

Appendix A – Detailed Site Description

Site Description

As noted previously in this report, the subject site comprises a number of lots that form part of the Armadale Rail Line alignment. Within the Town’s local government area, this includes Lot 9003. The subject site is aligned with the area of the designated PCA, where this is located within the rail corridor, generally from Mint/Archer Street to Biggs Street.

The site particulars of all lots included in the subject site are included in Table 6 below and shown in Figure 18.

Table 6: Site Particulars

Lot	Street Address	Plan	Vol/Folio	Area	Landowner
City of Canning					
9001	No Street Address	P067766	2774/269	7,160m2	Public Transport Authority of Western Australia
9002	No Street Address	P067766	2774/270	16,337m2	Public Transport Authority of Western Australia
9003	No Street Address	P067766	2774/271	193,384m2	Public Transport Authority of Western Australia
70	No Street Address	P000796	2774/593	8,897m2	Commissioner of Railways
Town of Victoria Park					
9003	No Street Address	P067766	2774/271	193,384m2	Public Transport Authority of Western Australia

Refer to Appendix D – Certificates of Title

Refer to Figure 18 – Site Plan

The subject site is currently developed with infrastructure that is associated with the Armadale Rail Line, including the railway tracks, associated signalling infrastructure, train stations as well as areas of car parking, PSPs and general site improvements such as landscaping.

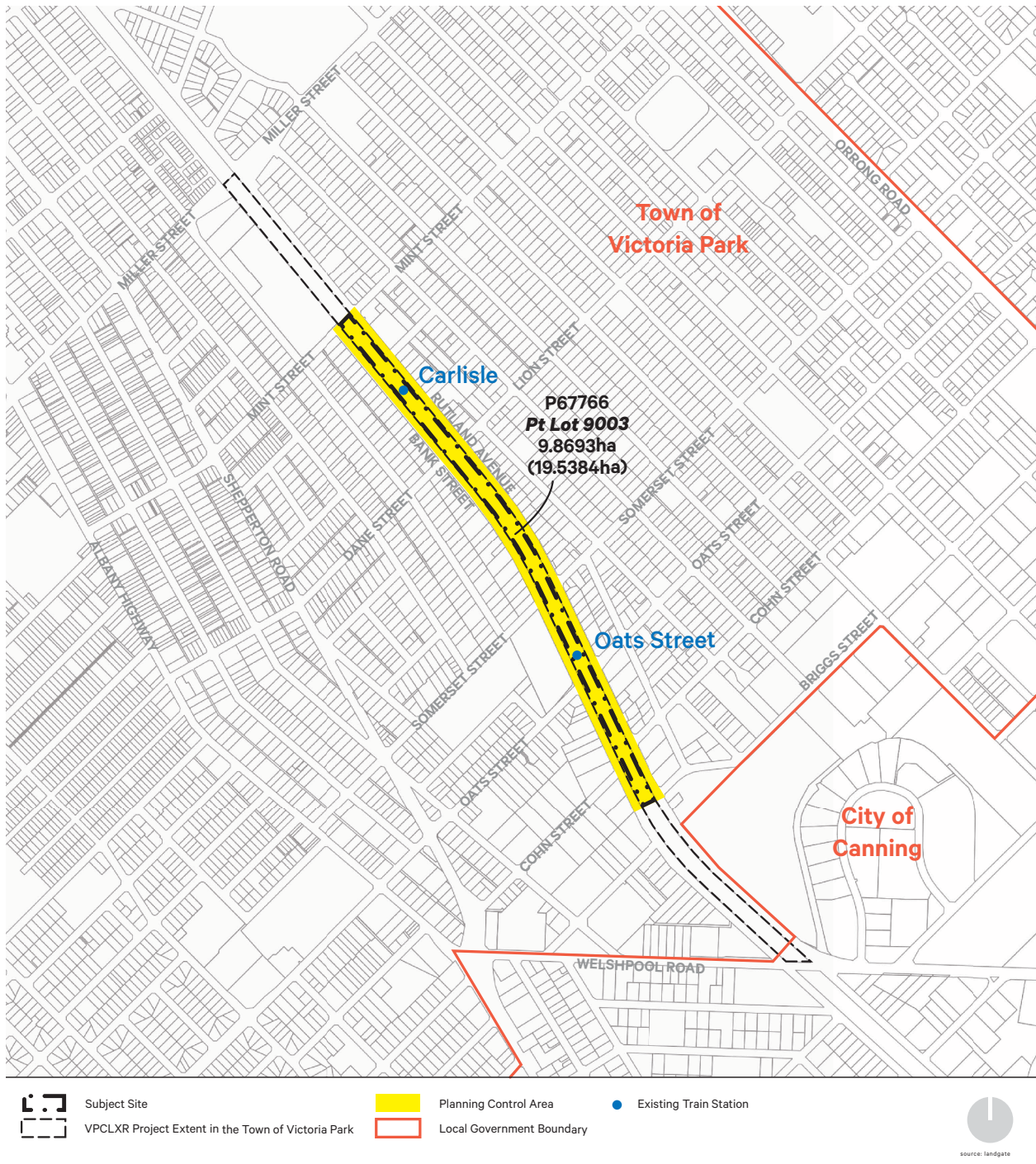


Figure 18. Site Plan

Site Context

The subject site traverses through the suburbs of Carlisle and East Victoria Park within the Town's local government area, extending from Mint/Archer through to the abutment at Biggs Street.

The area surrounding this section of elevated rail infrastructure is generally characterised by single storey residential development of a low to medium density on both the western and eastern sides of the Armadale Rail Line corridor. The Carlisle Hotel and Harold Hawthorne Community Centre are situated in close proximity to the Carlisle Train Station. The South Metropolitan TAFE Carlisle Campus and various existing commercial and light industrial developments are situated in close proximity to the Oats Street Train Station.

The surrounding area is of mixed character, there are also a number of underdeveloped sites and vacant land parcels and there are therefore opportunities for new development in the area to leverage from this significant investment in public infrastructure.

Refer to Figure 18 – Aerial Plan

Reservations and Zonings

Metropolitan Region Scheme

The subject site is primarily reserved for 'Railways' under the MRS with small portions of land reserved for the purpose of 'Other Regional Roads'.

Refer to Figure 19 – Extract of Metropolitan Region Scheme

Town of Victoria Park Local Planning Scheme No. 1

The subject site is not zoned or reserved under the City's LPS 1. LSP 1 provides the zonings for the land immediately adjacent to the subject site, which includes the 'Commercial', 'Residential', 'Public Purposes' and 'Industrial 1' zones.



■ Subject Site
 VPCLXR Project Extent in the Town of Victoria Park
 ● Existing Train Station



source: spookfish

Figure 19. Aerial Plan

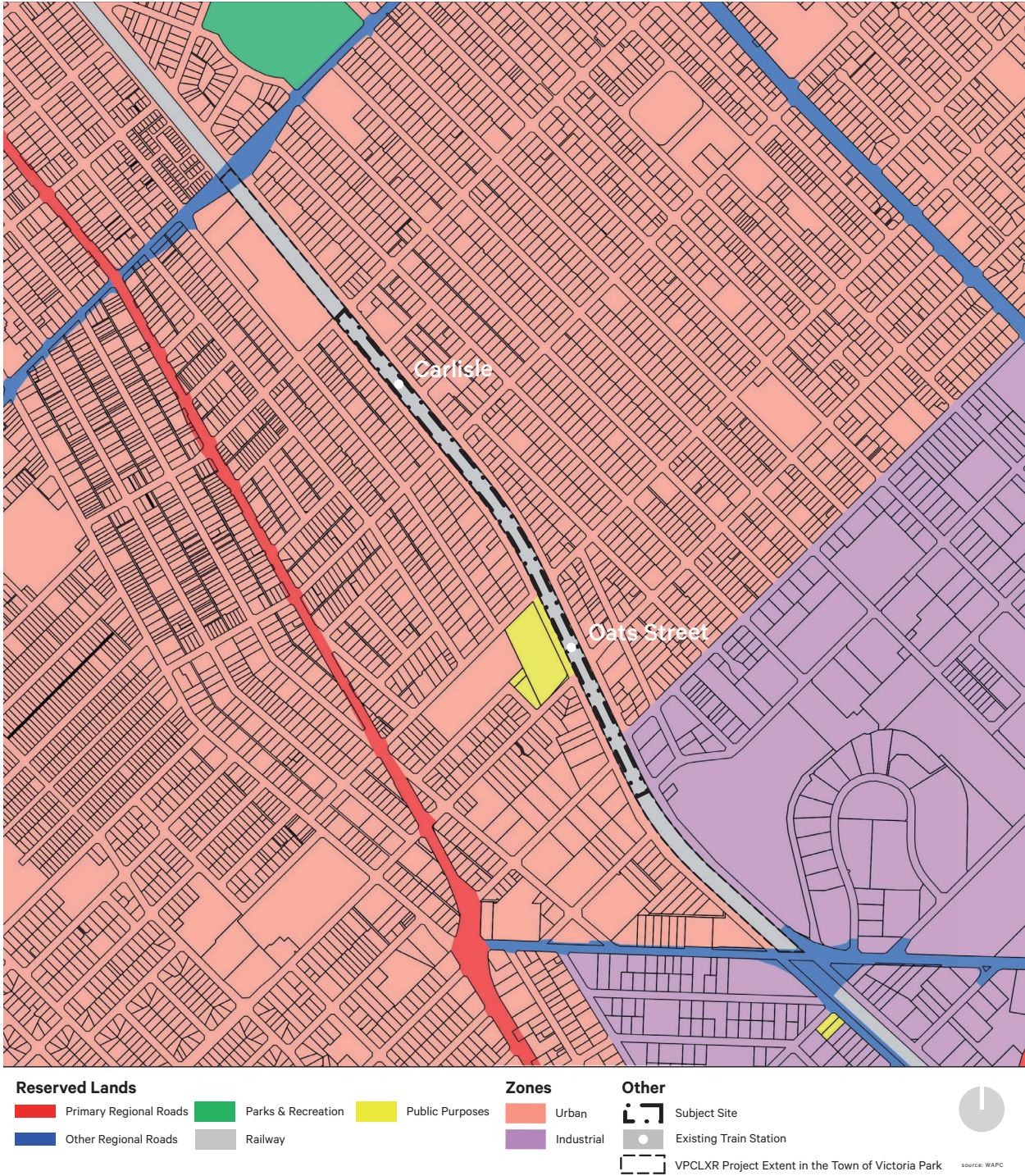


Figure 20. Extract of Metropolitan Region Scheme

Environmental Considerations

A desktop search indicates that the subject site:

- Has no known local, State, national or Aboriginal heritage significance;
- Is not located within an identified bushfire prone area under the State Map of Bush Fire Prone Areas; and
- Has a moderate to low risk of acid sulphate soils.

A small portion of the site, adjacent to Mint Street is identified as a potentially contaminated site. The basic summary of records has been included at Appendix L and has been explored in greater detail in Section 7. As set out at Section 7, given that the identified restriction on use states only limits groundwater abstraction and given that groundwater abstraction is not proposed as part of the construction activities or development, it is considered that the affected part of the rail corridor that is included in the subject site is suitable for the proposed development.

As such, there are no known environmental or heritage issues that would inhibit the development of the subject site for:

- Early works and site establishment works (i.e. gantry pads and tree removal);
- Services relocation or alterations; and
- Viaduct piling / pier and viaduct structure works (including precast piers, pier headstocks and viaduct 'U troughs') on which the new train stations will be constructed.

Refer to Appendix L – Basic Summary of Records

Appendix B – Requirement for Planning Approval

Planning and Development Act 2005 and Public Works

Under Section 6 of the *Planning and Development Act 2005* (PD Act) there are exemptions from the requirement to obtain planning approval under a local planning scheme for ‘public works’ for the Crown, the Governor, a public authority, or a local government. For the VPCLXR project, ALUA acts on behalf of the PTA and these applicable exemptions remain in place.

Public Works are defined by the *Public Works Act 1902*. The definition of public works includes:

(b) any railway authorised by special Act or any work whatsoever authorised by any Act;

The METRONET Act, once amended by the Railway (METRONET) Amendment Bill 2022 (METRONET Amendment Bill) will be key enabling legislation for the VPCLXR project.

Accordingly, the proposed works for the VPCLXR project are considered to be public works under Section 6 of the PD Act and do not require approval under the City’s LPS 1.

Planning Control Area (PCA)

A PCA (PCA No.165) was declared over parts of the VPCLXR project area in June 2022. PCA No.165 includes the full length of the section of viaduct located generally from abutment to abutment, including all new train stations and the associated station precinct land which sits underneath the elevated rail line. The PCA is not limited in volume. The PCA boundaries will extend from and to the outside boundary of the road reserve for each road that runs adjacent to the rail corridor on both sides (i.e. Rutland Avenue, Bank Street, Railway Parade and Sevenoaks Street). A copy of the PCA is included at Appendix E.

Under Part 7 of the PD Act, all development within a PCA requires planning approval. Section 116 of the PD Act requires an application for any development within a PCA area to be determined by the WAPC.

Refer to Appendix E – PCA Boundary

Railway (METRONET) Amendment Act 2021

The Railway (METRONET) Act 2018 (METRONET Act) provides that “METRONET works” can be carried out without the approval of the WAPC where these works are outside of railways reservations.

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.

This application is seeking approval for the early works associated with the VPCLXR project which are located within the PCA and the railways reservation. All other works will be exempt under the METRONET Act once the amendments to this Act receive Royal Assent², the full list is included in section 5 of this report.

² The Railway (METRONET) Amendment Bill 2022 passed the Legislative Assembly in March 2022 and is expected to pass the Legislative Council in August 2022.

Appendix C – Detailed Planning Assessment

State Planning Strategy 2050

The State Planning Strategy 2050 (the Strategy) is the Government's strategic planning response to the challenges Western Australia is likely to face in the future. It contemplates a future in which high standards of living, improved public health and an excellent quality of life are enjoyed by present and future generations of Western Australians. The Strategy proposes that diversity, liveability, connectedness and collaboration must be central to the vision of sustained growth and prosperity.

Railways are identified by the Strategy as a major element of physical infrastructure required to sustain the State's growth. Efficient transport improves productivity and reduces bottlenecks in terms of economic growth. Western Australia's size and distance from global and domestic markets necessitates reliable and effective transport and infrastructure networks.

The VPCLXR project will also create new and connected open spaces, parkland and community infrastructure for the local area, driving activation and urban renewal. The project represents a major investment in public transport infrastructure in Western Australia and will set the precedent and legacy for rail viaduct solutions in the State.

Perth and Peel @3.5 Million

The Perth and Peel @ 3.5million land use planning and infrastructure frameworks aim to accommodate 3.5 million people by 2050. The frameworks seek to optimise the use of land in close proximity to existing transport infrastructure and key centres of activity and community amenity. To achieve this, a focus for both infill and new urban areas will be the development and evolution of new and existing activity centres into vibrant, mixed-use community hubs that are integrated with high-quality public transport connections.

Plans to extend the Armadale Rail Line to Byford are included in the METRONET strategic plan for the South Metropolitan Peel sub-region to increase connectivity with the southern region. The VPCLXR project is part of the major works expected to the passenger rail line and will enhance the public transport experience for Western Australians and promote urban renewal in areas surrounding the upgraded rail infrastructure.

Perth and Peel @3.5 Million: Transport Network

The Perth and Peel sub-regional land use planning and infrastructure frameworks were developed by the WAPC, through the Department of Planning, Lands and Heritage in collaboration with other State Government agencies. The frameworks take into account, a number of important initiatives that aim to improve connectivity through the Perth and Peel Regions.

To accommodate future population growth and ensure efficiency of the transport system is not compromised, the sub-regional frameworks recognise the need to integrate urban and employment nodes with transport infrastructure and services, including upgrading and adding new transport infrastructure to the network. In line with the Perth and Peel @3.5 million document the transport network includes the proposed extension of the Armadale Rail Line to Byford.

The VPCLXR project proposes a major upgrade to the Armadale Rail Line, which will include new modern rail infrastructure, train stations and public amenities and urban realm. The proposed viaduct will introduce high quality rail technology to Perth and will promote ongoing development and advancement of passenger rail services throughout the Perth and Peel Regions. The VPCLXR project aligns with the plan by reducing congestion and making public transport more attractive whilst facilitating higher capacity trains and providing more accessible new train stations.

Metropolitan Region Scheme

The Metropolitan Region Scheme (MRS) defines the future use of land and provides the legal basis for planning in the Perth Metropolitan Region, dividing it into broad zones and reservations.

A large portion of the subject site is primarily reserved for 'Railways' under the MRS with a small part of the site also reserved for the purposes of 'Other Regional Roads' where Hamilton Street intersects with the rail corridor,

In the absence of the PCA, the MRS would ordinarily exempt all work for, or in connection with a railway, inside a designated railways reservations from the need for planning approval, other than for 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. However, in the case of the VPCLXR project, the MRS exemptions are overridden by the PCA provisions as outlined below.

Planning Control Area No.165

A large portion of the required works for the VPCLXR project are located within PCA No.165, which means they require planning approval under Section 116 of the PD Act. There are no exemptions to the need for planning approval in a PCA other than for METRONET Works, where these are located within the PCA but outside of the MRS railways reservation. Within the MRS railways reservation and the PCA, all development requires the approval of the WAPC as there are no exemptions.

With respect to the requirement for planning approval, Section 115 of the PD Act 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.*

Pursuant to Sections 116(1)(b)(ii) and 116(1)(b)(iii) of the PD Act, the WAPC will have regard, in assessing a PCA development application, to the purposes for which the land to which the application relates is zoned or reserved under any planning scheme and any special considerations relating to the nature of the planning control area concerned and of the development to which that application relates. In this instance, both the works proposed as part of this development application and the majority of the VPCLXR project generally are appropriately located in a railways reservation.

State Planning Policies

State Planning Policy 5.1 Land use planning in the vicinity of Perth Airport

Perth Airport is fundamental to the continued development of the Perth Metropolitan Region and the State as a whole. Accordingly, the airport and its ongoing development need to be recognised in the planning of the region, and its operation protected, as far as practicable, from development that could potentially prejudice its performance. The subject site is located within the boundary SPP 5.1 and is within the 20-25 Australian Noise Exposure Forecast (ANEF) range.

The VPCLXR project is not expected to have any impact on the functionality of the Airport.

State Planning Policy 5.4 Road and Rail Noise

The purpose of SPP 5.4 is to minimise the adverse impact of road and rail noise on noise-sensitive land-use and/ or development within the specified trigger distance of strategic freight and major traffic routes and other significant freight and traffic routes. SPP 5.4 seeks to ensure that the community is protected from unreasonable levels of transport noise, whilst also ensuring the future efficient and effective operations of these transport corridors.

This development application seeks approval for the viaduct component of the VPCLXR project. SPP 5.4 classifies a major upgrade to a railway as meaning:

- a. a proposed realignment, either inside or outside the existing corridor;
- b. a rail track duplication; or
- c. works that are likely to adversely affect a noise sensitive land-use, such as the installation of switches/turnouts, signalling systems, spurs or passing loops, the modification to the track support structure, crossovers, refuges, and relief lines.

The works proposed in this report will facilitate the replacement and realignment of the existing rail line within the rail corridor so the objectives and requirements of SPP 5.4 apply to the proposed development.

A CMP and an Operational Noise and Vibration Assessment report has been prepared in support of the proposal and are included at Appendix J and I respectively. These reports are discussed in greater detail in Section 7 of this report. The Operational Noise and Vibration Assessment report demonstrates that the proposal can mitigate rail noise effectively with some limited noise walls, all of which are outside of the PCA. With the implementation of these noise walls the VPCLXR project will meet the required noise criteria at all sensitive receptors.

Refer to Appendix J – Operational Noise and Vibration Assessment (2022)

Refer to Appendix I - Construction Management Plan

State Planning Policy 7.0 Design of the Built Environment

SPP 7.0 addresses design quality and built form outcomes in Western Australia. It seeks to deliver the broad economic, environmental, social and cultural benefits that are derived from good design outcomes and supports consistent and robust design review and assessment processes across the State.

The proposed VPCLXR project has been the subject of design review by the SDRP and has been assessed against the principles of SPP 7.0 in Section 4 of this report.

Town of Victoria Park Local Planning Strategy

The Local Planning Strategy (LPS) is the principal strategy and planning document that reflects the long-term vision, values, aspirations and priorities of the Town and sets the strategic direction for urban planning and development for the next 10 to 15 years. The LPS was adopted by Council on 12 April 2022 and will come into effect on 1 July 2022.

The LPS will shape how the Town grows to accommodate more people and visitors and the quality and character of neighbourhoods and commercial areas. The Planning Strategy will provide the basis for a new Local Planning Scheme No.2 and the delivery of strategic planning projects over the next 5 years.

The LPS identifies the need for new and upgraded local infrastructure to facilitate development and address the demands of population growth. The local infrastructure opportunities and challenges within the Town include; managing complexities of planning and funding, retrofitting new infrastructure into existing places, planning for growth through precinct planning and the requirement for place specific infrastructure.

More specifically, two of the objectives in the LPS which will be facilitated as a result of the VPCLXR project include:

- To direct additional dwelling growth to Precinct Planning Areas and align planning for dwelling growth with public realm and infrastructure planning and delivery.
- To secure new open space areas, to upgrade existing open spaces and improve access to open space areas, to meet the needs of current and future populations.

The VPCLXR project proposes to replace a portion of the existing Armadale rail line with an elevated line using a viaduct and to replace the existing level crossings at Mint Street/Archer Street and Oats Street within the Town. The viaduct will improve the capacity and efficiency of the public transport system within the existing rail reserve, supporting higher density development around the Carlisle and Oats Street Stations. The project will also deliver new open space areas which will assist the Town in meeting its objectives to improve access to open space.

This development application relates specifically to the removal of the existing rail related infrastructure within the rail corridor and the installation of the new viaduct structure, including piers, pier headstock and 'U' troughs, including all associated piling and foundation works.

Future development applications will provide detail of the new train stations and station precincts including detailed landscaping plans and public works.

Town of Victoria Park Local Planning Scheme No. 1

The Town's LPS 1 represents the primary local government statutory planning control mechanism for the development and use of land within its local government area. Due to being reserved under the MRS (see comments above), the subject site is not zoned under LPS 1.

As noted previously in this report, the ALUA is acting on behalf of the PTA, with the proposed works qualifying as public works being undertaken on behalf of a public authority. The proposed works are therefore exempt from the requirement to obtain planning approval from the Town under the provisions of LPS 1.

Importantly the proposed works are consistent with the purposes for which the land is reserved under the MRS (Railways Reservation) and is not inconsistent with the aims of LPS 1.

Town of Victoria Park Precinct Plans

Pursuant to LPS 1, the Town is divided into precincts and there are Precinct Plans (PP) that apply, describing the Town's planning intentions and guidelines for the development and use of land within each precinct. The subject site is located within both the Welshpool Precinct (P9) Plan area and the Shepperton Precinct (P10) Plan area.

The Statement of Intent for P9 establishes a vision for continued use of the area for industrial purposes to meet the need for service industry in the inner areas of the city and close to the city centre. Development and redevelopment proposals are to take into consideration pedestrian and cyclist access, safety and convenience.

The Statement of Intent for P10 plans to retain the area as a low scale and medium density housing precinct. Future development is to take advantage of the high accessibility to major transport networks and Perth City.

Notwithstanding the above, it is noted that the Town is currently in the process of considering advertising a new Planning Scheme (draft Local Planning Scheme No. 2 (draft LPS2)). One of the proposed new aims in draft LPS2 is to accommodate additional dwelling growth in the Precinct Planning Area as per the recently adopted LPS.

Importantly, the PP does not include any specific requirements for the rail reserve. Nonetheless, the VPCXLR project aligns with the intent of both P9 and P10, as the development is not proposing to change the current use of the adjoining land but will aid the Town's intentions to increase the density of development in the area by facilitating increased rail capacity, improved safety and accessibility and access to new areas of public open space.

Town of Victoria Park Local Planning Policies

As indicated previously, due to the operation of the PCA, development approval is not required from the Town under the applicable local planning scheme and the Town's LPPs are not required to be considered by the WAPC in making a decision on the application. Nonetheless, regard has been had for the LPPs, as relevant, to ensure that the project has had regard to the various aspirations and objectives of the Town as expressed in the LPPs.

Importantly for this development application, the works proposed relate only to the early and enabling works and viaduct structure of the VPCLXR project. As such the Town's Local Planning Policies (LPPs) are generally considered to be of limited relevance. It is expected that the future development application/s for the new train station designs and public realm treatments will be considered further against the following City LPPs as relevant:

- Local Planning Policy 10 Pedestrian Walkway
- Local Planning Policy 29 Public Art Private Developer Contribution
- Local Planning Policy 37 Community Consultation on Planning Proposals
- Local Planning Policy 38 Signs

Local Planning Policy 39 Tree Planting and Retention

Whilst most of the Town's LPPs are of limited relevance, LPP 39 outlines the requirements for the provision of planting and retention of trees on private land and the street verge associated with the development of land in the Town. The objectives of LPP 39 provide as follows:

- To encourage the preservation of 'trees worthy of retention';*
- To ensure appropriate 'medium' or 'large' trees are planted which are suited to their environment and location where 'trees worthy of retention' have been removed or do not exist on private land;*
- To promote and facilitate development that enables existing trees to be preserved;*
- Provide a diverse range of tree sizes and species to enhance visual interest and to assist with providing a more resilient urban forest; and*
- To assist with achieving the Town of Victoria Park's objective to increase tree canopy coverage to 20% by increasing tree canopy coverage on public and private land.*

Importantly, the objectives of LPP 39 are generally consistent with the objectives of the VPCLXR project to retain trees where practically possible, noting that significant tree removal is necessitated by virtue of the proposed nature of construction of such a significant piece of infrastructure, which needs to be constructed using a gantry crane. Nonetheless, all trees in the project area have been assessed by an arborist and included in the TMP that is included at Appendix H.

The TMP identifies the trees to be retained as part of the project, trees to be relocated and trees to be removed. It also shows tree protection zones which will be fenced and the construction impact zones associated with gantry crane use, roads, access, laydown and temporary work zones. Notably, only the works that are within the rail corridor and the PCA require planning approval. However given that works impact trees outside of this area and to ensure that the impacts of the project can be understood holistically, the full extent of tree removal/protection/relocation is shown on the TMP included in this development application.

All trees have been assessed by an arborist to determine which should and could be retained having regard to the proposed construction methodology. Importantly the TMP is a working drawing. Given that the design processes and construction methodology are still being resolved for this project there may be additional trees that are identified for either removal or retention as the design progresses. It is anticipated that minor changes to the TMP may be able to be managed through the condition clearance process in consultation with the Town and DPLH.

Armadale Line Upgrade Project

Victoria Park Early Works Development Application No. 1 – Viaduct Construction and Enabling Works

Future, separate development applications for the public realm components of the project (public spaces and facilities) will demonstrate new significant plantings that are proposed to assist in compensating for the proposed loss of existing trees. The approach adopted by the VPCLXR project is that the ultimate canopy within the project area will exceed the existing canopy that needs to be removed to facilitate project construction and delivery, which is consistent with the Town's objectives to increase tree canopy coverage in the Town.

Refer to Appendix H - Tree Management Plan