

9.3 Planning Application PLN18/0772 at Westfield Doncaster 619 Doncaster Road, Doncaster, for buildings and works for alterations and additions to the existing shopping centre

File Number:	IN19/95
Responsible Director:	Director City Planning and Community
Applicant:	Contour Consultants Australia Pty Ltd
Planning Controls:	Activity Centre Zone, Schedule 1; Incorporated Plan Overlay, Schedule 1; Development Contributions Plan Overlay, Schedule 1; Parking Overlay, Schedule 1
Ward:	Koonung
Attachments:	1 Decision Plans 2 Legislative Requirements

EXECUTIVE SUMMARY

Purpose

1. This report provides Council with an assessment of the planning permit application submitted for land at Westfield Doncaster, 619 Doncaster Road, Doncaster. The report recommends approval of the submitted proposal, subject to amendments that will be addressed by way of permit conditions. The application is being reported to Council as it is a Major Application (with a development cost of more than \$5 million).

Proposal

2. It is proposed to upgrade the existing Level 4 dining precinct and outdoor area of Westfield Doncaster, in the south-western corner of the site that faces the intersection of Doncaster and Williamsons Roads.
3. The purpose of the upgrade is to enhance the diversity of dining options, improve internal amenity for customers, enhance indoor and outdoor landscaping, improve the arrival experience to the centre from the adjacent car park and create a new entry from street level by providing a lift.

Advertising

4. Pursuant to Clause 43.03-2 (Incorporated Plan Overlay), an application under any provision of this planning scheme which is generally in accordance with the incorporated plan is exempt from the notice requirements of the *Planning and Environment Act 1987*.

Key issues in considering the application

5. The key issues for Council in considering the proposal relate to:
 - Planning Policy Frameworks;
 - Design and built form;
 - Car parking.

Assessment

6. The proposal aligns with policy at Clauses 21.09 (Activity Centres and Commercial Areas), 22.06 (Eating and Entertainment Premises Policy) and the Activity Centre Zone primarily by improving pedestrian connections with the Level 4 dining precinct within Westfield Doncaster and the intersection of Doncaster and Williamsons Roads.
7. Whilst a reduction of 22 car parking spaces is required to facilitate the redevelopment and improve the interface of the dining precinct with the car park, which equates to the additional demand of 119 spaces, the existing car parking surplus of 871 spaces will be reduced to a surplus of 730 car spaces.

Conclusion

8. The proposal aligns with the vision for Westfield Doncaster, by activating the Doncaster and Williamsons Road frontage, reinvigorating the existing dining precinct and establishing a stronger pedestrian link from the intersection. The existing interface with the car park at Level 4 will also improve the pedestrian arrival experience, including through the enhancement of indoor and outdoor landscaped areas.
9. It is recommended that the application be supported, subject to conditions.

1. RECOMMENDATION

That Council:

- A. Issue a Planning Permit in relation to Planning Application PLN18/0772 at Westfield Doncaster 619 Doncaster Road, Doncaster for buildings and works for alterations and additions to the existing shopping centre, subject to the following conditions –**

- 1. Before the use and development starts, amended plans drawn to scale and dimensioned, must be submitted to the satisfaction of and approved by the Responsible Authority. When approved the plans will then form part of the permit. The plans must be generally in accordance with the decision plans (prepared by Scentre Group, Project No. D3121, Revision B dated 12 December 2018), but modified to show the following:**
 - 1.1 Dimensions of the Level 2 upgraded pathways adjacent to the lift, including delineation of the landscape area along the existing screening;**
 - 1.2 Details of the materials and finish of the Level 2 upgraded pathways adjacent to the lift, in accordance with the Doncaster Hill Strategy;**
 - 1.3 Dimensions and materials of the lift and lift well;**
 - 1.4 Dimensions and maximum height of the Level 2 awning;**
 - 1.5 Dimensions and maximum height of the Level 4 additions.**

Endorsed Plans

2. The development, including the location of buildings, services, engineering works, fences and landscaping as shown on the approved plans must not be altered without the written consent of the Responsible Authority.

Construction Management Plan

3. Not less than two months before the development starts, a Construction Management Plan (CMP) must be submitted via email and approved by the Responsible Authority. When approved the plan will form part of the permit. The Construction Management Plan is to be prepared in accordance with the template within Council's CMP Guidelines. The CMP must address:

- 3.1 Element A1: Public Safety, Amenity and Site Security;
- 3.2 Element A2: Operating Hours, Noise and Vibration Controls;
- 3.3 Element A3: Air Quality and Dust Management;
- 3.4 Element A4: Stormwater and Sediment Control and Tree Protection (also as per the specific requirements of this permit);
- 3.5 Element A5: Waste Minimisation and Litter Prevention; and
- 3.6 Element A6: Traffic and Parking Management to ensure that the traffic conditions and amenity of the area will not be adversely affected, including (but not limited to) the parking of trade persons' vehicles.

Council's Works Code of Practice and Construction Management Plan Guideline are available on Council's website.

Management Plan Compliance

4. The Management Plan approved under Condition 3 of this permit must be implemented and complied with at all times to the satisfaction of the Responsible Authority, unless with the further written approval of the Responsible Authority.

Stormwater

5. Stormwater must not be discharged from the subject land other than by means of drainage to the legal point of discharge. The drainage system within the development must be designed and constructed to the requirements and satisfaction of the relevant Building Surveyor. A connection to Council maintained assets must not be constructed unless a Miscellaneous Works Permit is first obtained from the Responsible Authority.

Drainage

6. Landscaped and paved areas associated with this approved development must be graded and drained so as to prevent ponding to

the satisfaction of the Responsible Authority.

Landscape Plan

- 7. Before the development starts, an amended landscaping plan must be submitted to the Responsible Authority for approval. The plan must be generally in accordance with the approved site layout plan and the concept landscape plan decision plan prepared by Scentre Group, Project No. D3121, Revision A dated 14 November 2018, but modified to show:**
 - 7.1 Species, locations, quantities, approximate height and spread of proposed planting, including adjacent to the Level 2 lift entrance;**
 - 7.2 Details of soil preparation and mulch depth for garden beds;**
 - 7.3 Sectional details of shrub planting method and the canopy tree planting method which includes support staking and the use of durable ties;**
 - 7.4 A detailed materials and finishes schedule of all hardstand areas, including Doncaster Hill boulevard treatment at Level 2; and**
 - 7.5 All canopy trees and screen planting to be at least 1.5 metres in height at the time of planting.**

Landscape Bond

- 8. Before the release of the approved plan for the development, a \$10,000 cash bond or bank guarantee must be lodged with the Responsible Authority to ensure the completion and maintenance of landscaped areas and such bond or bank guarantee will only be refunded or discharged after a period of 13 weeks from the completion of all works, provided the landscaped areas are being maintained to the satisfaction of the Responsible Authority.**

Completion and Maintenance

- 9. Buildings, paved areas, drainage, fencing/walls, car parking areas, line-marking, painted directional signage, lighting and landscaped areas associated with the approved development must be maintained to the satisfaction of the Responsible Authority.**
- 10. Once the permitted development has commenced it must be continued and completed to the satisfaction of the Responsible Authority.**
- 11. The landscaping as shown on the approved landscaping plan must be maintained by replacing any dead, diseased, dying or damaged plants as soon as practicable and not using the areas set aside for landscaping for any other purpose, to the satisfaction of the Responsible Authority.**

Car parking

12. The areas set aside for the parking of vehicles, together with the aisles and access lanes as delineated on the endorsed plans must:
 - 12.1 Be completed and line-marked to the satisfaction of the Responsible Authority prior to the commencement of the development hereby permitted;
 - 12.2 Be used for no other purpose and maintained at all times to the satisfaction of the Responsible Authority; and
 - 12.3 Be drained and sealed with an all-weather seal coat where appropriate.
13. The pick-up, drop-off and general car parking areas must be clearly lined marked and signed and must not be used for any other purpose, to the satisfaction of the Responsible Authority.

Development Contribution

14. Prior to the completion of the development, a Development Contribution as agreed by the Responsible Authority in accordance with Clause 45.06 Development Contributions Plan Overlay Schedule 1 – Doncaster Hill Development Contributions Plan must be paid to the Responsible Authority.

Permit Expiry

15. This permit will expire if one of the following circumstances applies:
 - 15.1 The development is not started within two (2) years of the date of this permit; and
 - 15.2 The development is not completed within four (4) years of the date of this permit.

The Responsible Authority may extend the periods referred to if a request is made in writing by the owner or occupier either before the permit expires or in accordance with Section 69 of the Planning & Environment Act 1987.

2. BACKGROUND

- 2.1 The application was submitted to Council on 27 November 2018.
- 2.2 A request for further information was sent on 3 December 2018.
- 2.3 All requested further information was received by Council on 30 January 2019.
- 2.4 Pursuant to Clause 43.03-2 (Incorporated Plan Overlay), an application under any provision of this planning scheme which is generally in accordance with the incorporated plan is exempt from the notice requirements of the *Planning and Environment Act 1987*.

- 2.5 The statutory time for considering a planning application is 60 days, which would lapse on 31 March 2019.
- 2.6 The land is subject to the following Covenants as listed on title for Lot 1 on Plan of Subdivision 626413J: C604297, C616676, D044405, D190291, D221208, D522117, D606377 and D647724.
- 2.7 The Covenants state:
- “...that they will not erect or cause to be erected on the said land any dwelling or dwellings unless such dwellings are enclosed by walls of brick or brick veneer...”
- 2.8 As the proposal does not relate to a dwelling, the Covenants will not be breached.
- 2.9 The land is not affected by a Section 173 Agreement.
- 2.10 The following relevant planning permits have recently been issued on the site:

Planning Permit	Description
PL13/023936	Approved the construction of a five level car park with modifications to the existing vehicle and pedestrian access to the centre. This application increased the total car parking capacity by 570 spaces.
PL13/023914	Approved the conversion of Shop 2006 (previously 'Mothercare' shop) into a 292 seat food and drink premises (TGI Fridays restaurant), reduction in car parking requirements to zero and use of the premises to sell and consume liquor. This application approved the reduction of car parking of 105 spaces (reducing the surplus to 23 spaces).
PL12/022681	Approved the development of the land as a food a drink premises (TGIF restaurant), reduction in car parking requirements and use of the premises to sell and consume liquor. This Permit was later cancelled on 29 July 2014 by VCAT via consent order from both Westfield and Council Officers following PL13/023914 (see above) as TGI Fridays chose to locate elsewhere.
PL11/022269	Approved the replacement of the existing restaurant (TGI Fridays) with a new shop floor area (Zara). As the floor area was slightly less, this application deemed the shop to be 3 spaces in credit compared to the existing restaurant use (increasing the surplus to 128 spaces).
PL10/021191	Approved the conversion of level 9 of the office tower to an office use. This incorporated 10 car spaces of the surplus spaces (reducing the surplus to 125 spaces).
PL08/019277	Approved two car wash facilities that incorporated 46 car spaces of the surplus spaces (reducing the surplus to 135 spaces).
PL03/015005	Approved a major redevelopment of the shopping centre (to increase it to approx 120,000sqm of gross leasable floor area (GLFA)). This planning approval required the provision of 4,590 car spaces. This equates to a rate of approximately 3.8 spaces per 100sqm GLFA. The plans endorsed under this permit and

Planning Permit	Description
	constructed show 4,771 spaces, a rate of 4 space per 100sqm of GLFA and a 181 space 'surplus' above what was required.

3. THE SITE AND SURROUNDS

- 3.1 Westfield Doncaster shopping centre is located on the north-east corner of Doncaster Road and Williamsons Road. It is a major regional shopping centre with more than 120,000 square metres of retail floor space, including a range of shops, department stores, supermarkets, food and drink premises and cinemas with associated car parking (currently 5,338 spaces) and a bus interchange located on the Williamsons Road frontage. The shopping centre underwent a major expansion in 2008 and continues to evolve via minor internal alterations. Most recently, a five level car park has been constructed on the eastern (rear) side of the shopping centre, extending between Grosvenor Street to the north and Goodson Street to the south.
- 3.2 Vehicle access to the centre is via two signalised intersections on both Doncaster Road and Williamsons Road, and via a single entry only from Goodson Street in the east of the site.

4. THE PROPOSAL

- 4.1 The proposal is outlined on the plans and concept landscape plans prepared by Scentre Group, Project No. D3121, Revision B dated 12 December 2018. Refer to Attachment 1.
- 4.2 The following reports were provided in support of the application:
- Town Planning report prepared by Contour Consultants dated 16 November 2018;
 - Traffic impact assessment letter prepared by GTA Consultants dated 16 November 2018.
- 4.3 The scope of works is indicated by the yellow ring in the aerial photograph below.



- 4.4 It is proposed to upgrade the Level 4 dining precinct of Westfield Doncaster, in the south-western corner of the site that faces the intersection of Doncaster and Williamsons Roads. The Level 4 dining precinct is adjacent to the Village Cinemas complex and contains a number of restaurant tenancies that operate beyond regular retail hours.
- 4.5 Currently, pedestrian access to the dining precinct is either from within the centre via the retail area below, or through the adjacent rooftop car park.
- 4.6 The purpose of the upgrade to the dining precinct and outdoor area is to enhance the diversity of dining options, improve internal amenity for customers, enhance indoor and outdoor landscaping, improve the arrival experience to the centre from the adjacent car park and create a new entry from street level through the provision of a lift.
- 4.7 External works include:
- Alterations and reconfigurations to the Level 4 rooftop car park, resulting in a net reduction of 22 car parking spaces. The new layout incorporates a one-way drop-off/pick-up zone;
 - Increase in floor area of the Level 4 dining area and number of seats from 1,494 seats to 1,826 seats and the relocation of the external walls to the north and east, including the installation of new glazing and entrance doors;
 - Installation of a new children's outdoor play area adjacent to the car park;

- New landscaping works including paving, planter boxes and new trees adjacent to the car park;
- The projection of the Level 4 dining area beyond the existing footprint in three locations to the south-west (facing the Doncaster and Williamsons Road intersection), which will be behind the existing glazing line that remains unchanged;
- Providing direct pedestrian access from the ground level of the intersection of Doncaster and Williamsons Roads, via a lift in the location of the existing curved glass façade below the prominent 'Westfield' sign. The lift will be behind the existing glazing line that remains unchanged;
- Installation of a new awning at ground level over the new lift entrance for pedestrian weather protection. This would include a modification to the existing pedestrian paving opposite the slip lane in the roadway;
- Installation of new skylights over the dining precinct.

4.8 It is also proposed to introduce internally illuminated business identification and wayfinding signage at the intersection of Doncaster and Williamsons Road. This application seeks to identify the location of these signs for information purposes only. A separate future application will be required for the approval of these signs, including the submission of detailed plans. Similarly, a future planning permit amendment will be made to update the existing approved liquor licensing layout.

5. LEGISLATIVE REQUIREMENTS

5.1 Refer to Attachment 2.

5.2 A permit is required under the following Clauses of the Manningham Planning Scheme:

- Clause 37.08-2 (Activity Centre Zone, Schedule 1), to construct a building and or carry out works.

6. REFERRALS

6.1 There are no applicable external authorities or relevant internal departments that required referral.

7. CONSULTATION / NOTIFICATION

7.1 Pursuant to Clause 43.03-2 (Incorporated Plan Overlay), an application under any provision of this planning scheme which is generally in accordance with the incorporated plan is exempt from the notice requirements of the *Planning and Environment Act 1987*.

8. ASSESSMENT

8.1 The proposal has been assessed against the relevant state and local planning policies, the zone and overlay and the relevant particular provisions and general provisions of the Scheme.

8.2 The following assessment is made under the headings:

- Planning Policy Frameworks;

- Design and built form;
- Car parking.

Planning Policy Frameworks

- 8.3 Key objectives of the PPF and LPPF seek to intensify activity centres as a focus for high-quality development and encourage increased activity. Activity centre planning seeks 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.
- 8.4 Clause 21.09 (Activity Centres and Commercial Areas) identifies Westfield Doncaster as being in Precinct 4 of the Activity Centre, with the following vision:
- “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.”
- 8.5 Under the ACZ1, the subject site is identified as being located in Precinct 4A. The relevant objectives for Precinct 4A (Clause 5.4-2) are:
- *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 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.*
- 8.6 Clause 22.06 (Eating and Entertainment Premises Policy) supports the location of eating and entertainment premises within existing activity centres. The relevant objectives of this policy are:
- *To ensure that eating and entertainment premises are appropriately located having regard to:*
 - *Intensity (no. of seats/patrons) and hours of operation of the proposed activity.*
 - *Location of access points.*
 - *Adequate provision of car parking.*
 - *Traffic generated being appropriate to the street and locality and not adversely affecting traffic flow or road safety.*
 - *To ensure adequate access is provided for people with limited mobility.*
 - *To ensure that the location of the use is appropriate to the role and function of the road network and that adequate provision is made for on-site car parking.*
 - *To ensure that land used for vehicle access and parking is properly designed, constructed and drained.*

- 8.7 The proposal aligns with the vision of Clause 21.09, the objectives of Clause 22.06 and the objectives of Precinct 4A by activating and improving the engagement with the Doncaster and Williamsons Roads intersection, enhancing the pedestrian environment and by doing so creating a stronger link to the eating and entertainment premises.
- 8.8 The proposal also aligns with the vision of Clause 21.09 for the intersection of Doncaster, Williamsons and Tram Roads, to have greatly increased pedestrian safety and amenity, connecting all precincts abutting these roads.
- 8.9 Being located within an existing major regional shopping centre, the proposal for the expansion and improvement of the existing dining precinct responds to Clause 22.06 by being appropriately located having regard to its intensity, hours of operation, improved location of access points and provision of adequate car parking and existing traffic management conditions. The incorporation of a lift significantly improves accessibility to the dining precinct from the ground level of the major intersection of Doncaster and Williamsons Roads.

Design and built form

- 8.10 The ACZ1 does not set any mandatory or preferred maximum/minimum building heights or setbacks for buildings within Precinct 4A. The proposal does not increase the existing building height or decrease any setbacks of the existing glazing to the south-west – Doncaster/Williamsons Rd interface.
- 8.11 The changes to the building that can be viewed from this intersection relate to the projection of three sections on the south-western side of the Level 4 dining precinct and the incorporation of a lift well. All of these elements are to be constructed in an area that is currently a void, between the existing usable floor space and a glazed wall. These works will be concealed behind the existing glazed wall that remains unchanged. Therefore, these changes will not result in any significant change in the appearance of the façade of the centre.
- 8.12 The inclusion of a lift at Level 2, at the corner of Doncaster and Williamsons Roads establishes a strong pedestrian link from the dining precinct within Westfield Doncaster to all other precincts within Doncaster Hill. It is viewed as a major contributing factor to achieving the vision for the centre in the context of Doncaster Hill.
- 8.13 To cater for the needs of pedestrians utilising the new lift at the intersection, a new awning will be installed over the lift entrance for weather protection. To enable efficient pedestrian way-finding and provide direct pedestrian access to the lift, modifications will be required to the road reserve in the form of a new path.
- 8.14 There are several changes to the northern and eastern interfaces of the dining precinct with the car park on Level 4. These changes also facilitate an improved pedestrian arrival experience, including additional landscape areas, awnings and a children's play area, together with new entry doors.
- 8.15 All other changes are internal and relate to the reconfiguration of the dining area to improve the use of the space.

Car parking

- 8.16 The proposal includes a 332 seat increase within the dining precinct from 1,494 to 1,826 seats. This is calculated at a car parking rate of 0.36 spaces per seat associated with a restaurant, generating the requirement for an additional 119 car parking spaces. The external modifications to the car park result in a decrease of 22 car parking spaces from 5,338 to 5,316 spaces across the centre.
- 8.17 Overall, this results in the existing centre-wide car parking ratio decreasing from 4.32 spaces per 100m² to 4.28 spaces per 100m².
- 8.18 The proposal will result in a net loss of 141 car parking spaces, whereby the current surplus of 871 car parking spaces will be reduced to a surplus of 730 spaces.
- 8.19 A sound rationalisation is provided in the submitted car parking demand assessment, which contends that the peak demand for the dining area would be in the evening, when the centre and the surrounding road network is off peak. Therefore, the number of spaces available in the centre can reasonably cater for the car parking demand associated with the upgraded facilities and expanded dining area.

9. CONCLUSION

- 9.1 It is recommended that the application be supported, subject to conditions.

10. DECLARATION OF CONFLICT OF INTEREST

- 10.1 No officers involved in the preparation of this report have any direct or indirect conflict of interest in this matter.