



Additional documents

Ordinary Meeting of Council

Wednesday 24 May 2023 6pm



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

Proposed amendment by Cr Su Groome

Move the following amendment to the amended officers recommendation, as follows:

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 **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 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 runs contrary to the proper and orderly planning of the broader neighbourhood / precinct. **Can the buffer zone be amended, or, should urban** **Urban zoning within the** development **wait until the buffer** zone **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 of recreational 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 ***peninsula***.

Reason for amendment:

Coastal Planning

5.9(iii) of the State Coastal Policy (SPP2.6) requires decision makers "*ensure that the identification of land to be set aside for public ownership for management, public access, recreation, and conservation is undertaken during the planning process. Generally this land should be given up free of cost at the time of development, subdivision or strata subdivision, over and above the required provision of [local] public open space.*" Conventionally, the size and configuration of the coastal foreshore reserve to be set aside at the time of development should be determined at the first stage of planning, often when land is rezoned as part of an MRS Amendment.

Any proposal to rezone land in the amendment area would normally require the Amendment Report to include a comprehensive coastal planning assessment having regard to the Coastal Policy SPP2.6, including the principles and guidelines of Schedule One and the Coastal Planning Policy Guidelines, in response to the particular environmental circumstances and recreational access needs at the location. In this instance, the WAPC.

Land within an Urban Deferred zone is "*identified for future urban uses following the extension of urban services, the progressive development of adjacent areas, and resolution of any environmental and planning requirements relating to development. The WAPC must be satisfied that these issues have been addressed before rezoning to urban.*". In this instance, the "*confirmation of coastal*



foreshore reserve requirements" has been proposed as one of the matters to be resolved to the satisfaction of the WAPC prior to transfer as an Urban zone.

However, this MRS Amendment also includes the establishment of addition land to be set aside as Parks and Recreation (P&R) reserve, being the former railway reserve east of Port Beach Road that served the port prior to the redevelopment of the Leighton Marshalling Yards. In relation to this widening of the foreshore reserve, the Amendment Report states that "*The proposal aligns with the general intent of the [Leighton Oceanside] Masterplan and expands on the extent of the foreshore reserve adjacent to Port Beach and provides a foreshore reserve width similar to that adopted for Leighton Beach.*"

It is important to highlight that the Leighton Oceanside Masterplan was primarily focussed on the Leighton Beach Node and the redevelopment of the former Leighton Marshalling Yards and does not provide definitive strategic planning guidance for Port Beach and its surrounds which require separate but equally detailed assessment. In any case, the scientific based assessment used to determine the Leighton reserve was carried out two decades ago and falls well short of satisfying the guidelines and access needs applicable now.

In referencing that the newly expanded foreshore reserve will be similar to that adopted for Leighton, the Amendment Report fails to provide due recognition to the additional matters and considerations that, when properly assessed, will require the foreshore reserve in this Amendment Area to be significantly larger and wider than the reserve at Leighton.

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. In simple terms the matters that will inevitably demonstrate the need for a larger/wider foreshore reserve at Port Beach over and above that provided at Leighton include:

- The increased coefficient for sea level rise to be applied under SPP2.6 requires an increased setback of at least 42 metres over and above that provided at Leighton;
- The inadequacy of the Leighton node to safely accommodate existing summertime access needs demonstrates the original assessment was inadequate. The additional foreshore land required to sustain the Leighton node must now be provided at the northern end of this Amendment area;
- The assessed land area required to sustain a regional beach node at Port Beach will clearly need to be a larger area than that provided at Leighton;
- Existing and increasing demands for regional beach access require that Port Beach be retained as a primary public recreation node. The Future of Fremantle study will inevitably identify significant new demand that can only be accommodated if the Port node is considerably larger than the Leighton node.



- The considerable erosion between Rous Head and the existing Port node requires a new and expanded node be centred further north and moved inland as part of planned 'retreat'. The requirement to retain and expand this node will require detailed assessment of how best to configure the reserve. This will have a localised impact in the southern half of the amendment area as the recreational area may need to run more east-west pushing into any new Urban zone compared to the Leighton node which runs north-south along the coast.

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.

Regional Planning:

The reasons for amending parts 1.3 to 1.5, and part 4 seek to emphasise the need for to more comprehensively integrate the planning for the North Fremantle Peninsula and the lands being considered as part of the Future of Fremantle Study. The Fremantle Regional Strategy 1994 and subsequent transport studies have all failed to deliver a plan that demonstrates how the peninsula is to be developed in an integrated manner while correcting the unacceptable fragmentation of land, communities, environments and recreation assets. The Future of Fremantle study provides the opportunity to deliver clear direction but 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 amendments seek to highlight the need for a more holistic and integrated planning approach than would normally be delivered by individual broadacre MRS rezoning. 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 suitable Future of Fremantle.



FPOL2305-7 CAT BUS REVIEW

Proposed amendments by Mayor, Hannah Fitzhardinge

Add Part 5 to the recommendation along the lines of:

- 5. Convenes a CEO Working Group to advocate to the PTA for service redesign to address the need for improved regular service buses in the South Fremantle area following the cessation of the Blue CAT service. This Group would include community representatives.***

Reason for amendment:

That the community have demonstrated enthusiasm to research, promote and advocate for public transport in South Fremantle and this could assist the City in putting forward a compelling case to the PTA.



FPOL2305-7 CAT BUS REVIEW

Proposed amendments by Cr Rachel Pemberton

1. Having concluded a strategic review of the CAT service and its original intent, resolves to cease contributing financially to the service **under the current funding arrangement** from the end of the 2022/23 financial year, and informs the PTA accordingly.
2. Works with the PTA to seek to achieve:
 - (a) the CAT service continuing on the basis of it being **wholly primarily** funded by the WA government through the PTA **and/or other funding partners, or,**
 - (b) the PTA replacing the CAT service with normal Transperth fare paying buses servicing the areas of South Fremantle within the current Blue CAT catchment, commensurate with other residential precincts across the City of Fremantle.
3. **Supports Requests officers** to initiate an Expression Of Interest (EOI), as detailed in this report, to investigate commercial opportunities for a 'hop on, hop off' bus service that responds to visitor demand, connects visitors to key city centre destinations and events, and integrates this with destination marketing.

Reason for amendment:

To allow for further negotiations with the PTA, and other potential funding partners, about retaining a version of the CAT bus under a new funding model, and possibly a new service model.

The Council supports the provision of a bus service that enables visitors and residents to get around the central area quickly and easily without the use of a private vehicle and is willing to contribute towards the cost. However, continuing to pay 60% of the rising cost of providing the CAT is unsustainable for a city with a relatively small rate base.



FPOL2305-7 CAT BUS REVIEW

Proposed amendments by Cr Adin Lang

1. Having concluded a strategic review of the CAT service and its original intent, resolves to cease contributing financially to the service, ***maintaining the current service until the end of September 2023, from the end of the 2022/23 financial year,*** and informs the PTA ***accordingly. that replacement arrangements are required from that time forward, noting that the proposed 2023-24 annual budget will require an adjustment to accommodate \$84,000 for the additional 3 months service.***
2. ***The Mayor and CEO Works with*** approach the ***relevant State Ministers and Departments for Transport, Tourism PTA and the Local Fremantle State Member*** to seek ***a commitment from the WA Government*** to achieve:
 - a) The CAT service ***(Red and Blue at 10 min intervals), or a shuttle bus service covering the same areas,*** continuing on the basis of it being wholly funded by the WA government ***through the PTA, or,***
 - b) ***In the event the service defined in part (a) does not service South Fremantle,*** the PTA replacing the ***Blue*** CAT service ***in that area*** with normal Transperth fare paying buses ***servicing the areas of South Fremantle within the current Blue CAT catchment,*** commensurate with other residential precincts across the City of Fremantle ***and in recognition that South Beach is an important regional destination.***
 - c) ***Request PTA immediately re-allocate their 40% of CAT funding into an increased service for the 532 from July 1st 2023 until the services defined in (a) and (b) above have been delivered.***
3. ***Supports to The City*** initiate an Expression Of Interest (EOI), ***as detailed in this report,*** to investigate:
 - a) Commercial opportunities for a 'hop on, hop off' bus service that responds to visitor demand, connects visitors to key city centre destinations and events, and integrates this with destination marketing.
 - b) ***Commercial opportunities for e-scooter hire vendors to help provide an alternative mode of transport in place of the CAT Bus.***



4. As part of the future fine-grain movement around the city centre, the City develops strategic urban design plans that include improved walkability and micro-mobility, increased tree canopy, and well located and connected off-street car parking facilities.
5. ***Meet with Notre Dame to negotiate a financial contribution toward a future CAT as part of the new MOU currently being discussed.***

Reason for amendment:

To ensure residents and visitors in Fremantle are not left without a viable transport option.



FPOL2305-7 CAT BUS REVIEW

Alternative recommendation 1 by Cr Adin Lang

Keep the Cat

1. Allocate \$871,000 per annum in the 2023-24 annual budget for a contract with PTA to reinstate both the full Red and Blue CAT running at 10 minute intervals.
2. The Mayor and CEO seek high level discussions and joint meeting with the following agencies to negotiate shared contribution arrangements to sustain the CAT bus services into the future:
 - a) University of Notre Dame (As part of renewed MOU currently being discussed)
 - b) Fremantle Ports
 - c) Tourism WA
 - d) Local Fremantle State Member

Alternative recommendation 2 by Cr Adin Lang

Conduct a further survey

Defer decision on item for 12 months while returning the Red and Blue Cat at 10 minute intervals in order to:

1. Allocate \$871,000 per annum in the 2023-24 annual budget for a contract with PTA to reinstate both the full Red and Blue CAT running at 10 minute intervals.
2. Allow time for a 12 month survey to be conducted by and independent consultant that is more representative of post-COVID transport usage and high frequency bus schedule.
3. The Mayor and CEO seek high level discussions and joint meeting with the following agencies to present new survey data to discuss fair and sustainable funding to sustain the CAT bus services into the future:
 - e) University of Notre Dame (As part of renewed MOU currently being discussed)
 - f) Fremantle Ports
 - g) Tourism WA
 - h) Local Fremantle State Member
4. Allow time for an appropriate alternative transport option to be put in place should the CAT be removed.



5. Initiate an Expression Of Interest (EOI), to investigate:
 - (a) Commercial opportunities for a 'hop on, hop off' bus service that responds to visitor demand, connects visitors to key city centre destinations and events, and integrates this with destination marketing.
 - (b) Commercial opportunities for e-scooter hire vendors to help provide an alternative mode of transport in place of the CAT Bus.

Reason:

To ensure residents and visitors in Fremantle are not left without a viable transport option.