



Our Ref : 32-50202-1
Your Ref : -
Enquiries : Jamie Townend (Ph 6551 9096)

Element Advisory Pty Ltd
P O Box 7375
CLOISTERS SQUARE WA 6850

Application for Approval to Commence Development dated 20 October 2022 received 20 October 2022

Lot Number	: 9003
Location	: -
Plan / Diagram	: 67766
Volume/Folio	: 2774/271
Locality	: Mint & Archer Street Victoria Park
Owner	: Public Transport Authority of Western Australia P O Box 8125 PERTH BUSINESS CENTRE WA 6849

Under the provisions of the Metropolitan Region Scheme this application has been referred for determination by the Western Australian Planning Commission.

The application has now been considered by the Commission and the formal notice setting out the terms of the decision is attached.

A copy of this decision has been forwarded to the Local Government for information.

Where the Commission refuses approval to commence development in a planning control area, or grants permission subject to conditions that are unacceptable to the applicant, the owner may claim compensation for such injurious affection in accordance with the provisions of Section 186 of the *Planning and Development Act 2005*.

Should the applicant be aggrieved by this decision there is a right to apply for a review pursuant to the provisions of Section 250 of the *Planning and Development Act 2005* (which relates to land that is within a planning control area and reserved under the Metropolitan Region Scheme for a public purpose). Such an application for review must be submitted to the State Administrative Tribunal, Level 6, State Administrative Tribunal Building, 565 Hay Street, PERTH WA 6000 in accordance with Part 14 of the *Planning and Development Act 2005*. It is recommended that you contact the State Administrative Tribunal for further details (telephone 9219 3111) or go to its website: <http://www.sat.justice.wa.gov.au>.

ADVICE NOTES

1. In regard to Condition 3, the Construction Management Plan (CMP) is expected to include the site-specific management, mitigation and monitoring measures to manage the issues of surface water, groundwater, vegetation and flora, geotechnical conditions, acid sulfate soils, aboriginal heritage, noise, vibration, dust, and lighting. 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) Earthworks and drainage works
 - g) Hours of operation, timeframes and responsibility for tasks
 - h) Consultation and communication strategy; and
 - i) Any other matters likely to impact on surrounding properties and public areas

Any modifications to the plan that may be required, post commencement of development, are to be agreed in writing with the Western Australian Planning Commission, on the advice of the Town of Victoria Park

2. In regard to Condition 4, 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 with landowners and general community.

Any modifications to the plan that may be required, post commencement of development are to be agreed in writing with the Western Australian Planning Commission, on the advice of the Town of Victoria Park.

3. In regard to Condition 5, the Construction Noise Management Plan shall be in accordance with regulation 13 of the Environmental Protection (Noise) Regulations 1997 for construction work occurring outside the hours of 7am to 7pm on any day and is to 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
4. In regard to Condition 6, the applicant is advised to liaise with the Town of Victoria Park to determine an appropriate Zone of Influence for the dilapidation surveys which is to be informed by studies on the extent of vibration and dewatering impacts.

5. In regard to Condition 7, the Pre-Condition Audit should focus on the road network should be used for heavy haulage routes that service the laydown facilities associated with construction works
6. In regard to Condition 9, the detailed design plans (including cross-sections, long sections and elevations) showing the locations and design treatments being applied to the piers and viaducts are to address:
 - a) Viaduct (pier and footings) location and design
 - b) Schedule of Materials and Finishes
 - c) Details of the architectural screen for the whole length of the viaduct
 - d) Public art opportunities
 - e) Permanent screening
 - f) Viaduct drainage
 - g) Any lighting
7. In regard to Condition 11, the updated tree management plan is to include 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 that is to be removed, prior to works on site commencing. A key consideration in the selection of new trees to be planted should be the timing to maturity with fast growing trees being preferred.
8. Existing street trees located within the verge and/or on land under the care, control and management of the Town of Victoria Park must be retained and protected from damage during works, unless otherwise approved by the Town of Victoria Park.
9. 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.
10. ATCO advises the proposed development may require additional safety measures to be considered, identified and in place for the high pressure gas pipeline risk mitigation. Anyone proposing to carry out construction or excavation works within 15 metres of the Critical Asset Infrastructure must contact 'Before You Dig' to determine the location of buried gas infrastructure. Refer to ATCO document AGA- O&M-PR24- Additional Information for Working Around Gas Infrastructure available: <https://www.atco.com/en-au/for-home/natural-gas/wa-gas-network/working-around-gas.html>.

Atco Gas advises that other gas mains also exist within the development application area and requests the applicant commences early discussions to determine the impact of the development on the gas infrastructure.

11. The Department of Water and Environmental Regulation advises that an appropriate health and safety management plan in accordance with the 'Code of Practice - How to safely remove asbestos' (Safe Work Australia, October 2018) should be prepared in advance of soil disturbing works for the proposed development to address the potential exposure of asbestos-containing material during any excavations of development on the site.

If potentially contaminated soil is identified during the excavation works required for the development, works should stop immediately, and advice sought from the Department of Water and Environmental Regulation.

If dewatering is required as part of the development works then a dewatering management plan should be developed and include monitoring and contingency actions should contaminated groundwater be encountered.

12. The Department of Water and Environmental Regulation advises that the site is located within an area identified as representing a low to moderate risk of ASS occurring within three metres of the natural soil surface. Please refer to Department of Water and Environmental Regulation's acid sulfate soil guidelines for information to assist with the management of ground and/or groundwater disturbing works: <https://www.der.wa.gov.au/your-environment/acid-sulfate-soils/69-acidsulfatesoils->



Ms Sam Fagan
Secretary
Western Australian Planning Commission
8 February 2023



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METROPOLITAN REGION SCHEME

Town of Victoria Park

APPROVAL TO COMMENCE DEVELOPMENT

Name and Address of Owner and Land on which Development Proposed:

Owner	:	Public Transport Authority of Western Australia P O Box 8125 PERTH BUSINESS CENTRE WA 6849
Lot Number	:	9003
Location	:	-
Plan / Diagram	:	67766
Volume/Folio	:	2774/271
Locality	:	Mint & Archer Street Victoria Park
Application Date	:	20 October 2022
Application Receipt	:	20 October 2022
Development Description	:	Proposed Metro Forward Works for New Elevated Rail Line

The Western Australian Planning Commission has resolved to approve the application for the proposed elevated rail viaduct within Planning Control Area No.165 pursuant to section 116 of the Planning and Development Act 2005 subject to the following conditions;

CONDITIONS:

1. The proposed development is to be carried out in accordance with the plans date-stamped 20 October 2022 by the Department of Planning, Lands and Heritage (Attachment A), subject to any modifications as required by the conditions of approval.
2. The development approval is valid for two years from the date of this letter. If the subject development is not substantially commenced within two-years, the approval shall lapse and be of no further effect.

Prior to the commencement of site works

3. A Construction Management Plan shall be submitted 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 Management Plan is to be implemented in its entirety to the satisfaction of the Western Australian Planning Commission.
4. A Traffic Management Plan shall be submitted and approved by the Western Australian Planning Commission, on the advice of the Town of Victoria Park prior to the commencement of any site works. Once approved, the Traffic 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 any 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. A Dilapidation Survey of surrounding properties within an identified 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 the commencement of any site works that may involve substantial earthworks, vibration and/or dewatering. Any damage that occurs to assets during site and/or building works 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. A Pre-Condition Audit of the local road network adjacent to and within the identified 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 the commencement of any site works. Any damage that occurs to Town of Victoria Park assets during site and/or building works 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.

8. An updated Acoustic Report shall be submitted and approved 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. Once approved, the Acoustic Report is to be implemented in its entirety to the satisfaction of the Western Australian Planning Commission.

Prior to the commencement of relevant building works

9. Detailed Design Plans showing the location and design of the piers (including footings) and viaduct screens, and architectural features and design treatments being applied, shall be submitted and approved by the Western Australian Planning Commission, on the advice of the Town of Victoria Park and Office of the Government Architect prior to the commencement of building works. Once approved, the plans is to be implemented in its entirety to the satisfaction of the Western Australian Planning Commission.

General

10. All accessible structures within three metres of ground level which are the subject of this application are to be applied with an anti-graffiti coating or other agreed treatment to the satisfaction of the Western Australian Planning Commission on the advice of Town of Victoria Park.
11. An updated 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 trees to be removed can be done so prior to the commencement of the site works.

Where an approval has so lapsed, no development shall be carried out without the further approval of the responsible authority having first been sought and obtained.



Ms Sam Fagan
Secretary
Western Australian Planning Commission
8 February 2023