



December 2023

# Metropolitan Region Scheme Amendment 1400/41



## North Fremantle Urban Precinct

Report on Submissions  
Submissions

City of Fremantle

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**Metropolitan Region Scheme  
Amendment 1400/41**

**North Fremantle Urban Precinct**

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**Report on Submissions**

**Submissions**

**City of Fremantle**



December 2023

The Western Australian Planning Commission acknowledges the traditional owners and custodians of this land. We pay our respect to Elders past and present, their descendants who are with us today, and those who will follow in their footsteps.

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MRS Amendment 1400/41      Report on Submissions  
   Submissions

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This document is available in alternative formats on application to the Department of Planning, Lands and Heritage Communications Branch.

## Introduction to Metropolitan Region Scheme major amendments

The Western Australian Planning Commission (WAPC) is responsible for keeping the Metropolitan Region Scheme (MRS) under review and initiating changes where they are seen as necessary.

The MRS sets out the broad pattern of land use for the whole Perth metropolitan region. The MRS is constantly under review to best reflect regional planning and development needs.

A proposal to change land use reservations and zones in the MRS is regulated by the *Planning and Development Act 2005*. That legislation provides for public submissions to be made on proposed amendments.

For a substantial amendment, often referred to as a major amendment (made under the former section 41 of the Act), the WAPC considers all the submissions lodged, and publishes its recommendations in a report on submissions. This report is presented to the Minister for Planning and to the Governor for approval. Both Houses of Parliament must then scrutinise the amendment before it can take legal effect.

In the process of making a substantial amendment to the MRS, information is published as a public record under the following titles:

### **Amendment report**

This document is available from the start of the public advertising period of the proposed amendment. It sets out the purpose and scope of the proposal, explains why the amendment is considered necessary, and informs people how they can comment through the submission process.

### **Environmental review report**

The Environmental Protection Authority must consider the environmental impact of an amendment to the MRS before it can be advertised. Should it require formal assessment, an environmental review is undertaken and made available for information and comment at the same time as the amendment report.

### **Report on submissions**

The planning rationale, determination of submissions and the recommendations of the WAPC for final approval of the amendment, with or without modification, is documented in this report.

### **Submissions**

This document contains a reproduction of all written submissions received by the WAPC on the proposed amendment.

### **Transcript of hearings**

A person who has made a written submission may also choose to appear before a hearings committee to express their views. The hearings proceedings may be recorded and transcribed, and the minutes of all hearings may be published and made available.



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Schedule 1     Alphabetical listing of submissions

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Schedule 3     The amendment figure – proposal 1 as advertised

Appendix 1     List of Detail Plans as Advertised

## Submissions

## Report on Submissions

# Metropolitan Region Scheme Amendment 1400/41

## North Fremantle Urban Precinct

### Report on Submissions

#### 1 Introduction

At its October 2022 meeting, the Western Australian Planning Commission (WAPC), resolved to proceed with this amendment to the Metropolitan Region Scheme (MRS) in accordance with the provisions of the former Section 41 of the *Planning and Development Act 2005*.

#### 2 The proposed amendment

The proposed amendment seeks to rezone approximately 23.95 ha in North Fremantle from the Industrial zone to the Urban Deferred zone and Parks and Recreation reservation in the MRS, as shown on **Amendment Figure - Proposal 1**. The intent of the amendment is to facilitate redevelopment of the land for primarily mixed-use purposes with areas of public open space (POS).

##### Lifting of Urban Deferment Requirements

The land outside the Parks and Recreation reservation is being zoned Urban Deferred, to enable:

- finalisation or substantial progression of the Future of Fremantle project
- confirmation of regional road and transport requirements in the locality
- confirmation of coastal foreshore reserve requirements
- consideration of the Fremantle Port buffer.

#### 3 Environmental Protection Authority advice

The amendment was referred to the Environmental Protection Authority (EPA) for advice on whether environmental assessment would be required. On 29 November 2022, the EPA advised that the proposed amendment does not require formal assessment under Division 3 Part the IV of the *Environmental Protection Act 1986*.

The EPA notes that groundwater contamination, coastal hazards and inundation, noise emissions, vibration and air quality from road and rail, industrial interface and buffers are considerations for this amendment. The EPA advises that potential impacts can be managed by future planning processes/controls and other statutory processes such as the *Contaminated Sites Act 2003*.

#### 4 Call for submissions

The amendment was advertised for public submissions from 28 March 2023 to 30 June 2023.

The amendment was made available for public inspection during ordinary business hours at:

- i) Department of Planning, Lands & Heritage, 140 William Street, Perth
- ii) City of Perth
- iii) City of Fremantle
- iv) City of Cockburn; and
- iii) State Reference Library, Northbridge.

During the public inspection period, notice of the amendment was published in *The West Australian* and the *Sunday Times* newspapers and relevant local newspaper/s circulating in the locality of the amendment.

## 5 Submissions

52 submissions (includes one late submission) were received on the amendment. An alphabetic index of all the persons and organisations lodging submissions is at Schedule 1.

9 submissions supported, 26 submissions objected and 17 submissions contained no comments, general comments or otherwise indicated no objection to the amendment.

The main issues raised in the submissions are discussed further in Section 7 below. A summary of each submission with WAPC comments and determinations is at Schedule 2. A complete copy of all written submissions is contained in the **Submissions section** of this *Report on Submissions*.

## 6 Hearings

Section 46 of the *Planning and Development Act 2005* provides the opportunity for each person making a submission to be heard on the submission by the WAPC or a committee established by the WAPC.

The WAPC has discretion under Schedule 2, clause 12 of the Act, to determine the meeting procedures.

All submitters who requested to be heard were offered an opportunity to make a deputation at the WAPC meeting on 22 November 2023.

A total of 15 submitters requested to be heard on their submission (eight of objection and seven of support/comment).

5 submitters attended the WAPC meeting on the 22 November 2023 to present their submission.

The main issues raised in hearings were as follows:

- Coastal Planning Matters
- Future of Fremantle Planning
- Traffic & Transport Matters
- State Planning Policies; and
- General Matters.

## **7 Main issues raised in submissions**

### **7.1 Supporting Submissions**

The following comments of support or qualified support were received from submitters being nearby or interested residents and developers and are summarised as follows:

- The amendment is a good use of the good use of land and excellent location to existing infrastructure.
- The amendment will provide for infrastructure to support the increased population in the North Fremantle precinct - improved roads, shops, children's playgrounds etc.
- It would be great to see the precinct developed with sustainable principles with its own micro-grid for power. This is a once-in-a-lifetime opportunity to leave a positive legacy for future generations and create a world-class beachside community.
- It provides for a combination of community amenity such as parks and playgrounds, commercial opportunities for hospitality and retail, and of course more infill style housing.
- As regular beach users the proposed amendment is much needed to enable development of the area in line with current needs and community wishes.
- The approval of the amendment is highly supported by many residents north and south of the river.
- In future, the planning for this precinct will be to the advantage of existing residents but also allow for the future residential and retail uses.
- This amendment is supported as this site is a wasted space, get moving and ignore the negative people who all took advantage of past developments. Children have nowhere to live and providing more options is a better future for all.
- Please develop this site, ignore the Leighton anti-developers and Fremantle Council as they only care about themselves.

*WAPC Response: The various submissions of support have been noted by the WAPC.*

### **7.2 Objecting or Partially Objecting Submissions**

#### **(a) Coastal Planning Matters**

- The proposed Parks and Recreation reservation should extend to all the site or to Bracks Street.

*WAPC response: The Urban Deferred zoning of the site provides an appropriate transitional landuse from the former industrial uses. The site is appropriately located to be considered for urbanisation given the nearby residential development and proximity to the existing North Fremantle train station.*

*The proponent has prepared the North Fremantle Coastal Hazard Risk Management and Adaptation Plan (CHRMAP) which proposes a full coastal retreat option. The remaining foreshore reserve after full coastal erosion processes have occurred varies in width from 28.1m at its narrowest point to 70.1m at its widest and this entire area is to be reserved as Parks and Recreation.*

*As the proposed coastal foreshore reserve and any additional recreational area is to be further considered as part of the Future of Fremantle Protect outcomes, this matter has been included as a requirement to be addressed prior to the lifting of Urban Deferralment.*

*If any additional foreshore reserve is determined to be required, this area can remain in the Urban Deferred zone and can be reserved as Parks and Recreation as part of a MRS amendment process.*

- Existing coastal erosion impacts will get worse in this location.

*WAPC Response:* *The proponent has prepared the North Fremantle CHRMAP which proposes a full coastal retreat option and has allowed for erosion of between 137m - 179m and an inundation level of 3.2m AHD for a planning timeframe to 2110.*

*As detailed engineering evolves in the subsequent planning stages, the level of detail to respond to SPP 2.6 will need to match the level of planning and the CHRMAP may need further updating as required.*

*As the proposed coastal foreshore reserve and any additional recreational area in this location is to be further considered as part of the Future of Fremantle Protect outcomes, this matter has been included as a requirement to be addressed prior to the lifting of Urban Deferment.*

- The coastal foreshore reserve needs to be wider for future recreation needs

*WAPC response:* *As discussed above the proposed coastal foreshore reserve and any additional recreational area in this location is to be further considered as part of the Future of Fremantle Protect outcomes, this matter has been included as a requirement to be addressed prior to the lifting of Urban Deferment.*

*If any additional foreshore reserve is determined to be required (if required), this area can remain in the Urban Deferred zone and can be reserved as Parks and Recreation as part of a MRS amendment process.*

## **(b) Future of Fremantle Planning**

- The amendment is premature as the Future of Fremantle Planning Study should be finalised

*WAPC response:* *The amendment is located within the northern part of the Future of Fremantle Protect area of consideration.*

*In 2021, the State Government established the Future of Fremantle Planning Committee (FFPC) as a sub-committee of the WAPC to examine options for the Victoria Quay, North Quay and surrounds and assist to deliver the Future of Fremantle project. Establishment of the Committee followed on from the State Government's Westport decision to create a business case for a new container port in Kwinana. The FFPC is tasked with developing a new vision for Fremantle's inner harbour that will be underpinned by an economic development strategy and land use plan. This work includes examining scenarios and recommending a preferred scenario for an integrated transport, economic development and land use response for the Future of Fremantle project area inclusive of the amendment area.*

*The project vision, economic development strategy and land use plan will be presented to Government in mid-2024 as part of joined up advice that includes advice from Westport and the Non-container Trade projects.*

*Therefore, the WAPC requires the finalisation or substantial progression of the Future of Fremantle project, prior to considering any request to transfer this site to the Urban zone. This requirement has been included as a matter to be addressed prior to the lifting of Urban Deferment.*

**(c) Traffic and Transport Matters**

- Transport impacts remain unresolved in the locality, in particular Bracks Street may need to be extended to allow for through traffic.

WAPC response: *The matters relating to the potential extension of Bracks Street and/or modification of the local road network are typically further considered in the subsequent local structure planning stage by the City of Fremantle, relevant State Government agencies and the WAPC.*

*However, further consideration to regional road requirements and associated transport requirements is being considered by the FFPC. Therefore, the WAPC will require confirmation of regional road and transport requirements having regard to the Future of Fremantle Protect outcomes, prior to the lifting of Urban Deferment.*

*If any additional regional road reserve is determined to be required, this area can remain in the Urban Deferred zone and can be reserved as Primary Regional Roads (if required) as part of a MRS amendment process.*

- There is existing carparking pressure at Leighton and Port Beaches which requires resolution. Some of this site should be used as a carpark.

WAPC Response: *It is noted that matters relating to appropriate car parking arrangements are outside the scope of the MRS amendment process and are typically further considered in the subsequent more detailed local structure planning stage by the City of Fremantle, relevant State Government agencies and the WAPC. These processes are also subject to a separate public consultation period.*

**(d) State Planning Policies**

- The proposed amendment is inconsistent with *State Planning Policy 2.6 - State Coastal Planning (SPP 2.6)*

WAPC response: *The proponent has prepared the North Fremantle CHRMAP which proposes a full coastal retreat option and has allowed for erosion of between 137m - 179m and an inundation level of 3.2m AHD for a planning timeframe to 2110.*

*The modelling assumes a full retreat scenario would result in a remaining foreshore reserve after full coastal erosion processes have occurred that varies in width from 28.1m at its narrowest point to 70.1m at its widest and is to be reserved as Parks and Recreation. No development is proposed within this area.*

*The CHRMAP has taken into consideration coastal inundation risk from ocean storm surge and climate change and proposes a full coastal retreat option. The WAPC and DoT raise no objections to the CHRMAP to support the proposed MRS amendment. As detailed engineering evolves in the subsequent planning stages, the level of detail to respond to SPP 2.6 will need to match the level of planning and the CHRMAP may need further updating.*

*As the proposed coastal foreshore reserve and any additional recreational area in this location is to be considered as part of the Future of Fremantle Protect outcomes, this matter has been included as a requirement to be addressed prior to the lifting of Urban Deferment.*

- The proposed amendment is inconsistent with *State Planning Policy 2.8 - Bushland Policy for the Perth Metropolitan Region (SPP 2.8)*

*WAPC response: The proposed amendment has been assessed against the provisions of SPP 2.8. It is noted that the site is primarily cleared of any vegetation given its former use. It is also noted that the amendment area is not located within or abuts any Bushforever areas.*

*On 29 November 2022, the EPA advised that the proposed amendment does not require formal assessment under Division 3 Part the IV of the Environmental Protection Act 1986. The EPA notes that groundwater contamination, coastal hazards and inundation, noise emissions, vibration and air quality from road and rail, industrial interface and buffers are considerations for this amendment. The EPA advised that any potential impacts can be managed by future planning processes/controls and other statutory processes such as the Contaminated Sites Act 2003.*

- The proposed amendment is inconsistent with *State Planning Policy 3.0 – Urban Growth and Settlement (SPP 3.0)*

*WAPC response: SPP 3.0 sets out the principles and considerations that guide the development of new urban growth areas and settlements. Its objectives include promoting the growth and development of urban areas in response to the social and economic needs of communities, enhancing the quality of life in those communities, and creating an identifiable sense of place for each community.*

*The amendment is consistent with SPP 3.0 as the proposed future urbanisation of the site will contribute to making the most efficient use of former industrial land in an existing urban area and create further opportunities for infill development such as mixed-use and higher residential living.*

- The proposed amendment is inconsistent with *State Planning Policy 7.0 – Design of the Built Environment (SPP 7.0)*

*WAPC response: 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 derive from good design outcomes and supports consistent and robust design review and assessment processes across the State.*

*As the amendment seeks to zone the subject land Urban Deferred, SPP 7.0 typically applies to the subsequent more detailed stages of the planning and development process. This will involve further analysis of local context, character and design responses as well as the resolution of key design issues. Community consultation will be an important part of this process.*

**(e) General Matters**

- The amendment should be modified by replacing the Urban Deferred zone with an Urban zone



WAPC Response: The WAPC does not support the request to modify the amendment to an Urban zone. The site is being zoned Urban Deferred as a range of matters need further confirmation prior to being zoned Urban in the MRS.

Matters such as the coastal foreshore reservation and regional road requirements directly impact on the amendment area. Zoning the site to Urban would also preclude consideration of additional (if required) Parks and Recreation, Primary Regional Roads reservations etc from being considered for the site.

Therefore, it is appropriate that the amendment be finalised as an Urban Deferred zone and that the lifting of Urban Deferment considerations remain as advertised.

- There are concerns that the advertising process was not clear

WAPC response: The amendment was advertised for a minimum of 3 months from 28 March – 20 June 2023 in accordance with the requirements of the Planning and Development Act 2005. All documents were displayed on the WAPC's website and other display locations, including the Cities of Cockburn, Kwinana, Fremantle, Perth and the WAPC offices.

All submissions and requests for hearings have been considered. If the amendment is finalised and pending the future transfer of the site to the Urban zone, further public consultation will occur in the subsequent local scheme amendment and structure planning stages.

- Consideration should be given to the potential expansion north of the Leighton locality

WAPC response: The intent of the amendment is to zone the subject site to the Urban Deferred zone with a range of matters to be addressed prior to the lifting of Urban Deferment. Modification of the amendment to potentially include additional land to the north is not supported as it is outside the scope of the advertised amendment area.

- There would be impacts from the Department of Defence

WAPC response: The WAPC notes that the amendment was advertised for at least three months and no comments were received from the Department of Defence.

- Improvements to the Fremantle Cruise Passenger Terminal should occur

WAPC response: The WAPC notes that the amendment proposes to zone the subject land to an Urban Deferred zone only. Matters relating to the Fremantle passenger terminal are not within the subject land or the scope of this advertised amendment.

- No decision has been made on MRS Amendment 1389/57 – Lot 556 Curtin Avenue, Cottesloe

WAPC response: The WAPC notes that MRS Amendment 1389/57 remains under consideration and the City of Fremantle and State Government agencies do not raise any issues which would prevent the finalisation of this MRS amendment.

Also, the amendment is being progressed to an Urban Deferred zone only and no development can occur until the land has been transferred to the Urban zone (and related matters addressed) and subsequent more detailed planning stages are progressed including local structure planning, subdivision and development approvals.

- Aboriginal Cultural Heritage needs consideration

*WAPC response: The process of rezoning or reservation of land in a region scheme is broad by nature and does not physically interfere with the land.*

*Consideration of Aboriginal Cultural Heritage is addressed more specifically at later stages of the planning process, typically when preparing a local structure plan or at the subdivision and development approval stages.*

*However, it is noted that no part of the amendment area is located within or abuts a registered Aboriginal heritage site.*

- The subject site is unique and is a significant tourism opportunity; strict development standards should be incorporated into the proposal

*WAPC response: The WAPC notes that the amendment proposes to zone the subject land to an Urban Deferred zone only. No development can occur until the site has been transferred to the Urban zone (and related matters addressed).*

*Therefore, consideration of actual landuses and development standards will be given further detailed consideration in the subsequent local structure planning stage by the City of Fremantle, relevant State Government agencies and the WAPC. These subsequent planning processes also include additional public consultation.*

## **8 Responses and determinations**

The responses to all submissions are detailed in this report. The submissions of objection are recommended to be dismissed and no modifications to the amendment are proposed.

## **9 Coordination of local and region scheme amendments**

Under section 126(3) of the *Planning and Development Act 2005* the WAPC has the option of concurrently rezoning land that is being zoned Urban under the MRS, to an "Urban Development" zone (or similar) in the Local Planning Scheme (LPS). As no land is being zoned Urban section 126(3) is not relevant.

## **10 Conclusion and recommendation**

This report summarises the background to major Amendment 1400/41 and examines the various submissions made on it.

The WAPC, after considering the submissions, is satisfied that the amendment as shown generally on Amendment Figure - Proposal 1 in Schedule 3, and in detail on the MRS Amendment Plan listed in Appendix 1 should be approved and finalised.

Having regard to the above, the WAPC recommends that the Minister for Planning presents the amendment to His Excellency the Governor for his consideration and approval and subsequently commend the amendment to both Houses of Parliament.

## **Schedule 1**

### **Alphabetical listing of submissions**

## Alphabetical Listing of Submissions

### MRS Amendment 1400/41

#### North Fremantle Urban Precinct

| Submission Number | Name  |
|-------------------|---|
| 1                 | ATCO Gas  |
| 37                | Bajada, Alex  |
| 43                | Burke, Laurence   |
| 27                | Duggan, Dominic   |
| 16                | Duncan, James   |
| 20                | Duncan, Valerie   |
| 32                | Felton, Suzette   |
| 19                | Foley, Joanne   |
| 34                | Fremantle Port (Dean Davidson)                          |
| 6                 | Fremantle, City of                                      |
| 41                | Friends of Mosman Park Bushland (Sue Conlan)            |
| 13                | Graham, Jane  |
| 48                | Hug, Natalie  |
| 51                | ISPT on behalf of North Fremantle JV Pty Ltd            |
| 17                | Ker, Margaret   |
| 46                | Leighton Action Coalition Inc (Paul Gamblin)            |
| 10                | McCarthy, Genevieve                                     |
| 29                | McPartland, Mark  |
| 39                | Mines, Industry Regulation and Safety, Department of    |
| 7                 | Mulroney, Silvana                                       |
| 21                | <i>Name removed at the request of submitter</i>         |
| 22                | <i>Name removed at the request of submitter</i>         |
| 23                | <i>Name removed at the request of submitter</i>         |
| 24                | <i>Name removed at the request of submitter</i>         |
| 25                | <i>Name removed at the request of submitter</i>         |
| 28                | <i>Name removed at the request of submitter</i>         |
| 30                | <i>Name removed at the request of submitter</i>         |
| 38                | <i>Name removed at the request of submitter</i>         |
| 47                | <i>Name removed at the request of submitter</i>         |
| 45                | Nicholson, Charles                                      |
| 36                | North Fremantle Community Association - MacGill, Gerard |
| 26                | Ossolinski, George                                      |
| 33                | Pedler, Jennifer  |
| 42                | Pedler, Trevor  |
| 12                | Pesnele, Misha  |
| 15                | Pesnele, Xavier   |
| 18                | Phillips, Jim   |
| 31                | Pond, David   |

| <b>Submission Number</b> | <b>Name</b>  |
|--------------------------|--|
| 4                        | Power, William (PSM)                                       |
| 14                       | Price Twist, Sarah   |
| 5                        | Primary Industries and Regional Development, Department of |
| 11                       | Prout, Misha   |
| 40                       | Urban Bushland Council WA Inc                              |
| 50                       | Urbis on behalf of VE Property Pty Ltd                     |
| 44                       | Walker, Steve  |
| 2                        | Water and Environmental Regulation, Department of          |
| 3                        | Water Corporation  |
| 8                        | Wearne, Michael  |
| 35                       | Weber, David   |
| 49                       | Williamson-Wong, Jemima                                    |
| 9                        | Wilson, Ian  |

| <b>Late Submission</b> | <b>Name</b>                |
|------------------------|----------------------------|
| 52                     | Public Transport Authority |

## **Schedule 2**

### **Summary of submissions and determinations**

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**REFER TO THE SUBMISSIONS SECTION FOR A FULL COPY OF EACH WRITTEN SUBMISSION AND SUPPORTING INFORMATION**

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**Submission:** 1, 2, 3, 5, 39

**Submitted by:** ATCO Gas, Department of Water and Environmental Regulation, Water Corporation, Department of Primary Industries and Regional Development, Department of Mines, Industry Regulation and Safety

**Summary of Submission:** COMMENT

The above State Government agencies and infrastructure organisations raise no objections, no comment or provide general comments that relate to the subsequent more detailed stages of the planning and development process. Where applicable, the proponent has been advised of the above comments.

**Planning Comment:** Comments noted.

**Determination:** Submissions noted.

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**Submission:** 4

**Submitted by:** William Power PSM (interested resident)

**Summary of Submission:** OBJECTION

The submitter objects to the proposed amendment as follows:

Background: During 2022 the submitter wrote to the Fremantle Port Authority suggesting potential expansion to the North for additional container berths, recognising planning for use of Victoria Key for major improvement of frontage and integration with the City of Fremantle.

The submitter briefed a planning officer of the Port Authority regarding potential benefits of a future northern expansion of the port container berths, with access by deviation from the existing port entrance channel. The submitter proposed improved separation between urban vehicles and port truck traffic, by a northern connection for urban traffic to marine parade and to Stirling Highway, by high level road crossing over the existing rail yard area.

This approach preserves the long-term future port option for container shipping growth at Fremantle port and allows multistorey residential and promenade development fronting both Stirling Highway and the existing Leighton Road. The existing railway would be contained within tunnel structure within the basement of the future buildings.

The concept also included improvement of the Leighton Station, a large Leighton shark proof enclosure and convenient rail access to a safe beach at Leighton from the entire Metronet rail system.

The submitter received a courteous reply from the general manager, a copy of the Port annual report, but no comment on the submission. The submitter envisaged that some of their ideas would be tested by the Port Authority with relevant State agencies.

Comment: Media coverage frequently showed Senior Political leaders in close personal contact with major land developers.

The submitter was disappointed to see the reserved future port use land featured in the very small advert in The West Australian, along with pets, personal adverts and race results. The submitter does not believe it has been given adequate exposure.

The submitter has been presented with the major announcement of significant defence developments on Garden Island for repair and servicing of defence vessels. This will hopefully include channel creation close to the north end of Garden Island and inside the sound for deep draft vessels easy and quick access to the deep ocean offshore.

Planning studies for future port expansion development within Cockburn Sound, will clearly need to be reviewed, as part of integration of Federal and State Agency planning.

The submitters concept of future container berth requirements at Fremantle Port suggests development of density housing should be to the north of the existing Leighton Residential Development, and not to the South. The submitter also prompts further study of major use of the underutilised railway reserve area at Fremantle Station that fronts Victoria key.

Although now elderly, the submitter was a senior civil Engineer closely involved in planning, negotiation and coordination of major projects and township development and ensured the State benefitted from major resource development.

The submitter recommends that the WAPC abandons its proposed release of existing port reserved land, which would only benefit a few hungry developers.

The submitter also comments "on the potential value to the State of commercial redevelopment of the underutilised Fremantle Station rail yard area".

The need to upgrade visitor first impression from their cruise ships, would involve covering the essential rail tracks with modern commercial development of high rise accommodation and commercial/ promenade development. This would add emphasis to the historical centre of Fremantle City as a destination for visitors.

**Planning Comment:** Refer to Parts 7.2 (a) Coastal Planning Matters, (b) Future of Fremantle Planning, (c) Traffic and Transport Matters, (d) State Planning Policies and (e) General Matters of the Report on Submissions.

**Determination:** Submission dismissed.

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**Submission:** 6

**Submitted by:** City of Fremantle

**Summary of Submission:** COMMENT

The City of Fremantle refers to its initial comments from 27 April 2022, and adds the following:



1. Coastal Recreational Needs: An evidence-based assessment on the extent of land required for precinct/regional recreation and beach access in this location, in context of the:
  - (a) Leighton Foreshore Masterplan;
  - (b) existing demand and capacity at the Leighton node; and
  - (c) predicted growth / future demand for public land in the vicinity of Port Beach as determined through the Future of Fremantle studies.
2. Coastal Erosion: an evidence-based assessment of coastal hazards to ensure the reserve is of sufficient width to maintain a functional coastal foreshore reserve into the future and to protect infrastructure and property.
3. Transport: a clear government plan for the regional and local transport network in North Fremantle to deliver a well-integrated urban destination and resolve:
  - (a) the extension/alignment/urban design and capacity of Curtin Avenue, including its inter-relationship with Stirling Highway;
  - (b) freight and passenger rail; and
  - (c) required urban connectivity from the North Fremantle town centre through the site to the foreshore node.
4. Future Port Planning: a clear government position on the future redevelopment plans being developed through Future Fremantle Committee, in particular the type and intensity of land uses proposed and the associated transport/access requirements within the North Fremantle peninsula.
5. Port Buffer Zone: Acknowledging the port buffer zone currently restricts potential urban development to non-residential uses, deliver a process that avoids short-term planning outcomes on the subject site that run contrary to the proper and orderly planning of the broader neighbourhood/precinct. Urban zoning within the existing buffer zone should only proceed once the buffer is no longer required.

With regard to 1 and 2 above, further notes that:

- The amendment states that the North Fremantle Coastal Hazard Risk Management and Adaptation Plan provided by the proponent calculates the coastal foreshore reserve as having a width of between 28.1 and 70m by 2115. This is incompatible with the infrastructure and access requirements of a regional beach.
- Studies undertaken for the Leighton Beach development identified the need for a minimum 150m foreshore reserve and that subsequent to this assessment the sea-level rise coefficient has increased such that the current recreational assets may be compromised within the 100-year planning horizon.
- That regular summer demand currently exceeds capacity within the available reserve at Leighton Beach, demonstrating that the assessment in determining the recreational access needs for that section of foreshore reserve has proved to be inadequate and highlighting the need for ample provision in the Port Beach Node to accommodate current and future demand.

- The cumulative impact of intensive development within the amendment area combined with other urban planned infill in Fremantle and North Fremantle, and most notably the future Fremantle Ports redevelopment, will create significant additional beach use and infrastructure needs.
- Over recent decades the Port Beach node has suffered one of the highest levels of coastal erosion in the metropolitan area. The severity of the coastal erosion to the south of Tydeman Road has given rise to a coastal retreat strategy in this area which will result in additional demand for recreational infrastructure within the foreshore area to the north of Tydeman Road.

The Council advises the proposed cadastral boundary between the Parks and Recreation reserve and Urban Deferred zone is not supported by evidence and is inadequate for future needs and risks. Council recommends that an additional portion of the proposed Urban Deferred zone (west of Bracks Street) will need to be rezoned to Parks and Recreation reserve prior to any redevelopment in order to meet these needs.

Confirms the Council's willingness and interest in working collaboratively with all relevant government agencies to help deliver acceptable legislative and planning frameworks for the key issues listed above, to enable high quality sustainable development of the North Fremantle.

*This submission was supported by a Deputation.*

**Planning Comment:** Refer to Parts 7.2 (a) Coastal Planning Matters, (b) Future of Fremantle Planning and (c) Traffic and Transport Matters of the Report on Submissions.

**Determination:** Submission noted.

**Submission:** 7

**Submitted by:** Silvana Mulroney (interested resident)

**Summary of Submission:** OBJECTION

The submitter objects the amendment as they fought for this open space once before. They were promised more open space and coast protection. If the submitter has to fight again then their trust in the Government is broken.

**Planning Comment:** Refer to Parts 7.2 (a) Coastal Planning Matters, (b) Future of Fremantle Planning, (c) Traffic and Transport Matters, (d) State Planning Policies and (e) General Matters of the Report on Submissions.

**Determination:** Submission dismissed.

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**Submission:** 8, 9, 10, 12, 14, 15, 17, 18, 19

**Submitted by:** Michael Wearne, Ian Wilson, Genevieve McCarthy, Misha Pesnele, Sarah Price Twist, Xavier Pesnele, Margaret Ker, Jim Phillips, Joanne Foley (interested residents)

**Summary of Submission:** OBJECTION

The submitters advise that Port Beach - South Leighton is eroding, and Government's own analysis shows it will need some of the most intensive management in future of any WA beach area.

The developers proposal to zone old, poorly located industrial land to urban with an inadequate coastal reserve locking in planning decisions of a century ago before erosion risks were well understood, and decades before climate science modelled coastal change.

This is a chance to get it right by giving the dunes room to rebuild and protect the beach, avoiding costly and destructive options in future, like seawalls. You can deliver a proud legacy for our children by creating a coastal reserve and quality parkland for a growing population in what is already a popular and congested area.

The community needs much more space for recreation and better access to the busy surf club and other healthy activities. There will be plenty of space for high quality development with good access to the train station behind a coastal reserve and parkland which will only increase its value in future. The developer's proposal threatens this and contradicts and undermines WA's coastal planning policy at a time we should be strengthening it.

The submitters request WAPC rejects the amendment and undertake a thorough, transparent, participative and science-based analysis of the future recreational and natural coastal protection needs of this area. This should also take into account the Future of Fremantle process. The submitters look forward to clear direction for this special coastal area.

**Planning Comment:** Refer to Parts 7.2 (a) Coastal Planning Matters, (b) Future of Fremantle Planning, (c) Traffic and Transport Matters, (d) State Planning Policies and (e) General Matters of the Report on Submissions.

**Determination:** Submissions dismissed.

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**Submission:** 11, 16

**Submitted by:** Misha Prout, James Duncan (interested residents)

**Summary of Submission:** OBJECTION

The submitters object to the amendment and does not want the area sold for greed. Where will the families and children of all the development in the future port area play if you don't plan now.

**Planning Comment:** Refer to Parts 7.2 (a) Coastal Planning Matters, (b) Future of Fremantle Planning, (c) Traffic and Transport Matters, (d) State Planning Policies and (e) General Matters of the Report on Submissions.

**Determination:** Submissions dismissed.

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**Submission:** 13

**Submitted by:** Jane Graham (interested resident)

**Summary of Submission:** OBJECTION

The submitter is a concerned South Fremantle resident and has watched the old warehouses etc disappear from the land opposite port beach and what will appear in their place? The submitter appreciates that WA must respond to a housing crisis but there are environmental issues that must also be addressed otherwise the land will not be there in years to come. The submitter notes a 50m grass buffer zone and request that this amendment be rejected for further consultation.

There must be better consideration for the future of port beach, traffic, communities in the area. Cramming as much housing into that space without adequate open space and facilities does not seem to make sense except to the developers and their profits. The submitter looks forward to hearing a clear and considered plan for this special coastal area soon.

**Planning Comment:** Refer to Parts 7.2 (a) Coastal Planning Matters, (b) Future of Fremantle Planning, (c) Traffic and Transport Matters, (d) State Planning Policies and (e) General Matters of the Report on Submissions.

**Determination:** Submission dismissed.

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**Submission:** 20

**Submitted by:** Valerie Duncan (interested resident)

**Summary of Submission:** OBJECTION

The submitter objects to the amendment as follows:

- A huge setback must be put in place, stop developers.
- Port Beach must be saved and given what is needed to save the beach and make the foreground a beautiful and necessary nature reserve space for the future of the beach and for the public and everyone.
- Don't allow ugly Surfers Paradise and make it more like City Beach green space.

**Planning Comment:** Refer to Parts 7.2 (a) Coastal Planning Matters, (c) Traffic and Transport Matters, (d) State Planning Policies and (e) General Matters of the Report on Submissions.

**Determination:** Submission dismissed.

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**Submission:** 21

**Submitted by:** *Name removed at the request of submitter* (interested resident)

**Summary of Submission:** COMMENT

The submitter advises of the good use of land and excellent location to existing infrastructure. Their concerns are:

- Verge widths of at least 5 metres to allow substantial shade trees to be planted and for off-street parking and essential services.
- Finished levels need to factor in rising sea levels and surging.
- Links to existing paths required.
- Rehabilitation of green space.
- A good template would be south City Beach with small car parks and beach access.

**Planning Comment:** Refer to Parts 7.2 (a) Coastal Planning Matters, (b) Future of Fremantle Planning, (c) Traffic and Transport Matters and (e) General Matters of the Report on Submissions.

**Determination:** Submission noted.

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**Submission:** 22

**Submitted by:** *Name removed at the request of submitter*

**Summary of Submission:** SUPPORT

The submitter supports the amendment providing infrastructure is adequate to support the increased population in the North Fremantle precinct - improved roads, shops, children's playgrounds, a very large tree canopy etc.

The submitter feels there should be strict development guidelines to ensure the architecture of the buildings is of a high quality to uplift the area and stand the test of time in this heritage suburb.

There should see no more ugly, poor-quality buildings like what have been built to the east side of Queen Victoria Street. It would be great to see the precinct developed with sustainable principles, with its own micro-grid for power. This is a once-in-a-lifetime opportunity to leave a positive legacy for future generations, please create a world-class beachside community.

**Planning Comment:** Support noted. Refer to Parts 7.1 – Supporting Submissions and 7.2 (e) General Matters section of the Report on Submissions.

**Determination:** Submission noted.

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**Submission:** 23

**Submitted by:** *Name removed at the request of submitter* (interested resident)

**Summary of Submission:** OBJECTION

The submission objects to the amendment and would like to have Bracks Street accessible for through traffic from Tydeman Road and Leighton Beach end.

**Planning Comment:** Refer to Part 7.2 (c) Traffic and Transport Matters of the Report on Submissions.

**Determination:** Submission dismissed.

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**Submission:** 24

**Submitted by:** *Name removed at the request of submitter* (interested resident)

**Summary of Submission:** OBJECTION

The submitter objects to the amendment as there have been significant issues with ocean caused erosion at Port Beach. The last time this occurred, there was a lot of discussion regarding the long-term solution. Part of that discussion was around relocating infrastructure further from the water line.

The submitter objects to building significant residential buildings so close to the ocean and on such low-lying sandy soil. People are being warned about the climate caused rising ocean levels and the threats that poses to people and buildings.

This should not be a case of "buyer beware" for those purchasing properties once developed. Government at all levels should wisely choose sites for development whether for residential or any other purpose.

The reality is that this land should be used for nature reserve and recreation due to the erosion risks that exist within the normal lifespan of a built environment.

**Planning Comment:** Refer to Parts 7.2 (a) Coastal Planning Matters and (e) General Matters of the Report on Submissions.

**Determination:** Submission dismissed.

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**Submission:** 25

**Submitted by:** *Name removed at the request of submitter* (interested resident)

**Summary of Submission:** SUPPORT

The submitter advises of the need to revitalise the coastline with high quality, considered development.

A combination of community amenity such as parks and playgrounds, commercial opportunities for hospitality and retail, and of course more infill style housing. The submitter would hate to see skyscrapers but considered development is welcome.

**Planning Comment:** Support noted. Refer to Parts 7.1 – Supporting Submissions and 7.2 (e) General Matters of the Report on Submissions.

**Determination:** Submission noted.

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**Submission:** 26

**Submitted by:** George Ossolinski (interested resident)

**Summary of Submission:** COMMENT

The submitter advises that the proposal misses the opportunity to do much more to benefit WA in this uniquely situated parcel of land. This land has the potential to be the major international student and tourism centre and would enable Perth to compete with Melbourne and Sydney for the student and tourist dollars. Advantages are as follows:

- It is located near Fremantle Harbour, which can be developed like Darling Harbour which will cater for cruise ships, with the proposed Outer Harbour being the working port.
- It can contribute greatly to the vibrancy of the Fremantle tourist precinct.
- It can contribute to increased ferry transport from Fremantle to UWA and Perth. and potentially along the coast to Rockingham and Hillaries.
- It is walking distance to Notre Dame University.
- It is adjacent to rail, road and cycling transport to Perth and many private schools.
- The beach location would be a huge attraction for students, visiting family and tourists.

The submitter suggests that high rise residential/hotel is suitable for this area as long as the towers are spaced and designed to maintain ocean views from inland. Low podiums could provide for vibrant eating and shopping facilities.

**Planning Comment:** Refer to Parts 7.2 (e) General Matters of the Report on Submissions.

**Determination:** Submission noted.

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**Submission:** 27

**Submitted by:** Dominic Duggan (interested resident)

**Summary of Submission:** SUPPORT

The submitter is a local resident in Pearse Street, North Fremantle and supports the amendment. The following points are made:

- Would it be possible to consider realigning the port beach coast road to along Bracks Street? Moving the main road away from the beach would provide additional sand dune and park space up to the existing beach and potential to reclaim the carparks that are currently situated on the dunes.
- There is scope to include provisions for commercial/retail/hospitality venues within the zoning to encourage grocery shops in the area.
- How does this proposal tie into the Fremantle Bridge and Fremantle bike path works? Is there a chance to consider these together so that the infrastructure works can be developed in conjunction with the rezoning and road alignments for a fit for purpose solution rather than 3 separate projects?

*This submission requested a hearing but did not attend.*

**Planning Comment:** Support noted. Refer to Parts 7.1 – Supporting Submissions and Part 7.2 (a) Coastal Planning Matters, (b) Future of Fremantle Planning, (c) Traffic and Transport Matters and (e) General Matters of the Report on Submissions.

**Determination:** Submission noted.

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**Submission:** 28

**Submitted by:** *Name removed at the request of submitter* (interested resident)

**Summary of Submission:** SUPPORT

The submitter supports the redevelopment but requests that parks, native vegetation is maintained and there is also space for community. An example is having a grocery store that the community can walk to, community gardens for food. Think about sustainability and the carbon footprint.

This includes the number of people that can be accommodated given the major road infrastructure is at capacity. More people using the same roads will not make this an environment to live and needs consideration.

*This submission requested a hearing but did not attend.*

**Planning Comment:** Support noted. Refer to Parts 7.1 – Supporting Submissions and 7.2 (e) General Matters of the Report on Submissions.

**Determination:** Submission noted.

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**Submission:** 29

**Submitted by:** Mark McPartland (interested resident)

**Summary of Submission:** SUPPORT

The submitter supports the amendment and as a growing city we need to utilise our natural assets better. This is case for the beachfront. The following points were provided:



- Realignment of Curtin Ave / Beach Road to behind the development (closer to the rail line). Take this opportunity to remove the barrier of a road between the beach and any activities.
- Commercial (restaurants, cafes, etc) development needs to be included (whatever scale) and be close to the water/beach and not hidden behind carparks as another barrier.

The submitter bemoans the overcrowding of beaches in summer, but this is not the real issue. We have huge coastline in the metropolitan area but overcrowding is simply due to very few beaches with activity space and commercial premises to enjoy. This amendment would spread the load for the betterment of our whole metro coast.

**Planning Comment:** Support noted. Refer to Part 7.1 – Supporting Submissions 7.2 (a) Coastal Planning Matters, (c) Traffic and Transport Matters and (e) General Matters of the Report on Submissions.

**Determination:** Submission noted.

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**Submission:** 31

**Submitted by:** David Pond (interested resident)

**Summary of Submission:** OBJECTION

The North Fremantle development precinct would be more suitable if a wider zone of public open space was allowed adjacent to the coastline, as wide as possible (at least 100m). This is considered justified given:

- predicted coastal erosion in the future will erode into the coastline a significant distance and the currently allowed distance of 50m is not sufficient to accommodate this.
- coastal erosion will damage public infrastructure (roads).
- coastal erosion will likely damage the private residential infrastructure (houses/apartments) in the long term.
- the costs to pay for the above issues through taxes and raised insurances will in the long term, be far greater than the windfall gained from the sale of land in the short term.
- the WA government needs to be future thinking and plan accordingly.

**Planning Comment:** Refer to Parts 7.2 (a) Coastal Planning Matters of the Report on Submissions.

**Determination:** Submission noted.

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**Submission:** 32

**Submitted by:** Suzette Felton (interested resident)

**Summary of Submission:** SUPPORT

The submitter supports the rezoning from the Industrial zone to the Urban zone and Parks and Recreation reservation.

**Planning Comment:** Support noted. Refer to Part 7.1 – Supporting Submissions of the Report on Submissions.

**Determination:** Submission noted.

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**Submission:** 33

**Submitted by:** Jenifer Pedler (interested resident)

**Summary of Submission:** SUPPORT

The submitter supports the amendment and advises that they are regular beach user for many years. The proposed amendment is much needed to enable development of the area in line with current needs and community wishes.

**Planning Comment:** Support noted. Refer to Part 7.1 – Supporting Submissions of the Report on Submissions.

**Determination:** Submission noted.

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**Submission:** 34

**Submitted by:** Fremantle Ports

**Summary of Submission:** COMMENT

Fremantle Ports requests deferred consideration of the amendment pending the conclusion of the Future of Fremantle and Fremantle Ports' port development planning processes.

Fremantle Ports acknowledges and supports the WAPC planning framework, which is designed to achieve orderly and proper planning outcomes. However, consideration of amendment is premature given unresolved plans for a new container port in Kwinana (Westport studies) and the potential relocation of non-container trades. Until preferred locations and timings are finalised, the Inner Harbour must continue to retain the capability to perform its role, for which sufficient landholdings need to be preserved. Fremantle Ports suggests that the proposed amendment be placed in abeyance and reviewed in 18 months, for the following reasons:

- The amendment will depart from decades of local and State strategic land use planning that has consistently protected port operations.
- the land has a higher urban or recreational purpose, without accounting for the consequential loss of industrial land in the Perth Central Sub Region.
- Setting aside the timing and location of the new container port (outcome of the Westport study), container trade will need to continue in the Inner Harbour for at least the medium term.

Subsequently the existing port buffer zones (which promotes safe port operations in urban settings) will continue impacting portions of the subject site thereby limiting the site from achieving its highest and best use from an urban redevelopment perspective.

- The amendment is being considered prior to the completion Westport Business Case study and Future of Fremantle land use plan.
- With the objective in the short term to free up portions of Victoria Quay for urban development, it is prudent for the State to maintain Lot 500 (No. 84) Tydeman Road and Lot 72 (No. 2) Barker Street for industrial uses as these lots may be required in the near term to relocate some non-container trades and/or existing port users in order to facilitate urban development on Victoria Quay.
- The retention of the industrial zoned land may be required to support ongoing port operations. The amendment report does not appear to identify requirements for Fremantle Ports' ongoing growth and development.
- Notwithstanding the commitment to construct a new container port and current uncertainties around the delivery phase, it may not be in the best interests of WA's trade and supply chain in the short-term to increase urban encroachment and relinquish industrial land around Fremantle Ports that may still be required for operational/overflow purposes. If the land is later required for a strategic industrial purpose, resumption may not be possible or higher resumptions costs would likely be incurred.

Fremantle Ports provided additional supporting information relating to the following:

- Fremantle Ports – A State asset
- Fremantle Ports' growth and development needs to serve the State
- Long term strategic planning: protection of port operations
- Current strategic planning initiatives not completed
- Land use planning instruments
- The exclusion of Fremantle Ports' land

**Planning Comment:** Refer to Parts 7.2 (a) Coastal Planning Matters, (b) Future of Fremantle Planning, (c) Traffic and Transport Matters, (d) State Planning Policies and (e) General Matters of the Report on Submissions.

The WAPC notes the amendment seeks to reserve Fremantle Ports land and part of Port Beach Road as Parks as Recreation in the MRS. However, it is not envisaged that any changes would occur to this area for a number of years given the Future of Fremantle Project will need to be finalised and there are no development timeframes. Therefore, it is envisaged that Fremantle Ports can continue to use their land in the interim until it is required by the WAPC.

**Determination:** Submission noted.

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**Submission:** 35

**Submitted by:** David Weber (interested resident)

**Summary of Submission:** COMMENT

The submitter hopes there is no high rise which is sensitive to erosion due to previous industrial developments. It is hoped there is a lot of open space for use by the community, and these new areas are as safe. Too many parts of the greater Fremantle area are 'no go' zones for women and young people afraid of being assaulted.

There are more liquor outlets in North Fremantle, per head of population, than anywhere else in WA. Fremantle doesn't need another one.

There is violence, bottle and can litter, anti-social behaviour, kicked over bins. Fremantle Council seems addicted to approving alcohol outlets. Don't put another place for booze in the North Fremantle Precinct.

The submitter seeks to ensure a Principle Shared Path (PSP) is incorporated, and that plans put a PSP between homes in Pearse Street and the rail line be withdrawn. The proposed PSP would run on the eastern side of the rail line, and this violates Departmental guidelines on safety of users, which say users of paths should be able to be seen. This means not more than 100 metres should be enclosed. However, the PSP proposed for the eastern side of the rail line runs for many hundreds of metres.

MRWA (occasionally Fremantle Council) see North Fremantle as a thoroughfare. But people live and breathe in North Fremantle. Don't let MRWA ride roughshod over us. Work with them on a PSP which everyone can use safely.

*This submission requested a hearing but did not attend.*

**Planning Comment:** Refer to Parts 7.2 (a) Coastal Planning Matters, (b) Future of Fremantle Planning, (c) Traffic and Transport Matters, (d) State Planning Policies and (e) General Matters of the Report on Submissions.

The WAPC notes that the intent of the amendment is to rezone the subject land to Urban Deferred zone only. Matters related to the number of liquor store outlets and consideration of a PSP are outside the scope of the MRS amendment process and are typically considered in subsequent more detailed stages.

**Determination:** Submission noted.

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**Submission:** 30, 36

**Submitted by:** *Name removed at the request of submitter* (interested resident), North Fremantle Community Association (Gerard MacGill)

**Summary of Submission:** COMMENT

The North Fremantle Community Association is supportive of the proposed Urban Deferred zoning. In light of the ongoing Future of Fremantle Study, the results of which will determine the future of the area, and the necessity for a comprehensive analysis of the coastal reserve provision, deferral of the amendment itself would be more appropriate.

The submitter refers to the intent of the amendment which is to facilitate redevelopment of the site for primarily mixed-use commercial and residential uses, with areas of Public Open Space (POS) following the Lifting of Urban Deferment, Local Planning Scheme (LPS) amendment and detailed local structure planning.

While acknowledging the many matters to be considered before lifting the Urban Deferred zoning, this expresses the desires of the proponent, pre-empts the determination of those matters, and specific future uses should not be referred to.

#### Lifting of Urban Deferment Requirements

- *Finalisation or substantial progression of the Future of Fremantle project:* This is absolutely necessary to determine the best uses for the coordinated development of the Leighton Peninsula.
- *Confirmation of regional road and transport requirements in the locality:* Regional road provision through North Fremantle is already a major amenity problem and expansion of it should not be contemplated. The suggested doubling of the Stirling Bridge and a flyover from Curtin Avenue would destroy North Fremantle.
- *Confirmation of coastal foreshore reserve requirements:* This will require a major study of the likely effects of sea level rise, exacerbated by the effects of cyclones, and meeting the recreational needs of an expanding population. The EPA's decision to "not assess", based on their assertion that "Potential impacts can be managed by future planning processes/controls and other statutory processes..." is as surprising as it is disappointing, given the regional significance of the area and the multitude of environmental and planning factors that will influence their ultimate deliberations. A post defacto assessment will in fact be significantly constrained by the amendment itself.
- *Consideration of the Fremantle Port buffer:* This will obviously be an important consideration for the remainder of the Port's existence in its present location.

Additional Matters: *Linkages to the area's hinterland.* Though outside the amendment area of central importance is the east-west linkages across the area to the coast. These are severed by road and rail. The amendment and the Future of Fremantle Study present an opportunity to create a well-connected Leighton Peninsula that provides a living and working environment like no other.

The Coastal Reserve: The amendment area is considered provisional as there are many related issues that will be covered by the Future of Fremantle Study and related investigations. These include the adequacy of the reserve to cope with predicted sea level rise, and the provision of recreation for existing and future residents of Fremantle and beyond.

*Submission No. 36 requested a hearing but did not attend.*

**Planning Comment:** Refer to Parts 7.2 (a) Coastal Planning Matters, (b) Future of Fremantle Planning, (c) Traffic and Transport Matters, (d) State Planning Policies and (e) General Matters of the Report on Submissions.

In relation to the request to defer the MRS amendment, this is not supported as the Urban Deferred zone allows for planning matters to be further resolved, prior to the transfer of the site to the Urban zone. This includes finalisation or substantial progression of the Future of Fremantle Project prior to the lifting of Urban Deferment.

**Determination:** Submissions noted.

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**Submission:** 37

**Submitted by:** Alex Bajada (interested resident)

**Summary of Submission:** SUPPORT

The submitter supports the approval of the amendment as this area is highly supported by many residents both north and south of the river.

In future, the planning for this precinct will be to the advantage of existing residents but also allow for the future residential and retail uses. Ideally, the submitter would prefer extensive setbacks and provision of POS and parking facilities.

**Planning Comment:** Support noted. Refer to Parts 7.1 – Supporting Submissions and 7.2 (e) General Matters of the Report on Submissions.

**Determination:** Submission noted.

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**Submission:** 38

**Submitted by:** *Name removed at the request of submitter* (interested resident)

**Summary of Submission:** SUPPORT

This submitter supports the amendment and refers to more dwellings in WA. The site is a wasted space, get moving and ignore the negative people who all took advantage of past developments. The submitter's children have nowhere to live and providing more options is a better future for all.

Please let them develop this site, ignore the Leighton anti-developers and Fremantle Council as they only care about themselves. The submitter would buy a property at this location.

*This submission requested a hearing but did not attend.*

**Planning Comment:** Support noted. Refer to Part 7.1 – Supporting Submissions of the Report on Submissions.

**Determination:** Submission noted.

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**Submission:** 40

**Submitted by:** The Urban Bushland Council WA Inc

**Summary of Submission:** OBJECTION

The Urban Bushland Council (UBC) does not support the amendment as follows:

- Urban Deferred implies it will become Urban and will prejudice further consultation and possibly impact costs.

- The EPA has chosen not to assess siting the issues can be dealt with at the planning stage. However, the amendment report is incomplete and has recommendations contrary to its findings.
- The Fremantle Future community consultation for this area has not occurred.
- The WAPC decision on the MRS amendment for Lot 556 Curtin Avenue, Cottesloe urban development McCall Centre has not be made.

### Social and Cultural Considerations

*Recreational use:* There has been a 40 year community vision as described in the 'Vlamingh Parklands Report', to establish an integrated parkland, incorporating the link between the sea and river. This was to meet the recreational needs of the community whilst conserving, enhancing, and promoting the natural and historic heritage of the area.

The green link of the foreshore reserve is an opportunity to improve the environmental functioning of the 'Vlamingh Parklands Plan', endorsed by the State Government as a regional style park in 1998. The date coincided with the 400th anniversary of Dutch explorer Willem de Vlamingh's landing at the site, going on to discover and name the 'Black Swan River'. There is no cost-effective alternative.

This ecological corridor has been identified as the green network in key planning documents to prevent fragmenting bushland and local extinctions as well as to avoid and protect areas that have significant regional environmental value including:

- i) *Perth and Peel @ 3.5 million*
- ii) *Capital Cities Planning Framework (CCPF) 2013*
- iii) *State Planning Policy 2.8 - Bushland Policy Perth Metropolitan (SPP 2.8)*

Region objectives: *'To protect and enhance native bushland with the intent of long-term protection of biodiversity and environmental values'*. Other concerns include:

- The 'Leighton Oceanside Parklands Plan' followed on from the 'Vlamingh Parklands Plan' to provide 13ha for conservation and recreation, so no further area is needed. This did not include future population increase and urban development.
  - The 13ha is for conservation of the 'sea to river link' and does not serve as recreation.
  - For decades the 13ha remains a wasteland as the Leighton Marshalling Yard with no foreseeable change for its part of the Leighton Oceanside Parklands Plan.
  - This 13ha should be discounted in the report for conservation or recreation purposes for the Leighton area.
- The 'Leighton Oceanside Parklands' development of 4ha of Urban has occurred with insufficient public open space for the immediate urban development, let alone for the recreational use of either surrounding suburbs or of greater Perth.
- Current summer weekend demand has ensured:
  - little or no additional capacity in the existing public open space
  - traffic along Curtin Avenue is heavy and continuous with little chance of crossing the road if walking or cycling to the beach.

*Future population increase in the Leighton peninsula will require foreshore reserve for recreation with critical consideration for coastal processes.*

In addition to this proposal and others already under construction, there are many existing residential proposals that will be using the Leighton Beaches for recreation, including:

- 2 residential development proposals on Stirling Highway at the end of McCabe Street, North Fremantle (Onesteel and Matilda Bay Brewery).
- 22 storey residential proposal on the south bank at Stirling Bridge, North Fremantle, high rise developments, Glyde Street, Mosman Park.

*Aboriginal Cultural Significance:* The Leighton area has significant cultural significance. Instead of rezoning Urban Deferred, this is an opportunity to recognise and protect Aboriginal heritage values as they were dismissed in the former zoning of industrial. Some of these significant Aboriginal heritage values of this Leighton area are:

- The Fremantle River and coastal areas are places of not only significant cultural importance but of dreaming stories (Sacred Sites).
- The limestone hills (Seven Sisters) behind, were believed to be pushed up by their earthcreator.
- Great feasting and celebration occurred on the Swan River and on the coast as the families got together for abundant summer fishing.
- Whadjuk tools have been discovered beside the Cable Station, Cottesloe, Victoria Street Station, Mosman Park and as far as Warton Street, Cottesloe as recently as the 1970s.
- Dwerda (Dingo) dreaming story guards the Leighton Peninsula. The roaming crocodile from the north was spotted and attacked. These features are part of the coastal landscape.
- The ecological linkage from the sea to the Swan River is also a path of traditional Whadjuk ways and dreaming stories. It links the women's area of Point Walter, Bicton to the fish traps of Minim Cove, Mosman Park to the Seven Sisters dreaming, to the Moondarup Rock (Shark Dreaming) and Muderup Rocks (Place of the Yellow Fin Whiting).

What archaeological studies were done of the previous industrial area of Port Beach? Although the area has been disturbed by previous residential and industrial use, the planning for another use should now be considerate of the cultural values here. The submitter understands that the new heritage laws/policies would certainly require it.

*Contribution of coastal visual landscape:* The *Perth Coastal Planning Strategy* Issue Paper 5 – visual landscape c 2003 highlights:

- “Coastal landscapes are highly valued by West Australians, generating widespread community emotion and desire for protection”

Commuters' first sight of the open natural coastal stretch from Cottesloe to Fremantle is highly valued for its first daily connection to nature, weather, and seasons. This unbuilt coastal vista should be protected for the benefit of as many commuters as possible including from Curtin Avenue, the Fremantle/Perth railway line, and Stirling Highway.

Nominal building heights - SPP 7.0 aims to preserve and build sense of place.

*Local and international tourism:* The close proximity of the site to the Fremantle to Perth railway line, its long paths and beaches for walking can and should also be a welcome to all visitors and a showcase of how we respect this area for everyone's use.



## Coastal Considerations

### *SPP 2.6 Coastal management, objectives and planning:*

- Provide for public coastal foreshore reserves and access to them on the coast; and
- Protect, conserve, and enhance coastal zone values, particularly in areas of landscape, biodiversity and ecosystem integrity, the indigenous and cultural significance.
  - SPP 2.6 states that in terms of Coastal Hazard Risk Management and Adaptation Planning, in an area likely to be subject to coastal erosion in the next 100 years, development should be avoided.
  - The submitter sets out the matters which should be considered in the planning and development of land within the coastal zone. These matters include the establishment of foreshore reserves, the protection and enhancement of coastal values and the management of development and land use change.
    - i). coastal foreshore reserve will include the consideration of, and protection for, significant natural features such as coastal habitats and, for their biodiversity, archaeological, ethnographic, geological, geo-morphological, visual or wilderness, biodiversity and ecosystem integrity, heritage.
- SPP 2.6: ensuring that development within the coastal zone takes into account coastal processes and hazard.

### *Leighton Planning to date (Coastal Setback):*

- The 2000 *Leighton Regional Planning Guidelines* recommended that the foreshore reserve should be 125m.

The amendment states that coastal processes of 3.6m inundation level AHD to 2115 would expect 176m water level. Bracks Street, North Fremantle is approximately 200m. The 176m figure does not consider storm surges and cyclones so the MRS amendment is concerning.

Some long-term locals have observed that the sand in parts of Leighton Beach has only just returned to levels before Cyclone Alby struck in 1973. Therefore, not only will there be no foreshore reserve in 100 years for neither recreation, wildlife nor ameliorating coastal storms, there will be no room for managed retreat. Room for managed retreat was the community's preferred option surveyed in 'Our Coastal Future – Port, Leighton and Mosman Beaches – Coastal Adaptation Plan.

- In 2004 the EPA stated (MRS Amendment 1074/33) that the expansion of Rous Head would only have slight impact on Port Beach. Now taxpayers' money has just been committed to beach repairs and sand nourishment. Will this MRS amendment commit further generations to this financial burden so an urban development can occur here?
- The area for parks and recreation is insufficient for today and for a planned urban development opposite which must plan for 100 years.
- Coastal erosion is already precluding use of the Leighton beaches over winter, often with no available access to the steps for a detour.

These hazard risks are all reasons why the entire area of MRS 1400/41 should not be rezoned or should be rezoned to Parks and Recreation entirely.

*Coastal Adaption Planning: The Port, Leighton, Mosman Beaches Coastal Adaption Plan 2016* highlights that:

- Development would further reduce retreat leaving no option other than expensive but risky 'engineering' of dunes and ongoing expensive sand replenishment. Strengthening the coastal foreshore reserve with appropriate local dune vegetation is recommended for resistance to coastal processes.

*Commitment to 30% land for conservation purposes by 2030:* There is no planning for Australia's commitment to the COP 15 summit of 30% land for conservation by 2030 in a highly cleared landscape.

*Commitment to 30% canopy cover:* There is no consideration for 30% canopy target in this over cleared landscape.

### Economic Considerations

*Less costly retreat option in a highly eroding foreshore:* Planning for transportable infrastructure in a highly eroding coastal area would allow a less costly option than engineering and sand nourishment to save built infrastructure.

*Functioning ecosystem savings:* Restoring a functioning ecosystem next to what will be the passenger terminal, will help reduce the spread of pests brought in by visitors. An example of impact is the Polyphagus Shot-hole Borer that arrived in East Fremantle and has spread in the Perth metropolitan area. With no chemical control, it is not only a threat to plantation timber and orchards but also to tree canopy and our remnant bushland.

The UBC is committed to the United Nations decade of ecosystem restoration.

*Health Savings/liveability:* The Urban Growth and Settlement SPP 3.0 sets out the principles and considerations that guide the development of new urban growth areas and settlements. The objectives include promoting the growth and development of urban areas in response to the social and economic needs of communities, enhancing the quality of life in those communities, and creating an identifiable sense of place.

Health cost savings for planning cities with nature nearby are well known and the importance for public open space for recreation was reinforced by the community's response to the COVID pandemic.

### Conclusion

The UBC recommends the amendment not be adopted and the entire area be zoned Parks and Recreation to uphold State Planning Policies (2.6, 2.8, 3.0 and 7.0) which include the purpose of protecting and managing the foreshore reserve for 100 years by planting a local native vegetation buffer for:

- wildlife corridor and habitat
- restoring dunes to slow coastal erosion
- Aboriginal cultural values
- commitments to 30% land for conservation by 2030 in a cleared landscape
- commitments to 30% tree canopy
- to maintain local identity, sense of place public open space for recreation (SPP 7.0)

*This submission requested a hearing but did not attend.*

**Planning Comment:** Refer to Parts 7.2 (a) Coastal Planning Matters, (b) Future of Fremantle Planning, (c) Traffic and Transport Matters, (d) State Planning Policies and (e) General Matters of the Report on Submissions.

**Determination:** Submission dismissed.

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**Submission:** 41

**Submitted by:** The Friends of Mosman Park Bushland (Sue Conlan)

**Summary of Submission:** OBJECTION

The Friends of Mosman Park Bushland requests that the amendment area be set aside as POS as it is a place of recreation for all of Perth as well as immediate surrounds. There has not been sufficient consideration of the following:

- Current consults in place that should be finalised before this area has an MRS amendment.
  - Surrounding development proposals that will use the Leighton Beaches for recreation.
  - The Port, Leighton, Mosman Beaches Coastal Adaptation Plan.
  - 2115 calculations for water inundation are being ignored.
  - Social and cultural surrounds.
  - Transport issues.
  - Leighton Regional Planning Guidelines.
- 1) Currently public consultation for the Future of Fremantle Planning Committee (FFPC) needs to be in conjunction with this amendment.

The MRS amendment for Lot 556 Curtin Avenue, Cottesloe (McCall Centre) has not been determined. These plans need influence planning at Port Beach.

- 2) The following residential proposals will be using the Leighton Beaches for recreation have not been considered for public open space allowances:
- This residential proposal,
  - the huge residential development proposals on Stirling Highway at the end of McCabe Street (OneSteel and Matilda Bay Brewery),
  - The 22-storey residential proposal on the south bank at Stirling Bridge,
  - Glyde Street, Mosman Park high rise developments,
  - Urban development of the large Rocky Bay site on McCabe Street, Mosman Park The coastal road, Port Beach Road falls within the parks and recreation proposed area reducing the area for recreation.
- 3) North Fremantle Coastal Hazard Risk Management and Adaptation Plan 2016 Although this document was consulted, the latest CSIRO coastal mapping shows a greater increase of water level rise from 2016 to 2021 than previous years.

The 2016 CHRMAP community coastal values survey shows that the community want a beach forever, so the advice is to allow retreat by only using transportable infrastructure should direct planning.

Currently this area depletes of sand due to Rous Head extension and more severe storms. This area has had sand nourishment in recent years which could be affecting the water inundation rate. How long is sand nourishment proposed? If the sand nourishment was to stop, the erosion rate might be higher.

History affecting the site: MRS Amendment 1074/33 for the realignment of Port Beach Road and the reservation of an area for land reclamation on the north side of Rous Head 2004 comments from EPA:

*“Shoreline Stability Although the EPA considered that beach erosion is likely to be minimal, it required Fremantle Ports to undertake shoreline monitoring to confirm shoreline stability to the requirements of the Department of Environment. Should erosion be detected, the proponent is required to prepare and implement a strategy for management of the affected beach, also to the satisfaction of the DoE.”*

- 4) In 100 years: The amendment reports that coastal processes of 3.6m inundation level AHD to 2115 which would expect 177m water level. Bracks Street is approximately 200m. The 177m figure does not consider storm surges and cyclones. This would have the residential area to Bracks street under water.

This does not allow for managed retreat the communities preferred option surveyed in the PLM CHRMAP.

- 5) Social Surrounds: The EPA chose to not assess as the social surrounds, coastal processes and terrestrial environment as it could be dealt with by the planning process.

- “Coastal landscapes are highly valued by West Australians, generating widespread community emotion and desire for protection”.
- The proximity of the site to the Fremantle to Perth railway line, its long paths and beaches for walking is a great attraction for visitors to enjoy.
- Planning should consider the Leighton Beaches for all users not just the immediate residential.
- The Leighton Oceanside Parklands was to provide 13ha of revegetated marshalling yards for conservation with 4ha of urban development. The urban development has occurred but there is no foreseeable revegetation of the marshalling yard area that allowed the urban development to occur. This 13ha should be discounted in the report for conservation or recreation purposes for the Leighton area. This places more importance on this MRS amendment to make those allowances for parks and recreation.
- There is no planning in this amendment for Australia’s commitment to the Cop 15 summit of 30% land for conservation by 2030 in a highly cleared landscape. The health benefits of living with nature nearby are becoming more apparent and should not be dismissed here.
- There is no consideration for 30% canopy target in this over cleared landscape.
  - Revegetation of the Leighton beaches have endeared the area to the public. Our volunteer Bushcare group are constantly thanked for our efforts when we work there.

- 5.1) Aboriginal Cultural Surrounds: The Leighton area has significant cultural significance. Instead of rezoning Urban Deferred, this is an opportunity to recognise and protect the Aboriginal heritage values as they were dismissed in the former zoning of industrial. Some of these significant Aboriginal heritage values of this Leighton area are:

- The Fremantle River and coastal areas are places of not only significant cultural importance but of dreaming stories (Sacred Sites).
- The limestone hills (Seven Sisters) behind were believed to be pushed up by their earth creator,
- Great feasting and celebration occurred on the Swan River and on the coast as the families got together for abundant summer fishing.
- Wadjuk tools have been discovered beside the Cable Station, Victoria Street Station and as far as Warton Street only in the 1970's. Dedra (Dingo) dreaming story guards the Leighton Peninsula. The roaming crocodile from the north was spotted and attacked. These features are part of the coastal landscape.
- The ecological linkage from the sea to the Swan River<sup>1</sup> is also a path of traditional Wadjuk ways and dreaming stories. This links the women's area of Point Walter to the fish traps of Minim Cove, to the seven sisters dreaming, to the Moondarup Rock (Shark Dreaming) and Muderup Rocks (Place of the Yellow Fin Whiting).  
What archaeological studies were done of the previous industrial area of Port Beach? Although, the area has been disturbed by previous residential and industrial use, the planning for another use should now be considerate of the cultural values here. The new heritage laws/policies would certainly require it.

6) Traffic:

- Although the Leighton beaches are well placed for train use, the area set aside for dog use and no safe non-vehicular access for surrounding suburbs makes the Leighton beaches vehicle dependent for most.
- The Leighton Oceanside Parkland development of 4ha of Urban has occurred with insufficient public open space and parking for the immediate urban development let alone for the use of surrounding suburbs or greater Perth.
- Traffic on Curtin Avenue on summer weekends is continuous with little chance of crossing Curtin Avenue to the beach if walking or cycling to the beach.
- The Leighton surf club have weekly events which are sometimes state-wide. There has been no consideration for getting families to these events and parking. Many are fined unreasonably due to lack of alternate planning.
- The amendment includes the Port Beach Road in what it wants to allocate to Parks and Recreation. This diminishes the area and value of the foreshore reserve.

7) Leighton Regional Planning Guidelines:

- Occurred after the community plan for a regional park, Vlamingh Parklands, linking the Indian ocean to the Swan River for environmental conservation and public recreation.
- Revegetation of river and coastal foreshore is an easy way to protect environmental and social values. This should also be the aim of this amendment in accordance with State Planning Policies 2.6, 2.8, 3.0 and 7.0.

- 8) Conclusion: Recommend the amendment does not proceed. Amending to "Urban Deferred" is pre-empting what is to occur when there is so much planning to be considered. Recommend that the area is made Parks and Recreation on account of loss of predicted foreshore, insufficient area for nature, recreation or parking for all users.

*This submission was supported by a Deputation.*

**Planning Comment:** Refer to Parts 7.2 (a) Coastal Planning Matters, (b) Future of Fremantle Planning, (c) Traffic and Transport Matters, (d) State Planning Policies and (e) General Matters of the Report on Submissions.

**Determination:** Submission dismissed.

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**Submission:** 42

**Submitted by:** Trevor Pedler (interested resident)

**Summary of Submission:** COMMENT

The submitter advises that the redevelopment of the North Fremantle Precinct needs to cater for:

- Open Space ie grassland, gardens etc
- Car parking
- Apartment style living with small retail included
- The rerouting of Port Beach Road would help keep trucks away from a recreational area.

**Planning Comment:** Refer to Parts 7.2 (c) Traffic and Transport Matters and (e) General Matters of the Report on Submissions.

**Determination:** Submission noted.

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**Submission:** 43

**Submitted by:** Laurence Burke (interested resident)

**Summary of Submission:** OBJECTION

The submitter objects to the amendment as any increase in the number of residential units or commercial businesses in the Leighton Beach/Port Beach area will exacerbate the already present pressure on parking for the beach going public. You can't find parking when trying to visit the Port-Leighton beaches in summer. Surf lifesavers rostered on the afternoon patrol are impacted. The Australian coastal lifestyle includes a beach culture and increasing the carparking problem will change culture by some individuals and families not even bothering to consider as beach visit in summer.

An intent of that *Leighton Oceanside Parklands Master Plan* was to provide sufficient carparking but this has not been achieved with the Leighton Shores development. Suggest that this be reviewed as being aligned with the 2007 Master Plan. Carparking is fundamental to public access to the beach and the submitter think that there should be no expansion of land development via the amendment until government and developers work out how to build carparking.

The *Leighton Oceanside Parklands Masterplan* recognised the need for public carparking. The Leighton Beach vicinity alone an increase in the numbers of public bays was needed due to the number of new residential accommodation units proposed. As almost everyone knows apartment developments never provide sufficient private carparking bays for the number of vehicles they attract.

A design outcome of the Master Plan was to provide 1,142 public carparking bays in the plan overall. This number was purported to be an increase of 304 bay over the existing 838 bays.

That 304 bay increase might be a bit misleading as it seems to have been referring to the entire completed Parklands development. My calculation from comparing pre-development and current aerial photos is that there was nil increase in public carparking numbers in the Leighton Beach vicinity. Pre-development there was just the surf club, the public toilets and the beautiful beach. The pressure now on beach going numbers in the Leighton Beach area has increased due to population growth, construction of multiple residential apartment blocks, and the introduction of commercial café and retail businesses.

The amendment proposes to zone Lot 500 to Parks and Recreation and making it into a public carpark looks like a part of the solution as it is on the preferred side of the road to avoid conflict with users of the Port-Leighton footpath. The ability to use lot 500 for public carparking presumably exists under the current zoning as it had been used informally as a carpark for a long time by the Western Australian public and it was often full throughout summer.

Lot 500 is idle and is fenced-off to prevent the public using it to go to the beach. The streets of the industrial land proposed for change to urban are currently used as parking by some beach goers. A public carpark design over part of Lot 500 was proposed by Federal Labor during the 2018 election as part of a wider public transport initiative. If all of Lot 500 was used for public carparking then it could solve a good part of the beach access issues that will arise from the additional new housing and commercial development. It should not conflict with the Coastal Planning Policy as it can easily be reverted to coastal heath if the coastal erosion of 177m occurs by 2115.

It is easy to find technical reasons to delay consideration of certain issues but this stage of commencing rezoning seems to be the appropriate time to consider Perth beach culture, carparking and the impact of WAPC decisions. A new mixed-use residential and commercial zoning without an increase in carparking will restrict beach access for the general community. Wonderful for those new incoming homeowners who can afford a beachside apartment as this planned urban design will restrict access to their beach by non-locals. The submitter hope notice will be taken of the apparent failure to provide adequate carparking for public beach access with the Leighton Beach development.

Not everyone walks to their local bus stop or train station regardless of how close it is. People drive to bus stops and train stations to park and catch public transport. This is a human behaviour that is at least as strong as the desire of the general public to drive to the beach for a swim in summer. A proportion of residents from the new development at Port Beach will drive their cars to park as close to the North Fremantle train station as possible to avoid walking.

It is obvious that there is the Perth-Fremantle train line in the area, a factor that almost automatically translates into approving apartment developments. There is anticipation of significant growth in Perth's population to be 3.5 million by 2050. The landowners of the industrial sites should not enjoy the financial benefit of the change to Urban Deferred until public access to the beach is resolved. Making Lot 500 a public carpark looks like a part of the solution. The Government of Western Australia through Fremantle Port Authority already owns the land. The cost of developing building the carpark could come from the future (substantial) financial return the land developers will receive from the rezoning.

The car is an essential part of life in Perth. New house and apartments design throughout Perth provide for carparking. There are some who can get by with just public transport and paying for Uber but for residents in most Perth suburbs a motor vehicle is essential to interact as a functioning member of the community.

It is morally and ethically acceptable to provide carparking. Some of Perth's largest carparks are built for commuters' cars at public transport train and bus stations. Going to the beach is a simple pleasure that Perth residents expect to enjoy. That free enjoyment is at risk for the public when there is insufficient parking. The amendment will increase the carparking shortage in the Leighton Beach/Port Beach vicinity thereby having a negative impact on the quality of life of Perth residents.

*This submission requested a hearing but did not attend.*

**Planning Comment:** Refer to Parts 7.2 (a) Coastal Planning Matters, (b) Future of Fremantle Planning, (c) Traffic and Transport Matters, (d) State Planning Policies and (e) General Matters of the Report on Submissions.

**Determination:** Submission dismissed.

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**Submission:** 44

**Submitted by:** Steve Walker (interested resident)

**Summary of Submission:** COMMENT

The submitter urges that the WAPC to use caution when rezoning. More land should be zoned to Parks and Recreation. Particularly in the western fringes of the proposed Urban Deferred area. Stirling Highway traffic bridge over Swan River needs to be duplicated/upgraded etc. Regional road solutions have not been implemented for Fremantle yet, a key piece of that is six lane Stirling Highway North Fremantle and Stirling Traffic Bridge major upgrade.

It is great that after over four decades, the removal of the unsightly, dirty, polluting industrial area uses of North Fremantle is close to completion. Accept that some lands will transition into urban, and residential.

There should be guarantees that indigenous West Australians will get to reside in some of the future new residential at that redevelopment site. At least 30% should be guaranteed for those indigenous First Australians.

Worried that there is no guarantee that Perth citizens and not the 'new migrants' will occupy the future new residential developments (the submitter defines Perth citizens as those who were around before Medicare was created).

Also worried that only the wealthy will be able to afford their way into any new North Fremantle residence. The 'big vehicle' set will drive their way in/out whether to new residential or new commercial or (current/new) recreational areas. Do not plan for them plan them out. Do not deliver wide carparking spots/bays, we need to discourage those large vehicles and Four-Wheel Drives.

Protection of Port Beach is needed. A very cautious approach is needed to deliver a safe buffer zone, rehabilitation zone, in the face of 21st century storm damage.



Soon the industrial elements will be gone from the environmentally sensitive area of North Fremantle, yet the legacy damage from 1990s limestone rock infill projects have nearly ruined the Port Beach. In disturbing 1960s port debris, that has led to beach damage. When will all of that be fixed?

**Planning Comment:** Refer to Parts 7.2 (a) Coastal Planning Matters, (b) Future of Fremantle Planning, (c) Traffic and Transport Matters, (d) State Planning Policies and (e) General Matters of the Report on Submissions.

The WAPC notes that the intent of the amendment is to zone the subject land to Urban Deferred zone only. Matters related to the who can reside in some of the future residential development is outside the scope of the MRS amendment process.

**Determination:** Submission noted.

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**Submission:** 45

**Submitted by:** Charles Nicholson (interested resident)

**Summary of Submission:** OBJECTION

The submitter opposes the amendment as the title "Coastal Precinct" says it all, but the coast and its roles and values seem to have gone missing from the proposal. The WAPC should look a hundred years ahead when climate models predict high seas and southern cyclones. Remember Alby or more recently Seroja? The Port will cop it one day.

The rezoning is premature while Fremantle Council is still working on its Future of Fremantle Project covering that area, and before environmental and social studies have been thoroughly conducted to assess the future values of this land for the whole of Perth. The current proposal is about today's financial gratification for the owners and dense urban development dreams of politicians with no thought for the future.

The amendment is deficient in analysing the pros and cons of the proposal. The submitter had 25 years in the EPA assessing proposals that had no environment.

- Rezoning before a comprehensive planning study is completed will shut options to meet future needs coastal land to counter coastal erosion, to provide coastal recreational facilities for a much larger local and Perth population, and to allow an increase of coastal vegetation for nature conservation.
- Rezoning will gift the industrial owners a financial benefit at the expense of the public purse if land has to be resumed to meet the needs listed above. Planning processes will not release the necessary land for public purposes as the political imperative is always to boast "development" in the life of the government of the day.
- The *Leighton Ocean Parkside Masterplan* is suggested as providing all the coastal reserve necessary for the area, "a foreshore width similar to that adopted for Leighton Beach". Leighton Beach is accreting, Port is eroding. The Leighton ex-railway "parklands" will never fill the social functions of Port Beach. Leighton Parklands were intended to be parklands, not a social hub like Port with pub, music events, Polar Bears, twisted ankles from the Fremantle Port Authority's erosion of limestone debris into the sea from Sandtracks.

- Perth and Peel growth indicates that future millions South of the River, starved of an open ocean beach, will flock to Port. People south-of-the-river come for an early morning swim all year round or a summer's day at the beach. The future demands that they come to a beach wherever it might be after predicted coastal erosion.
- The amendment report relies on the EPA's "not assessed " decision in relation to coastal processes. The EPA says: "Potential impacts can be managed by future planning processes/controls and other statutory processes ...". Really? The Chairman is King Canute, proving that he can't control the tides, so he's handballed the ocean's advance to the WAPC. Never mind Alby and Seroja, we're in the middle of predictions of future cyclone. Remember what cyclones can do to the north-west coast.
- Sustainability: That is sheer mouthing of platitudes plucked from the vocabulary of those who've never been there but are told to promote an environmentally and socially unacceptable reason for ignoring the forces of nature and the requirements of future coast lovers.
- The submitter could go on criticising this rezoning process after a career in environmental bureaucracy dealing with dodgy development proposals, but the submitter challenges the WAPC to go on site for an explanation of the principles of coastal processes and their public values.
- You cannot put today's speculators before the needs of local and Perth-wide citizens and the natural environment.

Defer this amendment until we've planned for a hundred years ahead.

*This submission requested a hearing but did not attend.*

**Planning Comment:** Refer to Parts 7.2 (a) Coastal Planning Matters, (b) Future of Fremantle Planning, (c) Traffic and Transport Matters, (d) State Planning Policies and (e) General Matters of the Report on Submissions.

In relation to the request to defer the MRS amendment, this is not supported as the Urban Deferred zone allows for planning matters to be further resolved, prior to the transfer of the site to the Urban zone. This includes finalisation or substantial progression of the Future of Fremantle Project etc prior to the lifting of Urban Deferment.

**Determination:** Submission dismissed.

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**Submission:** 46

**Submitted by:** The Leighton Action Coalition Inc. (Paul Gamblin)

**Summary of Submission:** OBJECTION

The Leighton Action Coalition advises that it is of concern that development interests are seeking to persuade the WAPC to advertise an amendment which is fundamentally flawed and would present a serious threat to the amenity and sustainability of this coastal area.

The submitter contends that the future zoning and management of this coastal land is one of the most important planning decisions for WA.

This land is a one-off opportunity to create a much-needed coastal reserve in an area that is under considerable - and growing - pressure from beach users and is most prone to erosion of the West Australian coastline. The amendment is contrary to sensible contemporary coastal planning practice and to WA's coastal planning policy and guidelines.

As a community how will the future use of this area represent how willing we are to consider the greater public good in the longer term, and how seriously we take advice based on available science and policy for adapting to climate change. The amendment has drawn considerable public concern including the article in WAToday, an opinion in the Fremantle Herald and the news about the City of Fremantle's recent unanimous motion on this matter: [Pause Urged on Coastal Homes](#).

Given widespread, growing concerns hope the WAPC will continue to resist pressure to advertise the amendment and undertake a thorough, transparent science-based assessment of the needs of this area for coastal processes, current and future recreational needs and associated values. This should include independent experts and ensure participation of key stakeholders, including community representatives. This process would establish setback allowances for the full restoration of dunes and vegetation to promote the natural, economically prudent adaptation of the coast to evident and ongoing sea level rise and storms as a consequence of climate change, and to ensure this assessment is robust at the 100-year timeframe.

This analysis could be undertaken concurrently with the Future of Fremantle and other relevant processes to better inform decisions, which would have implications in both directions, and avoid potentially contradictory advice and approaches.

If the WAPC feels compelled to consider rezoning this area, it should go to a Parks and Recreation deferred which is a prudent and appropriate decision that puts the emphasis on this most appropriate future landuse. It would be deferred to enable an assessment of coastal needs and to enable appropriate integration with the aforementioned planning processes.

The submitter makes it clear that they are not opposed to sympathetic, high quality, properly setback development, we have proposed an approach for the Port Beach area that identifies a large area for development which has already drawn significant support.

Hope you appreciate the concerns for the future of this area as development interests seek to prosecute their case. The WAPC should resist calls to advertise the amendment, and instead oversee a thorough, independent analysis of the future needs of this coastal area.

Addendum: Rationale for recommendations, including concerns about misapplication of Guidelines for SPP 2.6 - State Coastal Policy to MRS amendment

- The particular vulnerability of this area has been well established; it is one of only two areas deemed in need of the highest level of management intervention across the West Australia according to the State Government's own analysis of erosion hotspots in 2019.
- The proponent argues in the executive summary of its bid for rezoning that "The highest and best use of the land has been demonstrated through this proposal to be Urban" and that "There are no constraints or other factors that would preclude rezoning to Urban". These statements are contestable. That this area is demonstrably an area of high vulnerability is a clear constraint to the proposed rezoning.

- Even if this coast were stable and not subject to erosion, the existing and growing competition for access to the foreshore and beach, and the self-evident trend that this problem will only become more acute in future, would still present a strong case that the ‘highest and best use of the land’ is for public purposes and recreation. The combination of a diminishing coastal reserve, clear and growing public needs and a hard boundary to the east from the railway line and infrastructure means this land parcel is inherently constrained and the highest and best use of this land is as a public foreshore coastal reserve zoned Parks and Recreation.
- The proposal is fundamentally at odds with SPP 2.6. The State’s coastal planning policy sets out a series of guidelines that go beyond allowances for coastal processes to also include “ecological and landscape values, cultural heritage values, and recreational values associated with the coastal area, and ensure that these values can still be made available at the end [emphasis added] of the 100-year planning timeframe”. This is of great importance given the recreational values, alone, already require more foreshore reserve than is available now, and that the proponent’s proposal of only a narrow reserve in 100 years’ time clearly cannot meaningfully accommodate coastal allowances and recreational, cultural and other important values.

This section of the SPP2.6 Guidelines (Section 4.7.4) is particularly pertinent for this proposal:

*“Many coastal foreshore reserves were established around the Western Australia, prior to the current SPP 2.6 being adopted in 2013. Since these reserves were planned for or ceded to the Crown, coastal foreshore reserve planning has advanced considerably. Subsequently, the majority of existing coastal foreshore reserve boundaries are not consistent with contemporary coastal foreshore reserve planning requirements of SPP 2.6...”*

Figure 15 from the proponent’s report is relevant, where the purple line is a projection of coastal erosion hazard to 2021, which is the conventional 100-year planning horizon.

It is clear just how narrow the coastal reserve would be between this erosion line and the proposed development area. This outcome would both negate effective dune structure and dynamics, and the enormous services they provide for effective and economically efficient coastal adaptation to sea level rise and storms and starve the community now and in the future of much-needed regional recreational space for a growing population across a large catchment.

This is the crux of their objection to this proposal. It represents a fundamental rejection of SPP 2.6 and its Guidelines. It would also risk setting a highly problematic precedent for other vulnerable areas of WA’s coastline.

- In relation to the Future of Fremantle (FoF) processes, the proponent makes claims that: “The subject land and FoF area are not reliant on each for design or implementation – with respect to access, land use and or the coastal foreshore etc”. And that the: “The proposed amendment in no way prejudices FoF outcomes”. Given the self-evident fragility of these claims, we won’t seek to rebut them except to make the point that in the likely circumstance that some tens of thousands of new residents will be living in the area immediately south of Tydeman Road in future, the (cumulative) pressure on this coastal area will grow considerably, as will the value of a well set back, public coastal reserve designed for the health and amenity of this new development.

- Applaud the analyses undertaken in recent years by the City of Fremantle confirming that Port Beach is highly vulnerable to erosion. Prompted by a previous iteration of the proposal to change the zoning of this area from ‘the Industrial’ to ‘Urban’, the City took the only rational next step when it resolved in 2017 to:

*“Acknowledge that in the current planning horizon there is an “the intolerable Risk Level” identified for the Port Beach North coastal management unit (CMU) requiring an immediate planning response. The Mayor and the City of Fremantle shall call upon the State Government and relevant planning authorities to immediately adopt a “Retreat” response, including a significant increase in the width of the foreshore reserve as part of any planning amendment and/or structure planning being proposed for the former railway reserve and current industrial zoned land in or near Port Beach North CMU, including lands between Tydeman Road and the existing Leighton urban development zone (26/7/2017).”*

- There is sound argument for the full extent of land from the coast eastward to that abutting the eastern road reserve and railway line to be zoned ‘Parks and Recreation,’ and many would support this outcome. However, drawing on our extensive experience and technical knowledge, we have proposed a compromise outcome which provides for both a far more reasonable setback and an opportunity for appropriate development. The submitter offers this proposal in good faith, understanding that some in the community will believe this represents too great a concession to development and note this setback is based on a 100-year coastal foreshore setback determination.
- Given sea level rise and storm surges are projected to continue well beyond the next 100 years under conventional climate change projections, our solution could be seen as lacking adequate prudence. Notwithstanding these likely concerns, this option would accommodate core principles of policies inherent to *Directions 2031 / Central Sub-Regional Planning Framework*, including providing for development around existing railway station nodes. As this demonstrates, we have always sought to find solutions in an informed, pragmatic and logical manner which is why we have been able to make progress over the last decades and maintain a strong, ongoing presence.

#### Introduction to Leighton Action Coalition the submitter and context for this submission

The submitter (Paul Gamblin) writes on behalf of the committee of the Leighton Action Coalition (LAC).

The WAPC is one of the most important institutions of governance in WA and that its role and relevance will only grow, particularly in light of the compounding, serious impacts of climate change, the urgency to protect residual, diminishing natural capital including many critical habitats and to facilitate better protection of cultural heritage and other priority human values.

This MRS amendment is important for this unique and regionally important coastal area and because it presents a timely and crucial opportunity for the WAPC to signal how it can foster good strategic planning, particularly when there is a change in land use that provides for the deployment of contemporary understanding and policy instruments to repair approaches, and mistakes, made in the past. This case is also a precedent, for good or for ill, for other areas where sandy coastal foreshores areas are narrowing rapidly from chronic erosion, and the impacts of sea level rise from climate change and associated energetic storm events.

This amendment is about future generations for whom the coast will be a diminishing memory in many places, and an ongoing battle in others.

Port Beach, south Leighton is one of the only places in the sprawling metro coast where we have a real chance to buy time. the submitter must look to the greater good and grasp this rare opportunity and show the community what good planning can deliver. the submitter have the fleeting chance to get it right here.

As a community, more than 20 years ago, we resisted overdevelopment in the central part of Leighton and this precinct, including around the Surf Club and Orange Box area, and northwards, is now a much-loved public foreshore, and much better able to withstand erosion. This shows how community involvement has delivered better planning and outcomes. the submitter, as volunteers, once again make the same offer to support a sensible, balanced outcome in the interest of current and future generations. the submitter also recognise that we must be guided by updated science and a growing population which means we need to allow more space.

#### Key responses and Recommendations:

- Port-south Leighton is both a regionally important beach and coastal area, already straining from its popularity, and one of the most vulnerable of any in WA due to chronic erosion and climate impacts, as numerous analyses have shown (see references). These analyses sound a common refrain that implore a strong planning response, and they inform our advocacy.
- People from 100 suburbs use this beach and coastal area, so the public good is about considering a catchment that comprises much of the metropolitan area, and country areas too.
- Our approach is consistent with good policy; believe the current proposed amendment is clearly at odds with WA's coastal planning policy guidelines.

The proponents' own projections shows how wholly inadequate the foreshore reserve would be in the decades ahead under the current MRS amendment proposal. This is the core of our concern. It demonstrates why an Urban Deferred zone positioned no further westwards than the current alignment of Bracks Street is advisable and more consistent with policy.

- The MRS amendment proposal, as advertised with its hard, urban and inflexible footprint will squeeze this fast-eroding beach in years ahead. the submitter would leave but a sliver of foreshore reserve, without space for dunes to protect the beach naturally. The submitter would deprive future generations of the countless health and community benefits of a natural, expansive coast. the submitter would necessitate expensive and beach-destroying seawalls to protect the buildings allowed too close to the coast; a story playing out on Sydney's beaches now and all around the world. the submitter are on notice, we know better, and we are confident that with your leadership, we can do better at Port-Leighton.
- The current proposal would also starve the community of the public park and open space that tens of thousands of people living adjacent at the revitalised port will use, let alone people from across the whole southern metropolitan area.
- LAC ready to engage in this overdue assessment of the needs of this foreshore reserve, with the long-term public good as a guiding principle. the submitter look forward to assisting with the prudential application of setback considerations of SPP 2.6 and the Guidelines, including a systematic analysis of recreational and public open space needs.

- Proposed amendment is premature and a departure from WAPC's previous approach: the submitter have formally acknowledged the WAPC's previous, prudent stance to resist entreaties from development interests to rezone this land until broader considerations and analyses are undertaken, particularly around the port and the Future of Fremantle and related processes.

Disappointed the WAPC has chosen to put forward this amendment at this time, before the Future of Fremantle process has progressed and analysis of the community needs of this foreshore area undertaken, and we have not seen any convincing explanation for the decision to advertise now. The submitter share the concern of others that this amendment is premature. Moreover, we believe there is a serious risk that the premature advertisement of the major amendment and the deliberations around it could distort informed public discussion and indeed likely erode public confidence in the process.

The public relations exercise by the well-resourced proponents dwarfs the community's capacity to put its views to foster an informed, balanced discussion, and reinforces an obvious asymmetry in terms of capacity and influence. This is anything but an even playing field upon which to consider the relative public good of alternatives for this area. LAC and many others are concerned that the timing and nature of the MRS amendment serves proponent interests and distends debate about the best future uses of this crucial area.

Concern about cadastral footprint to delineate Urban Deferred proposal: Compounding our concern that this proposed amendment is premature, is that the WAPC chose to advertise the amendment that largely follows the proponents' landholding footprint.

In 2022, called on the WAPC to postpone advertising the amendment for the reasons stated above, but if it chose to proceed, at very least to propose the area be zoned to Parks and Recreation (even deferred). This would provide for an exercise in good planning that is less fettered by powerful, private interests (not unfettered of course but meaningfully less so). The submitter understand that private development interests might balk at such an approach but urge the WAPC to consider its merits and to much more actively demonstrate that development interests will not displace the broader community's aspirations.

The submitter is not opposed to well-planned and sympathetic (relatively dense) residential, commercial and public built environment, set back from the beach and dunes. However, the context for good planning is crucial; the current proposal confirms what many would consider to be an ambit claim by proponents, using an anachronistic footprint reflecting historic industrial use of the precious, eroding coastal area. This is far from ideal as a starting point for strategic planning which should hold public interest now and in the future as a core guiding principle.

The community confronts a context where influential development interests are seemingly effectively prosecuting their agenda to maximise financial returns (in addition to the benefits they have enjoyed from using - and impacting - this land over decades) at the expense of good, future-oriented planning. The WAPC's decision to use the proponents' landholding footprint largely as the basis for the Urban (deferred) amendment proposal reinforces the historical landholding patterns from an era before systematic planning was the norm, with the attendant risks outlined in this submission and the attachment.

The submitter requests the WAPC to recognise the unfortunate signal the current proposal sends to the broader community, and to kindly consider reissuing the Urban Deferred area as Parks and Recreation to facilitate less fettered planning consideration of this area.

- Notwithstanding the above, commend the WAPC for proposing some of the westward land to be zoned Parks and Recreation. This is far less than the bare minimum that would be required for a setback, as we are confident the WAPC will be aware. However, at least it provides a starting point.
- Urban Deferred: In light of the above, we are somewhat reassured by the decision of the WAPC to defer the amendment in the proposed urban section of the precinct (as unfortunate as we believe the urban zone to be, as we discuss above). the submitter look forward to being informed soon how we and the broader community can participate fully in the considerations about the extent of a reasonable foreshore reserve, public open space and generally how appropriate zoning can enhance and protect the amenity of this invaluable coastal area.
- The case for a much more expansive foreshore reserve will be self-evident to the WAPC. However, to provide the WAPC with a summary of their position a copy of a letter sent to the Chair was provided.
- The submitter refers to the City of Fremantle's deliberations in 2022 and its decision at its Council Meeting 24/5/2023. This approach is broadly consistent with LAC, but we argue that the regional importance of this area and the 100-year setback guideline would necessitate a much wider foreshore reserves.

The following appendices were provided with this submission:

- Letter to WAPC Chair, 13 May 2022
- Minutes - Ordinary Council, City of Fremantle 24 May 2023

*This submission was supported by a Deputation.*

**Planning Comment:** Refer to Parts 7.2 (a) Coastal Planning Matters, (b) Future of Fremantle Planning, (c) Traffic and Transport Matters, (d) State Planning Policies and (e) General Matters of the Report on Submissions.

**Determination:** Submission dismissed.

**Submission:** 47

**Submitted by:** *Name removed at the request of submitter* (interested resident)

**Summary of Submission:** OBJECTION

The proposal includes an inadequate foreshore reserve. As was demonstrated at Leighton Beach, a wide foreshore reserve is required to accommodate sea level rise over the next century and to ensure that the long-term recreational access needs to a regional beach can be maintained over at least the 100-year planning timeframe. The proposed widening of the foreshore reserve is welcome, but it falls well short of the width needed to satisfy SPP 2.6.

The foreshore reserve at the Leighton regional beach node was required to be 150m wide from the HSD. The setback was determined following extensive application of the requirements of SPP 2.6.



The coefficient for sea level rise at the time was only 0.38m whereas it has been reset at the more realistic 0.9m. In simple terms, had the setback at Leighton been determined now, another 52m width would have been required for that setback, i.e. a setback of some 202m.

In addition to the need for an increased setback to achieve environmental sustainability over the 100-year planning horizon, the allocation of space for recreational access needs at the Leighton Node has now been shown to be inadequate, especially in relation to the provision of parking in and around the node and the inability to provide reasonable separations between pedestrians and cyclists using the foreshore reserve. Overflow parking currently uses land that falls within the amendment area. Furthermore, the parking that is available can be more than 400m from the central area of the beach node. Realistically, the foreshore reserve at Leighton should have been planned with a setback of approximately 250m extending 400m north and south of the centre of the node.

Based on the existing inadequacies of the Leighton Node, the section of foreshore reserve immediately south of Walter Place provides the only opportunity to overcome some of the shortfalls in the existing Leighton Node. Hence, the new section of foreshore reserve in the amendment area closest to Walter Place will need to balloon out towards the east in order to resolve some of the existing shortcomings at that node.

The foreshore setback at the regional beach node of Port Beach, which forms part of this amendment area, will need to be at least 250m from the HSD. It is important to note that in extrapolating from the known example at the Leighton Node, by comparison the foreshore at the Port Beach node is experiencing significant erosion whereas Leighton is not. Obviously, this will further increase the need for a wider foreshore reserve.

The existing Port Beach node is centred just north of the alignment of Tydeman Road. The existing foreshore reserve south of Tydeman Road is severely compromised by erosion and an inadequate foreshore reserve that cannot be widened while Fremantle Ports remains in the area. All of the existing coastal infrastructure at Port Beach needs to be removed and rebuilt further east as part of a coastal retreat strategy. Given this can't occur South of Tydeman Road, the centre of the relocated regional beach node will need to be position both to the north and east of where it currently lies. the foreshore reserve needed to accommodate this node will need to be more than 250m wide and stretch at least 800m northwards from Tydeman Road.

Combining the needs for some compensatory land to mitigate the inadequacies at the Leighton Node together with the needs for the Port Beach Road, the foreshore reserve in the amendment area will need to be at least 250m wide for the entire length of the amendment area. the submitter is currently well short of that requirement.

Foreshore Reserve should be applied at the first stage of planning, meaning at this MRS Amendment phase. While the proposed zoning of the most of the privately held land to Urban Deferred may allow some further refinement of the foreshore reserve width, it is nevertheless concerning that the perception may be that the widen foreshore reserve is close to satisfying SPP 2.6 when in fact it falls demonstrably short. The WAPC should consider setting back the Urban Deferred zone at least 250m from the HSD and implementing the foreshore reserve at the width that is so obviously required even without further detailed assessment.

*This submission requested a hearing but did not attend.*

**Planning Comment:** Refer to Parts 7.2 (a) Coastal Planning Matters, (b) Future of Fremantle Planning, (c) Traffic and Transport Matters, (d) State Planning Policies and (e) General Matters of the Report on Submissions.

**Determination:** Submission dismissed.

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**Submission:** 48

**Submitted by:** Natalie Hug (interested resident)

**Summary of Submission:** OBJECTION

The submitter advises Minister for Planning that “Good land-use planning decisions can mitigate future risks.”

Natural Disaster Royal Commission Report Chapter 19: Land Use Planning and Building Regulation. “If governments and communities act on this information now, many of these projected losses can be averted.”

Climate Change Risk to Australia’s Build Environment 2019 Report

In a critical moment in planning for WA. Like coastal areas all around the world, and particularly in WA, Port Beach - south Leighton Coast is eroding badly. Government’s own studies have shown it is one of the most threatened of any WA beaches.

Climate change is adding exponentially to those threats: rising sea levels, more severe and more frequent storms mean the beach cannot recover before the next onslaught. Sand replenishment, groynes, artificial reefs are not only mostly futile short-term measures, but they are also massively expensive. Do we want to commit ourselves to constantly fighting the force of the sea.

Like permission to build in flood plains, knowing these risks, it is unconscionable to rezone all the land in the area from the industrial to Urban, or even Urban Deferred. Would this make the Government liable for future compensation and endless expensive remediation.

The amendment considers a 23.93ha site of old, poorly located industrial land. This huge area is 6 times the size of the current Leighton Shores development. On their proposed map it appears all their landholdings would be zoned Urban Deferred, while they propose 6.13 hectares, presumably the slender strip of Fremantle Ports land to form a wholly inadequate coastal reserve.

You should be considering where the coast will be in 100 years’ time and embracing managed retreat to give future West Australians access to the beach, room for the dunes to move back and forth, space for recreation and protection for any residential development or necessary road realignment. SPP 2.6 outlines the long-term considerations required for WA’s coastal threats.

The submitter is not against all development in this area. Some urban development east of Bracks Street, next to the rail station would be desirable, aligning with DCP 1.6. There will be plenty of space (at least double the footprint of Leighton Shores) for high quality development with good access to the train station behind a coastal reserve and parkland which will only increase its value in future and protect it.

In regard to the land west of Bracks Street, even if we need to compensate the property owners for resuming the land, to do so at industrial rates must be less costly for the people of WA. You can deliver a legacy for our children by creating a coastal reserve and quality parkland for a growing population in what is already a popular and congested area.

The community needs much more space for recreation and better access to the busy surf club and other healthy activities. The developer's proposal threatens this and also contradicts and undermines WA's coastal planning policy at a time we should be strengthening it.

Request that the WAPC reject the amendment and undertake a thorough, transparent, participative and science-based analysis of the future recreational and natural coastal protection needs of this area. This should also take into account the Future of Fremantle process.

*This submission requested a hearing but did not attend.*

**Planning Comment:** Refer to Parts 7.2 (a) Coastal Planning Matters, (b) Future of Fremantle Planning, (c) Traffic and Transport Matters, (d) State Planning Policies and (e) General Matters of the Report on Submissions.

**Determination:** Submission dismissed.

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**Submission:** 49

**Submitted by:** Jemima Williamson-Wong (interested resident)

**Summary of Submission:** OBJECTION

The submitter objects to the amendment as it fails to consider the climate crisis and coastal erosion which Port Beach faces. A previous government-commissioned analysis found that Port Beach was equal most at-risk coastline in the entire state. This erosion has already begun and continues to worsen with increasing severity of storms and sea level rise.

It is commonly known and accepted that preserving dune systems and encouraging vegetation is the best and cheapest defence against erosion. As such, there has not been enough consideration given to maintaining a coastal reserve before rezoning this precinct.

Requesting that the WA Government does not rezone the North Fremantle Precinct. and implore the Government to undertake an environmental assessment of such a decision. It is hope that the Government will listen to the many decades of community activists that are asking for one simple thing - protect Port Beach.

**Planning Comment:** Refer to Parts 7.2 (a) Coastal Planning Matters, (b) Future of Fremantle Planning, (d) State Planning Policies and (e) General Matters of the Report on Submissions.

**Determination:** Submission dismissed.

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**Submission:** 50, 51

**Submitted by:** Tim Dawkins from Urbis (on behalf of VE Property Pty Ltd);  
Michael Barr from the ISPT (on behalf of North Fremantle JV Pty Ltd)

**Summary of Submission:** COMMENT

The North Fremantle JV Pty Ltd and VE Property Pty Ltd advise that following years of delay they are grateful that the WAPC has initiated the rezoning which provides a unique opportunity to contribute to the current housing shortage and realisation of the emerging FFPC vision.

The submitters support the rezoning from the Industrial to an Urban future, however pending the outcomes of the FFPC process the option of moving directly to an Urban zone should not be discounted.

### Preliminary

The site has been used for industrial purposes and has been progressively decommissioned. All but a few nominal structures and improvements on the site have development approval for removal – and the decommissioning process on the VE property site is expected to be finalised by the end of the 2023. The current status of the land not only reinforces that it is no longer required for industrial purposes but represents the first opportunity in nearly 100 years that the consolidated precinct has been available for urban renewal.

The significance of the current ownership structure cannot be understated in terms of the ability of this precinct to be developed as a unique master planned community. The two private landowners (the majority of this precinct) have demonstrated their ability to work collaboratively and consultatively with Government to deliver a well-considered outcome that will best meet the needs of the community in the long-term.

### Background

The initiation of the amendment was the culmination of a long and patient engagement with the City and State Government to re-imagine the future of this land as urban, in contrast with its heavy industrial history. This a process which started long before the advent of the Westport and the Future of Fremantle, reflecting that urbanisation was not tied to a future removal of port operations, rather it could exist without the port remaining.

Westport is part of the Department of Transport and is charged with '*providing guidance to the State Government on Perth's long-term infrastructure needs and developing a plan to manage the growing freight demands for the next 50 years and beyond*'. As part of this, the Westport has assessed the operations at Fremantle Port considering to:

- Limited land availability for upgrading and expanding road and rail corridors.
- The impacts on residents, heritage buildings and Aboriginal heritage sites when associated supply chain routes are expanded.
- High capital costs for the construction of a rail tunnel.
- The suitability of the existing berths along the Swan River to reach a port depth of 18m. Additional deep-water berths requiring a breakwater parallel to North Mole would need to be constructed.
- Concerns about the effects on social amenity around the Port especially mobility and congestion.
- Even when accounting for committed and funded improvements and upgrades, the road and rail links will reach capacity before they will be able to handle the anticipated levels of activity.

In May 2020, Westport released its Stage 2 Report – Future Port Recommendations. This report recommended a full transition of Fremantle port operations to Kwinana. This may occur progressively or as part of a single process.

The amendment area is a 'self-contained' precinct which will not affect changes to Port activities, and will not inhibit Port operations continuing to operate in terms of land use or traffic flow.

Whatever occurs with Westport, the land is not required for the freight task associated with the operation of the port or industrial purposes more generally. Therefore, this amendment is not directly linked to the decision to relocate Fremantle Port, it does provide an opportunity for early success in the transition of the locality that would set the scene for future development of the Port land if vacated.

Following the Stage 2 recommendation of Westport, the WAPC established the Future of Fremantle Planning Committee (FFPC) to '*consider land use and economic development opportunities around North Quay and surrounding areas, and to continue developing a new vision for a Victoria Quay Waterfront Precinct*'.

While there are opportunities for the site from the FFPC process, the amendment relates to a discrete precinct capable and appropriate for redevelopment in a manner that is not dependant on the relocation of the port.

This is important and possible because the Fremantle Port Authority precinct (as the bulk of the FFPC Study Area) and subject land are not integrated parcels (particularly following the recent acquisition of BP's freehold land within the Port by the State). Tydeman Road is a distinct boundary between the two projects. The subject land and balance of the FFPC area are not reliant on each other for design or implementation – with respect to access, land use, staging or the coastal foreshore.

### The Opportunity

The site is the largest area of vacant coastal land in the metropolitan area and is contiguous to the closest train station to the beach in the Perth Metropolitan Area. The wider locality is surrounded by Urban zoned land to the north and east – and as presently zoned industrial is incongruent with the surrounding area.

The key to successful urban consolidation along public transport corridors is to increase the comfort and ease of the public transport and the variety of relevant destinations within the precinct. The entirety of the site is to be zoned Urban under is within an 800m walkable catchment to the North Fremantle Railway Station. The entirety of the land is within an 800m walkable catchment of the North Fremantle Activity Centre that emanates out of Queen Victoria Street. The site enables this in a more effective way than the fragmented ownership structures to the east of the railway line in North Fremantle.

METRONET defines station precincts as between 10-15 minutes' walk (equating to 1km) from a station. The submitter acknowledges that there are different types of station precinct (which will be borne out during precinct structure plan stage) but notes that:

*“Station precincts are great locations for future developments of housing, jobs and community services as they make the best use of the State Government's investment in transport infrastructure. Over time these areas will become higher-density active urban places, offering a range of living, employment, entertainment and recreation opportunities while the surrounding suburbs will remain largely 'low-density residential' in character.”*

This is highly aligned with the North Fremantle context. METRONET further notes the following benefits of realising station precincts that are realised via the proposed amendment:

- Reduced CO2 emissions
- Accessibility via non-car transport modes
- Reduced travel times and costs
- Improved health outcomes (from increased physical activity and available leisure time)
- More efficient use of urban land
- Increased housing diversity
- Access to improved public open space
- Reduced environmental impact (urban water/biodiversity)
- Reduced infrastructure provision cost (per capita)

The site expands on the coastal foreshore that is envisaged in the Leighton Oceanside Parklands Master Plan (LOPMP). The LOPMP outlines the landscape and public realm vision for the 13 hectares of foreshore reserve from Victoria Street station to Tydeman Road, that will provide extensive parklands and coastal revegetation, community infrastructure, beachside parking and other amenities.

Past port reclamation has contributed to the current coastline being vulnerable to future erosion. The foreshore definition adopted in the amendment request is based on the government (and City of Fremantle) policy position of managed retreat. The applicant does not necessarily support the full retreat option as over time it allows the coast to move towards existing infrastructure and residents and would certainly see the destruction of existing public facilities and infrastructure along Port and Leighton Beaches. Given the reclaimed nature of the coastal zone and past reclamation practices there is some conjecture whether it is a viable option.

The purposes of adopting a conservative position of coastline modelling is to demonstrate that even with conservative foreshore assumptions, sufficient foreshore reserve can be accommodated particularly between coastal nodes. The government has a number of options for long term environmentally sustainable coastal protection at its disposal, many of which has been adopted both nationally and internationally. the submitter accommodating a full retreat it has been demonstrated that under a 'worst case scenario' the values, functions and uses that currently exist could be replicated in the new (increased) foreshore reserve. The proposed foreshore can accommodate a lesser or no retreat outcome depending on any government actions relating to beach defence, including sand nourishment that is currently being deployed on the site.

The foreshore reserve adopted in the proposal has been adopted through the application of the SPP 2.6 following consultation with State government around the methodology employed.

The resultant outcome is a further 6.13 hectares of additional contiguous foreshore reserve that was not envisaged in the LOPMP, creating a total area just under 20 hectares of foreshore reserve and POS. Additional open space is included within the development itself as the planning process unfolds with each iteration revealing additional levels of detailed planning.

#### Demonstrated Desire For Urban

The landowners have engaged extensively in the lead up to, and during the formal consultation period. Almost 100 individual stakeholders have been engaged through this process from local recreational, community and sporting organisations, local businesses, state government agencies, local elected members, residents and environmental groups.

The vast majority of these stakeholders have expressed support for an urban land use, with no comments received that its historic industrial use be maintained.

Record of issues raised during the engagement activities were collated and analysed. These issues are noted for reference below in order of frequency of mentions.

- A desire to protect Port Beach from erosion and address coastal setbacks into the future and see the delivery of the Leighton Oceanside Parklands Masterplan particularly north of Leighton Beach (14%);
- A desire for an urban form and mixed-use development reflective of the success of the Leighton Development (13%);
- Land contamination and coastal contamination from historic reclamation, tip sites and historic uses around the precinct (10%);
- A desire to connect North Fremantle Town Centre to the coast (10%);
- A desire to build on rail connectivity and a transit orientated development (10%);
- A desire to see the urban mixed-use precinct brought forward to deliver community and economic benefits to local businesses (8%);
- A desire for density, diversity of housing and more residential opportunities in the area (7%);
- Queries around built form and height (7%);
- Concerns over the current Principle Shared Path Extension (PSP) and a desire to see this proposal brought forward to the west (6%);
- Queries raised around commercial activities planned – particularly in terms of weekend parking, suitable provisioning for North Fremantle residents and improved amenity for Port Beach users (6%);
- Opportunity to contribute to and restore heritage values of North Fremantle (2%); and
- Queries on construction impacts (1%)

The evidence points to a demonstrated desire for the project to move forward into structural planning stages to unlock coastal reserve, foreshore amenity, urban density and transport solutions in the near term. Therefore, the best way to realise this would be to move forward with the structure planning process so that a holistic outcome can be achieved which provides an outstanding urban environment.

### Technical Capacity For Redevelopment

Significant work has been undertaken to understand the opportunities and constraints of the amendment area, with detailed analysis by a wide range of specialist technical experts. The analysis confirms that from a technical perspective there is no impediment to the urbanisation of the land. The amendment is justified as follows:

- The land is no longer required for industry, and given its location close to Fremantle and North Fremantle, the Fremantle passenger railway line, Port Beach, and other adjoining residential development at Leighton, the site's highest and best use is Urban.
- The subject land has the potential to deliver a range of urban outcomes including a variety of residential densities and building typologies along with some limited non-residential lands uses (convenience retailing and commercial).
- It provides for a self-contained development, on land under consolidated ownership.
- The amendment does not rely on and nor would it prejudice planning decisions for the wider area including the submittersport, Future of Fremantle Planning Committee, the extension of Curtin Avenue and the delivery of Leighton Oceanside Parklands.
- The intent and requirements of the Scheme and Policy requirements of the Fremantle Port Buffer are demonstrated as being adhered to, and do not preclude development.

- Noise impact from the Port, road and rail can be appropriately managed – both under current operating conditions as well as potential (likely) future relocation of the Fremantle Port.
- The subject land can be serviced with standard urban services, and drainage can be appropriately managed.
- The development of the subject land for Urban purposes will have no adverse impacts on Port activities, and any impact of Port activities on the land can be suitably managed.
- The development of the land for Urban purposes will result in a substantial increase in employment on the site, both through the redevelopment phase and on an ongoing basis.
- The existing road and rail infrastructure and planning reserves already in place and the high proportion of government land provides the government with many options to cater for the delivery of multi modal transport options.
- The development has the opportunity to become an exemplar of sustainable urban development and an iconic destination of metropolitan significance and international renown.
- The amendment is the first step in a formal planning process that will include more detailed design and analysis taking into account local context, character and community.
- The decision to rezone the site to Urban will commence a process that will enable considerations on the spatial resolution (arrangement of streets, lots, public open spaces, allocation of land use designation, etc.) and built form considerations (design, form and function).

The expert reporting demonstrates that there is no technical limitation to the proposed rezoning to Urban. The rezoning will not prejudice the sustainable planning for the wider area under consideration by FFPC and other stakeholders. The rezoning is the first step of many for the broader planning for the site, with the proposal entirely worthy of support to formally start the transition of the site to an urban context.

#### Future of Fremantle Planning Committee

Whilst the current application is separate from the port activities, we acknowledge that the likely relocation of the port and the creation of the FFPC has resulted in an exciting opportunity where this land can be one of the initial stages of a broader urban plan. In principle, the submitters are supportive of complementing this emerging vision and becoming a catalyst for delivery to meet both short- and long-term urban objectives. The existing land ownership structure also significantly reduces the parties involved in planning opening up opportunities not typically available to fragmented ownership structures.

The project will facilitate the release of private investment to deliver a range of urban outcomes including residential, affordable housing, commercial, retail and open space which the government cannot deliver alone. The WA government has a strong track record in delivery of enabling infrastructure in redevelopment precincts such as coastal protection, public open space, new roads, digital infrastructure, public transport, bike paths and delivered early pave the way for complementary investment.

#### Conclusion

Pending the outcomes of the FFPC process the option of moving directly to the Urban zone should not yet be discounted. The submitters request that the issues outlined be taken into account by the WAPC in the finalisation of Amendment 1400/41.



The submitters wish to remain informed of the progress of the amendment and would like to opportunity to provide further clarification if required.

*These submissions were supported by Deputations.*

**Planning Comment:** Support noted. Refer to Parts 7.1 – Supporting Submissions and 7.2 (e) General Matters of the Report on Submissions.

**Determination:** Submissions partly noted / partly dismissed.

---

**Submission:** 52 (late)

**Submitted by:** Public Transport Authority

**Summary of Submission:** COMMENT

The Public Transport Authority (PTA) advises as follows:

- The PTA is exploring options for future stabling locations along the Fremantle line and Lot 602 is a location that is being investigated to accommodate future stabling. The PTA's preferred outcome is for Lot 602 Irene Street, North Fremantle to be removed from the amendment as the current Industrial zoning is beneficial should this site be selected as the preferred location for future stabling.
- The PTA notes stabling is misunderstood as it does not involve the maintenance of trains. Stabling is to store trains overnight in strategic locations to the terminating station on a line (Fremantle Station) to ensure the efficient running of the passenger rail network.

With regards to the remaining area to be zoned Urban Deferred the PTA advised (response dated 13 April 2022 remains current).

- The distance from the railway reserve places much of the future developable land within the PTA protection zone given the proximity (less than 100m) to the Fremantle Railway Corridor. DAs will need to comply with the PTA's requirements for works in and around an operating railway reserve.
- PTA's environmental team would like to review any noise and vibration assessments for future structure plans, DAs or subdivisions in this area.
- Noise sensitive proposals will need to be supported by an acoustic assessment in accordance with SPP 5.4
- Vibration should also be addressed in future developments given the distance from the rail corridor and actual and perceived vibration levels in sensitive land uses.

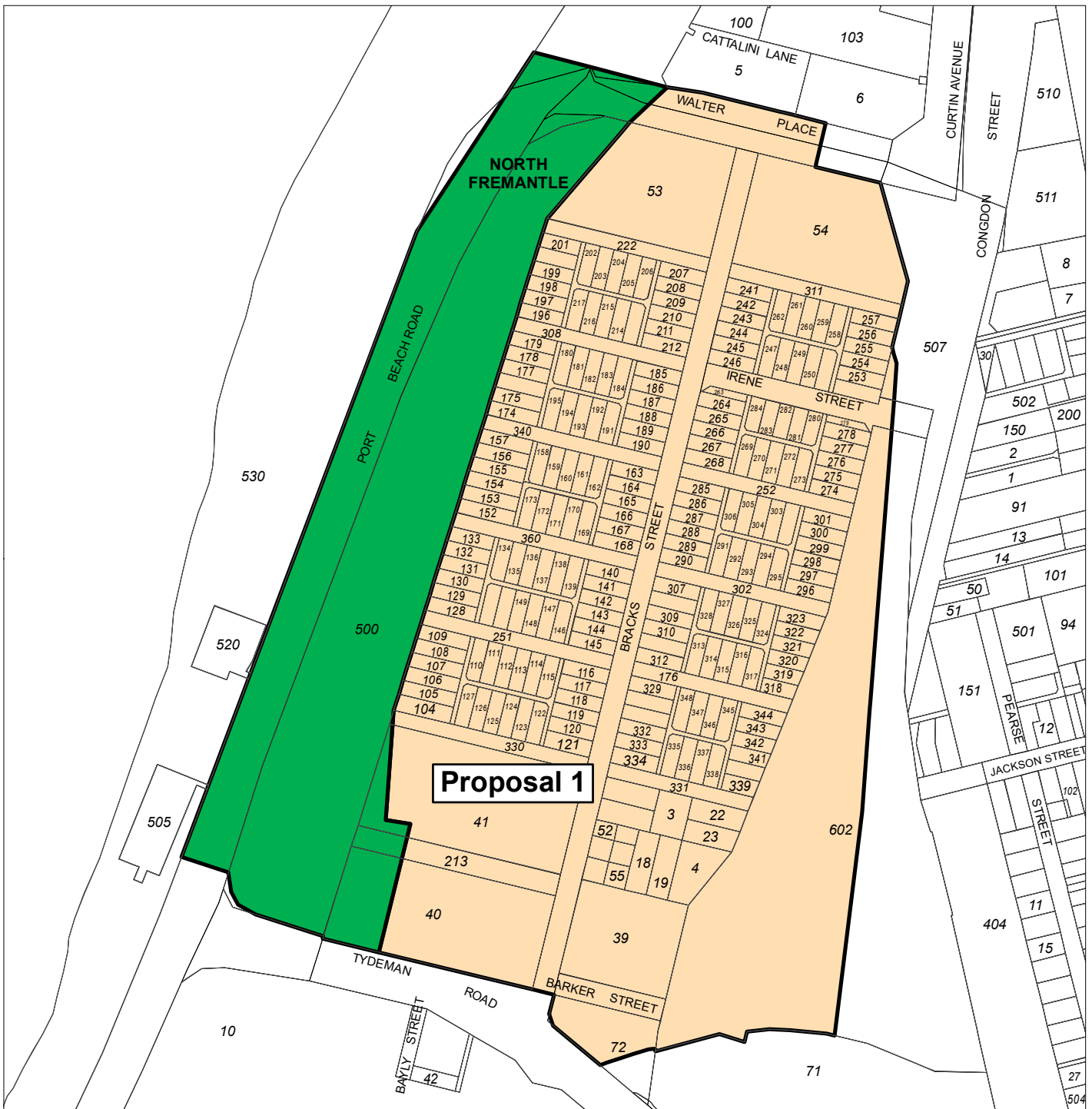
**Planning Comment:** Comments noted. In relation to the request to remove Lot 602 Irene Street from the amendment this is considered premature at this stage. The zoning of the site to Urban Deferred does not allow any urban development to occur within Lot 602.

When a future lifting of Urban Deferment request is received, further consultation with the PTA would occur which will confirm whether this area is required and should remain Urban Deferred in order to be reserved as Railways in the MRS in future.

**Determination:** Submission partly noted / partly dismissed.

### **Schedule 3**

**The amendment figure - proposal 1  
as advertised**



## North Fremantle Urban Precinct Proposed major amendment as advertised

26 October 2022

Proposal 1

Proposed Amendment:

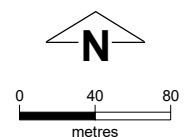
- Parks and recreation reservation
- Urban deferred zone

Oracle reference no: 3693

Version number: 1



Date: 27/10/2022  
 Produced by Data Analytics, Department of Planning, Lands and Heritage, Perth WA  
 Base information supplied by Western Australian Land Information Authority SLIP 1180-2020-1



## **Appendix 1**

### **List of detail plans as advertised**

**Proposed Major Amendment 1400/41**

**North Fremantle Urban Precinct**

**as advertised**

**Amending Plan 3.2801**

**Detail Plans**

1.6410

1.6411

1.6432

1.6433

**Submissions**

**From:** Hatcher, Kim <Kim.Hatcher@atco.com>  
**Sent:** Monday, 3 April 2023 9:47 AM  
**To:** Region Planning Schemes  
**Subject:** RE: LM23250 Proposed Metropolitan Region Scheme Amendment 1400/41 – North Fremantle Urban Precinct

You don't often get email from kim.hatcher@atco.com. [Learn why this is important](#)

Good Morning,

**RE: Proposed Metropolitan Region Scheme Amendment 1400/41 – North Fremantle Urban Precinct**  
**ATCO Reference: LM23250**

ATCO Gas Australia (ATCO) has no objection to the proposed application, based on the information and plan provided.

ATCO instruction:

1. Anyone proposing to carry out construction or excavation works within 15 metres of Critical Asset Infrastructure must contact 'Before You Dig Australia' ([www.byda.com.au](http://www.byda.com.au)) to determine the location of buried gas infrastructure. Refer to ATCO document AGA-O&M-PR24- Additional Information for Working Around Gas Infrastructure <https://www.atco.com/en-au/for-home/natural-gas/wa-gas-network/working-around-gas.html>
2. All works occurring within 15 metres of Critical Asset Infrastructure must undergo ATCO Engineering Assessment to determine if additional safety measures are required. Risk mitigation and asset protection measures may be necessary. Notification for the works must be submitted to ATCO via the [online web portal](#).
3. All works occurring within 15 metres of Critical Asset Infrastructure must comply with the ATCO document Additional Information for Working Around Gas Infrastructure - AGA-O&M-PR24 <https://www.atco.com/en-au/for-home/natural-gas/wa-gas-network/working-around-gas.html>
4. Future construction and any proposed access roads across the ATCO Critical Asset gas mains (including proposed roads and road upgrades) need to be managed in accordance with the ATCO document Additional Information for Working Around Gas Infrastructure - AGA-O&M-PR24 <https://www.atco.com/en-au/for-home/natural-gas/wa-gas-network/working-around-gas.html>
5. Anyone proposing to carry out construction or excavation works must contact 'Before You Dig Australia' ([www.byda.com.au](http://www.byda.com.au)) to determine the location of buried gas infrastructure. Refer to ATCO document AGA-O&M-PR24- Additional Information for Working Around Gas Infrastructure <https://www.atco.com/en-au/for-home/natural-gas/wa-gas-network/working-around-gas.html>

Please accept this email as ATCO's written response.

Should you have any queries regarding the information above, please contact us on 13 13 56 or [eservices@atco.com](mailto:eservices@atco.com).

Kind Regards

**Kim Hatcher**

Land Liaison/Engineering Coordinator  
ATCO, Gas Division, Australia

A. 81 Prinsep Road, Jandakot, Western Australia, 6164

[atco.com.au](http://atco.com.au) [Facebook](#) [Twitter](#) [LinkedIn](#)



ATCO acknowledges the Traditional Owners of country throughout Australia and their continuing connection to land, sea and community. We pay respect to their Elders past, present and emerging, and in the spirit of reconciliation, we commit to working together for our shared future.

---

**From:** Region Planning Schemes <regionplanningschemes@dplh.wa.gov.au>

**Sent:** Wednesday, 29 March 2023 10:04 AM

**To:** Engineering Services <eservices@atco.com>

**Subject:** LM23250 Proposed Metropolitan Region Scheme Amendment 1400/41 – North Fremantle Urban Precinct

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Dear Sir/Madam

## **Proposed Metropolitan Region Scheme Amendment 1400/41 – North Fremantle Urban Precinct**

Please see attached notification letter for the above amendment which is currently on advertising. For your information below is the link to the online display:-

[www.wa.gov.au/government/publications/mrs-major-amendment-140041-north-fremantle-urban-precinct](http://www.wa.gov.au/government/publications/mrs-major-amendment-140041-north-fremantle-urban-precinct)

Kind regards

**Carmella Scantlebury**

Planning Support Officer | Land Use Planning

Department of Planning, Lands and Heritage

Bunbury Tower, Level 6, 61 Victoria Street, Bunbury WA 6230

[wa.gov.au/dplh](http://wa.gov.au/dplh) | 9791 0569 | |



The Department is responsible for planning and managing land and heritage for all Western Australians – now and into the future

The Department acknowledges the Aboriginal people of Western Australia as the traditional custodians of this land, and we pay our respects to their Elders, past and present.

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**From:** Jim Mackintosh <jim.mackintosh@dwer.wa.gov.au>  
**Sent:** Tuesday, 18 April 2023 10:38 AM  
**To:** Region Planning Schemes  
**Subject:** RE: Proposed Metropolitan Region Scheme Amendment 1400/41 – North Fremantle Urban Precinct

Dear DPLH,

Thank you for the above referral. The Department of Water and Environmental Regulation has considered the proposal and has no objections and no further comments.

Regards

**Jim Mackintosh**

**Department of Water and Environmental Regulation**

**Program Manager**

**Swan Avon Region**

**Planning Advice Section**

T 08 6250 8043 |

E [jim.mackintosh@dwer.wa.gov.au](mailto:jim.mackintosh@dwer.wa.gov.au)

Visit our website [www.dwer.wa.gov.au](http://www.dwer.wa.gov.au)

---

**From:** Region Planning Schemes <regionplanningschemes@dplh.wa.gov.au>  
**Sent:** Wednesday, 29 March 2023 10:29 AM  
**To:** Swan Avon Land Use Planning <swanavon.landuse@dwer.wa.gov.au>  
**Subject:** Proposed Metropolitan Region Scheme Amendment 1400/41 – North Fremantle Urban Precinct

Dear Sir/Madam

**Proposed Metropolitan Region Scheme Amendment 1400/41 – North Fremantle Urban Precinct**

Please see attached notification letter for the above amendment which is currently on advertising. For your information below is the link to the online display:-

[www.wa.gov.au/government/publications/mrs-major-amendment-140041-north-fremantle-urban-precinct](http://www.wa.gov.au/government/publications/mrs-major-amendment-140041-north-fremantle-urban-precinct)

Kind regards

**Carmella Scantlebury**

Planning Support Officer | Land Use Planning

Department of Planning, Lands and Heritage

Bunbury Tower, Level 6, 61 Victoria Street, Bunbury WA 6230

[wa.gov.au/dplh](http://wa.gov.au/dplh) | 9791 0569 | |



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**From:** Daniel Lawrence <Daniel.Lawrence@watercorporation.com.au>  
**Sent:** Tuesday, 18 April 2023 2:00 PM  
**To:** Region Planning Schemes  
**Subject:** Proposed Metropolitan Region Scheme Amendment 1400/41 - North Fremantle Precinct  
**Attachments:** MRS Amendment 1400\_41 - North Fremantle Urban Precinct.pdf

You don't often get email from daniel.lawrence@watercorporation.com.au. [Learn why this is important](#)

Hi There,

Please find attached Water Corporations comments on the proposed amendment.

Kind Regards

**Daniel Lawrence**  
Snr Plnr - Land Planning  
Development Services

E Daniel.Lawrence@watercorporation.com.au  
T (08) 9420 3257



Water Corporation acknowledges the Traditional Owners throughout Western Australia and their continuing connection to the land, water and community. We pay our respects to all members of the Aboriginal communities and their cultures and to Elders past, present and emerging.

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Your Ref: MRS 1400/41  
Our Ref: MRS397177  
Enquiries: Daniel Lawrence  
Direct Tel: 9420 3257  
Email: land.planning@watercorporation.com.au

18 April 2023

Department Of Planning Lands and Heritage  
Locked Bag 2506  
PERTH WA 6000

Attention of: Mr Anthony Muscara

**Re: MRS Amendment 1400/41 - North Fremantle Urban Precinct**

Thank you for your letter dated 27 March 2023. We offer the following comments regarding this proposal.

**Water**

The subject area currently contains water mains that were designed and sized for the current use of the land. Upgrades to the network and extensions will be required to service the ultimate development. These mains will be reticulation sized and therefore must be funded by the developer/s.

**Wastewater**

Sewer mains can be extended from the Port Beach Rd Wastewater Pump Station to provide wastewater services to the subject area. These are also reticulations sized mains and to be funded by the developer/s.

Water and wastewater planning and the extent of any upgrades will be further refined as yields and the land use mix is better understood.

The information provided above is subject to review and may change. We recommend any proponents of development discuss infrastructure requirements with the Water Corporation to determine scope and staging requirements.

Please provide the above comments to the landowner, developer and/or their representative.

Should you have any queries or require further clarification on any of the above issues, please do not hesitate to contact the Enquiries Officer.

Daniel Lawrence  
Senior Planner  
Development Services



The Secretary, WAPC  
Locked Bag 2506, Perth WA 6001

Re: MRS Major Amendment 1400/41  
North Fremantle Urban Precinct

|   |                                      |
|---|--------------------------------------|
| Department of Planning,<br>Lands and Heritage<br>Received |                                      |
| Scanned   | 20 APR 2023 <input type="checkbox"/> |
| Attachments   | <input type="checkbox"/>             |
| Scan QA   | <input type="checkbox"/>             |
| Doc No.....   |                                      |
| File No.....  |                                      |

Comment from William Power PSM. 50B Pembroke St. Bicton 6157

**BACKGROUND**

During 2022 I wrote to the Fremantle Port Authority General manager suggesting potential expansion to the North, for additional container berths, recognising planning for use of Victoria Key for major improvement of frontage and integration with the City of Fremantle. At the time I also briefed a planning officer of the Port Authority regarding potential benefits of a future northern expansion of the port container berths, with access by deviation from the existing port entrance channel. I also proposed improved separation between urban vehicles and port truck traffic, by a northern connection for urban traffic to marine parade and to Stirling Highway, by high level road crossing over the existing rail yard area. This access would also allow replacement of the current unsafe level crossing at Mosman Park Station.

This approach preserves the long term future port option for container shipping growth at Fremantle port, and allows multistorey residential and promenard development fronting both Stirling Highway and the existing Leighton road. The existing railway would be contained within tunnel structure within the basement of the future buildings.

The concept also included improvement of the Leighton Station, a large Leighton shark proof enclosure and convenient rail access to a safe beach at Leighton from the entire Metronet rail system.

I received a courteous reply from the general manager, a copy of the Port annual report, but no comment on my submission. I had envisaged that some of my ideas would be tested by the Port Authority with relevant State agencies.

**COMMENT**

Recent media coverage frequently showed Senior Political leaders in close personal contact with major land developers. Also I was very disappointed to see the reserved future port use land featured in the very small advert regarding the MRS Major Amendment 1400/41, on Page 59 of The West Australian (Wednesday March 29 2023), along with pets, personal adverts and race results. I do not believe it has been given adequate exposure.

We have recently been presented with the Major Announcement of Significant Defence Developments

proposed on Garden Island and within Cockburn Sound for repair and servicing of Defence vessels. This will hopefully include channel creation close to the north end of Garden Island and inside the sound for deep draft vessels easy and quick access to the deep ocean offshore.

Planning studies underway by the current State Government, for future port expansion development within Cockburn Sound, will clearly need to be reviewed, as part of integration of Federal and State Agency planning.

This reset has prompted me to repeat in this comment, my concept of future container berth requirements at Fremantle Port and to suggest development of density housing should be to the North of the existing Leighton Residential Development, and not to the South.

It also should prompt further study of major use of the under utilised railway reserve area at Fremantle Station that fronts Victoria key.

Although now elderly, I have for many years as a senior civil Engineer been closely involved in Planning, Negotiation and Cordination of Major projects and Township development in Western Australia and have ensured the State benefitted from major Resource Deveopment.

I recommend that the Western Australian Planning Commission abandons it's proposed release of existing port reserved land, which would only benefit a few hungry developers.

In my presenting this comment on the proposed Amendment to the Port Use Reserved Land, and potential release of areas further north,

I also offer comment "on the potential value to the State of commercial redevelopment of the under utilised Fremantle Station rail yard area".

The need to upgrade visitor first impression from their cruise ships, of the existing Fremantle City frontage, would involve covering the essential rail tracks with modern commercial development of high rise accomodation and commercial / promenade development. This would add emphasis to the historical centre of Fremantle City as a destination for visitors.



Yours sincerely William Power PSM.

Date 16 April 2023

Refer Attached copy of previous submission to Fremenle Port Authority.







*Reference Copy*

50B Pembroke St.

Mr Michael Parker

Bicton WA 6157

**CEO Fremantle Port Authority**

**Briefing notes and submission via Mr Dominic Thatcher Monday 2 May 2022.**

Thank you for arranging the briefing, via your secretary, that I provided to your representative.

My purpose is to put forward some ideas on future possibilities that I suggest are worthy of consideration, at this time, by your appropriate professional staff, and others.

Having been involved in engineering design and development planning during my career, and born in Fremantle, I feel the need to outline possible development planning issues, relating to Fremantle Port growth.

Please excuse the rough sketch nature of the attachments, but they may help clarify some of the ideas that I put forward. These ideas encompass the following issues:

1. Preserve the option to expand Fremantle Port / Container Capacity by cut and fill / port expansion to the North. This involves the necessity to protect for port expansion, nearby development land and the reduction in Urban/Port traffic conflict. The announcement of major defence developments within Cockburn Sound may prompt the need for change to current planning for that area.
2. Separate the urban and heavy transport road traffic, as much as possible, by removing existing urban road access to the above Port development area by providing an overpass link and revised access road from the North.
3. Amend Leighton road access and existing parking provisions, and include development of a major shark enclosure protection at Leighton Beach. A significant upgrade of the Leighton station is suggested, for entire community beach access, via the metro net.
4. Provide two additional lanes to Stirling Bridge with marked lanes for heavy haulage trucks, keeping an east lane for urban traffic in each direction from Stirling Highway / Canning highway. The existing Stirling Bridge may require some strengthening to reduce heavy vehicle bounce.
5. Protect and improve the road pattern in the North Fremantle Village area, and review the need or otherwise for the old Fremantle Traffic Bridge.
6. Review the entire Port rail access land use, both for the suggested northward expansion of Fremantle Port, and for improved City frontage to the port.

Yours sincerely

  
William Power PSM



**From:** Heather Percy <Heather.Percy@dpird.wa.gov.au>  
**Sent:** Monday, 8 May 2023 3:09 PM  
**To:** Region Planning Schemes  
**Subject:** DPIRD response - Proposed Metropolitan Region Scheme Amendment 1400/41 North Fremantle Urban Precinct  
**Attachments:** DPIRD comments - WAPC - Proposed Metropolitan Region Scheme Amendment 140041 North Fremantle Urban Precinct LUP 1578 .pdf  
**Follow Up Flag:** Follow up  
**Flag Status:** Completed  
**Categories:** CS

Please find attached comments from they Department of Primary Industries and Regional Development (DPIRD).

Regards Heather

**Heather Percy** | Principal Research Scientist  
Agriculture Resource Management and Assessment  
Department of Primary Industries and Regional Development  
1 Verschuer Place, Bunbury WA 6230  
t +61 (0)8 9780 6262 | m +61 (0)429 378 851 | w [dpird.wa.gov.au](http://dpird.wa.gov.au)



**Protect  
Grow  
Innovate**



DPIRD acknowledges the Traditional Custodians of Country, the Aboriginal people of the many lands that we work on and their language groups throughout Western Australia and recognise their continuing connection to the land and waters.

We respect their continuing culture and the contribution they make to the life of our regions and we pay our respects to their Elders past, present and emerging.

*Artwork: "Kangaroos going to the Waterhole" by Willarra Barker.*

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Department of  
**Primary Industries and  
Regional Development**

Your reference: 809-02-5-12 Pt 1  
(RLS/1051)

Our reference: LUP 1578

Enquiries: Heather Percy

Ms Sam Fagan  
Secretary  
Western Australian Planning Commission  
Locked Bag 2506  
Perth WA 6001

[RegionPlanningSchemes@dplh.wa.gov.au](mailto:RegionPlanningSchemes@dplh.wa.gov.au)

8 May 2023

Dear Ms Fagan

### **Proposed Metropolitan Region Scheme Amendment 1400/41 North Fremantle Urban Precinct**

Thank you for inviting the Department of Primary Industries and Regional Development (DPIRD) to comment on proposed amendment to rezone approximately 23.93 ha in North Fremantle from the Industrial zone to the Urban Deferred zone and Parks and Recreation reserve.

The amendment is being partly zoned Urban Deferred as the following matters require resolution prior to the transfer to the Urban zone:

- finalisation or substantial progression of the Future of Fremantle project
- confirmation of regional road and transport requirements in the locality
- confirmation of coastal foreshore reserve requirements
- consideration of the Fremantle Port buffer.

DPIRD does not object to the proposal and offers the following comments:

- Fremantle Port is vital for the export of Western Australia's primary production including refrigerated containers for export of fresh fruit and vegetables, as well as the live export of sheep and cattle. The Port also supports importation of equipment and inputs vital to primary production and processing.
- The future lifting of the proposed Urban Deferred Zone to facilitate residential development needs to consider the future use of the Fremantle port and availability of replacement port facilities for Western Australian agricultural produce and live animal exports.

75 York Road Northam 6401  
PO Box 483 Northam WA 6401  
Telephone +61 (0)8 9690 2000 [landuse.planning@dpird.wa.gov.au](mailto:landuse.planning@dpird.wa.gov.au)  
**[dpird.wa.gov.au](http://dpird.wa.gov.au)**

ABN: 18 951 343 745

For more information please contact Heather Percy on 9780 6262 or [heather.percy@dpird.wa.gov.au](mailto:heather.percy@dpird.wa.gov.au)

Yours sincerely

A handwritten signature in cursive script that reads "Melanie Strawbridge".

Dr Melanie Strawbridge  
**Director Agriculture Resource Management Assessment  
Sustainability and Biosecurity**

Submitted to MRS Major amendment 1400/41 - North Fremantle Urban Precinct  
Submitted on 2023-06-14 15:58:46

### About you

1 What is your first name?

First name:

2 What is your surname?

surname:

3 Are you responding on behalf of an organisation?

Yes

Organisation:

City of Fremantle

4 Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission?

Yes

5 What is your email address?

Email:

6 What is your address?

address:

Walyalup Civic Centre | 151 High Street | Fremantle  
PO BOX 807 | Fremantle WA 6959

7 Contact phone number:

phone number:

### Submissions

8 Do you support/oppose the proposed amendment to the Metropolitan Region Scheme?

Oppose

9 Please type your submission (reasons for support/opposition) into the the box below. Any supporting documents may be uploaded.

Submission:

As attached.

File 1:

Council Submission - Proposed MRS Amendment - North Fremantle Urban Precinct 1400-41 (ID 5614668).pdf was uploaded

File 2:

Attachment City of Fremantle Council Minutes 24 May 2023 - Proposed MRS Amendment - North Fremantle Urban Precinct 1400-41.pdf was uploaded

File 3:

No file uploaded

### Hearing of submissions

10 Do you wish to speak at the hearings?

Yes

## Hearing of submissions details

11 Please indicate who you will be represented by:

Spokesperson

If you are representing yourself, please provide a contact phone number:

If you are being represented by a spokesperson, please provide their details::

Russell Kingdom or Patrick Ford

12 I would prefer my hearing to be conducted in:

Public





Department of Planning, Lands and Heritage  
140 William Street  
PERTH WA 6000

14 June 2023

Dear Sir / Madam,

**Proposed Metropolitan Region Scheme (MRS) Amendment – North Fremantle Urban Precinct (1400/41)**

I refer to the above and the attached Council report and would like to thank you, on behalf of Council and the City of Fremantle, for the opportunity to comment on the MRS amendment.

Council considered the matter at its Ordinary Meeting on 24 May 2023 and resolved that:

**Council advises the Western Australian Planning Commission (WAPC) that the City of Fremantle's submission on the Proposed Metropolitan Region Scheme (MRS) Amendment – North Fremantle Urban Precinct (1400/41), is as follows:**

**1. Refers the WAPC to its initial comments, Council Meeting 27 April 2022 (Item PC2204), and adds the following comments to assist with clarifying the key planning issues that require resolution prior to any of the site being suitable for rezoning:**

- 1.1. COASTAL RECREATIONAL NEEDS – An evidence-based assessment on the extent of land required for precinct/regional recreation and beach access in this location, considering this in context of the:**
  - (a) Leighton Foreshore Masterplan;**
  - (b) existing demand and capacity at the Leighton node; and,**
  - (c) predicted growth / future demand for public land in the vicinity of Port Beach as determined through the Future of Fremantle studies.**
- 1.2. COASTAL EROSION – an evidence-based assessment of coastal hazards to ensure the reserve is of sufficient width to maintain a functional coastal foreshore reserve into the future and to protect infrastructure and property.**
- 1.3. TRANSPORT – a clear government plan for the regional and local transport network in North Fremantle to deliver a well-integrated urban destination and resolve:**





- (a) the extension/ alignment/ urban design and capacity of Curtin Avenue, including its inter-relationship with Stirling Highway;
  - (b) freight and passenger rail; and,
  - (c) required urban connectivity from the North Fremantle town centre through the site to the foreshore node.
- 1.4. **FUTURE PORT PLANNING**—a clear government position on the future redevelopment plans being developed through Future Fremantle Committee, in particular, the type and intensity of land uses proposed and the associated transport / access requirements within the North Fremantle peninsula;
- 1.5. **PORTBUFFER ZONE** –Acknowledging the port buffer zone currently restricts potential urban development to non-residential uses, deliver a process that avoids short-term planning outcomes on the subject site that run contrary to the proper and orderly planning of the broader neighbourhood / precinct. Urban zoning within the existing buffer zone should only proceed once the buffer is no longer required.

**2. With regard to 1.1 to 1.2, further notes that:**

- 2.1. The Amendment Report prepared by the WAPC states that North Fremantle Coastal Hazard Risk Management and Adaptation Plan provided by the proponent calculates the coastal foreshore reserve as having a width of between 28.1 and 70m by 2115. This is incompatible with the infrastructure and access requirements of a regional beach.
- 2.2. Studies undertaken for the Leighton Beach development identified the need for a minimum 150m foreshore reserve and that subsequent to this assessment the sea-level rise coefficient has increased such that the current recreational assets may be compromised within the 100-year planning horizon.
- 2.3. That regular summer demand currently exceeds capacity within the available reserve at Leighton Beach, demonstrating that the assessment in determining the recreational access needs for that section of foreshore reserve has proved to be inadequate and highlighting the need for ample provision in the Port Beach Node to accommodate current and future demand.
- 2.4. The cumulative impact of intensive development within the amendment area combined with other urban planned infill in Fremantle and North Fremantle, and most notably the future Fremantle Ports redevelopment, will create significant additional beach use and infrastructure needs.
- 2.5. Over recent decades the Port Beach node has suffered one of the highest levels of coastal erosion in the Metropolitan area. The





**severity of the coastal erosion to the south of Tydeman Road has given rise to a coastal retreat strategy in this area which will result in additional demand for recreational infrastructure within the foreshore area to the north of Tydeman Road.**

**3. In light of the above, the Council advises the proposed cadastral boundary between the Parks and Recreation Reserve and Urban Deferred Zone is not supported by evidence and is inadequate for future needs and risks. Council recommends that an additional portion of the proposed Urban Deferred zone west of Bracks Street will need to be rezoned to Parks and Recreation Reserve prior to any redevelopment in order to meet these needs.**

**4. Confirms the Council's willingness and deep interest in working collaboratively with all relevant government agencies to help deliver acceptable legislative and planning frameworks for the key issues listed above, to enable high quality sustainable development of the North Fremantle.**

As noted above, a copy of the Council minutes from the Ordinary Meeting of 24 May 2023 is attached as a summary and background to this submission.

Should you have any queries or wish to discuss the matter, please do not hesitate to contact me.

Yours faithfully

A handwritten signature in blue ink, appearing to read 'Russell Kingdom'.

Russell Kingdom

Director Planning, Place and Urban Development

Attachment: *City Of Fremantle Council Minutes 24 May 2023 - Proposed MRS Amendment - North Fremantle Urban Precinct 1400/41*

Minutes – Ordinary Meeting of Council  
24 May 2023



## 12. Reports and recommendations from committees

### 11.1 Planning Committee 3 May 2023

Cr Rachel Pemberton left the meeting at 10:30pm prior to consideration of the following item and did not return.

#### PC2305-5 PROPOSED MRS AMENDMENT 1400/41 - NORTH FREMANTLE URBAN PRECINCT (MAJOR AMENDMENT)

**Meeting Date:** 3 May 2023  
**Responsible Officer:** Manager Strategic Planning and City Design  
**Decision Making Authority:** Council  
**Attachments:** 1. MRS amendment 1400/41 report - North Fremantle Urban Precinct  
**Confidential attachments:** Nil

#### SUMMARY

The Western Australian Planning Commission (WAPC) is inviting comment on a proposed major Metropolitan Region Scheme (MRS) amendment (1400/41) for the 'North Fremantle Urban Precinct'.

The WAPC considered the potential impact of the Future of Fremantle Planning Study and propose an amendment to rezone approximately 23.93ha in North Fremantle (adjacent to Port Beach) from an industrial zone to an Urban Deferred zone and Parks and Recreation reserve. Under the proposed MRS amendment, the following matters would require resolution prior to the transfer to the urban zone:

- finalisation or substantial progression of the Future of Fremantle project;
- confirmation of regional road and transport requirements in the locality;
- confirmation of coastal foreshore reserve requirements;
- consideration of the Fremantle Port buffer.

WAPC provide the intent of the amendment is to facilitate redevelopment of the site for primarily mixed-use commercial and residential uses, with areas of public open space, following the lifting of Urban Deferment, Local Planning Scheme (LPS) amendment and detailed local structure planning.

Council has previously indicated support in principle for an MRS Amendment in this location (PC2204-12, 27 April 2022) and proposed an interim zoning of 'Urban Deferred'. The City is pleased that the WAPC also supports an 'urban deferred' zoning to enable important broader





planning matters to advance sufficiently before urban development should proceed.

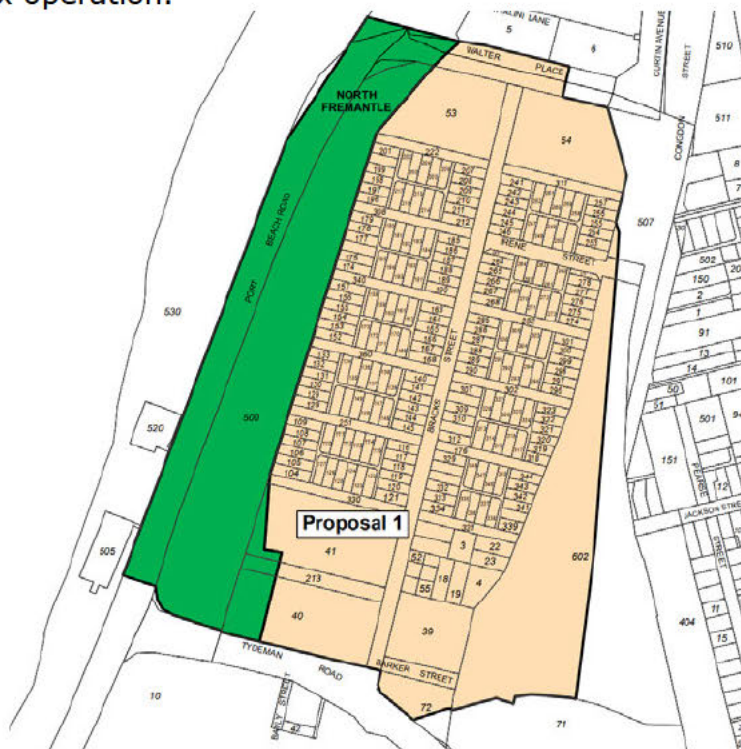
Officers consider the previous planning concerns made by Council to still be relevant and recommend these be included in a formal submission to the WAPC during the current consultation period (closes 30 June 2023).

## BACKGROUND

### Proposed amendment and subject site

The Western Australian Planning Commission (WAPC) is inviting comment on a proposed major Metropolitan Region Scheme (MRS) amendment (1400/41) for the 'North Fremantle Urban Precinct'.

The amendment proposes rezoning approximately 23.93 ha in North Fremantle from the industrial zone to the urban deferred zone and parks and recreation reserve. The site is bound by Port Beach Road to the west, Primary Regional Road reserve to the east, Tydeman Road and Freight Rail Reserve to the south, and Walter Place to the north (refer to figure 1). The land has historically been used for industrial purposes including a fuel terminal and lubricant depot by Viva Energy Australia (formerly Shell Australia), a former Standard Wool site and a former Caltex operation.



North Fremantle Urban Precinct  
Proposed major amendment  
as advertised

26 October 2022

Proposal 1

Proposed Amendment:  
 Parks and recreation reservation  
 Urban deferred zone





Figure 1. Subject site of proposed major MRS amendment (1400/41) for the 'North Fremantle Urban Precinct'.

WAPC provide the urban deferred zoning is to ensure that the MRS amendment process does not prejudice or pre-empt the Future of Fremantle Planning Committee (FFPC) outcomes. Under the proposed MRS amendment, the following matters would require resolution prior to the transfer to the Urban zone:

- finalisation or substantial progression of the Future of Fremantle project
- confirmation of regional road and transport requirements in the locality
- confirmation of coastal foreshore reserve requirements
- consideration of the Fremantle Port buffer.

### **Council's Previous Resolution**

Council resolution, 27 April 2022 (Item PC2204):

*Council advises the Western Australian Planning Commission (WAPC) that the City of Fremantle's preliminary comments on the Proposed Metropolitan Region Scheme (MRS) Amendment – North Fremantle Development Precinct (RLS/1012), are as follows:*

1. *The exploration of alternative land uses for the North Fremantle Development Precinct is reasonable given the vacant, and largely cleared, and underutilised status of the land in this precinct. A component of 'Urban' zoning may present as one logical option for a part of the site given its prime location, subject to the WAPC being satisfied that the loss of this land to industrial use (whether related to Fremantle Port or other industrial land needs) would not be contrary to the objectives of the Commission's Economic and Employment Lands Strategy: non-heavy industrial. However, due to:*
  - *the land's past industrial use and proximity to Fremantle Port;*
  - *the site's juxtaposition to two spatially under-serviced coastal recreation nodes of critical regional significance (i.e., the Port Beach and Leighton Beach nodes), the known vulnerability of this particular section of coastline to coastal hazards, and the unpredictable coastal impacts that redevelopment of the port may cause;*
  - *the need to review and resolve the regional and local transport and access considerations in a manner that facilitates improved urban form and connectivity for the Leighton/North Fremantle Peninsula rather than induce further fragmentation or create disconnected cells; and,*
  - *the 'Future of Fremantle' work, and the impact of future development on the subject site to the wider area, including the desire for full economic, land-use and built-form integration with the surrounding areas,*

*the rezoning exercise is considered premature. There are several issues that the City considers need a greater degree of resolution prior to any of the subject site being suitable for rezoning, including as follows:*





- a. *Determination of the extent of land required for an enlarged coastal foreshore Parks and Recreation Reserve, taking into account the need for the portion of the reserve inland of the year 2120 coastal erosion hazard line to provide sufficient space for environmental conservation and public recreational needs, noting that to meet these needs community infrastructure to service Port Beach as a second beach 'node' to relieve pressure on Leighton Beach and accommodate growing population demands for beach use will be required.*
  - b. *The land being capable of being provided with essential services and agreement has been reached between the developers and service providers with regard to the staging and financing of services.*
  - c. *Future of Fremantle planning has sufficiently advanced to a stage that depicts clear objectives to guide future urban integration and development in the area.*
  - d. *Regional road and rail planning requirements have been resolved and provision made for them in a manner that compliments and re-integrates the existing and future urban environments.*
2. *Having regard to point 1 a) above, the City requests the WAPC to engage in further discussions with the City of Fremantle, the proponents and other relevant stakeholders to review the extent of land required to be included within an expanded Parks and Recreation Reserve in order to meet the long-term recreational demands upon this precinct in addition to addressing the risks and impacts of coastal processes.*
  3. *Having regard to point 1 d) above, the City requests that planning for the North Fremantle Development Precinct be expanded to include all of the Primary Regional Road and Railway reserve land, and the existing urban zoned land located to the east (from Tydeman Road to the North Fremantle railway station), including the North Fremantle town centre, with the aim of delivering an integrated urban environment.*
  4. *Subject to resolving the appropriate extent of land required for inclusion in the coastal foreshore Parks and Recreation Reserve as referred to in point 2 above, and developing the integrated transport and urban planning outcome referred to in point 3 above, the City considers that the remaining land subject to the rezoning proposal and the land to the east could more appropriately be considered for a MRS 'urban deferred' zoning in the first instance, to allow for more planning imperatives to be demonstrably implementable prior to a transfer to the Urban zone. The lifting of urban deferred status should be tied to demonstration of the matters referred to in point 1b and 1c above having been satisfactorily addressed.*





**CONSULTATION**

The procedures for WAPC to amend the MRS are prescribed by the *Planning and Development Act 2005*. The procedure for a substantial alteration to the Scheme (referred to as a major amendment) involves:

- Formulation of the amendment by the WAPC.
- Referral to the EPA for environmental assessment.
- Completion of an environmental review (if required) to EPA instructions.
- **\*Public submissions** on the proposed amendment (close 5pm, 30 June 2023).
- Consideration of submissions (including hearings where requested).
- Referral of WAPC recommendations, with or without any modifications in response to submissions, to the Minister for Planning.
- Approval by the Governor.
- Consideration by both Houses of Parliament, who can disallow the amendment.
- Amendment takes legal effect when no longer subject to disallowance after 12 sitting days.
- Where the WAPC has agreed to the parallel amendment of a LPS under section 126(3) of the Planning and Development Act, the LPS amendment becomes effective upon gazettal of the MRS amendment.

*\*Denotes current stage.*

**OFFICER COMMENT**

Officers consider the comments previously made by Council to still be relevant. Council has noted that exploration of alternative land uses for the North Fremantle Development Precinct is reasonable given the vacant, and largely cleared, status of the land in this precinct. However, there are several issues that need a greater degree of resolution prior to the subject site being suitable for an urban redevelopment zoning. The issues Council previously noted are provided below along with the corresponding comment from the WAPC amendment report that addresses the comment.

| <b>City of Fremantle’s Previous Comment</b>   | <b>WAPC amendment report response</b>   |
|---|---|
| The loss of industrial land and the land being located within the Fremantle Port Buffer area. | The <i>Central Sub-regional Planning Framework</i> primarily reflects the sites industrial use. A small strip along the northern and eastern boundary of the site is within the Activity Centre - Frame around the North Fremantle District Centre. The Framework states that in frame areas, there is an opportunity to investigate higher residential densities and the potential expansion of the core area (commercial and mixed uses) over time. The |



|  |  |
|--|--|
|  | <p>proposed Urban Deferred zone and Parks and Recreation reserve is considered to be a logical transition and continuation of the urbanisation of the locality which is consistent with the general intent of the Framework.</p>   |
| <p>The land's proximity to Fremantle Port.</p>   | <p>As the amendment area is partly located within the port buffer areas 1 &amp; 2, and any development is constrained by the port buffer considerations including built form, land use and density, this matter, and the need for these constraints on future development considering the future of Fremantle Port, is to be addressed prior to the lifting of Urban Deferment.</p> <p>Requires resolution prior to the transfer to the Urban zone:</p> <ul style="list-style-type: none"> <li>• consideration of the Fremantle Port buffer.</li> </ul>  |
| <p>An expanded Parks and Recreation reserve area to meet the long-term recreational demands of the precinct.</p> | <p>As the proposed coastal foreshore reserve and any additional recreational area in this location is to be finalised having regard to the Future of Fremantle Planning Committee (FFPC) outcomes, this has been included as a requirement to be considered prior to the lifting of Urban Deferment.</p> <p>The department's officers have noted the reserve boundary can also be modified at the final approval stage of the amendment to urban deferred zone and Parks and Recreation reserve.</p> <p>Requires resolution prior to the transfer to the Urban zone:</p> <ul style="list-style-type: none"> <li>• confirmation of coastal foreshore reserve requirements.</li> </ul> |
| <p>A consideration of the wider transport and urban area to deliver an integrated urban environment.</p>         | <p>As there is uncertainty on the regional road network which has yet to be finalised this has been included as a matter to be addressed prior to the lifting of Urban Deferment.</p> <p>Requires resolution prior to the transfer to the Urban zone:</p> <ul style="list-style-type: none"> <li>• confirmation of regional road and transport requirements in the locality.</li> </ul>  |
| <p>The provision of essential services</p>   | <p>The Water Corporation advises that it may be possible to extend water and sewerage services to the site as a</p>  |





|   |  |
|---|--|
| <p>and staging and financing of services.</p>   | <p>standalone development, provided that the developers fund extensions and upgrades to the surrounding networks. The extent of any upgrades will be determined by the land use mix and development yields in the local structure plan.</p>  |
| <p>Future of Fremantle planning being sufficiently advanced to a stage that depicts clear objectives to guide future urban integration and development in the area.</p> | <p>The area is within the FFPC area of consideration. The Future of Fremantle project is in the early stages and is estimated to be completed by mid-2024. A multi-disciplinary team is to develop a future focused Land Use Plan incorporating a highly integrated land use, transport and infrastructure response and supporting Economic Development Strategy for bringing economic growth, investment and employment into Fremantle.</p> <p>Requires resolution prior to the transfer to the Urban zone:</p> <ul style="list-style-type: none"> <li>• finalisation or substantial progression of the Future of Fremantle project.</li> </ul> |

While the amendment to an Urban Deferred zoning and Parks and Recreation reserve and the 'lifting of the deferment' include consideration of the issues Council previously provided comment on (refer to above), there may be scope for discussions on matters with the WAPC, specifically the Parks and Recreation reserve boundary, prior to finalising the amendment and Urban Deferred zoning.

Officers at the Department of Planning, Lands and Heritage have advised that there will be two stages where the WAPC can determine whether to modify the proposal to include further land into the MRS Parks and Reserve (P&R) reservation. These are:

| <p><b><u>Modification of the amendment at final approval Stage</u></b></p>   | <p><b><u>Modification at the Lifting of Urban Deferment Stage</u></b></p>   |
|--|---|
| <p>The WAPC could modify the amendment at the final approval stage by extending the P&amp;R reservation (i.e. reducing the Urban Deferred zone) if there was sufficient certainty from the Future of Fremantle work which confirmed that a wider foreshore reserve was required.</p> | <p>Prior to any Urban Deferred area being transferred to Urban, the WAPC will need to confirm whether a wider foreshore is required. If a wider foreshore is required, this area would not go to Urban but remain Urban Deferred to be reserved as P&amp;R in a future MRS amendment.</p> |

The intent of the amendment is to facilitate redevelopment of the site for primarily mixed-use commercial and residential uses, with areas of Public Open Space, following the lifting of Urban Deferment, Local Planning Scheme (LPS) amendment and detailed local structure planning.





In conclusion, Officers recommend a submission similar to the preliminary comment Council previously provided that emphasises the need for further discussion, prior to a rezoning, between the WAPC, City and other stakeholders regarding proposed Parks and Recreation reserve boundary to:

- Adequately provide for the precinct/region's coastal recreational needs.
- Establish clear planning policy around managing coastal processes / predicted inundation and impact on land.
- Ensure compatibility with short-term port operations (including Port Buffer) and long-term Future Fremantle planning directions including sustainability, economics, land use, population density, transport, etc).

Following this, the urban deferred zoning could be considered for the remaining land. Additional criteria are suggested as conditions for the WAPC to lift the urban deferred zoning, including:

- finalisation or substantial progression of the Future of Fremantle project
- confirmation of regional road and transport requirements in the locality
- confirmation of coastal foreshore reserve requirements
- consideration of the Fremantle Port buffer.

## **FINANCIAL IMPLICATIONS**

Providing comments on a proposed MRS amendment to WAPC does not have any financial implications for the City.

## **LEGAL IMPLICATIONS**

Nil

## **VOTING AND OTHER SPECIAL REQUIREMENTS**

Simple majority required

## **COMMITTEE RECOMMENDATION ITEM PC2305-5** **(Officer's recommendation)**

**Moved: Cr Bryn Jones**

**Seconded: Cr Frank Mofflin**

Council advises the Western Australian Planning Commission (WAPC) that the City of Fremantle's submission on the Proposed Metropolitan Region Scheme (MRS) Amendment – North Fremantle Urban Precinct (1400/41), is as follows:

1. refers the WAPC to its initial comments, Council Meeting 27 April 2022 (Item PC2204), and adds the following comments to assist with clarifying the key planning issues that require resolution prior to any of the site being suitable for rezoning:



- 1.1 COASTAL RECREATIONAL NEEDS – A clear government position on the extent of land required for precinct/regional recreation and beach access in this location, considering this in context of the (a) Leighton Foreshore Masterplan and (b) predicted growth / future demand for public land in this location; the current line of delineation is considered by council to be indicative only;
  - 1.2 COASTAL EROSION – a clear government position on coastal management and what erosion predictions will underpin planning decisions, in particular, what extent of land loss will be planned for in this location that will potentially impact on a reduced width of the proposed Parks and Recreation Reserve;
  - 1.3 TRANSPORT – a clear government position on the future transport network in North Fremantle, in particular, (a) the extension/ alignment/ design capacity of Curtin Avenue, (b) freight and passenger rail, (c) potential pedestrian connection under rail corridor to the North Fremantle local centre;
  - 1.4 FUTURE PORT PLANNING – a clear government position on the future redevelopment plans being developed through Future Fremantle Committee, in particular, intensity of land uses and the associated transport / access requirements within the North Fremantle peninsula;
  - 1.5 PORT BUFFER ZONE – the current planning impact of the port buffer zone restricts potential urban development to non-residential uses. This may force a short-term planning outcome on the subject site that runs contrary to the proper and orderly planning of the broader neighbourhood / precinct. Can the buffer zone be amended, or, should urban development wait until the buffer zone is no longer required?
2. Confirms the Council’s willingness and deep interest in working collaboratively with all relevant government agencies to help deliver an acceptable planning framework for the key issues listed above, to enable high quality sustainable development in North Fremantle.

**Carried: 3/2**

**For:**

**Cr Bryn Jones, Cr Geoff Graham, Cr Frank Mofflin**

**Against:**

**Cr Andrew Sullivan, Cr Su Groome**





### **Additional officer comment**

As a result of the discussion at Planning Committee on 3 May 2023, there appeared to be a lack of clarity around the officer comments regarding a future required set-back for urban development. To clarify, the following additional comment is provided:

Until such time that a detailed coastal plan is developed that clearly demonstrates what land is required for community recreation, beach related activities and services (as well as climate change mitigation and managed retreat) it is premature to 'draw a line on a plan' that defines a suitable area for future urban development. At present, there are various opinions about what land width may be required as well as agreement around existing beaches and whether these should have local or more regional status. Transport planning is also part of this discussion. This work requires a degree of rigor and broader input from government that will provide a broader metropolitan planning framework and the establishment of coastal planning principles.

### **AMENDED OFFICER'S RECOMMENDATION**

**Moved: Mayor, Hannah Fitzhardinge      Seconded: Cr Frank Mofflin**

**Council advises the Western Australian Planning Commission (WAPC) that the City of Fremantle's submission on the Proposed Metropolitan Region Scheme (MRS) Amendment – North Fremantle Urban Precinct (1400/41), is as follows:**

- 1. Refers the WAPC to its initial comments, Council Meeting 27 April 2022 (Item PC2204), and adds the following comments to assist with clarifying the key planning issues that require resolution prior to any of the site being suitable for rezoning:**
  - 1.1 COASTAL RECREATIONAL NEEDS – A clear government position on the extent of land required for precinct/regional recreation and beach access in this location, considering this in context of the (a) Leighton Foreshore Masterplan and (b) predicted growth / future demand for public land in this location;**
  - 1.2 COASTAL EROSION – a clear government position on coastal management and what erosion predictions will underpin planning decisions, in particular, what extent of land loss will be planned for in this location that will potentially impact on a reduced width of the proposed Parks and Recreation Reserve;**



- 1.3 TRANSPORT – a clear government position on the future transport network in North Fremantle, in particular, (a) the extension/ alignment/ design capacity of Curtin Avenue, (b) freight and passenger rail, (c) potential pedestrian connection under rail corridor to the North Fremantle local centre;**
  - 1.4 FUTURE PORT PLANNING – a clear government position on the future redevelopment plans being developed through Future Fremantle Committee, in particular, intensity of land uses and the associated transport / access requirements within the North Fremantle peninsula;**
  - 1.5 PORT BUFFER ZONE – the current planning impact of the port buffer zone restricts potential urban development to non-residential uses. This may force a short-term planning outcome on the subject site that runs contrary to the proper and orderly planning of the broader neighbourhood / precinct. Can the buffer zone be amended, or, should urban development wait until the buffer zone is no longer required?**
- 2. *In light of 1.1 to 1.3 above, the council believes it is premature to fix a cadastral boundary between Parks and Recreation Reserve and Urban Deferred Zone, as indicated on the advertised MRS amendment, and requests that this boundary alignment is also considered 'deferred' until the full coastal planning work is concluded.***
  - 3. Confirms the Council's willingness and deep interest in working collaboratively with all relevant government agencies to help deliver an acceptable planning framework for the key issues listed above, to enable high quality sustainable development in North Fremantle.**





## **AMENDMENT 1**

Moved: Cr Su Groome

Seconded: Cr Andrew Sullivan

Council advises the Western Australian Planning Commission (WAPC) that the City of Fremantle's submission on the Proposed Metropolitan Region Scheme (MRS) Amendment – North Fremantle Urban Precinct (1400/41), is as follows:

1. Refers the WAPC to its initial comments, Council Meeting 27 April 2022 (Item PC2204), and adds the following comments to assist with clarifying the key planning issues that require resolution prior to any of the site being suitable for rezoning:
  - 1.1. COASTAL RECREATIONAL NEEDS – An ~~clear government position~~ *evidence based assessment* on the extent of land required for precinct/regional recreation and beach access in this location, considering this in context of the: (a) Leighton Foreshore Masterplan; ~~and~~ (b) *existing demand and capacity at the Leighton node; and, (c) predicted growth / future demand for public land in ~~this location~~ the vicinity of Port Beach as determined through the Future of Fremantle studies.*
  - 1.2. COASTAL EROSION – an ~~clear government position~~ *evidence based assessment of coastal hazards coastal management and what erosion predictions to ensure the reserve is of sufficient width to maintain a functional coastal foreshore reserve into the future and to protect infrastructure and property. will underpin planning decisions, in particular, what extent of land loss will be planned for in this location that will potentially impact on a reduced width of the proposed Parks and Recreation Reserve;*
  - 1.3. TRANSPORT – a clear government ~~position on the future~~ *plan for the future regional and local* transport network in North Fremantle, ~~in particular,~~ *to deliver a well-integrated urban destination and resolve:* (a) the extension/ alignment/ *urban design and capacity of Curtin Avenue, including its inter-relationship with Stirling Highway;* (b) freight and passenger rail; ~~and,~~ (c) ~~potential pedestrian connection under rail corridor to the required urban connectivity from the~~ North Fremantle ~~local town~~ *centre through the site to the foreshore node;*
  - 1.4. FUTURE PORT PLANNING – a clear government position on the future redevelopment plans being developed through Future Fremantle Committee, in particular, *the type and* intensity of land uses *proposed* and the associated transport / access requirements within the North Fremantle peninsula;





- 1.5. PORT BUFFER ZONE – Acknowledging the current planning impact of the port buffer zone currently restricts potential urban development to non-residential uses. This may force a, deliver a process that avoids short-term planning outcomes on the subject site that runs contrary to the proper and orderly planning of the broader neighbourhood / precinct. Can the Urban zoning within the existing buffer zone be amended, or, should urban development wait until the should only proceed once the buffer zone is no longer required. ?**

**2. With regard to 1.1 to 1.2, further notes that:**

- 2.1. The Amendment Report prepared by the WAPC states that North Fremantle Coastal Hazard Risk Management and Adaptation Plan provided by the proponent calculates the coastal foreshore reserve as having a width of between 28.1 and 70m by 2115. This is incompatible with the infrastructure and access requirements of a regional beach.**
- 2.2. Studies undertaken for the Leighton Beach development identified the need for a minimum 150m foreshore reserve and that subsequent to this assessment the sea-level rise coefficient has increased such that the current recreational assets may be compromised within the 100-year planning horizon.**
- 2.3. That regular summer demand currently exceeds capacity within the available reserve at Leighton Beach, demonstrating that the assessment in determining the recreational access needs for that section of foreshore reserve has proved to be inadequate and highlighting the need for ample provision in the Port Beach Node to accommodate current and future demand.**
- 2.4. The cumulative impact of intensive development within the amendment area combined with other urban planned infill in Fremantle and North Fremantle, and most notably the future Fremantle Ports redevelopment, will create significant additional beach use and infrastructure needs.**
- 2.5. Over recent decades the Port Beach node has suffered one of the highest levels of coastal erosion in the Metropolitan area. The severity of the coastal erosion to the south of Tydeman Road has given rise to a coastal retreat strategy in this area which will result in additional demand for recreational infrastructure within the foreshore area to the north of Tydeman Road.**





- 3. In light of ~~1.1 to 1.3~~ the above, the Council **believes** *advises the proposed ~~it is premature to fix a~~ cadastral boundary between the Parks and Recreation Reserve and Urban Deferred Zone ~~is not supported by evidence and is inadequate for future needs and risks. Council recommends that an additional portion of the proposed Urban Deferred zone west of Bracks Street will need to be rezoned to Parks and Recreation Reserve prior to any redevelopment in order to meet these needs. , as indicated on the advertised MRS amendment, and requests that this boundary alignment is also considered 'deferred' until the full coastal planning work is concluded~~***
- 4. Confirms the Council's willingness and deep interest in working collaboratively with all relevant government agencies to help deliver acceptable *legislative and* planning frameworks for the key issues listed above, to enable high quality sustainable development ~~in~~ *of the* North Fremantle.**

**Amendment carried: 11/0**

**Mayor Hannah Fitzhardinge, Cr Jenny Archibald, Cr Su Groome,  
Cr Ben Lawver, Cr Fedele Camarda, Cr Frank Mofflin, Cr Doug Thompson,  
Cr Bryn Jones, Cr Andrew Sullivan, Cr Marija Vujcic, Cr Adin Lang**

**Reason for change:**

The primary reason for the proposed amendments to the Officer's Recommendation is for Council to highlight those matters that must be addressed as part of the further coastal assessment, and as part of the Future of Fremantle Study, and ultimately to the satisfaction of the WAPC.

Clearly, the P&R reserve proposed in the current amendment is significantly narrower than will ultimately be required and is not shaped/configured to support a relocated and expanded Port Beach functioning as a primary recreation node. The amendments to the Officer's Recommendations seek to highlight Council's serious concerns in this regard so that they can be clearly noted by the WAPC as part of the determination of this amendment and be fully addressed before any land is subsequently transferred to the Urban zone.

The reasons for amending parts 1.3 to 1.5, and part 4, is to emphasise the need to comprehensively integrate the planning for the North Fremantle Peninsula including the lands being considered as part of the Future of Fremantle Study. The Fremantle Regional Strategy 1994 and subsequent transport studies have failed to deliver an acceptable plan for the peninsula capable of correcting the unacceptable fragmentation of land, communities, environments and recreation assets that has occurred over time. Acceptable outcomes are unlikely to be delivered through the business-as-usual approach to land use and transport planning or through unintegrated developer-led projects. The Future of Fremantle





study provides an opportunity to deliver clear direction especially in relation to overcoming the fragmentation and blight that stems from current transport planning for the area.

The amendments to the recommendation seek to highlight the need for a more holistic and integrated planning approach. This will likely require a whole-of-precinct approach to planning that precedes and even overrides the conventional MRS approach. The amendments suggest the need to challenge and change the legislative framework to ensure the planning and projective delivery for the North Fremantle Peninsula responds to the unique opportunities and challenges associated with delivering a sustainable Future of Fremantle.

*(The above reason for change is a summary only. The full reasons for change can be viewed in the Council [Additional Documents](#)).*

**COUNCIL DECISION C2305-4**  
**(Amended Officer's Recommendation, as amended)**

**Moved: Mayor, Hannah Fitzhardinge      Seconded: Cr Frank Mofflin**

**Council advises the Western Australian Planning Commission (WAPC) that the City of Fremantle's submission on the Proposed Metropolitan Region Scheme (MRS) Amendment – North Fremantle Urban Precinct (1400/41), is as follows:**

**1. Refers the WAPC to its initial comments, Council Meeting 27 April 2022 (Item PC2204), and adds the following comments to assist with clarifying the key planning issues that require resolution prior to any of the site being suitable for rezoning:**

- 1.1. COASTAL RECREATIONAL NEEDS – *An evidence based assessment on the extent of land required for precinct/regional recreation and beach access in this location, considering this in context of the: (a) Leighton Foreshore Masterplan; (b) existing demand and capacity at the Leighton node; and, (c) predicted growth / future demand for public land in the vicinity of Port Beach as determined through the Future of Fremantle studies.***
- 1.2. COASTAL EROSION – *an evidence based assessment of coastal hazards to ensure the reserve is of sufficient width to maintain a functional coastal foreshore reserve into the future and to protect infrastructure and property.***
- 1.3. TRANSPORT – *a clear government plan for the regional and local transport network in North Fremantle-to deliver a well-integrated urban destination and resolve: (a) the extension/ alignment/ urban design and capacity of Curtin Avenue, including its***





***inter-relationship with Stirling Highway; (b) freight and passenger rail; and, (c) required urban connectivity from the North Fremantle town centre through the site to the foreshore node;***

- 1.4. FUTURE PORT PLANNING – a clear government position on the future redevelopment plans being developed through Future Fremantle Committee, in particular, *the type and intensity of land uses proposed and the associated transport / access requirements within the North Fremantle peninsula;***
- 1.5. PORT BUFFER ZONE – *Acknowledging the port buffer zone currently restricts potential urban development to non-residential uses, deliver a process that avoids short-term planning outcomes on the subject site that run contrary to the proper and orderly planning of the broader neighbourhood / precinct. Urban zoning within the existing buffer zone-should only proceed once the buffer is no longer required.***

**2. With regard to 1.1 to 1.2, further notes that:**

- 2.1. *The Amendment Report prepared by the WAPC states that North Fremantle Coastal Hazard Risk Management and Adaptation Plan provided by the proponent calculates the coastal foreshore reserve as having a width of between 28.1 and 70m by 2115. This is incompatible with the infrastructure and access requirements of a regional beach.***
- 2.2. *Studies undertaken for the Leighton Beach development identified the need for a minimum 150m foreshore reserve and that subsequent to this assessment the sea-level rise coefficient has increased such that the current recreational assets may be compromised within the 100-year planning horizon.***
- 2.3. *That regular summer demand currently exceeds capacity within the available reserve at Leighton Beach, demonstrating that the assessment in determining the recreational access needs for that section of foreshore reserve has proved to be inadequate and highlighting the need for ample provision in the Port Beach Node to accommodate current and future demand.***
- 2.4. *The cumulative impact of intensive development within the amendment area combined with other urban planned infill in Fremantle and North Fremantle, and most notably the future Fremantle Ports redevelopment, will create significant additional beach use and infrastructure needs.***



- 2.5. Over recent decades the Port Beach node has suffered one of the highest levels of coastal erosion in the Metropolitan area. The severity of the coastal erosion to the south of Tydeman Road has given rise to a coastal retreat strategy in this area which will result in additional demand for recreational infrastructure within the foreshore area to the north of Tydeman Road.**
- 3. In light of the above, the Council advises the proposed cadastral boundary between the Parks and Recreation Reserve and Urban Deferred Zone is not supported by evidence and is inadequate for future needs and risks. Council recommends that an additional portion of the proposed Urban Deferred zone west of Bracks Street will need to be rezoned to Parks and Recreation Reserve prior to any redevelopment in order to meet these needs.**
- 4. Confirms the Council’s willingness and deep interest in working collaboratively with all relevant government agencies to help deliver acceptable legislative and planning frameworks for the key issues listed above, to enable high quality sustainable development of the North Fremantle.**

**Carried: 11/0**

**Mayor Hannah Fitzhardinge, Cr Jenny Archibald, Cr Su Groome,  
Cr Ben Lawver, Cr Fedele Camarda, Cr Frank Mofflin, Cr Doug Thompson,  
Cr Bryn Jones, Cr Andrew Sullivan, Cr Marija Vujcic, Cr Adin Lang**



---

**From:** Silvana <reply-to+272d83d92494@crm.wix.com>  
**Sent:** Saturday, 27 May 2023 2:42 PM  
**To:** Saffioti, Minister; fremantle@mp.wa.gov.au  
**Subject:** [saveleighton] Contact new submission

Silvana just submitted your form: Contact  
on [saveleighton](#)

**Message Details:**

Email: [mulroney.family@bigpond.com.au](mailto:mulroney.family@bigpond.com.au)

Name: Silvana

Subject: Minister Saffioti, Please Save Leighton cc: Simone McGurk  
MLA, Member for Fremantle: -

TextAreaInput: We fought for this open space once before! Don't think we have forgotten!!! We were promised more open space and coast protection. If we have to fight again, then our trust in your government is broken.

---

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**From:** Michael Wearne <reply-to+cf66eb20cafe@crm.wix.com>  
**Sent:** Sunday, 28 May 2023 10:46 PM  
**To:** Saffioti, Minister; fremantle@mp.wa.gov.au  
**Subject:** [saveleighton] Contact - new submission

**Michael Wearne** just submitted your form: Contact  
on [saveleighton](#)

**Message Details:**

Email: [mwearne@iinet.net.au](mailto:mwearne@iinet.net.au)

Name: Michael Wearne

Subject: Minister Saffioti, Please Save Leighton cc: Simone McGurk  
MLA, Member for Fremantle: -

TextAreaInput: Dear Minister Saffioti, Port Beach - south Leighton is eroding, and Government's own analysis shows it will need some of the most intensive management in future of any WA beach area. Yet, we now have a proposal by developers to zone old, poorly located industrial land to urban with a wholly inadequate coastal reserve - locking in planning decisions of a century ago before erosion risks were well understood, and decades before climate science modelled coastal change. This is our one chance to get it right by giving the dunes room to rebuild and protect the beach, avoiding costly and destructive options in future, like seawalls. You can deliver a proud legacy for our children by creating a coastal reserve and quality parkland for a growing population in what is already a popular and congested area. The community needs much more space for recreation and better access to the busy surf club and other healthy activities. There will still be plenty of space for high quality development with good access to the train station behind a coastal reserve and parkland which will only increase its value in future. The developer's proposal threatens all of this and also contradicts and undermines WA's coastal planning policy at a time we should be strengthening it. We call on you to reject the WA Planning Commission's current moves to rezone this land and instead undertake a thorough, transparent, participative and science-based analysis of the future recreational and natural coastal protection needs of this area. This should also take into account the Future of Fremantle process. I look forward to your clear direction for this special coastal area soon.  
Yours sincerely, Michael Wearne

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**From:** Ian Wilson <reply to+e3366e13effe@crm.wix.com>  
**Sent:** Monday, 29 May 2023 8:47 AM  
**To:** Saffioti, Minister; fremantle@mp.wa.gov.au  
**Subject:** [saveleighton] Contact new submission

Ian Wilson just submitted your form: Contact  
on [saveleighton](#)

**Message Details:**

Email: [iwilson@murdoch.edu.au](mailto:iwilson@murdoch.edu.au)

Name: Ian Wilson

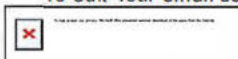
Subject: Minister Saffioti, Please Save Leighton cc: Simone McGurk  
MLA, Member for Fremantle: -

TextAreaInput: Dear Minister Saffioti Port Beach - south Leighton is eroding, and Government's own analysis shows it will need some of the most intensive management in future of any WA beach area. Yet, we now have a proposal by developers to zone old, poorly located industrial land to urban with a wholly inadequate coastal reserve - locking in planning decisions of a century ago before erosion risks were well understood, and decades before climate science modelled coastal change. This is our one chance to get it right by giving the dunes room to rebuild and protect the beach, avoiding costly and destructive options in future, like seawalls. You can deliver a proud legacy for our children by creating a coastal reserve and quality parkland for a growing population in what is already a popular and congested area. The community needs much more space for recreation and better access to the busy surf club and other healthy activities. There will still be plenty of space for high quality development with good access to the train station behind a coastal reserve and parkland which will only increase its value in future. The developer's proposal threatens all of this and also contradicts and undermines WA's coastal planning policy at a time we should be strengthening it. We call on you to reject the WA Planning Commission's current moves to rezone this land and instead undertake a thorough, transparent, participative and science-based analysis of the future recreational and natural coastal protection needs of this area. This should also take into account the Future of Fremantle process. I look forward to your clear direction for this special coastal area soon.  
Yours sincerely,

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**From:** Genevieve McCarthy <reply-to+29bf2a3d2bcb@crm.wix.com>  
**Sent:** Tuesday, 30 May 2023 1:38 PM  
**To:** Saffioti, Minister; fremantle@mp.wa.gov.au  
**Subject:** [saveleighton] Contact new submission

**Genevieve McCarthy** just submitted your form: Contact  
on [saveleighton](#)

**Message Details:**

Email: [gennymccarthy@yahoo.co.uk](mailto:gennymccarthy@yahoo.co.uk)

Name: Genevieve McCarthy

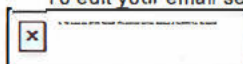
Subject: Minister Saffioti, Please Save Leighton cc: Simone McGurk  
MLA, Member for Fremantle: -

TextAreaInput: Dear Minister Saffioti Port Beach south Leighton is eroding, and Government's own analysis shows it will need some of the most intensive management in future of any WA beach area. Yet, we now have a proposal by developers to zone old, poorly located industrial land to urban with a wholly inadequate coastal reserve - locking in planning decisions of a century ago before erosion risks were well understood, and decades before climate science modelled coastal change. This is our one chance to get it right by giving the dunes room to rebuild and protect the beach, avoiding costly and destructive options in future, like seawalls. You can deliver a proud legacy for our children by creating a coastal reserve and quality parkland for a growing population in what is already a popular and congested area. The community needs much more space for recreation and better access to the busy surf club and other healthy activities. There will still be plenty of space for high quality development with good access to the train station behind a coastal reserve and parkland which will only increase its value in future. The developer's proposal threatens all of this and also contradicts and undermines WA's coastal planning policy at a time we should be strengthening it. We call on you to reject the WA Planning Commission's current moves to rezone this land and instead undertake a thorough, transparent, participative and science-based analysis of the future recreational and natural coastal protection needs of this area. This should also take into account the Future of Fremantle process. I look forward to your clear direction for this special coastal area soon.  
Yours sincerely, Genevieve

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**From:** Misha PROUT <reply-to+1 a2b036b0b3c@crm.wix.com >  
**Sent:** Tuesday, 30 May 2023 7:51 PM  
**To:** Saffioti, Minister; fremantle@mp.wa.gov.au  
**Subject:** [saveleighton] Contact - new submission

**Misha PROUT** just submitted your form: Contact  
on [saveleighton](#)

**Message Details:**

Email: [mishaprouthotmail.com](mailto:mishaprouthotmail.com)

Name: Misha PROUT

Subject: Minister Saffioti, Please Save Leighton cc: Simone McGurk  
MLA, Member for Fremantle: -

TextAreaInput: Don't sell out the future of the area for greed. Where will  
the families and children of all the development in the future port  
development play if you don't plan now.

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**From:** Misha pesnelle <reply to+ab39dc63a390@crm.wix.com>  
**Sent:** Tuesday, 30 May 2023 7:52 PM  
**To:** Saffioti, Minister; fremantle@mp.wa.gov.au  
**Subject:** [saveleighton] Contact - new submission

**Misha pesnelle** just submitted your form: Contact  
on [saveleighton](#)

**Message Details:**

Email: [mishaprout@sfr.fr](mailto:mishaprout@sfr.fr)

Name: Misha pesnelle

Subject: Minister Saffioti, Please Save Leighton cc: Simone McGurk  
MLA, Member for Fremantle: -

TextAreaInput: PLEASE COPY AND PASTE THIS MESSAGE IN THE BOX BELOW. OR WRITE YOUR OWN. Dear Minister Saffioti Port Beach - south Leighton is eroding, and Government's own analysis shows it will need some of the most intensive management in future of any WA beach area. Yet, we now have a proposal by developers to zone old, poorly located industrial land to urban with a wholly inadequate coastal reserve locking in planning decisions of a century ago before erosion risks were well understood, and decades before climate science modelled coastal change. This is our one chance to get it right by giving the dunes room to rebuild and protect the beach, avoiding costly and destructive options in future, like seawalls. You can deliver a proud legacy for our children by creating a coastal reserve and quality parkland for a growing population in what is already a popular and congested area. The community needs much more space for recreation and better access to the busy surf club and other healthy activities. There will still be plenty of space for high quality development with good access to the train station behind a coastal reserve and parkland which will only increase its value in future. The developer's proposal threatens all of this and also contradicts and undermines WA's coastal planning policy at a time we should be strengthening it. We call on you to reject the WA Planning Commission's current moves to rezone this land and instead undertake a thorough, transparent, participative and science-based analysis of the future recreational and natural coastal protection needs of this area. This should also take into account the Future of Fremantle process. I look forward to your clear direction for this special coastal area soon. Yours sincerely, Misha

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**From:** Jane Graham <reply to+edbada8c3a4f@crm.wix.com>  
**Sent:** Tuesday, 30 May 2023 1:00 PM  
**To:** Saffioti, Minister; fremantle@mp.wa.gov.au  
**Subject:** [saveleighton] Contact new submission

**Jane Graham** just submitted your form: Contact  
on [saveleighton](#)

**Message Details:**

Email: [kjanewoodcock1@gmail.com](mailto:kjanewoodcock1@gmail.com)

Name: Jane Graham

Subject: Minister Saffioti, Please Save Leighton cc: Simone McGurk  
MLA, Member for Fremantle: -

TextAreaInput: Dear Minister Saffioti I am a very concerned South Fremantle resident. I have watched over recent months as the old warehouses etc disappear from the land opposite port beach and it fills me with dread as to what will appear in their place. I appreciate that WA must respond to a housing crisis but there are environmental issues that must also be addressed otherwise the land will not be there in years to come. I've just read about the WAPC's current proposal for housing in that area and a 50m grass buffer zone and call on you to reject this for further consultation. There must be better consideration made for the future of port beach, traffic, communities in the area. Cramming as much housing as possible into that space without adequate open space and facilities does not seem to make any sense except to the developers and their profits. I look forward to hearing a clear and considered plan for this special coastal area soon. Yours faithfully Jane Graham

---

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**From:** Sarah Price Twist <reply-to+9ab4bb883d54@crm.wix.com>  
**Sent:** Tuesday, 30 May 2023 1:13 PM  
**To:** Saffioti, Minister; fremantle@mp.wa.gov.au  
**Subject:** [saveleighton] Contact - new submission

**Sarah Price Twist** just submitted your form: Contact  
on [saveleighton](#)

**Message Details:**

Email: [sariprice@gmail.com](mailto:sariprice@gmail.com)

Name: Sarah Price Twist

Subject: Minister Saffioti, Please Save Leighton cc: Simone McGurk  
MLA, Member for Fremantle:

TextAreaInput: Dear Minister Saffioti Port Beach south Leighton is eroding, and Government's own analysis shows it will need some of the most intensive management in future of any WA beach area. Yet, we now have a proposal by developers to zone old, poorly located industrial land to urban with a wholly inadequate coastal reserve - locking in planning decisions of a century ago before erosion risks were well understood, and decades before climate science modelled coastal change. This is our one chance to get it right by giving the dunes room to rebuild and protect the beach, avoiding costly and destructive options in future, like seawalls. You can deliver a proud legacy for our children by creating a coastal reserve and quality parkland for a growing population in what is already a popular and congested area. The community needs much more space for recreation and better access to the busy surf club and other healthy activities. There will still be plenty of space for high quality development with good access to the train station behind a coastal reserve and parkland which will only increase its value in future. The developer's proposal threatens all of this and also contradicts and undermines WA's coastal planning policy at a time we should be strengthening it. We call on you to reject the WA Planning Commission's current moves to rezone this land and instead undertake a thorough, transparent, participative and science-based analysis of the future recreational and natural coastal protection needs of this area. This should also take into account the Future of Fremantle process. I look forward to your clear direction for this special coastal area soon.  
Yours sincerely, Sarah

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**From:** Xavier Pesnelle <reply to+1ae11d7c0d68@crm.wix.com>  
**Sent:** Tuesday, 30 May 2023 7:54 PM  
**To:** Saffioti, Minister; fremantle@mp.wa.gov.au  
**Subject:** [saveleighton] Contact - new submission

**Xavier Pesnelle** just submitted your form: Contact  
on [saveleighton](#)

**Message Details:**

Email: [xavier.pesnelle@gmail.com](mailto:xavier.pesnelle@gmail.com)

Name: Xavier Pesnelle

Subject: Minister Saffioti, Please Save Leighton cc: Simone McGurk  
MLA, Member for Fremantle:

TextAreaInput: Dear Minister Saffioti Port Beach south Leighton is eroding, and Government's own analysis shows it will need some of the most intensive management in future of any WA beach area. Yet, we now have a proposal by developers to zone old, poorly located industrial land to urban with a wholly inadequate coastal reserve locking in planning decisions of a century ago before erosion risks were well understood, and decades before climate science modelled coastal change. This is our one chance to get it right by giving the dunes room to rebuild and protect the beach, avoiding costly and destructive options in future, like seawalls. You can deliver a proud legacy for our children by creating a coastal reserve and quality parkland for a growing population in what is already a popular and congested area. The community needs much more space for recreation and better access to the busy surf club and other healthy activities. There will still be plenty of space for high quality development with good access to the train station behind a coastal reserve and parkland which will only increase its value in future. The developer's proposal threatens all of this and also contradicts and undermines WA's coastal planning policy at a time we should be strengthening it. We call on you to reject the WA Planning Commission's current moves to rezone this land and instead undertake a thorough, transparent, participative and science-based analysis of the future recreational and natural coastal protection needs of this area. This should also take into account the Future of Fremantle process. I look forward to your clear direction for this special coastal area soon.  
Yours sincerely, Xavier

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---

**From:** James Duncan <reply to+ffd7ead8cd82@crm.wix.com>  
**Sent:** Wednesday, 31 May 2023 6:22 AM  
**To:** Saffioti, Minister; fremantle@mp.wa.gov.au  
**Subject:** [saveleighton] Contact new submission

James Duncan just submitted your form: Contact  
on [saveleighton](#)

**Message Details:**

Email: [jameseduncan@hotmail.com.au](mailto:jameseduncan@hotmail.com.au)

Name: James Duncan

Subject: Minister Saffioti, Please Save Leighton cc: Simone McGurk  
MLA, Member for Fremantle: -

TextAreaInput: Please save Leighton Beach from the Greedy Councils  
and Developers. Have a Green Zone . Protected from development

---

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**From:** Margaret Ker <reply to+dcda39b48ed4@crm.wix.com>  
**Sent:** Wednesday, 31 May 2023 8:03 AM  
**To:** Saffioti, Minister; fremantle@mp.wa.gov.au  
**Subject:** [saveleighton] Contact - new submission

**Margaret Ker just submitted your form: Contact**  
on [saveleighton](#)

**Message Details:**

Email: [passerella.dei@gmail.com](mailto:passerella.dei@gmail.com)

Name: Margaret Ker

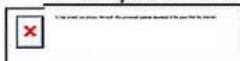
Subject: Minister Saffioti, Please Save Leighton cc: Simone McGurk  
MLA, Member for Fremantle: -

TextAreaInput: . Dear Minister Saffioti Port Beach - South Leighton is eroding, and Government's own analysis shows it will need some of the most intensive management in future of any WA beach area. Yet, we now have a proposal by developers to zone old, poorly located industrial land to urban with a wholly inadequate coastal reserve - locking in planning decisions of a century ago before erosion risks were well understood, and decades before climate science modelled coastal change. This is our one chance to get it right by giving the dunes room to rebuild and protect the beach, avoiding costly and destructive options in future, like seawalls. You can deliver a proud legacy for our children by creating a coastal reserve and quality parkland for a growing population in what is already a popular and congested area. The community needs much more space for recreation and better access to the busy surf club and other healthy activities. There will still be plenty of space for high quality development with good access to the train station behind a coastal reserve and parkland which will only increase its value in future. The developer's proposal threatens all of this and also contradicts and undermines WA's coastal planning policy at a time we should be strengthening it. We call on you to reject the WA Planning Commission's current moves to rezone this land and instead undertake a thorough, transparent, participative and science-based analysis of the future recreational and natural coastal protection needs of this area. This should also take into account the Future of Fremantle process. I look forward to your clear direction for this special coastal area soon.  
Kind regards Margaret Ker

---

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**From:** jim phillips <reply to+5fab4aa71c3@crm.wix.com>  
**Sent:** Friday, 2 June 2023 5:39 PM  
**To:** Saffioti, Minister; fremantle@mp.wa.gov.au  
**Subject:** [saveleighton] Contact new submission

**jim phillips** just submitted your form: Contact  
on [saveleighton](#)

**Message Details:**

Email: [jimegan@inet.net.au](mailto:jimegan@inet.net.au)

Name: jim phillips

Subject: Minister Saffioti, Please Save Leighton cc: Simone McGurk  
MLA, Member for Fremantle: -

TextAreaInput: Dear Minister Saffioti I have simply copied the text as suggested by the group that is looking to save Leighton Beach and its surrounds. That is because I agree with everything they say. I have been swimming in this area for over sixty years and I want my grandchildren, and the next generation. to be able to enjoy the same. Port Beach - south Leighton is eroding, and Government's own analysis shows it will need some of the most intensive management in future of any WA beach area. Yet, we now have a proposal by developers to zone old, poorly located industrial land to urban with a wholly inadequate coastal reserve - locking in planning decisions of a century ago before erosion risks were well understood, and decades before climate science modelled coastal change. This is our one chance to get it right by giving the dunes room to rebuild and protect the beach, avoiding costly and destructive options in future, like seawalls. You can deliver a proud legacy for our children by creating a coastal reserve and quality parkland for a growing population in what is already a popular and congested area. The community needs much more space for recreation and better access to the busy surf club and other healthy activities. There will still be plenty of space for high quality development with good access to the train station behind a coastal reserve and parkland which will only increase its value in future. The developer's proposal threatens all of this and also contradicts and undermines WA's coastal planning policy at a time we should be strengthening it. We call on you to reject the WA Planning Commission's current moves to rezone this land and instead undertake a thorough, transparent, participative and science-based analysis of the future recreational and natural coastal protection needs of this area. This should also take into account the Future of Fremantle process. I look forward to your clear direction for this special coastal area soon. Yours sincerely,

---

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**From:** Joanne Foley <reply to+e9d63213ae88@crm.wix.com>  
**Sent:** Monday, 5 June 2023 3:36 PM  
**To:** Saffioti, Minister; fremantle@mp.wa.gov.au  
**Subject:** [saveleighton] Contact new submission

**Joanne Foley** just submitted your form: Contact  
on [saveleighton](#)

**Message Details:**

Email: [foleybergere@gmail.com](mailto:foleybergere@gmail.com)

Name: Joanne Foley

Subject: Minister Saffioti, Please Save Leighton cc: Simone McGurk  
MLA, Member for Fremantle: -

TextAreaInput: Dear Minister Saffioti Port Beach - south Leighton is eroding, and Government's own analysis shows it will need some of the most intensive management in future of any WA beach area. Yet, we now have a proposal by developers to zone old, poorly located industrial land to urban with a wholly inadequate coastal reserve - locking in planning decisions of a century ago before erosion risks were well understood, and decades before climate science modelled coastal change. This is our one chance to get it right by giving the dunes room to rebuild and protect the beach, avoiding costly and destructive options in future, like seawalls. You can deliver a proud legacy for our children by creating a coastal reserve and quality parkland for a growing population in what is already a popular and congested area. The community needs much more space for recreation and better access to the busy surf club and other healthy activities. There will still be plenty of space for high quality development with good access to the train station behind a coastal reserve and parkland which will only increase its value in future. The developer's proposal threatens all of this and also contradicts and undermines WA's coastal planning policy at a time we should be strengthening it. We call on you to reject the WA Planning Commission's current moves to rezone this land and instead undertake a thorough, transparent, participative and science-based analysis of the future recreational and natural coastal protection needs of this area. This should also take into account the Future of Fremantle process. I look forward to your clear direction for this special coastal area soon.  
Yours sincerely, Joanne

---

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**From:** Valerie Duncan <reply to+2d51b839035a@crm.wix.com>  
**Sent:** Tuesday, 30 May 2023 8:01 PM  
**To:** Saffioti, Minister; fremantle@mp.wa.gov.au  
**Subject:** [saveleighton] Contact new submission

**Valerie Duncan** just submitted your form: Contact  
on [saveleighton](#)

**Message Details:**

Email: [goodnessgracious123@hotmail.com](mailto:goodnessgracious123@hotmail.com)

Name: Valerie Duncan

Subject: Minister Saffioti, Please Save Leighton cc: Simone McGurk

MLA, Member for Fremantle: -

TextAreaInput: A huge setback must be put in place, stop developers.  
Port Beach must be saved and given what is needed to save the beach  
and make the foreground a beautiful and necessary nature reserve  
space for the future of the beach and for the public and everyone. Don't  
allow an ugly Surfers Paradise make it more like City Beach green  
space 🙏

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Submitted to MRS Major amendment 1400/41 - North Fremantle Urban Precinct  
Submitted on 2023-03-29 16:05:46

About you

1 What is your first name?

First name:

*Name and contact details removed at the request of submitter*

2 What is your surname?

surname:

3 Are you responding on behalf of an organisation?

No

Organisation:

4 Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission?

Yes

5 What is your email address?

Email:

6 What is your address?

address:

7 Contact phone number:

phone number:

Submissions

8 Do you support/oppose the proposed amendment to the Metropolitan Region Scheme?

Support

9 Please type your submission (reasons for support/opposition) into the the box below. Any supporting documents may be uploaded.

Submission:

Good use of the land and excellent location to existing infrastructure. My concerns are:

1. Verge widths of at least 5 metres to allow substantial shade trees to be planted and for off street parking and essential services.
2. Finished levels need to factor in rising sea levels and surging.
3. Links to existing paths required.
4. Rehabilitation of green space.
5. A good template would be south City Beach with small car parks and beach access.

File 1:

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File 2:

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File 3:

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Hearing of submissions

10 Do you wish to speak at the hearings?

No



Submitted to MRS Major amendment 1400/41 - North Fremantle Urban Precinct  
Submitted on 2023-04-06 21:45:10

### About you

1 What is your first name?

First name:

*Name and contact details removed at the request of submitter*

2 What is your surname?

surname:

3 Are you responding on behalf of an organisation?

No

Organisation:

4 Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission?

Yes

5 What is your email address?

Email:

6 What is your address?

address:

7 Contact phone number:

phone number:

### Submissions

8 Do you support/oppose the proposed amendment to the Metropolitan Region Scheme?

Support

9 Please type your submission (reasons for support/opposition) into the the box below. Any supporting documents may be uploaded.

Submission:

I support the amendment providing infrastructure is adequate to support the increased population in the North Fremantle precinct - improved roads, shops, children's playgrounds, a very large tree canopy etc.. I also feel strongly that there should be strict development guidelines in place to ensure the architecture of the buildings is of a high quality to uplift the area and stand the test of time in this heritage suburb. We should see no more ugly, poor-quality buildings like what have been built to the East side of Queen Victoria Street. It would be great to also see the precinct developed with sustainable principles, with its own micro-grid for power. This is a once-in-a-lifetime opportunity to leave a positive legacy for future generations, please create a world-class beachside community!

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### Hearing of submissions

10 Do you wish to speak at the hearings?

No

Submitted to MRS Major amendment 1400/41 - North Fremantle Urban Precinct  
Submitted on 2023-04-07 17:45:58

### About you

1 What is your first name?

First name:

*Name and contact details removed at the request of submitter*

2 What is your surname?

surname:

3 Are you responding on behalf of an organisation?

No

Organisation:

4 Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission?

Yes

5 What is your email address?

Email:

6 What is your address?

address:

7 Contact phone number:

phone number:

### Submissions

8 Do you support/oppose the proposed amendment to the Metropolitan Region Scheme?

Support

9 Please type your submission (reasons for support/opposition) into the the box below. Any supporting documents may be uploaded.

Submission:

Would like to have Bracks street accessible for through traffic from tydeman road and Leighton beach end.

File 1:

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File 2:

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### Hearing of submissions

10 Do you wish to speak at the hearings?

No

Submitted to MRS Major amendment 1400/41 - North Fremantle Urban Precinct  
Submitted on 202305-10 17:45:15

About you

1 What is your first name?

First name:

*Name and contact details removed at the request of submitter*

2 What is your surname?

surname:

3 Are you responding on behalf of an organisation?

No

Organisation:

4 Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission?

Yes

5 What is your email address?

Email:

6 What is your address?

address:

7 Contact phone number:

phone number:

Submissions

8 Do you support/oppose the proposed amendment to the Metropolitan Region Scheme?

Oppose

9 Please type your submission (reasons for support/opposition) into the the box below. Any supporting documents may be uploaded.

Submission:

In recent years, there have been significant issues with ocean caused erosion at Port Beach. The last time this occurred, there was a lot of discussion regarding the long term solution. Part of that discussion was around relocating infrastructure further from the water line. it seems insane to me to be thinking of building significant residential buildings so close to the ocean and on such low lying sandy soil. We are constantly being warned about the climate caused rising ocean levels and the threats that poses to people and buildings.

This should not be a case of "buyer beware" for those purchasing properties once developed. It should be a case of government at all levels wisely choosing sites for development whether that be for residential or any other purpose.

The reality is that this land should be used for nature reserve and recreation due to the erosion risks that exist within the normal lifespan of a built environment.

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File 2:

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## Hearing of submissions

10 Do you wish to speak at the hearings?

No

Submitted to MRS Major amendment 1400/41 - North Fremantle Urban Precinct  
Submitted on 2023-05-26 09:55:36

About you

1 What is your first name?

First name:

*Name and contact details removed at the request of submitter*

2 What is your surname?

surname:

3 Are you responding on behalf of an organisation?

No

Organisation:

4 Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission?

Yes

5 What is your email address?

Email:

6 What is your address?

address:

7 Contact phone number:

phone number:

Submissions

8 Do you support/oppose the proposed amendment to the Metropolitan Region Scheme?

Support

9 Please type your submission (reasons for support/opposition) into the the box below. Any supporting documents may be uploaded.

Submission:

We need to revitalise our coastline with high quality, considered development. A combination of community amenity such as parks and playgrounds, commercial opportunities for hospitality and retail, and of course more infill style housing. I would hate to see mass scyscrapers but considered development is welcome!

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Hearing of submissions

10 Do you wish to speak at the hearings?

No

Submitted to MRS Major amendment 1400/41 - North Fremantle Urban Precinct  
Submitted on 2023-06-05 20:17:44

### About you

1 What is your first name?

First name:

George

2 What is your surname?

surname:

Ossolinski

3 Are you responding on behalf of an organisation?

No

Organisation:

4 Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission?

No

5 What is your email address?

Email:

os110c@hotmail.com

6 What is your address?

address:

19B Gregory Street, Belmont, WA 6104

7 Contact phone number:

phone number:

0405 652 384

### Submissions

8 Do you support/oppose the proposed amendment to the Metropolitan Region Scheme?

Oppose

9 Please type your submission (reasons for support/opposition) into the the box below. Any supporting documents may be uploaded.

Submission:

I oppose the proposed amendment on the basis that it misses the opportunity to do much more to benefit WA in this uniquely situated parcel of land.

This land has the potential to be the major international student and tourism center of Perth. It would enable Perth to compete with Melbourne and Sydney for the student and tourist dollar.

Advantages:

- It is located near Fremantle Harbour, which can be developed along the lines of a Darling Harbour which will cater for cruise ships, with the proposed Outer Harbour being the working port.

- It can contribute greatly to the vibrancy of the Fremantle tourist precinct.

- It can contribute to increased ferry transport from Fremantle to UWA and Perth; and potentially along the coast to Rockingham and Hillaries.

- It is walking distance to Notre Dam University.

- It is adjacent to rail, road and cycling transport to Perth and many private schools.

- The beach location would be a huge attraction for students, visiting family and and tourists.

I suggest that high rise residential/hotel is suitable for this area as long as the towers are spaced and designed to maintain ocean views from inland. Low podiums could provide for vibrant eating and shopping facilities.

Thank you for allowing me to provide this alternative view for development at this location, which I believe is of much greater benefit to Perth's vibrancy and economy.

Regards

George Ossolinski

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File 3:

No file uploaded

### Hearing of submissions

10 Do you wish to speak at the hearings?

No



Submitted to MRS Major amendment 1400/41 - North Fremantle Urban Precinct  
Submitted on 2023-06-11 12:14:58

About you

1 What is your first name?

First name:  
Dominic

2 What is your surname?

surname:  
Duggan

3 Are you responding on behalf of an organisation?

No

Organisation:

4 Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission?

No

5 What is your email address?

Email:  
dominic.duggan@riotinto.com

6 What is your address?

address:  
16 pearse street north Fremantle 6159

7 Contact phone number:

phone number:  
0432667722

Submissions

8 Do you support/oppose the proposed amendment to the Metropolitan Region Scheme?

Support

9 Please type your submission (reasons for support/opposition) into the the box below. Any supporting documents may be uploaded.

Submission:

I am a local resident (owner occupier) of a house on pearse street north Fremantle. I full support the rezoning proposal. Couple of points.

Would it be possible to consider realigning the port beach coast road to along bracks street? Moving the main road away for the beach would provide additional sand dune and park space up to the existing beach and potential to reclaim the carparks that are currently situated on the dunes.

Is there scope to include provisions for commercial / retail / hospitality venues within the zoning to encourage grocery shops in the area.

How does this proposal tie into the Fremantle bridge and Fremantle bike path works? Is there a chance to consider these together so that the infrastructure works can be developed in conjunction with the Re zoning and road alignments for a fit for purpose solution rather than 3 separate projects?

File 1:  
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File 2:  
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File 3:

No file uploaded

### Hearing of submissions

10 Do you wish to speak at the hearings?

Yes

### Hearing of submissions details

11 Please indicate who you will be represented by:

Myself

If you are representing yourself, please provide a contact phone number:

0432667722

If you are being represented by a spokesperson, please provide their details::

12 I would prefer my hearing to be conducted in:

Public

Submitted to MRS Major amendment 1400/41 - North Fremantle Urban Precinct  
Submitted on 2023-06-11 16:50:35

About you

1 What is your first name?

First name:

*Name and contact details removed at the request of submitter*

2 What is your surname?

surname:

3 Are you responding on behalf of an organisation?

No

Organisation:

4 Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission?

Yes

5 What is your email address?

Email:

6 What is your address?

address:

7 Contact phone number:

phone number:

Submissions

8 Do you support/oppose the proposed amendment to the Metropolitan Region Scheme?

Support

9 Please type your submission (reasons for support/opposition) into the the box below. Any supporting documents may be uploaded.

Submission:

I support the redevelopment but to be ensure that parks, native vegetation is maintained and there is also a space for community protocols - as an example having a grocery store that the community can walk too, a community gardens for food produce so think about the sustainability, carbon footprint.

This includes the number of people this can accomodate given the major road infratsructure is stretched now and so more people using the same roads will not make this such a lovely environment to live in this needs to be seriously considered now.

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## Hearing of submissions

10 Do you wish to speak at the hearings?

Yes

## Hearing of submissions details

11 Please indicate who you will be represented by:

Myself

If you are representing yourself, please provide a contact phone number:

If you are being represented by a spokesperson, please provide their details::

12 I would prefer my hearing to be conducted in:

Public



Submitted to MRS Major amendment 1400/41 - North Fremantle Urban Precinct  
Submitted on 2023-06-15 07:56:30

About you

1 What is your first name?

First name:  
Mark

2 What is your surname?

surname:  
McPartland

3 Are you responding on behalf of an organisation?

No

Organisation:

4 Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission?

No

5 What is your email address?

Email:  
marko.mcpartland@gmail.com

6 What is your address?

address:  
11 Rupert St Subiaco 6008

7 Contact phone number:

phone number:  
0404441822

Submissions

8 Do you support/oppose the proposed amendment to the Metropolitan Region Scheme?

Support

9 Please type your submission (reasons for support/opposition) into the the box below. Any supporting documents may be uploaded.

Submission:

I support the proposal in principle as a growing city we need to utilise our natural assest better. In htis case the beach front. A couple of important points  
- Realignment of Curtin Ave / Beach road to behind the development (closer to the rail line). Take this opportunity to remove the barrier of a road between beach and any activities  
- Commercial (restaurants, cafes, etc) development needs to be included (whatever scale) and be close to the water/beach, not hidden behind carparks as another barrier.  
We bemoan the overcrowding of beaches in summer but this is not the real issue. We have huge coast-line in the metropolitan area but overcrowding is simply due to very few beaches with activity space and commercial premises to enjoy. We need to spread the the load for the betterment of our whole metro coast.

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## Hearing of submissions

10 Do you wish to speak at the hearings?

No

Submitted to MRS Major amendment 1400/41 - North Fremantle Urban Precinct  
Submitted on 2023-06-25 14:41:21

About you

1 What is your first name?

First name:

*Name and contact details removed at the request of submitter*

2 What is your surname?

surname:

3 Are you responding on behalf of an organisation?

No

Organisation:

4 Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission?

Yes

5 What is your email address?

Email:

6 What is your address?

address:

7 Contact phone number:

phone number:

Submissions

8 Do you support/oppose the proposed amendment to the Metropolitan Region Scheme?

Support

9 Please type your submission (reasons for support/opposition) into the the box below. Any supporting documents may be uploaded.

Submission:

I am a resident of North Fremantle, and also own businesses in the suburb.

I concur with the submission made by the North Fremantle Community Association, which I attach.

File 1:

Leighton Amendment NFCA.pdf was uploaded

File 2:

No file uploaded

File 3:

No file uploaded

Hearing of submissions

10 Do you wish to speak at the hearings? No

Submitted to MRS Major amendment 1400/41 - North Fremantle Urban Precinct  
Submitted on 2023-06-27 20:32:59

About you

1 What is your first name?

First name:  
david

2 What is your surname?

surname:  
pond

3 Are you responding on behalf of an organisation?

No

Organisation:

4 Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission?

No

5 What is your email address?

Email:  
bill.herrod@gmail.com

6 What is your address?

address:  
6 NEWBOLD ST, white gum valley

7 Contact phone number:

phone number:  
0451154505

Submissions

8 Do you support/oppose the proposed amendment to the Metropolitan Region Scheme?

Oppose

9 Please type your submission (reasons for support/opposition) into the the box below. Any supporting documents may be uploaded.

Submission:

The north fremantle development precinct would be more suitable if a wider zone of public open space was allowed adjacent to the coastline, as wide as possible (at least 100m). This is considered justified given:

- predicted coastal erosion in the future will erode into the coastline a significant distance and the currently allowed distance of 50m is not sufficient to accommodate this.
- coastal erosion will damage public infrastructure (roads).
- coastal erosion will likely damage the private residential infrastructure (houses/apartments) in the long term.
- the costs to pay for the above issues through taxes and raised insurances will in the long term, be far greater than the windfall gained from the sale of land in the short term.
- the WA government needs to be future thinking and plan accordingly.

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## Hearing of submissions

10 Do you wish to speak at the hearings?

No



Submitted to MRS Major amendment 1400/41 - North Fremantle Urban Precinct  
Submitted on 2023-06-28 17:30:04

### About you

1 What is your first name?

First name:  
Suzette

2 What is your surname?

surname:  
Felton

3 Are you responding on behalf of an organisation?

No

Organisation:

4 Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission?

No

5 What is your email address?

Email:  
suzette.felton47@gmail.com

6 What is your address?

address:

Unit 7 / 15 Blinco Street

7 Contact phone number:

phone number:  
0414903001

### Submissions

8 Do you support/oppose the proposed amendment to the Metropolitan Region Scheme?

Support

9 Please type your submission (reasons for support/opposition) into the the box below. Any supporting documents may be uploaded.

Submission:

I support the re zoning of this land from Industrial to Urban and Parks and Recreation Reserve

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### Hearing of submissions

10 Do you wish to speak at the hearings?

No

Submitted to MRS Major amendment 1400/41 - North Fremantle Urban Precinct  
Submitted on 2023-06-28 20:11:50

### About you

1 What is your first name?

First name:  
Jennifer

2 What is your surname?

surname:  
Pedler

3 Are you responding on behalf of an organisation?

No

Organisation:

4 Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission?

No

5 What is your email address?

Email:  
jenipedler@outlook.com

6 What is your address?

address:

17A Warragoon Crescent  
Attadale WA 6156

7 Contact phone number:

phone number:  
+61488977001

### Submissions

8 Do you support/oppose the proposed amendment to the Metropolitan Region Scheme?

Support

9 Please type your submission (reasons for support/opposition) into the the box below. Any supporting documents may be uploaded.

Submission:

I support the proposed amendment to the Metropolitan Region Scheme.  
I am a regular beach user and have been for many years.  
The proposed amendment is much needed to enable development of the area in line with current needs and community wishes.

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### Hearing of submissions

10 Do you wish to speak at the hearings? No

PPL013

26 June 2023

Mr David Caddy  
Chair  
Western Australian Planning Commission  
140 William Street  
Perth WA 6000

Dear David

**METROPOLITAN REGION SCHEME AMENDMENT 1400/41 NORTH FREMANTLE**

Thank you for inviting Fremantle Ports to comment on Amendment 1400/41 to the Metropolitan Region Scheme.

The amendment proposes to rezone approximately 23.93 ha in North Fremantle from the Industrial zone to the Urban Deferred zone and Parks and Recreation reserve, as per the amending plan (refer Attachment 1).

A portion of the amendment land, being Lot 500 (No. 84) Tydeman Road and Lot 72 (No. 2) Barker Street, is owned by Fremantle Ports and zoned for industrial use. The balance of the land is in fragmented private land ownership.

Amendment 1400/41 proposes to reserve Lot 500 for Regional Parks and Recreation and zone Lot 72 Urban Deferred.

**Fremantle Ports requests deferred consideration of proposed Amendment 1400/41, pending the conclusion of the Westport, Future of Fremantle and Fremantle Ports' port development planning processes.**

## Summary position

Fremantle Ports acknowledges and supports the Western Australian Planning Commission's (WAPC) planning framework, which is principally designed to achieve orderly and proper planning outcomes.

However, Fremantle Ports' view is that consideration of Amendment 1400/41 is premature in light of unresolved plans for a new container port in Kwinana (Westport studies) and the potential relocation of non-container trades. Until preferred locations and timings are finalised, the Inner Harbour must continue to retain the capability to perform its role, for which sufficient landholdings need to be preserved.

Fremantle Ports suggests that the proposed Amendment 1400/41 be placed in abeyance and reviewed in 18 months, for the following reasons:

- The amendment will, if approved, depart from decades of local and State strategic land use planning that has consistently protected port operations.
- It implies the land has a higher urban or recreational purpose, without accounting for the consequential loss of industrial land in the Perth Central Sub Region.
- Setting aside the timing and location of the new container port (outcome of the Westport study), container trade will need to continue in the Inner Harbour for at least the medium term. Subsequently the existing port buffer zones (which promotes safe port operations in urban settings) will continue impacting portions of the subject site thereby limiting the site from achieving its highest and best use from an urban redevelopment perspective.
- The amendment is being considered prior to the completion of both the Westport Business Case study and Future of Fremantle land use plan.
- With the objective in the short term to free up portions of Victoria Quay for urban development, it is prudent for the State to maintain Lot 500 (No. 84) Tydeman Road and Lot 72 (No. 2) Barker Street for industrial uses as these lots may be required in the near term to relocate some non-container trades and/or existing port users in order to facilitate urban development on Victoria Quay.
- The retention of the industrial zoned land may be required to support ongoing port operations. The amendment report does not appear to identify requirements for Fremantle Ports' ongoing growth and development.
- Notwithstanding the commitment to construct a new container port and current uncertainties around the delivery phase, it may not be in the best interests of WA's trade and supply chain in the short term to increase urban encroachment and relinquish industrial land around Fremantle Ports that may still be required for operational/overflow purposes. If



1 Cliff Street, Fremantle  
Western Australia 6160  
T: +61 8 9430 3555 F: +61 8 9336 1391  
E: [mail@fremantleports.com.au](mailto:mail@fremantleports.com.au)  
[www.fremantleports.com.au](http://www.fremantleports.com.au)

rezoned, and the land is later required for a strategic industrial purpose, resumption may not be possible or higher resumptions costs would likely be incurred.

In support of Fremantle Ports' position, further information is included in Attachment 2. We look forward to continuing to work with the Commission and the proponents to ensure that an orderly and proper planning process results in an outcome that is in the best interests of the State for this prime landholding.

Please do not hesitate to contact Fremantle Ports if further information is required.

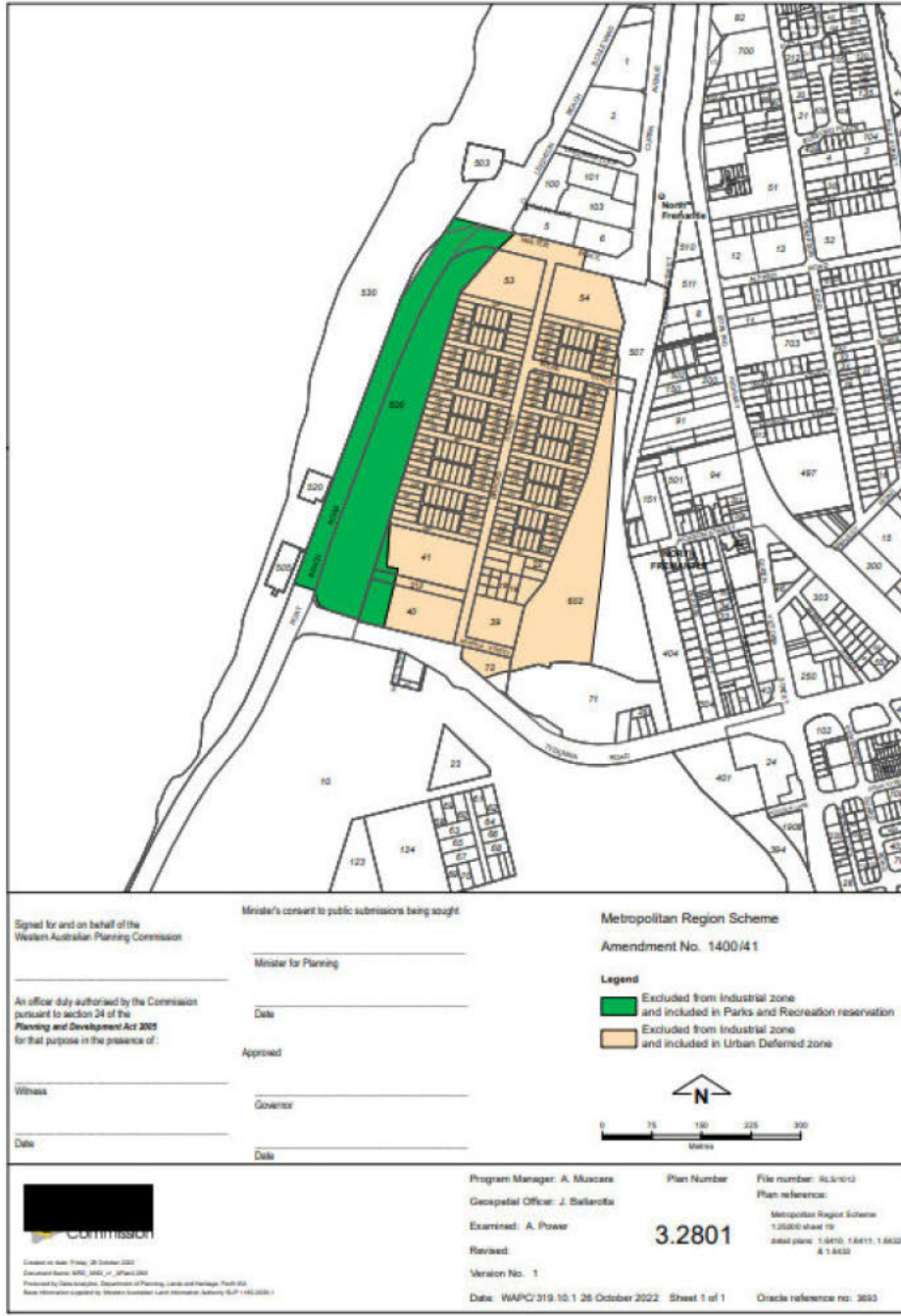
Yours sincerely

A handwritten signature in black ink that reads "Michael A. Parker".

Michael Parker  
**Chief Executive Officer**



## Attachment 1 - Amending plan



## **Attachment 2 - Additional information**

The following comments are made in support of the issues raised above.

### **1. Fremantle Ports - A State asset**

As an island nation, Australia has always been reliant on its seaports. Nationally sea ports are key economic infrastructure that bring ongoing, continuous benefits to all citizens. The Inner Harbour at Fremantle opened in 1897 and for over a century has been a cornerstone of the Western Australian economy. Today the Inner Harbour is the State's only dedicated container port, one of a national network that links the Australian economy with global markets.

The growth of container trade is expected to at least double by 2050 and reach three to five times current trade volumes by 2070. Whilst the need for a new container port has been identified, the Inner Harbour will continue to be the primary container port for Western Australia at least for the medium term.

To that end, ports need to be well planned and protected from encroachment by inappropriate land uses, or premature planning applications. The WAPC is charged with overseeing orderly and proper planning outcomes and remains balanced in the consideration of redevelopment proposals against strategic State-wide, collective, interests.

The amendment site is a complex location requiring sensitive, careful planning - it is unlikely that future development can be mitigated by applying State Strategic Policy. The amendment process may benefit from further analysis to understand the broader impacts on industrial and port uses.

The ongoing development and planning of State port infrastructure including the Inner Harbour will allow the continuation of social and economic benefits to all Western Australians. It is suggested that comprehensive planning on the future of the Inner Harbour (including the outcomes of both the Westport and Future of Fremantle studies) precede any rezoning of industrial land adjacent to Fremantle Ports that would allow for urbanisation.

### **2. Fremantle Ports' growth and development needs to serve the State**

The amendment land is zoned for industrial purposes and intended to support the ongoing operation/potential overflow of trade for the Port of Fremantle.

For container ports to operate effectively they require adequate land on site, or in close proximity, to cater for a range of key uses including container parks and logistics activities. Fremantle Ports' investigations indicate existing marine-side capacity can be significantly elevated with improved productivity, equipment and technology.

In response, adequate landside capacity needs to be secured/maintained within the port precinct for supporting services and port related uses such as empty container parks, customs, quarantine and logistics operations.

Earlier studies indicated the future land requirement for port and supporting uses to be approximately 112 hectares, of which 72 hectares is found in the Inner Harbour excluding the container terminal areas, leaving a requirement for an additional 40 hectares to support future trade growth. Around 20 hectares of the amendment land has been identified by Fremantle Ports as potentially meeting this need. This would require using all of the amendment area for port and related uses to support the Inner Harbour, which includes land owned by Fremantle Ports and the proponents of this amendment. Without this land, the growth and efficiency of the Inner Harbour will be adversely impacted.

Locating port service land external to the immediate surrounds of the port will incur operational inefficiencies which carry unnecessary social, environmental and economic costs and impacts.

Once the Westport and Future of Fremantle projects are concluded, Fremantle Ports intends to finalise its port development plan to align with these studies and guide the future development of the port, after which the proposed amendment can be properly assessed.

### **3. Long term strategic planning: protection of port operations**

State Planning Policy 1 State Planning Framework

The WAPC's State Planning Policy 1 (SPP1) State Planning Framework provides clear planning direction. Importantly it states as one of its objectives: "protecting key infrastructure, including ports, airports, roads, railways and service corridors, from inappropriate land use and development."

In relation to the proposed amendment, Fremantle Ports' interpretation of SPP1 is that it supports the outcomes of the Future of Fremantle and Westport projects validating the view that it is premature to consider this amendment until these two strategic planning studies are completed.

#### Strategic Planning Intent

The Western Australian planning system is based on a comprehensive model which ensures there is a strategic vision for the metropolitan and wider regions. In accordance with good planning practice, plans have been reviewed and new plans developed over the last six decades. With the development of each plan the amendment site has always been identified as an industrial location.

This amendment reflects a departure from previous State Government strategic planning outlined in the following plans:

- 1955 Plan for the metropolitan region Perth and Fremantle.
- 1963 - 2023 Metropolitan Region Scheme
- 1971 The Corridor Plan for Perth
- 1987 Corridor Plan Review
- 1990 Metroplan. A planning strategy for the Perth metropolitan region
- 1994 Fremantle Regional Strategy
- 2004 Network city: community planning strategy for Perth and Peel. Network City
- 2010 Directions 2031 and Beyond
- 2015 Perth and Peel at 3.5 million
- 2018 Central Sub-Regional Framework

The Port of Fremantle is also recognised more broadly in both the 1997 and 2015 State Planning Strategies as key infrastructure of State significance that is worthy of protection. The value of seaports at State and national levels is paramount to ongoing economic and social wellbeing of all citizens.

#### Past amendment proposals

The amendment land has been the subject of various proposals. In the absence of a State approved strategic plan, Fremantle Ports was consistently unable to support past amendment proposals and this position is maintained with this current proposal.

#### **4. Current strategic planning initiatives not completed**

##### Westport

The outcomes of the Westport, Future of Fremantle and Fremantle Ports port development planning processes presents an opportunity to allow an informed, fact-based decision on the timing to amend the zoning of this land.

Westport is the State Government's long-term program to investigate, plan and build a future container port in Kwinana with integrated road and rail transport networks. The Westport Taskforce was established in 2017 to develop a plan to manage growing freight demand for Perth and its surrounds for the long term. It considered existing ports at Fremantle, Kwinana and Bunbury and was tasked with making an assessment of the ports, associated road and rail links and intermodal terminals to determine the best long-term integrated freight transport plan to meet the State's



needs. The new port is intended to provide an opportunity to establish a modern freight network that can adapt to future growth and technologies over time.

Stage 1 of the program (Westport: What we have found so far report, December 2018) considered the existing freight network constraints and established eight strategic options for the allocation of container trade across the Fremantle, Bunbury and Kwinana ports.

Stage 2 commenced in 2018 and analysed the strategic options and was completed in 2020. Current planning is to relocate container trade from Fremantle to Kwinana in one stage with possible decommissioning indicatively identified for 2040's.

The Stage 2 report underscored the need for considerable technical investigation before an investment decision can be reached. Among other things, the Stage 2 report identified the following future research tasks:

- Delivery strategy and procurement model development;
- More detailed environmental work, including technical assessments, hydrodynamic and dredging analysis, geotechnical studies and detailed ecosystem research, Environmental Impact Assessment (EIA), Environmental Protection Authority (EPA) assessment and recommendations;
- Strategies to protect road and rail corridors;
- Supply chain development, including port strategy and design, road design, rail;
- Determining the maximum supply chain capacity of the Inner Harbour and additional road network upgrades required to support the Inner Harbour while it remains operational;
- Considering the highest and best use of North Quay long-term;
- Investigating new or alternative facilities and arrangements to accommodate bulk and general cargo; and
- Deciding on the future use of Latitude 32 in Kwinana, in the event that it is not used as an intermodal terminal for the future port.

In 2022, the State Government engaged a consultant to lead the Supply Chain Integrated Design project. The project will model and refine design options for the new terminal and supporting road and rail network. The outcomes will play a key role in the development of the Westport business case which is due by mid-2024, helping to inform future investment decisions.

Noting the above, it remains to be established:

1. when container trade will move to Kwinana from the Inner Harbour; and
2. what ultimate capacity will be required for the Inner Harbour prior to the move.



Similarly, the future location of non-container trade currently undertaken in the Inner Harbour is under review. To date, the Westport project has focussed on the relocation of container trades to Kwinana, with separate analysis now underway on the future location of non-containerised trade. This advice is due in 2024 and will further inform the timing and role of the Inner Harbour. The longer the trade remains, the greater the likely need will be to use the land in the amendment area for port uses and protect against the encroachment of the existing port buffer.

In light of these uncertainties, it is suggested that any proposals to rezone existing industrial land abutting Fremantle Ports may be deferred until investment decisions, detailed planning and timing for the new port container trade are finalised, and requirements for non-container trade activities occur with an appropriate level of planning completed. In the meantime, it would be prudent for the amendment land to remain available to support, and not constrain, the continued operation of the Inner Harbour.

### Future of Fremantle

Following the State Government's Westport Taskforce and announcement that Kwinana is the preferred location for Perth's future container port, the Future of Fremantle Planning Committee was formed to explore opportunities at Fremantle's Inner Harbour port precinct. A future vision for the areas is being developed with input by the public and a multi-disciplinary consultant team with the aim of preparing the following:

- An economic development strategy to encourage economic growth, investment and employment in Fremantle; and
- A land use plan to set a vision for the transformation of the port land - one that builds on the unique identity of Fremantle and is shared by the community.

The committee's work is to be completed by 2024 at which point it will have identified a preferred scenario for the precinct character and land use purpose, post-containers.

The Future of Fremantle plan may introduce urban uses in Victoria Quay and require the relocation of existing trades and other port uses to nearby industrial land, such as the amendment land. It is therefore suggested that determination of the amendment be deferred until the outcomes of Westport and Future of Fremantle projects are known.

## 5. Land use planning instruments

### Planning Control Area 158

A portion of the amendment land is affected by Planning Control Area (PCA) 158 Tydeman Road, Port Beach Road, Curtin Avenue and Stirling Highway (North Fremantle) Extension. The PCA was introduced in 2020 and will expire in 2025. The purpose of the PCA is to

*Protect land required for a future road realignment and the associated upgrades. The WAPC considers that the planning control area is required over the whole of the property to ensure that no development occurs on this land which might prejudice this purpose until it may be reserved for primary regional road in the Metropolitan Region Scheme.*

PCA158 further demonstrates the uncertain land use character of the amendment land and its surrounds, development proposals are not permitted until the primary road needs have been established.

### Industrial and residential land supply investigation

Recent government reviews of industrial land in the central Perth metropolitan area concluded that there is a local shortage of industrial zoned land and particularly given the availability of urban land. The State Government's 2021 10-year Industrial Land Strategy prepared by the Industrial Land Steering Committee comprising cross governmental departments, Jobs, Tourism, Science and Innovation, Department of Planning, Lands & Heritage, Development WA, Primary Industries and Regional Development and Transport notes:

- In recent years, industrial land developers have raised concerns about the availability of well-located and developable industrial land. The 'business as usual' approach of acquiring, developing and selling industrial lots has been challenged, in part, by fragmented land ownership;
- In response to identified trends that shape our economy, industrial areas will likely need to be more flexible to meet future industry needs and jobs. Centrally located industrial areas are expected to:
  - be under pressure to blend industrial, residential and commercial uses, provide greater employee amenity and intensify in activity as they undergo renewal;
  - meet increased demand for smaller inner city distribution centres spread throughout the city in response to consumer online spending and greater consumer power in product development and purchasing; and

- provide for tailored education and training providers supporting rapid automation and robotics development - areas that will increase demand for workers with specific skills for monitoring and servicing. Industrial land will provide an opportunity to connect industry with education and training providers.
- North Fremantle is an identified industrial centre in the Perth Central Sub Region. Generally, there is limited land available in the sub region to cater for future industrial growth with most existing industrial areas being developed and no additional areas for expansion.
- Existing industrial areas in the Perth Central Sub Region are known for good accessibility to major transport infrastructure, including the Port of Fremantle and freight routes, as well as population centres and existing industry. The strategic location value of existing industrial land is reflected in the high attributed land values which creates pressure, on industrial land to relocate. Fortunately, the WAPC has a well proven framework that protects land uses from being forced out.
- Generally, employment self-sufficiency improves through better integration of land use planning and transport networks, notably particularly around activity centres and station precincts. In the Perth Central Sub Region industrial estates development density is significantly higher than outer areas, and as the nature of industry changes, employment levels in the Perth Central Sub Region are also anticipated to increase. Adequate infrastructure is critical to support continual growth in the central metropolitan area; and
- Enabling infrastructure such as sewer and telecommunications is needed to allow existing industrial areas to regenerate, increase employment density and reach capacity.

The North Fremantle industrial land is strategically placed to help meet the long-term needs for the Perth Central Sub Region and further consideration is needed before the industrial land is rezoned for a future urban, (most likely residential), use.

Although the Metropolitan Region Scheme does not define the "Urban Deferred" land use, by reference to the Greater Bunbury Region Scheme, the zone applies to:

*Land suitable for future urban development. Various planning, servicing and environmental requirements need to be addressed before urban development can occur.*

Similarly, the Parks and Recreation reserve intends to:

*Protect the natural environment, provide recreational opportunities and safeguard important landscapes to be enjoyed by the public.*

Implicit in the proposed amendment is that the subject site has a higher urban or recreational purpose. The amendment report does not appear to explore the potential loss of industrial land in the Perth Central Sub Region, particularly prior to the completion of the current strategic planning processes associated with the Future of Fremantle land use plan and Westport Business Case study.

The amendment report does not appear to provide an explanation for the Parks and Recreation reservation of Fremantle Ports' land, which would appear to effectively expand the existing regional reservation along the North Fremantle foreshore. This reservation may affect the character of future land use on Fremantle Ports' land, potentially reducing the opportunity to be used for light industrial purposes in connection with port operations.

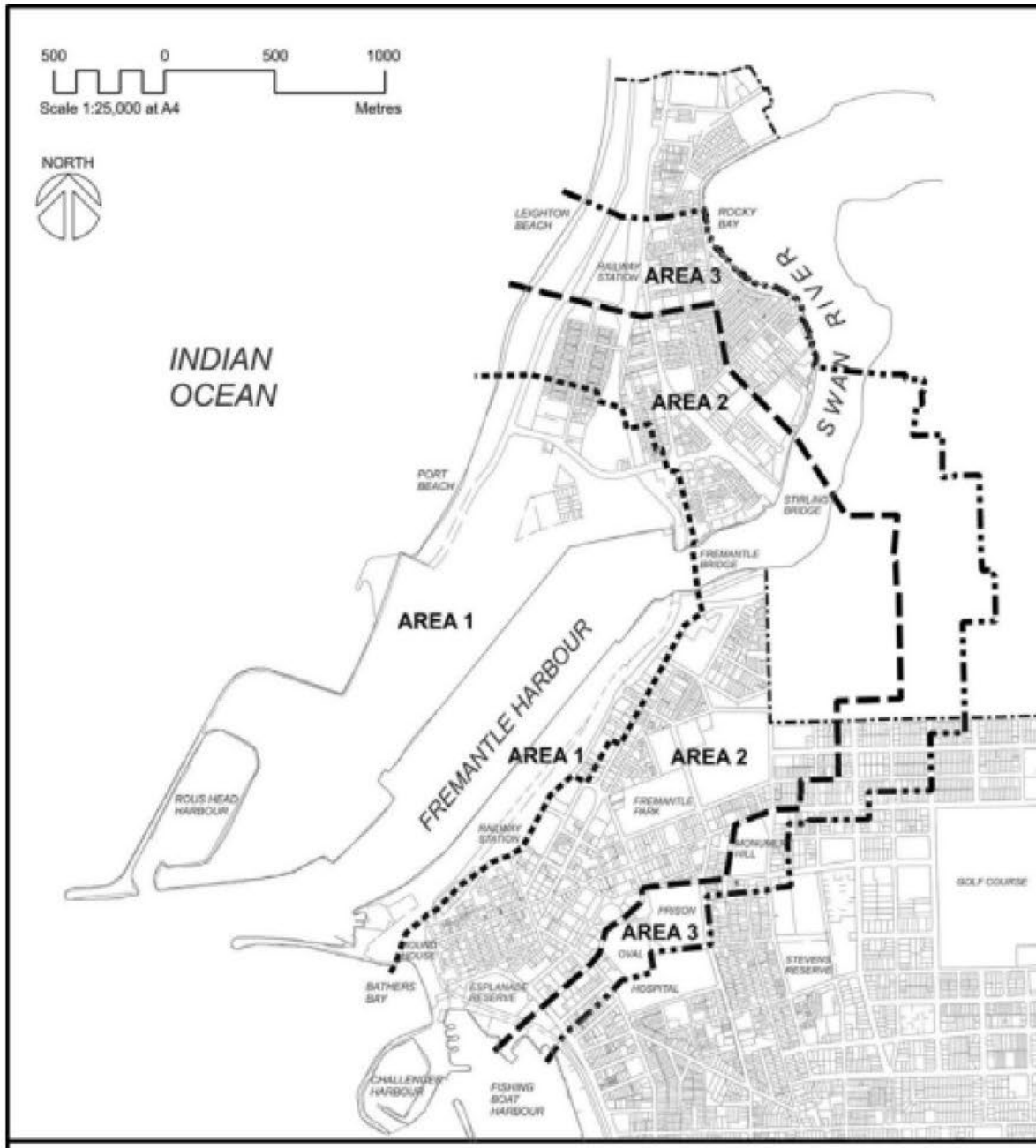
Notwithstanding the commitment to construct a new container port in Kwinana and current uncertainties around its timing, it would be detrimental to Western Australia's trade and supply chain to increase urban encroachment and relinquish industrial land around Fremantle Ports that may still be required for operational purposes. If rezoned, and the land was later required for a strategic industrial purpose, resumption may not be possible or higher resumption costs would likely be incurred.

### Port Buffer

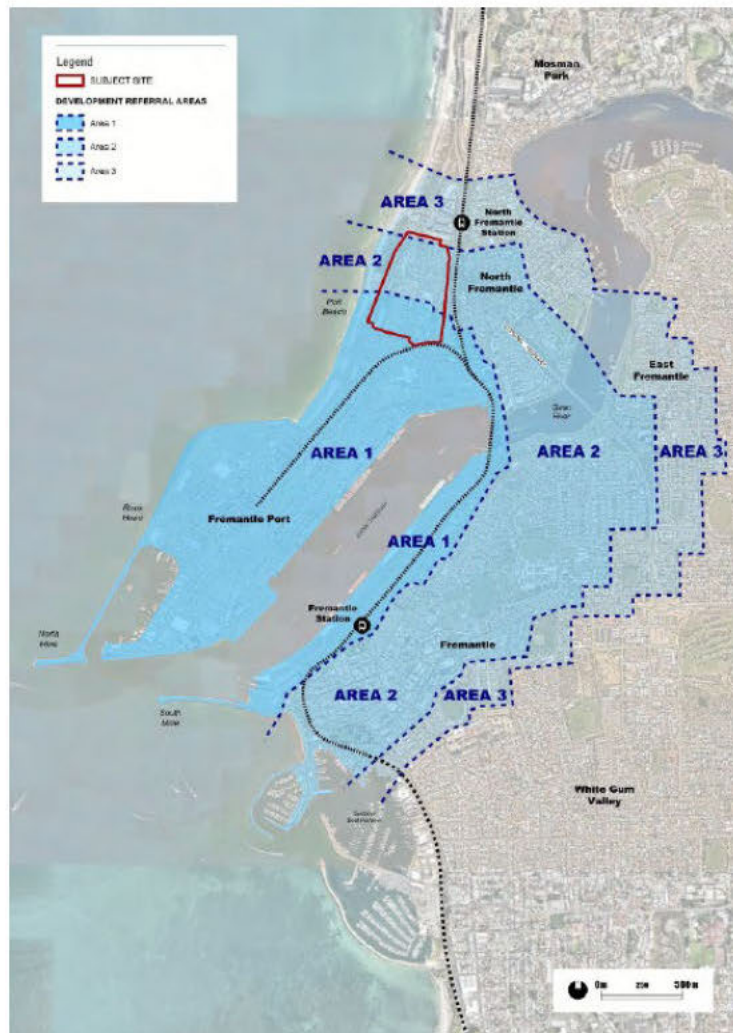
The City of Fremantle's Port Buffer Area Development Guidelines and relevant associated Local Planning Scheme provisions have, for almost 20 years, provided a critical planning tool that has both supported and guided appropriate growth of trade at the Inner Harbour and of urban uses surrounding the port. If non-container trade in the Inner Harbour grows, or the amendment land is needed for industrial uses relocated from Victoria Quay, Buffer Area 1 may need to be reviewed to ensure appropriate mitigation arising from port activities and trades.

Potential changes to the intensity or relocation of port land users underscore the need to protect the existing, and potentially increased, buffer from encroachment and promote safe planning around the port.

Fremantle Ports does not support any proposal to amend the buffer, scheme provisions or relative policy and requests that the WAPC support this view. Further policy review will be warranted following the completion of the Westport and the Future of Fremantle planning projects.







Port Buffer Inner Harbour

## 6. Inclusion of Fremantle Ports' land

The land owned by Fremantle Ports reserved for port and related industrial uses was included in this proposed amendment without our support or consent. Whilst the advice of the Department of Planning, Lands and Heritage (DPLH) is that port and industrial uses can continue if the zoning changes in an ongoing, unimpeded manner, the reservation of Fremantle Ports' land for Parks and Recreation is inconsistent with its actual use and re-enforces the prematurity of the proposed amendment. Should the amendment proceed as proposed, Fremantle Ports is concerned with future land use incompatibilities and threats to the port being able to facilitate trade for the future benefit of Western Australia.



## Hearing of submissions

Anyone who has made a written submission on the amendment has the opportunity to personally present the basis of their submission to a sub-committee of the WAPC. **You do not have to attend a hearing.** The comments presented by you in this written submission will be considered in determining the recommendation for the proposed amendment.

For information about the submission and hearings process, please refer to the amendment report and in particular appendix D.

### Please choose one of the following:

**No**, I do not wish to speak at the hearings. (Please go to the bottom of the form and sign)

OR

**Yes**, I wish to speak at the hearings. (Please complete the following details)

**I will be represented by:**

Myself – My telephone number (business hours): .....

**or**

A spokesperson

Name of spokesperson: .....

Contact telephone number (business hours): .....

Postal address: .....

**I would prefer my hearing to be conducted in:**

Public (members from the general public may attend your presentation)

**OR**

Private (only the people nominated by you or the hearings committee will be permitted to attend)

You should be aware that:

- The WAPC is subject to the *Freedom of Information Act 1992* and as such, submissions made to the WAPC may be subject to applications for access under the act.
- In the course of the WAPC assessing submissions, or making its report on these submissions, copies of your submission or the substance of that submission, may be disclosed to third parties.
- Hearings may be recorded and transcribed. The minutes of all hearings, along with all written submissions, are tabled in Parliament and published as public records should the Governor approve the proposed amendment. The WAPC recommendations are similarly published in a report on submissions and tabled in Parliament.

### To be signed by person(s) making the submission

Signature ..... Date .....

**Note: Submissions MUST be received by the advertised closing date, being close of business (5pm) on 30 JUNE 2023. Late submissions will NOT be considered.**

**From:** [Gerard MacGill](#)  
**To:** [Region Planning Schemes](#)  
**Subject:** SUBMISSION. Metropolitan Region Scheme Amendment 1400/41  
**Date:** Wednesday, 28 June 2023 10:47:14 AM  
**Attachments:** [Leighton Amendment NFCA V2.docx](#)  
[Amendment Cover.pdf](#)

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[You don't often get email from gerardhugh@icloud.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

Please find attached a submission on Amendment 1400/41,

Gerard MacGill  
Convenor NFCA  
[gerardhugh@icloud.com](mailto:gerardhugh@icloud.com)  
0409 335 774  
NF

CA



**Planning and Development Act 2005  
Section 41 Amendment (Substantial)**

**Form 41**

**Submission**

**Metropolitan Region Scheme Amendment 1400/41  
North Fremantle Urban Precinct**

To: Secretary

Western Australian Planning Commission

Perth WA 6001

Title (Mr) GERARD

Surname MACGILL (PLEASE PRINT CLEARLY)

Address 39k Harvest Road, North Fremantle Postcode 6159

Contact phone number: 0409 335 774. Email address: gerardhugh@icloud.com

Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission? No

Submission (Please attach additional pages if required. It is preferred that any additional information be loose rather than bound)

.....See document attached.....

**Hearing of submissions**

Yes, I wish to speak at the hearings. (Please complete the following details)

I will be represented by:

Myself – My telephone number (business hours): 0409 335 774

Postal address: 39k HARVEST ROAD NORTH FREMANTLE


I would prefer my hearing to be conducted in:

Public (members from the general public may attend your presentation)

- The WAPC is subject to the Freedom of Information Act 1992 and as such, submissions made to the WAPC may be subject to applications for access under the act.
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The WAPC recommendations are similarly published in a report on submissions and tabled in Parliament.

To be signed by person(s) making the submission

Signature  Date 28/04/2023



## **Submission**

Metropolitan Region Scheme Amendment 1400/41  
North Fremantle Urban Precinct

### **INTRODUCTION**

This submission is made on behalf of the North Fremantle Community Association. The NFCA is a community body that has advocated for the town for more than 30 years and is recognised as a Precinct of the City of Fremantle for consultative purposes. The status of the Association is recognised by its representation on the Future of Fremantle Study Reference Group.

### **SUBMISSION CONTENT**

#### **1. Intent**

The Association is supportive of the proposed Urban Deferred zoning as being preferred to the Urban zoning sought by the proponents. In light of the ongoing Future of Fremantle Study, the results of which will determine the future of the area, and the necessity for a comprehensive analysis of the coastal reserve provision, deferral of the amendment itself would be more appropriate.

In particular, we take issue with this statement of Amendment's intent.

**The intent of the amendment** is to facilitate redevelopment of the site for primarily mixed-use commercial and residential uses, with areas of Public Open Space (POS) following the Lifting of Urban Deferment, Local Planning Scheme (LPS) amendment and detailed local structure planning.

While acknowledging the many matters to be considered before lifting the zoning, the statement, no doubt expressing the desires of the proponent, pre-empts the determination of those matters, and specific future uses should not be referred to.

#### **2. Lifting of Urban Deferment Requirements**

We note that amendment is being partly zoned Urban Deferred as the following matters require resolution prior to the transfer to the Urban zone. We comment on these in turn.

##### *Finalisation or substantial progression of the Future of Fremantle project*

This is absolutely necessary to determine the best uses for the coordinated development of the Leighton Peninsula.

##### *Confirmation of regional road and transport requirements in the locality*

Regional road provision through North Fremantle is already a major amenity problem and expansion of it should not be contemplated. The suggested doubling of the Stirling Bridge and a flyover from Curtin Avenue would destroy North Fremantle.

##### *Confirmation of coastal foreshore reserve requirements*

This will require a major study of the likely effects of sea level rise, exacerbated by the effects of cyclones, and meeting the recreational needs of an expanding population. The EPA's decision to "not assess", based on their assertion that "Potential impacts can be managed by future planning processes/controls and other statutory processes..." is as surprising as it is disappointing, given the regional significance of the area and the multitude

of environmental and planning factors that will influence their ultimate deliberations. A post facto assessment will in fact be significantly constrained by the amendment itself.

*Consideration of the Fremantle Port buffer.*

This will obviously be an important consideration for the remainder of the Port's existence in its present location.

**3. And in addition**

*Linkages to the area's hinterland*

Though outside the area of the amendment, the North Fremantle townsite will be profoundly affected by whatever happens there. Of central importance is the east-west linkages across the area to the coast. These are fraught at the moment, severed by road and rail. The amendment and the Future of Fremantle Study present a golden opportunity to create a well-connected Leighton Peninsula that provides a living and working environment like no other in Western Australia.

**4. The Coastal Reserve.**

The area indicated in the Amendment should be considered provisional as there are many related issues that will be covered by the Future of Fremantle Study and related investigations. These include the adequacy of the reserve to cope with predicted sea level rise, and the provision of recreation for existing and future residents of Fremantle and beyond.

Gerard MacGill

Convenor

North Fremantle Community Association

July 2023

Planning and Development Act 2005  
**Section 41 Amendment (Substantial)**  
Form 41

**Submission**  
**Metropolitan Region Scheme Amendment 1400/41**

**North Fremantle Urban Precinct**

To: Secretary  
Western Australian Planning Commission  
Locked Bag 2506  
Perth WA 6001

OFFICE USE ONLY  
SUBMISSION NUMBER  
RLS/1088

Title (Mr, Mrs, Miss, Ms) ..... First Name ALEX BAJADA  
Surname BAJADA (PLEASE PRINT CLEARLY)  
Address 2/14 MALBURY ST BICTON Postcode 6157  
Contact phone number 041 9909999 Email address abajada@cabell.co

Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission?  Yes  No

**Submission** (Please attach additional pages if required. It is preferred that any additional information be loose rather than bound)

I PREFER TO SEE THE PROPOSED  
AMENDMENT TO BE PASSED AS  
THIS AREA IS ALREADY HIGHLY  
SUPPORTED BY MANY RESIDENTS BOTH  
NORTH AND SOUTH OF THE RIVER.  
IN FUTURE THE PLANNING FOR THIS  
WHOLE PRECINCT WILL BE TO THE  
ADVANTAGE OF EXISTING RESIDENTS  
BUT ALSO ALLOW FOR FUTURE RESIDENTIAL  
AND RETAIL USES.  
IDEALLY ONE WOULD PREFER EXPENSIVE  
SETBACKS AND PROVISION OF POS  
INCLUDING PARKING FACILITIES

turn over to complete your submission

## Hearing of submissions

Anyone who has made a written submission on the amendment has the opportunity to personally present the basis of their submission to a sub-committee of the WAPC. **You do not have to attend a hearing.** The comments presented by you in this written submission will be considered in determining the recommendation for the proposed amendment.

For information about the submission and hearings process, please refer to the amendment report and in particular appendix D.

**Please choose one of the following:**

|  |
|--|
| <input checked="" type="checkbox"/> <b>No</b> , I do not wish to speak at the hearings. (Please go to the bottom of the form and sign) |
|--|

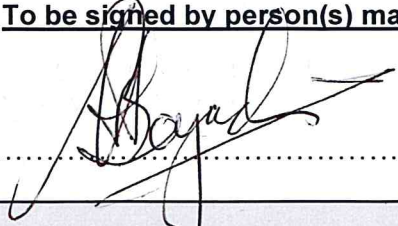
OR

|   |
|---|
| <input type="checkbox"/> <b>Yes</b> , I wish to speak at the hearings. (Please complete the following details)            |
| <b>I will be represented by:</b>  |
| <input type="checkbox"/> Myself – My telephone number (business hours): .....   |
| <b>or</b>   |
| <input type="checkbox"/> A spokesperson   |
| Name of spokesperson: .....   |
| Contact telephone number (business hours): .....  |
| Postal address: .....   |
| <b>I would prefer my hearing to be conducted in:</b>  |
| <input type="checkbox"/> Public (members from the general public may attend your presentation)                            |
| <b>OR</b>   |
| <input type="checkbox"/> Private (only the people nominated by you or the hearings committee will be permitted to attend) |

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### To be signed by person(s) making the submission

Signature .....  ..... Date 29.6.2023 .....

**Note: Submissions MUST be received by the advertised closing date, being close of business (5pm) on 30 JUNE 2023. Late submissions will NOT be considered.**



Planning and Development Act 2005  
**Section 41 Amendment (Substantial)**  
Form 41

**Submission**

**Metropolitan Region Scheme Amendment 1400/41**

**North Fremantle Urban Precinct**

To: **Secretary**  
Western Australian Planning Commission  
Locked Bag 2506  
Perth WA 6001

OFFICE USE ONLY  
SUBMISSION NUMBER  
PLS31000

Title (Mr, Mrs, *Name and contact details removed at the request of submitter*)

Address .....

Contact phone number ...

Email address ...

Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission?  Yes  No

**Submission** (Please attach additional pages if required. It is preferred that any additional information be loose rather than bound)

*This Is Awesome - More Dwellings in WA  
Such a wasted space, get moving  
and remove the negative people (who all  
took a bawage of past Developments!!)  
and develop please.*

*My children have nowhere to live,  
More options = Better Future For All.*

*Please let them develop  
Ignore the heighten Anti developers  
Ignore Fremantle Council  
They Only care About themselves.*

*I would Buy one, what a location.*

**turn over to complete your submission**



## Hearing of submissions

Anyone who has made a written submission on the amendment has the opportunity to personally present the basis of their submission to a sub-committee of the WAPC. **You do not have to attend a hearing.** The comments presented by you in this written submission will be considered in determining the recommendation for the proposed amendment.

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**Please choose one of the following:**

**No.** I do not wish to speak at the hearings. (Please go to the bottom of the form and sign)

OR

**Yes.** I wish to speak at the hearings. (Please complete the following details)

**I will be represented by:**

Myself – My telephone number (business hours): .....

or

A spokesperson

Name of spokesperson: .....

Contact telephone number (business hours): .....

Postal address: .....

**I would prefer my hearing to be conducted in:**

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OR

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**To be signed by person(s) making the submission**

Signature .....

Date .....

10/6/2023

**Note: Submissions MUST be received by the advertised closing date, being close of business (5pm) on 30 JUNE 2023. Late submissions will NOT be considered.**

**From:** Anthony Muscara  
**Sent:** Friday, 30 June 2023 11:12 AM  
**To:** Region Planning Schemes  
**Subject:** FW: MRS - Scheme Amendment 1400/41 - North Fremantle Urban Precinct - submission DMIRS  
**Attachments:** 000558.Steven.BATTY.pdf

Note Submission.

**Anthony Muscara**  
Principal Planner | Land Use Planning  
Department of Planning, Lands and Heritage  
140 William Street, Perth WA 6000  
[wa.gov.au/dplh](http://wa.gov.au/dplh) | 6551 9441 | |



The Department is responsible for planning and managing land and heritage for all Western Australians – **now and into the future**

The Department acknowledges the Aboriginal people of Western Australia as the traditional custodians of this land, and we pay our respects to their Elders, past and present.

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**From:** BATTY, Steven <Steven.BATTY@dmirs.wa.gov.au>  
**Sent:** Friday, 30 June 2023 11:09 AM  
**To:** info <info@dplh.wa.gov.au>; Anthony Muscara <Anthony.Muscara@dplh.wa.gov.au>  
**Subject:** MRS - Scheme Amendment 1400/41 - North Fremantle Urban Precinct

Your Ref: 809-02-5-12 Pt 1 RLS/1051  
Our Ref: A0148/202301

Dear Anthony Muscara

**MRS - Scheme Amendment 1400/41 - North Fremantle Urban Precinct**

Please find attached our letter of comment.

Yours sincerely

**Steven Batty** | Senior Geologist  
Geological Survey and Resource Strategy Division

**Department of Mines, Industry Regulation and Safety**  
100 Plain Street East Perth WA 6004  
**Tel: +61 8 9222 3104**  
[steven.batty@dmirs.wa.gov.au](mailto:steven.batty@dmirs.wa.gov.au) | [www.dmirs.wa.gov.au](http://www.dmirs.wa.gov.au)



Government of **Western Australia**  
Department of **Mines, Industry Regulation and Safety**

We acknowledge Aboriginal and Torres Strait Islander people as the Traditional Custodians of this land on which we deliver our services. We pay our respects to elders and leaders past and present.

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Government of **Western Australia**  
Department of **Mines, Industry Regulation and Safety**  
**Resource and Environmental Regulation**

Your ref 809-02-5-12 Pt 1 RLS/1051  
Our ref A0148/202301  
Enquiries Steven Batty — 9222 3104  
Steven.BATTY@dmirs.wa.gov.au

Anthony Muscara  
Principal Planning Officer  
Department of Planning, Lands and Heritage  
Sent by Email — [anthony.muscara@dplh.wa.gov.au](mailto:anthony.muscara@dplh.wa.gov.au); info@dplh.wa.gov.au  
Locked Bag 2506 Perth WA 6001

Dear Anthony Muscara

**MRS - SCHEME AMENDMENT 1400/41 - NORTH FREMANTLE URBAN PRECINCT**

Thank you for your letter dated 27 March 2023 inviting comment on the MRS Scheme Amendment 1400/41 for the North Fremantle Urban Precinct

The Department of Mines, Industry Regulation and Safety (DMIRS) has determined that this proposal raises no significant issues with respect to mineral and petroleum resources, geothermal energy, and basic raw materials.

DMIRS lodges no objections to the above MRS amendment.

Yours sincerely

---

Steven Batty  
Senior Geologist  
Mineral and Energy Resources Directorate  
30 June 2023

Submitted to MRS Major amendment 1400/41 - North Fremantle Urban Precinct  
Submitted on 2023-06-29 20:12:29

About you

1 What is your first name?

First name:

2 What is your surname?

surname:

3 Are you responding on behalf of an organisation?

Yes

Organisation:

Urban Bushland Council WA Inc

4 Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission?

Yes

5 What is your email address?

Email:

ubc@bushlandperth.org.au

6 What is your address?

address:

7 Contact phone number:

phone number:

Submissions

8 Do you support/oppose the proposed amendment to the Metropolitan Region Scheme?

Oppose

9 Please type your submission (reasons for support/opposition) into the the box below. Any supporting documents may be uploaded.

Submission:

The Urban Bushland Council strongly recommends that the proposed MRS amendment 1400/41 not be adopted. UBC recommends the entire area be zoned Parks and Recreation to uphold our good State Planning policies 2.6, 2.8, 3.0 and 7.0 which include for the purpose of protecting and managing the foreshore reserve for 100 years by planting a local native vegetation buffer for:

- wildlife corridor and habitat
- restoring dunes to slow coastal erosion
- Aboriginal cultural values
- commitments to 30% land for conservation by 2030 in a cleared landscape
- commitments to 30% tree canopy
- to maintain local identity, sense of place public open space for recreation (SPP 7.0 liveable cities).

We are available for you to contact us as below should you require further information and request a deputation to the WAPC should this rezoning proceed. Our full submission is attached.

File 1:

MRS 1400 41 Port Beach UBC submission 2023-6-28-final.pdf was uploaded



File 2:

No file uploaded

File 3:

No file uploaded

## Hearing of submissions

10 Do you wish to speak at the hearings?

No

Chair & Members  
WA Planning Commission (WAPC)  
Gordon Stephenson House  
140 William Street  
Perth, WA 6000  
[RegionPlanningSchemes@dplh.wa.gov.au](mailto:RegionPlanningSchemes@dplh.wa.gov.au)

Dear Mr Caddy and WAPC Members,

**Proposed MRS Amendment 1400/41 Major Amendment, Port Beach**

The Urban Bushland Council WA Inc. (UBC) is the peak community organisation for urban bushland recognition and protection and is an association of almost 90 community groups with a common interest in conservation and management of urban bushland. The Council is an incorporated, voluntary, non-government organisation. UBC plays a crucial role in advocating with Government of all levels for bushland protection and conservation management.

UBC does not support the MRS amendment because:

- 1) Urban deferred implies it will become urban and will prejudice further consultation and possibly impact costs
- 2) The Environmental Protection Authority (EPA) has chosen not to assess, siting the issues can be dealt with at the planning stage. However, the amendment report is not only incomplete, but has recommendations contrary to its findings.
- 3) The Fremantle Future community consultation for this area has not occurred.
- 4) The WAPC decision on Lot 556 urban development McCall Centre, has not be made.

Please accept our submission focussing on the following concerns:

**1. Social and Cultural Considerations**

- 1.1 Recreational use
- 1.2 Aboriginal cultural significance
- 1.3 Contribution of coastal visual landscape
- 1.4 Tourism.

**2. Coastal and Terrestrial Considerations**

- 2.1 SPP 2.6 Coastal Management, objectives and planning
- 2.2 Leighton Planning to date
- 2.3 Coastal adaptation planning and management
- 2.4 Commitment to 30% land for conservation purposes by 2030
- 2.5 Commitment to 30% canopy cover.

**3. Economic Considerations**

- 3.1 Less costly retreat option in a highly eroding foreshore
- 3.2 Functioning ecosystem savings
- 3.3 Health savings/liveability
- 3.4 Tourism economy.

# 1. SOCIAL AND CULTURAL CONSIDERATIONS

## 1.1 Recreational use

**There has been a 40 year community vision as described in the ‘Vlamingh Parklands Report’, to establish an integrated parkland, incorporating the link between the sea and river. This was to meet the recreational needs of the community whilst conserving, enhancing, and promoting the natural and historic heritage of the area.**

The green link of the foreshore reserve is an opportunity to improve the environmental functioning of the ‘Vlamingh Parklands Plan’, endorsed by the State Government as a regional style park in 1998. The date coincided with the 400th anniversary of Dutch explorer Willem de Vlamingh’s landing at the site, going on to discover and name the ‘Black Swan River’.

There is no cost-effective alternative. (Refer O’Donnell, Christina (2020) *Evaluating Connectivity and Ecological Linkages between Perth’s Protected Areas to Support Biodiversity* Honours Thesis, Murdoch University. [Naturelink](#) Perth).

This ecological corridor has been identified as the green network in key planning documents to prevent fragmenting bushland and local extinctions as well as to **avoid and protect areas that have significant regional environmental value** including:

- i) Perth and Peel@3.5 million
- ii) Capital Cities Planning Framework (CCPF) 2013
- iii) **State Planning Policy 2.8 Bushland Policy** Perth Metropolitan Region objectives: *‘To protect and enhance native bushland with the intent of long-term protection of biodiversity and environmental values’.*

Other concerns include:

- The ‘Leighton Oceanside Parklands Plan’ followed on from the ‘Vlamingh Parklands Plan’ to provide 13ha for conservation and recreation, so no further area is needed. **This did not include future population increase and urban development.**
  - The 13ha is for conservation of the ‘sea to river link’ and does not serve as recreation.
  - For decades the 13ha remains a wasteland as the Leighton Marshalling Yard with no foreseeable change for its part of the Leighton Oceanside Parklands Plan.
  - This 13ha should be discounted in the report for conservation or recreation purposes for the Leighton area.
- The ‘Leighton Oceanside Parklands’ development of 4ha of Urban has occurred with insufficient public open space for the immediate urban development, let alone for the recreational use of either surrounding suburbs or of greater Perth.
- Current summer weekend demand has ensured:
  - little or no additional capacity in the existing public open space
  - traffic along Curtin Avenue is heavy and continuous with little chance of crossing the road if walking or cycling to the beach.

**Future population increase in the Leighton peninsula will require foreshore reserve for recreation with critical consideration for coastal processes.**

In addition to this proposal and others already under construction, there are many existing residential proposals that will be using the Leighton Beaches for recreation, including:

- 2 huge residential development proposals on Stirling Highway at the end of McCabe Street, North Fremantle (Onesteel and Matilda Bay Brewery).
- 22 storey residential proposal on the south bank at Stirling Bridge, North Fremantle,
- high rise developments, Glyde Street, Mosman Park.

## **1.2 Aboriginal Cultural Significance**

**The Leighton area has significant cultural significance.**

Instead of rezoning urban deferred, this is an opportunity to recognise and protect the Aboriginal heritage values as they were dismissed in the former zoning of industrial.

Some of these significant Aboriginal heritage values of this Leighton area are:

- The Fremantle River and coastal areas are places of not only significant cultural importance but of dreaming stories (Sacred Sites).
- The limestone hills (Seven Sisters) behind, were believed to be pushed up by their earth creator.
- Great feasting and celebration occurred on the Swan River and on the coast as the families got together for abundant summer fishing.
- Whadjuk tools have been discovered beside the Cable Station, Cottesloe, Victoria Street Station, Mosman Park and as far as Warton Street, Cottesloe as recently as the 1970s.
- Dwerda (Dingo) dreaming story guards the Leighton Peninsula. The roaming crocodile from the north was spotted and attacked. Its features are part of the coastal landscape.
- The ecological linkage from the sea to the Swan River<sup>1</sup> is also a path of traditional Whadjuk ways and dreaming stories. It links the women's area of Point Walter, Bicton to the fish traps of Minim Cove, Mosman Park to the Seven Sisters dreaming, to the Moondarup Rock (Shark Dreaming) and Muderup Rocks (Place of the Yellow Fin Whiting).

What archaeological studies were done of the previous industrial area of Port Beach? Although the area has been disturbed by previous residential and industrial use, the planning for another use should now be considerate of the cultural values here. We understand that the new heritage laws/policies would certainly require it.

## **1.3 Contribution of coastal visual landscape**

The Perth Coastal Planning Strategy Issue Paper 5 – visual landscape c 2003 highlights

- “Coastal landscapes are highly valued by West Australians, generating widespread community emotion and desire for protection”

Commuters' first sight of the open natural coastal stretch from Cottesloe to Fremantle is highly valued for its first daily connection to nature, weather, and seasons.

This unbuilt coastal vista should be protected for the benefit of as many commuters as possible including from Curtin Avenue, the Fremantle/Perth railway line, and Stirling Highway.

Nominal building heights.

SPP 7.0 aims to preserve and build sense of place.

## **1.4 Local and International Tourism**

The close proximity of the site to the Fremantle to Perth railway line, its long paths and beaches for walking can and should also be a welcome to all visitors and a showcase of how we respect this area for everyone's use.

## 2 COASTAL CONSIDERATIONS

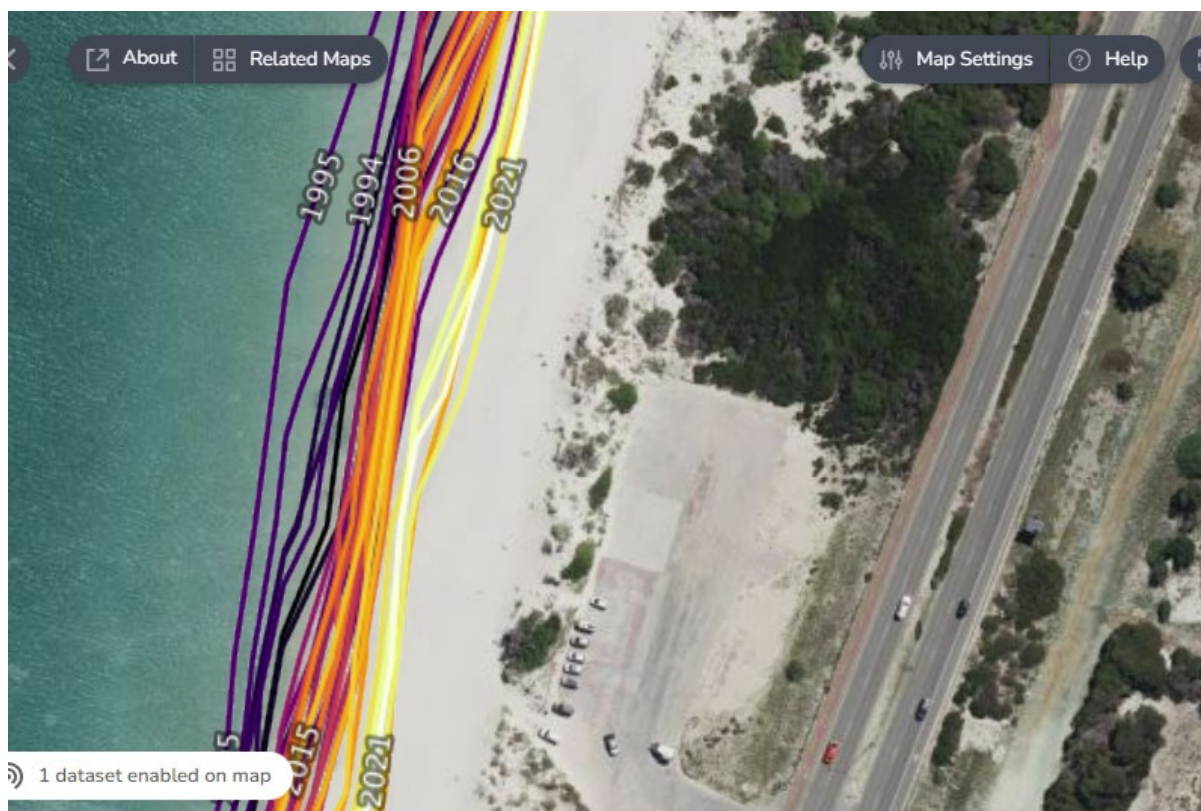
### 2.1 SPP 2.6 Coastal management, objectives and planning

- i) Provide for public coastal foreshore reserves and access to them on the coast; and
- ii) Protect, conserve, and enhance coastal zone values, particularly in areas of landscape, biodiversity and ecosystem integrity, Indigenous and cultural significance.
  - **More specifically, SPP 2.6 states that in terms of Coastal Hazard Risk Management and Adaptation Planning, in an area likely to be subject to coastal erosion in the next 100 years, development should be avoided.**
  - It sets out the matters which should be considered in the planning and development of land within the coastal zone. These matters include the establishment of foreshore reserves, **the protection and enhancement of coastal values** and the management of development and land use change.
    - *coastal foreshore reserve will include the consideration of, and protection for, significant natural features such as coastal habitats and, for their biodiversity, archaeological, ethnographic, geological, geo-morphological, visual or wilderness, biodiversity and ecosystem integrity, heritage.*
  - SPP 2.6 Coastal Planning: ensuring that development within the coastal zone takes into account coastal processes and hazard.

### 2.2 Leighton Planning to date

Coastal Setback:

- The 2000 Leighton Regional Planning Guidelines recommended that the foreshore reserve should be 125m.



- [Digital Earth Australia Map CSIRO](#)



This MRS amendment reports that coastal processes of 3.6m inundation level [AHD](#) to 2115 would expect 176m water level. Bracks Street, North Fremantle is approximately 200m. The 176m figure does not consider storm surges and cyclones so **the MRS amendment recommendation is highly concerning.**

Some long-term locals have observed that the sand in parts of Leighton Beach has only just returned to levels before Cyclone Alby struck in 1973.

Therefore, not only will there be no foreshore reserve in 100 years for neither recreation, wildlife nor ameliorating coastal storms, there will be no room for managed retreat. Room for managed retreat was the community's preferred option surveyed in 'Our Coastal Future – Port, Leighton and Mosman Beaches – Coastal Adaptation Plan (PLM - CHRMAP) 2016.

- The EPA stated in 2004, MRS Amendment 1074/33 that the expansion of Rous Head would only have slight impact on Port Beach. Now taxpayers' money has just been committed to beach repairs and sand nourishment. Will this MRS amendment commit further generations to this financial burden so an urban development can occur here?
- The area for parks and recreation is insufficient for today and for a planned urban development opposite which must plan for 100 years.
- **Coastal erosion is already precluding use of the Leighton beaches over winter, often with no available access to the steps for a detour.**

**These hazard risks are all reasons why the entire area of MRS 1400/41 should not be rezoned or should be rezoned to parks and recreation entirely.**

### **2.3 Coastal Adaption Planning**

The Port, Leighton, Mosman Beaches Coastal Adaption [Plan](#) 2016 (PLMBCAP) highlights that:

- Development would further reduce retreat leaving no option other than expensive but risky 'engineering' of dunes and ongoing expensive sand replenishment.  
**Strengthening the coastal foreshore reserve with appropriate local dune vegetation is recommended for resistance to coastal processes.**

#### **2.4.1 Commitment to 30% land for conservation purposes by 2030**

There is no planning for Australia's commitment to the COP 15 summit of 30% land for conservation by 2030 in a highly cleared landscape.

### **2.5 Commitment to 30% canopy cover**

There is no consideration for 30% canopy target in this over cleared landscape.

## **3 ECONOMIC CONSIDERATIONS**

### **3.1 Less costly retreat option in a highly eroding foreshore**

Planning for transportable infrastructure in a highly eroding coastal area would allow a less costly option than engineering and sand nourishment to save built infrastructure.

### **3.2 Functioning ecosystem savings**

Restoring a functioning ecosystem next to what will be the passenger terminal, will help reduce the spread of pests brought in by visitors. An example of impact is the Polyphagus Shot-hole Borer

that arrived in East Fremantle and in a few years has spread widely in the Perth metropolitan area. With no chemical control, it is not only a threat to plantation timber and orchards but also to tree canopy and our remnant bushland.

UBC is committed to the United Nations decade of ecosystem restoration.

### **3.3 Health Savings/liveability**

The Urban Growth and Settlement SPP 3.0 sets out the principles and considerations that guide the development of new urban growth areas and settlements. Its objectives include promoting the growth and development of urban areas in response to the social and economic needs of communities, enhancing the quality of life in those communities, and creating an identifiable sense of place.

Health cost savings for planning cities with nature nearby are well known and the importance for public open space for recreation was reinforced by the community's response to the COVID pandemic.

## **CONCLUSION:**

**The Urban Bushland Council strongly recommends that the proposed MRS amendment 1400/41 not be adopted.**

**UBC recommends the entire area be zoned Parks and Recreation to uphold our good State Planning policies 2.6, 2.8, 3.0 and 7.0** which include for the purpose of **protecting and managing the foreshore reserve for 100 years** by planting a local native vegetation buffer for:

- wildlife corridor and habitat
- restoring dunes to slow coastal erosion
- Aboriginal cultural values
- commitments to 30% land for conservation by 2030 in a cleared landscape
- commitments to 30% tree canopy
- to maintain local identity, sense of place public open space for recreation (SPP 7.0 liveable cities).

We are available for you to contact us as below should you require further information and request a deputation to the WAPC should this rezoning proceed.

Yours faithfully,

Urban Bushland Council WA Inc.

[ubc@bushlandperth.org.au](mailto:ubc@bushlandperth.org.au)  
[www.bushlandperth.org.au](http://www.bushlandperth.org.au)

Submitted to MRS Major amendment 1400/41 - North Fremantle Urban Precinct  
Submitted on 2023-06-30 07:54:44

### About you

1 What is your first name?

First name:

Sue

2 What is your surname?

surname:

Conlan

3 Are you responding on behalf of an organisation?

Yes

Organisation:

Friends of Mosman Park Bushland

4 Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission?

No

5 What is your email address?

Email:

mail@mosmanparkbushland.org

6 What is your address?

address:

11 Rudwick St

7 Contact phone number:

phone number:

0419942483

### Submissions

8 Do you support/oppose the proposed amendment to the Metropolitan Region Scheme?

Oppose

9 Please type your submission (reasons for support/opposition) into the the box below. Any supporting documents may be uploaded.

Submission:

File 1:

June 2023 MRS 1400-41Port Beach North Fremantle Urban FoMPB.pdf was uploaded

File 2:

No file uploaded

File 3:

No file uploaded

### Hearing of submissions

10 Do you wish to speak at the hearings?

Yes

## Hearing of submissions details

11 Please indicate who you will be represented by:

Myself

If you are representing yourself, please provide a contact phone number:

0419942483

If you are being represented by a spokesperson, please provide their details::

12 I would prefer my hearing to be conducted in:

Public



29<sup>th</sup> June 2023

WA Planning Commission  
RegionPlanningSchemes@dphl.wa.gov.au  
Gordon Stephenson House  
140 William Street  
Perth, WA 6000

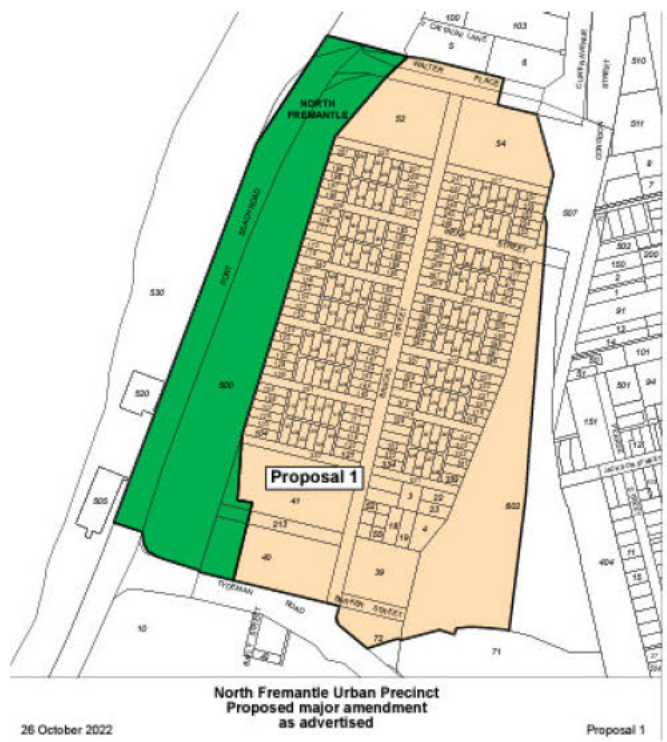
Dear Mr. Caddy and WAPC Members,

North Fremantle MRS 1400/41

<https://consultation.dphl.wa.gov.au/perth-and-peel-planning/mrs-1400-41/>

The Friends of Mosman Park Bushland have been volunteering with weekly hands on Bushcare work since 2008. We work with our land manager, Town of Mosman Park to bring back biodiversity, strengthen ecological linkages along the Swan River and to the Indian Ocean via Buckland Hill to improve long term resilience of local nature. We advocate for the recognition and protection of our unique natural local areas. 90% of the Western Suburbs have been cleared, restoring ecological function is a huge task which many of our State Planning policies are aiming for and we support so future generations have a healthy and prosperous future.

We are familiar with the area and the increased pressure that a higher population is putting on our landscape.



Legend: Excluded from Industrial zone and included in Parks and Recreation reservation



Excluded from Industrial zone and included in Urban Deferred zone.

This area needs to set aside more public open space as it is a place of recreation for all of Perth as well as immediate surrounds. We are making this submission as we believe that there has not been sufficient consideration of the following:

1. current consults in place that should be finalised before this area has an MRS amendment,
2. surrounding development proposals that will use the Leighton Beaches for recreation,
3. the Port, Leighton, Mosman Beaches Coastal Adaption Plan,
4. 2115 calculations for water inundation are being ignored.
5. social and cultural surrounds,
6. transport issues,
7. Leighton Regional Planning Guidelines,

1.0

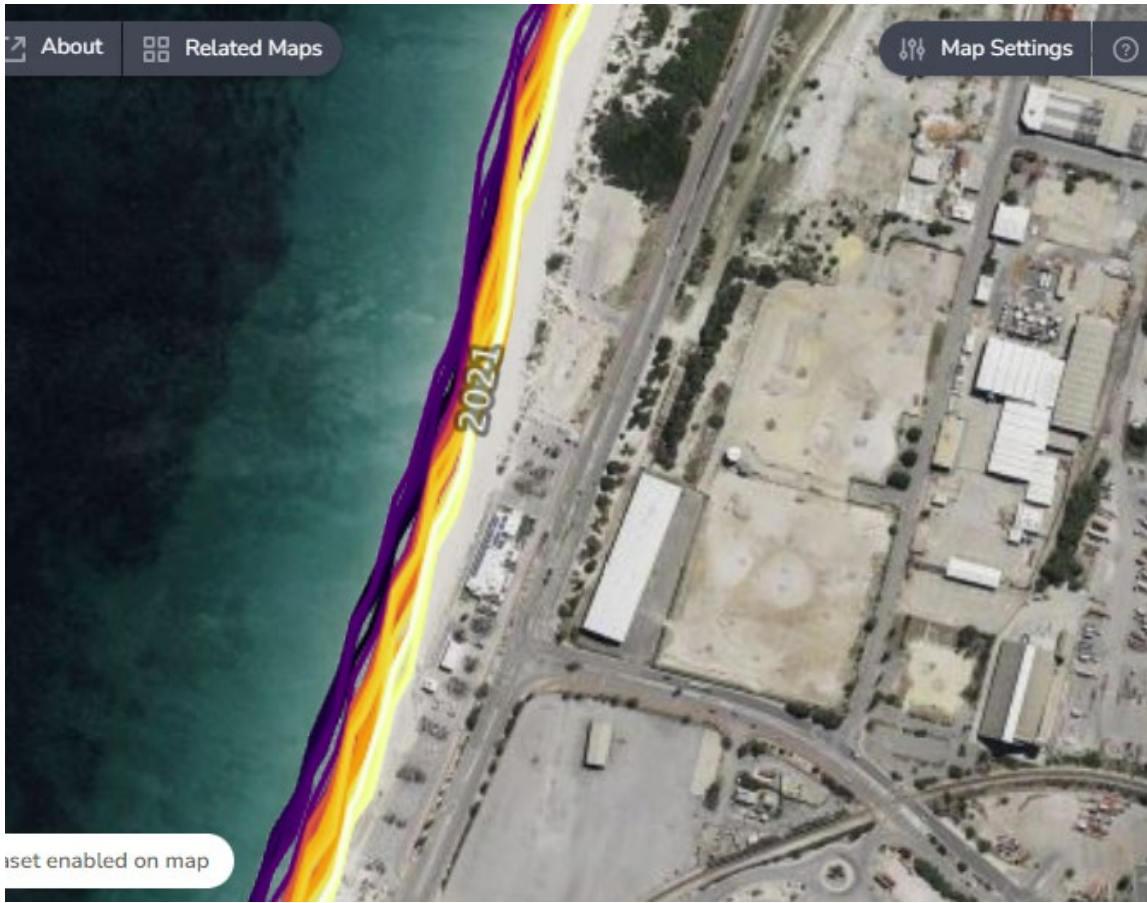
- Currently the Fremantle have public consultation for the Future of Fremantle Planning Committee (FFPC). These need to be in conjunction with this amendment.
- Lot 556 McCall Centre rezoning to urban has not been determined. These plans need influence planning at Port Beach.

2.0 The following residential proposals and builds in progress that will be using the Leighton Beaches for recreation have not been considered for public open space allowances.

- this residential proposal,
- the 2 huge residential development proposals on Stirling Highway at the end of McCabe Street (OneSteel and Matilda Bay Brewery),
- the 22-storey residential proposal on the south bank at Stirling Bridge,
- Glyde Street, Mosman Park high rise developments,
- Urban development of the large Rocky Bay site on McCabe Street, Mosman Park  
The coastal road, Port Beach Road falls within the parks and recreation proposed area reducing the area for recreation.

3. North Fremantle Coastal Hazard Risk Management and Adaptation Plan 2016

Although this document was consulted, the latest CSIRO coastal mapping shows a greater increase of water level rise from 2016 to 2021 than previous years.



Below map shows increase in high tide marks since 2016 up until 2021.



## [Digital Earth Australia Map CSIRO](#)

The 2016 CHRMAP community coastal values survey shows that the community want a beach forever, so the advice is to allow retreat by only using transportable infrastructure should direct planning.

Currently this area depletes of sand due to Rous Head extension and more severe storms. This area has had sand nourishment in recent years which could be affecting the water inundation rate. How long is sand nourishment proposed? If sand nourishment as to stop, the erosion rate might be higher.

History effecting the site:

MRS amendment

1074/33 [https://www.parliament.wa.gov.au/publications/tailedpapers.nsf/displaypaper/3810731ad9432fb9b8ab0d52c825759f0028c300/\\$file/tp+731.pdf](https://www.parliament.wa.gov.au/publications/tailedpapers.nsf/displaypaper/3810731ad9432fb9b8ab0d52c825759f0028c300/$file/tp+731.pdf)

for the realignment of Port Beach Road and the reservation of an area for land reclamation on the north side of **Rous Head 2004 comments from EPA**

Pg 10

Shoreline Stability Although the EPA considered that beach erosion is likely to be minimal, it required Fremantle Ports to undertake shoreline monitoring to confirm shoreline stability to the requirements of the Department of Environment. Should erosion be detected, the proponent is required to prepare and implement a strategy for management of the affected beach, also to the satisfaction of the DoE.

### 4. 0 Inundation in 100 years

This MRS amendment reports that coastal processes of 3.6m inundation level AHD to 2115 which would expect 177m water level. Bracks Street is approximately 200m. The 177m figure does not consider storm surges and cyclones. This would have the residential area to Bracks street under water.

This does not allow for managed retreat the communities preferred option surveyed in the PLM CHRMAP

### 5.0 Social Surrounds

EPA chose not to assess as

- a. Social surrounds
  - b. Coastal processes
  - c. Terrestrial environment could be dealt with in this planning process.
- “Coastal landscapes are highly valued by West Australians, generating widespread community emotion and desire for protection”.
  - The proximity of the site to the Fremantle to Perth railway line, its long paths and beaches for walking is a great attraction for visitors to enjoy.
  - Planning should consider the Leighton Beaches for all users not just the immediate residential.
  - The Leighton Oceanside Parklands was to provide 13ha of revegetated marshalling yards for conservation with 4ha of urban development. The urban development has occurred but there is no foreseeable revegetation of the marshalling yard area that

allowed the urban development to occur. This 13ha should be discounted in the report for conservation or recreation purposes for the Leighton area. This places more importance on this MRS amendment to make those allowances for parks and recreation.

- There is no planning in this amendment for Australia's commitment to the Cop 15 summit of 30% land for conservation by 2030 in a highly cleared landscape. The health benefits of living with nature nearby are becoming more apparent and should not be dismissed here.
- There is no consideration for 30% canopy target in this over cleared landscape.
  - Revegetation of the Leighton beaches have endeared the area to the public. Our volunteer Bushcare group are constantly thanked for our efforts when we work there.

## 5.1 Aboriginal Cultural Surrounds

**The Leighton area has significant cultural significance.**

Instead of rezoning urban deferred, this is an opportunity to recognise and protect the Aboriginal heritage values as they were dismissed in the former zoning of industrial. Some of these significant Aboriginal heritage values of this Leighton area are:

- The Fremantle River and coastal areas are places of not only significant cultural importance but of dreaming stories (Sacred Sites).
- The limestone hills (Seven Sisters) behind were believed to be pushed up by their earth creator,
- Great feasting and celebration occurred on the Swan River and on the coast as the families got together for abundant summer fishing.
- Wadjuk tools have been discovered beside the Cable Station, Victoria Street Station and as far as Warton Street only in the 1970's.
- Dedra (Dingo) dreaming story guards the Leighton Peninsula. The roaming crocodile from the north was spotted and attacked. Its features are part of the coastal landscape.
- The ecological linkage from the sea to the Swan River<sup>1</sup> is also a path of traditional Wadjuk ways and dreaming stories. It links the women's area of Point Walter to the fish traps of Minim Cove, to the seven sisters dreaming, to the Moondarup Rock (Shark Dreaming) and Muderup Rocks (Place of the Yellow Fin Whiting).
- What archaeological studies were done of the previous industrial area of Port Beach? Although the area has been disturbed by previous residential and industrial use, the planning for another use should now be considerate of the cultural values here. The new heritage laws/policies would certainly require it.

## 6.0 Traffic

- Although the Leighton beaches are well placed for train use, the area set aside for dog use and no safe non-vehicular access for surrounding suburbs makes the Leighton beaches vehicle dependent for most.
- The Leighton Oceanside Parkland development of 4ha of Urban has occurred with insufficient public open space and parking for the immediate urban development let alone for the use of surrounding suburbs or greater Perth.

- Traffic on Curtin Avenue on summer weekends is continuous with little chance of crossing Curtin Avenue to the beach if walking or cycling to the beach.
- The Leighton surf club have weekly events which are sometimes state-wide. There has been no consideration for getting families to these events and parking. Many are fined unreasonably due to lack of alternate planning.
- This MRS amendment includes the Port Beach Road in what it wants to allocate to Parks and Recreation. This diminishes the area and value of the foreshore reserve.

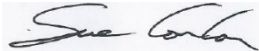
#### **7.0 Leighton Regional Planning Guidelines.**

- Occurred after the community plan for a regional park, Vlamingh Parklands, linking the Indian ocean to the Swan River for environmental conservation and public recreation.
- Revegetation of river and coastal foreshore is an easy way to protect environmental and social values. This should also be the aim of this amendment in accordance with our State Planning Policies 2.6 Coastal Planning, 2.8 Bushland Planning 3.0 Urban Growth and Settlement Planning 7.0 Built Environment Planning.

#### **Conclusion:**

We strongly recommend that this MRS amendment does not proceed. Amending to “deferred urban” is pre-empting what is to occur here when there is still much planning to be considered. We recommend that the entire area is made Park and Recreation on account of loss of predicted foreshore, insufficient area for nature, recreation or parking for all users.

Regards



Sue Conlan

Convenor

#### ***Friends of Mosman Park Bushland***

Mobile: 0419 942 483

Email: [mail@mosmanparkbushland.org](mailto:mail@mosmanparkbushland.org)

<http://mosmanparkbushland.org/>



Response ID ANON-WBNG-VEAZ-4

Submitted to MRS Major amendment 1400/41 - North Fremantle Urban Precinct  
Submitted on 2023-06-30 11:45:48

### About you

1 What is your first name?

First name:

Trevor

2 What is your surname?

surname:

Pedler

3 Are you responding on behalf of an organisation?

No

Organisation:

4 Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission?

No

5 What is your email address?

Email:

trevorpedler@me.com

6 What is your address?

address:

17A Warragoon Crescent  
Attadale Wa 6156

7 Contact phone number:

phone number:

+61893171558

### Submissions

8 Do you support/oppose the proposed amendment to the Metropolitan Region Scheme?

Support

9 Please type your submission (reasons for support/opposition) into the the box below. Any supporting documents may be uploaded.

Submission:

The redevelopment of the North Fremantle Precinct needs to cater for:

1. Open Space. ie grassland, gardens etc
2. Car parking.
3. Apartment style living with small retail included.

The rerouting of Port beach Rd would help keep trucks away from what is a recreational area.

File 1:

No file uploaded

File 2:

No file uploaded

File 3:

No file uploaded

### Hearing of submissions

10 Do you wish to speak at the hearings?

No

Submitted to MRS Major amendment 1400/41 - North Fremantle Urban Precinct  
Submitted on 2023-06-30 12:38:34

### About you

1 What is your first name?

First name:

Laurence

2 What is your surname?

surname:

Burke

3 Are you responding on behalf of an organisation?

No

Organisation:

4 Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission?

No

5 What is your email address?

Email:

mick@projectmanwa.com.au

6 What is your address?

address:

36 Kingsall Road, Attadale, WA 6156

7 Contact phone number:

phone number:

0421584085

### Submissions

8 Do you support/oppose the proposed amendment to the Metropolitan Region Scheme?

Oppose

9 Please type your submission (reasons for support/opposition) into the the box below. Any supporting documents may be uploaded.

Submission:

I object to the proposed Urban Deferred rezoning that would facilitate a change to mixed-use commercial and residential.

The point of my objection to the Amendment is that any increase in the number of residential units or commercial businesses in the Leighton Beach/ Port Beach will exacerbate the already present pressure on parking for the beach going public. Often you can't find parking when trying to visit the Port-Leighton beaches in summer. Surf lifesavers rostered on the afternoon patrol are impacted. The Australian coastal lifestyle includes a beach culture and increasing the carparking problem will change culture by some individuals and families not even bothering to consider as beach visit in summer.

Under the section Discussion, Strategic Context (page 2) of the Amendment Report it states that the proposal aligns with the intent of the 2007 Leighton Oceanside Parklands Master Plan. An intent of that Master Plan was to provide sufficient carparking but this has not been achieved with the Leighton Shores development. So I suggest that MRS should review their assessment of the proposal being aligned with the 2007 Master Plan. Carparking is fundamental to public access to the beach and I think that there should be no expansion of land development via the 1400/41 Urban Deferred proposal until government and land developers work out how to appropriate build carparking.

The Leighton Oceanside Parklands Masterplan Report July 2007 recognised the need for public carparking. In the Leighton Beach vicinity alone an increase in the numbers of public bays was needed due to the number of new residential accommodation units proposed. As almost everyone knows apartment developments never provide sufficient private carparking bays for the number of vehicles they attract.

A Design Outcome of the 2007 Master Plan was to provide 1,142 public carparking bays in the plan overall. This number was purported to be an increase of 304 bay over the existing 838 bays. That 304 bay increase might be a bit misleading as it seems to have been referring to the entire completed Parklands development. My calculation from comparing pre-development and current aerial photos is that there was nil increase in public carparking numbers in the Leighton Beach vicinity. Pre-development there was just the surf club, the public toilets and the beautiful beach. The pressure now on beach going numbers in the Leighton Beach area has increased due to population growth, construction of multiple residential apartment blocks, and the introduction of commercial café and retail businesses.

The MRS Amendment proposes to zone lot 500 to Parks and Recreation classification. Lot 500 stretches from Leighton to Port Beach. Making lot 500 a public carpark looks like a part of the solution as it is on the preferred side of the road to avoid conflict with users of the Port-Leighton footpath. The ability to use lot 500 for public carparking presumably exists under the current zoning as it had been used informally as a carpark for a long time by the Western Australian public and it was often full throughout summer.

Lot 500 now sits idle and is fenced-off to prevent the public using it to go to the beach. The streets of the industrial land proposed for change to urban are currently used as parking by some beach goers. A public carpark design over part of lot 500 was proposed by federal Labor during the 2018 federal election as part of a wider public transport initiative. If all of lot 500 was used for public carparking then it could solve a good part of the beach access issues that will obviously arise from the additional new housing and commercial development. It should not conflict with the Coastal Planning Policy as it can easily be reverted to coastal heath if the coastal erosion of 177m occurs by 2115.

I know its easy to find technical reasons to delay consideration of certain issues but this stage of commencing rezoning seems to be the appropriate time to consider Perth beach culture, carparking and the impact of WAPC decisions. A new mixed-use residential and commercial zoning without an increase in carparking will restrict beach access for the general community. Wonderful for those new incoming homeowners who can afford a beachside apartment as this planned urban design will restrict access to their beach by non-locals. I hope notice will be taken of the apparent failure to provide adequate carparking for public beach access with the Leighton Beach development.

Not everyone walks to their local bus stop or train station regardless of how close it is. People drive to bus stops and train stations to park and catch public transport. This is a human behaviour that is at least as strong as the desire of the general public to drive to the beach for a swim in summer. A proportion of residents from the new development at Port Beach will drive their cars to park as close to the North Fremantle train station as possible to avoid walking.

Of course its obvious that there is the Perth-Fremantle train line in the area, a factor that almost automatically translates into approving apartments developments. In the introduction to the MRS North Fremantle Urban Precinct Report 1400/41 there is anticipation of significant growth in Perth's population to be 3.5 million by 2050. I propose that the land owners of the industrial sites should not enjoy the financial benefit of the change to Urban Deferred until public access to the beach is resolved. Making lot 500 a public carpark looks like a part of the solution. The Government of Western Australia through Fremantle Port Authority already owns the land. The cost of developing building the carpark could come from the future (substantial) financial return the land developers will receive from the rezoning.

The car is an essential part of life in Perth. New house and apartments designs throughout Perth provide for carparking. There are some who can get by with just public transport and paying for Uber but for residents in most Perth suburbs a motor vehicle is essential to interact as a functioning member of the community. It is morally and ethically acceptable to provide carparking. Some of Perth's largest carparks are built for commuters' cars at public transport train and bus stations. Going to the beach is a simple pleasure that Perth residents expect to enjoy. That free enjoyment is at risk for the public when there is insufficient parking. The 1400/41 proposal will increase the carparking shortage in the Leighton Beach/ Port Beach vicinity thereby having a negative impact on the quality of life of Perth residents. I like to think that the WAPC will take a leadership role in meeting the needs of the community.

File 1:

L M Burke MRS Port Beach urban deferred proposal.docx was uploaded

File 2:

No file uploaded

File 3:

No file uploaded

## Hearing of submissions

10 Do you wish to speak at the hearings?

Yes

## Hearing of submissions details

11 Please indicate who you will be represented by:

Myself

If you are representing yourself, please provide a contact phone number:

0421584085

If you are being represented by a spokesperson, please provide their details::

12 I would prefer my hearing to be conducted in: Public

I object to the proposed Urban Deferred rezoning that would facilitate a change to mixed-use commercial and residential.

The point of my objection to the Amendment is that any increase in the number of residential units or commercial businesses in the Leighton Beach/ Port Beach will exacerbate the already present pressure on parking for the beach going public. Often you can't find parking when trying to visit the Port-Leighton beaches in summer. Surf lifesavers rostered on the afternoon patrol are impacted. The Australian coastal lifestyle includes a beach culture and increasing the carparking problem will change culture by some individuals and families not even bothering to consider as beach visit in summer.

Under the section *Discussion, Strategic Context* (page 2) of the Amendment Report it states that the proposal aligns with the intent of the 2007 Leighton Oceanside Parklands Master Plan. An intent of that Master Plan was to provide sufficient carparking but this has not been achieved with the Leighton Shores development. So I suggest that MRS should review their assessment of the proposal being aligned with the 2007 Master Plan. Carparking is fundamental to public access to the beach and I think that there should be no expansion of land development via the 1400/41 Urban Deferred proposal until government and land developers work out how to appropriately build carparking.

The Leighton Oceanside Parklands Masterplan Report July 2007 recognised the need for public carparking. In the Leighton Beach vicinity alone an increase in the numbers of public bays was needed due to the number of new residential accommodation units proposed. As almost everyone knows apartment developments never provide sufficient private carparking bays for the number of vehicles they attract.

A Design Outcome of the 2007 Master Plan was to provide 1,142 public carparking bays in the plan overall. This number was purported to be an increase of 304 bay over the existing 838 bays. That 304 bay increase might be a bit misleading as it seems to have been referring to the entire completed Parklands development. My calculation from comparing pre-development and current aerial photos is that there was nil increase in public carparking numbers in the Leighton Beach vicinity. Pre-development there was just the surf club, the public toilets and the beautiful beach. The pressure now on beach going numbers in the Leighton Beach area has increased due to population growth, construction of multiple residential apartment blocks, and the introduction of commercial café and retail businesses.

The MRS Amendment proposes to zone lot 500 to Parks and Recreation classification. Lot 500 stretches from Leighton to Port Beach. Making lot 500 a public carpark looks like a part of the solution as it is on the preferred side of the road to avoid conflict with users of the Port-Leighton footpath. The ability to use lot 500 for public carparking presumably exists under the current zoning as it had been used informally as a carpark for a long time by the Western Australian public and it was often full throughout summer.

Lot 500 now sits idle and is fenced-off to prevent the public using it to go to the beach. The streets of the industrial land proposed for change to urban are currently used as parking by



some beach goers. A public carpark design over part of lot 500 was proposed by federal Labor during the 2018 federal election as part of a wider public transport initiative. If all of lot 500 was used for public carparking then it could solve a good part of the beach access issues that will obviously arise from the additional new housing and commercial development. It should not conflict with the Coastal Planning Policy as it can easily be reverted to coastal heath if the coastal erosion of 177m occurs by 2115.

I know its easy to find technical reasons to delay consideration of certain issues but this stage of commencing rezoning seems to be the appropriate time to consider Perth beach culture, carparking and the impact of WAPC decisions. A new mixed-use residential and commercial zoning without an increase in carparking will restrict beach access for the general community. Wonderful for those new incoming homeowners who can afford a beachside apartment as this planned urban design will restrict access to their beach by non-locals. I hope notice will be taken of the apparent failure to provide adequate carparking for public beach access with the Leighton Beach development.

Not everyone walks to their local bus stop or train station regardless of how close it is. People drive to bus stops and train stations to park and catch public transport. This is a human behaviour that is at least as strong as the desire of the general public to drive to the beach for a swim in summer. A proportion of residents from the new development at Port Beach will drive their cars to park as close to the North Fremantle train station as possible to avoid walking.

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Submitted to MRS Major amendment 1400/41 - North Fremantle Urban Precinct  
Submitted on 2023-06-30 13:36:46

### About you

1 What is your first name?

First name:  
Steve

2 What is your surname?

surname:  
WALKER

3 Are you responding on behalf of an organisation?

No

Organisation:

4 Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission?

No

5 What is your email address?

Email:  
stevewalkerperth@outlook.com

6 What is your address?

address:  
PO Box 211 Parkwood 6147.

7 Contact phone number:

phone number:  
0431 758 420

### Submissions

8 Do you support/oppose the proposed amendment to the Metropolitan Region Scheme?

Support

9 Please type your submission (reasons for support/opposition) into the the box below. Any supporting documents may be uploaded.

Submission:

see 2 page Word file.

Note: I do not own any commercial, industrial or residential land. I am not an indigenous First Australian.

File 1:  
2023JuneDPLHNorthFremRezone.doc was uploaded

File 2:  
June2023NorthFrem1400\_41-form-41.pdf was uploaded

File 3:  
No file uploaded

### Hearing of submissions

10 Do you wish to speak at the hearings?

No



## Hearing of submissions

Anyone who has made a written submission on the amendment has the opportunity to personally present the basis of their submission to a sub-committee of the WAPC. **You do not have to attend a hearing.** The comments presented by you in this written submission will be considered in determining the recommendation for the proposed amendment.

For information about the submission and hearings process, please refer to the amendment report and in particular appendix D.

### Please choose one of the following:

**No**, I do not wish to speak at the hearings. (Please go to the bottom of the form and sign)

OR

**Yes**, I wish to speak at the hearings. (Please complete the following details)

**I will be represented by:**

Myself – My telephone number (business hours): .....

**or**

A spokesperson

Name of spokesperson: .....

Contact telephone number (business hours): .....

Postal address: .....

**I would prefer my hearing to be conducted in:**

Public (members from the general public may attend your presentation)

**OR**

Private (only the people nominated by you or the hearings committee will be permitted to attend)

You should be aware that:

- The WAPC is subject to the *Freedom of Information Act 1992* and as such, submissions made to the WAPC may be subject to applications for access under the act.
- In the course of the WAPC assessing submissions, or making its report on these submissions, copies of your submission or the substance of that submission, may be disclosed to third parties.
- Hearings may be recorded and transcribed. The minutes of all hearings, along with all written submissions, are tabled in Parliament and published as public records should the Governor approve the proposed amendment. The WAPC recommendations are similarly published in a report on submissions and tabled in Parliament.

### **To be signed by person(s) making the submission**

Signature ..... Date .....

**Note: Submissions MUST be received by the advertised closing date, being close of business (5pm) on 30 JUNE 2023. Late submissions will NOT be considered.**

Steve Walker  
PO Box 211  
Parkwood 6147  
stevewalkerperth@outlook.com  
June 2023.

**To:** The Secretary.  
Western Australian Planning Commission.  
Locked Bag 2506  
Perth, WA 6001.

**RE: MRS Major Amendment 1400/41. North Fremantle Urban Precinct.  
North Fremantle industrial area rezoning to Urban Deferred and Parks and Recreation.**

Hello *Western Australian Planning Commission*.

Urge WAPC to use caution when rezoning.  
Think more land should be given/zoned to *Parks and Recreation*. Particularly in the western fringes of your 'proposed urban deferred' map.

Stirling Highway traffic bridge over Swan River needs to be duplicated/upgraded, etc. *Regional Road* solutions have not been implemented for Fremantle yet, a key piece of that is six lane Stirling Highway North Fremantle and Stirling Traffic Bridge major upgrade.

It is great that after over four decades, the removal of the unsightly, dirty, polluting industrial area uses of North Fremantle is close to completion.  
Accept that some lands will transition into urban, and residential.

There should be guarantees that indigenous West Australians will get to reside in some of the future *new residential* at that *redevelopment site*. At least 30% should be guaranteed for those indigenous First Australians.

Worried that there is no guarantee that Perth citizens, and not the 'new migrants' will occupy the future new residential developments. (Note: I define Perth citizens as those who were around BEFORE *Medicare* was created.)

Also worried that only the wealthy will be able to afford their way into any *new North Fremantle residential* here.

Plus the 'big vehicle' set will drive their way in/out –whether to *new residential* OR *new commercial* OR (current/new) *recreational areas*. Do not plan for them, plan them out. Do not deliver wide carparking spots/bays, we need to discourage those large vehicles and Four-Wheel Drives.



**Protection of Port Beach is needed.** A very cautious approach is needed to deliver a safe buffer zone, rehabilitation zone, in the face of 21<sup>st</sup> century storm damage. Soon the industrial elements will be gone from the environmentally sensitive area of North Fremantle, YET the legacy damage from 1990s limestone rock infill projects have nearly ruined the Port Beach. Including disturbing 1960s port debris, that has led to beach damage. When will all of that be fixed?

**Thankyou.**

**Regards.**

Steve Walker.

Submitted to MRS Major amendment 1400/41 - North Fremantle Urban Precinct  
Submitted on 2023-06-30 14:47:10

### About you

1 What is your first name?

First name:  
Charles

2 What is your surname?

surname:  
Nicholson

3 Are you responding on behalf of an organisation?

No

Organisation:

4 Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission?

No

5 What is your email address?

Email:  
charlienic@westnet.com.au

6 What is your address?

address:  
12 Herbert St North Fremantle 6159

7 Contact phone number:

phone number:  
0404524529

### Submissions

8 Do you support/oppose the proposed amendment to the Metropolitan Region Scheme?

Oppose

9 Please type your submission (reasons for support/opposition) into the the box below. Any supporting documents may be uploaded.

Submission:

I oppose the current proposal to change the industrial zoning of the Port Beach land (North Fremantle Urban Precinct 1400/41) to Urban Deferred.

The title Urban Precinct says it all. It's a "Coastal Precinct" but the coast and its roles and values seem to have gone missing from the proposal.

I encourage WAPC to look a hundred years ahead when climate models predict high seas and southern cyclones. Remember Alby or more recently Seroja? Port will cop it one day.

The rezoning is premature while Fremantle Council is still working on its Future of Fremantle Project covering that area, and before environmental and social studies have been thoroughly conducted to assess the future values of this land for the whole of Perth.

The current proposal is simply about today's financial gratification for the owners and dense urban development dreams of politicians with no thought for the future.

The DPLH amendment report is extraordinarily deficient in analysing the pros and cons of the proposal. Believe me, I had 25 years in the EPA assessing proposals that had in them no environment. This is amongst the most deficient I've encountered.

1. Rezoning before a comprehensive planning study is completed will shut off options to meet future needs coastal land to counter coastal erosion, to provide coastal recreational facilities for a much larger local and Perth population, and to allow an increase of coastal vegetation for nature conservation.

2. Rezoning now will gift the industrial owners a massive financial benefit at the expense of the public purse if land has to be resumed to meet the needs listed above. Planning processes will not release the necessary land for public purposes as the political imperative is always to boast "development" in the life of the government of the day.

3. The Leighton Ocean Parkside Masterplan is suggested as providing all the coastal reserve necessary for the area, "a foreshore width similar to that adopted for Leighton Beach". Leighton Beach is accreting, Port is eroding. The Leighton ex-railway "parklands" will never fill the social functions of Port Beach. Leighton Parklands were intended to be parklands, not a social hub like Port with pub, music events, Polar Bears, twisted ankles from the Fremantle Port Authority's erosion of limestone debris into the sea from Sandtracks ...

4. Perth and Peel growth indicates that future millions South of the River, starved of an open ocean beach, will flock to Port. It's where south-of-the-river come for an early morning swim all year round or a summer's day at the beach. The future demands that they come to a beach wherever it might be after predicted coastal erosion.

The amendment report relies on the EPA's "not assessed " decision in relation to coastal processes. The EPA says "Potential impacts can be managed by future planning processes/controls and other statutory processes ...". Really? The Chairman is King Canute, proving that he can't control the tides, so he's handballed the ocean's advance to the WAPC. Never mind Alby and Seroja, we're in the middle of predictions of future cyclone . I've seen what cyclones can do to the norwest coast.

#### 5. 7 Sustainability

"The proposed amendment seeks to transition one of the remaining industrial zoned areas in North Fremantle to create a future urban area and associated coastal foreshore reserve which is considered to provide for sustainable environmental, social and economic outcomes."

That is sheer mouthing of platitudes plucked from the vocabulary of those who've never been there but are told to promote an environmentally and socially unacceptable reason for ignoring the forces of nature and the requirements of future coast lovers.

I could go on criticising this rezoning process after a career in environmental bureaucracy dealing with dodgy development proposals, but I'll simply challenge the WAPC to come with me on site for an explanation of the simple principles of coastal processes and their public values.

You cannot put today's speculators before the needs of local and Perth-wide citizens and the natural environment.

Defer this amendment until we've planned for a hundred years ahead.

File 1:

No file uploaded

File 2:

No file uploaded

File 3:

No file uploaded

### Hearing of submissions

10 Do you wish to speak at the hearings?

Yes

### Hearing of submissions details

11 Please indicate who you will be represented by:

Myself

If you are representing yourself, please provide a contact phone number:

0404524529

If you are being represented by a spokesperson, please provide their details::

12 I would prefer my hearing to be conducted in:

Public

Submitted to MRS Major amendment 1400/41 - North Fremantle Urban Precinct  
Submitted on 2023-06-30 15:33:59

### About you

1 What is your first name?

First name:  
Paul

2 What is your surname?

surname:  
Gamblin

3 Are you responding on behalf of an organisation?

Yes

Organisation:  
Leighton Action Coalition Inc.

4 Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission?

No

5 What is your email address?

Email:  
gamblin.paul@gmail.com

6 What is your address?

address:  
41 Attfield Street, Fremantle WA 6160

7 Contact phone number:

phone number:  
0467636571

### Submissions

8 Do you support/oppose the proposed amendment to the Metropolitan Region Scheme?

Oppose

9 Please type your submission (reasons for support/opposition) into the the box below. Any supporting documents may be uploaded.

Submission:

Thank you for the opportunity to comment on this important matter. I attach a main submission and second document, both in PDF format.  
Regards,  
Paul Gamblin, LAC Inc.

File 1:  
LAC Inc - MRS Major Amendment Nth Fremantle 30-6-23 .pdf was uploaded

File 2:  
13-5-22 WAPC Re Proposed MRS amendmnt Nth Fremantle-Port-Leighton coast-Leighton Action Coalition Inc.docx.pdf was uploaded

File 3:  
No file uploaded

### Hearing of submissions

10 Do you wish to speak at the hearings?

Yes

## Hearing of submissions details

11 Please indicate who you will be represented by:

Myself

If you are representing yourself, please provide a contact phone number:

0467 636 571

If you are being represented by a spokesperson, please provide their details::

12 I would prefer my hearing to be conducted in:

Public



# Leighton Action Coalition Inc.

[www.saveleighton.org](http://www.saveleighton.org)

Addition to Submission 46

13 May 2022

Mr David Caddy  
Chair, WA Planning Commission  
Email: [david.caddy@wapc.wa.gov.au](mailto:david.caddy@wapc.wa.gov.au)

Dear Mr Caddy,

## **Re. Metropolitan Region Scheme Amendment – North Fremantle Precinct**

We write to you on behalf of the Leighton Action Coalition Inc. which has been advocating for the sustainable, science-based planning and management of the broader Leighton-Port Beach coast for more than two decades. We have been supported by many thousands of people from the wider Fremantle area (the catchment for this regional beach area extends to around 100 suburbs).

The WAPC has played a crucial role in establishing sensible policy for this regionally important place since the early 2000s; indeed, deliberations around this area have also helped inform improvements in coastal planning policy in WA.

In recent years, to its credit, the WAPC has also resisted pressure to advertise an amendment to rezone the coastal area around Port Beach largely to 'Urban', under the Metropolitan Region Scheme. However, it is of great concern to us that development interests are once again seeking to persuade the WAPC to advertise an amendment which we believe is fundamentally flawed and would present a serious threat to the amenity and sustainability of this important coastal area.

We contend that the future zoning and management of this coastal land represents one of the most important planning decisions of this current era for WA. This land represents a one-off opportunity to create a much-needed coastal reserve in an area that is already under considerable - and growing - pressure from beach users and is one of the most prone to erosion of the entire Western Australian coastline. In this context, we hope you appreciate why we think any decision by the WAPC to advertise the proposed amendment would strike many observers as running strongly contrary to sensible contemporary coastal planning practice and to WA's own coastal planning policy and guidelines.

How we as a community treat the future use of this area will represent how willing we are to consider the greater public good now and in the longer term, and how seriously we take advice based on available science and policy for adapting practically to climate change. This latest MRS amendment proposal has already drawn considerable public concern including [this recent article in WAToday](#), an opinion piece in the [Fremantle Herald](#) and the news about the [City of Fremantle's recent unanimous motion](#) on this matter: [Pause Urged on Coastal Homes](#).

Given the widespread, growing concerns, we hope the WAPC will continue to resist pressure to advertise this amendment and instead undertake a thorough, transparent science-based assessment of the needs of this area for coastal processes, current and future recreational needs, and associated values. This should include independent experts and ensure participation of key stakeholders,

including community representatives. Importantly, this process would establish setback allowances for the full restoration of dunes and vegetation to promote the natural, economically prudent adaptation of the coast to evident and ongoing sea level rise and storms as a consequence of climate change, and to ensure this assessment is robust at the 100-year timeframe. (Please see the *Addendum* for a summary of where we believe the proposal falls well short of the mark).

This analysis could usefully be undertaken concurrently with the *Future of Fremantle* and other relevant processes to better inform decisions, which would have implications in both directions, and avoid potentially contradictory advice and approaches.

We believe that subject to the aforementioned analysis, if the WAPC feels compelled to consider rezoning this area, it should consider doing so to 'Parks and Recreation, deferred' which would be seen by many in the community as a prudent and appropriate decision that puts the emphasis on this most appropriate future landuse. It would be deferred to enable an assessment of coastal needs, as above, and to enable appropriate integration with the aforementioned planning processes.

We want to make it clear that we are not (and never have been) opposed to sympathetic, high quality, properly setback development and indeed, we have proposed an approach for the Port Beach area (see *Addendum*) that identifies a large area for development which has already drawn significant support.

In conclusion, we hope you appreciate the deep concerns that we and many hold for the future of this area as powerful development interests seek to prosecute their case. We implore the WAPC to resist calls to advertise the current controversial proposed amendment, and instead oversee a thorough, independent analysis of the future needs of this vitally important coastal area.

Please do not hesitate to contact us if you would like to discuss this matter further.

Yours sincerely,

Paul Gamblin

Vice President

Sally Wearne

President

[saveleighton@outlook.com](mailto:saveleighton@outlook.com)

ADDENDUM: Rationale for recommendations, including concerns about misapplication of Guidelines for SPP2.6 - State Coastal Policy to MRS amendment proposal:

-The particular vulnerability of this area has been well established; indeed, it is one of only two areas deemed in need of the highest level of management intervention across Western Australia according to the [State Government's own analysis of erosion hotspots in 2019](#).

-The proponent argues in the executive summary of its bid for rezoning that "The highest and best use of the land has been demonstrated through this proposal to be Urban" and that "There are no constraints or other factors that would preclude rezoning to Urban". These statements are both clearly contestable. That this area is demonstrably an area of high vulnerability is a clear constraint to the proposed rezoning.

-Even if this coast were stable and not subject to erosion, the existing and growing competition for access to the foreshore and beach, and the self-evident trend that this problem will only become more acute in future, would still present a strong case that the 'highest and best use of the land' is for public purposes and recreation. The combination of a diminishing coastal reserve, clear and growing public needs and a hard boundary to the east from the railway line and infrastructure means this land parcel is inherently constrained and the highest and best use of this land is as a public foreshore coastal reserve zoned Parks and Recreation.

-The proposal is fundamentally at odds with State Planning Policy 2.6 - Coastal Planning. As the proponents state, and you are well aware, the State's preeminent coastal planning policy sets out a series of guidelines that go beyond allowances for coastal processes to also include "ecological and landscape values, cultural heritage values, and recreational values associated with the coastal area, and ensure that these values can still be made available *at the end* [emphasis added] of the 100-year planning timeframe". This is of great importance given the recreational values, alone, already require more foreshore reserve than is available now, and that the proponent's proposal of only a narrow reserve in 100 years' time clearly cannot meaningfully accommodate coastal allowances and recreational, cultural and other important values.

This section of the SPP2.6 Guidelines (Section 4.7.4) is particularly pertinent in light of this proposal [emphasis added]:

"Many coastal foreshore reserves were established around Western Australia, prior to the current SPP 2.6 being adopted in 2013. Since these reserves were planned for or ceded to the Crown, coastal foreshore reserve planning has advanced considerably. Subsequently, the majority of existing coastal foreshore reserve boundaries are not consistent with contemporary coastal foreshore reserve planning requirements of SPP 2.6.

In addition, the need to reassess previously established coastal foreshore reserve boundaries is a consequence of developments in climate science. **Coastal foreshore reserves need to provide for future communities to be able to appreciate and enjoy (at the end of the 100-year planning timeframe) similar visual landscape amenity, public access and recreational and environmental values, functions and uses, as those which are enjoyed by current communities.**

While there is an initial economic cost with ceding additional land for coastal foreshore reserve, **the availability of a broad, natural and continuous coastal foreshore reserve is likely to have economic benefits for landowners in terms of the value of the lots which will have benefit of such a coastal foreshore reserve, in the short, medium and longer term.**

Having regard to SPP 2.6, **decision-makers are best informed by identifying the values, functions and uses prescribed for the current coastal foreshore reserve and requiring that**



current industrial zoned land in or near Port Beach North CMU, including lands between Tydeman Road and the existing Leighton urban development zone (26/7/2017).”

-There is sound argument for the full extent of land from the coast eastward to that abutting the eastern road reserve and railway line to be zoned ‘Parks and Recreation,’ and many would support this outcome. However, drawing on our extensive experience and technical knowledge, we have proposed a compromise outcome which provides for both a far more reasonable setback and an



opportunity for appropriate development. We offer this proposal in good faith, understanding that some in the community will believe this represents too great a concession to development and note this setback is based on a 100-year coastal foreshore setback determination.

-Given sea level rise and storm surges are projected to continue well beyond the next 100 years under conventional climate change projections, our solution could be seen as lacking adequate prudence. Notwithstanding these likely concerns, this option would

accommodate core principles of policies inherent to Directions 2031 and the Central Sub-Regional Planning Framework, including providing for development around existing railway station nodes. As this demonstrates, we have always sought to find solutions in an informed, pragmatic and logical manner which is why we have been able to make progress over the last decades and maintain a strong, ongoing presence.



## **MRS Major amendment 1400/41 – North Fremantle Urban Precinct**

**Leighton Action Coalition Inc.**

**30 June 2023**

### **Introduction to Leighton Action Coalition Inc and context for this submission**

I write on behalf of the committee of the Leighton Action Coalition Inc. (LAC) which has been an informed and constructive civil society leader for the Leighton – Port Beach coast for a quarter of a century. Our group comprises volunteers with a wide range of experience and skills, including in planning, architecture, policy and community engagement as well as the health professions, communications and other fields. We have cultivated a diverse, mainstream base of support across the wider region, and successive governments. Our considered approach has meant we have enjoyed positive relationships and secured sound policy commitments with all governments.

My name is Paul Gamblin and I've drafted this submission for LAC with input from the Committee (a core of the committee, including myself, has been involved since the late 1990s). I have worked in policy and planning for more than two decades and was involved in reform of coastal planning policy in Western Australia in the early-mid 2000s and was a member of the WAPC's Coastal Planning and Coordination Committee. My professional career has further bolstered my work in coastal and marine planning in WA, as well as nationally and internationally. My belief in the value of science-based, participative and robust strategic planning has only grown over the years.

I consider the WAPC to be one of the most important institutions of governance in WA and that its role and relevance will only grow, particularly in light of the compounding, serious impacts of climate change, the urgency to protect residual, diminishing natural capital including many critical habitats and to facilitate better protection of cultural heritage and other priority human values.

This MRS amendment is important both for this unique and regionally important coastal area and because it presents a timely and crucial opportunity for the WAPC to signal how it can foster good strategic planning, particularly when there is a change in landuse that provides for the deployment of contemporary understanding and policy instruments to repair approaches, and mistakes, made in the past. This case is also a precedent, for good or for ill, for other areas where sandy coastal foreshores areas are narrowing rapidly from chronic erosion, and the impacts of sea level rise from climate change, and associated energetic storm events.

This zoning amendment is about future generations for whom the coast will be a diminishing memory in many places, and an ongoing battle in others. Port Beach, south Leighton is one of the only places in the sprawling metro coast where we have a real chance to buy time. We must look to the greater good and grasp this rare opportunity, and show the community what good planning can deliver. We have the fleeting chance to get it right here.

-As a community, more than 20 years ago, we resisted overdevelopment in the central part of Leighton and this precinct, including around the Surf Club and Orange Box area, and northwards, is now a much-loved public foreshore, and much better able to withstand erosion. This shows how community involvement has delivered better planning and outcomes. We, as volunteers, once again make the same offer to support a sensible, balanced outcome in the interest of current and future generations. We also recognise that we must be guided by updated science and a growing population which means we need to allow more space.

## Key responses and Recommendations

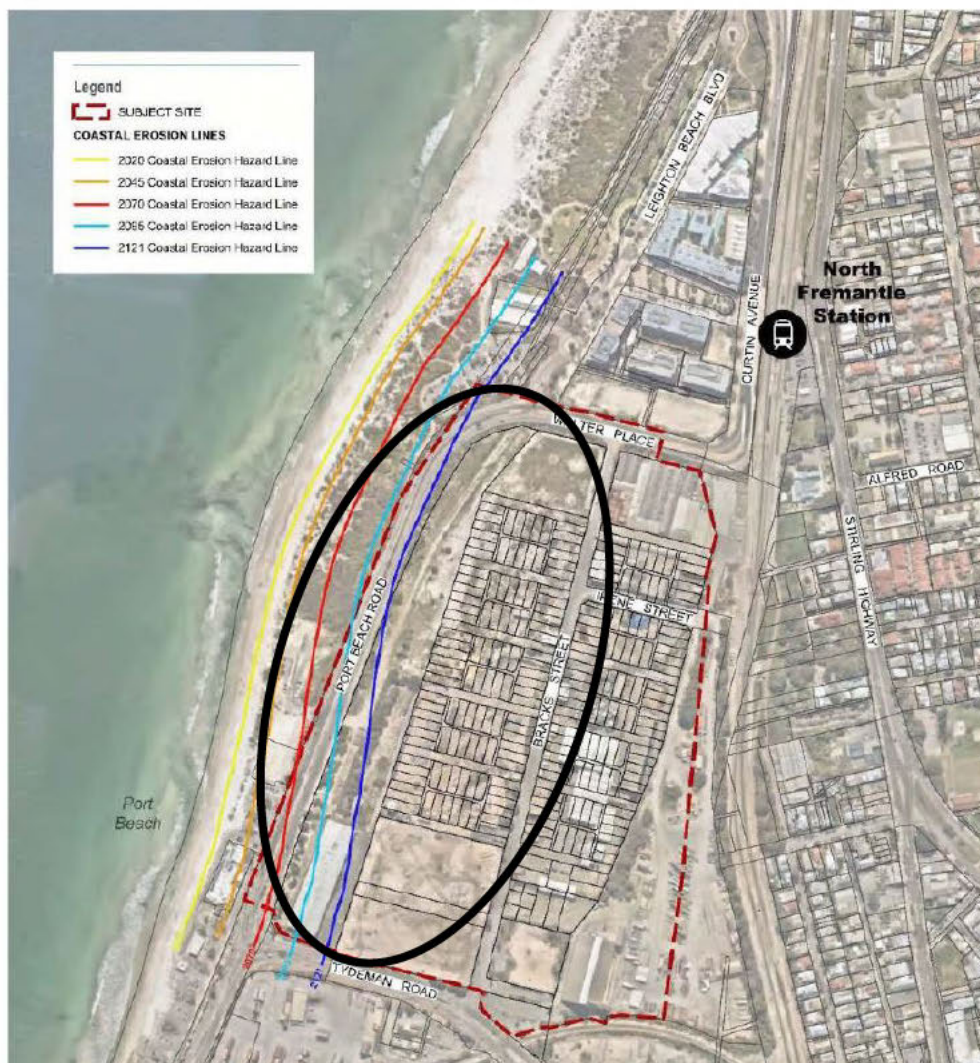
-Port-south Leighton is both a regionally important beach and coastal area, already straining from its popularity, and one of the most vulnerable of any in WA due to chronic erosion and climate impacts, as numerous analyses have shown (see references). These analyses sound a common refrain that implore a strong planning response, and they inform our advocacy.

-People from 100 suburbs use this beach and coastal area, so the public good is about considering a catchment that comprises much of the metropolitan area, and country areas too.

-Our approach is consistent with good policy; indeed, we believe the current proposed amendment is clearly at odds with WA's coastal planning policy guidelines (see Letter to the WAPC, April 2022, attached which lays out our concerns).

The proponents' own projections (see below) shows how wholly inadequate the foreshore reserve would be in the decades ahead under the current MRS amendment proposal. This is the core of our concern. It also demonstrates why an urban deferred zone positioned no further westwards than the current alignment of Bracks Street is advisable and more consistent with policy.

Figure 15 - Predicted Coastal Erosion over Time without government intervention and management



(Source: Meeting attachments Planning Committee, City of Fremantle. 6 April 2022, ellipse added)

**-The MRS amendment proposal, as advertised with its hard, urban and inflexible footprint will squeeze this fast-eroding beach in years ahead. It would leave but a sliver of foreshore reserve, without space for dunes to protect the beach naturally.** It would deprive future generations of the countless health and community benefits of a natural, expansive coast. It would necessitate expensive and beach-destroying seawalls to protect the buildings allowed too close to the coast; a story playing out on Sydney's beaches now and all around the world. We are on notice, we know better, and we are confident that with your leadership, we can do better at Port-Leighton.

**-The current proposal would also starve the community of the public park and open space** that tens of thousands of people living adjacent at the revitalised port will use, let alone people from across the whole southern metropolitan area.

**-We stand ready to engage in this overdue assessment of the needs of this foreshore reserve, with the long-term public good as a guiding principle.** We look forward to assisting with the prudential application of setback considerations of State Coastal Planning Policy SPP2.6, and the Guidelines, including a systematic analysis of recreational and public open space needs.

**-Proposed major amendment is premature and a departure from WAPC's previous approach:** We have formally acknowledged the WAPC's previous, prudent stance to resist entreaties from development interests to rezone this land until broader considerations and analyses are undertaken, particularly around the port and the Future of Fremantle and related processes.

We are most disappointed that the WAPC has chosen to put forward this amendment at this time, before the *Future of Fremantle* process has progressed and analysis of the community needs of this foreshore area undertaken, and we have not seen any convincing explanation for the decision to advertise now. We share the concern of others that this amendment is premature. Moreover, we believe there is a serious risk that the premature advertisement of the major amendment and the deliberations around it could distort informed public discussion and indeed likely erode public confidence in the process.

The public relations exercise by the well-resourced proponents dwarfs the community's capacity to put its views to foster an informed, balanced discussion, and reinforces an obvious asymmetry in terms of capacity and influence. This is anything but an even playing field upon which to consider the relative public good of alternatives for this area. Candidly, we and many others are concerned that the timing and nature of the MRS amendment serves proponent interests and distends debate about the best future uses of this crucial area.

**-Concern about cadastral footprint to delineate Urban Deferred proposal:** Compounding our concern that this proposed amendment is premature, is that the WAPC chose to advertise the amendment that largely follows the proponents' landholding footprint.

In correspondence with the WAPC in April 2022 (see attached), we previously called on the WAPC to postpone advertising the amendment for the reasons stated above, but if it chose to proceed, at very least to propose the area be zoned to Parks and Recreation (even deferred). This would provide for an exercise in good planning that is less fettered by powerful, private interests (not unfettered of course but meaningfully less so). We understand that private development interests might balk at such an approach but we urge the WAPC to consider its merits and to much more actively demonstrate that development interests will not displace the broader community's aspirations.



We want to reiterate that we are not, nor have we ever been, opposed to well-planned and sympathetic (relatively dense) residential, commercial and public built environment, set back from the beach and dunes. However, as you will well appreciate, the *context* for good planning is crucial; the current proposal confirms what many would consider to be an ambit claim by proponents, using an anachronistic footprint reflecting historic industrial use of the precious, eroding coastal area. This is far from ideal as a starting point for strategic planning which should hold public interest now and in the future as a core guiding principle.

The community confronts a context where influential development interests are seemingly effectively prosecuting their agenda to maximise financial returns (in addition to the benefits they have enjoyed from using - and impacting - this land over decades) at the expense of good, future-oriented planning. The WAPC's decision to use the proponents' landholding footprint largely as the basis for the Urban (deferred) amendment proposal reinforces the historical landholding patterns from an era before systematic planning was the norm, with the attendant risks outlined in this submission and the attachment.

**We call again on the WAPC to recognise the unfortunate signal the current proposal sends to the broader community, and to kindly consider reissuing the urban deferred area as Parks and Recreation to facilitate less fettered planning consideration of this area.**

**-Notwithstanding the above, we commend the WAPC for proposing some of the westward land to be zoned Parks and Recreation.** This is far less than the bare minimum that would be required for a setback, as we are confident the WAPC will be aware. However, at least it provides a starting point.

**-Urban Deferred:** In light of the above, we are somewhat reassured by the decision of the WAPC to defer the amendment in the proposed urban section of the precinct (as unfortunate as we believe the urban zone to be, as we discuss above). We look forward to being informed soon how we and the broader community can participate fully in the considerations about the extent of a reasonable foreshore reserve, public open space and generally how appropriate zoning can enhance and protect the amenity of this invaluable coastal area.

-The case for a much more expansive foreshore reserve will be self-evident to the WAPC. However, to provide the WAPC with a summary of our position, I refer you to the letter we sent to the Chair dated 15/5/22 (see attached, Appendix A).

-We also refer to the City of Fremantle's deliberations on this matter in 2022 and its decision at its recent full Council Meeting 24/5/23 (see Appendix B). This approach is broadly consistent with ours, albeit we argue that the regional importance of this area and the 100-year setback guideline would necessitate a much wider foreshore reserves (although we do acknowledge that the City indicates that its indicative recommendations are a minimum).

### **Thank you and Conclusion**

We thank you again for the opportunity to comment on this important area and proposal, and look forward to helping the WAPC to foster a participative, robust and future-focussed planning approach that befits its mission and the outstanding qualities of this area.

We hope that this moment marks the beginning of a participative dialogue about this area, rather than a premature narrowing of options, and we look forward to engaging in that process.

## Appendices

**A: Letter to the Chair of WAPC, 13 May 2022 (See Attached).**

**B: Minutes – Ordinary Meeting of Council, City of Fremantle  
24 May 2023**

<https://www.fremantle.wa.gov.au/sites/default/files/Minutes%20-%20Ordinary%20Meeting%20of%20Council%20-%2024%20May%202023.pdf>

COUNCIL DECISION C2305-4

(Amended Officer's Recommendation, as amended)

Moved: Mayor, Hannah Fitzhardinge Seconded: Cr Frank Mofflin

Council advises the Western Australian Planning Commission (WAPC) that the City of Fremantle's submission on the Proposed Metropolitan Region Scheme (MRS) Amendment – North Fremantle Urban Precinct (1400/41), is as follows:

1. Refers the WAPC to its initial comments, Council Meeting 27 April 2022 (Item PC2204), and adds the following comments to assist with clarifying the key planning issues that require resolution prior to any of the site being suitable for rezoning:

1.1. COASTAL RECREATIONAL NEEDS – An evidence based assessment on the extent of land required for precinct/regional recreation and beach access in this location, considering this in context of the: (a) Leighton Foreshore Masterplan; (b) existing demand and capacity at the Leighton node; and, (c) predicted growth / future demand for public land in the vicinity of Port Beach as determined through the Future of Fremantle studies.

1.2. COASTAL EROSION – an evidence based assessment of coastal hazards to ensure the reserve is of sufficient width to maintain a functional coastal foreshore reserve into the future and to protect infrastructure and property.

1.3. TRANSPORT – a clear government plan for the regional and local transport network in North Fremantle to deliver a well-integrated urban destination and resolve: (a) the extension/ alignment/ urban design and capacity of Curtin Avenue, including its inter-relationship with Stirling Highway; (b) freight and passenger rail,; and, (c) required urban connectivity from the North Fremantle town centre through the site to the foreshore node;

1.4. FUTURE PORT PLANNING – a clear government position on the future redevelopment plans being developed through Future



Fremantle Committee, in particular, the type and intensity of land uses proposed and the associated transport / access requirements within the North Fremantle peninsula;

1.5. PORT BUFFER ZONE – Acknowledging the port buffer zone currently restricts potential urban development to non-residential uses, deliver a process that avoids short-term planning outcomes on the subject site that run contrary to the proper and orderly planning of the broader neighbourhood / precinct. Urban zoning within the existing buffer zone should only proceed once the buffer is no longer required.

2. With regard to 1.1 to 1.2, further notes that:

2.1. The Amendment Report prepared by the WAPC states that North Fremantle Coastal Hazard Risk Management and Adaptation Plan provided by the proponent calculates the coastal foreshore reserve as having a width of between 28.1 and 70m by 2115. This is incompatible with the infrastructure and access requirements of a regional beach.

2.2. Studies undertaken for the Leighton Beach development identified the need for a minimum 150m foreshore reserve and that subsequent to this assessment the sea-level rise coefficient has increased such that the current recreational assets may be compromised within the 100-year planning horizon.

2.3. That regular summer demand currently exceeds capacity within the available reserve at Leighton Beach, demonstrating that the assessment in determining the recreational access needs for that section of foreshore reserve has proved to be inadequate and highlighting the need for ample provision in the Port Beach Node to accommodate current and future demand.

2.4. The cumulative impact of intensive development within the amendment area combined with other urban planned infill in Fremantle and North Fremantle, and most notably the future Fremantle Ports redevelopment, will create significant additional beach use and infrastructure needs.

Minutes – Ordinary Meeting of Council

2.5. Over recent decades the Port Beach node has suffered one of the highest levels of coastal erosion in the Metropolitan area. The severity of the coastal erosion to the south of Tydeman Road has given rise to a coastal retreat strategy in this area which will result in additional demand for recreational infrastructure within the foreshore area to the north of Tydeman Road.

3. In light of the above, the Council advises the proposed cadastral boundary between the Parks and Recreation Reserve and Urban Deferred Zone is not supported by evidence and is inadequate for

future needs and risks. Council recommends that an additional portion of the proposed Urban Deferred zone west of Bracks Street will need to be rezoned to Parks and Recreation Reserve prior to any redevelopment in order to meet these needs.

4. Confirms the Council's willingness and deep interest in working collaboratively with all relevant government agencies to help deliver acceptable legislative and planning frameworks for the key issues listed above, to enable high quality sustainable development of the North Fremantle.

Carried: 11/0

#### **References:**

City of Fremantle Planning Committee and Ordinary Council meeting Agenda and Minutes 2022, 2023

Department of Transport and Department of Planning, Lands and Heritage, Assessment of Coastal Erosion Hotspots in Western Australia (2019), Seashore Engineering Pty Ltd

GHD, City of Fremantle, Town of Mosman Park (2017) Our Coastal Future - Port, Leighton and Mosman Beaches - Coastal Adaptation Plan,

Western Australian Planning Commission (2013) State Planning Policy No. 2.6 State Coastal Planning Policy.

Western Australian Planning Commission and Department of Planning (2014) Coastal hazard risk management and adaptation planning guidelines, Perth Australia.

Submitted to MRS Major amendment 1400/41 - North Fremantle Urban Precinct  
Submitted on 2023-06-30 16:52:09

About you

1 What is your first name?

First name:

*Name and contact details removed at the request of submitter*

2 What is your surname?

surname:

3 Are you responding on behalf of an organisation?

No

Organisation:

4 Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission?

Yes

5 What is your email address?

Email:

6 What is your address?

address:

7 Contact phone number:

phone number:

Submissions

8 Do you support/oppose the proposed amendment to the Metropolitan Region Scheme?

Oppose

9 Please type your submission (reasons for support/opposition) into the the box below. Any supporting documents may be uploaded.

Submission:

The proposal includes an inadequate foreshore reserve. As was demonstrated at Leighton Beach, a wide foreshore reserve is required to accommodate sea level rise over the next century and to ensure that the long term recreational access needs to a regional beach can be maintained over at least the 100 year planning timeframe. The proposed widening of the foreshore reserve is welcome but it falls well short of the width needed to satisfy SPP2.6.

The foreshore reserve at the Leighton regional beach node was required to be 150m wide from the HSD. The setback was determined following extensive application of the requirements of SPP2.6. The coefficient for sea level rise at the time was only 0.38m where as it has been reset at the more realistic 0.9m. In simple terms, had the setback at Leighton been determined now, another 52m width would have been required for that setback, i.e., a setback of some 202m.

In addition to the need for an increased setback to achieve environmental sustainability over the 100 year planning horizon, it is telling that the allocation of space for recreational access needs at the Leighton Node has now been shown to be inadequate, especially in relation to the provision of parking in and around the node and the inability to provide reasonable separations between pedestrians and cyclists using the foreshore reserve. Overflow parking currently uses land that falls within the amendment area. Furthermore, the parking that is available can be more than 400m from the central area of the beach node. Realistically, the foreshore reserve at Leighton should have been planned with a setback of approximately 250m extending 400m north and south of the centre of the node.

Based on the existing inadequacies of the Leighton Node, the section of foreshore reserve immediately south of Walter Place provides the only

opportunity to overcome some of the shortfalls in the existing Leighton Node. Hence, the new section of foreshore reserve in the amendment area closest to Walter Place will need to balloon out towards the east in order to resolve some of the existing shortcomings at that node.

Extrapolating from the above data, the foreshore setback at the regional beach node of Port Beach, which forms part of this amendment area, will need to be at least 250m from the HSD. It is important to note that in extrapolating from the known example at the Leighton Node, by comparison the foreshore at the Port Beach node is experiencing significant erosion whereas Leighton is not. Obviously, this will further increase the need for a wider foreshore reserve.

The existing Port Beach node is centred just north of the alignment of Tydeman Road. The existing foreshore reserve south of Tydeman Road is severely compromised by erosion and an inadequate foreshore reserve that cannot be widened while Fremantle Ports remains in the area. All of the existing coastal infrastructure at Port Beach needs to be removed and rebuilt further east as part of a coastal retreat strategy. Given this can't occur South of Tydeman Road, the centre of the relocated regional beach node will need to be positioned both to the north and east of where it currently lies. In essence, the foreshore reserve needed to accommodate this node will need to be more than 250m wide and stretch at least 800m northwards from Tydeman Road.

Combining the needs for some compensatory land to mitigate the inadequacies at the Leighton Node together with the needs for the Port Beach Road, the foreshore reserve in the amendment area will need to be at least 250m wide for the entire length of the amendment area. It is currently well short of that requirement.

Foreshore Reserve should be applied at the first stage of planning, meaning at this MRS Amendment phase. While the proposed zoning of the most of the privately held land to Urban Deferred may allow some further refinement of the foreshore reserve width, it is nevertheless concerning that the perception may be that the wider foreshore reserve is close to satisfying SPP2.6 when in fact it falls demonstrably short. The WAPC should consider setting back the Urban Deferred zone at least 250m from the HSD and implementing the foreshore reserve at the width that is so obviously required even without further detailed assessment.

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File 2:

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File 3:

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## Hearing of submissions

10 Do you wish to speak at the hearings?

Yes

## Hearing of submissions details

11 Please indicate who you will be represented by:

Myself

If you are representing yourself, please provide a contact phone number:

If you are being represented by a spokesperson, please provide their details::

12 I would prefer my hearing to be conducted in:

Public

Submitted to MRS Major amendment 1400/41 - North Fremantle Urban Precinct  
Submitted on 2023-06-30 16:57:43

## About you

1 What is your first name?

First name:  
Natalie

2 What is your surname?

surname:  
Hug

3 Are you responding on behalf of an organisation?

No

Organisation:

4 Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission?

No

5 What is your email address?

Email:  
nats.hug@iinet.net.au

6 What is your address?

address:  
  
13 Solomon St  
Fremantle WA 6160

7 Contact phone number:

phone number:  
0438 933 250

## Submissions

8 Do you support/oppose the proposed amendment to the Metropolitan Region Scheme?

Oppose

9 Please type your submission (reasons for support/opposition) into the the box below. Any supporting documents may be uploaded.

Submission:

Dear Minister Carey

"Good land-use planing decisions can mitigate future risks."  
Natural Disaster Royal Commission Report Chapter 19: Land Use Planning and Building Regulation.

"If governments and communities act on this information now, many of thee projected losses can be averted."  
Climate Change Risk to Australia's Build Environment xdi.systems 2019 Report

I write to you about a critical moment in planning for WA. Like coastal areas all around the world, and particularly in WA, our Port Beach - south Leighton Coast is eroding badly. Government's own studies have shown it is one of the most threatened of any WA beaches.

Climate change is adding exponentially to those threats: rising sea levels, more severe and more frequent storms mean the beach cannot recover before the next onslaught. Sand replenishment, groynes, artificial reefs are not only mostly futile short term measures, they are massively expensive. Do we want to commit ourselves to constantly fighting the force of the sea.



Like permission to build in flood plains, knowing these risks, it is unconscionable to rezone all the land in the area from Industrial to Urban, or even Urban Deferred. Would this make the Government liable for future compensation and endless expensive remediation?

The Metropolitan Region Scheme Amendment considers a proposal by developers NFJV and VE Properties to rezone a huge 23.93 hectare site of old, poorly located industrial land. This huge area is 6 times the size of the current Leighton Shores development! On their proposed map it appears all their landholdings would be zoned Urban Deferred, while they propose 6.13 hectares, presumably the slender strip of Fremantle Ports land to form a wholly inadequate coastal reserve.

We should be considering where the coast will be in 100 years time and embracing managed retreat to give future West Australians access to the beach, room for the dunes to move back and forth, space for recreation and protection for any residential development or necessary road realignment. State Planning Policy 2.6 clearly outlines the long term considerations required for WA's coastal threats.

I am not against all development in this area. Some urban development east of Bracks Street, next to the rail station would be desirable, aligning with Development Control Policy 1.6. There will still be plenty of space (at least double the footprint of Leighton Shores) for high quality development with good access to the train station behind a coastal reserve and parkland which will only increase its value in future and protect it.

But regarding the land west of Bracks Street, even if we need to compensate the property owners for resuming the land, to do so at Industrial rates must be less costly for the people of WA. You can deliver a legacy for our children by creating a coastal reserve and quality parkland for a growing population in what is already a popular and congested area. The community needs much more space for recreation and better access to the busy surf club and other healthy activities.

The developer's proposal threatens all of this and also contradicts and undermines WA's coastal planning policy at a time we should be strengthening it.

We call on you to reject the WA Planning Commission's current moves to rezone this land and instead undertake a thorough, transparent, participative and science-based analysis of the future recreational and natural coastal protection needs of this area. This should also take into account the Future of Fremantle process.

I look forward to your clear direction for this special coastal area soon.

Natalie Hug  
13 Solomon Street  
Fremantle WA 6160  
0438 933 250

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## Hearing of submissions

10 Do you wish to speak at the hearings?

Yes

## Hearing of submissions details

11 Please indicate who you will be represented by:

Myself

If you are representing yourself, please provide a contact phone number:

0438 933 250

If you are being represented by a spokesperson, please provide their details::

12 I would prefer my hearing to be conducted in:

Public

Submitted to MRS Major amendment 1400/41 - North Fremantle Urban Precinct  
Submitted on 2023-06-30 19:14:41

### About you

1 What is your first name?

First name:

Jemima

2 What is your surname?

surname:

Williamson-Wong

3 Are you responding on behalf of an organisation?

No

Organisation:

4 Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission?

No

5 What is your email address?

Email:

j.williamsonwong@gmail.com

6 What is your address?

address:

40 Chester Street, South Fremantle, WA, 6162

7 Contact phone number:

phone number:

+61439244595

### Submissions

8 Do you support/oppose the proposed amendment to the Metropolitan Region Scheme?

Oppose

9 Please type your submission (reasons for support/opposition) into the the box below. Any supporting documents may be uploaded.

Submission:

To whom it may concern,

I am writing in opposition to the proposed amendment to the Metropolitan Region Scheme which would allow the rezoning of the North Fremantle Precinct from Industrial to Urban Deferred.

The proposed rezoning fails to consider the circumstances of the climate crisis and coastal erosion which Port Beach faces. A previous government-commissioned analysis found that Port Beach was equal most at-risk coastline in the entire state. This erosion has already begun, and continues to worsen with increasing severity of storms and sea level rise.

It is commonly known and accepted that preserving dune systems and encouraging vegetation is the best and cheapest defense against erosion.

As such, there has not been enough consideration given to maintaining a coastal reserve before rezoning this precinct.

I am asking that the WA government does not rezone the North Fremantle Precinct. Instead, I implore the WA government to undertake an environmental assessment of such a decision.

I hope that the WA government will listen to the many decades of community activists that are asking for one simple thing - protect Port Beach.

Thank you,  
Jemima Williamson-Wong

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## Hearing of submissions

10 Do you wish to speak at the hearings?

No

**From:** [Tim Dawkins](#)  
**To:** [Region Planning Schemes](#)  
**Cc:** [Michael Barr](#); [Lex Barnett](#)  
**Subject:** Submission - Metropolitan Region Scheme Amendment 1400/41 (Major Amendment) – North Fremantle Urban Precinct  
**Date:** Friday, 30 June 2023 4:51:44 PM  
**Attachments:** [image002.png](#)  
[image003.png](#)  
[image005.png](#)  
[image007.png](#)  
[image009.png](#)  
[image011.png](#)  
[Submission - MRS Amendment 1400-41 - North Fremantle Urban Precinct - 30June2023.pdf](#)

You don't often get email from [tdawkins@urbis.com.au](mailto:tdawkins@urbis.com.au). [Learn why this is important](#)

To whom it may concern

Please find attached a copy of the completed form and associated submission prepared with respect to the abovementioned matter.

We look forward to engaging with the Western Australian Planning Commission on this matter as we progress through the amendment process.

If you have any questions or would like to discuss any aspect of this submission, please contact me on the below.

Thanks  
Tim

**TIM DAWKINS**

DIRECTOR

D +61 8 9346 0511  
M +61 403 924 107  
E [tdawkins@urbis.com.au](mailto:tdawkins@urbis.com.au)

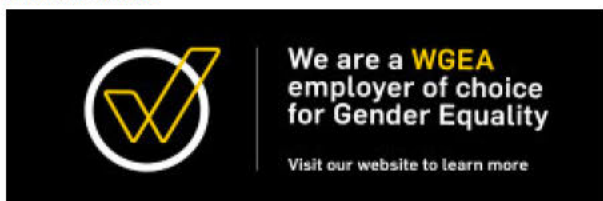
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CITIES AND  
COMMUNITIES**



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## Hearing of submissions

Anyone who has made a written submission on the amendment has the opportunity to personally present the basis of their submission to a sub-committee of the WAPC. **You do not have to attend a hearing.** The comments presented by you in this written submission will be considered in determining the recommendation for the proposed amendment.

For information about the submission and hearings process, please refer to the amendment report and in particular appendix D.

### Please choose one of the following:

**No**, I do not wish to speak at the hearings. (Please go to the bottom of the form and sign)

OR

**Yes**, I wish to speak at the hearings. (Please complete the following details)

**I will be represented by:**

Myself – My telephone number (business hours): .....

or

A spokesperson

Name of spokesperson: Tim Dawkins

Contact telephone number (business hours): 0893460511

Postal address: Level 8, 1 William Street , Perth

**I would prefer my hearing to be conducted in:**

Public (members from the general public may attend your presentation)

OR

Private (only the people nominated by you or the hearings committee will be permitted to attend)

You should be aware that:

- The WAPC is subject to the *Freedom of Information Act 1992* and as such, submissions made to the WAPC may be subject to applications for access under the act.
- In the course of the WAPC assessing submissions, or making its report on these submissions, copies of your submission or the substance of that submission, may be disclosed to third parties.
- Hearings may be recorded and transcribed. The minutes of all hearings, along with all written submissions, are tabled in Parliament and published as public records should the Governor approve the proposed amendment. The WAPC recommendations are similarly published in a report on submissions and tabled in Parliament.

### To be signed by person(s) making the submission

Signature ..



Date

30/06/2023

**Note: Submissions MUST be received by the advertised closing date, being close of business (5pm) on 30 JUNE 2023. Late submissions will NOT be considered.**



**LEVEL 8  
1 WILLIAM STREET  
PERTH WA 6000**

URBIS.COM.AU  
Urbis Pty Ltd  
ABN 50 105 256 228

30 June 2023

Secretary  
Western Australian Planning Commission  
Locked Bag 2506  
Perth WA 6001

via email: [RegionPlanningSchemes@dplh.wa.gov.au](mailto:RegionPlanningSchemes@dplh.wa.gov.au)

To whom it may concern,

## **METROPOLITAN REGION SCHEME AMENDMENT 1400/41 (MAJOR AMENDMENT) – NORTH FREMANTLE URBAN PRECINCT**

North Fremantle JV Pty Ltd and VE Property Pty Ltd welcomes the opportunity to make a submission in relation to the proposed amendment to the Metropolitan Region Scheme (**MRS**),

Following years of delay we are grateful that the WAPC has initiated the rezoning for this major parcel of land and believe this provides a unique opportunity to contribute to both the current housing shortage and the realisation of the emerging FFPC vision. We also thank the Western Australian Planning Commission for the time they have provided for numerous meetings to discuss the future development of the land subject to this amendment and the pragmatic and collaborative approach to date.

Overall, we wish to advise that we **support the rezoning away from Industrial towards an Urban future** as is proposed by the Metropolitan Region Scheme Amendment 1400/41, however, pending the outcomes of the FFPC process we believe that the option of moving directly to the Urban zone should not yet be discounted.

### **PRELIMINARY**

The Amendment Area is in the locality of North Fremantle and bounded by coastal foreshore land to the west, Regional Road reserve to the east, Tydeman Road and Fremantle Port to the south, and Walter Place to the north. The total area of the land proposed to be rezoned to Urban Deferred and reserved for Parks and Recreation is approximately 23ha (refer to **Attachment 1 – Site and Ownership Plan**).

Whilst historically the site has been used for industrial purposes, the site has progressively been decommissioned. All but a few nominal structures and improvements on the site have been granted development approval for removal – and the decommissioning process on the VEP site is expected to be finalised by the end of the 2023 calendar year. The current status of the land not only reinforces that the land is no longer required for industrial purposes, but also represents the first opportunity in nearly 100 years that the consolidated precinct has been available for renewal for an urban purpose.



The significance of the current ownership structure cannot be understated in terms of the ability of this precinct to be developed as a unique master planned community. Importantly the two private landowners of the majority of this precinct have demonstrated their ability to work collaboratively and consultatively with Government in order to deliver a well-considered outcome that will best meet the needs of the community in the long term.

## BACKGROUND

The initiation of this amendment was the culmination of a long and patient engagement with the City and State Government to re-imagine the future of this land as urban, in contrast with its heavy industrial history. It is a process which started long before the advent of Westport and the Future of Fremantle initiative, reflecting that urbanisation here was not tied to a future removal of the port operations, rather it could exist even with the port remaining.

Westport is part of the Department of Transport and is charged with 'providing guidance to the State Government on Perth's long-term infrastructure needs and developing a plan to manage the growing freight demands for the next 50 years and beyond'. As part of this, Westport has assessed the operations at Fremantle Port considering to:

- Limited land availability for upgrading and expanding road and rail corridors
- Impacts on residents, heritage buildings and Aboriginal heritage sites when associated supply chain routes are expanded
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- Inability of the existing berths along the Swan River to reach a port depth of 18m. Additional deep-water berths requiring a breakwater parallel to North Mole would need to be constructed
- Concerns about the effects on social amenity around the Port especially mobility and congestion
- Even when accounting for committed and funded improvements and upgrades, the road and rail links will reach capacity before they will be able to handle the anticipated levels of activity

In May 2020, Westport released its Stage 2 Report – Future Port Recommendations. This report recommended a full transition of Fremantle port operations to Kwinana. This may occur progressively or as part of a single process.

Notwithstanding, the Amendment area is a 'self-contained' precinct which will not affect changes to Port activities, and will not inhibit Port operations continuing to operate in terms of land use or traffic flow. Whatever occurs with Westport, the subject land is simply not required for the freight task associated with the operation of the port or industrial purposes more generally. Therefore, this amendment is not directly linked to the decision to relocate Fremantle Port, however, it does provide an opportunity for early success in the transition of the locality that would set the scene for future development of the Port land if vacated.

Following the Stage 2 recommendation of Westport, the Western Australian Planning Commission (WAPC) established the Future of Fremantle Planning Committee (FFPC) to '*consider land use and economic development opportunities around North Quay and surrounding areas, and to continue developing a new vision for a Victoria Quay Waterfront Precinct*'.

Again, while there are opportunities for the subject land from the FFPC process, this amendment request relates to a discrete precinct capable and appropriate for redevelopment in a manner that is not dependant on the relocation of the port.



This is important and possible because the Fremantle Port Authority precinct (as the bulk of the FFPC Study Area) and subject land are not integrated parcels (particularly following the recent acquisition of BP's freehold land within the Port by the State). Tydeman Road represents a distinct boundary between the two projects. The subject land and balance of the FFPC area are not reliant on each other for design or implementation – with respect to access, land use, staging or the coastal foreshore.

## THE OPPORTUNITY

The subject site is the largest area of vacant coastal land in the metropolitan area, and is contiguous to the closest train station to the beach in the Perth Metropolitan Area. The wider locality is surrounded by 'Urban' zoned land to the north and east – and as presently zoned, 'Industrial' is incongruent with the surrounding area.

The key to successful urban consolidation along public transport corridors is to increase the comfort and ease of the public transport service and the variety of relevant destinations within the station precinct. The entirety of the land intended to be zoned 'Urban' under this amendment falls within the 800m walkable catchment to the North Fremantle Railway Station. Additionally, the entirety of the land also falls within the 800m walkable catchment of the North Fremantle Activity Centre that emanates out of Queen Victoria Street. The subject sites enable this in a more effective way than the fragmented ownership structures to the east of the railway line in North Fremantle

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This is highly aligned with the North Fremantle context. METRONET further notes the following benefits of fully realising station precincts that are demonstrably realised via the proposed amendment:

- Reduced CO2 emissions
- Improved accessibility via non-car transport modes
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- More efficient use of urban land
- Increased housing diversity
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Finally, the site expands on the coastal foreshore that is envisaged by the Leighton Oceanside Parklands Master Plan (LOPMP). The LOPMP outlines the landscape and public realm vision for the 13 hectares of foreshore reserve stretching from Victoria Street station to Tydeman Street, that will provide extensive parklands and coastal revegetation, community infrastructure, beachside parking and other amenities (refer **Attachment B**).



Past reclamation associated with the port has contributed to the current coastline being vulnerable to future erosion. The foreshore definition adopted in the request for the rezoning is based on the government (and City of Fremantle) policy position of managed retreat. The applicant does not necessarily support the full retreat option as over time it allows the coast to move towards existing infrastructure and residents, and would certainly see the destruction of existing public facilities and infrastructure along Port and Leighton Beaches. Indeed, given the reclaimed nature of the coastal zone and past reclamation practices there is some conjecture whether it is a viable option. The purposes of adopting this most conservative position of coastline modelling is to demonstrate that even with conservative foreshore assumptions, sufficient foreshore reserve can be accommodated particularly between coastal nodes. It is noted the government has a number of options for long term environmentally sustainable coastal protection at its disposal, many of which has been adopted both nationally and internationally. Regardless, in accommodating a full retreat we have demonstrated that under a 'worst case scenario' the values, functions and uses that currently exist would be able to be replicated in the new (increased) foreshore reserve. The proposed foreshore can accommodate a lesser or no retreat outcome depending on any government actions relating to beach defence, including sand nourishment that is currently being deployed on the site.

The foreshore reserve adopted in the proposal has been adopted through the application of the *State Planning Policy 2.6: State Coastal Planning Policy* following consultation with State government around the methodology employed.

The resultant outcome is a further 6.13 hectares of additional contiguous foreshore reserve that was not envisaged in the LOPMP, creating a total area just under 20 hectares of foreshore reserve and POS. Additional open space is included within the development itself as the planning process unfolds with each iteration revealing additional levels of detailed planning.

## **DEMONSTRATED DESIRE FOR URBAN**

The landowners have engaged extensively in the lead up to, and during the formal consultation period. Almost 100 individual stakeholders have been engaged through this process from local recreational, community and sporting organisations, local businesses, state government agencies, local elected members, residents and environmental groups. The vast majority of these stakeholders have expressed support for an urban land use, with no comments received that its historic industrial use be maintained.

Records of issues raised during the engagement activities were collated and analysed. These issues are noted for reference below in order of frequency of mentions.

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- Queries raised around commercial activities planned – particularly in terms of weekend parking, suitable provisioning for North Fremantle residents and improved amenity for Port Beach users (6%);
- Opportunity to contribute to and restore heritage values of North Fremantle (2%); and
- Queries on construction impacts (1%)

The evidence points to a demonstrated desire for the project to move forward into structural planning stages to unlock coastal reserve, foreshore amenity, urban density and transport solutions in the near term. Therefore the best way to realise this would be to move forward with the structure planning process so that a holistic outcome can be achieved which provides an outstanding urban environment.

## **TECHNICAL CAPACITY FOR REDEVELOPMENT**

Significant work has been undertaken to understand the opportunities and constraints of the amendment area, with detailed analysis by a wide range of specialist technical experts. The analysis confirms that from a technical perspective there is no impediment to the urbanisation of the land. The Amendment is justified as follows:

- The land is no longer required for industry, and given its location close to Fremantle and North Fremantle, the Fremantle passenger railway line, Port Beach, and other adjoining residential development at Leighton, the site's highest and best use is Urban
- The subject land has the potential to deliver a range of urban outcomes including a variety of residential densities and building typologies along with some limited non-residential lands uses (convenience retailing and commercial)
- It provides for a self-contained development, on land under consolidated ownership
- The Amendment does not rely on and nor would it prejudice planning decisions for the wider area including Westport, Future of Fremantle Planning Committee, the extension of Curtin Avenue and the delivery of Leighton Oceanside Parklands
- The intent and requirements of the Scheme and Policy requirements of the Fremantle Port Buffer are demonstrated as being adhered to, and do not preclude development.
- Noise impact from the Port, road and rail can be appropriately managed – both under current operating conditions as well as potential (likely) future relocation of the Fremantle Port.
- The subject land can be serviced with standard urban services, and drainage can be appropriately managed
- The development of the subject land for Urban purposes will have no adverse impacts on Port activities, and any impact of Port activities on the land can be suitably managed
- The development of the land for Urban purposes will result in a substantial increase in employment on the site, both through the redevelopment phase and on an ongoing basis
- The existing road and rail infrastructure and planning reserves already in place and the high proportion of government land provides the government with many options to cater for the delivery of multi modal transport options
- The development has the opportunity to become and exemplar of sustainable urban development and an iconic destination of metropolitan significance and international renown
- The amendment is the first step in a formal planning process that will include more detailed design and analysis taking into account local context, character and community
- The decision to rezone the site to 'Urban' will commence a process that will enable considerations on the spatial resolution (arrangement of streets, lots, public open spaces, allocation of land use designation, etc.) and built form considerations (design, form and function)





In summary, the expert reporting demonstrates that there is no technical limitation to the proposed rezoning to 'Urban'. The rezoning will in no way prejudice the sustainable planning for the wider area under consideration by Future of Fremantle Planning Committee and other stakeholders. This rezoning is the first step of many for the broader planning for the site, with the proposal entirely worthy of support to formally start the transition of the site to an urban context.

## FFPC

Whilst the current application is separate from the port activities we acknowledge that the likely relocation of the port and the creation of the FFPC has resulted in an exciting opportunity where this land can be one of the initial stages of a broader urban plan. In principle we are supportive of complementing this emerging vision and becoming a catalyst for delivery to meet both short and long term urban objectives. The existing land ownership structure also significantly reduces the parties involved in planning opening up opportunities not typically available to fragmented ownership structures.

The project will facilitate the release of private investment to deliver a range of urban outcomes including residential, affordable housing, commercial, retail and open space which the government cannot deliver alone. The WA government has a strong track record in delivery of enabling infrastructure in redevelopment precincts such as coastal protection, public open space, new roads, digital infrastructure, public transport, bike paths and delivered early pave the way for complementary investment.

## CONCLUSION

Thank you for the opportunity to provide comments in relation to this proposal. North Fremantle JV Pty Ltd and VE Property Pty Ltd **support the rezoning away from Industrial towards an Urban future** as is proposed by the Metropolitan Region Scheme Amendment 1400/41, however, pending the outcomes of the FFPC process we believe that the option of moving directly to the Urban zone should not yet be discounted.

We request that the issues outlined within this submission are taken into account by the WAPC in the finalisation of Amendment 1400/41. We wish to remain informed of the progress of the Amendment and would like to opportunity to provide further clarification of our position should this be required or of benefit to the WAPC.

Should you wish to discuss the contents of this submission, please do not hesitate to contact the undersigned.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Tim Dawkins".

Tim Dawkins  
Director – Urbis

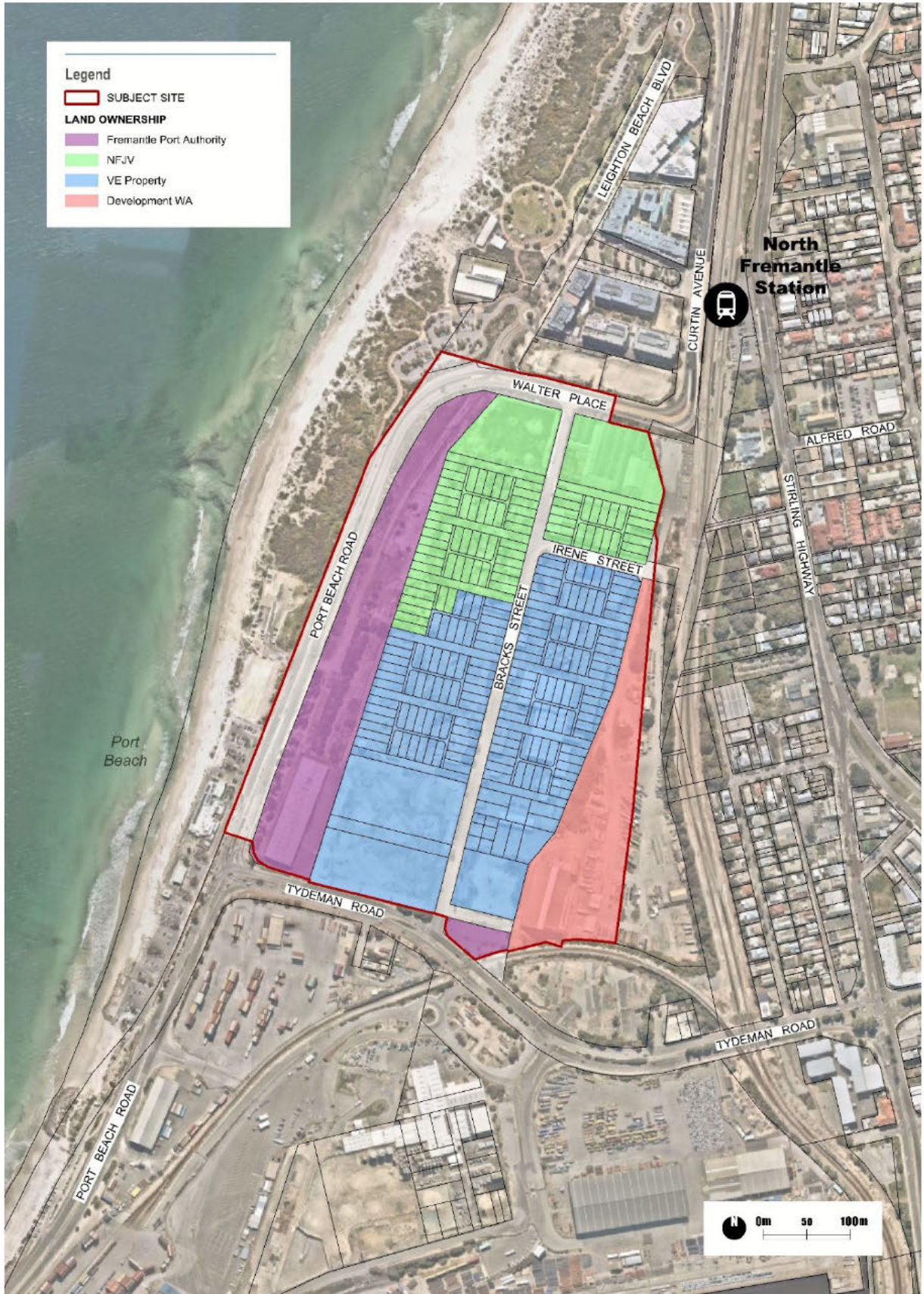
A handwritten signature in black ink, appearing to read "Lex Barnett".

Lex Barnett  
Managing Director – Taylor Burrell Barnett



## APPENDIX A – Land Ownership









**APPENDIX B – Leighton Oceanside Parklands Masterplan**



Figure 10

LEIGHTON OCEANSIDE PARKLANDS • MASTER PLAN REPORT

**From:** [Michael Barr](#)  
**To:** [Region Planning Schemes](#)  
**Cc:** [Tim Dawkins](#); [Lex Barnett](#)  
**Subject:** Submission MRS Amendment 1400/41 by North Fremantle JV Pty Ltd  
**Date:** Friday, 30 June 2023 4:33:22 PM  
**Attachments:** [20230630 Submission to MRS amendment plus form.pdf](#)

You don't often get email from mbarr@ispt.net.au. [Learn why this is important](#)

Dear Sir/Madam

Please find enclosed our submission on behalf of North Fremantle JV Pty Ltd which is in support of the proposed MRS rezoning.

We look forward to ongoing discussions.

Yours faithfully

**Michael Barr**

Senior Development Manager

L4 683-703 Hay Street Mall, Perth, WA 6000

**T 08 9235 3105**

**M 0418 212 339**

**E [mbarr@ispt.net.au](mailto:mbarr@ispt.net.au)**



ISPT acknowledges Aboriginal and Torres Strait Islander peoples as the Traditional Custodians of the land and waters on which we live and work and holds deep respect for Elders past, present and emerging.

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ISPT Pty Ltd ABN 28 064 041 283 AFSL: No. 247280

ISPT Operations Pty Ltd ABN 12 633 106 733 Authorised Representative No. 01276951 of ISPT Pty Ltd

Planning and Development Act 2005  
**Section 41 Amendment (Substantial)**  
Form 41

**Submission**

**Metropolitan Region Scheme Amendment 1400/41**

**North Fremantle Urban Precinct**

OFFICE USE ONLY

SUBMISSION NUMBER

RLS/1068

To: Secretary  
Western Australian Planning Commission  
Locked Bag 2506  
Perth WA 6001

Title (Mr) Mrs, Miss, Ms) ..... First Name Michael  
Surname Barr ..... (PLEASE PRINT CLEARLY)  
Address C1-Level 4 683 Hay Street Perth ..... Postcode 6000  
Contact phone number 048212339 ..... Email address mbarr@ispt.net.au .....

Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission?  Yes  No

**Submission** (Please attach additional pages if required. It is preferred that any additional information be loose rather than bound)

Thank you for the opportunity to submit  
a comment on the proposed MRS Amendment  
1400/41.

Please see attached submission lodged  
on behalf of North Fremantle JV Pty Ltd,  
who are supportive of the proposal.

**turn over to complete your submission**

## Hearing of submissions

Anyone who has made a written submission on the amendment has the opportunity to personally present the basis of their submission to a sub-committee of the WAPC. **You do not have to attend a hearing.** The comments presented by you in this written submission will be considered in determining the recommendation for the proposed amendment.

For information about the submission and hearings process, please refer to the amendment report and in particular appendix D.

**Please choose one of the following:**

**No**, I do not wish to speak at the hearings. (Please go to the bottom of the form and sign)

OR

**Yes**, I wish to speak at the hearings. (Please complete the following details)

**I will be represented by:**

Myself – My telephone number (business hours): .....

or

A spokesperson

Name of spokesperson: ... *Lex Barnett* .....

Contact telephone number (business hours): ... *0419 948 700* .....

Postal address: ... *Unit 7, 160 St Georges Terrace Perth* .....

**I would prefer my hearing to be conducted in:**

Public (members from the general public may attend your presentation)

OR

Private (only the people nominated by you or the hearings committee will be permitted to attend)

You should be aware that:

- The WAPC is subject to the *Freedom of Information Act 1992* and as such, submissions made to the WAPC may be subject to applications for access under the act.
- In the course of the WAPC assessing submissions, or making its report on these submissions, copies of your submission or the substance of that submission, may be disclosed to third parties.
- Hearings may be recorded and transcribed. The minutes of all hearings, along with all written submissions, are tabled in Parliament and published as public records should the Governor approve the proposed amendment. The WAPC recommendations are similarly published in a report on submissions and tabled in Parliament.

**To be signed by person(s) making the submission**

Signature .....  ..... Date *30.6.2023.*

**Note: Submissions MUST be received by the advertised closing date, being close of business (5pm) on 30 JUNE 2023. Late submissions will NOT be considered.**





**LEVEL 8  
1 WILLIAM STREET  
PERTH WA 6000**

URBIS.COM.AU  
Urbis Pty Ltd  
ABN 50 105 256 228

30 June 2023

Secretary  
Western Australian Planning Commission  
Locked Bag 2506  
Perth WA 6001

via email: [RegionPlanningSchemes@dplh.wa.gov.au](mailto:RegionPlanningSchemes@dplh.wa.gov.au)

To whom it may concern,

## **METROPOLITAN REGION SCHEME AMENDMENT 1400/41 (MAJOR AMENDMENT) – NORTH FREMANTLE URBAN PRECINCT**

North Fremantle JV Pty Ltd and VE Property Pty Ltd welcomes the opportunity to make a submission in relation to the proposed amendment to the Metropolitan Region Scheme (**MRS**),

Following years of delay we are grateful that the WAPC has initiated the rezoning for this major parcel of land and believe this provides a unique opportunity to contribute to both the current housing shortage and the realisation of the emerging FFPC vision. We also thank the Western Australian Planning Commission for the time they have provided for numerous meetings to discuss the future development of the land subject to this amendment and the pragmatic and collaborative approach to date.

Overall, we wish to advise that we **support the rezoning away from Industrial towards an Urban future** as is proposed by the Metropolitan Region Scheme Amendment 1400/41, however, pending the outcomes of the FFPC process we believe that the option of moving directly to the Urban zone should not yet be discounted.

### **PRELIMINARY**

The Amendment Area is in the locality of North Fremantle and bounded by coastal foreshore land to the west, Regional Road reserve to the east, Tydeman Road and Fremantle Port to the south, and Walter Place to the north. The total area of the land proposed to be rezoned to Urban Deferred and reserved for Parks and Recreation is approximately 23ha (refer to **Attachment 1 – Site and Ownership Plan**).

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- The Amendment does not rely on and nor would it prejudice planning decisions for the wider area including Westport, Future of Fremantle Planning Committee, the extension of Curtin Avenue and the delivery of Leighton Oceanside Parklands
- The intent and requirements of the Scheme and Policy requirements of the Fremantle Port Buffer are demonstrated as being adhered to, and do not preclude development.
- Noise impact from the Port, road and rail can be appropriately managed – both under current operating conditions as well as potential (likely) future relocation of the Fremantle Port.
- The subject land can be serviced with standard urban services, and drainage can be appropriately managed
- The development of the subject land for Urban purposes will have no adverse impacts on Port activities, and any impact of Port activities on the land can be suitably managed
- The development of the land for Urban purposes will result in a substantial increase in employment on the site, both through the redevelopment phase and on an ongoing basis
- The existing road and rail infrastructure and planning reserves already in place and the high proportion of government land provides the government with many options to cater for the delivery of multi modal transport options
- The development has the opportunity to become and exemplar of sustainable urban development and an iconic destination of metropolitan significance and international renown
- The amendment is the first step in a formal planning process that will include more detailed design and analysis taking into account local context, character and community
- The decision to rezone the site to 'Urban' will commence a process that will enable considerations on the spatial resolution (arrangement of streets, lots, public open spaces, allocation of land use designation, etc.) and built form considerations (design, form and function)





In summary, the expert reporting demonstrates that there is no technical limitation to the proposed rezoning to 'Urban'. The rezoning will in no way prejudice the sustainable planning for the wider area under consideration by Future of Fremantle Planning Committee and other stakeholders. This rezoning is the first step of many for the broader planning for the site, with the proposal entirely worthy of support to formally start the transition of the site to an urban context.

## FFPC

Whilst the current application is separate from the port activities we acknowledge that the likely relocation of the port and the creation of the FFPC has resulted in an exciting opportunity where this land can be one of the initial stages of a broader urban plan. In principle we are supportive of complementing this emerging vision and becoming a catalyst for delivery to meet both short and long term urban objectives. The existing land ownership structure also significantly reduces the parties involved in planning opening up opportunities not typically available to fragmented ownership structures.

The project will facilitate the release of private investment to deliver a range of urban outcomes including residential, affordable housing, commercial, retail and open space which the government cannot deliver alone. The WA government has a strong track record in delivery of enabling infrastructure in redevelopment precincts such as coastal protection, public open space, new roads, digital infrastructure, public transport, bike paths and delivered early pave the way for complementary investment.

## CONCLUSION

Thank you for the opportunity to provide comments in relation to this proposal. North Fremantle JV Pty Ltd and VE Property Pty Ltd **support the rezoning away from Industrial towards an Urban future** as is proposed by the Metropolitan Region Scheme Amendment 1400/41, however, pending the outcomes of the FFPC process we believe that the option of moving directly to the Urban zone should not yet be discounted.

We request that the issues outlined within this submission are taken into account by the WAPC in the finalisation of Amendment 1400/41. We wish to remain informed of the progress of the Amendment and would like to opportunity to provide further clarification of our position should this be required or of benefit to the WAPC.

Should you wish to discuss the contents of this submission, please do not hesitate to contact the undersigned.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Tim Dawkins".

Tim Dawkins  
Director – Urbis

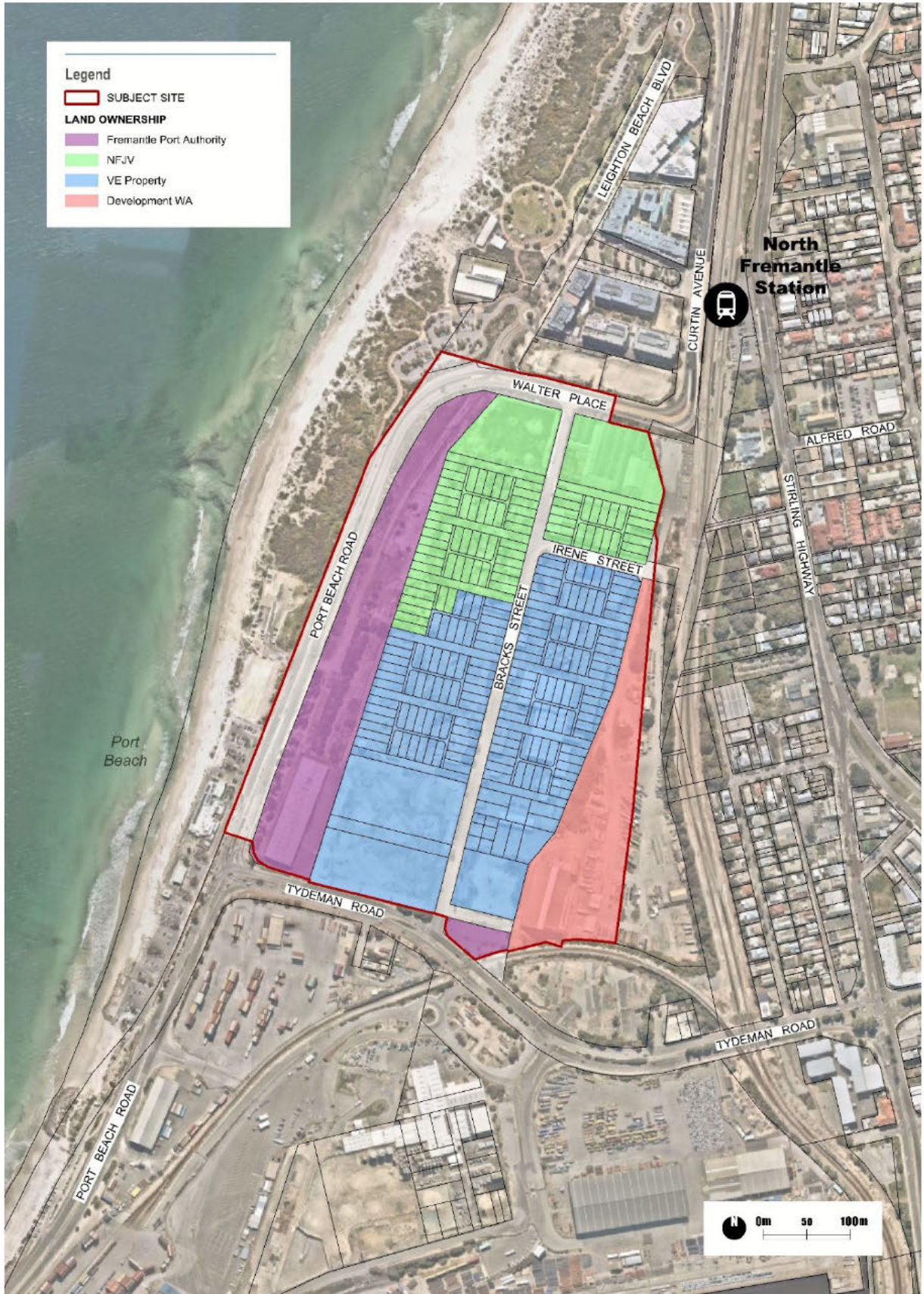
A handwritten signature in black ink, appearing to read "Lex Barnett".

Lex Barnett  
Managing Director – Taylor Burrell Barnett



## APPENDIX A – Land Ownership







## APPENDIX B – Leighton Oceanside Parklands Masterplan





Figure 10

LEIGHTON OCEANSIDE PARKLANDS • MASTER PLAN REPORT

Leighton Oceanside Parklands Master Plan





**From:** WAPCreferrals <WAPCreferrals@pta.wa.gov.au>  
**Sent:** Thursday, 6 July 2023 11:32 AM  
**To:** DPI Referrals  
**Subject:** Public Transport Authority Referral Response - North Fremantle Urban Precinct (Application No. 1400/41)  
**Attachments:** 220413 - PTA Coordinated Response.pdf

Dear Carmella Scantlebury,

**Re: Proposed Metropolitan Region Scheme Amendment – North Fremantle Urban Precinct (Application No. 1400/41)**

Thank you providing the PTA the opportunity to review and provide preliminary comments on the Proposed Metropolitan Region Scheme Amendment for the North Fremantle Development Precinct.

The PTA has reviewed the Proposed Scheme Metropolitan Region Scheme Amendment and have the following comments:

1. PTA is currently exploring options for future stabling locations along the Fremantle line and Lot 602 is a location that is currently being further investigated to accommodate future stabling. For this reason, the PTA's preferred outcome of the MRS Amendment would be for Lot 602 to be removed from the proposal. The current 'Industrial' zoning of this land is beneficial for the PTA should this site be selected as the preferred location for future stabling, following further investigation.
2. The PTA understands that there is often a miss understand of the purpose of stabling leading to a belief that these locations will involve the maintenance of trains. Therefore, it is important to highlight that the purpose of stabling is to store trains overnight in strategic locations to the terminating station on a line (in this instance Fremantle Station), to ensure to increase the efficient running of the passenger rail network.

With regards to the remaining area proposed to be zoned 'Urban Deferred' the PTA advised:

3. The response dated 13 April 2022 (DPLH Reference 809-2-5-12 [RLS/1012/1]) remains current. For your convenience this response has been attached to this email.
4. The distance from the railway reserve places much of the future developable land within the PTA Protection Zone, given the proximity (less than 100m) to the Fremantle Railway Corridor. Given this, DAs lodged to the future will need to comply with the PTA's requirements for works in and around the operating railway reserve. These requirements will be met via conditions set by the PTA through the referral of future DAs to the PTA for consideration.
5. PTA's environmental team would like to review any noise and vibration assessments for future structure plans, DAs or subdivisions in this area.
6. Noise sensitive proposals will need to be supported by an acoustic assessment prepared by a suitably qualified professional and in accordance with State Planning Policy 5.4 – *Road and Rail Noise*.
7. Vibration should also be addressed in future developments given the distance the developments would be from the rail corridor the actual and perceived vibration levels in sensitive land uses.

The PTA looks forward to working with the DPLH to ensure transport project and the surrounding area is developed cohesively achieving a positive community outcome.

Should the Town have any queries in respect to the above comments, in the first instance please email [WAPCreferrals@pta.wa.gov.au](mailto:WAPCreferrals@pta.wa.gov.au).

Kind regards,

**Rashidah MacLeod**

**Transport and Land Use Planner | Infrastructure Planning and Land Services**

Public Transport Authority of Western Australia  
Public Transport Centre, West Parade, Perth, 6000  
PO Box 8125, Perth Business Centre, WA, 6849  
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13 April 2022

Western Australian Planning Commission  
Locked Bag 2506 Perth WA  
**Perth WA 6000**

Sent via email:

Dear Ms Sam Fagan,

### **Proposed Metropolitan Region Scheme Amendment North Fremantle Development Precinct Request for Preliminary Comment**

Thank you providing the PTA the opportunity to review and provide preliminary comments on the Proposed Metropolitan Region Scheme Amendment for the North Fremantle Development Precinct.

The PTA has reviewed the Proposed Scheme Metropolitan Region Scheme Amendment prepared by Urbis and Taylor Burrell Barnett and have the following comments:

- **3.2.6. Metronet, Figure 9 – North Fremantle Station Catchment, Page 25 –**  
It is noted that some parts of the proposed area are outside the recommended walking distance from the nearest available public transport. One a potential way this could be somewhat addressed is through the provision of a pedestrian link from the proposed urban area over (or under) the Fremantle railway line connected up to Jackson Street (**sketch shown below**). This would significantly reduce the walking distance to the North Fremantle Town Centre/Strip and existing bus stops on Queen Victoria Street for Route 998/999 bus services. The pedestrian environment on Tydeman Road, which would be the alternative route, is longer and not of high amenity.





Longer term, there may be a requirement to provide a bus service along Bracks Street or Port Beach Road as part of a 'coastal bus service'. The designs of these streets should not preclude the operation of such a bus service. However, it is important to note that this service is an extremely low priority and requires significant population growth along the coastal area together with additional funding from the State Government prior to implementation.

Transperth has no plans to alter the current bus network to alternatively service the newly zoned urban area.

- 3.3.1 *Metropolitan Region Scheme, Figure 7 – Current MRS Zoning, Page 20* – The portion of land to the north-east of the MRS Amendment subject site is proposed to be developed as an extension to Curtin Avenue as it is zoned in the MRS as a road reserve. This site is currently used by the PTA for drainage, as a site laydown area for concrete sleepers and other railway materials, and access into the Fremantle line rail reserve. Suitable staging and laydown areas out of immediate proximity to urban land uses are becoming critical to PTA operations, especially with regards to out-of-hours noisy maintenance and if it is to become a road in the future, PTA will need to locate alternative drainage and laydown areas.
- 3.3.7 *SPP 5.4 – Road and Rail Noise, Page 32* - The passenger Fremantle railway line to the east of the subject site is not discussed with only references to the Fremantle Port Authority Land and freight railway network included.

The PTA notes that quiet house design packages will also need to be considered when designing noise mitigation (i.e., not limited to landscape elements, noise bunds or noise walls).

The PTA recommends notifications on titles at the appropriate stage of development: *'This lot is situated in the vicinity of a transport corridor and is currently affected, or may in the future be affected by transport noise or vibration. Additional planning and buildings requirements may apply to development on this land to achieve an acceptable level of noise reduction.'*

- *6 Concept Planning – Figure 16 Opportunities and Constraints, Page 42* – Any additional crossing of the passenger rail lines will be subject to the applicable PTA standards and guidelines adjacent over the railways and corridors.
- *7.2 Enabling Infrastructure, Page 53* – Clause 4, Our station access strategy for North Fremantle Station recommends that the access is realigned to improve connectivity to the west catchment area. PTA will discuss the improved pedestrian access during the local structure plan process.

Clause 8, PTA is unsure of how a route that requires a transfer at North Fremantle would operate and would be unlikely to support such connection. The PTA recommends further liaison to confirm aspirations about future bus operations to the development areas.

The PTA is eager to work collaboratively with the Western Australian Planning Commission to achieve positive transport related outcomes for the **Proposed MRS Amendment for the North Fremantle Development Precinct**, particularly regarding environmental and public transport outcomes. Please contact us for further discussion regarding the above as required.

Should you have any queries in relation to the above comments, please initially contact Connor Kiss, Transport and Land Use Planner, on 9326 5845 or [connor.kiss@pta.wa.gov.au](mailto:connor.kiss@pta.wa.gov.au).

Yours sincerely,



**Annabelle Fisher**  
**Rail Planning Manager**