August 2018 attended by Mr Kiriakidis, Ms Dunstan and Mr Hunt with VicRoads' representative, Mr Freeman being an apology. The conclave reached agreement across a range of issues, including that the proposed local intersection treatments were appropriate, car park provisions were sound and the proposed planning scheme changes in relation to the Amendment were satisfactory.

The proposed expansion of Westfield Doncaster is accompanied by modifications to the Centre's vehicle access arrangements, creating a new bus interchange, parking supply increase (5,338 to 7,575 spaces) and improved car park connectivity.

The Doncaster Hill precinct at full build out (2031) is anticipated to accommodate an additional:

- 5,400 dwellings¹³
- 28,366 square metres of office
- 25,946 square metres of retail.

4.1 The issue

Transport modelling of the road network is critical to providing robust and realistic outputs to allow appropriate Centre access arrangements to be developed. This will ensure the surrounding road network will continue to perform satisfactorily with the additional:

- Doncaster Hill future development generated traffic
- Westfield Doncaster generated traffic.

The key issue to be resolved:

- whether the transport modelling undertaken was adequate and at an appropriate level of detail to provide an appropriate basis for assessment.

¹³ Document 15 - identified by 2030, 5,400 apartments (25 per cent more than originally forecast).

4.2 Evidence and submissions

The Proponent relied on the evidence of Mr Kiriakidis who was project manager for the development of the Westfield Doncaster Amendment C104 *Integrated Transport & Access Plan*, including overseeing the traffic modelling work.

Mr Kiriakidis provided key traffic metrics for the precinct. By 2031, Doncaster Hill at full build out, plus the Eastern Golf Course development, is anticipated to generate 2,300 vehicles per hour in the peak periods. In addition, Westfield Doncaster is projected to increase peak hour traffic flows by 509 – 910 vehicles per hour in peak periods (refer to Table 3). Currently Westfield Doncaster generates around 33,000 – 52,000 vehicles per day, reaching up to 70,000 vehicles per day towards the Christmas period¹⁴.

Table 3: Westfield Doncaster Peak hour traffic generation by vehicles per hour

Traffic generation (85 th percentile day)	AM Peak (vph)*	PM Peak (vph)	Sat midday (vph)
New Development	509	910	836

Source: Integrated Transport & Access Plan, Table 5.4, p 22.

Mr Kiriakidis advised that a comprehensive multi-modal transport modelling assessment had been undertaken as part of the *Development Plan* review, including an updated analysis of traffic impacts for Doncaster Hill, at ultimate development. This work had been completed with regular review and input from Council, VicRoads, Transport for Victoria (TfV) (formerly Public Transport Victoria) and other consultants to ensure robust and realistic outputs are realised. This work was peer reviewed by Jacobs (Transportation consultants) and accepted by VicRoads.

The traffic modelling identified that the Williamsons Road/Doncaster Road/Tram Road intersection limits the overall capacity of the nearby road network.

The modelling assessment considered various modifications to the transport network resulting in the following road networks projects¹⁵

- upgraded and relocated signalised northern access road at Williamsons Road, with Westfield Drive maintaining full access albeit now from the northern access road. As part of these works, Bordeaux Street becomes left in, left out
- new exclusive signalised bus interchange access road at Williamsons Road including a southbound bus jump lane starting at Westfield Drive to enhance bus operations
- a third right turn lane from Williamsons Road (southbound) into Doncaster Road
- Frederick Street restricted to left in, left out and the existing traffic signals replaced with pedestrian operated signals.

The key network statistics considered average speed and travel time through the Doncaster Hill precinct for full build out and the implications of the *Development Plan* key traffic

¹⁴ Document 6 – Evidence statement of Mr Kiriakidis, Appendix C Figure 1.

¹⁵ This is represented in Document 11 Drawing No. 15M1090200-SK11 Issue P8 prepared by GTA Consultants:

projects. These works contributed to motorists generally enjoying higher travel speeds (and corresponding shorter travel times) as shown in Table 4.

Table 4: Key Network Performance Statistics

Peak period	Option / scenario		
	85th percentile design day (2014)	Future base (2031)	Westfield Development Plan 2031
Average speed km/hr			
Weekday AM	35	24.	31
Weekday PM	27	18	22
Saturday Midday	28	16	18
Average travel time per vehicle (sec)			
Weekday AM	227	280	212
Weekday PM	247	334	266
Saturday Midday	221	336	303

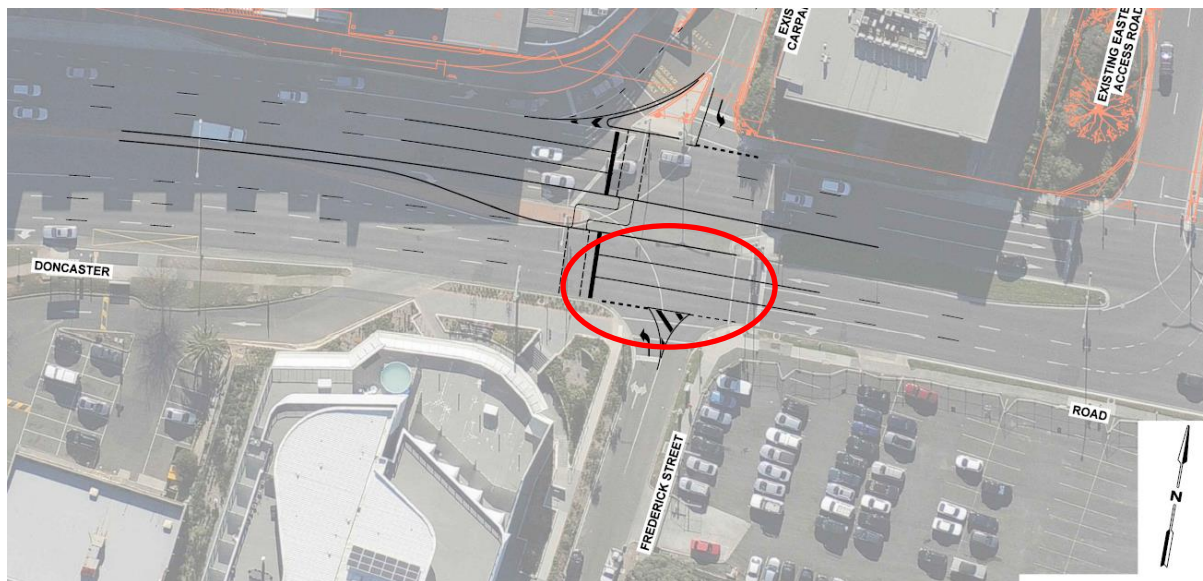
Source: Document 6 – Evidence statement of Mr Kiriakidis

The key projects which would contribute to improved travel times are:

- third (additional) right turn lane from Williamsons Road into Doncaster Road
- replacement of traffic signals with pedestrian operated signals at Frederick Street/Doncaster Road with corresponding left in, left out arrangement at Frederick Street and the Centre's existing load dock and car park access road.

While the Williamsons Road/Doncaster Road/Tram Road intersection works would provide the primary benefit, Mr Kiriakidis advised that he could not provide a breakdown of how much benefit the proposed Frederick Street/Doncaster Road intersection works contributed to improved travel conditions along Doncaster Road. However, he noted that localised congestion was caused by vehicles exiting Westfield Doncaster, queueing from these signals back into the Centre. To alleviate this issue, additional storage capacity for queued vehicles was required and this could be achieved by shifting the proposed pedestrian operated signals further west from Frederick Street (Figure 3).

Figure 3: Doncaster Road at Frederick Street – Additional storage for queued vehicles (highlighted by red oval)



Source: Extract of drawing 15M1090200-SK11-06 attached to Document 11 (Red oval added by Panel).

Mr Kiriakidis advised that a key model assumption was a 20 per cent reduction in ‘through traffic’ on Doncaster Road, Williamsons Road and Tram Road. Essentially this traffic is displaced onto the surrounding [arterial] road network as additional traffic associated with new local development competes for arterial road space resulting in a change in travel behaviour. This assumption was accepted by VicRoads. Mr Kiriakidis noted that increasing traffic flows associated with development in Doncaster Hill and surrounding areas would generally result in peak and shoulder periods becoming longer on the arterial road network.

Council relied on Ms Dunstan’s evidence which generally supported Mr Kiriakidis’ findings. She stated that the *Integrated Transport and Access Plan* included extensive traffic modelling and comprehensively reviews the proposed mitigating works. The proposed works are aimed at minimising the direct impacts of the proposed Centre expansion, not resolving all the traffic impacts associated with Doncaster Hill development. Further, Ms Dunstan noted that the modelling and report conclusions were supported by VicRoads.

TfV (S42b) was generally satisfied with the *Development Plan* and welcome the proposed southbound bus jump lane on Williamsons Road. TfV still had concern with road network constraints that may contribute to bus delays and requested ongoing engagement through the planning permit stage to identify further opportunities to minimise delays.

VicRoads (S41) noted it was generally satisfied with the proposed road improvement treatments but noted further work was required to:

- finalise the appropriate strategy and timing for Frederick Street/Doncaster Road intersection works
- explore the feasibility of the Williamsons Road bus jump lane
- consider declaring Northern Access Road as a public highway at it replaces access to Williamsons Road for Westfield Drive residents.

Neither VicRoads or TfV attended the Hearing to hear and consider the traffic evidence, nor did they provide any further commentary on traffic related issues.

Several submissions (including S7, S15, and S32) related to traffic in and around Westfield Doncaster, and raised issues about:

- the existing road network is at capacity
- the proposed mitigating works do not allow for future growth.

4.3 Discussion

The Panel acknowledges that substantial growth is still to occur in and around Doncaster Hill, with Westfield Doncaster being one key component. While measures are in place to encourage sustainable transport options, an increase in traffic in Doncaster Hill is inevitable. Measures must be put in place to ensure this traffic is appropriately managed.

Transport modelling is critical to providing robust and realistic outputs to allow for the development of traffic management solutions such as traffic signals and ensuring appropriate transport network conditions. Inaccurate modelling would result in adverse downstream effects such as proposed intersections that do not have sufficient capacity to accommodate future traffic flows that are difficult to correct.

The Panel accepts that extensive consultation and review of the traffic model and associated mitigating works has occurred with key state agencies and Council to provide a sound basis to move forward with the proposed intersection works. VicRoads, TfV and Council would continue to liaise with the Proponent through the detailed design and the planning permit phase.

Mr Kiriakidis was unable to shed light on why 20 per cent was selected for the assumed reduction in through traffic, as opposed to say, 10 or 30 per cent. This component of work was undertaken much earlier in the traffic modelling process for the Doncaster Hill precinct, nevertheless, the Panel accepts this assumption was supported by VicRoads as appropriate.

As discussed in Chapter 5, some residents and businesses expressed concern with the removal of right turns into and out of Frederick Street and consequently the need to perform U-turns upstream and downstream of this intersection. The Panel accepts that there would be capacity and time savings for Doncaster Road motorists with the proposed replacement of traffic signals with pedestrian operated signals at Frederick Street. The question is how much benefit derives from this part of the works. This does not appear to be known as in the modelling it is combined with benefits associated with the capacity upgrade works at Williamsons Road/Doncaster Road/Tram Road intersection. However, the Panel accepts that replacing the existing traffic signals with pedestrian operated signals west of Frederick Street provides additional storage for queueing vehicles. As such, it would provide benefit to road network operations.

4.4 Conclusion

Panel concludes:

- the traffic modelling is considered appropriate for the development of the proposed mitigation works and network improvements.

5 Local intersection access issues

The majority of resident submissions were concerned with how the proposed changes to access to Westfield Doncaster directly impacts upon them. This chapter addresses these issues associated with the proposed access points.

5.1 Overview of Intersection design parameters

Before the Panel addresses issues associated with each of the signalised intersections in the immediate vicinity of the Centre, it provides the traffic engineering context as each of these intersections is located on the major arterials, Doncaster Road and Williamsons Road.

The Panel accepts that traffic expert evidence universally identified consistent themes for development of the road network initiatives around Westfield Doncaster. These were principally focused on:

- road hierarchy
- safety
- maintaining or enhancing arterial road traffic capacity.

An overarching design principle is traffic signals operations and its interplay on arterial road performance. Rather than repeat for each intersection, a summary of these issues is discussed, and where pertinent, site specific information is included in its relevant section.

(i) Road Hierarchy

Doncaster Road and Williamsons Road are classified as arterial roads. The primary function is to move traffic between urban centres and other arterial roads, including freeways. Further, policy has identified Doncaster Road and Williamsons Road 'modal' priorities for pedestrians, buses and cyclists.

To enhance capacity and safety, the number of intersections is often limited to reduce delays for motorists on the arterial roads. Generally, the more intersections there are leads to a reduction in arterial road performance. Local road access onto arterial roads is generally configured to a left in, left out arrangement.

The side streets in the vicinity of the Centre, such as Sovereign Point Court, Westfield Drive, Bordeaux Street and Frederick Street are classified as lower order local roads or access places. As Ms Dunstan stated, left in, left out access arrangements minimise disruption to arterial road traffic flow and on balance, accommodating and prioritising major traffic is appropriate.

(ii) Road Safety

The traffic experts (principally Ms Dunstan and Mr Kiriakidis) reviewed the crash history on the surrounding road network which identified, amongst other locations, several right turning crashes at Bordeaux Street. Contemporary road design standards endeavour to limit the number of conflict points at local/arterial road intersections and providing left in, left out for the local road achieves this outcome.

At Doncaster Hill, the majority of right turning local resident traffic (except Westfield Drive residents who would use the proposed Northern access road signalised intersection) would need to perform a U-turn at a signalised intersection upstream or downstream from their usual location. This leads to residents having to travel further but improves safety as a controlled movement now occurs at a signalised intersection.

At other, busier locations (primary access roads into and out of Westfield Doncaster) and higher order roads, signalised intersections are often used where traffic signals control the various movements to minimise the likelihood of crashes.

(iii) Traffic Signal Operations

The primary objectives of traffic signals are to reduce conflict, delays and crashes for traffic and other road users. To achieve these outcomes requires balancing traffic flow, amenity, delay and access. Mr Kiriakidis alluded to some of these issues throughout his evidence. He noted the difficulty in achieving an optimal outcome, in particular providing sufficient storage length on the approach to traffic signals and sufficient green signal time for the major traffic movements.

5.2 Northern access road (Westfield Drive)

(i) The issue

The Northern access road/Williamsons Road is a new signalised intersection located adjacent to Westfield Drive. It replaces the former access point (approximately 110 metres south, opposite Sovereign Point Court).

Westfield Drive and Bordeaux Street at Williamsons Road currently form an unsignalised cross intersection accommodating all vehicle movements. With the Northern access road proposed to be located adjacent to Westfield Drive, Westfield Drive residents will enter and exit Williamsons Road from the Northern access road, whilst Bordeaux Street would be modified to a left in, left out configuration.

The key issues to be resolved are:

- potential detrimental impacts of access, amenity and safety on Westfield Drive residents
- potential detrimental impacts on Bordeaux Street residents and 'U-turn' access to St Gregory the Great Primary School.

(ii) Evidence and submissions

In relation to Westfield Drive, the majority of submissions (including S16, S20, S52 and S86) opposed the modified access arrangement as it would adversely impact residents due to:

- additional traffic and parking, in particular the proposed northern pedestrian access point in Westfield Drive would be used for dropping off and picking up passengers
- entry and exit locations onto the Northern access road may result in headlight spillage and other negative impacts
- difficulty and delays accessing Williamsons Road compared to existing conditions

- closing Westfield Drive at Williamsons Road, in conjunction with high noise walls and new pedestrian access may result in a higher risk of anti-social and criminal behaviour.

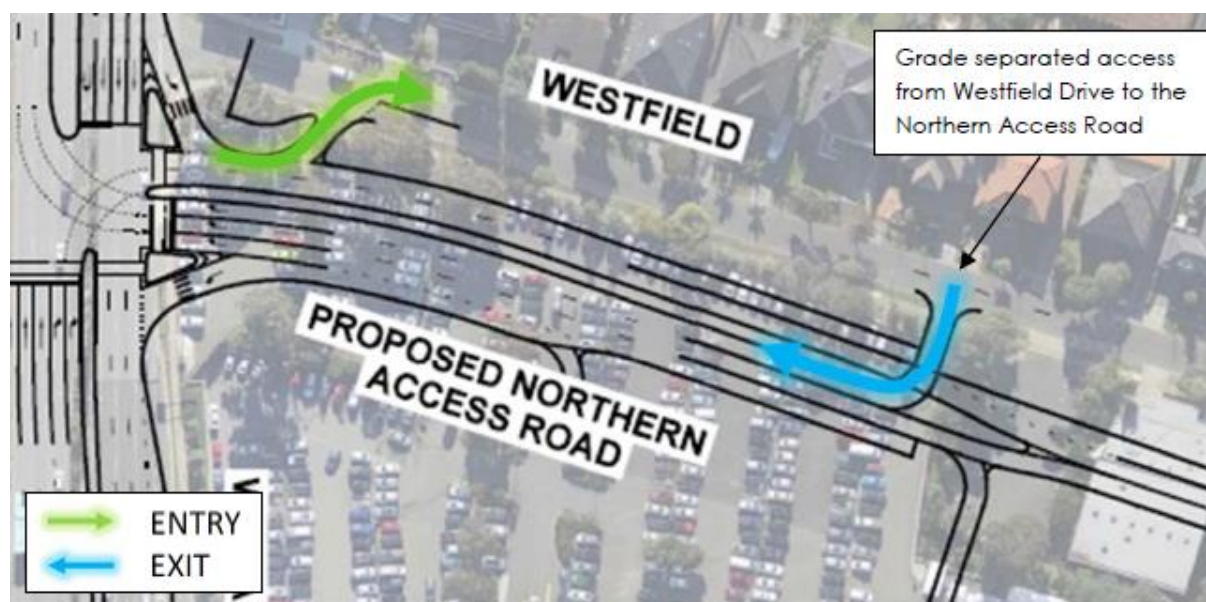
Mr Kiriakidis and Ms Dunstan explained the proposed Northern access road arrangement and its interaction and impact on Westfield Drive. This included a video presentation of a 3D drive through which showed motorists entering and leaving Westfield Drive by the proposed Northern access road. The short video presentation provided a clear picture of how motorists enter and exit Westfield Drive via Williamsons Road¹⁶.

Mr Kiriakidis noted that the proposed Northern access road was considered to be the primary access point into and out of the centre and forms an integral part of the internal ring road connecting to Tower Street along the eastern site boundary.

The Westfield Drive proposed access arrangement separates the local from Westfield Doncaster traffic. Westfield Drive residents would now enter from a 'service road' opening in the Northern access road (refer to Figure 4).

To exit, Westfield Drive residents would utilise a dedicated road portal and associated traffic lane within the Northern access road approximately 90 metres east of Williamsons Road (refer to Figure 4). Local traffic wishing to turn left would need to merge across two lanes to access the left turn lane, which Mr Kiriakidis advised was sufficient distance for this 'weaving' manoeuvre to occur. He noted that Westfield Drive motorists would be physically unable to enter or exit the Centre's car parking facilities. This ensures vehicular traffic cannot access the Centre via Westfield Drive thereby reducing its attractiveness to non-local traffic.

Figure 4: Westfield Drive Entrance



Source: GTA Integrated Transport Plan Report, p41.

¹⁶ See <https://vimeo.com/239364822?from=outrio-embed>

Ms Dunstan advised that the proposed access arrangement was safer, in that residents wishing to turn right would now do so at a signalised intersection. She did not anticipate a significant change in Westfield Drive traffic conditions (approximately 500 to 600 vehicles per day).

(iii) Discussion

The Panel accepts that the proposed Northern access road arrangement strikes an appropriate balance between improving safety, managing arterial road and the Centre's significant traffic flow, while protecting and maintaining access for Westfield Drive residents.

The Panel accepts that there is no vehicle access between the Westfield Drive and the Centre's car parking facilities, which should minimise infiltration of non-local traffic into residential streets. The Panel acknowledges that the proposed service road entry and dedicated exit portal onto the Northern access road connecting to a signalised intersection provides a safer environment to perform a right turn onto Williamsons Road albeit, on occasions it may take residents longer to enter and exit Williamsons Road. The proposed access and egress configuration is not anticipated to impact on parking in front of residential properties, or adversely impact on resident access to and from their properties.

While the Panel accepts the proposed access arrangement would not make Westfield Drive attractive to non-local traffic, the proposed pedestrian access point onto Westfield Drive may be attractive for dropping off and picking up passengers entering or leaving Westfield Doncaster on foot. Council will need to monitor conditions to ensure residential amenity is not significantly compromised and potentially modify parking restrictions to manage this.

Mr Czarny identified appropriate urban design solutions (active surveillance and lighting) however other measures such as suitable landscaping and other urban design elements may contribute to discouraging potential anti-social behaviour along Westfield Drive. Providing a pedestrian access point from Westfield Drive with increased pedestrian activity is advantageous in this regard. The Panel considers that this matter can be readily resolved during the planning permit phase.

(iv) Conclusions

The Panel concludes:

- the proposed Northern access road arrangement is appropriate and maintains satisfactory traffic access and amenity for Westfield Drive residents.

5.3 Bordeaux Street

(i) The issue

The key issue to be resolved is:

- whether the proposed change to the intersection provides appropriate access, including users of the St Gregory the Great Primary School.

(ii) Evidence and submissions

Submissions (including S30, S35, S48, S64, S77, S79) principally focused on the adverse impacts of the proposed changes to this intersection, particularly how St Gregory the Great

Primary School traffic would still be accommodated, such as southbound motorist U-turning into the service road to access the school.

Ms Dunstan supported the changes to Bordeaux Street in that she considered they would be fundamentally safer than the existing large, unsignalised cross intersection on an arterial road, and better aligned with contemporary road design standards. Ms Dunstan argued the proposed design will simplify most movements, resulting in a safer intersection, and that the signalised U-turn facility (at the Northern access road) is a substantially better outcome.

The revised layout effectively impacts the right turning movement from Bordeaux Street. Motorists can more safely perform a U-turn at the Williamsons Road/Manningham Road signalised intersection, approximately 250 metres north.

Mr Hunt was generally satisfied with the proposed intersection configuration. In response to concerns raised by the school regarding the adequacy and capacity of the signalised U-turn facility at the Northern access road, Mr Hunt undertook additional traffic surveys and further detailed modelling of the future operation (2031 with full Doncaster Hill build out) of this intersection during school drop off generally within the traditional AM peak period (8:00am – 9:00am) and pick up (2:45pm – 3:45pm) times. He identified that the intersection will operate satisfactorily during both peak periods, with the proposed U-turn facility accommodating design volumes comfortably. He noted there is sufficient capacity within the U-turn facility to cater for ongoing demands generated by the school into the future.

(iii) Discussion

The Panel supports the proposed modifications to Bordeaux Street associated with the Northern access road/Williamsons Road signalised intersection as it provides:

- a safer environment for all road users
- sufficient future capacity, particularly for school generated traffic.

The Panel accepts Mr Hunt's analysis considered the localised traffic peaks which occur during school drop off and pick up periods and that there will be sufficient capacity at the new signalised intersection.

The signalised U-turn movement is considered significantly safer than the uncontrolled movement which currently occurs, and the Panel is cognisant of the crash history at this location which would be addressed by the proposed works.

(iv) Conclusions

The Panel concludes:

- the proposed left in, left out arrangement for Bordeaux Street provides a safer environment and is supported
- the proposed U-turn facility at the Northern access road/Williamsons Road signalised intersection would provide sufficient capacity for school traffic.

5.4 Sovereign Point Court and bus interchange access road/Williamsons Road intersection

A proposed new signalised intersection, exclusively for bus access, to and from the bus interchange is located approximately midway between the proposed Northern and existing Southern access roads. Approximately 50 metres to the north of the new intersection is Sovereign Point Court.

Sovereign Point Court is currently a left in, left out configuration opposite the existing signalised access point into Westfield Doncaster. In earlier times, motorists could perform a right turn into Sovereign Point Court from Williamsons Road but now the southbound turn lane is exclusively a U-turn lane. With the proposed roadworks, Sovereign Point Court residents are requesting improved access.

(i) The issue

The key issues to be resolved are:

- whether the proposed bus interchange access road/Williamsons Road intersection should be relocated to align with Sovereign Point Court
- whether a dedicated right turn lane from Williamsons Road into Sovereign Point Court should be provided to generally improve access and safety
- if the proposed bus interchange intersection remains as proposed, whether it is appropriate to introduce 'KEEP CLEAR' line marking across all Williamsons Road northbound traffic lane to assist motorists exiting Sovereign Point Court.

(ii) Evidence and submissions

Sovereign Point Court resident submissions (including S15, S18, S21, S25, S49, S50, S51 and petition S83), requested improved access. Their concerns can be summarised as:

- egress may be further constrained due to the proposed signal locations resulting in vehicle queues across the intersection and general traffic increase on Williamsons Road restricting left turn out opportunities
- Sovereign Point Court accommodates approximately 300 dwellings generating significant traffic and improved access should be provided
- the proposed bus interchange traffic signals should be relocated to align with Sovereign Point Court with associated access enhancements.

Mr Hunt advised that it would not be feasible to relocate the proposed bus interchange signals further north to align with Sovereign Point Court. From a traffic operations perspective, to maintain good traffic flow and capacity along Williamsons Road, he argued it is imperative that these signals be located approximately midway between the proposed Northern and existing Southern access roads. Mr Hunt reviewed the concept of providing a separate right turn lane from Williamsons Road into Sovereign Point Court. He agreed with the other traffic experts that there was insufficient road space to provide this facility, when balancing the needs for enhanced public transport facilities (bus jump lane) and arterial traffic flow.

Mr Kiriakidis noted that there appeared to be misunderstanding regarding the legality of performing a right turn from the existing U-turn lane. He provided an excerpt from the *Road*

*Safety Road Rules 2017*¹⁷ which requires that a driver must drive in the direction of the arrow (in this case a U-turn arrow).

The traffic experts supported the installation of 'KEEP CLEAR' line marking across all northbound Williamsons Road traffic lanes to enhance access for Sovereign Point Court drivers. Mr Hunt noted that the line marking would reinforce 'courtesy gaps' to assist drivers from the side street entering Williamsons Road, however Mr Kiriakidis advised that ultimately the decision would rest with VicRoads.

(iii) Discussion

The Panel accepts the traffic evidence that requires the bus interchange traffic signals to be located approximately midway between the proposed Northern and existing Southern access roads to maintain optimal arterial road traffic conditions. The Panel understands that this ensures maximum storage length is provided on the approaches to the Northern and Southern access signal locations which ultimately translates into improved traffic flow and capacity along Williamsons Road. As such, relocating the traffic signals to align with Sovereign Point Court is not supported.

In terms of road classification, Clause 56.06-8 of the Manningham Planning Scheme provides guidance to the road designation and indicative daily traffic volume. Road designation is not directly aligned with dwelling numbers. Under this classification, Sovereign Point Court would be considered an Access Street. It provides local residential access where traffic speed and volumes are low. It would be anticipated to accommodate 1,000 to 2,000 vehicles per day.

The Panel agrees that Sovereign Point Court would be classified as lower order road and accepts Ms Dunstan's assessment that it would be unusual to provide full access to a dead-end court. The proposed continuation of the left in, left out access supplemented by U-turns at nearby signalised intersections is consistent with current practice.

The proposed 'KEEP CLEAR' line marking across all Williamsons Road northbound traffic lanes is supported and the concept layout(s) should be updated to reflect this change. The Panel acknowledges that VicRoads approval will ultimately be required for this line marking to be installed.

The clarification provided by Mr Kiriakidis of the road rules should remove any misunderstanding that exists regarding the existing U turn lane at Sovereign Point Court.

(iv) Conclusions

The Panel concludes:

- the proposed location of the bus interchange traffic signals is appropriate
- 'KEEP CLEAR' line marking should be installed on all northbound Williamsons Road traffic lanes to enhance opportunities for drivers exiting Sovereign Point Court.

¹⁷ *Road Safety Road Rules (2017)*, Rule 92: Traffic Lane Arrows.

5.5 Frederick Street/Doncaster Road intersection

It is proposed to remove the existing traffic signals at Frederick Street/Doncaster Road and to convert Frederick Street to left in, left out at this location to reduce congestion and improve traffic flow along Doncaster Road. To maintain pedestrian connectivity across Doncaster Road pedestrian operated signals, west of Frederick Street, are proposed

In terms of broader local access, the future of the Frederick Street road closure was not part of the Amendment and consultation with the local community would be required. As such, it is inappropriate for the Panel to consider this element even though it was commented on by experts and submitters.

(i) The issue

The key issue to be resolved is:

- whether the removal of existing vehicular signals and the consequent changes to Frederick Street becoming left in, left out, is appropriate.

(ii) Evidence and submissions

Submissions (including S1, S6, S13, S29, S37 and S82) principally focused on the restricted access arrangements which in their view would result in unreasonable impacts on local businesses and residents, as well as restricting access for emergency vehicles. There was concern about the safety of the U-turns required because of the proposed changes. Some submitters (including S13, S17, and S56) expressed concern about the reopening of the Frederick Street road closure due to further traffic congestion.

Traffic evidence (principally Ms Dunstan and Mr Hunt) endorsed the removal of traffic signals and the associated reconfiguration of Fredrick Street at Doncaster Road to a left in, left out arrangement resulting in overall road network improvements.

Mr Hunt's traffic counts and subsequent traffic modelling identified that the existing right turning motorists into and out of Frederick Street could be comfortably accommodated at nearby intersections where controlled U-turn movements can occur. This was generally consistent with the opinion of Mr Kiriakidis, who identified that the additional average U-turn demand is less than two vehicles per traffic cycle. He said this is unlikely to have a material impact on the operation of the adjacent intersections.

(iii) Discussion

The Panel supports the proposed modifications to Frederick Street at Doncaster Road to improve road network operations.

The Panel is cognisant that properties at the northern end of Frederick Street will be adversely affected by removal of the traffic signals, which currently provide full access. However, traffic evidence demonstrated that the right turning traffic can be safely and comfortably accommodated at nearby intersections.

In this case, the overall road network benefits realised by the proposed Frederick Street/Doncaster Road intersection modifications are considered appropriate to pursue as:

- Frederick Street, like other nearby streets fronting Westfield Doncaster, would be considered a lower order local road where contemporary road design would provide a left in, left out configuration
- nearby U-turn facilities are available at signalised intersections which have sufficient capacity to provide a safe location to turn.

The re-opening of the Frederick Street road closure was not part of the Amendment and further consultation would be required with the local community. The Panel agrees that the potential reopening of the Frederick Street road closure can be investigated separately to the Amendment. In this regard, the VicRoads suggestion that the Frederick Street closure be removed concurrently with the proposed signal works should be tempered against traffic engineering expert advice that further investigations and public consultation is required.

(iv) Conclusions

The Panel concludes:

- the proposed Frederick Street/Doncaster Road intersection modifications are appropriate.

5.6 Doncaster Road/Williamson Road intersection

No substantive traffic issues were raised with this location. As discussed, it is proposed to modify this intersection to provide a third right turn lane in Williamsons Road (southbound). Mr Kiriakidis identified this intersection as the limiting or controlling intersection for the operation of the nearby arterial road network.

The Panel supports the proposed works at this location as it provides improved road network capacity.

6 Other traffic issues

Other traffic issues raised which are addressed in this Chapter are:

- provision for bicycle access to the Centre
- the location and layout of the proposed bus interchange
- pedestrian access to the Centre
- parking provision and access between parking areas.

6.1 Bicycle access

(i) The issue

The key issue to be resolved is:

- whether bicycle access to the Centre has been appropriately provided for.

(ii) Evidence and submissions

The Development Plan provides for Bicycle Network and Facilities, and the preferred bicycle routes are set out in Figure 5.

Figure 5: Westfield Doncaster Bicycle network and Facilities



Source: Westfield Doncaster Development Plan, October 2017, Fig 55 p. 38

Mr Kiriakidis acknowledged that Doncaster Road and Williamsons Road form part of the Principal Bicycle Network. He argued it would be undesirable and impractical to provide on-road bicycle facilities on these roads due to the high vehicle speeds and volumes. Further, traffic lanes would potentially need to be converted to dedicated bicycle lanes, as a 'Copenhagen' treatment with a physical barrier between cyclists and motorists. A more appropriate solution would be to provide shared path facilities, desirably 3 metres wide (2.5 metres minimum).

He noted that there had been little discussion regarding bicycle access.

(iii) Discussion

Encouraging cycling and other active transport modes is appropriate and supported by various policy and Council strategies. The Panel is concerned that there appears to have been little discussion regarding this matter. It accepts the assessment of Mr Kiriakidis on how bicycle access could be provided. Considering that major civil works would occur along a significant length of Williamsons Road and Westfield Doncaster land, the opportunity to provide shared path/off-road bicycle facilities could be part of these works.

Not taking this opportunity now would most likely result in bicycle access along Williamsons Road being lost or alternatively, expensive redesign and rework to retrofit these facilities would be required.

While the Development Plan shows the Principal Bicycle Network and preferred bicycle routes on the Doncaster Road and Williamsons Road frontages to Westfield Doncaster, the Panel believes that it would be appropriate for Council in conjunction with the Proponent and other key stakeholders to develop and refine the bicycle route(s) to provide greater certainty for this important active transport mode.

(iv) Conclusions

The Panel concludes:

- shared path facilities on Doncaster Road and Williamsons Road in the vicinity of the Centre should be further discussed between Council, the Proponent and other relevant stakeholders to ensure a shared path is appropriately provided for.

6.2 Bus interchange

The bus interchange has evolved through extensive consultation with TfV, VicRoads, Council and other key stakeholders. Final design and its exact location can be resolved during the planning permit stage with additional input from TfV.

The current configuration addresses most issues raised by TfV in terms of access and number of bus bays. While the bus interchange is protected from the elements, Council and some resident submitters would like to see energy efficient heating provided to keep patrons warm in winter.

The Proponent flagged that it may wish to pursue a below ground bus interchange, but further investigations into the functionality of this would be required. Mr Czarny noted that

the current (above ground) proposal was appropriate from an urban design perspective but acknowledged that flexibility would be appropriate.

The bus interchange is a critical piece of public transport infrastructure. Its particular form, exact location, surveillance measures and whether it is ultimately located below ground can be resolved during the detail design process as part of the planning permit process in conjunction with key stakeholders. These issues are not considered to materially affect the Amendment or approval of the *Development Plan*.

6.3 Pedestrian access and safety

Submissions (including S21, S25, S29 and S49) flagged pedestrian access and safety issues around Westfield Doncaster. Ms Dunstan's crash investigations identified approximately 25 per cent of all crashes involved pedestrians, principally pedestrians crossing arterial roads.

There are six proposed and existing signalised crossing locations along Williamsons Road and Doncaster Road fronting Westfield Doncaster. Additionally, there is a new pedestrian access point from Westfield Drive (north side) and an existing zebra crossing from Berkeley Street (east side) which provide suitable pedestrian crossing points to and from the Centre. Council has identified wayfinding signage to further improve access for pedestrians.

The Principal Pedestrian Network is a strategic network of footpaths to serve higher volumes of pedestrians and facilitate access to primary destinations, such as schools, larger activity centres and community facilities.

To enhance pedestrian access and safety at arterial road signalised intersections, there are a variety of design criteria, traffic signal phasing (such as providing more green time for pedestrians to complete their crossing or dedicated pedestrian crossing phases), including Disability Discrimination Act requirements. These issues will be considered during the detailed design of these roadworks. This would occur as part of planning permit process and are not considered to impact on the Amendment.

6.4 Parking

(i) The issue

The *Development Plan* includes a parking supply increase from 5,338 to 7,575 spaces and improved car park connectivity.

The key issues to be resolved are:

- whether there is sufficient parking
- how the proposal reduces the difficulty in finding and accessing a parking space.

(ii) Evidence and submissions

Several submissions (including S2, S5, S10, S17, S27 and S66) focused on:

- additional car parking required due to difficulty in finding a parking space
- potential for parking infiltration into neighbouring streets.

Mr Kiriakidis undertook extensive parking surveys and modelling to determine the appropriate level of parking required for the proposed additional retail (4.17 spaces per 100

square metres of retail floor area) and commercial components (3.5 spaces per 100 square metres of commercial floor area). Currently the peak parking demand (88 per cent) occurs on a Saturday.

The expert conclave considered these rates to be acceptable and noted that the Parking Overlay allows discretion for these rates to rise or fall subject to a range of considerations. These include the impact of potential intrusion into adjoining residential areas, complementary land uses and staging and delivery of the bus interchange which will promote sustainable transport travel.

Mr Kiriakidis explained that the car parking areas would finally be connected to each other as part of the *Development Plan* (currently the 'Red' car park located in the south west area of the site is disconnected from the other car parks and if a customer was unable to find a space, would need to re-enter Williamsons Road – this would no longer occur).

Ms Dunstan stated that the proposed parking rates are above the statutory minimum rates. Improved car park access and egress is realised with number plate recognition technology, dynamic signage assists and directions to customers where car parking is available within the Centre. It is a commercial imperative of the Centre to maximise the functionality of its car parking facilities. The proposed higher parking rates should alleviate parking infiltration into neighbouring streets, and Ms Dunstan highlighted that Council already has ongoing management of on-street parking to ensure residential amenity is maintained.

(iii) Discussion

The Panel acknowledges that trying to find a parking space is the bane of some shopping centre customers, particularly during busier periods. It accepts that the proposed parking rates (which are greater than minimum statutory rates) with the flexibility to increase (or decrease) are appropriate.

The disjointed nature of the existing car parks is seen as an impediment to successfully and conveniently finding a parking space. The connection of the car park areas, together with the car parking technology such as dynamic signage and number plate recognition will assist in this regard.

The increased parking supply should alleviate parking infiltration into neighbouring streets. The Panel notes that nearby residential streets already have parking restrictions in place to protect residential amenity and accepts that Council would continue to monitor parking conditions and modify or introduce additional parking restrictions as appropriate. The proposed rates for parking are included in the revised Parking Overlay Schedule 1.

(iv) Conclusions

The Panel concludes:

- the proposed car parking provision of 4.17 car spaces per 100 square metres of retail floor area and 3.5 car spaces per 100 square metres of commercial floor area is appropriate
- the proposed revisions to the Parking Overlay Schedule 1 are appropriate
- proposed parking changes will make access between the various parking areas easier.

7 Other Development Plan issues

To complement Amendment C104 which includes introducing DPO4, a *Development Plan* which outlines the form of the proposed development to facilitate the next stages of the growth of Westfield Doncaster was exhibited. Taking this approach gives the community a basis to better understand the nature of the expansion proposed.

In addition to the urban design issues arising from the *Development Plan* discussed in Chapter 3, submitters raised several other issues relating to the detail included in the *Development Plan*.

7.1 Public realm and landscaping

(i) The issue

The key issue to be resolved is:

- the possible retention of the Lemon Scented Eucalypts proximate to the existing northern entrance to the Centre.

DPO4 includes a requirement for a Landscape and Public Realm Concept Plan. The issue of whether this and other DPO4 requirements are met is discussed in Chapter 8.2.

(ii) Evidence and submissions

Submission 51 included a petition with 23 signatories requesting the retention of “*three white trunked gums*” near the existing northern entrance to the Centre. Submitter 51 expanded on their written submission outlining the importance of the trees and the relative rarity of mature trees such as these on Doncaster Hill.

At the Hearing, the Proponent outlined the boulevard Canary Island Palm planting proposed for the length of the Williamsons Road frontage, continuing an established theme. The Proponent indicated that the retention of the Lemon Scented Eucalypts was inconsistent with this landscape theme.

In his verbal evidence, Mr Czarny stated that Lemon Scented Eucalypts are prone to drop limbs and are not suitable for this location. Submitter 51 suggested fencing the area to address this issue.

Submitter 67 commented on the limited amount of space in the proposed public plaza at the pedestrian entrance to the centre near the bus interchange.

(iii) Discussion

The Panel inspected the area of the Eucalypts and understands the residents’ desire to retain existing mature trees but understands these may not be consistent with the broader landscape concept for the area.

The Panel is of the view that a final decision on the retention or removal of the existing Eucalypts should be made at the permit stage. They should be retained if advised by an arborist and if they can be integrated into the broader landscape plan.

The Panel sees no issue with the amount of space provided in the proposed public plaza but notes that its final configuration will depend on the ultimate location of the bus interchange.

(iv) Conclusions

The Panel concludes:

- the Lemon Scented Eucalypts should be retained on the advice of an arborist and if they can be integrated into the final landscape plan.

7.2 Noise impacts

(i) The issue

The key issue to be resolved is:

- whether noise from vehicles on site, within onsite parking areas and possible patron noise from outdoor eating venues can be appropriately managed and mitigated.

(ii) Evidence and submissions

The acoustic report from Acoustic Logic was included with exhibition documents. That report recommended a range of noise mitigation works, particularly on the sensitive north and north-eastern interfaces. These included noise barriers within the car parks and acoustic walls, particularly along the northern boundary of the Westfield site.

Submitter 16A submitted that the noise from the proposed upper terrace eating area will not be acceptable and requested it be relocated.

Submitter 28 indicated that he and other residents generally supported the noise mitigation measures proposed but would like to see final plans. Submitters 20, 38 and 80 commented on the visual aspect of the proposed acoustic walls and their potential unsightliness.

Submitter 38 raised concerns that the dwellings at 15, 17, 17A and 19 Westfield Drive were not protected by the proposed acoustic wall. The wall is discontinuous in this location because it is the approximate location of the Westfield Drive access road.

A number of submitters who raised issues about noise referred to 'hoon' activity late in the evening/early morning.

Submitters (including S11, S15, S16A and S52) commented on noise generated during the construction phase.

At the Hearing, the Proponent relied on the expert evidence of Mr Delaire of Marshall Day Acoustics. Mr Delaire undertook a peer review of the acoustic assessment and broadly endorsed mitigation measures recommended by Acoustic Logic. He noted that *"the recommended noise mitigation measures are indicative only and that the final locations and extent of the noise barriers or screens and façade treatments should be determined during the detailed design phase."*¹⁸

¹⁸ Document 8 - Evidence statement of Mr Delaire p4.

At the request of the Panel, the Proponent addressed the issue of potential patron noise emanating from a proposed open dining area located on a north facing upper terrace. Mr Delaire stated that there are no relevant standards, but that his firm had developed a set of design targets which have been referenced in VCAT hearings. He concluded that if there were 400 patrons in the area, the noise generated was predicated to exceed the Marshall Day Acoustics targets by up to 6 decibels in the night period. He agreed that mitigation measures including restricting patron numbers may be required and that this should be addressed at the permit stage by way of permit conditions. Mr Delaire concluded that noise generated would meet relevant sleep disturbance standards.

Council supported the proposed acoustic treatments and the evidence of Mr Delaire.

(iii) Discussion

The Panel is satisfied with the proposed noise assessment and indicative mitigation measures. It notes that DPO4 requires a detailed acoustic report at the permit stage. This should include detailed assessment of noise and possible mitigation measures near properties at 15-19 Westfield Drive and any other location where the proposed acoustic barriers are discontinuous.

Noise generated during the construction phase will be addressed in the Construction Management Plan which is a requirement at the planning permit stage.

The Panel notes the concerns raised about noise resulting from late night 'hoon' or antisocial behaviour in cars but does not comment further as it is an issue for centre management and the police, not for this process.

(iv) Conclusions

The Panel concludes:

- the indicative noise assessment and mitigation measures are satisfactory and detailed assessment will occur at the planning permit stage
- assessment should include mitigation at points where the acoustic walls are discontinuous
- the issue of patron noise from any outdoor dining facility should be addressed at the planning permit stage.

7.3 Community facilities

(i) The issue

Council has proposed that space be set aside within the Centre for 'community uses'.

The key issue to be resolved is:

- whether the provision for community space is appropriate.

(ii) Submissions

Council submitted that the permit requirements in DPO4 require the Proponent to enter into an Agreement under section 173 of the *Planning and Environment Act 1987* to provide at

least 100 square metres of space for community facilities at no cost to Council but fitted out by Council.

Council requested the preparation of a Social Impact Assessment to enable it to better understand the need for facilities in an expanded Centre.

The Proponent did not oppose the provision of such space. It noted the outcomes of the Social Impact Assessment and gave broad support to Council requirements.

Council's Access and Equity Advisory Committee, a group comprising Council and community representatives, outlined the advantages of providing allied health services as part of a one shop stop approach to address current service gaps.

Submitters (including S14, S17, S46 and S84) highlighted a range of aspects of community service provision including the adequacy of 100 square metres of space, the need for affordable rental space for not for profit providers and suggestions for a wide range of facilities that use the provided space.

(iii) Discussion

The Panel supports provision of community space under the conditions set out in DPO4, noting that locating it near the bus interchange is not appropriate if the bus interchange is relocated underground, a position with which the Council and the Proponent agree.

The Panel notes the emphasis in the presentation by Mr Wong on behalf of the Proponent on centres becoming significant destinations in their own right. The provision of community facilities in the Centre is consistent with this development trend.

The Panel does not comment on the quantum of space to be provided but sees this as a matter to be further discussed between Council and the Proponent. The potential location of a future railway station in the Doncaster Hill precinct will significantly impact on the future location of a range of facilities including community facilities.

(iv) Conclusions

The Panel concludes:

- the provision of community space in the Centre is appropriate and acceptable.

7.4 Ecologically sustainable development

(i) The issue

The key issue to be resolved is:

- whether the requirements for ecologically sustainable development (ESD) are adequately addressed in DPO4 and the *Development Plan*.

(ii) Submissions

DPO4 requires a Sustainability Management Plan as part of the requirements for a Development Plan. The Proponent exhibited a plan entitled *Sustainability Commitments*. Section 3 of the Schedule outlines the commitment to ESD and the methodological approach proposed.

Council submitted that to reduce urban heat island effects, it sought changes to the Proponent's initial proposal to include a commitment to additional roof top landscaping and/or green facades.

Further it sought changes:

- *ensuring that there is flexibility to accommodate any updates to the Green Star tool should there be any changes prior to the completion of the development*
- *the inclusion of a commitment to achieve a minimum 4-star outcome for the expansion.*¹⁹

These requirements as agreed between Council and the Proponent are included in the proposed revisions to DPO4.

A Sustainability Management Plan is required at the permit stage unless the permit is for minor buildings and works. The need for sustainability plans at both the Development Plan and permit stages was questioned at the Hearing by the Proponent. Council explained that at the Development Plan stage, the requirement was for a plan indicating what the Proponent would do to meet its ESD commitments and at the planning permit stage, the requirement was for how this commitment would be managed and implemented.

The Proponent was broadly supportive of these changes subject to minor wording changes to DPO4.

Submitters 2 and 24 raised issues regarding ESD including the use of green technology and that minimum amount of ESD initiatives only were being proposed to obtain approval.

(iii) Discussion and conclusion

The Panel is satisfied that subject to the revisions agreed between Council and the Proponent in DPO4 and the provision of a Sustainability Management Plan, the ESD requirements are satisfactory.

7.5 Economic benefits and impacts

(i) The issue

The *Development Plan* includes a section on the Economic Benefits of the proposed development and the exhibited Amendment included a report entitled *Economic Benefits Assessment*. Council and the Proponent agreed to delete the requirement in the exhibited DPO Schedule for an Economic Report to accompany the approved *Development Plan*.

The key issue to be resolved is:

- whether the economic impacts and benefits are appropriate and whether the requirement for an economic report should be deleted.

¹⁹ Document 14 - Part B submission p35.

(ii) Evidence and submissions

Council undertook an assessment of the economic benefits of the proposed expansion as part of its strategic assessment of the Amendment. It identified over 2,000 new construction jobs and 2,900 new full or part time jobs when the centre is operational.

The *Economic Benefits Assessment* concluded that on completion, the Centre will attract 16 per cent of the available retail expenditure from the main trade area. The main trade area²⁰ is extensive, ranging from 7-10 kilometres from Westfield Doncaster and intersecting with the trade areas of other centres, including Chadstone.

At the third Directions Hearing, the Panel requested the Proponent to provide some updated economic data and asked the Council whether it had any readily available data on the impact of the Centre on nearby neighbourhood centres.

The update provided by the Proponent showed the revised floorspace proposed at Westfield Doncaster would provide for 24 per cent of the increased floor space likely to be required to serve the total trade area²¹, leaving a significant amount of floor space to be provided in other centres in the trade area.

The data provided by Council showed low vacancy levels in nearby neighbourhood centres.²²

In his evidence, Mr McGurn questioned the requirement in DPO4 for an Economic Report to accompany the *Development Plan* requirements and recommended that it be deleted. The basis for this recommendation was that in 2013, changes were made to the Planning Scheme which abolished floor space caps. He further stated that a knowledge of economic impact may be of interest to the Responsible Authority, but this is already required, albeit in the more limited way in the Activity Centre Zone Schedule.

(iii) Discussion

The Panel is of the view that the requirement or otherwise of an Economic Report as a requirement for the *Development Plan*, is somewhat academic in that such a report has been provided.

The Panel accepts the evidence of Mr McGurn regarding the removal of floor space caps but notes that there is broad policy guidance in Direction 1.2 of *Plan Melbourne* on a network of activity centres in metropolitan Melbourne ensuring that all have the capacity to grow and diversify. The Manningham MSS at Clause 21.09 emphasises the need for existing centres to remain vibrant and sustainable.

The Panel accepts that the proposed development will not result in undesirable impacts on competing centres in the trade area. Nor is it based on an unacceptably large proportion of available retail expenditure going to the Centre.

The data provided by Council is a suitable indicator that the Centre is not having unacceptable impacts on other parts of the local retail hierarchy.

²⁰ Comprising the primary and secondary trade areas.

²¹ Comprising the main trade area plus tertiary trade area.

²² Document 14 - Part B submission, p35

Having assured itself that metropolitan and local policy has been adhered to, the Panel supports the deletion of the requirement for the provision of an Economic Report in DPO4.

(iv) Conclusion

The Panel concludes that:

- the requirement in DPO4 for the provision of an Economic Report be deleted.

8 Amendment C104 and Development Plan

The earlier chapters of this report have addressed, and where relevant, have drawn conclusions and made recommendations on aspects of Amendment C104. This chapter addresses matters specific to the proposed planning controls.

At the Hearing the Panel commented on several obsolete terms and the inconsistent use of terms in the exhibited policy and schedules. These have arisen because of policy changes and prior Amendments. The Panel suggested that the Council take this opportunity to make further minor revisions to address these matters where it could be done in a policy neutral manner. The Council accepted this invitation and the Panel subsequently issued a relevant Direction. Council complied, and the Panel recommended versions of the Amendment documentation at Appendices E to I includes these minor changes. Appendices E and F only includes the relevant sections of the clauses and/or schedules that are proposed to be amended. The Road Closure Overlay is not proposed to be amended and is not appended.

Appendices E to I are based on Document 31 provided to the Panel by Council and as agreed with the Proponent. They consolidate:

- mark ups made in the exhibited version
- mark ups agreed between Council and the Proponent during the Hearing
- policy neutral mark ups referred to above, circulated as Document 34, and explained in a letter dated 20 September 2018 from Mr Kourambas (Document 32). These were circulated by Minter Ellison for the Proponent, but on behalf of Council
- Minor typographical issues identified by the Panel.

8.1 Proposed policy changes

The changes to the Municipal Strategic Statement at Clause 21.09 are changes to terminology, and to add the following to the Vision:

- *to facilitate the future expansion of Westfield Doncaster to provide an economically viable and sustainable precinct with retail, commercial and entertainment offerings that meet local and regional expectations and demands.*

Minor changes to strategies consistent with the Vision were made.

The proposed change was not contested and is supported by the Panel. Map 1 of Clause 21.09 at Appendix E1 should be updated and replaced before the Amendment is submitted for approval including removal of the reference to “Shoppingtown” in describing the Westfield Doncaster site.

8.2 Development Plan and requirements

Clause 3 to DPO4 states that the *Development Plan* must address the Vision and Objectives as set out in the Schedule. Further it lists a number of items which must be incorporated in the *Development Plan*.

The key issues to be resolved are:

- whether the requirements of Clause 3.0 of DPO4 have been met

- whether there needs to be revisions to the exhibited *Development Plan*.

The Proponent submitted that its Appendix B to its submission to the Panel (Document 16) outlines where the requirements of Clause 3 have been met. A number of these requirements are supplemented by way of exhibited reports.

In evidence Mr McGurn undertook an assessment of whether the *Development Plan* requirements are met and concluded:

As an overarching comment, I believe that the draft Development Plan appropriately and positively responds to the exhibited overlay requirements²³.

Where relevant, recommendations for minor changes made by Mr McGurn are addressed in earlier sections of this report.

Council did not dispute this nor did any other submitter.

The Proponent and Council presented a table of agreed revisions to the Development Plan required because of submissions made and further discussions at the Hearing. These are attached at Appendix D. The proposed revisions are not controversial and are accepted by the Panel.

The Panel concludes that:

- the requirements of Clause 3 of DDO4 have been met
- the form and content of the concurrently exhibited Development Plan are suitable for it to be approved subject to the revisions set out in Appendix D
- the exhibited Development Plan meets the requirements set out in DPO4.

8.3 Changes to the Activity Centre Zone Schedule

The Amendment proposes to make changes to Schedule 1 to the Activity Centre Zone.

The key issue to be resolved is whether the proposed changes to Activity Centre Zone are appropriate. The changes proposed to Activity Zone Schedule 1 include:

- a revised plan at Clause 1
- the addition of a further dot point under the heading of Land use in Clause 1
- change to the Table of Uses to clarify the conditions for food and drink and retail premises in Precinct 4A where a permit is required
- clarifying the boulevard treatment of Williamsons Road under the heading of Boulevard character in Clause 4.4
- revisions to the map for Precinct 4
- minor revision to Precinct guidelines at Clause 5.4-4
- minor revision to the Application requirements at Clause 6 to indicate that for Westfield Doncaster, these need to be read in conjunction with DPO4
- relocation and minor revision to the Advertising signs requirement.

These changes were not contested and are supported by the Panel.

²³ Document 6 - Evidence statement of Mr McGurn p26.

8.4 Replacement of the Incorporated Plan Overlay with the Development Plan Overlay

The Amendment deletes Schedule 1 to the IPO and introduces a new Schedule 4 to the DPO into the Planning Scheme, together with associated Schedule and mapping changes.

The key issue to be resolved is whether the use of the DPO is an appropriate planning tool.

The Proponent submitted that the proposed DPO Schedule “*is drafted in sufficiently precise terms to provide certainty concerning future land use and development outcomes for the Centre*”.²⁴ The Proponent submitted that there has been a greater tendency in recent years to use the DPO because of the inherent flexibility that they offer compared with an IPO which requires an Amendment to amend it. Mr McGurn outlined the similarities of an IPO and DPO and supported the proposal.

Council did not oppose the replacement of the IPO by the proposed DPO, nor did any other submitter.

The Panel accepts that recent practice has been to use the DPO rather than an IPO as the planning tool of choice in situations similar to the current one.

The Panel is satisfied that the proposed DPO provides sufficient certainty to both the Proponent and to the broader community. It is noted that the Amendment is accompanied by a proposed *Development Plan*, which while it may be amended to meet changing circumstances, in its current form provides an additional level of certainty for the community about the intentions for the Westfield Doncaster site.

The opportunity to comment in this way about the detail of the *Development Plan* is a positive outcome for the local community.

The Panel concludes that the DPO is an appropriate planning tool to use.

8.5 Changes to the Development Plan Overlay Schedule 4

Several changes to DPO4 were resolved between the Proponent and Council. These were not contested and are supported by the Panel.

In summary the key changes were:

- clarification of several requirements to be met before a permit can be issued
- increased flexibility with respect to possible future uses
- changes resulting from the acquisition of 20-34 Westfield Drive
- revise the terminology used to describe the ‘landmark building’ and its indicative location and potential uses
- provide flexibility for the possible location of the bus interchange
- delete the requirement to prepare an economic report.

The Concept Plan at Clause 4 should be updated to reflect the following before the Amendment is submitted for approval:

²⁴ Document 16 - Scentre Group Submission p11.

- remove designation to gateway treatment of the tower form and place the gateway marker consistent with Doncaster Hill Framework Plan in the Activity Centre Zone Schedule (at the north west corner of Westfield Doncaster)
- re-label the tower form currently identified as 'Gateway Treatment' to 'Landmark Building'.

8.6 Changes to the Development Contributions Plan Overlay

The exhibited Development Contributions Plan Overlay proposed to leave the exemptions from development contributions up to a maximum of leasable floor area for the Centre at 135,000 square metres in place. The effect of this is that development contributions would be applicable for the expansion of the Centre beyond this floor space threshold.

The key issue to be resolved is whether it is appropriate to endorse the agreement exempt Westfield Doncaster from the provision of the Development Contributions Plan Overlay Schedule 1 as agreed between Council and the Proponent.

At the Hearing neither Council or the Proponent made substantive submissions on this issue. They advised the Panel that they were having ongoing discussions with the aim of resolving this issue outside the Panel process. As part of closing submissions, the parties advised the Panel that agreement had not been reached and sought a further seven days to continue these discussions. A Direction to this effect was made by the Panel on 14 September 2018 (Document 35) which provided all submitters the opportunity to make further comment.

No submissions were made that related to the Development Contributions Plan Overlay or any development contributions that should be made.

An Explanatory Statement dated September 2018 (Document 32), prepared by Mr Townshend and Mr Chessell for the Proponent explained that agreement had been reached for certain cash payments to Council, together with works in kind that would be provided under a section 173 Agreement. Further, Development Contributions Overlay Schedule 1 would be amended to add:

Construction of a building or construction or carrying out of works on the land known as Westfield Doncaster being the land identified on Planning Scheme Map DPO7 up to a leasable floor area of 196,000 square metres (comprising a maximum of 133,000 square metres leasable floor area for shop) provided that there is an agreement to secure development contributions or the carrying out of those infrastructure works to the satisfaction of the responsible authority.

The Panel notes that when a provision to apply a Development Contribution Plan Overlay is exhibited, in the interests of a transparent Amendment process it is appropriate that more detail of any agreement to add an exemption to the exhibited document be provided at the Hearing. It is acknowledged that in this instance no other submitter made submissions on this matter, but once exhibited, removing the matter from the public process and providing no detail on the agreement reached to remove it from the process is unusual.

That said, given the agreement reached between Council and the proponent on the provision of off-site infrastructure, the Panel accepts the proposed revision to the Schedule.

The Panel accepts the proposed revisions to Development Contributions Plan Overlay Schedule 1.

8.7 Application of the Road Closure Overlay

The Amendment proposes to introduce the Road Closure Overlay (Westfield Drive at Williamsons Road) into the Planning Scheme and an associated new map.

The key issue to be resolved is whether the application of the Road Closure Overlay is appropriate.

Council initially submitted that there may need to be a delay in the approval of the Road Closure Overlay so that Westfield Drive was not closed before the required works within the Centre had been completed.

In closing, Council clarified this situation, indicating that approval of the Road Closure Overlay closed Westfield Drive only in a legal sense. Council noted that the physical closure of Westfield Drive could occur later when the alternative access arrangements were in place for the Westfield Drive residents.

Based on Council's explanation, the Panel concludes that the application of the Road Closure Overlay as exhibited should be approved.

8.8 Advisory Committee Terms of Reference

Clause 3 of the Terms of Reference of the Advisory Committee state its Purpose is to:

... complement the Panel considering submissions to Amendment C104 and advise the Minister for Planning and Manningham City Council on the form, content and suitability of the concurrently exhibited Development Plan for the extension of the Westfield Doncaster shopping centre.

Clause 23 state that the required outcomes are to produce a written report providing:

- *an assessment of all relevant planning issues relating to the proposed Development Plan and a Recommendation on whether the Development Plan should be approved, approved with changes, or not approved*
- *an assessment of submissions to the Advisory Committee*
- *any other relevant matters raised in the course of the Advisory Committee Hearing*
- *a list of persons who made submissions considered by the Advisory Committee*
- *a list of persons consulted or heard.*

The Advisory Committee concludes that it has met its Terms of Reference through the following summary advice:

- the proposed *Development Plan* is suitable in terms of its form and content, subject to minor changes listed in Appendix D
- relevant planning issues are addressed, and conclusions drawn in Chapters 3, 4, 5, 6 and 7
- the conclusions drawn identify a range of matters to be addressed at the planning permit stage

- no other relevant matters were raised
- submitters to the Amendment and the Development Plan are listed in Appendix B
- a list of persons heard by the Advisory Committee is at Table 2.

8.9 Recommendations

The Panel recommends that Manningham Planning Scheme Amendment C104 be adopted as exhibited, subject to the following:

- 2. Adopt the Panel recommended versions of the following, included at Appendices E, F, G, H, and I:**
 - a) Clause 21.09 of the Manningham Planning Scheme (subject to updating Maps 1, 2 and 5)**
 - b) Activity Centre Zone Schedule 1**
 - c) Development Plan Overlay Schedule 4 (subject to updating the Concept Plan at Clause 4)**
 - d) Development Contributions Plan Overlay Schedule 1**
 - e) Parking Overlay Schedule 1**
 - f) Road Closure Overlay (as exhibited but not appended)**
- 3. Approve the Westfield Doncaster Development Plan Version 24A (October 2017) in accordance with changes set out in Appendix D.**

Appendix A Terms of Reference

Manningham Planning Scheme C104 – Proposed Westfield Doncaster Development Plan Advisory Committee

Terms of Reference

Version 2: July 2018

Advisory Committee appointed pursuant to Part 7, Section 151 of the *Planning and Environment Act 1987* to report, concurrently with a Planning Panel, on the proposed Development Plan displayed with Amendment C104 to the Manningham Planning Scheme for the extension of the Westfield Doncaster shopping centre at 619 Doncaster Road and 20-34 Westfield Drive, Doncaster.

Name

1. The Advisory Committee, and associated Planning Panel, is to be known as the ‘Manningham Planning Scheme Amendment C104 – Proposed Westfield Doncaster Development Plan Advisory Committee’.
2. The Advisory Committee is to have members with the following skills:
 - a. Statutory and strategic planning
 - b. Traffic
 - c. Urban design
 - d. Development contributions
 - e. Environmental sustainability

Purpose

3. The purpose of the Advisory Committee is to complement the Panel considering submissions to Amendment C104 and advise the Minister for Planning and Manningham City Council on the form, content and suitability of the concurrently exhibited Development Plan for the extension of the Westfield Doncaster shopping centre.

Background

4. Manningham City Council has requested that the Minister for Planning, the Hon Richard Wynne MP appoint a Panel pursuant to sections 153 and 155 of the *Planning and Environment Act 1987* (the Act), to consider submissions to Amendment C104 to the Manningham Planning Scheme for the proposed extension to the Westfield Doncaster shopping centre.
5. Manningham City Council has also requested the Minister appoint an Advisory Committee under section 151 of the Act to complement the Panel hearing on Amendment C104 and review the proposed Development Plan.
6. Amendment C104 to the Manningham Planning Scheme proposes to delete the existing Incorporated Plan Overlay (Schedule 1) from the land at 619 Doncaster Road and 1 Grosvenor Street, Doncaster, and apply a new Development Plan Overlay - Schedule 4 (DPO4) to the land at 619 Doncaster Road and 20-34 Westfield Drive, Doncaster, to facilitate the preparation and approval of a Development Plan to support the expansion of Westfield Doncaster. The Road Closure Overlay (RXO) is also proposed to be applied to the westernmost end of Westfield Drive adjoining the northern site boundary.

7. Furthermore, the amendment also proposes to amend Schedule 1 to the Development Contributions Plan Overlay to clarify the development contributions that would apply in relation to the site, amend Schedule 1 to the Activity Centre Zone (ACZ1), and in particular the provisions relating to Precinct 4: Westfield Doncaster, amend Schedule 1 to the Parking Overlay (PO1) to specify retail (shop) and commercial (office) car parking, specifically for the Westfield Doncaster site; as well as a number of ancillary changes to the Manningham Planning Scheme to reflect the introduction of the new DPO4. Amendment C104 to the Manningham Planning Scheme seeks to apply Schedule 4 to the Development Plan Overlay (DPO4), which will require a Development Plan to be prepared.
8. Westfield has prepared a draft Development Plan which was exhibited concurrently with Amendment C104.
9. Manningham City Council is the planning authority for the planning scheme amendment, and the responsible authority for deciding on the Development Plan.
10. Manningham City Council has requested that the Panel and Advisory Committee operate concurrently with the dual role of hearing submissions in response to Amendment C104 as well as the proposed Development Plan. The joint Panel and Advisory Committee will provide interested parties, who have made submissions on the amendment and/or the proposed Development Plan, with the opportunity to have their views heard at a single forum.
11. The Advisory Committee will provide its advice on the proposed Development Plan to the Minister for Planning and Manningham City Council.

Method

12. The Advisory Committee must:
 - a. Review and assess all relevant planning issues related to the proposed Development Plan.
 - b. Review and assess all submissions made in regard to the proposed Development Plan documentation.
 - c. Provide a recommendation to Manningham City Council as to whether the Development Plan should be approved, approved with changes or not approved.
13. The Advisory Committee should inform itself further in any way it sees fit, but must have regard to:
 - a. Relevant documentation submitted with Amendment C104 and the proposed Development Plan.
 - b. The objectives of the *Planning and Environment Act 1987*, *Plan Melbourne* and *Plan Melbourne Refresh*, *Planning Practice Note PN56 Activity Centres*, and any relevant provisions in the Manningham Planning Scheme, including those proposed under Amendment C104.
14. The Advisory Committee is not expected to carry out any additional public notification or referral, but may do so if it considers it to be appropriate.
15. The Advisory Committee is expected to carry out a public hearing and must consider all relevant submissions.
16. The Advisory Committee shall provide the following parties with an opportunity to make a submission and be heard:

- a. Manningham City Council
- b. VicRoads
- c. The proponent and their representatives
- d. Any person who has made a submission regarding the proposed Development Plan.

Note: As the Advisory Committee will be operating concurrently with the independent Planning Panel on Amendment C104, submissions on the amendment will be heard at the same time as submissions on the proposed Development Plan.

17. The Advisory Committee may meet and invite others to meet with them when there is a quorum of at least two of the Committee members.
18. Petitions and pro-forma letters will be treated as a single submission and only the first person to appear will receive correspondence in relation to this matter.
19. Any briefings or discussion sessions must be conducted in an open, orderly and timely manner, with the minimum of formality and without the need for legal representation.
20. On the same day as the Advisory Committee's report is provided to the Minister for Planning, a copy of the report must be provided to Manningham City Council.

Submissions are public documents

21. The Advisory Committee must retain a library of any written submissions or other supporting documentation provided to it until a decision has been made on its report or five years has passed from the time of its appointment.
22. Any written submissions or other supporting documentation provided to the Advisory Committee must be available for public inspection until the submission of its report to the Minister for Planning and Manningham City Council, unless the Advisory Committee specifically directs that the material is to remain confidential.

Outcomes

23. The Advisory Committee must produce a written report for the Minister for Planning and Manningham City Council providing:
 - a. An assessment of all relevant planning issues relating to the proposed Development Plan and a recommendation on whether the Development Plan should be approved, approved with changes, or not approved.
 - b. An assessment of submissions to the Advisory Committee.
 - c. Any other relevant matters raised in the course of the Advisory Committee hearing.
 - d. A list of persons who made submissions considered by the Advisory Committee.
 - e. A list of persons consulted or heard.
24. The report is to be prepared as a single report in conjunction with the Panel for Amendment C104.

Timing

25. The hearing is to be conducted in accordance with the Hearing schedule for the Panel for Amendment C104.

26. The Advisory Committee is required to submit its report in writing as soon as practicable, but no later than eight weeks from the completion of the hearing.

Fee

27. The fee for the Advisory Committee will be set at the current rate for a Panel appointed under Part 8 of the *Planning and Environment Act 1987*.
28. The costs of the Advisory Committee will be met by the proponent of Amendment C104 and the proposed Development Plan.



Hon Richard Wynne MP
Minister for Planning

Date: 4/7/18

Appendix B Submitters to the Amendment

No.	Submitter	No	Submitter
1	Ms Sheree Palmer	25A	Mr John Fitzgerald
2	Mr Kelvin Steel	25B	Mr John Fitzgerald
3	Mrs Mary Vardakis	25C	Mr John Fitzgerald
4	Mr Peter Vardakis	25D	Mr John Fitzgerald
4A	Mr Peter Vardakis	26	Con Gantonas
5	Mr Basile Sepsakos	27	Mr Anthony Coomes
6	Mr Hua Chan	28	Mr Tony Cooke
6A	Mr Hua Chan	29	Mrs Sue Dick
7	Ms Julie Nixon	30	Ms Santina Cotela
8	Miss Melissa Lock-Berry	31	Ms Alice Zafir
9	Mrs Pan Kite	32	Mrs Brigid Moran
10	Mr Lewis Chen	33	Mr James Adams
11	Ms Julie Blackie	34	Mr Dylan Pedersen
11A	Ms Julie Blackie	35	Ms Stella Ng
12	Peter Pasquale	36	Ms Sabina Leung
13	Rose Pagin	37	Mr Albert Brown
14	Mr Don Bartlett	38	Mrs Paola Salvitti-Menelle
15	Mr Robert Martorella	38A	Mrs Paola Salvitti-Menelle
16	Mr & Mrs Faralla	39	Scentre Group
16A	Mr & Mrs Faralla	39A	Scentre Group
17	Mr Aaron Jones	40	SJB Consulting on behalf of the Bunnings Group
18	Mr Malachi Whelan	40A	SJB Consulting on behalf of the Bunnings Group
19	The Hon Kevin Andrews MP, Federal Member for Menzies	41	VicRoads
20	Mr N Seresli & Ms T Menelle	42	Public Transport Victoria
21	Dr Terence Price	42A	Public Transport Victoria
22	Mr John Rowe	43	Ms Laura Debernardi
23	Ms Mai Ying Yong	44	Mr Con Sarrou & Ms Y Xu
23A	Ms Mai Ying Yong	45	Mr Paul Pianezzola
24	Ms Sharon Lovelace	46	Manningham Access & Equity Advisory Committee
25	Mr John Fitzgerald	47	Mrs Julie Pryor

No.	Submitter	No	Submitter
48	St Gregory the Great Primary School	68	Mr Lawrence Ladomery
49	Mr Ian Keese	69	Ms Lesley Hawes
50	Mr John Slattery & Mr Noel McClelland	70	Mr Rosario Montalti
50A	Mr John Slattery & Mr Noel McClelland	71	Baptcare
51	Ms Catherine McClelland	72	Mr Anthony Aldridge
51A	Ms Catherine McClelland	73	Ms Yuyun Wang
52	Ms Kate & Ilija Nikolovski	74	Mr David Gawthorn
53	Mr Kenneth Lucero	74A	Mr David Gawthorn
54	Mr Clifford New	75	No submission
55	Ms Fabienne Hayes	76	Mrs Helen Norman
56	Mr Matthew Crichton	77	Mr Peter Norman
57	Miss Yifan Zhu	78	Mr Noel McClelland
58	Ms Min Zhu	79	Mr Tim McKinley
59	Mr Simon Urlich	80	Ms Tania Menelle
60	Mr Mehdi Moderressi	80A	Ms Tania Menelle
61	Mr Quangang Wu	81	Mr Michael Miran
62	Ms Abla Evangelidis	82	Engine Owners Corporation Management Pty Ltd
63	Ms Thanh Mai Le	83	Petition lead by Mr Noel McClelland
64	Ms Santina Cotela	84	Ms Frances Cannizzo
65	Dr Gemma Cruz	85	Meijie Zhang
66	Ms Carla Montalto	86	Ms Antonia Puccio
67	Ms Tina Garg	87	Ms Raquel Stevens

Appendix C Document list

No.	Date	Description	Presented by
1	17/07/2018	Correspondence from TfV	Mr Burton, Transport for Victoria
2	25/07/2018	Directions and Timetable (v1)	Ms Mitchell, Chair
3	30/07/2018	Correspondence advising of expert witnesses	Ms Megenis, Minter Ellison
4	23/08/2018	Revised Timetable and Distribution list (v2)	Ms Harwood, PPV
5	24/08/2018	Part A Submission and evidence of: <ul style="list-style-type: none"> Mr Czarny on urban design Ms Dunstan on traffic 	Ms Winstanley
6	“	Evidence of: <ul style="list-style-type: none"> Mr Kiriakidis on traffic Mr McGurn on planning Letter from Mr Drew 	Ms Megenis, Minter Ellison
7	27/08/2018	Evidence of: <ul style="list-style-type: none"> Mr Kiriakidis on traffic (revised statement) Mr Hunt on local traffic 	“
8	28/08/2018	Evidence of Mr Delaire on acoustics	“
9	29/08/2018	Revised Timetable and Distribution list (v2)	Ms Harwood, PPV
10	31/08/2018	Traffic Conclave Statement	Ms Megenis, Minter Ellison
11	03/09/2018	Book of Plans	Mr Townshend
12	“	PowerPoint presentation- Overview of the proposed development- Mr Roland Wong	Mr Townshend
13	“	PowerPoint presentation – Overview of traffic and access issues – Mr John Kiriakidis	Mr Townshend
14	“	Part B Submission – Manningham City Council	Mr Montebello
15	“	PowerPoint presentation- Doncaster Hill Activity Centre – Ms Lydia Winstanley	Mr Montebello
16	04/09/2018	Submission by the Scentre Group	Mr Townshend
17	“	Current Incorporated Plan Overlay Schedule 1	Mr Townshend
18	“	Endorsed Plans for 36-38 Westfield Drive Doncaster	Mr Townshend
19	“	Photographs complementing the endorsed plans	Mr Townshend
20	“	PowerPoint presentation - Evidence of Mr Christophe Delaire	Mr Townshend
21	05/09/2018	Corrections to filed evidence of Mr Hunt	Mr Hunt
22	“	Road rule No. 92	Mr Kiriakidis
23	“	VCAT decision in case P2013/2009	Mr Townshend

24	13/09/2018	Proponent and Council version of revised planning controls	Mr Townshend
25	“	Submission by Ridge Owners group	Mr Slattery
26	“	Submission of Mr McClelland	Mr McClelland
27	“	Submission of Ms McClelland	Mr McClelland
28	“	Submission of Mr Keese	Mr Keese
29	“	Submission of Mr Fitzgerald	Mr McClelland
30	“	Response by Council to questions on notice	Mr Montebello
31	“	Tracked change version of Document 24	Mr Montebello
32	24/09/2018	Letter from City of Manningham	Mr Kourambas of Council
33	“	Explanatory statement re Development Contributions Plan discussions	Mr Townshend
34	“	Post Hearing version of planning controls	Ms Megenis
35	09/10/2018	Post Hearing Direction by the Panel	Ms Harwood

Appendix D Panel recommended changes to Development Plan

The following table includes the recommended changes that should be made to the Development Plan before it is submitted for approval:

Section of Development Plan	Proposed change
Section 3.2 (page 23) – Urban Design Vision	Update the objectives listed in this section to be consistent with the revised objectives at Clause 3.0 of the proposed Development Plan Overlay, Schedule 4
Section 3.3 (page 24) (and consequential changes)	<p>Delete following paragraphs:</p> <p><i>A gateway building is established addressing Williamsons Road, and located to the northern end of the centre. It will be designed and located to signify the regional importance of Westfield Doncaster.</i></p> <p><i>The landmark building supports the Doncaster Hill Strategy by creating a gateway to the core of the activity centre along Williamsons Road opposite key built form.</i></p> <p>Replace with following paragraphs:</p> <p><i>Architectural design to the north west corner appropriate to its gateway location is to be established addressing Williamsons Road.</i></p> <p><i>A landmark building form supports the Doncaster Hill Strategy by marking the core of the activity centre along Williamsons Road opposite key built form.</i></p> <p>Consequential changes should be made throughout the Development Plan to replace the words '<i>gateway building</i>' with the words '<i>landmark building form</i>'. This occurs at pages 26, 28, 30, and 57.</p>
Section 3.4 (page 26) – Concept Plan	The inclusion of an additional sentence under the heading 'Land Use' providing that: ' <i>Other land uses within the Centre may be also contemplated, as appropriate</i> '.
Section 3.6 – Car parking	Inclusion in Part 3.6 of plan prepared by GTA Consultants labelled 'Overall Concept Plan' drawing number 15M1090200-SK11, Issue P6 dated 23.9.16

Section of Development Plan	Proposed change
Section 3.6 (page 43) – Car Parking	<p>The inclusion of additional wording under the heading at the first dot point of paragraph 3 to provide that (additional wording underlined):</p> <p><i>'An ultimate provision of car parking in the order of 7,575 car spaces will be provided under post-development condition. The final quantity will be determined under the Parking Overlay Schedule 1.'</i></p>
Section 3.8 (page 59) – Roseville Avenue Interface	<p>Add the following provision:</p> <p><i>'New built form should, as appropriate, comply with the requirements of Clause 55.04-3 (Daylight to Existing Windows) and Clause 55.05-6 (Overlooking) where the site adjoins residential properties.'</i></p>
Section 3.8 (page 60)	<p>Amend the following sentence concerning the location of the Bus Interchange as follows</p> <p><i>'Except with the approval of all relevant authorities, it is intended that the facility will be provided on the ground level and provide appropriate weather protection (i.e. undercover for passengers).'</i></p>
Section 3.10 (page 66) – Ecologically Sustainable Development	<p>Amend title of this section to 'Sustainability Management Plan'.</p>
Section 3.2 (page 23) – Urban Design Vision	<p>Update the objectives listed in this section to be consistent with the revised objectives at Clause 3.0 of the proposed Development Plan Overlay, Schedule 4</p>

Appendix E Panel recommended Clause 21.09

21.09 ACTIVITY CENTRES AND COMMERCIAL AREAS

21.09-1 Overview

19/06/2014

Proposed
C104

This section applies to all activity centres and commercial areas identified in Framework Plan 5. Activity Centres are generally included within a Commercial 1 Zone or an Activity Centre Zone. Other commercial areas are generally zoned Commercial 1 Zone and Mixed Use Zone.

Manningham's network of activity centres currently comprises ~~one Principal Activity Centre (Doncaster Hill Doncaster) and one~~ two Major Activity Centres (Doncaster Hill, Doncaster and The Pines, East Doncaster) and ten Neighbourhood Activity Centres (Donburn, Tunstall Square, Jackson Court, Templestowe Village, Macedon Activity Centre, Bulleen Plaza, Doncaster East / Devon Plaza Activity Centre, Park Orchards, Warrandyte township and Warrandyte Goldfields). There are also a number of local activity centres, and other commercial areas throughout the municipality.

Activity centres are integral to the local economy and local employment generation and are an important focal point for community life and interaction.

Key challenges for Manningham's network of activity centres are to ensure that commercial development is contained within the activity centres and that existing centres remain vibrant, viable and sustainable into the future. These centres will be supported by an enhanced public transport system. The ~~Principal~~ Major and identified Neighbourhood Activity Centres will be the focus of increased residential growth and development. Other key challenges facing activity centres include changes to industry and social trends (eg, regionalisation of government services to larger centres, internet shopping, lifestyle shopping) as well as the impact of The Pines and Westfield Doncaster expansions on other centres.

Small clusters of commercial development exist throughout Manningham. There is increasing pressure for linear commercial development along main roads and for new commercial development to be located outside of activity centres. These types of developments impact on the viability of the existing activity centres and are often poorly located in terms of access to appropriate services and public transport.

~~Principal~~ Major Activity Centre (Doncaster Hill)

~~The Metropolitan Strategy Melbourne 2030 Plan Melbourne 2017-2050~~ identifies Doncaster Hill as a ~~Major Principal~~ Activity Centre.

The Doncaster Hill Activity Centre is a 58 hectare area located in Doncaster, stretching along the major corridors of Doncaster Road, Williamsons Road and Tram Road. It is located approximately 12 kilometres from the Melbourne Central Activities District and is one of the highest points in Melbourne showcasing views of the Dandenongs, Kinglake Ranges and the panoramic Melbourne City skyline.

The Doncaster Hill Activity Centre is regarded as a prime location for redevelopment based on topographic features and existing physical and community infrastructure assets.

To meet changing demographic trends and achieve residential targets identified by Council there is a need to provide a greater diversity of dwelling types. As part of the *Manningham Residential Strategy (20192)*, high and medium density housing densities will be encouraged within identified Activity Centres whilst residential development outside identified Activity Centre areas will be the focus for lower density, detached housing development. The Doncaster Hill Activity Centre has been identified as a focus for high density residential development.

Manningham has a commitment to sustainability. The Doncaster Hill Activity Centre is an opportunity to showcase an integrated land-use planning and development framework which:

- challenges mainstream community planning and building design to achieve desired environmental outcomes
- provides more local jobs to reduce journey to work trips
- provides housing where residents may walk to facilities and services
- encourages reduced levels of car ownership and increased public transport usage.

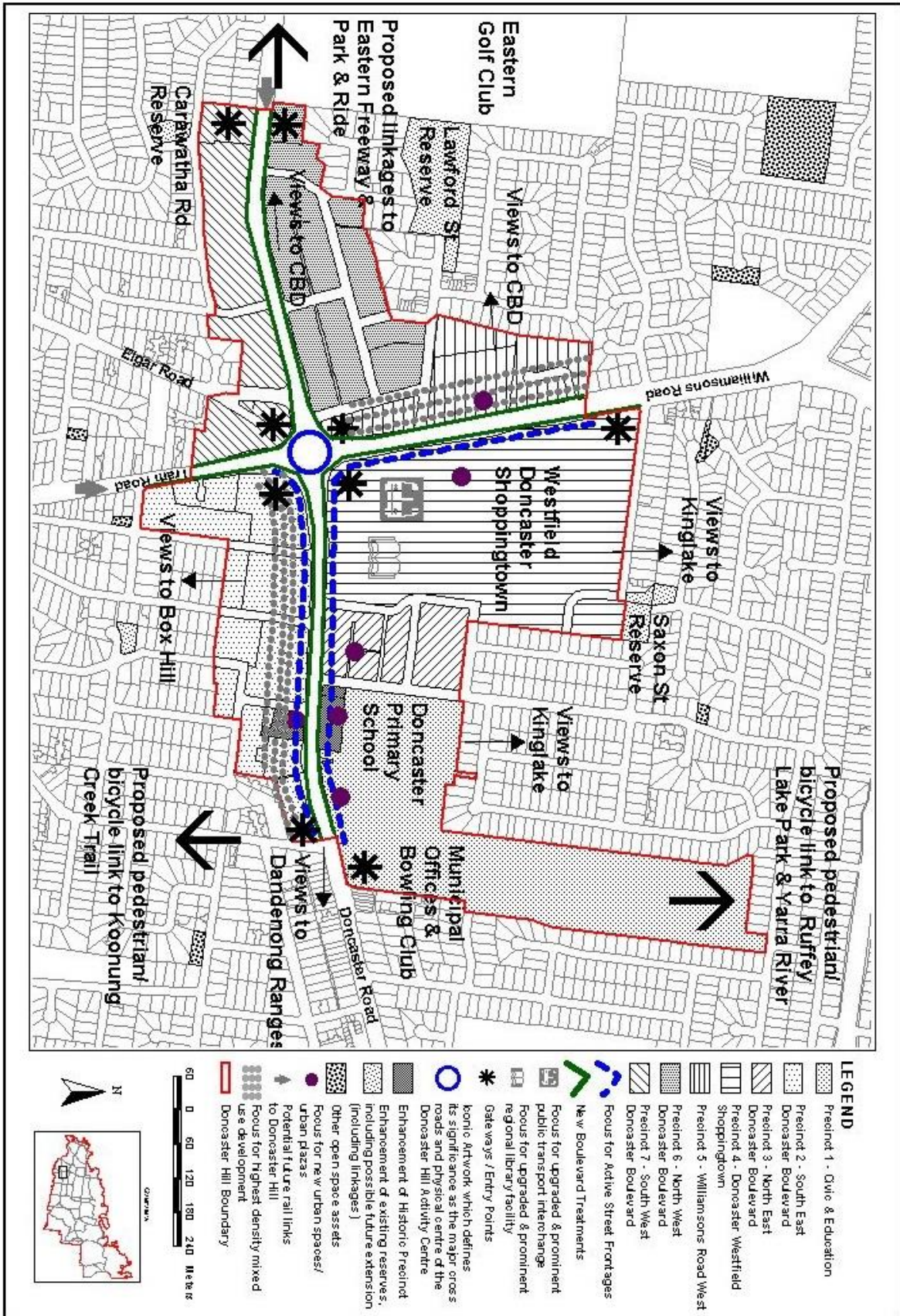
Vision

The *Doncaster Hill Strategy* (October 2002, [revised 2004](#)) envisages that the Doncaster Hill Activity Centre will be a key destination in Melbourne's East. It will be a high density, sustainable, vibrant, contemporary mixed use urban village with a strong sense of place and civic identity based on the following key vision objectives:

- To implement the objectives of Plan Melbourne 2017-2050 in respect of Major Activity Centres as a focus for retail, social, commercial, entertainment, civic and residential uses.
- [To facilitate the future expansion of Westfield Doncaster to provide an economically viable and sustainable precinct with retail, commercial and entertainment offerings that meet local and regional expectations and demands.](#)
- To integrate ecologically sustainable development principles and techniques into every facet of the design, construction and operation/occupancy stages of new development to raise the aspirations of all users, appropriate for a city looking towards a long-term, responsible and sustainable future.
- To ensure that built form outcomes demonstrate the use of contemporary architecture combined with innovative urban design and building techniques that incorporate ecologically sustainable design principles.
- To emphasise the existing dramatic landform of Doncaster Hill through built form that steps down the hill.
- To encourage high density, high rise residential development.
- To provide a greater diversity of dwelling types.
- To alleviate pressure for more intense residential development in established urban areas.
- To reduce travel demand and change travel behaviour.
- To promote the development of sustainable transport options.
- To meet the future infrastructure requirements of Doncaster Hill in a comprehensive, timely and equitable way.
- To develop an integrated mixed-use precinct for Doncaster Hill Activity Centre which provides for an appropriate mix of uses and functions on a location specific level, including the provision of:
 - mixed uses within buildings, particularly along boulevard locations
 - small scale retail opportunities at ground floor level in conjunction with other mixed use developments
 - additional commercial/office floor space
 - flexible floor spaces within buildings to ensure life cycle adaptability.

The key strategic directions for future land-use planning and development are illustrated by the Doncaster Hill Strategy Framework Plan, included as Map 1 to this Clause. This Framework Plan provides the design vision as a stimulus for private and public sector developments.

Map 1 - Doncaster Hill Strategic Framework Plan (to be revised)



Precincts

Seven distinctive development precincts have been identified and delineated within the Doncaster Hill Activity Centre. The precincts are delineated in accordance with their topographic orientation and aspect on Doncaster Hill, their relationship to main roads, and their present and future uses.

The precincts provide guidance to the expected outcomes in each area and a framework for the assessment of appropriate mixes of functions, building scale and character to create a distinctive sense of identity and character for each of the precincts.

In addition to the seven precincts, guidance to the expected outcomes for the intersection of Doncaster, Williamsons and Tram Roads is also outlined. The seven precincts of the Doncaster Hill Activity Centre and the intersection are identified on Map 2 to this Clause.

Precinct 3

Existing conditions

This precinct is the interface zone between the Civic and Education Precinct 1 to the east and Westfield Doncaster (Precinct 4) to the west. It falls away dramatically to the north maximising northern views and exposure. The Precinct presently comprises mainly low-density housing, with several rear lanes, and commercial development abutting Doncaster Road.

Vision

In light of its strategic location between Precincts 1 and 4, the future fabric in Precinct 3 will be highly permeable, including well-defined public spaces with linking pathways and with development addressing rear laneways and well designed public plaza(s). Precinct 3 will be well connected to high-density mixed-use development along Doncaster Road and Doncaster [Westfield Doncaster Shoppingtown](#). Development will step down the hill and should fully exploit the northerly aspect and commanding views to the northern ranges.

Precinct 4

Existing conditions

[Westfield Doncaster Shoppingtown](#) is a major regional shopping centre centrally located within the Doncaster Hill Activity Centre. The site has significant frontages to the main roads and occupies the dominant corner of the main intersection. It commands panoramic views to the north and west. The precinct also contains residential ~~and community~~ uses along the northern boundary.

Vision

As the Principal retail and entertainment focus of the Doncaster Hill Activity Centre it is envisaged that [Westfield Doncaster Shoppingtown](#) will be better integrated into Doncaster Hill Activity Centre and the surrounding community. Future developments ~~at of~~ [Westfield Doncaster Shoppingtown](#) should be consistent with the vision of Doncaster Hill Activity Centre by incorporating activated street frontages and external spaces, a greater mix of uses, pedestrian accessibility, an accessible and prominent public transport interchange and improved engagement with the main intersection.

Precinct 5

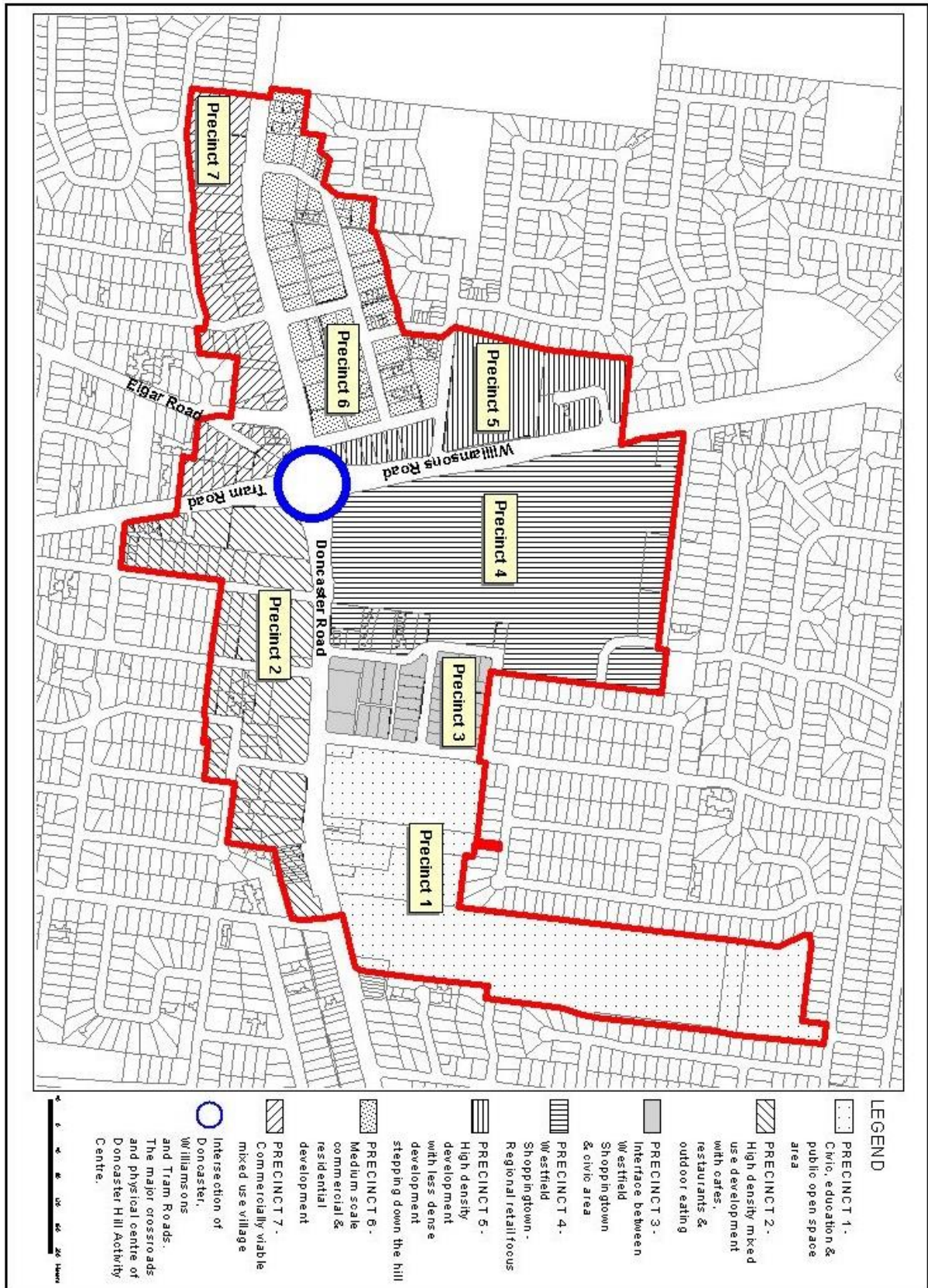
Existing conditions

This precinct extends along the Williamsons Road ridgeline. It contains the only existing high-density housing development on the Hill and the Doncaster Hotel, the third largest single consolidated site within Doncaster Hill Activity Centre. The precinct features panoramic city skyline views to the west and direct access to open space and parkland along its southern boundary.

Vision

It is envisaged that high-density development continues along the Williamsons Road ridgeline, with strong links to Lawford Reserve, [Westfield Doncaster](#) ~~Shoppingtown~~ and the public transport interchange. Strategic view corridors are to be created from the west side of Williamsons Road (in the vicinity of the Shoppingtown Hotel site) towards the city skyline, including from public open space abutting Williamsons Road.

Map 2 - Location of Doncaster Hill Activity Centre Precincts (to be revised)



21.09-2 **Principal Major Activity Centre (Doncaster Hill)**

23/07/2015

Proposed
C104**Key issues**

- The identification of Doncaster Hill as the civic hub for the municipality.
- The need for mixed use development with a focus on high density residential development in the Doncaster Hill Activity Centre.
- Pressure for commercial and retail development outside the Doncaster Hill Activity Centre.
- Incorporating ecologically sustainable development principles in every facet of design, demolition, construction and operation.
- Achieving innovative contemporary design and built form for all new development that is based on the best of current architectural design practice and sustainability principles.
- Infrastructure requirements in the Doncaster Hill Activity Centre.

Objectives

- To provide quality civic community services and facilities.
- To promote mixed use, high density residential development.
- To encourage the location of commercial and retail development within the Doncaster Hill Activity Centre.
- [To recognise the key role that Westfield Doncaster plays as an anchor in the Doncaster Hill Activity Centre and as a major regional shopping centre.](#)
- To maximise energy conservation and increase use of renewable energy resources.
- To achieve water sensitive urban design that offers a superior alternative to the traditional approach to water management.
- To minimise the environmental impacts of input and output materials as well as any material used in the external construction and development of buildings and works.
- To achieve healthy indoor environment quality.
- To achieve a reduction in waste generated by building occupants that is collected, hauled to and disposed of in landfills.
- To achieve building design which includes accessibility and reduces the need to modify or alter buildings, in response to future changing needs and uses.
- To maximise alternative modes of transport and minimise environmental impacts associated with car parks.
- To minimise environmental impacts associated with site construction practices.
- To achieve innovative contemporary design and built form for all new development that is based on the best of current architectural design practice and sustainability principles.
- To ensure that the future infrastructure requirements of the Doncaster Hill Activity Centre are met in a comprehensive timely and equitable manner.
- To ensure all costs are equitably apportioned between developers and the responsible authority, in the provision of all relevant infrastructure.
- To encourage active uses and pedestrian generating activities at street level.
- To improve pedestrian, bicycle and public transport access to and within Doncaster Hill.
- To minimise adverse impacts associated with the location and operation of gaming venues and machines.

Strategies

Strategies to achieve these objectives include:

- Provide a range of social and community services to be located in the Doncaster Hill Activity Centre to meet the needs of the current and future residents and reinforce its role as Manningham's civic centre.
- Provide for high density residential development on individual sites in conjunction with a mix of other uses.
- Discourage the expansion of commercial and retail uses outside the Doncaster Hill Activity Centre.
- [Facilitate the expansion of Westfield Doncaster in accordance with an approved Development Plan.](#)
- ~~Facilitate the development of a gateway building form in or around at the north west precinct of the site~~
- ~~Establishment of a gateway building at the site south east corner of Williams Road and Westfield Drive~~
- [Support visual, functional and capacity improvements to the bus interchange facility.](#)
- Address and incorporate ecologically sustainable design principles into developments at the earliest opportunity as an important design and development consideration, rather than be incorporated once concepts and plans are well advanced.
- Demonstrate the full potential of ecologically sustainable development by incorporating current best practice, using emerging design solutions and technologies and embracing a 'beyond compliance' approach to mandatory standards into proposals.
- Create an Activity Centre of a more human scale and character, which enhances the uniqueness and attractiveness of Doncaster Hill.
- Ensure that built form provides a range of building heights stepping with and emphasising the existing landform of the Doncaster Hill Activity Centre.
- Protect and enhance key views and vistas.
- Provide buildings, which are visually diverse and contribute to the public realm through the use of varied, high quality, durable and environmentally appropriate materials.
- Incorporate unique architectural and/or ecologically sustainable design features in identified design element areas so that they substantially contribute to overall building form and appearance.
- Apply appropriate building setbacks for new development, ensuring that building occupants and users of the Doncaster Hill Activity Centre have a high level of amenity in terms of ventilation, daylight access, outlook, view sharing, wind mitigation and privacy.
- Achieve the development of a strong boulevard character along Doncaster Road, Williamsons Road and Tram Road based on creating:
 - a strong sense of place and a safe and comfortable environment
 - active street frontages and mixed uses within buildings along Doncaster and Williamsons Roads (and part of Tram Road) as a focal point for appropriate uses and vibrant pedestrian generating activities including, café, leisure and other entertainment activities
 - a boulevard landscape treatment that comprises of high quality landscape treatment (including boulevard planting, canopy tree planting, screen planting, extensive tree plantings and theme plantings in appropriate locations) to be complemented by appropriate setbacks and built form.
- Apply gateway treatments to signal entry into and to enhance the special identity of the Activity Centre including the main intersection of Doncaster Road, Williamsons Road and

Tram Road. Gateway treatments can include buildings showcasing unique contemporary architecture, artwork, lighting, distinctive tree planting and well-designed signage.

- Ensure that signage and displays are well designed and positioned to respect the amenity and safety of users, including the protection and enhancement of view lines and vistas and the boulevard character.
- Ensure that development incorporates high quality public and private open spaces that are useable, accessible, safe, well landscaped and provide opportunities for recreation and social interaction. These spaces should be well linked to major facilities for pedestrian networks to assist with permeability and pedestrianisation.
- Provide high quality pedestrian and bicycle linkages in both public and private areas, which improve the street level environment to create connections that are accessible, safe, interesting and pleasant.
- Provide high quality public art, which significantly contributes to the development of a contemporary and distinctive sense of place by creating an appropriate scale and location marker, defining image and reflecting the character for individual precincts.
- Provide appropriate infrastructure to meet the needs of the Doncaster Hill community, in accordance with the *Doncaster Hill Development Contributions Plan*, Manningham City Council, February 2005.
- Implement the *Doncaster Hill Development Contributions Plan*, Manningham City Council, February 2005 by proportionately allocating identified development contributions, according to projected share of usage.
- Require an economic assessment of the impacts of significant proposed developments/expansions on other activity centres.
- Implement Integrated Transport Plans to ensure access to employment, services and housing choices.
- Locate gaming venues and machines so as to discourage convenience gambling and ensure the availability of a range of alternative social and recreational activities.

Implementation

These strategies will be implemented by:

Zones and overlays

- Applying an Activity Centre Zone.
- Applying the Development Contributions Plan Overlay (DCPO1) for the purpose of levying contributions for the provision of works, services and facilities before development can commence.
- Applying the Public Acquisition Overlay (PAO1) and (PAO7) for the purpose of identifying land that Council proposes to acquire for open space or new road construction purposes.
- Applying an ~~Incorporated~~ [Development](#) Plan Overlay.

Policy and exercise of discretion

- Using Local Policy to promote design that addresses public safety (*Safety through urban design policy, Clause 22.08*).
- Using Local Policy to guide the location, design and management of gaming machines and venues (*Gaming, Clause 22.18*)
- Applying the Doncaster Hill Parking Precinct Plan (Doncaster Hill Parking Precinct Plan, GTA Consultants for Manningham City Council, 5 July 2004 Clause 52.06-6).

- Applying the Doncaster Hill Development Contributions Plan, Manningham City Council, February 2005 to require a 5% public open space contribution for subdivision in the Doncaster Hill Activity Centre (*Doncaster Hill Development Contributions Plan, SGS Economics & Planning, February 2005, Clause 52.01*).

Further strategic work

- Investigating the development of performance standards and the identification of ‘beyond compliance’ approaches for Sustainability Management Plans.
- Investigating the need for more detailed design guidelines for specific areas and elements.
- Applying the Development Contributions Plan to ensure that the future infrastructure requirements are met in a comprehensive, timely and equitable way.
- Applying appropriate car parking rates, supporting public transport use, creating highly permeable pedestrian networks and providing pedestrian and cyclist links to reduce dependency on private car use.
- Developing a Doncaster Hill Green List for High-Density Development detailing sustainable products, brands and suppliers.

Other actions

- Regularly review the Activity Centre Zone to ensure it is delivering appropriate land use and development outcomes.
- Requiring applications for new use and development of land to apply the objectives and requirements of the *Doncaster Hill Strategy* (October 2002, [revised 2004](#)).
- Requiring applications for new use and development to have regard to the *Manningham Residential Strategy* (2012).
- Promoting and distributing the Doncaster Hill Sustainability Guidelines (2004).
- Continuing to advocate the extension of light rail into Doncaster Hill.
- Considering the views of the Sustainable Design Taskforce on major applications.
- Implementing mechanisms for the collection, disbursement and management of the Development Contributions Plan fund.

21.09-3
23/07/2015
C108

Major Activity Centre (The Pines, Doncaster East)

21.09-4

Neighbourhood Activity Centres

19/06/2014

Key issues

Proposed
C104

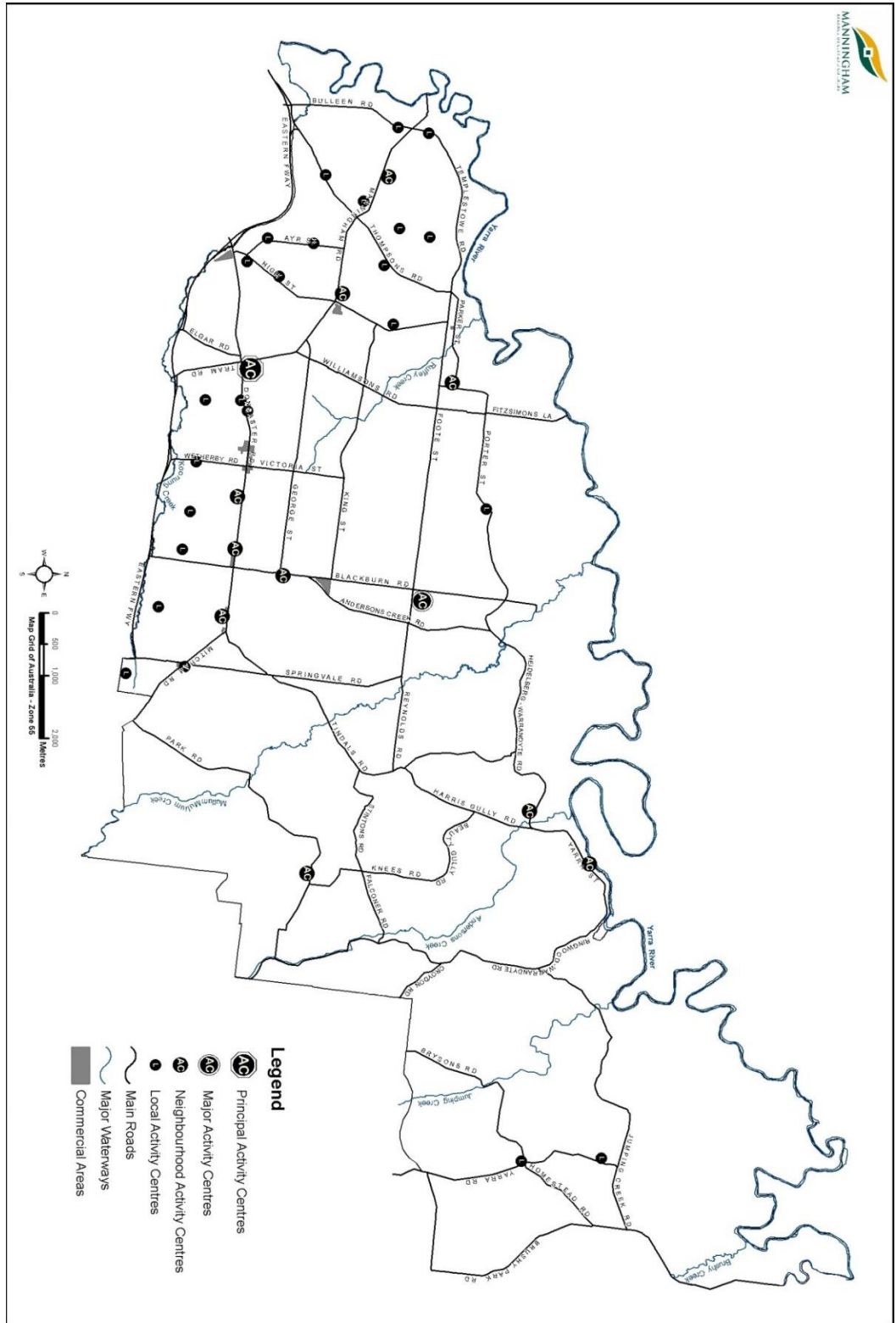
- The long-term viability of Neighbourhood Activity Centres and the impact of the [Westfield Doncaster Shoppingtown](#) and The Pines expansions.
- Pressure for commercial and retail development outside Neighbourhood Activity Centres.
- The appearance of buildings, car parking and signage.
- Impact of Neighbourhood Activity Centres on adjoining residential areas.
- Lack of suitable community facilities, social services, public spaces and infrastructure to meet future needs.
- Provision of appropriate car parking and traffic management arrangements.

21.09-7 Reference documents

23/07/2015
C108

- Manningham City Council (2002, [revised 2004](#)) *Doncaster Hill Strategy*, Manningham City Council, Doncaster.
- Manningham City Council (2012) *Manningham Residential Strategy*, Manningham City Council, Doncaster.
- Manningham City Council (2004) *Doncaster Hill Sustainability Guidelines*, Manningham City Council, Doncaster.
- Manningham City Council (2011) *The Pines Activity Centre Structure Plan*, Manningham City Council, Doncaster.
- Manningham City Council (2005) *Manningham Activity Centre Strategy*, Manningham City Council, Doncaster.
- Manningham City Council (1996) *Manningham Centre Structure Plan*, Manningham City Council, Doncaster.
- Manningham City Council (2003) *Manningham City Council 2003-2006 Economic Development Strategy*, Manningham City Council, Doncaster.
- Symplan (2014) *City of Manningham Problem Gambling (Electronic Gaming Machines) Study: Part Three - Planning Policy Framework and Local Planning Policy*.

Activity Centres and Commercial Areas Framework Plan 5 (to be revised)



Appendix F Panel recommended Activity Centre Zone Schedule 1

05/06/2014
Proposed
C104

SCHEDULE 1 TO CLAUSE 37.08 ~~THE~~ ACTIVITY CENTRE ZONE

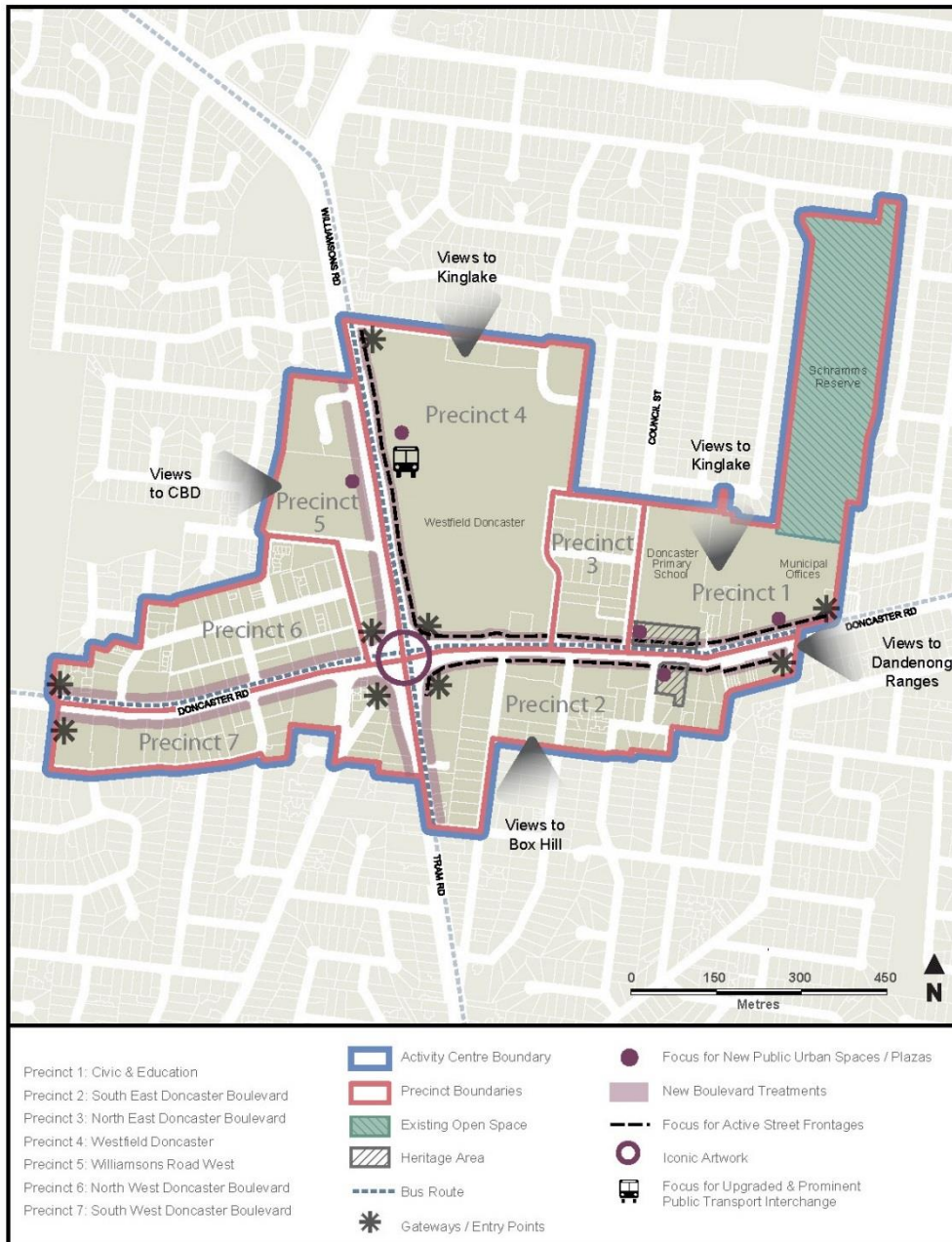
Shown on the planning scheme map as ACZ1.

DONCASTER HILL ~~PRINCIPAL~~ MAJOR ACTIVITY CENTRE

1.0

Doncaster Hill Framework Plan

03/06/2010
Proposed
C104



2.0 Land use and development objectives to be achieved

17/09/2009
Proposed
C104

- To advance Doncaster Hill as a sustainable and vibrant mixed-use activity centre with a strong sense of place and civic identity.
- To develop the centre as a focus for contemporary high density residential development incorporating a mix of complementary retail, social, commercial and entertainment uses.
- To ensure the activity centre enhances the social, environmental, economic and cultural elements of the municipality and region, advancing Doncaster Hill as a destination in Melbourne's East.

Land use

- To provide for a vibrant range of mixed uses that support the strategic role of the Doncaster Hill Major Activity Centre.
- To provide for a high level of activity that attracts people, provides a focal point for the community, creates an attractive and safe urban environment, increasing opportunities for social interaction.
- To ensure mixed use development comprises flexible floor spaces for a range of uses.
- [To recognise the importance of the role that Westfield Doncaster plays as an anchor in the Doncaster Hill Activity Centre and as a ~~that, central to the activity centre the Westfield Doncaster site is a major regional shopping centre.~~](#)
- To substantially increase the provision, intensity and diversity of housing (especially affordable housing), that allows for all sectors of the community to live in the centre.
- To provide for high-density residential development on individual sites in conjunction with a diversity of other uses including a mix of retail, commercial, social, community and entertainment uses.
- To encourage commercial and small-scale retail uses at the lower level of buildings, with high-density apartment style residential development on upper levels.

Built form

- To create treed boulevards framed by podiums, consistent front setbacks and a high quality landscape along Doncaster, Williamsons and Tram Roads.
- To encourage innovative, contemporary architecture that provides a distinctive sense of identity for the Doncaster Hill [Major](#) ~~Principal~~ Activity Centre.
- To emphasise the existing dramatic landform of Doncaster Hill through built form that steps down the hill.
- To ensure an appropriate transition in height both within the activity centre and to surrounding neighbourhoods.
- To encourage built form that capitalises on key views and vistas including to the middle-ground and distant features including Dandenongs, the Kinglake Ranges and the central Melbourne skyline.
- To encourage the provision of urban art within built form or in adjacent public areas.
- To encourage the built form at gateway locations identified in the Framework Plan to be designed to act as markers with distinguishing architectural or urban design treatments.

Environmental sustainability

- To ensure Australian Best Practice environmentally sustainable design is met in relation to building energy management, water sensitive urban design, construction materials, indoor environment quality, waste management and transport.

Public realm

- To encourage active street frontages and pedestrian generating activities to be located along main roads.
- To ensure public spaces are minimally impacted by overshadowing, including preserving solar access in mid-winter to the key boulevards of Doncaster Road and Williamsons Road.
- To facilitate the enjoyment of public urban spaces/plazas, streetscapes, pedestrian and bicycle paths by ensuring that these areas are not excessively overshadowed or affected by wind tunnelling.
- To encourage artwork in suitable locations to contribute to creating a distinctive sense of identity.

Open space and landscaping

- To achieve development that provides accessible, safe, attractive and functional private and public open space opportunities, which are well connected and integrated within a permeable urban environment.
- To create a healthy and consistently landscaped environment that is dominated by native and indigenous planting.
- To maximise opportunities for landscaping in the public and private realm.
- To ensure each precinct has ready access to well designed public open space.

Transport and access

- To achieve development of circulation networks that focus on providing strong linkages within the Doncaster Hill ~~Major~~ ~~Principal~~ Activity Centre, and enhance public transport, pedestrian and bicycle users' amenity.
- To provide for well-defined vehicular, bicycle and pedestrian access both within and external to all precincts, with strong pedestrian crossing points to be established between the north and south sides of Doncaster Road.
- To encourage the integration of car parking areas into buildings and the unique sloping landform, including providing under-croft and basement as opposed to open-lot parking.

Land configuration and ownership

- To encourage the reconfiguration and consolidation of land where necessary to create viable development sites and optimal development of the centre.
- To avoid the fragmentation of land through subdivision that does not achieve the outcomes of the Development Framework.

3.0

05/06/2014
GC6

Table of uses

Section 1 - Permit not required

Use	Condition
Accommodation (other than Camping and	Must not be located at ground floor level, except

Use	Condition
caravan park, Caretaker's house, Corrective institution and Dwelling)	for entry foyers. Must be in conjunction with one or more other uses in section 1 or 2.
Caretaker's house	
Dry cleaner	Must be in Precincts 4 or 2A.
Dwelling	
Education centre	Must be in Precinct 1.
Food and drink premises (other than Hotel and Tavern)	Must be in Precincts 4 or 2A. Must be in conjunction with one or more other uses in section 1 or 2. Must be located at ground floor level, but is not limited to ground floor level.
Home occupation	
Leisure and recreation (other than Open sports ground, Restricted recreation facility, Major sports and recreation facility and Motor racing track)	
Laundromat	Must be located in Precincts 4 or 2A.
Market	Must be located in Precinct 1.
Minor utility installation	
Office	Must not be in Precincts 2E-G, 3A or 6D-E. Must be in conjunction with one or more other uses in section 1 or 2. Any frontage at ground floor level must not exceed 2 metres, unless the office is a bank, real estate agency, travel agency, or any other office where the floor space adjoining the frontage is a customer service area accessible to the public. Within Precinct 3 on land bounded by Doncaster Road, Tower Street, Berkeley Street and Council Street, must have a floor area of at least 1,500 square metres.
Open sports ground	Must be located in Precinct 1.
Postal agency	
Railway	
Restricted recreation facility	Must be located in Precinct 1.
Shop (other than Adult sex book shop)	Must be located in Precincts 4 or 2A.
Tramway	
Any use listed in Clause 62.01	Must meet requirements of Clause 62.01.

Section 2 - Permit required

Use	Condition
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Use	Condition
Adult sex bookshop	Must be at least 200 metres (measured by the shortest route reasonably accessible on foot) from a residential zone or Business 5 Zone, land used for a hospital, primary school or secondary school or land in a Public Acquisition Overlay to be acquired for a hospital, primary school or secondary school.
Commercial display area	
Food and drink premises (other than Hotel and Tavern) – if the Section 1 condition is not met	Must be in Precinct 4 or 2A Except for in Precinct 4A, M must be in conjunction with one or more other uses in section 1 or 2. Except for in Precinct 4A, M must be located at ground floor level, but is not limited to ground floor level.
Hotel	Except for in Precinct 4A, M must be in conjunction with one or more other uses in section 1 or 2.
Office – if the Section 1 condition is not met	Must be in conjunction with one or more other uses in section 1 or 2. Within Precinct 3 on land bounded by Doncaster Road, Tower Street, Berkeley Street and Council Street, must have a floor area of at least 1,500 square metres.
Place of assembly (other than Carnival, Circus and Drive-In theatre)	Must be in conjunction with one or more other uses in section 1 or 2.
Research centre Research and development centre Restricted recreation facility	
Retail premises (other than food and drink premises, market, primary produce sales, postal agency and shop)	Except for in Precinct 4A, M must be in conjunction with one or more other uses in section 1 or 2. Except for in Precinct 4A, M must be located at ground floor level, but is not limited to ground floor level.
Service industry (other than Dry cleaner and Laundromat)	
Shop (other than Adult sex book shop) – if the Section 1 condition is not met	Except in Precincts 4 or 2A must be in conjunction with one or more other uses in section 1 or 2. Except in Precincts 4 or 2A must be located at ground floor level, but is not limited to ground floor level.
Tavern	Must be in conjunction with one or more other uses in section 1 or 2.

Use	Condition
Transport terminal (other than Airport, Road freight terminal and Wharf)	
Utility installation (other than Minor utility installation and Telecommunications facility)	
Any other use not in Section 1 or 3	

Section 3 - Prohibited

Use
Agriculture (other than Apiculture)
Airport
Brothel
Camping and caravan park
Cemetery
Corrective institution
Drive-in theatre
Freeway service centre
Industry (other than Service industry and Research and development centre)
Major sports and recreation facility
Motor racing track
Primary produce sales
Road freight terminal
Saleyard
Timber production
Warehouse (other than a Commercial display area)
Winery
Wharf

4.0 Centre-wide provisions

03/06/2010
C87

4.1 Use of land

03/06/2010
C87

A permit is not required to use land located in Precinct 1 for the purpose of Local Government or Education providing the use is carried out by, or on behalf of, the public land manager.

4.2 Subdivision

03/06/2010
C87

Applications for subdivision of existing sites that are not associated with a development proposal that supports the objectives promoted by this Scheme for the Doncaster Hill [Major Principal](#) Activity Centre are discouraged.

Consolidation of land to facilitate the creation of viable development sites is encouraged.

4.3 Buildings and works

03/06/2010
C87

Dwellings

No permit is required to:

- Construct or extend one dwelling on a lot of more than 500 square metres. This exemption does not apply to:
 - Construction of a dwelling if there is at least one dwelling existing on the lot.
 - Extension of a dwelling if there are two or more dwellings on the lot.
 - Construction or extension of a dwelling if it is on common property.
 - Construction or extension of a front fence within 3 metres of a street if the fence is associated with 2 or more dwellings on a lot or a residential building, and the fence exceeds the maximum height specified in Clause 55.06-2.
 - The development of a Caretaker's house or a Bed and breakfast.
- Construct or carry out works normal to a dwelling.
- Construct or extend an out-building (other than a garage or carport) on a lot provided the gross floor area of the out-building does not exceed 10 square metres and the maximum building height is not more than 3 metres above ground level.
- Construct one dependent person's unit on a lot.

4.4 Design and development

Dwellings

On a lot of less than 500 square metres, a development must meet the requirements of Clause 54 if it proposes to:

- Construct or extend one dwelling; or
- Construct or extend a front fence within 3 metres of a street if the fence is associated with one dwelling.

A development must meet the requirements of Clause 55 if it proposes to:

- Construct a dwelling if there is at least one dwelling existing on the lot.
- Construct two or more dwellings on a lot.
- Extend a dwelling if there are two or more dwellings on the lot.
- Construct or extend a dwelling if it is on common property.
- Construct or extend a residential building.
- Construct or extend a front fence within 3 metres of a street if:
 - The fence is associated with 2 or more dwellings on a lot or a residential building, and
 - The fence exceeds the maximum height specified in Clause 55.06-2.

This does not apply to a development of four or more storeys, excluding a basement.

Building height

New development must not exceed the Maximum Building Heights and Design Element Heights specified in the precinct provisions at Clause 5 of this Schedule.

A permit cannot be granted to vary the Maximum Building Heights or Design Element Heights specified in the precinct provisions at Clause 5 of this Schedule.

For the purposes of this Schedule, the Maximum Building Height and Design Element Height does not apply to service equipment including plant rooms, lift overruns, solar collectors and other such equipment provided the following criteria are met:

- No more than 50% of the roof area is occupied by the equipment;
- The equipment is located in a position on the roof so as to minimise additional overshadowing of neighbouring properties and public spaces;

- The equipment does not extend higher than 3.6 metres above the Maximum Building Height as specified in the precinct provisions at Clause 5 of this Schedule; and
- The equipment is designed and screened to the satisfaction of the responsible authority.

For the purposes of this Schedule, a Design Element is a unique architectural or design feature that substantially contributes to the overall building form and appearance. Design Element Areas are identified for each precinct in the Precinct Provisions at Clause 5 of this Schedule.

Design Elements should:

- Substantially contribute to the overall built form and appearance by forming part of a distinctive architectural or ecologically sustainable design feature;
- Be based on contemporary architectural and innovative urban design techniques that incorporate ecologically sustainable design principles;
- Be located where built form will have the greatest impact and be able to make an architectural statement, including the highest areas on ridgelines, the area surrounding the intersection of Doncaster and Williamsons Road, and the entry points/gateways into Doncaster Hill ~~Major~~ ~~Principal~~ Activity Centre;
- Not occupy greater than 15% of the overall roof area of the building.
- Not substantially increase the visual mass of the building; and
- Not cast additional overshadowing upon adjacent and nearby properties and public spaces at 12 noon on 22 June.

Building setbacks

A permit cannot be granted to vary the front setbacks, including the front podium and front tower setbacks, specified in the precinct provisions at Clause 5 of this Schedule for those properties abutting Doncaster Road, Williamsons Road or Tram Road.

A permit may be granted to vary the minimum side and rear setbacks specified in the precinct provisions at Clause 5 of this Schedule.

Minor buildings and works such as verandas, architectural features, balconies, sunshades, screens, artworks and street furniture may be constructed within the setback areas specified in the precinct provisions at Clause 5 of this Schedule provided they are designed and located to the satisfaction of the responsible authority.

Overshadowing

Development on the north side of Doncaster Road must not cast a shadow further than 1.2 metres south of the back of the kerb on the south side of Doncaster Road between 11:30am and 1:30pm on 22 June.

Development should be designed to avoid casting shadows on adjacent properties (including public open space areas) outside the activity centre between 11:00am and 2:00pm on 22 September.

Boulevard character

Development along Doncaster Road, Williamsons Road and Tram Road, [except for land in Precinct 4A \(Westfield Doncaster\) along Williamsons Road](#), must provide:

- A podium of at least 12 metres along street frontages.
- A uniform 5 metre setback to a podium from the site frontage.
- A 3.6 metre wide paved promenade across the site frontage, replacing the existing footpath, to the satisfaction of the responsible authority.

- Two staggered avenues of large deciduous trees (minimum 3.5 metres height at time of planting) at 12 metre spacings, and the inside row being positioned at 3.5 metre offset from the building edge, with species being to the satisfaction of the responsible authority.
- A tree grille at each tree, to be bordered by a pavement header strip to the satisfaction of the responsible authority.
- A mix of hard and soft landscape treatments within the street frontage setback area located between the new paved promenade and the front wall of the building. Hard landscape treatments may include paving, street furniture and screens etc., which complement the boulevard landscape treatment. Soft landscape treatments may include grassed areas and planting that complements the boulevard landscape treatment to the satisfaction of the responsible authority.
- Artwork in a suitable location within the street frontage area, unless an artwork contribution has been made in some other form to the satisfaction of the responsible authority.
- [For land in Precinct 4A \(Westfield Doncaster\), the boulevard character treatments along Williamsons Road will be detailed in a Development Plan prepared and approved pursuant to Schedule 4 of the Development Plan Overlay.](#)

Advertising signs

~~Signs requiring a permit under Clause 52.05 must not be located within the 5 metre setback from the street frontage along Doncaster Road, Williamsons Road and Tram Road~~

Landscape design

Landscape design must:

- Incorporate screen planting and landscape buffers of 1.5 metre minimum width as an interface to adjoining sites;
- Provide canopy trees and native indigenous plantings;
- Provide landscape treatments to the tops of podiums to provide visual interest and to soften the built form environment; and
- Create private and public open space areas that are accessible, safe, attractive and functional for all users.

Access and mobility

New development must:

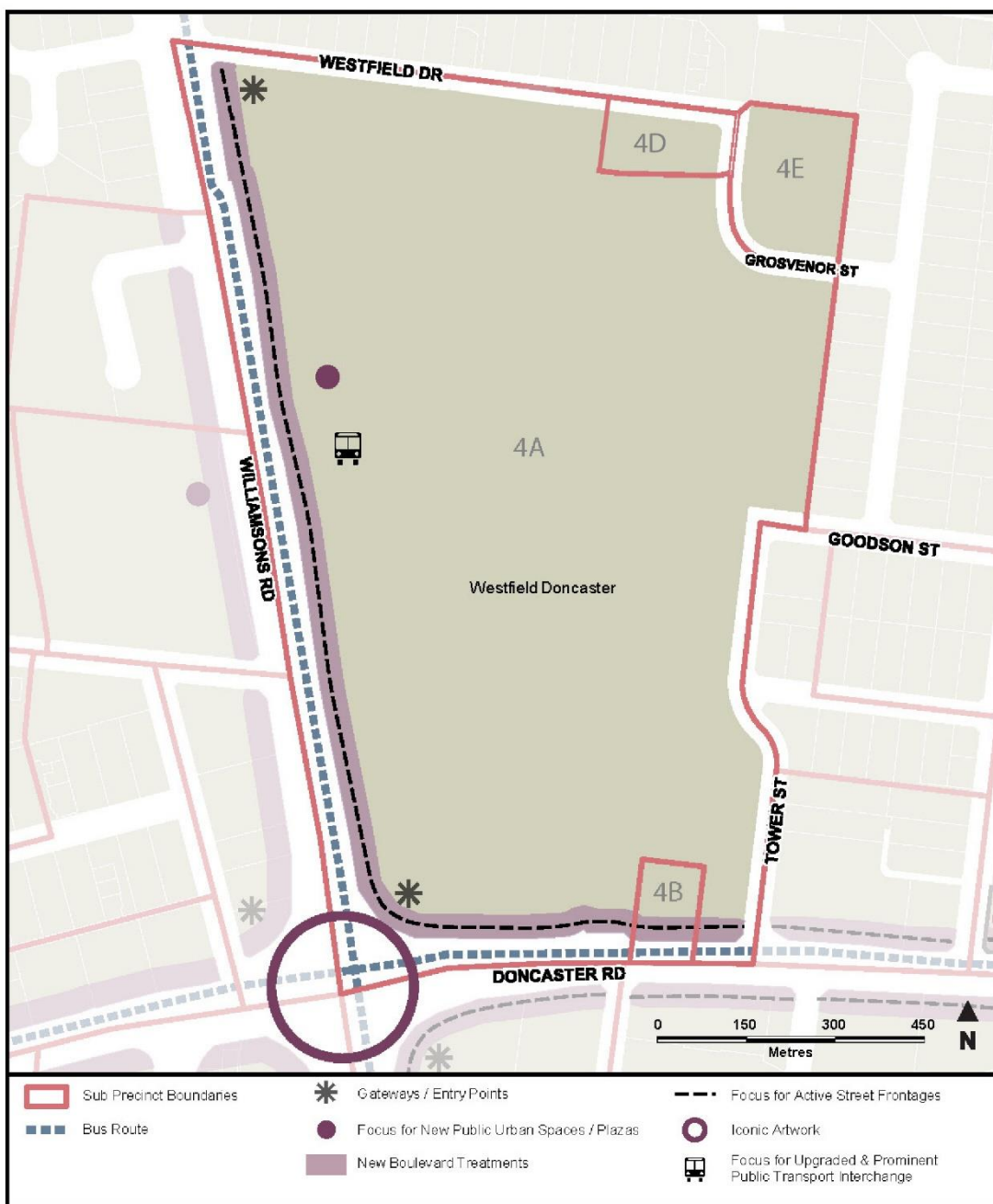
- Comply with the Australian Standard AS1428 Part 2 provisions for access and mobility;
- Provide a high level of accessibility at the principal front entry for any residential development; and
- Provide for side or rear access to parking areas on sites along Doncaster Road, where appropriate.

5.0 Precinct provisions

5.1 Precinct 4: Westfield Doncaster

5.1-1 Precinct map

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Proposed
C104



5.1-2 Precinct objectives

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- To further improve existing active street frontages.
- Encourage an enhanced pedestrian environment within the precinct.
- To maintain and improve the positive engagement of the precinct with the main intersection of Doncaster Road and Williamsons Road.
- To provide opportunities for a range of residential and commercial uses to develop within the precinct along with the existing retail development.
- To create a number of significant externalised public urban spaces/plazas, which are well connected to the public transport interchange and boulevard along Doncaster Road.

- To support and connect with the pedestrian link proposed for the Doncaster, Williamsons and Tram Roads intersection at the western end of the precinct.
- [To provide a high quality design outcome and improved streetscapes and interfaces with residential areas.](#)
- [To provide flexibility to respond to retail and employment trends.](#)

5.1-3

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C104

Precinct requirements

Sub-Precinct	Maximum height (Excluding Basement)	Design Element Height	Setbacks
4A	None specified	None specified	None specified
4B	21.5m	4.3m above maximum height	5m to front podium edge from front boundary 13m to front tower edge from the front boundary 4.5m from the side boundaries 4.5m from the rear boundary
4C	None specified	None specified	None specified
4D	11m	None specified	5m from front site boundary 4.5m from side boundaries
4E	None specified	None specified	None specified

5.1-4

17/09/2009
VC59

Precinct guidelines

- Maintain a landmark building at the Doncaster Road and Williamsons Road intersection.
- [Architectural design of any built form at the north west corner to Westfield Doncaster Hill to be appropriate to its gateway location.](#)
- [To provide for a landmark building in the vicinity of the entrance forecourt to Williamsons Road.](#)
- Maintain and enhance an integrated public transport interchange to support both Westfield Doncaster and the greater Doncaster Hill area in a prominent and easily accessible location.
- Create a pedestrian friendly interface between Westfield Doncaster, Doncaster Road, Williamsons Road and Tower Street.
- Establish strong pedestrian entries and linkages from Westfield Doncaster to all other precincts within Doncaster Hill.
- Future building form is to maximise the north-east aspect and views, and vistas to the CBD.
- External spaces should directly link to Williamsons Road and Doncaster Road where appropriate.

6.0

03/06/2010

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Application requirements

In addition to the application requirements set out at Clause 37.08-7, an application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate, to the satisfaction of the responsible authority. [For the land in Precinct 4A \(Westfield Doncaster\), the application requirements set out below are to be read in conjunction with those in the Development Plan Overlay \(Schedule 4\), as appropriate:](#)

- Sections of the proposed building at appropriate intervals.

- Sight-lines from balcony edges.
- A three-dimensional coloured artist's impression showing the proposed development in the context of surrounding development.
- A traffic and car parking assessment that includes existing traffic details, parking allocation, traffic generation and distribution, impact of generated traffic on the existing road network, parking generation rates and traffic management from the development construction phase onwards.
- A Sustainability Management Plan (SMP).
- In Precinct 1, an application for a permit by a person other than the relevant public land manager must be accompanied by the written consent of the public land manager, indicating that the public land manager consents generally or conditionally either:
 - To the application for permit being made.

To the application for permit being made and to the proposed use or development.

Sustainability Management Plan

A Sustainability Management Plan (SMP) must achieve the following to the satisfaction of the responsible authority:

- Address matters of building energy management, water sensitive urban design, construction materials, indoor environment quality, waste management, and transport.
- Demonstrate the application of Australian best practice rating tools and design principles, use of emerging technology, and a commitment to 'beyond compliance' throughout the construction period and subsequent operation of the development.
- Identify statutory obligations and documented sustainability performance standards from Government and other authorities.
- Specify key performance indicators, to an agreed level, to measure the achievement of objectives and initiatives identified in the Plan.
- Identify responsibilities and a schedule for both implementing and monitoring the Plan over time.

The individual components of the SMP should address:

- Building Energy Management:
 - The design of the building for energy efficiency (thermal envelope).
 - The use of energy saving technologies to further reduce demand.
 - The use of alternative energy sources, whether provided on-site or through the purchase of 'green energy'.
- Water Sensitive Urban Design:
 - An integrated water management plan that identifies opportunities for:
 - A reduction in demand for potable water through use of water conservation features and alternative sources of supply such as wastewater and stormwater.
 - A reduction in the volume of wastewater through water conservation and reuse.
 - An improvement in stormwater quality runoff and a reduction in peak flows through appropriate treatment and stormwater reuse.
- Construction Materials:
 - The use of building materials that minimise ecological or health impacts and greenhouse gases based on the type and volume of raw materials, water and energy consumed in their production.

- The use of materials that can be expected to endure for the life of the development with minimal maintenance and can be recycled at the end of their useful life.
- The reuse of recycled materials and the use of materials with recycled components.
- The use of materials produced in Victoria or Australia.
- The use of pre-fabricated, pre-cut and standardised components to reduce waste.
- Indoor Environment Quality:
 - The provision of airflow, fresh air intake, cross-ventilation, daylight, appropriate levels of lighting, views and direct access to outdoor areas.
 - The use of materials with low levels of toxic chemicals, minimal off-gassing and production of allergens and other internal air pollutants.
 - The exclusion of external pollutants (including odours) and the safe disposal of internally generated pollutants
 - The measures to reduce reliance on mechanical heating, ventilation, cooling and lighting systems.
 - The use of flexible internal controls for these systems.
 - The measures to minimise noise levels and noise transfer within and between buildings and associated external areas.
 - The provision of an independent acoustics report detailing measures to minimise adverse impacts of noise levels and noise transfer within and between buildings.
- Waste Management:
 - An integrated plan for:
 - A reduction in the amount of waste delivered.
 - A reduction in the amount of waste to landfill.
 - Maximising recycling and composting opportunities.
 - Appropriately dealing with hazardous materials.
 - The provision of adequate private/communal space(s) for the collection of recyclable materials and waste.
- Quality of Public and Private Realm:
 - Design and development that conforms to the Australian Standard AS1428 Part 2 provisions for access and mobility.
 - Design and development that provides a high level of accessibility at the principal front entry for any residential development.
 - The provision of an independent access audit report detailing measures to conform with the Australian Standard AS1428 Part 2 provisions for access and mobility.
 - The provision of shared spaces that can accommodate varying functions and flexibility for future uses.
- Transport:
 - The provision of easily located 'after trip' facilities for bicycle users, joggers, etc.
 - Car parking that reduces energy consumption due to lighting and ventilation.
- Demolition and Construction
 - The protection of vegetation and other features to be retained and public assets.
 - Testing for and development of a management plan for contaminated or potentially contaminated sites.
 - The prevention of the unintended movement of building waste and hazardous materials and other pollutants on or off the site, whether by air, water or other means.

- The measures to minimise the amount of waste delivered; the recycling of demolition and waste materials; and the return of waste materials to the supplier (where the supplier has a program of reuse or recycling).
- The measures to minimise noise and other amenity impacts from mechanical equipment and demolition/construction activities, especially outside of daytime hours.
- The measures to minimise interference with normal circulation and parking arrangements and any continuing use of outdoor areas.
- The measures for ensuring worker and public safety.
- A means for communicating construction arrangements to occupants of affected properties.
- The provision of adequate environmental awareness training for all on-site contractors and sub-contractors.

7.0 Notice and review

17/09/2009
VC59

An application to construct a building or construct or carry out works is not exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act in accordance with Clause 37.08-8 of the Activity Centre Zone.

8.0 Decision guidelines

03/06/2010
C87

Before deciding on an application, in addition to the decision guidelines in Clause 65 and Clause 37.08-10, the responsible authority must consider, as appropriate:

Use

- Whether the proposal achieves an appropriate mix of uses within the site to complement and support the strategic role of Doncaster Hill ~~Major~~ ~~Principal~~ Activity Centre.
- Whether the proposal provides for flexible non-residential floor spaces that can be adapted in the future to a variety of alternative non-residential uses.
- The contribution that the proposal made towards the achievement of residential population targets as set out in the Doncaster Hill Strategy (October 2002, Revised 2004) and as envisaged by this scheme.
- Whether the proposal will create a mix of active uses and pedestrian generating activities, particularly at street level, that contribute to a vibrant public realm.
- The contribution made towards the achievement of employment targets, including commercial and retail floor space forecasts as set out in the Doncaster Hill Strategy (October 2002, Revised 2004).
- Whether the proposal provides for an appropriate scale of development in order to accommodate the mix and intensity of uses envisaged for each precinct.

Design and built form

Whether the proposed development:

- Creates a strong visual interest by providing unique building types based on innovative, contemporary architecture, urban design and ecologically sustainable development principles.
- Is site responsive and achieves an appropriate scale with a stepping down in built form that responds to Doncaster Hill's natural topography.

- Incorporates side and rear setbacks to enhance pedestrian safety and amenity, and assists in the retention of view lines, penetration of sunlight and creation of landscape buffers.
- Ensures that any environmental wind effects to the adjoining and surrounding neighbourhood is minimised to the satisfaction of the responsible authority.
- Provides overhead weather protection features adjoining key pedestrian walkways and nodal points.
- Ensures dwelling balconies have an open space area of at least 8 square metres, and a minimum dimension of 1.6 metres.
- Complements, where relevant, the form, scale, materials, colour and lighting of a heritage place on the same or adjoining site.
- The objectives, standards and decision guidelines of Clause 55. This does not apply to a development of four or more storeys, excluding a basement.
- Whether the design and siting of any advertising sign/s satisfies the following design principles:
 - Signs should be integrated into the design of the building façade, preferably within the first 3 levels of the podium;
 - Signs should be of a size and height that is complementary to the built form of the building and surrounding landscape treatments;
 - Signs should be limited in number and incorporate limited detail other than is necessary to identify the building name and key tenants;
 - Signs should be consolidated in mixed use and commercial developments to avoid the visual clutter of signage and displays (eg. vehicles, products, promotional material and free standing signs).

Subdivision

- Whether the subdivision is associated with a development proposal that supports the objectives promoted by this Schedule and does not result in the fragmentation of sites.

Access

Whether the proposed development:

- Incorporates provisions for pedestrians, cyclists and people with a disability demonstrating how access needs are accommodated.
- Integrates car parking requirements into the design of buildings and landform by encouraging the use of under-croft or basement parking and minimises the use of open lot/half basement/ground floor car parks at street frontage.
- Provides vehicular access to buildings fronting key boulevards off side streets or via rear access.
- Limits the number of vehicle crossings to each development.

9.0

Advertising Signs

--/20--
Proposed
C104

[Signs requiring a permit under Clause 52.05 must not be located within the 5 metre setback from the street frontage along Doncaster Road, Williamsons Road and Tram Road, except for the land in Precinct 4A \(Westfield Doncaster\) along Williamsons Road. For land in Precinct 4A \(Westfield Doncaster\) along Williamsons Road, guidance for the location and display of advertising signs will be detailed in a Development Plan prepared and approved pursuant to Schedule 4 of the Development Plan Overlay.](#)

10.0 Other provisions of the scheme

--/20--
Proposed
C104

[None specified.](#)

11.0 Reference documents

17/09/2009
Proposed
C104

*Doncaster Hill Strategy (Manningham City Council, October 2002, Revised 2004); and
Doncaster Hill Sustainability Guidelines (Manningham City Council, June 2004).*

Appendix G Panel recommended Development Plan Overlay Schedule 4

SCHEDULE 4 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO4**

WESTFIELD DONCASTER DEVELOPMENT PLAN

1.0 Requirement before a permit is granted

DD/MM/YYYY
Proposed
C104

A planning permit may be granted before a Development Plan has been prepared to the satisfaction of the Responsible Authority for the following:

- Any matter required by the Planning Scheme for that part of the centre shown as “Existing Development” on the ~~Framework~~-[Concept](#) Plan forming part of this Schedule.
- Advertising signs
- Changes of use to existing tenancies, including associated car parking waivers and licensing of premises
- Minor buildings and works
- Amendments to existing planning permits and endorsed plans
- Removal of vegetation
- Subdivision of land

Before granting a permit the responsible authority must be satisfied that the permit will not prejudice the future use and development of the land as contemplated by this Overlay.

2.0 Conditions and requirements for permits

DD/MM/YYYY
Proposed
C104

The following requirements apply to permits. An application to use or develop land should be accompanied by the following, as appropriate, to the satisfaction of the Responsible Authority:

- A Town Planning Report that ~~amongst other things~~ [includes](#) an assessment of how the planning permit application is generally in accordance with the approved Development Plan.
- A Landscape Plan, detailing existing vegetation; proposed retention and removal of vegetation; new planting / landscape works; and any fencing or acoustic treatments required within the landscape areas of the site.
- An Arborist Report, detailing the safe useful life expectancy for trees to be retained or removed, and impacts arising from the proposed development, including management arrangements.
- A Transport Impact Assessment Report, detailing the existing and proposed transport arrangements taking into account the Integrated Transport Plan component of the Development Plan, clauses 45.09s1, 52.06, 52.29 and 52.34 of the scheme, the Doncaster Hill Strategy and other relevant provisions of the scheme.
- A Sustainability Management Plan, unless the proposal relates to minor buildings and works.
- An Acoustic Report, detailing the proposed noise mitigation measures for the development.
- A Waste Management Plan.
- ~~An Accessibility / Access and Equity Audit Report~~
- A Green Travel Plan ~~to support the reduction of requirements for staff parking on the site.~~

The following conditions apply to permits:

A planning permit [for the use or development of land](#) must include [the following](#) conditions, ~~requiring the following~~ as appropriate, to the satisfaction of the Responsible Authority:

- Construction Management Plan (including as appropriate a construction noise and vibration management plan).
- Drainage Management Plan.
- Green Travel Plan and / or Active Travel Plan.
- Traffic and Car Parking Management Plan.
- [An Accessibility / Access and Equity Audit report](#).
- Conditions which give effect to the various initiatives and concepts identified in an approved Development Plan.
- Conditions which provide for the delivery of the [road and intersection works and other relevant development contributions and](#) infrastructure items as set out in the approved Development Plan and relevant to the approved stage of works.
- ~~A planning permit granted for the use or development of the land in accordance with the approved Development Plan, must if required by the Manningham City Council, include a condition that requires the land owner to enter into an Agreement with the Responsible Authority pursuant to Section 173 of the Planning and Environment Act 1987 which provides for the following matters:~~
 - the transfer or lease to the Manningham City Council or its designated service provider of part of the building comprising an area of not less than 100sqm at ground floor level, near the bus interchange, [or elsewhere to the satisfaction of the responsible authority; \(facility\)](#)
 - the facility is to be finished to the extent ready for internal fit out by Council at its own cost;
 - the facility is to have all utilities available and connected;
 - the facility is to be used for community purposes;
 - the transfer or lease as the case may be must be at not ongoing cost to Council other than a peppercorn consideration or peppercorn rent as the case may be;
 - no outgoings are to be charged to the facility save for the utilities;
 - any planning permits required for the use of the facility are the responsibility of Council to obtain;
 - signage is the responsibility of Council but must adhere to centre requirements; and
 - any other matters which the parties agree to.

3.0**Requirements for development plan**

DD/MM/YYYY
Proposed
C104

[The Development Plan must be generally in accordance with the Concept Plan in Clause 4.0 of this Overlay.](#)

The Development Plan may be prepared and amended in stages with the agreement of the Responsible Authority. An approved Development Plan may be amended to the satisfaction of the responsible authority.

A Development Plan ~~generally in accordance with the Concept Plan in this Overlay~~ must address the following vision and objectives for the future use and development of the site [to the satisfaction of the responsible authority:](#)

- To provide for future use and development of the land in accordance with the Doncaster Hill Strategy, the Activity Centre Zone, and the State and Local Planning Policy Frameworks.
- To recognise the key role that the site plays in the Doncaster Hill activity centre.
- ~~To provide an economically viable and sustainable precinct with retail, commercial community and entertainment uses that meet local and regional expectations and demand.~~
To provide opportunities for a range of residential, and commercial community and entertainment uses to develop within the precinct along with the existing retail development.
- To maintain and improve the positive engagement of the precinct with the main intersection of Doncaster Road and Williamsons Road.
- To provide flexibility to respond to retail and employment trends.
- To provide a high-quality urban design outcome and improved streetscapes and interfaces with residential areas.
- To ~~minimise~~ manage off-site amenity impacts associated with future development, particularly in respect of noise impact and light spill.
- To encourage the architectural design of any built form at the north west corner to Westfield Doncaster to be appropriate to its gateway location. ~~development of a gateway / marker building at the south east corner of Westfield Drive and Williamsons Road.~~
- To provide for a landmark building in the vicinity of the entrance forecourt to Williamsons Road.
- To improve the pedestrian, cyclist and public transport accessibility into the centre and end-of-trip facilities, as a means of promoting environmental sustainability and walkable neighbourhoods.
- To upgrade the ~~existing~~ bus interchange ~~abutting Williamsons Road~~ to improve access, capacity, the visual presentation, integration and functionality of the facility.
- To provide sufficient car parking for staff and customers.
- To provide for safe and efficient traffic movements within and around the centre.

A Development Plan must ~~incorporate~~ include the following items to the satisfaction of the Responsible Authority:

Site Analysis Plan

A site analysis plan or plans that show existing conditions, boundaries and dimensions of the site or precinct, any existing features to be retained, topography, adjoining road network, details of adjacent residential interface and surrounding urban context, and the location of any existing services, easements or encumbrances on the land.

Built Form and Envelope Plans

- Envelope Plans which identify the following:
 - The existing built form profile of the Centre,
 - A Westfield Doncaster framework plan for intended future expansion of the Centre,
 - The definition of key building entries and active/ passive edges,
 - Proposed floorspace estimates,
 - Nomination of proposed setback and transition zones and the proposed indicative heights range of new buildings and works (excluding architectural features and building services)

Design Criteria

- Design Criteria that establish a sound framework within which future planning permit applications can be assessed and which address the following matters:
 - The scale of new development across the site;
 - [Architectural design of any built form at the north west corner of Westfield Doncaster to be appropriate to its gateway location. A landmark building at the south east corner of Williamsons road and Westfield Drive](#)
 - A landmark building in the vicinity of the entrance forecourt to Williamsons Road.
 - The northern interface and visual presentation of the centre to the residential properties in Westfield Drive
 - The visual presentation of the centre to the adjoining road network, including to Westfield Drive and Williamsons Road
 - The [visual](#) presentation of the centre to properties in Roseville Avenue to the east
 - Location and design of traffic, bicycle and pedestrian access into the centre
 - Streetscape and public realm presentation and improvements
 - ~~The integration of an upgraded bus interchange facility~~
 - The establishment of a publicly accessible forecourt on Williamsons Road and the indicative solar access and wind impacts for this space.
 - [The integration of an upgraded bus interchange facility preferably close to the publicly accessible forecourt on Williamsons Road to the satisfaction of the responsible authority and Referral Authorities.](#)
 - Indicative materials and finishes
 - Integration of acoustic treatments and management of loading bays and service areas
 - Designated locations and precincts for landscape treatments

Landscape and Public Realm Concept Plan

- The Landscape and Public Realm Concept Plan should address the following:
 - The identification of existing vegetation to be retained and / or removed
 - The identification of landscape zones
 - Streetscape improvement works, including new street tree planting and general public realm improvements
 - Inclusion of indicative streetscape cross-sections
 - Preferred planting lists, prepared having regard to Council's landscaping guidelines

Integrated Transport Plan

- In relation to public transport:
 - An overall concept plan for the upgraded bus interchange;
 - Details of existing and proposed access routes for public transport and how these are integrated with the centre design
 - Methods by which public transport use can be integrated and encouraged within the future redevelopment of the site; including access to the interchange for the local community.

- In relation to bicycle access:
 - An overall concept plan showing existing and proposed bicycle linkages to, within and from the centre and to/ from bus stops on the surrounding road network to the centre:
 - End-of-trip facilities
- In relation to walkability:
 - An overall concept plan showing existing and proposed walking linkages to, within and from the centre
 - Wayfinding initiatives
- In relation to vehicle access:
 - Identification of any upgrade work required on the arterial and local road networks, including the staging of any works
 - Preparation of indicative / conceptual traffic access plans, showing all proposed new or upgraded intersections, including cross-sections and indicative pedestrian crossing locations
- In relation to car parking:
 - Establishment of a preferred car parking rates for possible land uses within the centre, recognising the multi-purpose trip generation achieved with the site
 - Details of the location and quantum of proposed additional car parking
 - Details of management arrangements for the car parking, including drop off provisions
 - Details of taxi parking location/s servicing the bus interchange and the broader centre.

Prior to approving the Integrated Transport Plan, the Responsible Authority may seek the views of [the relevant Referral Authorities](#).

Staging Plan

- Identification of the staging of the proposed Development Plan components

Infrastructure ~~and Contributions~~

- Details of the [proposed](#) infrastructure works ~~and contributions to be made in accordance with the requirements of the Development Contributions Plan Overlay (Schedule 1) including the staging of works and contributions.~~

The submission of the Development Plan to the Responsible Authority must be accompanied by:

Town Planning Report

- Assessment of the suitability of the proposed Development Plan, having regard to the provisions of the Manningham Planning Scheme.

Urban Design Report

- Assessment of the suitability of the proposed Built Form and Envelope Plans, having regard to the following:
 - The Design Criteria
 - The objectives, policies and strategies set out in the State and Local Planning Policy Frameworks of the Manningham Planning Scheme
 - The Doncaster Hill Strategy
 - The purpose, objectives and guidelines of the Activity Centre Zone

Traffic and Transport Assessment Report

- A detailed response to Clauses 45.09s1, 52.06, ~~52.07~~ and 52.34 of the Manningham Planning Scheme
- Detailed traffic surveys, modelling and analysis of the existing and proposed future road network conditions, incorporating Friday AM Peak, Friday PM Peak and Saturday Lunchtime Peak conditions
- Identification of any upgrade work required on the arterial and local road networks, including the staging of any works
- Detailed car parking surveys and analysis
- Details of the location and quantum of proposed additional car parking

Sustainability Management Plan

- Sustainability outcomes sought for the proposed development, and sustainability initiatives proposed including:
 - Sustainability outcomes sought by the Manningham Planning Scheme and initiatives / measures to deliver these outcomes.
 - Identification of sustainability policies and guidelines which are relevant to the future development of the land, including Indoor Environment Quality (IEQ); energy and greenhouse gas emissions; transport; water; waste; materials; and emissions and how the Development Plan proposal addresses these.
 - Incorporation of Australian ‘best-practice’ sustainable design, construction and operation.
 - Identification of benchmark outcomes, strategies and initiatives for consideration as part of future planning permit applications

Details of the implementation of sustainability outcomes and initiatives including, but not limited to, a commitment to a third-party certified assessment such as the Green Star Design and as-Built v1.2 Rating tool, or subsequent version, for a minimum 4-star outcome for the expansion area and new ‘landmark building’ (and not for the existing centre).

Any actions and recommendations from the Sustainability Management Plan must be incorporated into the approved Development Plan.

Acoustic Engineering Report

- Assessment of the proposed acoustic impacts of the proposed development, including:
 - Identification of existing noise sources, noise levels and noise attenuation mechanisms
 - Identification of possible sensitive land uses / noise receptors surrounding the development site
 - Identification of possible future proposed noise sources and impacts
 - Identification of parameters for future acoustic mitigation works, including any relevant State Environment Protection Policies or guidelines which should or must be met
 - Identification of noise management frameworks

Any recommendations from the Acoustic Engineering Report must be incorporated into the approved Development Plan.

Economic Report

- ~~▪ Assessment of the anticipated economic impacts of the proposed development including
 - The existing and proposed future role and function of Westfield Doncaster
 - Supply and demand for retail floorspace~~

- ~~— Comparisons to existing nearby and/ or competing activity centres (trade area analysis)~~
- ~~— The economic impact and benefits of the proposed development, including the proposed estimated floorspace to be added to the centre and the type of uses it will accommodate~~
- ~~— Any other economic factors relevant to the extent of development anticipated by the Development Plan.~~

Services / Infrastructure Report (Utilities)

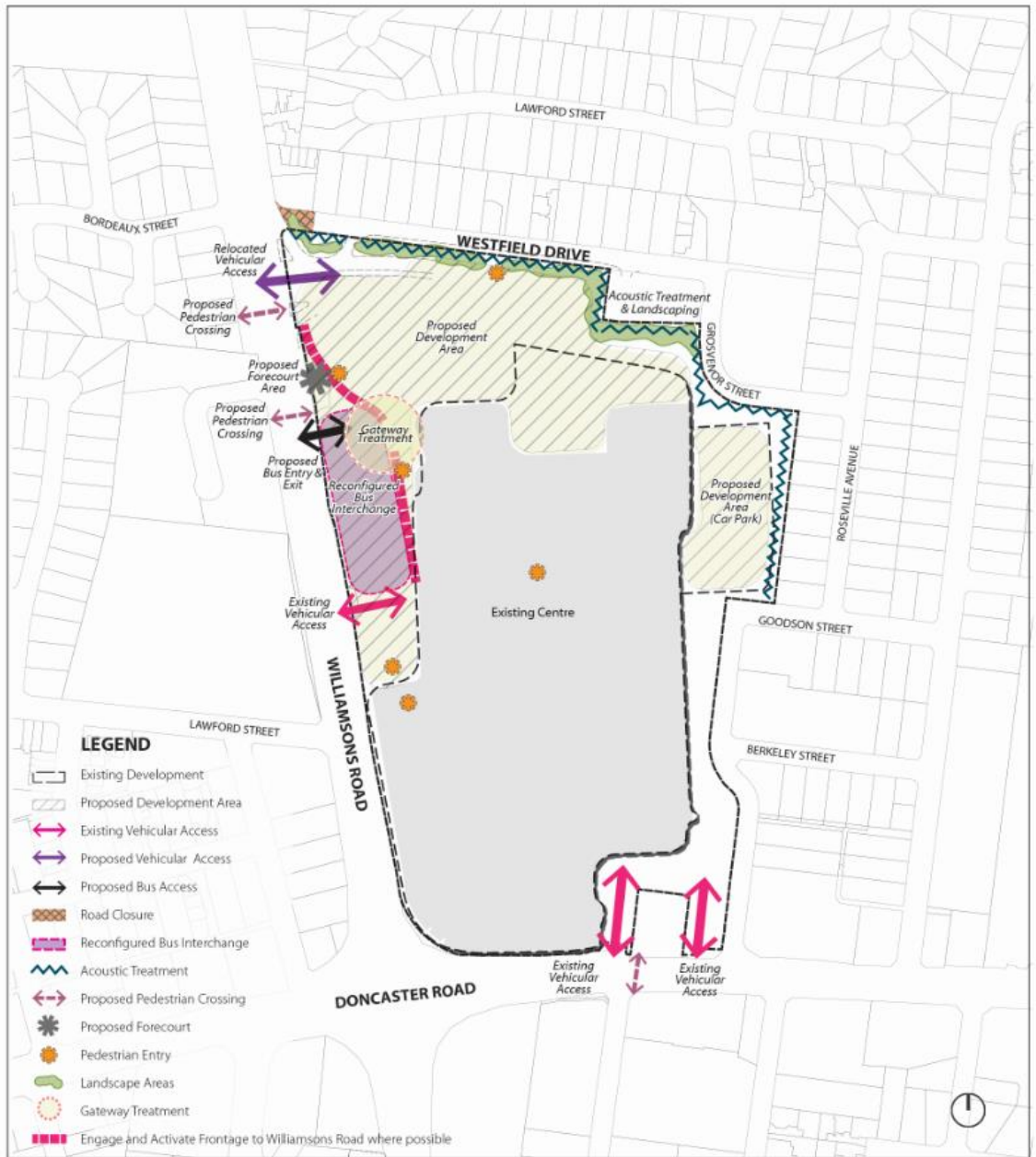
- Provide details of the existing infrastructure services and any upgrade or replacement required to accommodate the proposed redevelopment.

Social Impact Report

- An assessment of the likely social impacts of the development of Westfield Doncaster foreshadowed by the Development Plan including:
 - A review of State, local and other relevant policies and guidelines relevant to the social impacts
 - An assessment of the positive and / or negative social impacts of the proposal
 - Recommendations for mitigation measures in relation to impacts

4.0 Concept Plan

DD/MM/YYYY
Proposed
C104



Appendix H Panel recommended Development Contributions Plan Overlay Schedule 1

SCHEDULE 1 TO CLAUSE 45.06 DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY

Shown on the planning scheme map as **DCPO1**

DONCASTER HILL DEVELOPMENT CONTRIBUTIONS PLAN

1.0 Area covered by this development contributions plan

19/01/2006
VC37

The Doncaster Hill Development Contributions Plan, Manningham City Council, February 2005 applies to all land shown as DCPO1 on Planning Scheme Map No. 7DCPO.

2.0 Summary of costs

19/01/2006
VC37

Facility	Total cost	Time of provision	Actual cost contribution attributable to development	Proportion of cost attributable to development
Transport	\$6,995,428	Refer to Development Contributions Plan	\$3,361,385	48%
Streetscape	\$7,303,355	Refer to Development Contributions Plan	\$3,103,135	42%
Public Art	\$4,257,000	Refer to Development Contributions Plan	\$1,476,196	35%
Development Infrastructure: social	\$2,882,000	Refer to Development Contributions Plan	\$1,605,613	56%
Community Infrastructure: social	\$11,110,000	Refer to Development Contributions Plan	\$3,672,000	33%
TOTAL	\$32,547,783		\$13,218,329	41%

3.0 Summary of contributions

19/01/2006
VC37

LEVIES PAYABLE BY THE DEVELOPMENT

FACILITY	LEVIES PAYABLE BY THE DEVELOPMENT					
	Development Infrastructure		Community infrastructure		All infrastructure	
	Residential	Non-residential	Residential	Non-residential	Residential	Non-residential
Transport	\$362 per dwelling	\$362 per 121m2 commercial floor space, 19m2 of retail floor space	None specified	None specified	\$362 per dwelling	\$362 per 121m2 commercial floor space, 19m2 of retail floor space
Streetscape	\$334 per dwelling	\$334 per 121m2 commercial floor space, 19m2 of retail floor space	None specified	None specified	\$334 per dwelling	\$334 per 121m2 commercial floor space, 19m2 of retail floor space
Public Art	\$159 per dwelling	\$159 per 121m2 commercial floor space, 19m2 of retail floor space	None specified	None specified	\$159 per dwelling	\$159 per 121m2 commercial floor space, 19m2 of retail floor space
Social	\$384 per dwelling	None specified	\$900 per dwelling	None specified	\$1284 per dwelling	None specified
TOTAL	\$1239	\$855	\$900	None specified	\$2139	\$855

4.0 Land or development excluded from development contributions plan

19/01/2006
Proposed
C104

Exemptions from payment of development contributions apply in the following circumstances:

- Construction of a building or construction or carrying out of works or subdivision that results in a demand that is below the demand unit specified in this Schedule and where there is no increase in demand on infrastructure as a result of the proposal.
 - Construction of a building or construction or carrying out of works specified in Clause 62.02.
 - Subdivisions specified in Clause 62.03.
 - Construction of one dwelling or construction or carrying out of works associated with one dwelling on a lot.
 - Construction of a building or construction or carrying out of works to reinstate the pre-existing standard of buildings damaged or destroyed.
 - Construction or display of an advertising sign.
 - Construction of a building or construction or carrying out of works or subdivision by or on behalf of Manningham City Council that implements infrastructure funded by this Development Contributions Plan.
- **Construction of a building or construction or carrying out of works on the land known as Westfield Shoppingtown Doncaster being the land identified on Planning**

Scheme Map DPO7 up to a leasable floor area of 196,000 square metres (comprising a maximum of 133,000 square metres leasable floor area for shop) provided that there is an agreement to secure development contributions or the carrying out of those infrastructure works to the satisfaction of the responsible authority.

Note: This schedule sets out a summary of the costs and contributions (2003 cost estimates) prescribed in the Doncaster Hill Development Contributions Plan, Manningham City Council, February 2005. Refer to the incorporated document Doncaster Hill Development Contributions Plan, Manningham City Council, February 2005 for full details.

Appendix I Panel recommended Parking Overlay Schedule 1

SCHEDULE 1 TO ~~CLAUSE 45.09 THE~~ PARKING OVERLAY

Shown on the planning scheme map as **PO1**.

DONCASTER HILL MAJOR ACTIVITY CENTRE

1.0 Parking objectives to be achieved

19/04/2013
VC95

To identify appropriate car parking rates for various uses within the Doncaster Hill Major Activity Centre.

To establish the most efficient way for future expected car parking demands to be accommodated within the Doncaster Hill ~~Principal~~ Major Activity Centre area including the stipulation of suitable car parking requirements for key land uses within the Doncaster Hill Principal Activity Centre.

2.0 Permit requirement

None specified.

3.0 Number of car parking spaces required

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Proposed
C104

If a use is specified in the Table below, the number of car parking spaces required for the use is calculated by multiplying the *Rate* specified for the use by the accompanying *Measure*.

Table: Car parking spaces

Use	Rate	Measure
Office	2.5	To each 100 sq m of net floor area.
<u>Office, if in Precinct 4A of the Activity Centre Zone (Westfield Doncaster)</u>	<u>3.5</u>	<u>To each 100sqm of net floor area.</u>
Dwelling	1	To each one or two bedroom dwelling, plus
	2	To each three or more bedroom dwelling (with studies or studios that are separate rooms counted as a bedroom), plus
	1	For visitors to every 10 dwellings.
Restaurant	0.36	To each seat available to the public.
Restricted retail premises	1.5	To each 100 sq m of leasable floor area.
<u>Shop, if in Precinct 4A of the Activity Centre Zone (Westfield Doncaster)</u>	<u>4.17</u>	<u>To each 100sqm of leasable floor area based on a whole-of-centre shop assessment at each nominated stage of the development.</u>

4.0 Application requirements and decision guidelines for permit applications

19/04/2013

Proposed C104

For all applications

The following decision guidelines apply to an application for a permit under Clause ~~45.09~~ 52.06-3, in addition to those included in Clause 45.09 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority.

The responsible authority will protect adjoining residential areas from the intrusion of car parking associated with developments within the Doncaster Hill Principal Activity Centre by considering the effects of car parking on adjoining residential areas before any variation of the requirements is granted.

For land in Precinct 4A of the Activity Centre Zone (Westfield Doncaster)

Application requirements are specified in Schedule 4 of the Development Plan Overlay. Before deciding on an application, the Responsible Authority must consider the following decision guidelines:

- The complementary relationship between the land uses on the site and the benefit in promoting multi-purpose trips.
- The provision of car parking having regard to the staged nature of the future redevelopment of Westfield Doncaster as specified in an approved Development Plan and whether the staged development needs to be managed by a s173 agreement which ensures that the required car parking rate will be provided in a timely manner.
- The upgrade of the Williamsons Road bus interchange and the opportunities created for pedestrian and cycling accessibility to Westfield Doncaster to promote sustainable forms of transport.

For applications to allow some or all of the required car parking spaces to be provided on another site

Car parking requirements for a land use within the Doncaster Hill Principal Activity Centre specified in the Table of this schedule can be provided on the same site as the use or development or if the site size or shape is not suitable and a development or use cannot provide sufficient car parking on-site, a permit may be granted for the use of other land for off-site car parking.

Before a permit may be granted for the use of any other land for off-site car parking the owner of the development site, the owner of the site being used for any off-site parking and the responsible authority must enter into an agreement under Section 173 of the *Planning and Environment Act 1987* or similar to ensure that the off-site car parking will be freely available and directly linked to the use on the subject site for the life of that use. The off-site car parking referred to above excludes on-street car parking.

The appropriateness of suitable off-site car parking shall be guided by the considerations set out within the Doncaster Hill Parking Precinct Plan.

5.0 Financial contribution requirement

None specified.

6.0 Requirements for a car parking plan

None specified.

7.0 [Design standards for car parking](#)

[None specified.](#)

8.0 [Decision guidelines for car parking plans](#)

[None specified.](#)

9.0 **Reference document**

19/04/2013
VC95

Doncaster Hill Parking Precinct Plan (GTA Consultants for Manningham City Council, 5 July 2004)