

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,

Pursuant to the MRS planning approval is required 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. In the case of the VPCLXR project, the MRS exemptions are overridden by the PCA provisions as outlined below and therefore, approval is sought under s.116 of the PD Act.

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.

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 regard, given the works seek to deliver the VPCLXR project, the works proposed are considered to be 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 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 came 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 and associated new train stations at Carlisle and Oats Street, along with new and improved bus interchange and Park and Ride and Kiss and Ride facilities 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.

Importantly, the proposed new public spaces being delivered as part of the VPCLXR project have been designed in close consultation with both the Town and local community. This is to ensure that these new spaces and facilities respond to the identified needs in the Town to become new community assets that are used and enjoyed by the local community and facilitate community interaction and activation.

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. The proposal has also carefully considered and responded to the need for pedestrian and cyclist access, safety and convenience both through and across the Railways Reserve.

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 Local Planning Policies (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.

Local Planning Policy 10 Pedestrian Walkway

The proposed recreational shared path within the public realm is three (3) metres wide, consistent with the Town's requirements under LPP 10 with respect to pedestrian access with no adjoining shops.

Local Planning Policy 24 Loading and Unloading

A loading/unloading bay is proposed within the northern Oats Street car parking area. This has been carefully integrated into the overall design of the parking area and is well separated from residential uses. This meets the relevant objectives of LPP 24.

Local Planning Policy 29 Public Art Private Developer Contribution

The VPCLXR project is required to provide public art in accordance with the METRONET Public Art Strategy, METRONET Armadale Line Public Art Guide and the Place Plans for each of the stations. The methodology and commitment to the provision of art is generally aligned with the Town's aspirations for public art as expressed in LPP 29. The proposed public art will:

- Promote and respond to the identity of the place;
- Will positively contribute to the amenity of the place;
- Will respond to the Town's natural, physical, cultural and social values, including natural and built cultural heritage;
- Will enhance the visual amenity, vibrancy and character of the Town's built environment; and
- Will contribute to wayfinding within the VPCLXR project area.

Accordingly, it is considered that the proposal is consistent with the objectives of LPP 29.

- Local Planning Policy 37 Community Consultation on Planning Proposals

The development application will be publicly notified by DPLH. DPLH will engage with the Town on the notification of this development application.

- Local Planning Policy 38 Signs

A signage and wayfinding strategy is under development for the project.

- Local Planning Policy 39 Tree Planting and Retention

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:

- a. *To encourage the preservation of ‘trees worthy of retention’;*
- b. *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;*
- c. *To promote and facilitate development that enables existing trees to be preserved;*
- d. *Provide a diverse range of tree sizes and species to enhance visual interest and to assist with providing a more resilient urban forest; and*
- e. *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, to provide a diverse range of new trees that are suitable to the proposal (having regard to access to sunlight, rain and CPTED considerations) and to assist the Town in meeting (or exceeding) its tree canopy coverage targets.

Tree removal was considered as part of VPDA1 as lodged in October 2022. This development application indicates the trees that are being retained within the public realm and the extent of new tree planting proposed. As outlined at section 5.17 the proposal incorporates 1,022 new trees within the Railways Reserve within the Town. The existing canopy cover in this area, based on the net site area calculated using the project extent, but excluding areas of road, viaduct, station and at grade rail, is 4.4%. The future canopy cover of the proposal, with trees at maturity will be 33.5%, which is more than a six (6) times increase over the existing situation.