



Mrs Lesley Richardson

Hon. Simon O'Brien MLC
Chairman
Standing Committee on Environment & Public Affairs
Parliament House
PERTH WA 6000

Dear Honourable Minister

PETITION NO: 11 – NEW RAIL YARDS AT CLAISEBROOK, EAST PERTH

The above Petition has been submitted by the Tully Road Action Group (TRAG), comprising of some 300 plus residents, residing within the Belvidere and Claisebrook Village precincts of East Perth who are in support of the 52 households abutting the proposed development site that will be most severely affected.

The Action Group strongly contend the Public Transport Authority (PTA) proposal to develop the adjacent site known as Lot 500 at the rear of our properties to incorporate increased stow lines from the existing 2 to proposed 5 stow lines, a 4 metre high Noise Attenuation Wall that will be realigned to run approximately 1 metre from the entrance of our garages which could impact on the reversing and manoeuvrability of vehicles for some properties, and with the possibility of overshadowing our properties with the added certainty of being unsightly due to its inability to blend in with the natural landscaped buffer currently existing which will be removed entirely to accommodate the wall. The proposal also presents with a number of other factors including Environmental impacts such as:

- *Health and Wellbeing.*
- *Noise for 19.5 hours per day, 365 days per year.*
- *Between 6:00pm and 6:00am, one train movement on average every 3.75min approximately.*
- *Increased Vibration impacting on abutting residences with potential structural damage implications.*
- *All night lighting – Lighting overspill/spread to abutting Residences.*
- *Visual Pollution.*
- *Exposure to electromagnetic Radiation.*
- *Loss of Sunlight (due to overshadowing) from proposed Noise Attenuation wall.*
- *Incompatible Land use – Conflict with intended land use to current zoning of “Transport Corridor”;*
- *Substantial real estate devaluation of abutting properties.*
- *Significant impact on amenity and loss of lifestyle.*
- *Degradation of the Claisebrook Village, Precinct (section known as 16B) East Perth and Belvidere (Precinct 8).*

Work commenced on site in mid-May 2013 with the removal of dense native landscaping much of which had been planted by residents to enhance the native landscaped buffer between Lot 500 and adjoining residences. The work had been undertaken without consultation with residents and without knowledge of the PTA that they would be required to obtain a development approval for the proposed development from the Metropolitan Redevelopment Authority, a requirement (imposed by s62 (2) of the MRA Act 2011 which was conveyed by me to the PTA. Subsequently, the PTA on the 3rd of July 2013 submitted a Development Approval application with the MRA as the development approval determining authority.

Whilst the Action Group does acknowledge that residents have been provided with the opportunity to provide comment to the MRA in relation to the proposal, the invitation has been to only those resident's residing along the adjoining Lot 500. There are a number of questionable variables within the way in which the MRA have conducted the due process and diligence in progressing with the assessment of this development approval application. These issues are:

- *The PTA's DA application when submitted to the MRA omitted significant technical documentation integral to the impact of the development on the immediate amenity and adjoining properties.*
- *Plans and drawings depicting positions of stow lines, retaining walls, electronic network and associated*

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- infrastructure lacked detail and dimensions and were headed as "preliminary drawings" not final drawings.*
- *The proposal is non-conforming to that of the current zoning of the site being "Contemplated Land".*
 - *The application Form 1 misrepresented the intent of the development reflecting operations for maintenance and repairs to commuter rail.*
 - *The application Form 1 misrepresented the address/location of the development site as Lot 1042 Kensington Street and not the development site known as Lot 500 on Deposited Plan 54478 No street address as shown on Certificate of Title.*
 - *The extent of accompanying documentation required with the DA application as required by the MRA in accordance with their "Essential Requirements for Development Applications" checklist (on website) were clearly omitted therefore deemed as an incomplete application unable to be assessed.*
 - *Advertisement inviting Public Comment to the proposal placed in local media "The Voice" newspaper and not Weekend West and other State wide media and misrepresenting site location as Lot 1042.*

Despite the MRA having full knowledge of these fundamental breaches the MRA has referred the incomplete application to the City of Perth for comment and the Department of Environment Regulation (DER). Refer attached. The City of Perth has finalized their findings and report responding to MRA with recommendations. The DER is yet to respond to the MRA. It is incomprehensible how an application as significant as this can even commence progressing to the point it has reached when such integral elements of the documentation are omitted, specifically detailed working drawings lacking significant detail and the use of a 3D imagery model providing aesthetics detail of the development and end product so that it can be clearly understood by the residents as lay persons.

Notwithstanding the aforementioned, the proposal contravenes the MRA, Lord Mayor and City of Perth (City Scheme 2) vision for East Perth as the gateway to the City where the said land had been proposed to revert back to bush land to compliment the natural surroundings along the banks of the Swan River.

Despite concerns raised by the Action Group with the Office of the Ombudsman, Local MP and current government Parliamentarians, Lord Mayor, PTA and MRA, there has been little interest taken to date and requested meetings with the Action Group have been avoided.

The intent of the proposal by the PTA is to stow an additional 48 commuter rail cars (of 66 purchased) comprising of Series A and B rail cars purchased by the current State Government announced after the March 2013 Election. As outlined in the attached Parliamentary Questions of Tuesday 25 June 2013, the existing two stow lines accommodate 44 A series trains with the capacity to accommodate a maximum of 48 series A trains should they be required.

The issue and subsequent concerns Tully Road Resident's raise with the Minister for Transport is in regard to why it is deemed that 5 stow lines are now required at the site when the existing 2 stow lines apparently constructed some 50 years ago can accommodate the existing 48 series A trains at maximum capacity or as proposed 44 Series A trains?

The Action Group challenge the proposal in respect to the State's intent as to the number of commuter rail cars requiring stowage, and question whether the intent of the proposal is to merely provide a more efficient site layout to facilitate the depot's day to day operations. Regardless of the intent it is becoming extremely frustrating for the Residents in regard to the very little consultation undertaken by the Public Transport Authority and the Metropolitan Redevelopment Authority.

Attached is Report compiled collectively by Resident's for the purposes of outlining the impact of the proposal on the local amenity and potentially the adverse effects to be encountered by the Resident's abutting the development site Lot 500.

The Action Group propose that the Minister for Transport reconsider the above proposal and earmark an alternative site in preparation for the required rail requirements of the proposed rail link to the Perth Airport. The alternative site should have the capacity to accommodate a rail Depot, Marshaling yards and associated Infrastructure for the rail link to the Perth Airport with cost savings of approximately \$10 million which would otherwise be funded to undertake the above development on Lot 500 which may in future years become inefficient due to its location and size, but in the interim devastating the local East Perth amenity.

Representatives from the Action Group including myself are available to meet with the Standing Committee for a hearing and would greatly appreciate such an opportunity to provide a further briefing to the Standing Committee if this is possible.

Yours Sincerely

Lesley Richardson

23 August 2013