



TOWN OF
VICTORIA PARK



Special Council Meeting Agenda – 7 February 2023



WE'RE OPEN
VIC PARK

Please be advised that an **Special Council Meeting** will be held at **5:00 PM** on **Tuesday 7 February 2023** in the **Council Chambers**, Administration Centre at 99 Shepperton Road, Victoria Park.

Mr Anthony Vuleta – Chief Executive Officer
2 February 2023

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1 Declaration of opening

Acknowledgement of the traditional owners

Ngany djerapiny Wadjak – Noongar boodja-k yaakiny, nidja bilya bardook.

I am honoured to be standing on Whadjuk - Nyungar country on the banks of the Swan River.

Ngany kaaditj Noongar moort keny kaadak nidja Wadjak Noongar boodja. Ngany kaaditj nidja Noongar birdiya – koora, ye-ye, boorda, baalapiny moorditj Noongar kaadijtin, moort, wer boodja ye-ye.

I acknowledge the traditional custodians of this land and respect past, present and emerging leaders, their continuing cultural heritage, beliefs and relationship with the land, which continues to be important today.

Ngany youngka baalapiny Noongar birdiya wer moort nidja boodja.

I thank them for the contribution made to life in the Town of Victoria Park and to this region.

2 Announcements from the Presiding Member

2.1 Recording and live streaming of proceedings

In accordance with clause 39 of the *Town of Victoria Park Meeting Procedures Local Law 2019*, as the Presiding Member, I hereby give my permission for the administration to record proceedings of this meeting.

This meeting is also being live streamed on the Town's website. By being present at this meeting, members of the public consent to the possibility that their image and voice may be live streamed to public. Recordings are also made available on the Town's website following the meeting.

2.2 Public question time and public statement time

As this is a Special Council Meeting, any public questions or statements must relate to the business of the agenda.

There are guidelines that need to be adhered to in our Council meetings and during question and statement time people speaking are not to personalise any questions, or statements about Elected Members, or staff or use any possible defamatory remarks.

In accordance with clause 40 of the *Town of Victoria Park Meeting Procedures Local Law 2019*, a person addressing the Council shall extend due courtesy and respect to the Council and the processes under which it operates and shall comply with any direction by the presiding member.

A person present at or observing a meeting shall not create a disturbance at a meeting, by interrupting or

interfering with the proceedings, whether by expressing approval or dissent, by conversing or by any other means.

When the presiding member speaks during public question time or public statement time any person then speaking, is to immediately stop and every person present is to preserve strict silence so that the presiding member may be heard without interruption.

2.3 No adverse reflection

In accordance with clause 56 of the *Town of Victoria Park Meeting Procedures Local Law 2019*, both Elected Members and the public when speaking are not to reflect adversely on the character or actions of Elected Members or employees.

2.4 *Town of Victoria Park Meeting Procedures Local Law 2019*

All meetings of the Council, committees and the electors are to be conducted in accordance with the Act, the Regulations and the *Town of Victoria Park Meeting Procedures Local Law 2019*.

3 Attendance

Mayor

Ms Karen Vernon

Banksia Ward

Deputy Mayor Claire Anderson

Cr Peter Devereux

Cr Wilfred Hendriks

Cr Luana Lisandro

Jarraah Ward

Cr Jesse Hamer

Cr Bronwyn Ife

Cr Jesvin Karimi

Cr Vicki Potter

Chief Executive Officer

Mr Anthony Vuleta

Chief Operations Officer

Ms Natalie Adams

Chief Financial Officer

Mr Duncan Olde

Chief Community Planner

Ms Natalie Martin Goode

A/Manager Development Services

Ms Kelly Vilksen

Coordinator Governance and Strategy

Ms Jelette Edwards

Secretary

Ms Felicity Higham

Public liaison

Ms Alison Podmore

3.1 Apologies

3.2 Approved leave of absence

4 Declarations of interest

4.1 Declarations of financial interest

A declaration under this section requires that the nature of the interest must be disclosed. Consequently, a member who has made a declaration must not preside, participate in, or be present during any discussion or decision-making procedure relating to the matter the subject of the declaration. An employee is required to disclose their financial interest and if required to do so by the Council must disclose the extent of the interest. Employees are required to disclose their financial interests where they are required to present verbal or written reports to the Council. Employees can continue to provide advice to the Council in the decision-making process if they have disclosed their interest.

4.2 Declarations of proximity interest

Elected members (in accordance with Regulation 11 of the Local Government [Rules of Conduct] Regulations 2007) and employees (in accordance with the Code of Conduct) are to declare an interest in a matter if the matter concerns: a) a proposed change to a planning scheme affecting land that adjoins the person's land; b) a proposed change to the zoning or use of land that adjoins the person's land; or c) a proposed development (as defined in section 5.63(5)) of land that adjoins the persons' land.

Land, the proposed land adjoins a person's land if: a) the proposal land, not being a thoroughfare, has a common boundary with the person's land; b) the proposal land, or any part of it, is directly across a thoroughfare from, the person's land; or c) the proposal land is that part of a thoroughfare that has a common boundary with the person's land. A person's land is a reference to any land owned by the person or in which the person has any estate or interest.

4.3 Declarations of interest affecting impartiality

Elected members (in accordance with Regulation 11 of the Local Government [Rules of Conduct] Regulations 2007) and employees (in accordance with the Code of Conduct) are required to declare any interest that may affect their impartiality in considering a matter. This declaration does not restrict any right to participate in or be present during the decision-making process. The Elected Member/employee is also encouraged to disclose the nature of the interest.

5 Public question time

6 Public statement time

7 Presentations

7.1 Petitions

7.2 Presentations

7.3 Deputations

8 Method of dealing with agenda business

9 Chief Community Planner reports

9.1 Temporary Alterations to Victoria Park Train Station for Bus Interchange

Location	Railway Reservation, Kitchener Avenue VICTORIA PARK (Victoria Park Train Station)
Reporting officer	Senior Planning Officer
Responsible officer	Manager Development Services
Voting requirement	Simple majority
Attachments	<ol style="list-style-type: none"> 1. Development Plans [9.1.1 - 6 pages] 2. Applicant's Planning Report [9.1.2 - 18 pages] 3. Schedule of Submissions [9.1.3 - 10 pages]

Landowner	Public Transport Authority of Western Australia
Applicant	Element Advisory Pty Ltd
Application date	16 December 2022
DA/BA or WAPC reference	5.2022.492.1
MRS zoning	Railways
TPS zoning	Not applicable
R-Code density	Not applicable
TPS precinct	Lathlain (P7)
Use class	Not applicable
Use permissibility	Not applicable
Lot area	The portion of railway reserve where the works are proposed (generally located between Great Eastern Highway and Roberts Road) has an area of 67,586m ²
Right-of-way (ROW)	Not applicable
Local heritage survey	Not applicable
Residential character study area/weatherboard precinct	Not applicable
Surrounding development	Predominantly low density residential dwellings

Recommendation

That Council recommend to the Western Australian Planning Commission that the application for development approval for Temporary Alterations to the Victoria Park Train Station for a Temporary Bus Interchange (Town ref: 5.2022.492.1) be approved subject to the following conditions:

1. The development, once commenced, shall be carried out in accordance with the approved plans at all times, unless otherwise authorised by the Town.
2. This approval is valid for a period of 24 months only from the date of approval being granted, after which time the permitted use of the Victoria Park Train Station as a temporary bus interchange, shall revert to the current existing use, unless further development approval is obtained. Prior to or upon the expiry of this temporary approval, the applicant must cease the development or submit a fresh application for development approval to continue the use.
3. Upon cessation of the permitted use of the Victoria Park Train Station as a temporary bus interchange, any alterations, relocation or damage of existing infrastructure must be completed and reinstated to the specification and satisfaction of the Town of Victoria Park.

Prior to commencement of construction works

4. A Construction Management Plan shall be submitted to and approved to the specification of the Town of Victoria Park and the satisfaction of the Western Australian Planning Commission prior to commencement of site works. Once approved, the Construction Management Plan is to be implemented in its entirety to the satisfaction of the Western Australian Planning Commission.
5. A Construction Noise Management Plan shall be submitted to and approved by the Western Australian Planning Commission, on the advice of the Town of Victoria Park, prior to the commencement of site works. Once approved, the Construction Noise Management Plan is to be implemented in its entirety to the satisfaction of the Western Australian Planning Commission.
6. Revised Development Plans detailing provision of pedestrian access and infrastructure between Kitchener Avenue and the Temporary Bus Interchange shall be submitted to and approved to the specification of the Town of Victoria Park and the satisfaction of the Western Australian Planning Commission. Once approved, the plans are to be implemented in their entirety to the satisfaction of the Western Australian Planning Commission.
7. A Pre-Condition Audit of the local road network adjacent to and within the Zone of Influence is to be undertaken to the satisfaction of the Western Australian Planning Commission, on the advice of the Town of Victoria Park, prior to commencement of site works.
8. A Tree Management Plan shall be submitted and approved to the satisfaction of the Western Australian Planning Commission, on the advice of the Town of Victoria Park. Once approved, the Tree Management Plan is to be implemented in its entirety to the satisfaction of the Western Australian Planning Commission.

General

9. Any works proposed on land outside of the Railways Reserve and/or Planning Control Area, that is under the care, control and management of the Town is to be approved by the Town prior to the works being undertaken.

ADVICE NOTES:

1. All development should comply with the provisions of the Building Code of Australia, Health Regulations, Public Building Regulations and all other relevant Acts, Regulations and Local Laws, including obtaining any relevant permits and licences. Additional approvals/licences may be required to ensure compliance with State Government environmental legislation.
2. In relation to Condition 4, the Construction Management Plan is expected to include the site-specific management, mitigation and monitoring measures to manage the issues of surface water, groundwater, wetlands, vegetation and flora, geotechnical conditions, acid sulfate soils, aboriginal heritage, noise, vibration, dust, and lighting in consultation with the (Town of Victoria Park) and the WAPC. In addition, the CMP is to address but not be limited to the following site specific matters:
 - (a) A staging plan;
 - (b) Storage of materials and equipment;
 - (c) Delivery of materials or equipment to the site;
 - (d) Parking arrangements for contractors and subcontractors;
 - (e) Waste management;
 - (f) Hours of operation, timeframes and responsibility for tasks identified;
 - (g) Consultation and communication strategy; and
 - (h) Any other matters likely to impact on surrounding properties and public areas.
3. In relation to Condition 5, the Construction Noise Management Plan shall address the following:
 - (a) Noise impacts from proposed works/activities
 - (b) Noise mitigation measures
 - (c) Any other matters likely to impact on surrounding properties
4. In relation to Condition 6, the Revised Development Plans shall address but not be limited to the following:
 - (a) Pedestrian infrastructure, including footpaths and pram ramps, to show how patrons will access the bus interchange from the temporary footpath on Kitchener Avenue and the proposed temporary car parking facility.
5. In relation to Condition 7, the applicant is advised to liaise with the Town of Victoria Park to determine an appropriate Zone of Influence for the dilapidation survey. The Zone of Influence will be informed by the location and extent of the proposed works along Kitchener Avenue and the local road network utilised by the replacement bus services when accessing the temporary bus interchange.
6. In relation to Condition 7, any damage that occurs to Town of Victoria Park assets during construction and operation shall be replaced or repaired to its previous condition at the cost of the landowner/applicant, to the satisfaction of the Western Australian Planning Commission on the

advice of the Town of Victoria Park.

7. In relation to Condition 8, the Tree Management Plan is to address but not be limited to the following:
 - (a) Possible retention of additional on-site trees in the area adjacent to the proposed transportable buildings are around the exit from the temporary car parking facility;
 - (b) Clearly identifying all verge/street trees to be removed as part of the proposed works. The planning report states 16 trees to be removed, however, the Town's Street Tree Audit shows a total of 80 tree (including six newly planted) between the existing Victoria Park Train Station and the temporary car park exit that would need to be removed;
 - (c) Replacement tree planting, including calculations prepared by an independent arborist of the canopy cover to demonstrate that the extent of proposed canopy coverage (at maturity) resulting from new tree planting will exceed that of the removed canopy coverage, prior to works on site commencing.
8. Existing street trees located within the verge and/or on land under the care, control and management of the Town must be retained, unless otherwise approved by the Town. An independent arborist assessment of each street tree proposed for removal must be provided to the Town prior to approval being granted.
9. In accordance with regulation 13 of the *Environmental Protection (Noise) Regulations 1997*, a Noise Management Plan is to be approved by the Town for construction work occurring outside the hours of 7am to 7pm Monday to Saturday, and at any time on Sundays and public holidays.
10. A separate application is to be submitted to the Town's Street Improvement business unit for approval prior to construction of a new crossover. To submit a crossover application please complete a 'Crossover Installation Application Form' and refer to the 'Crossover Installation Package'. Both documents are available from the Town's website.
11. A Work Zone Permit application is to be submitted to and approval issued the Town, prior to any works or temporary storage on a public thoroughfare (including roads, parking bays, footpaths or verges). To download an application form and for further information, please refer to the Town's website or contact the Town's Street Improvement business unit on (08) 9311 8111. It is noted that a Work Zone permit may not be permitted along some sections of Kitchener Avenue.
12. As this will be deemed a public building for the purposes of the *Health (Public Buildings) Regulations 1997*, the applicant is required to submit a Form 1 – Application to Construct, Extend or Alter a Public Building, together with floor plans to Environmental Health Services for approval, prior to commencing operation. For further information please refer to the Town's website or contact Environmental Health Services on (08) 9311 8111.
13. All gates and doors are to be designed and constructed to swing into the property and not encroach over the Town's verge area.
14. The development is located within close proximity to existing Western Power infrastructure. The owner/applicant is advised to liaise with Western Power prior to works commencing. Refer to the Western Power's website or call 13 10 87 for further information.

Purpose

For Council to consider and determine the Town's recommendation to the determining authority, being the Western Australian Planning Commission (WAPC), on the development application for the proposed temporary works at the Victoria Park Train Station for a temporary bus interchange and associated facilities/amenities.

In brief

- A development application has been submitted to the Town on behalf of METRONET for works at the Victoria Park Train Station to create a temporary bus interchange (refer to Attachments 1 and 2).
- The broader Victoria Park Canning Level Crossing Removal Project (VPCXLR) construction works necessitates the shutdown of the Armadale Rail Line for an estimated 18 month period. The temporary bus interchange will provide access to alternative public transport services during the 18 month period that the rail line will be shut down.
- Replacement bus services will access the temporary bus interchange from Shepperton Road via the local road network, with entry from Duncan Street and egress from either Axon Avenue or Gresham Street.
- The highest frequency of buses will occur during peak am and pm periods, when buses will run every 6-7 minutes.
- The application area extends from Duncan Street to Gresham Street. All the proposed works will occur on the Kitchener Avenue (western) side of the rail line.
- The subject land is reserved as 'Railways' under the Metropolitan Region Scheme (MRS) and as such the determining authority for the application is the Western Australian Planning Commission (WAPC).
- Consultation was undertaken for a 14 days comment period, commencing on 9 January 2023 and closing on 23 January 2023. A total of 34 submissions were received, comprising 27 objections, two in support and five raising comments but not stating a position.

Background

1. At the Ordinary Council Meeting on 20 August 2019 Council endorsed an Advocacy Program for METRONET projects within the Town, inclusive of the following desired outcomes:
 - (a) Underground: the rail corridor is underground and the land at ground level is available for other uses.
 - (b) Great Places: Station Precincts are great places that provide obvious and lasting community benefits.
 - (c) All Stations Remain: All existing stations in the Town must remain with only minor adjustments to their locations.
 - (d) Sustainable Access: Station Precincts promote and facilitate walking, cycling and public transport as the predominant choices for accessing each station.
2. On 16 June 2020 the State Government unveiled its plan to pursue an elevated rail option associated with the removal of the level crossings at Mint/Archer Street, Oats Street and Welshpool Road.
3. At a Special Council Meeting on 25 June 2020 Council resolved as follows:

"That Council:

1. Advises the WA Government that Council:
 - (a) supports its Level Crossings Removal program;
 - (b) supports an underground option for the replacement of the level crossings along the Armadale rail line at Archer/Mint St, Oats St and Welshpool Road as endorsed by Council in 2019;
 - (c) is committed to working co-operatively and collaboratively with the WA Government and Metronet in all communications, consultations and engagements about the removal of the level rail crossings and in advocating for the inclusion of an underground option for consideration.

2. Requests the Chief Executive Officer to deliver a public awareness and education campaign about the proposed options for removal and replacement of the level crossings along the Armadale rail line at Archer/Mint St, Oats St and Welshpool Road, including:
 - (a) why the Town supports an underground option at these stations;
 - (b) the level of engagement the Town of Victoria Park has had with Metronet since the 2019 federal election about developing the options for replacement of these level crossings;
 - (c) the need for appropriate consultation by the WA Government with the Town of Victoria Park and its community prior to making any decision on the preferred option to deliver the level crossing removal program along the Armadale rail line at Archer/Mint St, Oats St and Welshpool Road.

3. Approves expenditure of up to \$25,000 on the public awareness campaign.

4. Requests the Chief Executive Officer to allocate appropriate internal resources to support the delivery of the public awareness and education campaign.

5. Requests the Chief Executive Officer to report to the Ordinary Council Meeting in August 2020 about the progress of the public awareness and education campaign."

4. At the Ordinary Council Meeting on 18 August 2020 Council resolved to receive the report providing an update on the Town's public awareness and education campaign.
5. The Town has been working collaboratively with the State Government (including METRONET, Public Transport Authority, Armadale Line Upgrade Alliance and Office of Major Transport Infrastructure Delivery) on the level crossing removal project, including construction of the elevated rail line and new station precincts.
6. On 13 October 2022, the Town received an application on behalf of Metronet for a proposed viaduct structure and enabling works for a new portion of elevated rail line between Mint/Archer Street and Briggs Street. At the Special Council Meeting on 22 November 2022, the Council resolved as follows:

"That Council

- A. Recommend to the Western Australian Planning Commission that the application for Viaduct Structure and Enabling Works (DA 5.2022.384.1) on Lot 9003 be refused for the following reasons:
 1. Council considers the elevated rail proposal to be a lost opportunity in relation to creating land available for Public Open Space, future infill development, transport solutions, and Urban Forest in comparison to the Council's previously adopted position for an underground solution.

2. *The proposal not being nature-positive.*
 3. *The adverse visual impact of the proposal which won't be ameliorated by screening and tree planting.*
 4. *The extensive use of concrete in the structure impacting on the available Public Open Space by comparison to the amount of Public Open Space created by an open solution.*
 5. *That the long-term benefits of an underground solution outweigh the benefits of an elevated rail solution.*
 6. *That the majority of the public submissions were not in support of the proposal.*
- B. *Requests the Western Australian Planning Commission to impose the following conditions should the WAPC decide to approve the application:*

Prior to the commencement of site works

1. *A final Construction Management Plan shall be submitted to and approved to the specification of the Town of Victoria Park and the satisfaction of the Western Australian Planning Commission prior to commencement of site works. Once approved, the Construction Management Plan is to be implemented in its entirety.*
2. *A final Traffic Management Plan shall be submitted to and approved by the Western Australian Planning Commission, on the advice of the Town of Victoria Park, prior to the commencement of site works. Once approved, the Traffic Management Plan is to be implemented in its entirety.*
3. *A Construction Noise Management Plan shall be submitted to and approved by the Western Australian Planning Commission, on the advice of the Town of Victoria Park, prior to the commencement of site works.*
4. *A dilapidation survey of surrounding properties within the Zone of Influence being undertaken to the satisfaction of the Western Australian Planning Commission, on the advice of the Town of Victoria Park, prior to the commencement of any site works that may involve substantial earthworks, vibration and/or dewatering.*
5. *A pre-condition audit of the local road network adjacent to and within the Zone of Influence is to be undertaken to the satisfaction of the Western Australian Planning Commission, on the advice of the Town of Victoria Park, prior to commencement of site works.*

Prior to commencement of relevant building works

6. *Final detailed plans showing the location and design of the piers (including footings) and viaduct shall be submitted to and approved by the Western Australian Planning Commission, on advice of the Town of Victoria Park, prior to the commencement of relevant building works. Once approved, the plans are to be implemented in their entirety.*

General

7. *All structures (excluding the viaduct beams) which are the subject of this application are to be applied with an anti-graffiti coating immediately upon completion, to the specifications of the Town of Victoria Park and the satisfaction of the Western Australian Planning Commission. Any graffiti should be removed as soon as possible by the applicant.*
8. *Any damage that occurs to the local road network and/or other Town of Victoria Park assets during site and/or building works shall be reinstated to its previous condition at the cost of the PTA, to the specifications of the Town of Victoria Park.*
9. *Prior to the commencement of the approved works the applicant is to provide calculations prepared by an independent arborist of the canopy cover that is to be removed to the*

satisfaction of the Western Australian Planning Commission on the advice of the Town. As part of the future development application for public realm works, the applicant is to demonstrate that the extent of proposed canopy coverage (at maturity) resulting from new tree planting will exceed that of the removed canopy coverage to the satisfaction of the Western Australian Planning Commission on the advice of the Town.

10. Within 6 months of approval, final details of the architectural screen, colour and paint finishes of the viaduct structure (including piers) are to be provided to the satisfaction of the Western Australian Planning Commission on the advice of the Office of the Government Architect and the Town of Victoria Park.
11. Any works proposed on land outside of the Railways Reserve and/or PCA, that is under the care, control and management of the Town is to be approved by the Town prior to the works being undertaken.

Advice Notes

AN1 All development should comply with the provisions of the Building Code of Australia, Health Regulations, Public Building Regulations and all other relevant Acts, Regulations and Local Laws, including obtaining any relevant permits and licences. Additional approvals/licences may be required to ensure compliance with State Government environmental legislation.

AN2 Regarding condition 1, the Construction Management Plan is expected to include the site-specific management, mitigation and monitoring measures to manage the issues of surface water, groundwater, wetlands, vegetation and flora, geotechnical conditions, acid sulfate soils, aboriginal heritage, noise, vibration, dust, and lighting in consultation with the (Town of Victoria Park) and the WAPC.

In addition, the CMP is to address but not be limited to the following site specific matters:

- a) A staging plan;
- b) Storage of materials and equipment;
- c) Delivery of materials or equipment to the site;
- d) Parking arrangements for contractors and subcontractors;
- e) Waste management;
- f) Hours of operation, timeframes and responsibility for tasks identified;
- g) Consultation and communication strategy; and
- h) Any other matters likely to impact on surrounding properties and public areas

Construction Management Plans may be provided for separate works packages (i.e. forward works) prior to their commencement, provided each management plan contains an overview of staging and the relationship between works packages.

AN3 Regarding condition 2, the Traffic Management Plan is to address:

- a) Traffic volumes from proposed work/activities;
- b) Construction activities;
- c) Maintenance of access to adjacent private properties;
- d) Arrangements for general traffic detours;
- e) Process for modifying haulage routes or agreed management arrangements, including any departure outside of approved haulage operations timeframes; and
- f) Communications – landowners and general community.

AN4 Regarding condition 3, the Noise Management Plan shall address the following for each separate work zone:

- a) Noise impacts from proposed works/activities

- b) Noise mitigation measures*
- c) Any other matters likely to impact on surrounding properties*

AN5 Regarding condition 4, the applicant is advised to liaise with the Town of Victoria Park to determine an appropriate Zone of Influence for the dilapidation surveys. The Zone of Influence will be informed by studies on the extent of vibration and dewatering impacts.

AN6 Regarding condition 5, the precondition audit should focus on the road network being used for heavy haulage routes that service the laydown facilities associated with construction works.

AN7 Regarding condition 6 and 10, the detailed plans (including cross-sections, long-sections and elevations) showing the locations and design treatments being applied to the piers and viaducts is to address:

- a) Viaduct location and design*
- b) Pier (and footings) location and design*
- c) Materials and finishes*
- d) Public art opportunities*
- e) Permanent screening*
- f) Permanent lighting*
- g) All services, signaling and systems, OLE masts and emergency egress structures are to be designed as an integral component of the piers/viaduct or screened from public view.*

AN8 Existing street trees located within the verge and/or on land under the care, control and management of the Town must be retained, unless otherwise approved by the Town. The removal of a street tree must be approved by the Town prior to the works being undertaken. An independent arborist assessment of each street tree proposed for removal must be provided to the Town prior to approval being granted.

AN9 In accordance with regulation 13 of the Environmental Protection (Noise) Regulations 1997, a Noise Management Plan is to be approved by the Town for construction work occurring outside the hours of 7am to 7pm Monday to Saturday, and at any time on Sundays and public holidays."

Application summary

7. The VPCLXR forms part of the METRONET rail program. The overall VPCLXR project includes several key components, including the following within the Town's boundaries:
 - New sections of elevated rail line, or viaduct, comprising piers, pier headstock and 'U troughs'.
 - Removal of existing level crossings at Archer/Mint Street and Oats Street.
 - Development of new elevated train stations at Mint Street (Carlisle Station) and Oats Street.
 - New station precincts at ground level around each new train station, including bus facilities, patron parking and landscaping.
 - New ground level public realm works between station precincts incorporating public spaces and facilities.
8. The first development application lodged for the Metronet VPCLXR project, which the Town received in October 2022, only related to the construction of the viaduct structure and enabling works.
9. This development application seeks approval for temporary works at the Victoria Park Train Station to accommodate a temporary bus interchange as outlined below:
 - Two new crossovers for vehicle/bus entry and exit to the temporary bus interchange, with entry off Duncan Street and exit onto Kitchener Avenue.

- The new crossover to provide entry from Duncan Street necessitates alterations to the existing traffic signals at this intersection. The applicant has been in discussions with Main Roads WA regarding these changes.
- The temporary bus interchange will be located within the area currently occupied by the Victoria Park Train Station 'Park and Ride' car parking area.
- A new temporary replacement 'Park and Ride' car parking area is proposed to accommodate a total of 42 parking bays; including 37 Park and Ride parking bays (including 2 disabled parking bays), 5 Kiss and Ride bays and the balance 9 bays for Transperth use. The 37 replacement Park and Ride bays and the 5 Kiss and Ride bays replace the existing bays at a ratio of 1:1. The proposed replacement parking bay ratio has been determined by Transperth, based on the fact there is not anticipated to be any change in demand for car parking at the Victoria Park Train Station.
- Two new crossovers to provide vehicle entry and exit to the temporary Park and Ride car parking area, which is located immediately south of the existing Park and Ride facility.
- Three temporary, transportable buildings proposed to accommodate a staff crib room, staff toilets and public toilets.
- Modifications to the security fencing between Kitchener Avenue and the rail corridor to accommodate the layout changes.
- Temporary lighting is proposed for the temporary parking area.
- Existing drainage will remain within the temporary bus interchange area.
- From a staging perspective, the temporary replacement parking area will be completed first to allow this to be operational prior to the works for the temporary bus interchange disrupting the use of the existing parking facility.
- Victoria Park was identified as the location for this temporary bus interchange as Victoria Park is intended to be the last operational train station on the Armadale Line during the 18 month shutdown period. As such, it is the best location to get commuters back onto or off the train network (depending on their direction of travel).
- The proposed works require the removal of 16 trees, mainly within the MRS railway reserve, and some bottlebrush shrubs in the narrow space between the rail corridor and Kitchener Avenue. In recognition of the Town's priority to increase overall tree canopy within the municipality, replacement tree planting will be provided after the cessation of the temporary use, at the time temporary works are reinstated to the currently existing condition.

10. The extent of the works proposed is best illustrated in the following images:

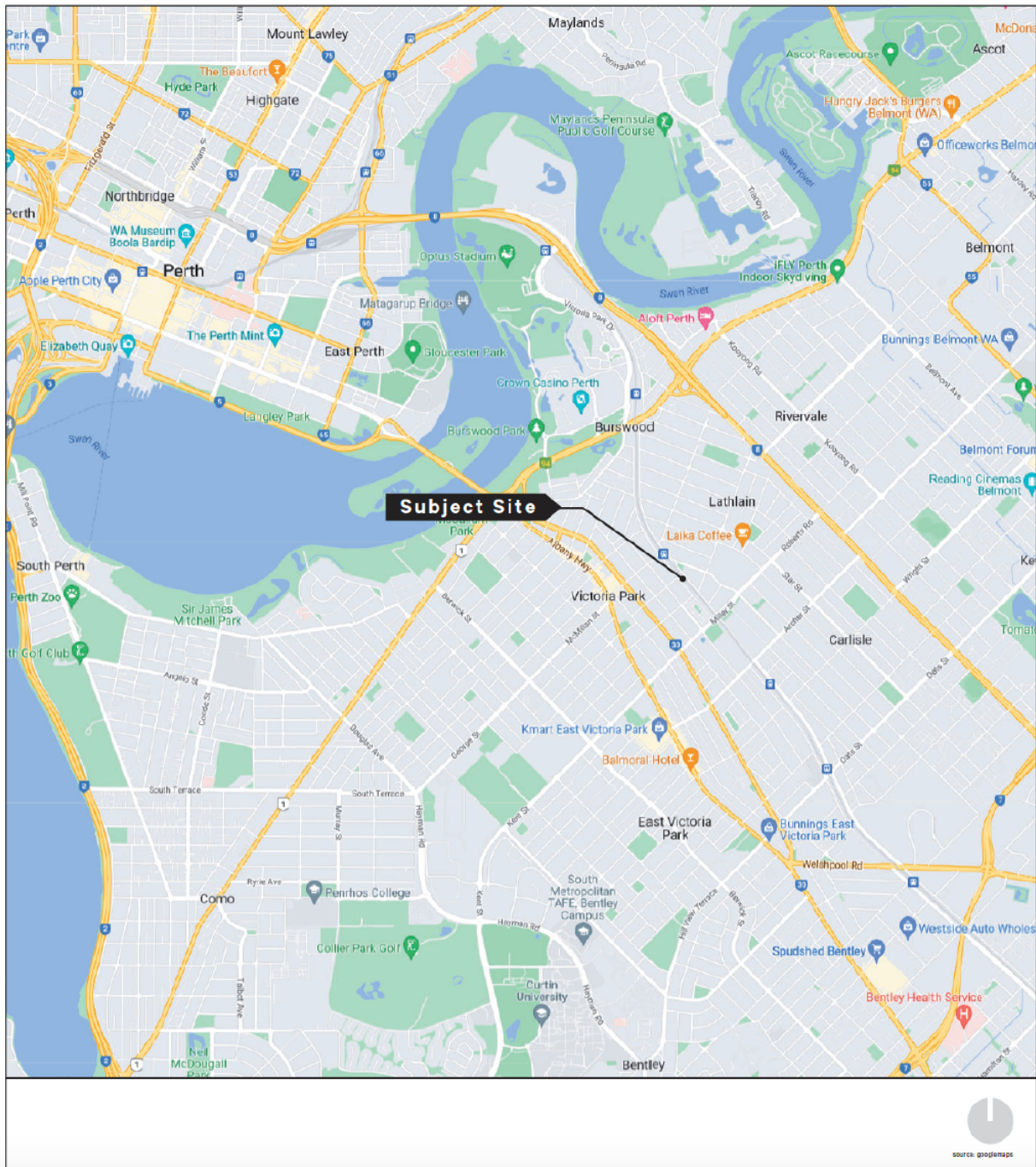


Figure 2 – Location Plan



Figure 4 – Aerial Plan



Figure 5 – Proposed Site Plan

11. At the time of writing this report, Transperth have not finalised the frequency of the replacement bus services. The Applicant has clarified that the stated frequency of buses every 7-8 minutes in the supporting planning report (Attachment 2) is the highest frequency that is anticipated to occur during peak am and pm periods, from approximately 7am to 9am and from 5pm to 7pm. Outside of these peak periods the frequency of buses will be less, however, the exact frequency is yet to be confirmed by Transperth.
12. The proposed development shall generally only be in use for the duration of the Armadale Rail Line shutdown period, which is anticipated to be 18 months. After the rail shutdown period is over and the temporary bus interchange is no longer required, the works will be decommissioned, and the subject site reinstated to its current existing condition.
13. Given that the proposed works relate to car parking area at the Victoria Park Train Station and involve the provision of new temporary bus interchange facility, the proposed works do not meet the definition of 'permitted development' under the MRS and therefore do not meet the requirements for an exemption from planning approval under the MRS.
14. Where public works require planning approval under the MRS and are on a region planning scheme reserve, the responsible authority for determining the development application is the WAPC. The Town's role is to provide a referral recommendation.
15. A future separate development application will be submitted for the remaining components of the VPCLXR project, including new train stations, station precincts and new public realm spaces and facilities below and around the viaduct. It is anticipated that the application for the new stations and precincts and public realm will be lodged in the first quarter of 2023.

Relevant planning framework

Legislation	<ul style="list-style-type: none"> <i>Planning and Development Act 2005</i> <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> <i>Metropolitan Region Scheme (MRS)</i> <i>Town of Victoria Park Town Planning Scheme No. 1 (TPS1)</i> TPS1 Precinct Plan P6 – Victoria Park TPS1 Precinct Plan P7 – Lathlain
State Government policies, bulletins or	<ul style="list-style-type: none"> State Planning Policy 5.1 - Land use planning in the vicinity of Perth Airport

guidelines	<ul style="list-style-type: none"> • State Planning Policy 5.4 - Road and Rail Noise • State Planning Policy 7.0 - Design of the Built Environment
Local planning policies	<ul style="list-style-type: none"> • Local Planning Policy 39 – Tree Planting and Retention
Other	<ul style="list-style-type: none"> • Town of Victoria Park Local Planning Strategy • Town of Victoria Park Urban Forest Strategy • Town of Victoria Park Public Open Space Strategy • Town of Victoria Park Integrated Transport Strategy

General matters to be considered

TPS precinct plan statements	<p>The following statements of intent contained within the precinct plan are relevant to consideration of the application.</p> <p><i>Victoria Park Precinct (P6):</i></p> <ul style="list-style-type: none"> • <i>Public Places within the precinct, such as parks, reserves and streets, will be enhanced and maintained so they contribute to its pleasant environment. Safe, accessible movement for pedestrians, cyclists, public transport and vehicles will be an important aim for the precinct</i> <p><i>Lathlain Precinct (P7):</i></p> <ul style="list-style-type: none"> • <i>Safe, accessible movement for pedestrians, cyclists, public transport and vehicles will be an important aim for the precinct. Public Places within the precinct, such as parks, reserves and streets, will be enhanced and maintained so they contribute to its pleasant environment.</i>
Local planning policy objectives	<p>The following objectives of Local Planning Policy 39 – Tree Retention and Planting are relevant in determining the application.</p> <ul style="list-style-type: none"> • <i>To promote and facilitate development that enables existing trees to be preserved</i> • <i>To assist with achieving the Town of Victoria Park’s objective to increase tree canopy coverage to 20% by increasing tree canopy coverage on public and private land.</i>
Deemed clause 67 of the Planning and Development (Local Planning Schemes) Regulations 2015	<p>The following are relevant matters to be considered in determining the application.</p> <ul style="list-style-type: none"> • a) The aims and provisions of the Scheme and any other local planning scheme operating within the Scheme area; • c) any approved State planning policy; • fa) any local planning strategy for the Scheme endorsed by the Commission; • g) any local planning policy for the Scheme area; <ul style="list-style-type: none"> • n) the amenity of the locality including the following - <ul style="list-style-type: none"> • (i) environmental impacts of the development • (ii) the character of the locality • (iii) social impacts of the development • p) whether adequate provision has been made for the landscaping of

	<p>the land to which the application relates and whether any trees or other vegetation on the land should be preserved</p> <ul style="list-style-type: none"> • s) the adequacy of - • (i) the proposed means of access to and egress from the site; • (ii) arrangements from the loading, unloading, manoeuvring and parking of vehicles; • t) the amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect of traffic flow and safety; • x) the impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals; • y) any submissions received on the application. <p>While deemed clause 67 of TPS 1 is technically not applicable as the development does not require development approval under TPS 1, the range of matters listed in deemed clause 67 are still relevant matters that should be considered in assessing the merits of the development.</p>
Urban forest strategy	<p>In relation to the Town’s Urban Forest Strategy, the proposed development raises the following impacts.</p> <ul style="list-style-type: none"> • <i>While there are some existing trees that are proposed to be removed as part of the works, the applicant has committed to replacement tree planting after the cessation of the temporary use.</i>
Integrated Transport Strategy	<p>In relation to the Town’s Urban Forest Strategy, the proposed development raises the following impacts.</p> <ul style="list-style-type: none"> • <i>The proposed temporary bus interchange will continue to connect people to key destinations within the immediately localised catchment as well as the wider surrounding area, despite the 18 month rail line shut down.</i>

Compliance assessment

Due to the nature of the proposed works within a railway reserve, there are no relevant development standards (such as setbacks and building heights) to assess the application against. Instead, the application is to be assessed having regard to general planning principles, policies and considering orderly and proper planning. Broader alignment of the proposed early works and viaduct structure with the strategic direction of the Town have been outlined in other sections of this report.

Strategic alignment

Environment	
Community priority	Intended public value outcome or impact
EN6 - Improving how people get around the Town.	The proposed works will give the community access to public transport services during an 18-month rail shutdown.

Engagement

Internal engagement

Stakeholder	Comments
Place Planning	Do not object. Noted matters requiring further consideration, including improved tree retention and pedestrian access via Kitchener Avenue. The Town will request approval conditions for a Tree Management Plan and Revised Development Plans, to address these matters, respectively.
Engineering	Do not object. Requests for conditions and advice notes have been captured in the Town's proposed recommendation.
Health	Do not object. Requested conditions for noise management, management of light pollution and compliance with relevant health regulations.
Parks	Do not object. Requested additional information to clarify extent of tree removal required for proposed works. The Town will request an approval condition for a Tree Management Plan to address this.
Building	Do not object. The State will be responsible for issuing a building permit for the proposed works, not the Town of Victoria Park, due to the subject area being within a MRS reserve.

External engagement

Stakeholders	Landowners and occupiers of properties opposite the extent of the proposed works along Kitchener Avenue and along the proposed bus route entry and exit roads, being Duncan Street, Axon Avenue and Gresham Street.
Period of engagement	14 days from 9 January 2023 until 23 January 2023
Level of engagement	Consult

Methods of engagement	<ul style="list-style-type: none"> • Online survey. • Written submissions (via email).
Advertising	<ul style="list-style-type: none"> • Letters to owners/occupiers. • The development plans and supporting reports were published on the Town's development consultation webpage. • Physical copies of development plans and supporting reports at the Town's Administration Building.
Submission summary	<p>A total of 34 submissions were received by the Town, comprising:</p> <ul style="list-style-type: none"> • 27 objections; • 2 in support; and • 5 raising comments/questions but not stating a position of either objecting to or supporting the proposal.
Key findings	<p>Key concerns raised included, but are not limited to:</p> <ul style="list-style-type: none"> • Whether the temporary bus service is required. • Increased traffic generation causing congestion and safety concerns. • Noise associated with bus movements. • Parking overflowing into local streets, and conversely whether replacement parking is actually required. <p>A summary of individual submission comments and corresponding Town Officer comments are provided in the attached Schedule of Submissions (refer to Attachment 3). Further commentary on key issues is provided in the Analysis section of this report.</p>

The WAPC, as the determining authority, has referred the application to relevant government agencies, including:

- Public transport Authority of WA.
- Department of Planning, Lands and Heritage.
- Atco Gas.
- Town of Victoria Park.
- Main Roads WA.

Risk management considerations

Risk impact category	Risk event description	Consequence rating	Likelihood rating	Overall risk level score	Council's risk appetite	Risk treatment option and rationale for actions
Financial	Not applicable.					
Environmental	Not applicable.					
Health and safety	Negative impacts from noise and light during the works program and	Minor	Possible	Medium	Low	ACCEPT risk and ensure approval conditions are in place to control

	operation of the proposed bus interchange if approval is granted					noise and light impacts.
Infrastructure/ ICT systems/ utilities	Damage to Town assets during the works program if approval is granted and construction proceeds	Minor	Likely	Medium	Medium	ACCEPT risk and ensure approval conditions are in place to 'make good' any damage to Town's assets at applicant's cost.
Legislative compliance	Not applicable.					
Reputation	Negative public perception towards the Town if approval recommendation is or is not supported	Insignificant	Almost certain	Medium	Low	ACCEPT risk and ensure rationale for Council's decision is documented.
Service delivery	Not applicable.					

Financial implications

Current budget impact	Not applicable.
Future budget impact	This development application does not have direct future budget implications. However, the construction of the viaduct associated with the VPCLXR project will facilitate the future construction and provision of new public realm spaces at ground level below and around the viaduct (will be subject to a future separate development application). Discussions are ongoing between the Town and the State regarding the future maintenance responsibilities for these areas, however it is likely that the Town will have responsibility for maintaining some areas and this will have future budget implications.

Analysis

16. In assessing this application, the following matters have been considered:

- Relationship with surrounding urban context.
- Traffic generation.
- Noise.
- Provision of parking for customers.

- Tree removal and planting.
- Construction management.

Relationship with surrounding urban context

17. The area surrounding the Victoria Park Train Station, on both the western and eastern sides of the rail corridor, is generally characterised by single and two storey residential development of a low to medium density.
18. The Victoria Park Train Station will be the last operational train station on the Armadale Rail Line during the rail shutdown period. Providing the bus interchange for the replacement bus services at Victoria Park will help passengers get onto or off the train network (depending on their direction of travel) and to their ultimate destination. This is the reason for Victoria Park Train Station being the chosen location for the proposed temporary bus interchange.

Traffic generation

19. The planning report provided in support of the proposal (Attachment 2) outlines that buses are anticipated to operate every 7-8 minutes. Since lodging the application, the Applicant has provided additional clarification that buses every 7-8 minutes is the highest anticipated frequency and this will only occur during peak commuter periods (between 7am to 9am and 5pm to 7pm). Buses will be less frequent outside of these peak periods, however, the exact frequency is yet to be confirmed by Transperth.
20. The local road network where it is proposed the buses will travel to access and exit the bus interchange, being Kitchener Avenue, Axon Avenue and Gresham Street, has capacity to accommodate the additional bus movements.
21. It is anticipated that some parallel routes to Shepperton Road will likely experience a noticeable increase in traffic, which is expected. Temporary right-turning restrictions are proposed to be implemented at Gresham Street/Shepperton Road and Axon Avenue/Shepperton Road to improve safety and efficiency along the routes of the buses. Other right-turning restrictions and intersection modifications are also planned along the Shepperton Road corridor to facilitate priority bus movements.
22. As Shepperton Road is a Main Roads WA controlled corridor, traffic modelling will need to be undertaken to ensure that buses can adequately access the site. Consideration of this matter is the responsibility of Main Roads WA. The WAPC has referred this application to Main Roads WA for comment and it is understood that the Applicant is in the process of providing the required information.
23. The local road network (including Duncan Street, Kitchener Avenue and Gresham Street/Axon Street) falls under the control of the Town, with the exception of traffic signals that are controlled by Main Roads. The performance of the local road network will be monitored during the rail shutdown period and the Town's technical staff will be liaising closely with representatives from PTA, Main Roads WA and other key stakeholders to minimise impacts to ratepayers.

Noise

24. The replacement bus services will result in additional traffic noise, which may impact on the amenity of occupants of residential properties along the proposed entry and exit routes to the temporary bus interchange (Duncan Street and Axon Avenue/Gresham Street). As per Part 1, clause 3 of the *Environmental Protection (Noise) Regulation 1997*, noise emissions from vehicles operating on a road are exempt from the requirements of the Regulations.

Provision of Parking and Pedestrian Access

25. The proposed Temporary Bus Interchange will be constructed in the area occupied by the existing Victoria Park Train Station Park and Ride facility. As part of the first stage of construction works, a new temporary car parking facility will be provided immediately south of the existing Park and Ride facility. This will provide commuters with access to parking facilities while works occur to create the temporary bus interchange.
26. The proposed temporary car parking facility will provide a total of 42 parking bays, including 37 Park and Ride bays (including two disabled access bays), five Kiss and Ride bays; and nine bays for use by Transperth. The number of Park and Ride bays to be provided are equivalent to the number of car parking bays within the existing Park and Ride facility. This like-for-like (1:1 ratio) provision of parking was determined by Transperth, on the basis that there is not anticipated to be any change in demand for parking at Victoria Park Train Station during the rail shutdown period, as replacement bus services will be provided at other locations along the Armadale Rail Line network. The Town's Officers are supportive of the proposed provision of car parking bays.
27. Temporary lighting will be provided within the new car parking facility. The lighting will be constructed so as to prevent light spill to residential neighbours.
28. The Town's Officers considered that the plans do not sufficiently clarify the provision of pedestrian infrastructure, including footpaths and pram ramps, to show how patrons will access the bus interchange from the temporary footpath on Kitchener Avenue and the proposed temporary car parking facility. In order to address this, a recommended condition provides for revised plans to be submitted for approval.

Tree Removal and Planting

29. The proposed development has been designed to retain as many significant trees as possible, however, the proposal requires the removal of a number of trees to accommodate the proposed bus interchange and replacement car parking facility.
30. The submitted plans show the removal of 16 trees from the area around the Victoria Park Train Station, within the railway reserve.
31. The Town's Street Tree Audit shows 80 trees (including six newly planted trees) located between the existing train station and the proposed new temporary carpark exit, all of which would need to be removed to accommodate the proposed works. There is no mention of the removal of these street trees in the Applicant's planning report (refer to Attachment 2).
32. No new landscaping is proposed as the development is temporary in nature. There will be replacement tree planting undertaken at the end of the temporary use operating period.
33. A condition of approval is recommended for a Tree Management Plan to be submitted for approval by the WAPC, on the advice of the Town of Victoria Park, in order to:
 - Clearly identify all street/verge trees to be removed;
 - Work with the Applicant to identify opportunities to retain some existing on-site vegetation within the area adjacent to the proposed transportable buildings, currently shown as being removed; and
 - Confirm replacement tree planting upon cessation of the temporary use, to increase overall tree canopy coverage, in accordance with the Town's *Local Planning Policy 39 – Tree Planting and Retention*.

Construction Management

34. There may be noise, dust and other emissions during on-site construction and building works. In order to address this, a recommended condition provides for a Construction Management Plan (CMP) to be submitted for approval by the WAPC, on the advice of the Town of Victoria Park. The CMP will be required to address matters including, but not limited to noise impacts from construction activities and mitigation measures, staging plans, material and equipment storage, delivery of materials and equipment, contractor parking arrangements, waste management, hours of operation and community communication strategy.

Relevant documents

Local Planning Policy 39 – Tree Retention and Planting

11 Public question time

12 Public statement time

13 Meeting closed to the public

14 Closure

