

Minutes

SPECIAL COUNCIL MEETING

10 November 2020

By signing these minutes I certify that they were confirmed at the Ordinary Meeting of Council held on 10 November 2020 by resolution of Council.

**CR DAN BULL, MAYOR
CHAIRPERSON**



Meeting Procedures

1. All Council meetings are open to the public, except for matters dealt with under 'Confidential Items'.
2. Members of the public who are unfamiliar with meeting proceedings are invited to seek advice prior to the meeting from a City Staff Member.
3. Members of the public may ask a question during 'Public Question Time'.
4. Meeting procedures are in accordance with the City's Standing Orders Local Law 2018.
5. To facilitate smooth running of the meeting, silence is to be observed in the public gallery at all times, except for 'Public Question Time'.
6. This meeting will be audio recorded in accordance with the resolution of Council of 17 May 2016.
7. Persons are not permitted to record (visual or audio) at the Council meeting without prior approval of the Council.
8. In the event of an emergency, please follow the instructions of City of Bayswater Staff.

City of Bayswater

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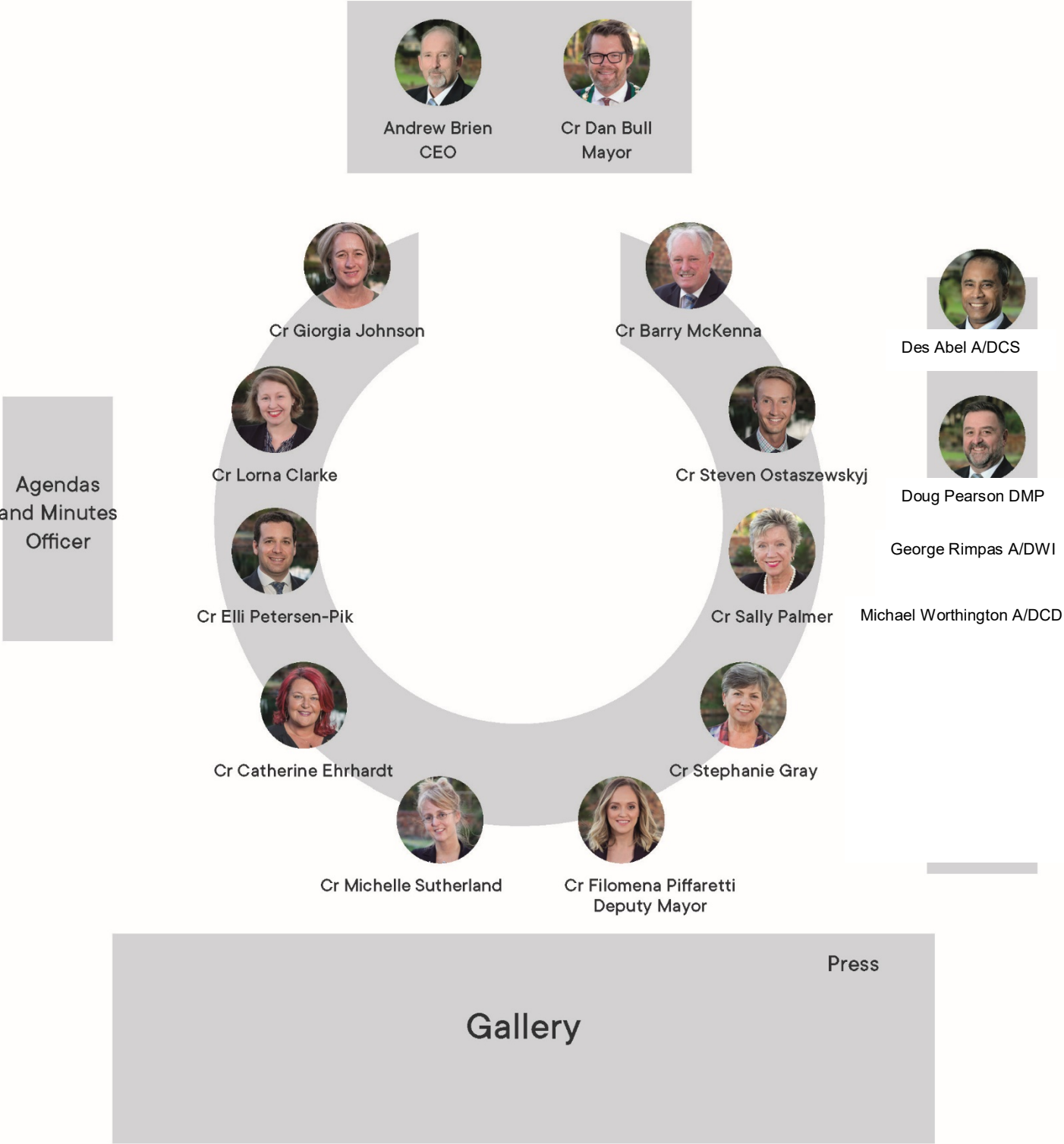
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Council Chambers

Seating Plan



Nature of Council's Role in Decision Making

Advocacy:	When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
Executive/Strategic:	The substantial direction setting and oversight role of the Council, e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
Legislative:	Includes adopting local law, town planning schemes and policies.
Review:	When Council reviews decisions made by officers
Quasi-Judicial:	<p>When Council determines an application/matter that directly affects a person's rights and interests. The Judicial character arises from the obligations to abide by the principles of natural justice.</p> <p>Examples of Quasi-Judicial authority include town planning applications, building licenses, applications for other permits/licenses (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.</p>

City of Bayswater Standing Orders Local Law 2018

6.9 Deputations

- (1) Any person or group wishing to be received as a deputation by the Council or a Committee open to the public is to either –
 - (a) apply, before the meeting, to the CEO for approval; or
 - (b) with the approval of the Presiding Member, at the meeting.
- (2) Upon receipt of a request for a deputation the CEO must refer the request to the relevant decision making forum, either Council or a Committee, to decide by simple majority whether or not to receive the deputation.
- (3) Deputations in relation to a decision which requires absolute or special majority should be made to Council, in all other circumstances Deputations should be referred to the forum making the final decision on the matter.
- (4) Unless Council or the Committee meeting resolves otherwise, a deputation invited to attend the meeting is not to address the meeting for a period exceeding 5 minutes.
- (5) Unless given leave by the Presiding Member, only two members of the deputation may address the meeting, although others may respond to specific questions from Members.
- (6) For the purposes of this clause, unless Council or the Committee resolves otherwise, a deputation is taken to comprise all those people either in favour of, or opposed to, the matter which is the subject of the deputation.
- (7) Unless Council or the Committee resolves otherwise, any matter which is the subject of a deputation to the Council or a Committee open to the public is not to be decided by Council or the Committee until the deputation has completed its presentation.
- (8) The Presiding Member may require deputations to leave the meeting while other deputations are being heard in relation to that matter.

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MINUTES

Minutes of the Special Meeting of the Bayswater City Council which took place in the Council Chambers, City of Bayswater Civic Centre, 61 Broun Avenue, Morley on **10 November 2020**.

1. OFFICIAL OPENING

The Chairperson, Cr Dan Bull, Mayor, declared the meeting open at 7:09pm.

2. ACKNOWLEDGEMENT OF COUNTRY

In accordance with the City of Bayswater's Reflect Reconciliation Action Plan November 2019-November 2020, the Presiding Member will deliver the Acknowledgement of Country.

Noongar Language

Ngalla City of Bayswater kaatanginy baalapa Noongar Boodja baaranginy, Whadjuk moort Noongar moort, boordiar's koora koora, boordiar's ye yay ba boordiar's boordawyn wah.

English Language Interpretation

We acknowledge the Traditional Custodians of the Land, the Wadjuk people of the Noongar Nation, and pay our respects to Elders past, present and emerging.

The Chairperson, Cr Dan Bull, Mayor, acknowledged the Traditional Custodians of the land, the Whadjuk people of the Noongar nation, and paid respects to Elders past, present and emerging.

3. ANNOUNCEMENTS FROM THE PRESIDING MEMBER

Nil.

4. ATTENDANCE

Members

West Ward

Cr Dan Bull, Mayor (Chairperson)
Cr Lorna Clarke (until 7:14pm)
Cr Giorgia Johnson

Central Ward

Cr Barry McKenna (until 7:14pm)
Cr Steven Ostaszewskyj
Cr Sally Palmer

North Ward

Cr Stephanie Gray
Cr Filomena Piffaretti, Deputy Mayor
Cr Michelle Sutherland

South Ward

Cr Catherine Ehrhardt

Officers

Mr Andrew Brien	Chief Executive Officer
Mr George Rimpas	Acting Director Works and Infrastructure
Mr Des Abel	Acting Director Corporate and Strategy
Mr Michael Worthington	Acting Director Community and Development
Mr Douglas Pearson	Director Major Projects
Mr Matthew Turner	Planning Manager Major Projects
Ms Helen Smith	Manager Development Approvals
Mr Bryce Coelho	Manager Engineering Services
Ms Courtney Wynn	Senior Planner (Statutory)
Ms Cassandra Flanagan	Executive Support/Research Officer
Ms Karen D'Cunha	PA/Director Major Projects

Observers

Press - 0

Public - 8

Leave of Absence

Nil.

4.1 Apologies

Cr Elli Petersen-Pik

4.2 Approved Leave of Absence

Nil.

4.3 Applications for Leave of Absence**COUNCIL RESOLUTION**

That Leave of Absence be granted as follows:

Cr Catherine Ehrhardt from 21 December 2020 to 11 January 2021 inclusive;

Cr Filomena Piffaretti, Deputy Mayor from 22 November 2020 to 25 November 2020 inclusive; and

Cr Barry McKenna from 1 December 2020 to 11 December 2020 inclusive.

**CR MICHELLE SUTHERLAND MOVED, CR SALLY PALMER SECONDED
CARRIED UNANIMOUSLY: 10/0**

5. DISCLOSURE OF INTEREST SUMMARY

In accordance with section 5.65 of the *Local Government Act 1995*:

A member who has an interest in any matter to be discussed at a Council or Committee meeting that will be attended by the member must disclose the nature of the interest -

- (a) in a written notice given to the CEO before the meeting; or
- (b) at the meeting immediately before the matter is discussed.

The following disclosures of interest were made at the meeting:

Name	Item No.	Type of Interest	Nature of Interest
Cr Barry McKenna	9.1	<i>Financial</i>	<i>Cr McKenna is Chair of Bayswater Community Financial Services, owners of 83 Whatley Crescent, Bayswater which is leased to the developer, Evolve.</i>
Cr Lorna Clarke	9.1	<i>Proximity</i>	<i>Pages 14 and 15 of the agenda mention Copley Street, on which Cr Clarke Resides.</i>
Cr Giorgia Johnson	9.1	<i>Impartial</i>	<i>Cr Johnson lives on Leake Street which is mentioned in the report</i>
Cr Dan Bull, Mayor	9.1	<i>Impartial</i>	<i>Cr Bull's parents in law live on Francis Street which is mentioned in the report</i>

6. PUBLIC QUESTION TIME

In accordance with the *Local Government Act 1995*, the *Local Government (Administration) Regulations 1996* and the *City of Bayswater Standing Orders Local Law 2018* the following procedures relate to public question time:

1. A member of the public who raises a question during question time, is to state his or her name and address.
2. Each member of the public with a question is entitled to ask up to 3 questions.
3. The minimum time to be allocated for public question time is 15 minutes.
4. Questions from the public must relate to a matter affecting the local government. Questions relating to matters of business listed on the minutes will be considered in the first instance, followed by questions relating to Council business not listed on the minutes.
5. A summary of each question raised by members of the public at the meeting and a summary of the response to the question will be included in the minutes of the meeting.
6. Where a question is taken on notice at the meeting, a summary of the response to the question will be provided in writing to the member of public and included in the minutes for the following meeting.

6.1 Responses to Public Questions Taken on Notice

Nil.

6.2 Public Question Time

Public Question Time commenced at 7:13pm. There being no questions from members of the public, Public Question Time was closed at 7:13pm.

7. PRESENTATIONS

Nil.

7.2 Presentations

Nil.

7.3 Deputations

The following deputations were heard on **Monday 9 November 2020**:

CR LORNA CLARKE DECLARED A PROXIMITY INTEREST

In accordance with section 5.60b of the Local Government Act 1995, Cr Lorna Clarke declared a proximity interest in item 9.1 as Pages 14 and 15 of the agenda mention Copley Street, where she resides. Cr Lorna Clarke remained in the room during deputations.

CR GIORGIA JOHNSON DECLARED AN IMPARTIAL INTEREST

In accordance with regulation 11 of the Local Government (Rules of Conduct) Regulations 2007, Cr Giorgia Johnson declared an impartial interest in item 9.1 as she lives on Leake Street, which is mentioned in the report. Cr Giorgia Johnson remained in the room during deputations.

CR DAN BULL, MAYOR, DECLARED AN IMPARTIAL INTEREST

In accordance with regulation 11 of the Local Government (Rules of Conduct) Regulations 2007, Cr Dan Bull, Mayor, declared an impartial interest in item 9.1 as his parents in law live on Francis Street, which is mentioned in the report. Cr Dan Bull, Mayor, remained in the room during deputations.

1. Planning Application for Redevelopment of Bayswater Train Station

In relation to Item 9.1, Mr Jonathan Shuker (Delivery Manager, Public Transport Authority, 34-50 Stirling Street, Perth on behalf of Mr Paul Reed, Design Integration Manager, Bayswater Alliance, Ground floor, 3 Craig Street, Burswood, Mr John-Paul Davies, Lead Architect and Mr Doug Pott, Landscape Architect, Hassell, Level 1, 242 Murray Street Mall, Perth and Mr Murray Casselton or Ms Renee Young, element, Level 18, 191 St Georges Terrace, Perth) were in attendance speaking in support of the officer's recommendation (*refer page 7*).

2. Planning Application for Redevelopment of Bayswater Train Station

In relation to Item 9.1, Mr Andrew Jaunzems (Resident – 39 Beechboro Road South, Bayswater) was in attendance speaking on the item (*refer page 7*).

3. Planning Application for Redevelopment of Bayswater Train Station

In relation to Item 9.1, Ms Eleanor Reuvers (Member of Environment House Management Committee) was in attendance speaking against the officer's recommendation (*refer page 7*).

8. METHOD OF DEALING WITH MINUTES BUSINESS

With the exception of items identified to be withdrawn for discussion, the remaining reports will be adopted by exception (enbloc).

An adoption by exception resolution may not be used for a matter:

- (a) that requires a 75% majority or a special majority;
- (b) in which an interest has been disclosed;
- (c) that has been the subject of a petition or deputation;
- (d) that is a matter on which a Member wishes to make a statement; or
- (e) that is a matter on which a Member wishes to move a motion that is different to the recommendation.

9. REPORTS

9.1 Planning Application for Redevelopment of Bayswater Train Station

Applicant/Proponent:	Evolve Bayswater Alliance c/-element	
Owner:	State of WA	
Responsible Branch:	Development Approvals	
Responsible Directorate:	Community and Development	
Authority/Discretion:	<input type="checkbox"/> Advocacy <input type="checkbox"/> Executive/Strategic <input type="checkbox"/> Legislative	<input type="checkbox"/> Review <input checked="" type="checkbox"/> Quasi-Judicial <input type="checkbox"/> Information Purposes
Voting Requirement:	Simple Majority Required	
Attachments:	Nil.	
Refer:	Item 10.4.5: OCM 03.09.2019	

CR BARRY MCKENNA DECLARED A FINANCIAL INTEREST

In accordance with section 5.60A of the Local Government Act 1995, Cr Barry McKenna declared a financial interest in this item as he is Chair of Bayswater Community Financial Services, owners of 83 Whatley Crescent, Bayswater which is leased to the developer, Evolve. At 7:14pm, Cr Barry McKenna withdrew from the meeting, and did not return.

CR LORNA CLARKE DECLARED A PROXIMITY INTEREST

In accordance with section 5.60b of the Local Government Act 1995, Cr Lorna Clarke declared a proximity interest in this item as Pages 14 and 15 of the agenda mention Copley Street, where she resides. At 7:14pm, Cr Lorna Clarke withdrew from the meeting and did not return.

CR GIORGIA JOHNSON DECLARED AN IMPARTIAL INTEREST

In accordance with regulation 11 of the Local Government (Rules of Conduct) Regulations 2007, Cr Giorgia Johnson declared an impartial interest in this item as she lives on Leake Street, which is mentioned in the report. Cr Giorgia Johnson remained in the room during voting on this item.

CR DAN BULL, MAYOR, DECLARED AN IMPARTIAL INTEREST

In accordance with regulation 11 of the Local Government (Rules of Conduct) Regulations 2007, Cr Dan Bull, Mayor, declared an impartial interest in this item as his parents in law live on Francis Street, which is mentioned in the report. Cr Dan Bull, Mayor, remained in the room during voting on this item.

SUMMARY

A development application for redevelopment of the Bayswater Train Station was lodged with the City on 7 October 2020. As the proposal is located within Planning Control Area 135, the City is required to refer the application to the Western Australian Planning Commission (WAPC) for determination in accordance with section 116 of the *Planning and Development Act 2005*. Therefore, the City is required to provide a recommendation, including any draft conditions to the WAPC to assist in their determination of the application. The development application documentation can be found at <https://www.dplh.wa.gov.au/bayswater-station>.

The Bayswater Station is proposed to serve as a significant interchange providing connections to the Forrestfield Airport Link (FAL) and the Morley-Ellenbrook Line (MEL) via the alignment of the existing Perth-Midland Line. Due to the strategic location of the station as an interchange station

servicing up to three lines, the associated rail infrastructure at Bayswater is considered to be of critical importance to provide for significantly increased patronage demand.

Council previously considered a development application for the redevelopment of the Bayswater Train Station at its Ordinary Meeting held 3 September 2019. However, PTA have since identified that additional major station upgrades are required to service the Morley-Ellenbrook Line (MEL) and the station has been redesigned to provide state of the art integrated public transport services for passengers and to support enhanced development and economic opportunities within the Bayswater Town Centre. Notwithstanding the City's support, further information is required before works can commence and therefore a number of conditions are recommended to ensure all relevant aspects are addressed and considered as part of the station upgrade process.

OFFICER'S RECOMMENDATION

That Council recommends to the Western Australian Planning Commission, approval for the proposed redevelopment of Bayswater Train Station in accordance with the development application lodged with the City on 7 October 2020 and the plans dated 7 October 2020, subject to the following conditions:

1. Prior to the commencement of site works for the Bayswater Station, an updated Tree Assessment and Management Plan is to be submitted to the satisfaction of the City of Bayswater and approved by the Western Australian Planning Commission to address the following matters:
 - (a) The plan is to accurately depict street tree removal and street tree retention associated with the works for the Bayswater Train Station.
 - (b) Not all trees, which are proposed to be removed, have been assessed in the Tree Survey prepared by Paperbark Technologies. All street trees proposed to be removed are required to be assessed and documented prior to removal.
 - (c) The heritage listed Magnolia tree (Tree reference number 60) located on 92 Railway Parade, Bayswater is to be retained.
 - (d) Existing trees not directly impacted by works are to be retained unless their removal is demonstrated to be necessary.
 - (e) Protection of the street verge trees to be retained in accordance with AS 4970-2009 and the specifications of the City of Bayswater.
 - (f) Prior to the commencement of station operations, replacement street verge trees in addition to the trees being planted as part of the approved landscaping plan are to be planted in locations close to the development site as specified by the City of Bayswater at a ratio of five new street verge trees for every street verge tree that is removed at the expense of the applicant.
 - (g) All replacement trees are to be maintained for a minimum 24-month period or as agreed to the satisfaction of the City of Bayswater. In the event that the trees do not survive, the applicant shall replace them.

The street trees proposed to be removed as indicated on the approved Tree Assessment Plan are to be removed to the satisfaction of the City of Bayswater. The applicant is responsible for engaging a qualified contractor, the cost of removing the tree and any claims that may arise from the removal of the trees.

2. Prior to the commencement of site works, the applicant shall offer a dilapidation survey to the owners of private properties and the City of Bayswater for any structures and walls located on public land within 100m of the works or temporary works. The applicant shall also offer landowners and the City, a close out dilapidation report at the completion of the construction works and will be responsible for all costs associated with any necessary remedial works.

-
3. Prior to the commencement of site works, a Roadside Traffic Management Plan prepared in accordance with Section 297(1) and (2) of the Road Traffic Code 2000 (RT2000) shall be submitted to the satisfaction of the City of Bayswater and approved by the Western Australian Planning Commission. The applicant is required to reimburse the City for the cost of an independent review of the Roadside Traffic Management Plan, and any on-going Road Safety Audits, as a result of changing site conditions during the development.
 4. Prior to the commencement of site works, a revised Construction Management Plan is to be submitted to the satisfaction of the City of Bayswater and approved by the Western Australian Planning Commission and is to address the following matters:
 - (a) Management and notification of ongoing changes associated with the construction works;
 - (b) Vibration;
 - (c) Dust;
 - (d) Noise;
 - (e) Waste management;
 - (f) Storage of materials;
 - (g) Traffic;
 - (h) The parking arrangements for the contractors and subcontractors;
 - (i) Site safety/security;
 - (j) The delivery of materials and equipment to the site;
 - (k) The storage of materials and equipment on the site;
 - (l) The protection of street trees and other City assets;
 - (m) A construction resource recovery plan and a construction waste management plan which incorporates sustainable management practices as recommended in the Sustainability Management Plan;
 - (n) Acid sulphate soils and dewatering management plan;
 - (o) Any dewatering of the site; and
 - (p) Any other matters likely to impact on the surrounding properties.

Once approved the construction management plan is to be implemented in its entirety (as amended) to the satisfaction of the City of Bayswater.
 5. Prior to the commencement of site works, any property access, service vehicle access and waste collections affected by closure of access to the ROW bounded by Whatley Crescent, King William Street and Hamilton Street (Lot 166 on Plan 2621) shall be resolved by the applicant to the satisfaction of the City of Bayswater.
 6. Prior to the permanent changes to the road and intersection layout within the station precinct, an updated traffic modelling analysis shall be submitted to the satisfaction of the City of Bayswater and approved by the Western Australian Planning Commission. Once approved, the recommendations of the analysis shall be implemented and all associated costs met by the applicant in their entirety to the satisfaction of the City of Bayswater.
 7. Prior to the commencement of permanent changes to the road and intersection layout within the station precinct, a road safety audit shall be submitted to the satisfaction of the City of Bayswater and approved by the Western Australian Planning Commission. The audit shall include details for all permanent road connections (including all new or modified road connections and intersections) at the following stages:
 - (a) Preliminary design audit;
-

- (b) Detailed design audit; and
- (c) Pre-opening audit.

Once approved, all recommendations of the audit shall be implemented in their entirety and all associated costs met by the applicant to the satisfaction of the City of Bayswater.

8. Prior to the permanent changes to the road and intersection layout within the station precinct, a pedestrian and cycling traffic modelling analysis shall be submitted to the satisfaction of the City of Bayswater and approved by the Western Australian Planning Commission. The modelling is to take into consideration cycling and pedestrian movement networks within the station precinct, networks of routes through the precinct, approach routes and end-of-trip facilities within the station precinct. The analysis shall address the accessibility including but not limited to the following:

- (a) North south movement through the station precinct;
- (b) Connectivity and integration of pedestrian and cycling network with all modes of transport users; and
- (c) Provision of adequate facilities that meet the required capacity.

The recommendations of the analysis shall be implemented in their entirety and all associated costs met by the applicant to the satisfaction of the City of Bayswater.

9. Prior to the commencement of site works, detailed engineering drawings and specifications shall be submitted to the satisfaction of the City of Bayswater and approved by the Western Australian Planning Commission, and shall address the following matters:

- (a) Detailed structural plans of retaining walls and associated drainage infrastructure;
- (b) Specifications for drainage of the development designed in accordance with Water Sensitive Urban Design principles including ensuring that stormwater is contained on-site, or appropriately treated and connected to the local drainage system;
- (c) Should post-development stormwater discharge into the City's stormwater network exceed pre-development discharge, the applicant shall be responsible for the upgrade of any existing affected stormwater drainage infrastructure;
- (d) Roberts Street drainage to be extended and connected downstream;
- (e) The additional drainage catchment proposed to be directed into Rose Avenue shall be captured and drained within the development;
- (f) Detailed lighting design plans (including lux level diagrams);
- (g) Details of how roads have been designed to connect with the existing road network;
- (h) Roadwork extents, pavement types and colours;
- (i) A waste truck turnaround area is to be provided at the end of Railway Parade, adjacent to the Coode Street Pocket Park;
- (j) The angled parking bays along Railway Parade adjacent to the commuter car park are to be amended from angled parking to be 90-degree parking bays;
- (k) Pedestrian footpath detail including connections to the existing pedestrian footpaths;
- (l) Safety barriers;
- (m) Battering of slopes within verges to a maximum of 1:6;
- (n) Detailed electrical reticulation design plans including details of undergrounding of existing overhead power lines; and
- (o) Adequate provision for loading/unloading associated with the train station tenancies within the station building and existing tenancies located along Whatley Crescent.

Once approved the detailed engineering drawings and specifications are to be implemented in their entirety and all associated costs met to the satisfaction of the City of Bayswater.

10. Prior to the commencement of building works, a detailed design package in accordance with the agreed outcomes of the State Design Review Panel including any amendments to the Architectural plans shall be submitted to the satisfaction of the City of Bayswater and approved by the Western Australian Planning Commission and shall address the following matters:

- (a) The final architectural features and design treatments being applied to the station and elevated rail bridge (including soffit and ground floor structures), and associated buildings and structures.
- (b) A final schedule of materials and finishes demonstrating the use of high quality, durable materials, finishes and colours being used.
- (c) Proposed finishes to the exposed retaining walls along Whatley Crescent located in front of 1/79 Whatley Crescent to 1 King William Street, Bayswater.
- (d) The architectural plans being modified to improve the southern side of the western station entrance including a glass frontage and prominent entry to the bike store to Whatley Crescent.
- (e) A lighting strategy to highlight architectural detailing and public areas and promote safety, visual interest and activation for the station building and immediate surrounding area.
- (f) The Coode Street Pocket Park to be redesigned in consultation with the City of Bayswater including a detailed design package that addresses universal access, park furniture and interface with the portion of the reserve immediately adjoining the Coode Street Pocket Park to the north.
- (g) Detailed designs for the proposed materials and finishes to the noise walls and any public art to be applied to noise walls.
- (h) Details of proposed 'bespoke' bus shelters.
- (i) Details of external window and door glazing treatments to maintain an active and interactive relationship with the street.
- (j) The electrical substation to be located adjacent to the commuter car park along Railway Parade.

Once approved the detailed design package and amended plans are to be implemented in their entirety to the satisfaction of the City of Bayswater.

11. Prior to the commencement of building works, the Sustainability Management Plan is to be updated to the satisfaction of the City of Bayswater and approved by the Western Australian Planning Commission to address the following:

- (a) A Green Star Assessment and Strategy being prepared and implemented thereafter with the view of achieving a green star rating that is higher than the current four green star rating for the station.

Prior to operation of the southern platform, a report shall be submitted to the satisfaction of the City of Bayswater confirming achievement of a Green Star (Design and As-Built) rating in accordance with the METRONET Sustainability Strategy. Once approved, the Sustainability Management Plan is to be implemented in its entirety thereafter to the satisfaction of the City of Bayswater and the Western Australian Planning Commission.

12. Prior to the commencement of building works, a revised Operational Waste Management Plan for the train station and tenancies is to be submitted to the satisfaction of the City of Bayswater and approved by the Western Australian Planning Commission. Once approved,

the Operational Waste Management Plan shall be implemented in their entirety to the satisfaction of the City of Bayswater.

13. Prior to prior to the commencement of building works, an updated landscaping plan shall be submitted to the satisfaction of the City of Bayswater and approved by the Western Australian Planning Commission. For the purpose of this condition, the plan shall address the following:
- (a) The number and location of new trees and plants to be planted.
 - (b) Additional landscaping to be provided to the southern side of the station where possible.
 - (c) Details of reticulation or irrigation.
 - (d) Details of planter boxes and planting on structures.
 - (e) Details of all proposed street furniture including existing street furniture to be relocated.
 - (f) Revised paving design, including provision of permeable paving and paving in the Bayswater Town Centre.
 - (g) Refined soft and hard landscape design for the public spaces of the eastern entry of the station and bus stands to reflect the outcome of the detailed Place Activation and Management Plan.
 - (h) Ongoing maintenance arrangements.
 - (i) Planting of replacement street verge trees.
 - (j) Additional landscaping and trees within the verge area along the southern side of the station.

Once approved the landscaping plan is to be implemented in its entirety prior to the commencement of station operations and maintained thereafter as agreed between the site owners and the City of Bayswater.

14. Prior to the commencement of station operations, road and intersection improvements are to be carried out in accordance with the approved updated traffic modelling report submitted to the satisfaction of the City of Bayswater and the Western Australian Planning Commission.
15. Prior to the commencement of station operations, a public art strategy generally prepared in accordance with the City of Bayswater Percent for Public Art Policy and provide public art to the satisfaction of the City of Bayswater and approved by the Western Australian Planning Commission. The public art shall be implemented in its entirety and maintained thereafter by the site owners to the satisfaction of the City of Bayswater and the Western Australia Planning Commission.
16. Prior to the commencement of station operations, all structures and associated walls, which are the subject of this application, are to be applied with an anti-graffiti coating immediately upon completion to the specifications of the City of Bayswater and the satisfaction of the Western Australian Planning Commission.
17. Prior to commencement of station operations, the following are to be submitted to the satisfaction of the City of Bayswater and approved by the Western Australian Planning Commission.
- (a) A detailed Place Activation and Management Plan for all State Government controlled public spaces;
 - (b) A Retail Strategy for the tenancies within the train station outlining tenancies, staging and interim uses and considers any current retail deficiencies in the Bayswater Town Centre.
 - (c) A signage, legibility and accessibility plan (including universal access); and
 - (d) An operational car parking management plan.

Once approved the above listed strategies and plans are to be implemented in their entirety and all associated costs met by the applicant to the satisfaction of the City of Bayswater and the Western Australia Planning Commission.

18. Prior to the commencement of station operations, the land management transfers and permanent road closures and realignments are to be completed to the satisfaction of the City of Bayswater and the Western Australia Planning Commission. A single scheme amendment to be submitted to the City to resolve all of these changes.
19. Prior to the commencement of station operations, all new or modified road connections, access points and car parking areas shall be designed, constructed, drained and marked to the satisfaction of the City of Bayswater, including appropriate treatments to implement reduced speed zones.
20. Prior to the commencement of station operations, the 40km/hr speed zoning change shall be implemented as outlined in the development application, including Railway Parade, between Beechboro Road South and the Bassendean Road bend to the specifications and satisfaction of the City of Bayswater including installation of appropriate signage and road line markings.
21. Prior to the commencement of station operations, a management agreement addressing ongoing maintenance responsibilities for landscaping and public spaces (including graffiti management) is to be agreed upon between the PTA and the City of Bayswater to the satisfaction of the Western Australian Planning Commission.
22. Prior to the commencement of station operations, additional acoustic and vibration assessments are required to determine the extent of potential impacts. Appropriate mitigation measures are to be implemented to the satisfaction of the City of Bayswater, where it is found that noise emissions exceed prescribed levels. All recommendations of the Operational Noise Assessment prepared by Lloyd George Acoustics, dated 29 September 2020 are to be implemented and maintained thereafter by the site owners to the satisfaction of the City of Bayswater and the Western Australian Planning Commission.
23. All service areas, service related hardware and piped or wired services (plant areas, fire, booster cabinets, service meters, exhaust systems and air conditioning units) are to be designed as an integral component of the development or screened from public view, to minimise any detrimental impact on the architectural quality of the buildings and the public realm to the satisfaction of the City of Bayswater.
24. Kerbs, roadways, footpaths, open drains, stormwater pits, service authority pits and verge areas must be adequately protected, maintained and reinstated if required, during and as a result of any works associated with this development to the satisfaction of the City of Bayswater.
25. The right-turn traffic movement from Beechboro Road South westbound into Rose Avenue northbound shall be maintained for all traffic types.
26. All vehicle crossings shall be upgraded, designed and constructed to the satisfaction of the City of Bayswater. Any redundant crossovers are to be removed and the verge be reinstated to the satisfaction of the City of Bayswater.
27. On completion of construction, all excess articles, equipment, rubbish and materials shall be removed from the site and the site left in an orderly and tidy condition, to the satisfaction of the City of Bayswater.

Advice Notes

1. In relation to Condition 1, all existing tree(s) within the City of Bayswater road verge which are to be retained in accordance with the approved Tree Assessment Plan are to be retained and shall have measures consistent with AS 4970-2009 undertaken to ensure its/their protection during construction of the subject development to the satisfaction of the City, including but not limited to the following:

- (a) A minimum 2.0m radius tree protection zone (TPZ) shall be provided through 1.8m high fencing around the verge trees (chain mesh panels or other suitable material) during construction of the subject development.
 - (b) The above fencing is not to be moved or removed at any period during construction, and this zone is not to be entered for any reason; signage notifying people of the TPZ and the associated requirements is to be placed on each side of the fencing.
 - (c) All activities related to construction of the subject development, including parking of vehicles, storage of materials, and washing of concreting tools and equipment is prohibited within the designated TPZ.
 - (d) Any roots identified to be pruned shall be pruned with a final cut to undamaged wood outside of the TPZ. Pruning cuts shall be made with sharp tools such as secateurs, pruners, handsaws or chainsaws. Pruning wounds shall not be treated with dressings or paints. It is not acceptable for roots to be 'pruned' with machinery such as backhoes or excavators.
 - (e) The tree(s) shall be provided with supplemental water during any construction period falling over summer, with a minimum of 150 litres being provided per week.
 - (f) Should any works be required to be undertaken within the TPZ, approval must be given by the City prior to entering this zone. You may be required to seek advice from an Arborist in regard to the type of works being undertaken, this information is to be assessed by the City as part of the approvals to enter.
2. In relation to Condition 2, the updated traffic modelling analysis is to provide recommendations on improvements needed to address the roads and intersections within and outside the station precinct caused by the permanent changes to the road and intersection within the precinct. The following roads and intersections shall be included, but not limited to the following:
- Coode Street;
 - King William Street;
 - Railway Parade;
 - Whatley Crescent;
 - Beechboro Road South;
 - Drake Street;
 - Burnside Street;
 - Copley Street;
 - Francis Street;
 - Veitch Street;
 - Leake Street;
 - Roberts Street;
 - Milne Street;
 - Crowther Street;
 - Murray Street;
 - Hill Street;
 - Almondbury Street;
 - Nanhob Street;

- Georgina Street;
 - Walton Street;
 - Hamilton Street;
 - Slade Street;
 - Olfe Street, Aughton Street;
 - Olfe Street and King William Street intersection;
 - Murray Street and King William Street intersection;
 - Veitch Street and Whatley Crescent intersection;
 - Slade Street and Guildford Road intersection;
 - Anzac Street and Guildford Road intersection;
 - Newton Street and Guildford Road intersection;
 - Leake Street and Guildford Road intersection;
 - Roberts Street and Guildford Road intersection;
 - Milne Street and Guildford Road intersection;
 - Drake Street and Beechboro Road South intersection;
 - Coode Street and Burnside Street intersection;
 - Coode Street and Copley Street intersection;
 - Coode Street and Francis Street intersection; and
 - Coode Street and Copley Street intersection.
3. In relation to Condition 11, the City believes a 6 green star rating can be achieved for this development. Options that may assist in achieving a 6 green star rating could include the following:
- (a) Incorporate solar PV into the design;
 - (b) Incorporate natural lighting opportunities into the design;
 - (c) Specify low VOC paints;
 - (d) Construction with low Carbon Footprint;
 - (e) Specify recycled material rates to be achieved;
 - (f) Water capture or grey water recycling;
 - (g) Specify ongoing holistic monitoring of Greenstar performance;
 - (h) Reduce loss of existing tree canopy and increase planting;
 - (i) Mitigate night light; and
 - (j) Include specific innovation provisions.
4. In relation to Condition 12, the revised Operational Waste Management plan needs to address the following:
- (a) The current waste generation for the food tenancies appears to be under calculated in the Operational Waste Management Plan submitted on 7 October 2020.
 - (b) The bins for onsite waste disposal to be shown on the operational site plan submitted on 7 October 2020.

- (c) The bin store area for the food businesses and retail shops within the train station is not clearly defined on 7 October 2020.
 - (d) A bin area is to be provided of not less than 15 square meters (must be provided for general waste, recycling, oil/liquid waste (oil waste) and with a permanent water supply and drainage facility for wash-down. The bin area is to be screened by a gate/door and solid construction walls to a height of not less than 1.8 meters. The bin area shall be accessible via a suitably constructed service vehicle access that will allow heavy vehicle movement.
 - (e) Kerbside bin collection beside the bus stand is not supported by the City. The bins should be stored inside the of bin store and collected directly from the bin store by the waste removal contractor.
 - (f) Grease trap(s) are to be included/shown on the amended plan.
5. In relation to Condition 13, the City of Bayswater advises the following:
- (a) The City of Bayswater advises that the City is amenable to entering into maintenance agreements with the Public Transport Authority (PTA) for landscaping areas.
 - (b) The City of Bayswater advises that they grey paving proposed to be utilised for footpaths in the Bayswater Town Centre is not supported and that the paving options need to be revised in consultation with the City of Bayswater.
 - (c) Permeable paving is to be provided in areas adjoining trees with limited growth zones to assist ongoing tree viability and health.
 - (d) The City is not satisfied that a market can be accommodated adjacent to the bus stands and other opportunities should be explored, including at the Eastern Entry. The City encourages the creation of flexible public spaces that can respond to a variety of needs.
 - (e) The revised plan is to correctly label the location of the Magnolia tree on Lot 2, 92 Railway Parade to ensure that it is protected during and post construction.
6. In relation to Condition 18, the City of Bayswater recommends that public art be incorporated in areas of the development where there are blank walls such as the southern side of the western station entry building, electrical substation and noise walls. The public art strategy should demonstrate best practice procurement, stakeholder engagement, design direction and integration within the development including aboriginal artwork contributions. The strategy shall include details of the type and location of artworks, how the works respond to the Bayswater Aboriginal context in consultation with the Wadjak people of the Noongar nation, any identified public art themes; design intent and purpose; processes to design documentation; detailed plans of the artwork; cost calculations, public liability insurance (as applicable), and maintenance details.
7. In relation to Condition 17, the signage, legibility and accessibility plan should address the following matters: universal/inclusive access; details of the design, dimensions and locations of any proposed signage, including maps and orientation; Aboriginal naming and overall branding which is consistent with the wider design aesthetic approach for the station and surrounding public areas; and, signage required for the wider precinct to inform route choice in accessing the station and associated infrastructure.
8. 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.
9. It is recommended that the applicant convene a regular working group with the City of Bayswater and any other relevant parties to discuss works on City owned land, implementation of the conditions of development approval prior to and post development,

construction matters (i.e. haulage operations, onsite activities, offsite impacts) relating to progress, staging, issues arising and any variations from approved plans, conditions and management plans that may need to be considered.

COUNCIL RESOLUTION

That Council recommends to the Western Australian Planning Commission, approval for the proposed redevelopment of Bayswater Train Station in accordance with the development application lodged with the City on 7 October 2020 and the plans dated 7 October 2020, subject to the following conditions:

1. Prior to the commencement of site works for the Bayswater Station, an updated Tree Assessment and Management Plan is to be submitted to the satisfaction of the City of Bayswater and approved by the Western Australian Planning Commission to address the following matters:
 - (a) The plan is to accurately depict street tree removal and street tree retention associated with the works for the Bayswater Train Station.
 - (b) Not all trees, which are proposed to be removed, have been assessed in the Tree Survey prepared by Paperbark Technologies. All street trees proposed to be removed are required to be assessed and documented prior to removal.
 - (c) The heritage listed Magnolia tree (Tree reference number 60) located on 92 Railway Parade, Bayswater is to be retained.
 - (d) Existing trees not directly impacted by works are to be retained unless their removal is demonstrated to be necessary.
 - (e) Protection of the street verge trees to be retained in accordance with AS 4970-2009 and the specifications of the City of Bayswater.
 - (f) Prior to the commencement of station operations, replacement street verge trees in addition to the trees being planted as part of the approved landscaping plan are to be planted in locations close to the development site as specified by the City of Bayswater at a ratio of five new street verge trees for every street verge tree that is removed at the expense of the applicant.
 - (g) All replacement trees are to be maintained for a minimum 24-month period or as agreed to the satisfaction of the City of Bayswater. In the event that the trees do not survive, the applicant shall replace them.

The street trees proposed to be removed as indicated on the approved Tree Assessment Plan are to be removed to the satisfaction of the City of Bayswater. The applicant is responsible for engaging a qualified contractor, the cost of removing the tree and any claims that may arise from the removal of the trees.

2. Prior to the commencement of site works, the applicant shall offer a dilapidation survey to the owners of private properties and the City of Bayswater for any structures and walls located on public land within 100m of the works or temporary works. The applicant shall also offer landowners and the City, a close out dilapidation report at the completion of the construction works and will be responsible for all costs associated with any necessary remedial works.
3. Prior to the commencement of site works, a Roadside Traffic Management Plan prepared in accordance with Section 297(1) and (2) of the Road Traffic Code 2000 (RT2000) shall be submitted to the satisfaction of the City of Bayswater and approved by the Western Australian Planning Commission. The applicant is required to reimburse the City for the cost of an independent review of the Roadside Traffic Management Plan, and any on-going Road Safety Audits, as a result of changing site conditions during the development.

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4. Prior to the commencement of site works, a revised Construction Management Plan is to be submitted to the satisfaction of the City of Bayswater and approved by the Western Australian Planning Commission and is to address the following matters:
- (a) Management and notification of ongoing changes associated with the construction works;
 - (b) Vibration;
 - (c) Dust;
 - (d) Noise;
 - (e) Waste management;
 - (f) Storage of materials;
 - (g) Traffic;
 - (h) The parking arrangements for the contractors and subcontractors;
 - (i) Site safety/security;
 - (j) The delivery of materials and equipment to the site;
 - (k) The storage of materials and equipment on the site;
 - (l) The protection of street trees and other City assets;
 - (m) A construction resource recovery plan and a construction waste management plan which incorporates sustainable management practices as recommended in the Sustainability Management Plan;
 - (n) Acid sulphate soils and dewatering management plan;
 - (o) Any dewatering of the site; and
 - (p) Any other matters likely to impact on the surrounding properties.
- Once approved the construction management plan is to be implemented in its entirety (as amended) to the satisfaction of the City of Bayswater.
5. Prior to the commencement of site works, any property access, service vehicle access and waste collections affected by closure of access to the ROW bounded by Whatley Crescent, King William Street and Hamilton Street (Lot 166 on Plan 2621) shall be resolved by the applicant to the satisfaction of the City of Bayswater.
6. Prior to the permanent changes to the road and intersection layout within the station precinct, an updated traffic modelling analysis shall be submitted to the satisfaction of the City of Bayswater and approved by the Western Australian Planning Commission. Once approved, the recommendations of the analysis shall be implemented and all associated costs met by the applicant in their entirety to the satisfaction of the City of Bayswater.
7. Prior to the commencement of permanent changes to the road and intersection layout within the station precinct, a road safety audit shall be submitted to the satisfaction of the City of Bayswater and approved by the Western Australian Planning Commission. The audit shall include details for all permanent road connections (including all new or modified road connections and intersections) at the following stages:
- (a) Preliminary design audit;
 - (b) Detailed design audit; and
 - (c) Pre-opening audit.
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Once approved, all recommendations of the audit shall be implemented in their entirety and all associated costs met by the applicant to the satisfaction of the City of Bayswater.

8. Prior to the permanent changes to the road and intersection layout within the station precinct, a pedestrian and cycling traffic modelling analysis shall be submitted to the satisfaction of the City of Bayswater and approved by the Western Australian Planning Commission. The modelling is to take into consideration cycling and pedestrian movement networks within the station precinct, networks of routes through the precinct, approach routes and end-of-trip facilities within the station precinct. The analysis shall address the accessibility including but not limited to the following:
- (a) North south movement through the station precinct;
 - (b) Connectivity and integration of pedestrian and cycling network with all modes of transport users;
 - (c) Provision of adequate facilities that meet the required capacity;
 - (d) Ensuring the current level of service of cycling facilities is maintained as a minimum as part of the development;
 - (e) Ensuring cycling facilities are provided through the town centre in line with the City's and Department of Transport's Long Term Cycle Network Plan; and
 - (f) A 30km/hr speed limit for traffic throughout the precinct.

The recommendations of the analysis shall be implemented in their entirety and all associated costs met by the applicant to the satisfaction of the City of Bayswater.

9. Prior to the commencement of site works, detailed engineering drawings and specifications shall be submitted to the satisfaction of the City of Bayswater and approved by the Western Australian Planning Commission, and shall address the following matters:
- (a) Detailed structural plans of retaining walls and associated drainage infrastructure;
 - (b) Specifications for drainage of the development designed in accordance with Water Sensitive Urban Design principles including ensuring that stormwater is contained on-site, or appropriately treated and connected to the local drainage system;
 - (c) Should post-development stormwater discharge into the City's stormwater network exceed pre-development discharge, the applicant shall be responsible for the upgrade of any existing affected stormwater drainage infrastructure;
 - (d) Roberts Street drainage to be extended and connected downstream;
 - (e) The additional drainage catchment proposed to be directed into Rose Avenue shall be captured and drained within the development;
 - (f) Detailed lighting design plans (including lux level diagrams);
 - (g) Details of how roads have been designed to connect with the existing road network;
 - (h) Roadwork extents, pavement types and colours;
 - (i) A waste truck turnaround area is to be provided at the end of Railway Parade, adjacent to the Coode Street Pocket Park;
 - (j) The angled parking bays along Railway Parade adjacent to the commuter car park are to be amended from angled parking to be 90-degree parking bays;

- (k) Pedestrian footpath detail including connections to the existing pedestrian footpaths;
- (l) Safety barriers;
- (m) Battering of slopes within verges to a maximum of 1:6;
- (n) Detailed electrical reticulation design plans including details of undergrounding of existing overhead power lines; and
- (o) Adequate provision for loading/unloading associated with the train station tenancies within the station building and existing tenancies located along Whatley Crescent.

Once approved the detailed engineering drawings and specifications are to be implemented in their entirety and all associated costs met to the satisfaction of the City of Bayswater.

10. Prior to the commencement of building works, a detailed design package in accordance with the agreed outcomes of the State Design Review Panel including any amendments to the Architectural plans shall be submitted to the satisfaction of the City of Bayswater and approved by the Western Australian Planning Commission and shall address the following matters:

- (a) The final architectural features and design treatments being applied to the station and elevated rail bridge (including soffit and ground floor structures), and associated buildings and structures.
- (b) A final schedule of materials and finishes demonstrating the use of high quality, durable materials, finishes and colours being used.
- (c) Proposed finishes to the exposed retaining walls along Whatley Crescent located in front of 1/79 Whatley Crescent to 1 King William Street, Bayswater.
- (d) The architectural plans being modified to improve the southern side of the western station entrance including a glass frontage and prominent entry to the bike store to Whatley Crescent.
- (e) A lighting strategy to highlight architectural detailing and public areas and promote safety, visual interest and activation for the station building and immediate surrounding area.
- (f) The Coode Street Pocket Park to be redesigned in consultation with the City of Bayswater including a detailed design package that addresses universal access, park furniture and interface with the portion of the reserve immediately adjoining the Coode Street Pocket Park to the north.
- (g) Detailed designs for the proposed materials and finishes to the noise walls and any public art to be applied to noise walls.
- (h) Details of proposed 'bespoke' bus shelters.
- (i) Details of external window and door glazing treatments to maintain an active and interactive relationship with the street.
- (j) The electrical substation to be located adjacent to the commuter car park along Railway Parade.

Once approved the detailed design package and amended plans are to be implemented in their entirety to the satisfaction of the City of Bayswater.

11. Prior to the commencement of building works, the Sustainability Management Plan is to be updated to the satisfaction of the City of Bayswater and approved by the Western Australian Planning Commission to address the following:

- (a) A Green Star Assessment and Strategy being prepared and implemented thereafter with the view of achieving a green star rating that is higher than the current four green star rating for the station.

Prior to operation of the southern platform, a report shall be submitted to the satisfaction of the City of Bayswater confirming achievement of a Green Star (Design and As-Built) rating in accordance with the METRONET Sustainability Strategy. Once approved, the Sustainability Management Plan is to be implemented in its entirety thereafter to the satisfaction of the City of Bayswater and the Western Australian Planning Commission.

- 12. Prior to the commencement of building works, a revised Operational Waste Management Plan for the train station and tenancies is to be submitted to the satisfaction of the City of Bayswater and approved by the Western Australian Planning Commission. Once approved, the Operational Waste Management Plan shall be implemented in their entirety to the satisfaction of the City of Bayswater.
- 13. Prior to prior to the commencement of building works, an updated landscaping plan shall be submitted to the satisfaction of the City of Bayswater and approved by the Western Australian Planning Commission. For the purpose of this condition, the plan shall address the following:
 - (a) The number and location of new trees and plants to be planted.
 - (b) Additional landscaping to be provided to the southern side of the station where possible.
 - (c) Details of reticulation or irrigation.
 - (d) Details of planter boxes and planting on structures.
 - (e) Details of all proposed street furniture including existing street furniture to be relocated.
 - (f) Revised paving design, including provision of permeable paving and paving in the Bayswater Town Centre.
 - (g) Refined soft and hard landscape design for the public spaces of the eastern entry of the station and bus stands to reflect the outcome of the detailed Place Activation and Management Plan.
 - (h) Ongoing maintenance arrangements.
 - (i) Planting of replacement street verge trees.
 - (j) Additional landscaping and trees within the verge area along the southern side of the station.

Once approved the landscaping plan is to be implemented in its entirety prior to the commencement of station operations and maintained thereafter as agreed between the site owners and the City of Bayswater.

- 14. Prior to the commencement of station operations, road and intersection improvements are to be carried out in accordance with the approved updated traffic modelling report submitted to the satisfaction of the City of Bayswater and the Western Australian Planning Commission.
- 15. Prior to the commencement of station operations, a public art strategy generally prepared in accordance with the City of Bayswater Percent for Public Art Policy and provide public art to the satisfaction of the City of Bayswater and approved by the Western Australian Planning Commission. The public art shall be implemented in its entirety and maintained thereafter by the site owners to the satisfaction of the City of Bayswater and the Western Australia Planning Commission.

16. Prior to the commencement of station operations, all structures and associated walls, which are the subject of this application, are to be applied with an anti-graffiti coating immediately upon completion to the specifications of the City of Bayswater and the satisfaction of the Western Australian Planning Commission.
17. Prior to commencement of station operations, the following are to be submitted to the satisfaction of the City of Bayswater and approved by the Western Australian Planning Commission.
 - (a) A detailed Place Activation and Management Plan for all State Government controlled public spaces;
 - (b) A Retail Strategy for the tenancies within the train station outlining tenancies, staging and interim uses and considers any current retail deficiencies in the Bayswater Town Centre.
 - (c) A signage, legibility and accessibility plan (including universal access); and
 - (d) An operational car parking management plan.

Once approved the above listed strategies and plans are to be implemented in their entirety and all associated costs met by the applicant to the satisfaction of the City of Bayswater and the Western Australia Planning Commission.

18. Prior to the commencement of station operations, the land management transfers and permanent road closures and realignments are to be completed to the satisfaction of the City of Bayswater and the Western Australia Planning Commission. A single scheme amendment to be submitted to the City to resolve all of these changes.
19. Prior to the commencement of station operations, all new or modified road connections, access points and car parking areas shall be designed, constructed, drained and marked to the satisfaction of the City of Bayswater, including appropriate treatments to implement reduced speed zones.
20. Prior to the commencement of station operations, a 30km/hr speed zoning shall be considered within the Station Precinct, and the extent of the speed zoning shall include Railway Parade, between Beechboro Road South and the Bassendean Road bend in addition to the extents outlined in the development application to the satisfaction of the City of Bayswater including installation of appropriate signage and road line markings.
21. Prior to the commencement of station operations, a management agreement addressing ongoing maintenance responsibilities for landscaping and public spaces (including graffiti management) is to be agreed upon between the PTA and the City of Bayswater to the satisfaction of the Western Australian Planning Commission.
22. Prior to the commencement of station operations, additional acoustic and vibration assessments are required to determine the extent of potential impacts. Appropriate mitigation measures are to be implemented to the satisfaction of the City of Bayswater, where it is found that noise emissions exceed prescribed levels. All recommendations of the Operational Noise Assessment prepared by Lloyd George Acoustics, dated 29 September 2020 are to be implemented and maintained thereafter by the site owners to the satisfaction of the City of Bayswater and the Western Australian Planning Commission.
23. All service areas, service related hardware and piped or wired services (plant areas, fire, booster cabinets, service meters, exhaust systems and air conditioning units) are to be designed as an integral component of the development or screened from public view, to minimise any detrimental impact on the architectural quality of the buildings and the public realm to the satisfaction of the City of Bayswater.

24. Kerbs, roadways, footpaths, open drains, stormwater pits, service authority pits and verge areas must be adequately protected, maintained and reinstated if required, during and as a result of any works associated with this development to the satisfaction of the City of Bayswater.
25. The right-turn traffic movement from Beechboro Road South westbound into Rose Avenue northbound shall be maintained for all traffic types.
26. All vehicle crossings shall be upgraded, designed and constructed to the satisfaction of the City of Bayswater. Any redundant crossovers are to be removed and the verge be reinstated to the satisfaction of the City of Bayswater.
27. On completion of construction, all excess articles, equipment, rubbish and materials shall be removed from the site and the site left in an orderly and tidy condition, to the satisfaction of the City of Bayswater.

Advice Notes

1. In relation to Condition 1, all existing tree(s) within the City of Bayswater road verge which are to be retained in accordance with the approved Tree Assessment Plan are to be retained and shall have measures consistent with AS 4970-2009 undertaken to ensure its/their protection during construction of the subject development to the satisfaction of the City, including but not limited to the following:
 - (a) A minimum 2.0m radius tree protection zone (TPZ) shall be provided through 1.8m high fencing around the verge trees (chain mesh panels or other suitable material) during construction of the subject development.
 - (b) The above fencing is not to be moved or removed at any period during construction, and this zone is not to be entered for any reason; signage notifying people of the TPZ and the associated requirements is to be placed on each side of the fencing.
 - (c) All activities related to construction of the subject development, including parking of vehicles, storage of materials, and washing of concreting tools and equipment is prohibited within the designated TPZ.
 - (d) Any roots identified to be pruned shall be pruned with a final cut to undamaged wood outside of the TPZ. Pruning cuts shall be made with sharp tools such as secateurs, pruners, handsaws or chainsaws. Pruning wounds shall not be treated with dressings or paints. It is not acceptable for roots to be 'pruned' with machinery such as backhoes or excavators.
 - (e) The tree(s) shall be provided with supplemental water during any construction period falling over summer, with a minimum of 150 litres being provided per week.
 - (f) Should any works be required to be undertaken within the TPZ, approval must be given by the City prior to entering this zone. You may be required to seek advice from an Arborist in regard to the type of works being undertaken, this information is to be assessed by the City as part of the approvals to enter.
2. In relation to Condition 6, the updated traffic modelling analysis is to provide recommendations on improvements needed to address the roads and intersections within and outside the station precinct caused by the permanent changes to the road and intersection within the precinct. The following roads and intersections shall be included, but not limited to the following:
 - Coode Street;
 - King William Street;
 - Railway Parade;

- **Whatley Crescent;**
 - **Beechboro Road South;**
 - **Drake Street;**
 - **Burnside Street;**
 - **Copley Street;**
 - **Francis Street;**
 - **Veitch Street;**
 - **Leake Street;**
 - **Roberts Street;**
 - **Milne Street;**
 - **Crowther Street;**
 - **Murray Street;**
 - **Hill Street;**
 - **Almondbury Street;**
 - **Nanhob Street;**
 - **Georgina Street;**
 - **Walton Street;**
 - **Hamilton Street;**
 - **Slade Street;**
 - **Olfe Street, Aughton Street;**
 - **Olfe Street and King William Street intersection;**
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 - **Slade Street and Guildford Road intersection;**
 - **Anzac Street and Guildford Road intersection;**
 - **Newton Street and Guildford Road intersection;**
 - **Leake Street and Guildford Road intersection;**
 - **Roberts Street and Guildford Road intersection;**
 - **Milne Street and Guildford Road intersection;**
 - **Drake Street and Beechboro Road South intersection;**
 - **Coode Street and Burnside Street intersection;**
 - **Coode Street and Copley Street intersection;**
 - **Coode Street and Francis Street intersection; and**
 - **Coode Street and Copley Street intersection.**
- 3. In relation to Condition 11, the City believes a 6 green star rating can be achieved for this development. Options that may assist in achieving a 6 green star rating could include the following:**

- (a) Incorporate solar PV into the design;
 - (b) Incorporate natural lighting opportunities into the design;
 - (c) Specify low VOC paints;
 - (d) Construction with low Carbon Footprint;
 - (e) Specify recycled material rates to be achieved;
 - (f) Water capture or grey water recycling;
 - (g) Specify ongoing holistic monitoring of Greenstar performance;
 - (h) Reduce loss of existing tree canopy and increase planting;
 - (i) Mitigate night light; and
 - (j) Include specific innovation provisions.
4. In relation to Condition 12, the revised Operational Waste Management plan needs to address the following:
- (a) The current waste generation for the food tenancies appears to be under calculated in the Operational Waste Management Plan submitted on 7 October 2020.
 - (b) The bins for onsite waste disposal to be shown on the operational site plan submitted on 7 October 2020.
 - (c) The bin store area for the food businesses and retail shops within the train station is not clearly defined on 7 October 2020.
 - (d) A bin area is to be provided of not less than 15 square meters (must be provided for general waste, recycling, oil/liquid waste (oil waste) and with a permanent water supply and drainage facility for wash-down. The bin area is to be screened by a gate/door and solid construction walls to a height of not less than 1.8 meters. The bin area shall be accessible via a suitably constructed service vehicle access that will allow heavy vehicle movement.
 - (e) Kerbside bin collection beside the bus stand is not supported by the City. The bins should be stored inside the of bin store and collected directly from the bin store by the waste removal contractor.
 - (f) Grease trap(s) are to be included/shown on the amended plan.
5. In relation to Condition 13, the City of Bayswater advises the following:
- (a) The City of Bayswater advises that the City is amenable to entering into maintenance agreements with the Public Transport Authority (PTA) for landscaping areas.
 - (b) The City of Bayswater advises that they grey paving proposed to be utilised for footpaths in the Bayswater Town Centre is not supported and that the paving options need to be revised in consultation with the City of Bayswater.
 - (c) Permeable paving is to be provided in areas adjoining trees with limited growth zones to assist ongoing tree viability and health.
 - (d) The City is not satisfied that a market can be accommodated adjacent to the bus stands and other opportunities should be explored, including at the Eastern Entry. The City encourages the creation of flexible public spaces that can respond to a variety of needs.
 - (e) The revised plan is to correctly label the location of the Magnolia tree on Lot 2, 92 Railway Parade to ensure that it is protected during and post construction.

6. In relation to Condition 18, the City of Bayswater recommends that public art be incorporated in areas of the development where there are blank walls such as the southern side of the western station entry building, electrical substation and noise walls. The public art strategy should demonstrate best practice procurement, stakeholder engagement, design direction and integration within the development including aboriginal artwork contributions. The strategy shall include details of the type and location of artworks, how the works respond to the Bayswater Aboriginal context in consultation with the Wadjak people of the Noongar nation, any identified public art themes; design intent and purpose; processes to design documentation; detailed plans of the artwork; cost calculations, public liability insurance (as applicable), and maintenance details.
7. In relation to Condition 17, the signage, legibility and accessibility plan should address the following matters: universal/inclusive access; details of the design, dimensions and locations of any proposed signage, including maps and orientation; Aboriginal naming and overall branding which is consistent with the wider design aesthetic approach for the station and surrounding public areas; and, signage required for the wider precinct to inform route choice in accessing the station and associated infrastructure.
8. 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.
9. It is recommended that the applicant convene a regular working group with the City of Bayswater and any other relevant parties to discuss works on City owned land, implementation of the conditions of development approval prior to and post development, construction matters (i.e. haulage operations, onsite activities, offsite impacts) relating to progress, staging, issues arising and any variations from approved plans, conditions and management plans that may need to be considered.
10. In relation to Conditions 8 and 20 the City advises the applicant to request Main Roads Western Australia to consider a 30km/hr speed limit throughout the station precinct to enhance the safety of pedestrians and cyclists.

CR DAN BULL, MAYOR MOVED, CR STEPHANIE GRAY SECONDED

CARRIED: 6/2

FOR VOTE: *Cr Dan Bull, Mayor, Cr Stephanie Gray, Cr Filomena Piffaretti, Deputy Mayor, Cr Sally Palmer, Cr Giorgia Johnson and Cr Stephen Ostaszewskyj.*

AGAINST VOTE: *Cr Michelle Sutherland and Cr Catherine Ehrhardt.*

REASON FOR CHANGE

Council changed the officer's recommendation to support cycling and safe pedestrian movements within the Bayswater Train Station precinct and the Bayswater Town Centre.

BACKGROUND

Application Number:	DA20-0595
Address:	Bayswater Train Station
Town Planning Scheme Zoning:	Rail and Road Reserves
Use Class:	N/A
Lot Area:	N/A
Existing Land Use:	Bayswater Train Station

Surrounding Land Use:	Town Centre, Public Car Park, Open Space, Residential
Proposed Development:	Redevelopment of Bayswater Train Station

The Hon. Minister for Planning declared Planning Control Area (PCA) 135 over the subject land on 23 April 2019. PCA 135 includes an area of land generally capturing the location of the Bayswater Station upgrade along with additional lands that may be required for the delivery of the METRONET public transport program.

As the Bayswater Station upgrade is located within PCA 135 development approval from the WAPC is required as set out under Section 115 of the *Planning and Development Act 2005*, which states:

- "1. A person who wishes to commence and carry out development in a planning control area may apply to the local government in the district of which the planning control area is situated for approval of that development.*
- 2. An applicant is to submit to the local government such plans and other information as the local government may reasonably require.*
- 3. The local government, within 30 days of receiving the application, is to forward the application, together with its recommendation, to the Commission for determination."*

Accordingly, the Bayswater Station upgrades development application has been lodged with the City and has also been referred on to the WAPC for determination, and the City will provide the WAPC with its recommendation (in accordance with the Council resolution relating to this item).

The Bayswater Station is proposed to serve as a significant interchange station providing connections to the FAL and the MEL via the alignment of the existing Perth-Midland Line. Due to the strategic location of the station as an interchange servicing up to three lines, the associated rail infrastructure at Bayswater will be of critical importance to provide for significantly increased patronage demand.

To support the forecast increased patronage at the station, the PTA has identified that a major station upgrade is required to provide state of the art integrated public transport services for patrons and to support enhanced development opportunities that leverage the high levels of infrastructure investment within the Bayswater Town Centre and surrounding locality.

Council previously considered a development application for the redevelopment of the Bayswater Train Station at the Ordinary Council Meeting held 3 September 2019. This application was subsequently approved by WAPC on 5 November 2019. Since the 2019, approval was granted there have been a number of changes to the scope and design of the proposed development that have necessitated the lodgement of this new development application for approval, including:

- Two new station island platforms (150m long and 10m wide) to accommodate six (6) car train lengths.
- New rail bridges (Bridges 1 and 2) over King William Street, immediately south of the existing railway to support the new railway lines.
- New rail bridges (Bridges 3 and 4) over King William Street, located immediately north of the first new set of railway bridges to support expansion of the station to allow for the future MEL project.
- Western and eastern entry buildings complete with fare gates, passenger access to the platforms in the form of stairs, lifts and escalators, and retail tenancies.
- Relocation of the existing principal shared path on the southern side of the southern railway bridge (Bridge 1).

- Integrated pedestrian, cyclist, bus and vehicle access into the station.
- New bus bays and vehicle parking bays.
- Landscaping and urban design features within the station precinct.
- Modifications to the road network within the Planning Control Area (PCA) that has been placed over the Bayswater Town Centre.
- Noise mitigation measures incorporated into the bridge and track designs.
- Tenancy spaces in the eastern station entry building for a range of retail, commercial, culture and creative industry, community, dining and entertainment uses.
- Works to reconfigure Whatley Crescent to a single lane in each direction.

It should be noted that planning approval is not required for METRONET rail related works each side of the new station infrastructure beyond the bridge abutments/platforms under the *Railway (METRONET) Act 2018*, METRONET works are defined as:

“works for the purpose of, or in connection with, a METRONET railway but does not include the construction or alteration of a railway station, or any related car parks, public transport interchange facilities or associated means of pedestrian or vehicular access.”

The exempted works include:

- Leake Street underpass reconstruction/widening.
- Turnback works (new turnback siding for the FAL project, shunters path and driver’s washroom) and an allowance for a future turnback for the MEL service.
- Railway infrastructure including signalling, overhead lines, communications and utility relocations.
- Railway tracks and associated infrastructure to the east and west of the eastern and western bridge abutments including retaining walls.
- Any noise mitigation works where these are associated with noise from the railway lines located east and west of the eastern and western bridge abutments.
- Associated tree removal works from the City’s road reserves and railway reserve land for the turnback and rail works elsewhere along the rail line.

Works are proposed to be completed in a number of stages, broadly summarised as follows:

Component 1 – Exempted Works (Estimated to commence November 2020)

- Railway works in the turnback area to the west of the Bayswater station within the existing rail way reserve along with associated infrastructure works (including tree removal) required to accommodate the railway layout.
- Railway works to the east of the Bayswater required to connect the Midland and FAL lines to the new station.

Component 2 - Stage One Works (Estimated to commence January 2021)

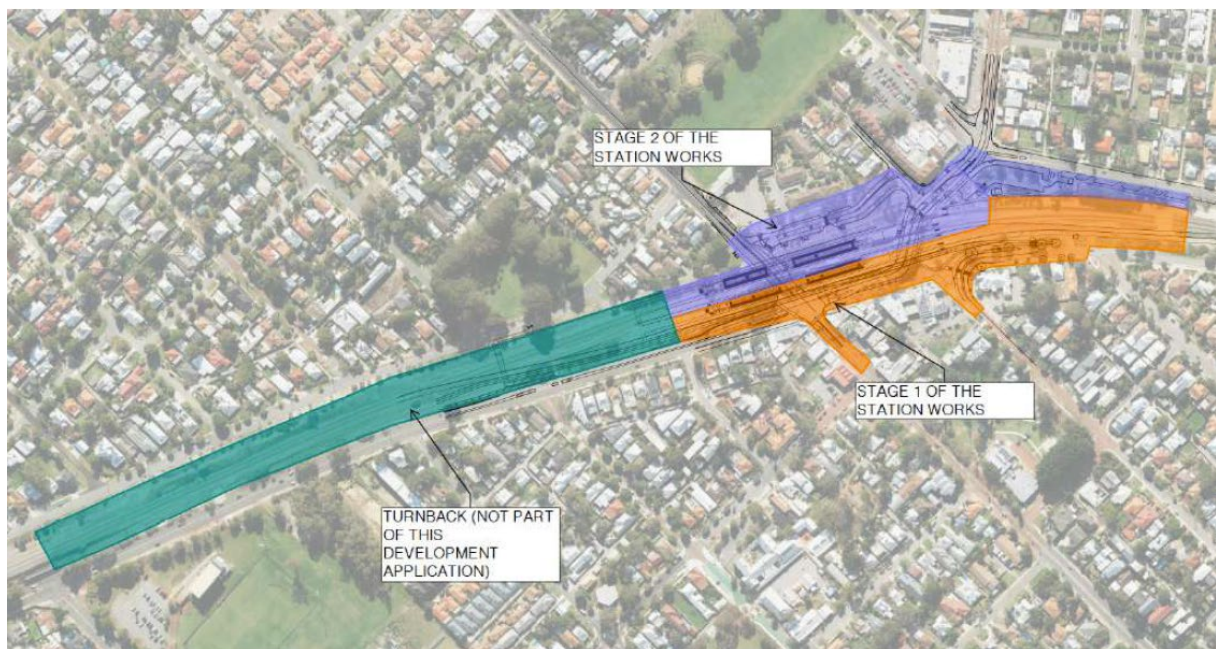
- Construction of the new southern rail bridges (Bridges 1 and 2) between the eastern and western abutments, construction of the new southern station island platform, the new PSP on the southern side of the railway bridge, the first stage of the western and eastern entry buildings, and establishment of the southern portion of the public realm areas adjacent to the western and eastern entry buildings.
- The new station will become operational before any of the existing railway and Bayswater Station are disrupted to provide continuity of rail services as far as possible. This stage involves the closure of Whatley Crescent between King William Street and Hamilton Street

to traffic, the construction of the new Whatley Crescent and Hamilton Street intersection and the provision of a temporary PSP on the southern side of Whatley Crescent.

- Whatley Crescent will be reconstructed as part of this stage but will not open to traffic until during Stage Two.

Component 3 - Stage Two Works (Estimated to commence March 2022)

- Demolition of the existing Bayswater Station and associated rail infrastructure including the existing bridge over King William Street, construction of the new northern rail bridges (Bridges 3 and 4).
- Construction of the northern station island platform, the second stage of the western and eastern entry buildings, the bus layover bays and bus stands on the eastern and northern sides of the station precinct and full completion of the station precinct including all landscape and public realm works.
- Stage 2 works also involve the car park upgrade works to the northern car park on Railway Parade and the opening of the Beechboro Road south extension to Whatley Crescent.



Early works for which development approval is not required have already begun on the project, including the relocation of Bayswater's iconic Kurrajong tree to Bert Wright Park in January 2020 and more recently, tree removals on PTA land. Additional parking has also been constructed at Ashfield and Meltham Train Stations to compensate for the parking capacity that will be lost at Bayswater during and after the redevelopment works.



EXTERNAL CONSULTATION

Consultation was undertaken by the Department of Planning, Lands and Heritage (DPLH) notifying all owners and occupiers located within an approximate 250m radius of the station for a period of 14 days between 8 October 2020 and 22 October 2020 along with advertising in the local newspaper and online on both the City of Bayswater and DPLH websites. On completion of advertising 80 submissions were received, summarised as follows:

Opinion	Total Submissions	Percent
Agree or strongly agree	19	23.75%
Neutral	13	16.25%
Disagree or strongly disagree	38	47.5%
Not Stated	10	12.5%
Total:	80	100%
Summary of Submissions		
Comments Received	Applicant Comments	Officer Comments
Supporting Submissions		
<ul style="list-style-type: none"> The new open spaces/landscaping; Improved station architectural design and platform shelter design; The cycling paths and facilities; Inclusion of businesses under the new station; Inclusion of escalators in the station; The road design to discourage traffic passing through the town centre and linking both sides; Improved train connection to the airport; Removal of commuter parking at the station; The 40km/h speed limit; 	Not provided.	Noted.

<ul style="list-style-type: none"> • Removal of the low-height bridge; and • On-street bus interchange. 		
Design of Public Spaces		
<ul style="list-style-type: none"> • Need more trees and open space around the station; • There are no useful new public/community spaces - the ones proposed are not functional or are divided by roads; • There shouldn't be public spaces around the station which will encourage people to loiter; and • The responsibility for events and open space management between PTA and CoB is not clear. 	<p>The areas available for market/food fair related activities are adequate to accommodate large groups of attendees from the community.</p> <p>Active retail frontage and the design of the entry buildings and its interface will ensure it will be an active, safe and well-used link for pedestrians.</p>	<p>The City's recommendation includes conditions requiring submission and implementation of:</p> <ul style="list-style-type: none"> • Additional landscaping to the southern side of the station; • Place activation strategy; • Public art strategy; • Land use management agreements between the City and PTA. <p>These conditions are considered sufficient to ensure the concerns raised will be adequately addressed.</p>
Movement and Access Network		
<p><u>Traffic:</u></p> <ul style="list-style-type: none"> • No transport impact assessment; • Traffic will increase on surrounding residential streets; • Don't agree with Whatley Crescent being closed at Hamilton Street; • Olfe Street and the King William/Olfe Streets intersection will not cope with the extra traffic and no solutions proposed; • Beechboro Road South should not be connected directly to Whatley Crescent, creating a second subway; • The road/station design will divide the town centre; • Buses have too high priority in the station and road design; • The 4-way intersection at King William and Whatley has not been delivered and will result in run running; 	<p><u>Traffic</u></p> <ul style="list-style-type: none"> • It has been agreed between MRWA and PTA that a microsimulation model is the best way to identify the traffic impacts arising from the designed changes. • Detailed traffic management measures for the locality will be determined through additional traffic modelling that is yet to be completed. This modelling will be carried out in collaboration with the City and Main Roads WA (MRWA) so that the scope and extent of these measures can be identified, agreed and implemented before the main intersection changes are made in mid-2022. • There will be an analysis of improvements to Guildford Road at critical intersections to 	<p>The closure of Whatley Crescent at Hamilton Street has been identified as essential.</p> <p>The City's recommendation includes conditions requiring submission and implementation of:</p> <ul style="list-style-type: none"> • Updated traffic modelling for the wider road network and proposed traffic solutions; • Road safety audits; • Signage, legibility and accessibility plan. • Detailed engineering drawings, which will include pedestrian crossing, design. <p>These conditions are considered sufficient to ensure the concerns raised will be adequately addressed.</p> <p>It is considered that the stairs to Whatley Crescent have been situated to maximise alfresco dining opportunities and place activation directly in front of businesses.</p>

<ul style="list-style-type: none"> • Traffic calming measures are required on the new link road. • Residents should be able to make a right hand turn from Beechboro Road South into Rose Avenue. <p><u>Cyclists:</u></p> <ul style="list-style-type: none"> • Cycling connections need to be improved in the surrounding streets. <p><u>Pedestrians:</u></p> <ul style="list-style-type: none"> • Pedestrians are not prioritised in the design; • The eastern side of the station should have more 	<p>identify the impacts on local road traffic demands. It is anticipated that the outcomes of these studies and others will be used to configure traffic calming measures to dissuade traffic from Guildford Road accessing the local road network and subsequently using Olfe Street.</p> <ul style="list-style-type: none"> • A 4-way intersection is provided albeit with restrictions on some turning movements. Investigations will be undertaken to determine if this movement could be incorporated into the design as part of the further modelling to be undertaken. • The use of appropriate traffic calming measures and reduced speed limits (where appropriate) to prioritise pedestrian connection between the north and south sides of the train line. <p><u>Cyclists</u></p> <ul style="list-style-type: none"> • Shared Path (PSP) to enable high volume commuter cyclists who are not seeking to access the station or the Town Centre to pass through (over) the Town Centre, separated from pedestrians at grade, enhancing both pedestrian and cyclist safety. • A new pathway connection provided between the PSP and the western entry building for cyclists to access a dedicated bicycle parking facility located within the new western entry building. 	
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<p>entry points - directly from the bus stands and from the carpark side;</p> <ul style="list-style-type: none"> Proposed pedestrian crossings are not safe; ACROD parking is too far from the station entries; and The new staircase to Whatley Crescent is located opposite a laneway rather than further east. 	<p><u>Pedestrians</u></p> <ul style="list-style-type: none"> The proposed development has been carefully considered to prioritise pedestrian and cyclist movements through and within the station precinct and to promote a connected walkable urban environment. There are also several opportunities for pedestrian crossings of the main roads that are designed to facilitate and prioritise pedestrian access and circulation. There is a generous open concourse area on the western side of the eastern entry building that accommodates a meeting and gathering space and facilitates ease of pedestrian movement. Two station entry buildings enables direct access between all proposed bus stands around the station precinct to a kerb side footpath with direct access to a station entry. A road safety audit needs to be carried out by an independent third party. It is expected that a road safety audit will be required as a condition of any approval that is issued for the development. 	
<p><u>Parking</u></p>		
<ul style="list-style-type: none"> There should be more parking for the local businesses; The existing town centre parking on Whatley Crescent will not be replaced with new bays as 	<ul style="list-style-type: none"> It is understood that the commitment by PTA to the City) has been to replace the same number of on street parking bays as are currently available within the Bayswater 	<ul style="list-style-type: none"> Refer to the officers comments below. The parking being lost is commuter parking for the Bayswater Station, which will be relocated to the

<p>stated - some of those shown are Kiss and Ride;</p> <ul style="list-style-type: none"> • There should be more commuter parking at the station and/or the surrounding streets; • The Halliday Park car parking should remain available for the recreational facilities at the Park. A condition of the DA should be that access is maintained to the Halliday Park carpark at all times it is in use by the sporting clubs. 	<p>Town Centre (the Town Centre). The provision of drop off/pick up bays is considered to reflect this commitment in that within the context of the station redevelopment, the Town Centre becomes a Transit Oriented Development (TOD) with restricted parking facilities. These bays will work for both transit and retail/service customers to in part meet the form of parking demands anticipated within a TOD.</p> <ul style="list-style-type: none"> • The nature of the redevelopment inherently restricts parking in the immediate vicinity of the existing retail outlets. Nevertheless, these parking opportunities have been maximised as far as possible within the constraints that exist. It is recognised that a number of bays require a short walk to get to the existing retail outlets, but the design provides safe and secure access to and from these bays well within a typical and convenient walkable catchment. 	<p>Meltham and Ashfield stations.</p> <ul style="list-style-type: none"> • The development application does not propose any changes to Halliday Park car park, other than changes to the vehicle access points.
Impact on Businesses		
<ul style="list-style-type: none"> • Further detail on the economic effects of the development is required e.g. retail sustainability study; • Closure / sinking of Whatley Crescent will impact businesses; and • The closure of Whatley Crescent will cut off access to businesses from the laneway. 	<ul style="list-style-type: none"> • The Applicant does not consider that an Economic Impact Assessment (EIA) or Retail Needs Assessment (RSA) is warranted for the application. The total retail floor space proposed in the application is approximately 850m2 across multiple tenancies and is not of 	<ul style="list-style-type: none"> • Potential losses that may result from economic competition between new and existing businesses is not a planning consideration. • Pedestrian access to business on Whatley Crescent will remain, however service delivery access needs to be addressed along with the closure of one of the

	sufficient size or scale that it is reasonably expected to impact on the viability or vitality of the existing businesses in the Town Centre.	egress points for the ROW.
Station Design		
<ul style="list-style-type: none"> Insufficient design quality in the station design - bland, concrete, lack of colour; Lack of weather protection on the platforms; The design does not respect the heritage look and feel of Bayswater town centre; The SDRP/OGA have concerns with the proposal so the DA should not proceed until they are addressed; The western entry has services in a prominent location, rather than shop frontages; The train line and station should be in a tunnel instead; The design of the retail with floor-to-ceiling glazing does not reflect the Bayswater retail character; The train noise is going to be worse because it is elevated; There should be more lifts for those with luggage. 	<ul style="list-style-type: none"> Aesthetics is a somewhat subjective consideration based on the unique opinions and views of the individual or group. The size and scale of the design is driven primarily by the need to deliver a viable solution to support four rail lines and two station platforms. The structure that is needed to support this infrastructure is consequently significant. The SDRP has reviewed the Bayswater Station development concept design and has provided support for the development specifically noting that the SDRP supports "the simple and honest expression of structure as a design approach. A 'streamlined' aesthetic is considered suitable to transport uses: 'engineered simplicity'". The SDRP also noted that they were "not overly concerned by the strong horizontality of the bridge component". The proposed shelter design has considered numerous factors including customer comfort and safety, visibility and sightlines for CCTV, accessibility and circulation on the station platforms, design life, structural requirements and the 	<p>The City's recommendation includes conditions requiring submission and implementation of:</p> <ul style="list-style-type: none"> The final architectural features and design treatments being applied to the station and elevated rail bridge; A final schedule of materials and finishes demonstrating the use of high quality, durable materials, finishes and colours being used; Incorporation of any remaining design enhancements as detailed in State Design Review Panel responses. Details of internal and external window and door glazing treatments. <p>These conditions are considered sufficient to ensure the concerns raised will be adequately addressed.</p> <p>In addition:</p> <ul style="list-style-type: none"> Noise modelling has been provided. Noise walls will be constructed where possible. There are four lifts proposed in both entrances for those with luggage.

	<p>aesthetic appearance of the shelters. It is considered that the proposed design effectively balances these outcomes and, that having regard to the nature of the prevailing weather conditions, there will be appropriate shade and weather protection opportunities for station users provided as a result.</p> <ul style="list-style-type: none"> The SDRP accepted the design of the development met the intent all of the ten principles of SPP 7.0. Whilst a “green traffic light” indicated the full support of the SDRP for the particular design principles in question, the “orange traffic lights” also indicated that the SDRP accepted the design subject to the further matters that were suggested by the SDRP in relation to each of these principles being investigated and/or incorporated. 	
Zoning		
<ul style="list-style-type: none"> Rose Avenue Park is zoned reserve for recreation purposes not a bus stand and parking. 	Not provided.	<p>It is considered that the proposed use is not consistent with the purpose of local open space and as such, a scheme amendment is required to change the purpose of reserves. There are other TPS24 reserves, such as road reserves, that the purpose is proposed to change in this application and it is therefore recommended that a condition is applied requiring a single scheme amendment to be submitted to the City to resolve all of these changes.</p>

OFFICER'S COMMENTS

The Bayswater Station upgrade is a significant development within the Bayswater Town Centre given its prominent location and will significantly improve the public transport infrastructure and is expected to significantly improve the amenity within the locality. The station will also provide an important catalyst for further investment and activating the Bayswater Town Centre. However, there are a number of concerns and relevant aspects, which need to be considered. These aspects are addressed in detail below.

Movement and Access

One of the primary concerns identified by the City, which is reflected in the submissions received, is in relation to movement and access (vehicle, cyclists and pedestrians) in and around the Bayswater train station and the resulting impacts upon the wider transport network. As part of the development application, the applicant has submitted a transport modelling report, which predicts a number of traffic issues, including the following:

- As traffic volumes increase, delays on the road network increases and the average speed within the network decreases.
- By 2031, it is predicted that the road network will break down due to congestion during peak hours.
- The integration of the upgraded railway station into the Bayswater Town Centre restricts the space available for road and intersection expansion and therefore the ability to improve the capacity of the road network through the area.
- The expansion of the 40km/hr speed zoning through the town centre increases the occurrence of rat running with drivers seeking alternative, faster routes away from the primary routes through the area.

The applicant's transport modelling report concludes that to address the above issues, the management of the wider road network needs to be assessed and improved. The applicant has not yet submitted this information as part of the development application and as such, the City is unable to assess the true impact of the proposed road changes upon the greater road network. It is recommended that appropriate conditions be imposed to ensure that the applicant is responsible for addressing these issues in consultation with relevant stakeholders including the City.

The proposed changes to the road layout around the Bayswater Station include the removal of the ability for vehicles to make a right hand turn from Coode Street into Whatley Crescent. It will also not be possible for vehicles to make a right hand turn from Beechboro Road South into Coode Street. As these traffic movements have not been addressed in the applicant's transport modelling report, the impacts of adding these movements on the greater road network is unclear. However, it is likely that due to the limited space available, dedicated right hand turning lanes cannot be accommodated and as such, any right hand turn movements from lanes provided will likely result in additional traffic delays. The applicant has also indicated that the right hand turn from Beechboro Road South into Rose Avenue is intended for buses only. However, this would result in restricted access for residents of Rose Avenue via the new through road from Coode Street only which is not supported. It is recommended that a condition be imposed that permits local traffic to make a right hand turn into Rose Avenue from Beechboro Road South.

The applicant's transport modelling also indicates that there will be increased traffic utilising the Olfe Street and King William Street intersection once Whatley Crescent is closed from Hamilton Street, however these issues have not been specifically addressed in the transport modelling report and the exact impacts are unclear. It is recommended that appropriate conditions be imposed to ensure that these aspects are considered as part of the future traffic assessments undertaken by the applicant and addressed at the expense of the applicant.

The submissions have also raised concerns that buses have been prioritised over pedestrian access. It is acknowledged that the development will result in an increased number of bus stops at the train station, however majority of these bus stops are located to the north of the station, away from the main pedestrian entrances to the station. Pedestrian access to the station has been prioritised as much as possible within the proposed design by the addition of the large open forecourts in front of the station entries and landscaping areas to separate pedestrian footpaths from the roads where possible along with numerous pedestrian crossings connecting the station to the town centre.

Prioritisation of pedestrian access to and from the train station, between both sides of the town centre and car parking bays has been raised as a concern during community consultation. Some of the concerns relate to the safety of the pedestrian crossing on the corner of Hamilton Street and Whatley Crescent (in front of the police station) and the new pedestrian crossing on Beechboro Road South. It is considered that the pedestrian crossings will be designed appropriately to ensure that any proposed facility meets minimum safety requirements. In addition, the City is recommending that the 40km/hr speed limit be extended along to include Railway Parade adjacent to the car parking areas for the train station, which will assist in changing the town centre to a more pedestrian friendly environment.

Universal access to the station from ACROD bays was also raised as a concern. The application proposes that ACROD bays be located in the PTA station car park along with two ACROD bays located at the end of Whatley Crescent adjoining the Coode Street Pocket Park which will provide access to the lifts inside the western station entry building for the train station. However, it is noted that these bays are not prominent or visible from the train station entries; therefore, it is recommended that the applicant prepare a signage, legibility and accessibility plan to address how pedestrians and persons living with a disability will be directed to access the station in an easy and safe manner.

The existing Principal Shared Path (PSP) is proposed to be separated from the road by a bridge to the southern side of the train station bridges. The bridge will be connected with the existing PSP at Hamilton Street and will continue on alongside Whatley Crescent towards Meltham Station. The submissions received were generally supportive of the PSP bridge, however concerns were raised about cyclist connections to the surrounding streets, including Coode Street, King William Street and Beechboro Road South. The information supplied by the applicant suggests that cyclists will need to access the station via the road network. Further investigation is required to see if dedicated cycle lanes can be accommodated within the proposed road network. A large bike store with a separate entrance is also proposed within the western entrance of the station, however amendments to the design are recommended to ensure that the bike store entry is visible for users.

Car Parking

Some of the submissions received raised concerns about the loss of car parking bays along the portion of Whatley Crescent between Hamilton Street and King William Street, which will be realigned/closed. The application details that the closest new car parking bays are to be provided along the Beechboro Road extension, however five of these bays are dedicated 'drop off' bays and only seven parking bays are proposed in this location which is less than 13 car parking bays that currently exist in this section of Whatley Crescent.

In September 2019, the City adopted the Bayswater Town Centre Short-term Parking Management Plan. Two of the actions will result in the creation of additional parking for visitors to the businesses in the town centre. Bays will be line marked along King William Street between Murray Street and Guildford Road prior to the closure of the parking at the Bayswater Station. The City is also finalising the installation of new time restrictions, which will transition most of the parking in the wider town centre from use by commuters to town centre visitors. However, it is acknowledged that these bays that have been freed up for use by town centre visitors are not immediately in front of the shops along Whatley Crescent that will be impacted by the closure of Whatley Crescent.

Furthermore, no provision has been made in the application for loading and unloading including waste collection to service the shops along the closed section of Whatley Crescent and the new tenancies proposed within the train station building, which is of concern to the City.

The objections received have also raised concerns about the loss of commuter parking at the Bayswater Train Station. This matter has previously been considered in a previous development application, which resulted in additional commuter parking bays being constructed at Ashfield and Meltham Train Stations to offset the loss of commuter parking bays at Bayswater Station. The nature of the Bayswater station is changing through the proposed redevelopment from a “park and ride” station to a town centre station, which prioritises arrival on foot, bicycle or bus. Those wishing to drive to the station will be redirected to other stations instead.

Station Design

The appearance of the station has been redesigned in response to community feedback on the previous station design recommended for approval by the Council at its Ordinary Council Meeting held 3 September 2019. The submissions received have acknowledged that the design has been improved in comparison to the previous design, and positive feedback was received in relation to the addition of escalators in the train station and the increased vertical clearance for vehicles underneath the bridges, however the revised design remains a key concern for the City.

The application has twice been reviewed by the State Design Review Panel (SDRP), however the SDRP have advised the City that the overall proposal is supported by the SDRP and that no further design reviews by the SDRP are necessary. The application has not been reviewed by the City's Design Review Panel (DRP). The City was advised with the initial proposal that the City's DRP would not be required to review the proposal however, two of the panel members on the City's DRP are also on the SDRP and participated in the review of the Bayswater Train Station Design. Following the second review of the proposal, the SDRP advised that they supported the proposal subject to further review to further refine an integrated approach to the station and the public realm design. Further attention was required to address the State Planning Policy 7.0 – Design of the Built Environment principles of context and character, functionality and build quality, sustainability, legibility and aesthetics.

The SDRP has provided advice that the overall proposal is supported by the SDRP. They have also advised that five of the ten design principles as noted in the SDRP report does not mean that the proposal is not supported. It does however mean that the design is heading in the right direction with regard to these principles and additional work or further information could be considered under various circumstances and it is rare for a development to be fully supported. The applicant has provided a written response to these aspects in their application and advised that some modifications to the design have been made in response to the SDRP feedback; however, they note that there is further work to be done to refine the design. Conditions are also recommended to ensure that further information is submitted to demonstrate that the development incorporates any remaining design enhancements and confirm design quality as recommended by the SDRP along with final details of the architectural features and schedule of materials, colours and finishes is carried through to construction.

Several of the submissions received have also suggested that the design of the station is bulky and does not respect the heritage look and feel of the Bayswater Town Centre. The applicant advises that the bulk of the structure has been addressed via the use of cream toned concrete, weather protection canopies, vertically ribbed cladding on the bridge façade and use of copper toned colour to undercroft and canopy soffits. It is noted that the SDRP in their feedback on the proposal are satisfied with the proposed built form and scale and it is considered that the bulk of the structure will be less visually dominant when considered in the context and against the objectives of the draft Bayswater Structure plan which indicate that the area around the train station will be redeveloped at a significantly higher density compared to the existing streetscape.

The station forecourt to the eastern entrance to the station is wide to provide a visual connection beneath the bridges between both sides of the town centre. However, the City is not satisfied that the applicant has addressed the remaining issues raised by the SDRP and the applicant has not demonstrated how the remaining design enhancements as suggested by the SDRP will be addressed and incorporated into the development as outlined above. The City also has concerns with the appearance of the western entry building on the southern side, which contains a number of blank walls and lacks integration and interaction with the streetscape. It is recommended that additional landscaping and window glazing along with public artwork be incorporated into this area.

Concerns about weather protection for passengers waiting on the elevated platforms have been partly addressed by extending the roof coverage to 70% of the station platform and adding wind barriers to give passengers somewhere to shelter from the wind. The applicant has advised that it is not possible to have shelters on the side of the structure, as this would add to the wind loading which requires additional engineering strength in the piers supporting the station structure. The applicant has also advised that the proposed shelter design has considered numerous factors including customer comfort and safety, visibility and sightlines for CCTV, accessibility and circulation on the station platforms, design life, structural requirements and the aesthetic appearance of the shelters. It is considered that the proposed design balances these outcomes and that there will be adequate shade and weather protection opportunities for station users.

It is understood that the train station has been designed to achieve a 4 Star Green Star rating. The SDRP in their comments to the applicant have encouraged the applicant to pursue a 5 Star rating. The City also believes that the development is capable of achieving a 5 or 6 Star Green Star Rating by incorporating additional sustainable design by incorporating innovative measures such as solar PV into the design, low VOC paint, water capture or grey water recycling and ongoing holistic monitoring of green star performance and recommends that the applicant investigate opportunities to increase the developments Green Star rating.

Public Art

There are a number of opportunities throughout the development where public art such as art lighting installations and Aboriginal artworks could be installed to enhance the amenity of the area, including the station and bridge structures, the electrical substation along Railway Parade, noise walls, blank walls and the proposed retaining wall located in front of the shops along Whatley Crescent to the southern side of the station. There are also opportunities for performing art events within the station entry forecourt and innovative art installations.

Public Spaces

The proposed development includes a number of new public spaces, including the Coode Street Pocket park station entry forecourts, wide pathways and garden to the north of the station and the terraced garden area along Whatley Crescent. The station forecourt to the eastern entrance to the station is a large undercover area with informal seating opportunities around the planter boxes and this area provides opportunities for integrated artworks such as lighting displays.

The applicant has identified areas for market stalls adjacent to the bus stands immediately north of the east entry. However, this area is not wide enough in the current design to accommodate stalls, queuing, seating and pedestrian through movements. This will require redesign to provide more width in this area or an alternative location identified for this use given the unattractive environment created by numerous buses.

The Coode Street Pocket Park is a youth focused space containing seating, climbing and skating elements that has been proposed by the applicant. The City has concerns that too many conflicting activities are proposed within a small space, which may hinder the success and enjoyment of the space. There is also a section of the pocket park adjoining 5 Coode Street, which has not been included in the proposed works. The applicant has advised that this area has been excluded to avoid disturbance and provide a buffer to the adjacent dwellings.

As the City will ultimately be assuming responsibility for the management of the pocket park, the applicant has indicated that they are willing to work with the City on the final design to determine a best-fit outcome for the pocket park.

The proposed landscaping design includes three defined garden spaces, the Hillside Garden (along Whatley Crescent), the Water Garden (near the bus stands to the north of the station) and the Home Garden (Coode Street Pocket Park, kiss and go bays and the commuter car park). The proposed landscaping design and tree planting was generally supported in the submissions received, however, the City has identified additional opportunities where more landscaping could be incorporated along the southern side of the station building which currently contains no landscaping. It is considered that additional landscaping would assist in softening the hardstand areas along the southern side of the station. Additional information is required to demonstrate that the proposed trees have adequate growth zones. Therefore, a condition of approval is recommended to ensure this is addressed.

Street Tree Removal

There are a number of mature trees proposed to be removed from locations within the railway reserve between Bayswater station and Meltham station (the turnback area). The PTA have advised that the majority of these trees along with numerous street verge trees located along Whatley Crescent and Railway Parade are required to be removed to facilitate railway works and relocation of the Principal Shared Path (PSP) and to date (late October 2020) significant number of removals have occurred. The removal of these trees along with any of the City's street verge trees is exempted from this development application, as they do not require development approval to remove trees in accordance with the public works exemption under Clause 6 of the *Planning and Development Act 2005* and the *Railway (METRONET) Act 2018*.

The applicant has provided plans that indicate approximately 62 existing street verge trees are proposed to be removed to facilitate the redevelopment of the train station. It is noted that the plans are unclear with respect to additional trees such as the eight street verge trees located along Whatley Crescent between King William Street and Hamilton street which are likely impacted by the proposed works and further clarification is sought via a recommended condition for a revised tree assessment and management plan prior to the commencement of site works.

Council considered a Notice of Motion relating to the replacement of trees within the Bayswater Town Centre at the Ordinary Meeting of 28 May 2019, and resolved to work with METRONET and the State Government to ensure that for every tree removed by the Bayswater Train Station redevelopment, five trees are replaced in or near the Bayswater Town Centre, with all costs borne by the State Government. Accordingly a condition has been included in the officer recommendation stipulating that where tree removal is required that each tree removed is replaced at a rate of five to one to compensate for the loss to amenity and canopy cover. Further, should a tree(s) not survive the first 24 months, replacement trees will be required.

Impact on Businesses

The submissions received from local businesses call for a retail sustainability strategy to assess the economic impact on the viability and sustainability of existing businesses in the Bayswater Town Centre. A retail strategy for the proposed shops within the train station should consider current retail deficiencies in the Bayswater Town Centre and interim 'pop-up' uses in the event the tenancies remain vacant is recommended as part of a place making strategy. However, potential losses that may result from economic competition between new and existing businesses is not a planning consideration under the *Planning and Development (Local Planning Schemes) Regulations 2015* and therefore cannot contribute to the determination of a development application.

The level changes associated with the sinking of Whatley Crescent, will result in the existing businesses being separated physically and visually from on street car parking and the road network. These businesses will be forced to rely on existing rear lane way or alternative street access where available for vehicle access and parking. Pedestrian access will be maintained via the existing footpath and new stairway connection to Whatley Crescent and additional landscaping is proposed to be planted in this area to enhance the amenity and along with new opportunities for alfresco dining along the footpath.

Another concern raised included closure of the ROW access from Whatley Crescent to the southern side of the station. The ROW bounded by Whatley Crescent, Hamilton Street and King William Street is proposed to be permanently blocked from Whatley Crescent as result of the new road alignment and level changes to Whatley Crescent. Blocking access to the ROW will impact upon access to car parking and waste collection for the adjoining businesses. The applicant has not yet addressed alternative access arrangements for these businesses in the development application. It is recommended that a condition be imposed to ensure these issues are resolved prior to the commencement of site works.

Bayswater Town Centre Structure Plan

The City prepared, consulted on, and adopted the draft Bayswater Town Centre Structure Plan prior to the State Government announcement that a new station would be constructed at Bayswater. In their consideration of the Structure Plan at the Statutory Planning Committee on 9 June 2020, the WAPC required the City to make modifications to facilitate a better response to the new station. As such, the development application will be consistent with the final Structure Plan because it has been rewritten to accommodate the station as per the concept design released by the State Government. The City is finalising modifications to the Structure Plan and it is expected to be adopted in its final version by the WAPC by the end of 2020.

The ultimate residential densities and built form outcomes for the core area of the Bayswater Town Centre (including surrounding the new station), will be determined in Development WA's Design Guidelines, which have not been released yet. However, it is expected that the scale of the new station will be consistent with the development to be permitted surrounding it in the town centre.

Noise Impact

State Planning Policy 5.4 (SPP5.4) specifies that where transport noise is above the noise targets, measures are expected to be implemented that balance reasonable and practical considerations with the need to achieve acceptable noise protection outcomes. The applicant has submitted a detailed acoustic assessment as part of the development application. The report identifies that the noise levels will exceed the noise targets outlined in SPP5.4 and that acoustic walls and absorptive panels are recommended to reduce the noise impact as much as reasonably practicable.

Dilapidation Surveys

The applicant has advised that they are in the process of consulting land owners whose properties are located within 100m of the train station works to offer a dilapidation survey. The dilapidation surveys will establish the pre-construction and post-construction condition of the properties to should any claims arise in relation to property damage attributed to the train station works including any necessary remedial works. It is also noted that the works may impact upon structures on public land and road reserves under the jurisdiction of the City such as the retaining wall on the Whatley Crescent verge located adjacent to 3-5/89 Whatley Crescent. It is recommended that a condition be imposed requiring dilapidation surveys that consider these matters are undertaken prior to the works commencing and at the completion of the works.

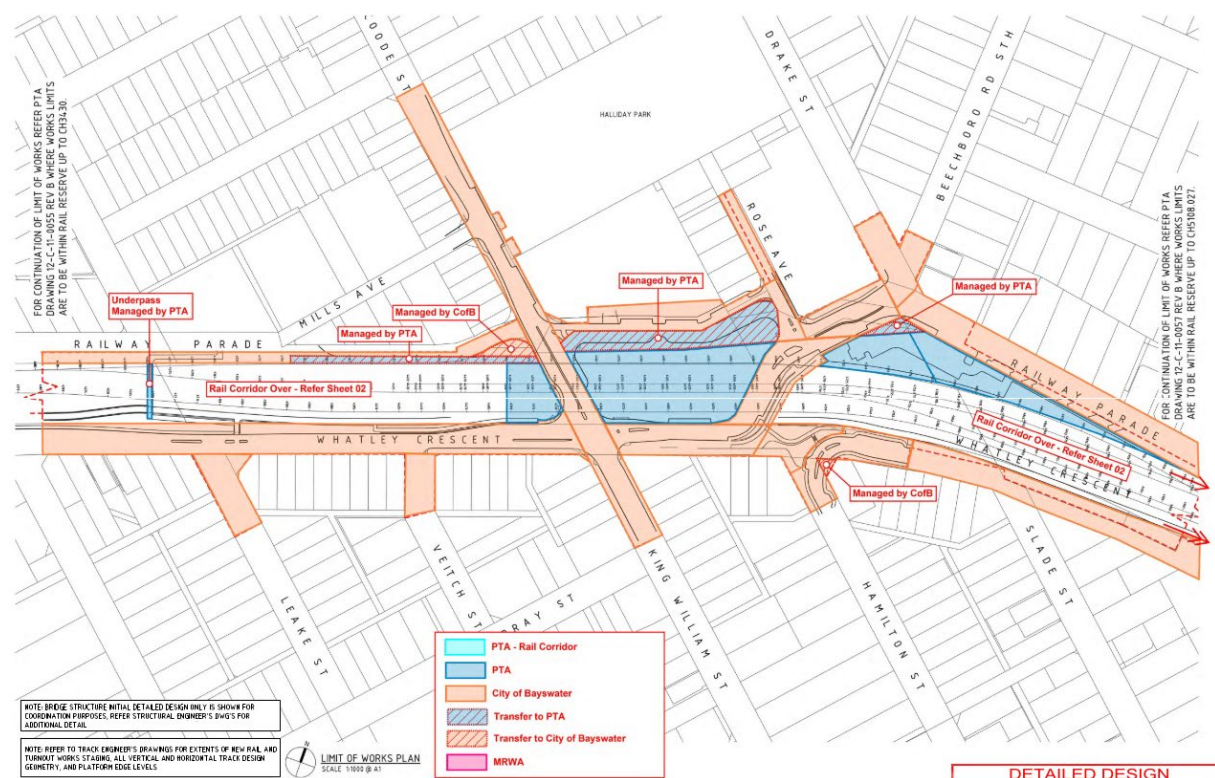
Rose Avenue Reserve

There are two reserves, owned by the State of Western Australia and vested in the City, at the corner of Railway Parade and Rose Avenue, known as the Rose Avenue Park. The reserves are

reserved for the purpose of 'local public open space' under TPS24. The development application proposes to utilise the majority of the reserves as a public road, on street parking, and bus lane and layover bay. Under Clause 6.4 of TPS24, the decision-maker is required to "*have regard to the ultimate purpose intended for the reserve*". This matter was considered by the WAPC in the original application for the station and they were satisfied that the use was consistent. Further, the Planning Control Area has subsequently been gazetted over the station precinct, including these two reserves, for the purposes of facilitating the construction of the new station and as such, the use of this area for uses associated with that purpose is considered consistent.

Land Management

Following completion of the development, there will be a need to formalise land management responsibilities and transfers of land due to the permanent road closures and realignments. The PTA will be responsible for the train station, busway, commuter car park and railway reserve. The City will be responsible for the roads, on street parking and the open spaces including the proposed "Kiss and Go" bays, the Coode Street Pocket Park and the spaces in front of the Whatley Crescent shops, as identified on the map below.



Approximately 3,289m² of land currently under the jurisdiction of the City will be transferred to the PTA and approximately 385m² of PTA land will be transferred to the City. The City is generally supportive of the land transfers proposed in the development application; however, there will be other management agreements in relation to management of events and landscaping maintenance, which will need to be resolved. As outlined above, it is recommended that conditions be imposed to ensure these matters are addressed prior to occupation of the development.

Summary

Overall, the Bayswater Train Station redevelopment is considered to provide significant social and economic benefit and improvement to the Bayswater Town Centre and surrounds, a catalyst for transformative change of the Bayswater Town Centre and represents significant State Government investment in the area. There are currently no solutions provided to address the traffic impact, which remains a concern that will need to be addressed, by the applicant and many other matters

that need to be addressed. Further, given its importance, it is also critical that any outstanding design detail and improvement are implemented without compromise.

LEGISLATIVE COMPLIANCE

- Planning and Development Act 2005;
- Planning and Development (Local Planning Schemes) Regulations 2015;
- City of Bayswater Town Planning Scheme 24;
- State Planning Policy 7.0 – Design of the Built Environment; and
- *State Planning Policy 5.4 – Road and Rail Noise.*

OPTIONS

The following options are available to Council:

1. Council recommends approval of the development application in accordance with the Officer's Recommendation. The risks associated with this option is considered to be reduced due to the reasons given for the Officer's Recommendation.
2. Council recommends approval of the development application subject to deleted or alternate condition(s). The risks associated with this option is considered dependent on the reasons given for the deleted/alternate condition(s) and the nature of the deleted/alternate condition(s).
3. Council recommends refusal of the development application. The risks associated with this option is considered dependent on the reasons given for the application to be refused.

FINANCIAL IMPLICATIONS

Once the works are completed, there will be ongoing maintenance costs associated with the Coode Street Pocket Park and other land transferred to the City.

STRATEGIC IMPLICATIONS

In accordance with the City of Bayswater Strategic Community Plan 2017-2027 (as amended), the following applies:

Theme: Our Built Environment
Aspiration: A quality and connected built environment.
Outcome B1: Appealing streetscapes.
Outcome B3: Quality built environment.

Theme: Our Local Economy
Aspiration: A business and employment destination
Outcome E2: Active and engaging town and city centres

CONCLUSION

The Bayswater Station upgrade is a significant development within the Bayswater Town Centre given its prominent location and will significantly improve the public transport infrastructure and amenity within the locality. The station upgrade is also considered to increase activity and accessibility to the locality, being a catalyst for further investment and a more active and engaging town centre. In light of the above assessment, the Bayswater Station upgrade is recommended for approval subject to appropriate conditions.

10. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

11. QUESTIONS FROM MEMBERS WITHOUT NOTICE

	Councillor / Question	Response / Action
1	Cr Steven Ostaszewskyj	Ms Helen Smith, Manager Development Approvals
	<i>How long will it take to get a response to all of these conditions?</i>	The Public Transport Authority and Evolve Bayswater will continue to work with and have these discussions with the City.
		Mr Des Abel, A/Director Corporate and Strategy
		The development application will now go to the Western Australian Planning Commission for determination. Depending on what conditions are on the approval, if any of the ones the City has recommended are included, there will be a negotiation between the applicants and the City.
		Ms Helen Smith, Manager Development Approvals
		The City understands the application will be considered by the Commission at its meeting on 9 December 2020.

12. NEW BUSINESS OF AN URGENT NATURE

Nil.

13. MEETING CLOSED TO THE PUBLIC**13.1 Matters for Which the Meeting May be Closed**

Nil.

13.2 Public Reading of Resolutions That May be Made Public

Nil.

14. CLOSURE

There being no further business to discuss, the Chairperson, Cr Dan Bull, Mayor, declared the meeting closed at 7:44pm.