

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 City’s local government area, this includes Lots 70, 9001, 9002 and 9003. The subject site is aligned with the area of the designated PCA, where this is located within the rail corridor, generally from Mills Street to Grosse Avenue.

The site particulars of all lots included in the subject site are included in Table 6 below and shown in Figure 17.

Table 6: Site Particulars

Lot	Street Address	Plan	Vol/Folio	Total Lot Area	Landowner
City of Canning					
9001	No Street Address	P067766	2774/269	16,337m ²	Public Transport Authority of Western Australia
9002	No Street Address	P067766	2774/270	7,160m ²	Public Transport Authority of Western Australia
9003	No Street Address	P067766	2774/271	195,384m ²	Public Transport Authority of Western Australia
70	No Street Address	P000796	2774/593	8,897m ²	Commissioner of Railways
Town of Victoria Park					
9003	No Street Address	P067766	2774/271	195,384m ²	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.

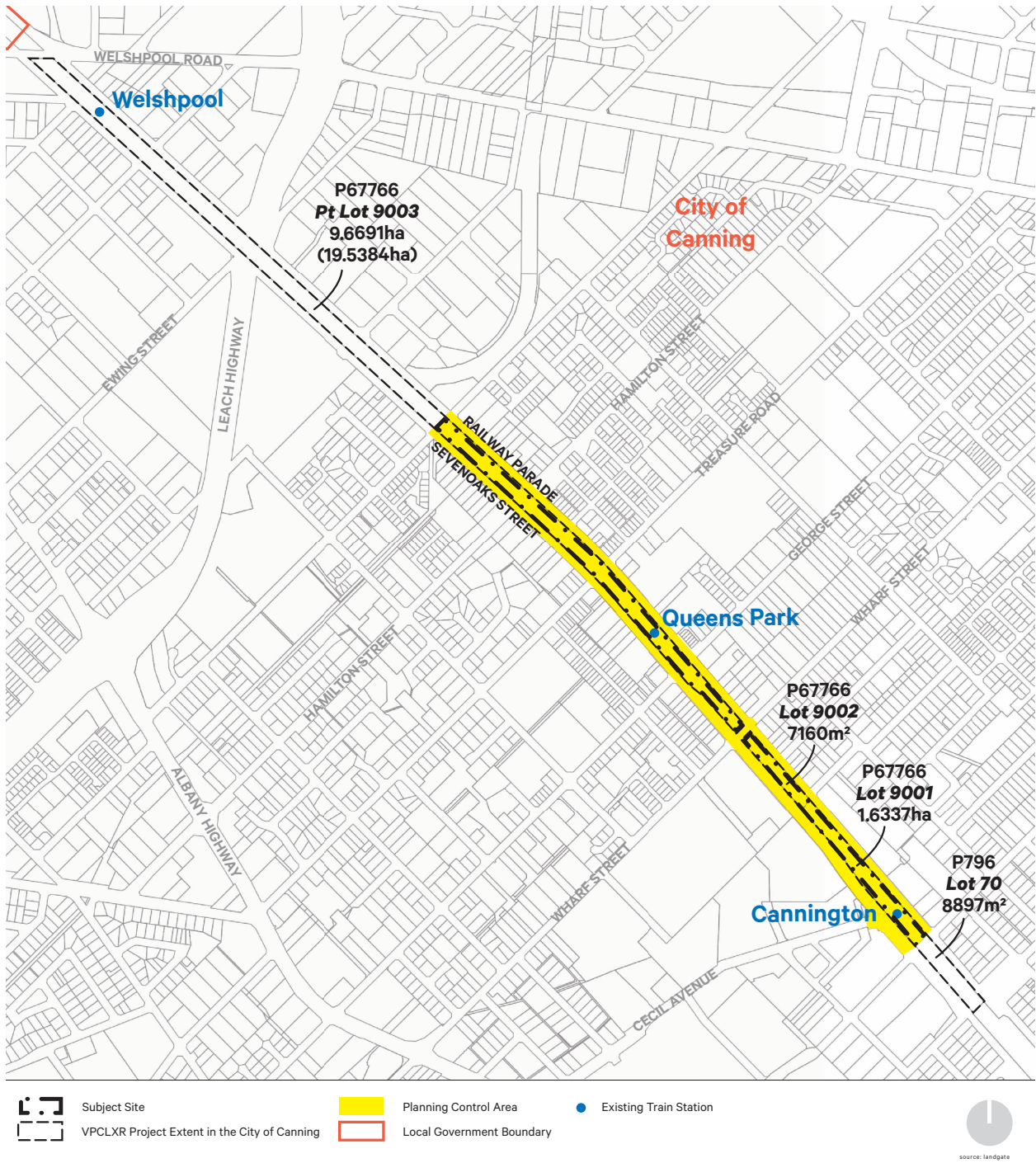


Figure 18. Site Plan

Site Context

The subject site traverses through the suburbs of Cannington, Queens Park and East Cannington within the City's local government area. The area surrounding the site 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. The Cannington Leisureplex, Sevenoaks Senior College and a number of existing light commercial development are situated in close proximity to the Cannington Train Station. There is also some low scale commercial development either side of the rail corridor in close proximity to the Queens Park Train Station.

Refer to Figure 19 – 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 20 – Extract of Metropolitan Region Scheme

City of Canning Local Planning Scheme No. 42

The subject site is not zoned or reserved under the City's LPS 42. LSP 42 provides the zonings for the land immediately adjacent to the subject site, which includes the 'General Industrial', 'Centre' and 'Residential' zones.



Figure 19. Aerial Plan

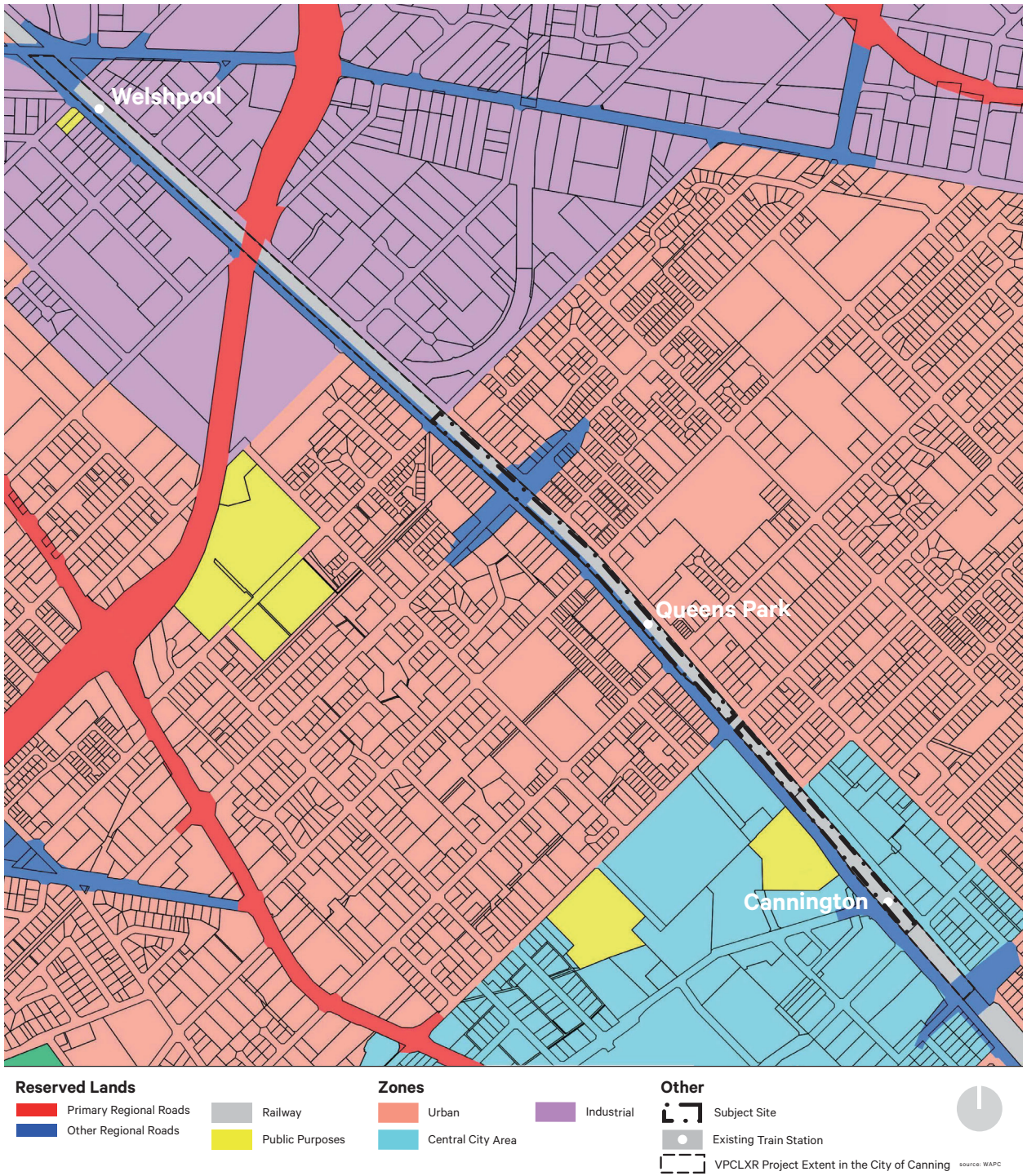


Figure 20. Extract of Metropolitan Region Scheme

Environmental and Heritage Considerations

A desktop search indicates that the subject site:

- Has no known local, State, national or Aboriginal heritage significance;
- Is not a registered contaminated site;
- 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.

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.

Appendix B – Requirement for Planning Approval

Legislative and Statutory Planning Framework

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 42.

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. Waiting on updated noise and vibration report to insert commentary here.

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.

City of Canning Local Planning Scheme No. 1

The City's LPS 42 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 42.

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 City under the provisions of LPS 42.

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 42.

City of Canning Local Planning Strategy

The City's LPS is the key strategic planning document for the City. The Strategy defines a framework of land uses and activities and provides a guide to the integration of social, environmental and economic planning and development in the City. The LPS does not refer specifically to the proposed VPCLXR project. Notwithstanding, it is expected that the VPCLXR project will result in an increase in the percentage of residents utilising public transport services, which is supported in the LPS.

The VPCLXR project is considered to comply with the relevant objectives of the LPS which includes the integration of transport modes to provide for better movement, accessibility and sustainability and to enhance pedestrian movements. In this regard the proposed elevation of the rail line will enhance connectivity across the rail corridor. Ultimately the new train stations and public realm (subject to separate future development applications) will also facilitate access and movement within and beyond the City, and contribute to an enhanced network of public spaces and facilities that will benefit the local community.

Canning City Centre Activity Centre Plan

The broad scope of the Canning City Centre Activity Centre Plan (the ACP) is to provide guidance to revitalise the Canning City Centre and to realise its potential as a Strategic Metropolitan Centre in Perth. The focus is to create a City Centre that is vibrant and offers a range of activities and options to its users, who may come from areas beyond the Canning Local Government Area.

A key goal in the regeneration of Canning City Centre is to achieve a more balanced level of access for the various transport modes. The target of the ACP is to significantly increase the mode share of public transport, cycling and walking, the intentions of which will be supported by the VPCLXR project.

Once complete, the VPCLXR project will enhance the utility and amenity of the rail corridor. As a result of raising the rail line and providing the new Queens Park and Cannington Train Stations, connectivity will be improved and significant new opportunities created for the ground level area below to be utilised for passive and active recreation purposes and for activated community nodes. Details of the new train stations and associated public realm design are still being finalised and will be subject to separate, future development applications that will be advertised for public information and comment in due course.

City of Canning Integrated Transport Strategy

The purpose of the City's Integrated Transport Strategy (ITS) is to identify a range of interrelated strategies to assist the City in managing sustained urban growth and maintaining the community's high quality of life. The ITS recognises the existing congestion and safety issues at the level crossings within its jurisdiction which the VPCLXR project seeks to resolve.

The Armadale Rail Line is recognised as a geographical constraint that prevents traffic from travelling along desired routes and which funnels traffic into a small number of bridges and railway crossings. This creates severe congestion hotspots during peak periods.

The VPCLXR project was designed by the WA Government to reduce congestion by removing level crossings. Removing the level crossings allows road traffic to cross under the rail line without stopping or queueing for boom-gate closures. Separating the rail line and the road also removes the potential for incidents and near-misses between pedestrians and road users with trains and will contribute to the safety of the urban environment. The project directly aligns with the aims and intentions of the City's ITS.

Queens Park Local Structure Plan

The Queens Park Local Structure Plan (QPLSP) project represents an opportunity for development within the City of Canning and links in with the proposed Canning City Centre Activity Centre Structure Plan and the existing guided development schemes in the area. Queens Park is a predominantly residential suburb characterised by single storey houses and grouped dwellings.

The existing Queens Park Train Station lies at the centre of the project area. The station caters for the local community and provides public transport access to adjacent schools and locally focussed retail and commercial uses adjacent to the rail line. Unlike several train stations on the network, Queens Park is not a 'park and ride' station, which provides greater opportunity to promote Transit Oriented Development (TOD) outcomes and to increase development densities close to the station.

The QPLSP establishes a vision for the precinct that encourages TOD outcomes around the Queens Park Train Station, enhances public open space and reinforces a sense of place.

As the subject site is located within the rail reserve it is not located within a specific precinct identified by the QPLSP. However, the VPCLXR project will directly impact the immediate surrounds as the rail line will be upgraded and elevated above ground level, allowing for new opportunities to better link both sides of the rail line, and to provide public spaces and facilities as well as pedestrian and cycle pathways within the rail corridor. The project will open up significant new areas of public realm which will incorporate landscaping and public amenities that will integrate with the surrounding urban context and respond to identified local needs. The VPCLXR project is considered to be consistent with and a key enabler for the delivery of the vision for the precinct identified in the QPLSP.

Special Control Area 1 – Perth Airport Buffer Special Control Area

Special Control Area 1 – Perth Airport Buffer Special Control Area (SCA 1) was established to support the implementation of SPP 5.1. As the proposed development does not involve residential or other sensitive land uses and is within the 20-25 ANEF contour, the proposal is not considered to have an impact on the operations of Perth Airport.

City of Canning Planning Policies

As indicated previously, due to the operation of the PCA, development approval is not required from the City under the applicable local planning scheme and the City'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 City'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:

- Canning Good Design Guide
- Local Planning Policy 03 Developer Funded Public Art
- Local Planning Policy 06 Design Review Panel and Assessment of Significant Developments
- Local Planning Policy 09 Tree Retention and Planting – Development