



Planning and Development Act 2005

Section 274(2)

APPROVAL OF FORM 17B SIGNIFICANT DETERMINATION

WAPC Ref: SDAU-061-23
Property Location: Lot 300 Riverside Road, East Fremantle; Lot 501, Lot 2010, 2114 Beach Street, Fremantle; Lot 394, Lot 395, Lot 406; Lot Queen Victoria Street, Fremantle; portion of Swan Street, Pod Lane, Queen Victoria Street, Canning Highway and Beach Str road reserves, Fremantle; and Lots 300-302 on Deposited P P49594
Application Details: Proposed Fremantle Traffic Bridge Replacement

In accordance with Section 274(2) of the *Planning and Development Act 2005*, the above application for development approval was **APPROVED** by the Western Australian Planning Commission at its meeting held on 2 May 2024, subject to the following conditions:

Conditions:

Approval Timeframe

1. This decision constitutes planning approval only and is valid for a period of 36 months from the date of approval. If the development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.

Conformity with Plans

2. The development is to be undertaken in accordance with the approved plans and documents, date stamped 16 November 2023 and 16 April 2024, attached to this approval subject to modifications required by any condition of this approval, final details of which are to be submitted at working drawings stage, to the satisfaction of the Western Australian Planning Commission, on advice from the City of Fremantle, Department of Biodiversity, Conservation and Attractions and the Government Architect Western Australia, and shall include the following:
 - a) the bronze lanterns from the existing bridge are to be conserved and incorporated on the proposed replacement bridge design reflecting their roles as entry statements; and
 - b) the proposed pedestrian access path along the eastern side of the proposed bridge (under the northern abutment) be extended to meet the eastern edge of the Primary Regional Road reservation.
3. A copy of the final working drawings and all associated plans, reports and information that addresses the conditions of approval are to be submitted to and approved by the Western Australian Planning Commission

Asset Ownership and Management

4. Within six (6) months of the new bridge becoming operational, an Asset Ownership and Management Plan is to be submitted to and approved by the Western Australian Planning Commission.
5. The approved Asset Ownership and Management Plan is to be implemented and adhered to at all times to the satisfaction of the Western Australian Planning Commission.

Foreshore Design, Scour Protection and Landscaping

6. Prior to the existing bridge closure, an updated and final Waterways Assessment Report with updated modelling being aligned with the Waterways Assessment Report prepared by MP Rogers and Associates (dated stamped 16 November 2023) and the Geotechnical Investigation Report to inform the bridge design, including scour and erosion protection, is to be submitted to and approved by the Western Australian Planning Commission on advice from the Department of Biodiversity, Conservation and Attractions.
7. Prior to the existing bridge closure, the applicant shall submit final plans and documents of proposed scour protection treatments to the satisfaction of the Western Australian Planning Commission on the advice of the Department of Biodiversity, Conservation and Attractions.
8. The approved scour protection treatments are to be implemented to the satisfaction of the Western Australian Planning Commission.
9. Prior to the existing bridge closure, the applicant shall submit detailed Landscape Plans and specifications aligned with the Architecture, Urban Design and Landscape Framework prepared by Ecoscape and Dr Anthony Duckworth, and the Heritage Interpretation Strategy prepared by Element Advisory (date stamped 16 November 2023) and the landscape concepts (date stamped 16 April 2024), incorporating the public realm and foreshore areas abutting the site, and these are to be submitted to and approved by the Western Australian Planning Commission, on advice from the City of Fremantle, Department of Biodiversity, Conservation and Attractions, and Government Architect Western Australia.
10. Within six (6) months of the proposed bridge becoming operational, all landscaping is to be completed in accordance with the final approved Landscape Plans and thereafter maintained by the relevant authority as outlined in the approved Asset Ownership and Management Plan, to the satisfaction of the Western Australian Planning Commission. Any species which fails to establish within the first two planting seasons following implementation is to be replaced to the satisfaction of the Western Australian Planning Commission.

Materials and Finishes

11. The development is to be constructed with high quality and durable external materials and finishes, consistent with the approved development plans and perspectives date stamped 16 November 2023 (other than as amended by conditions of approval) to the satisfaction of the Western Australian Planning Commission.

12. Prior to the existing bridge closure, the applicant is to submit final details of the materials, colours and finishes of the bridge and public realm areas to the satisfaction of the Western Australian Planning Commission.

Construction and Environmental Management

13. Prior to commencement of development, a Construction Environmental Management Plan, aligned with the Construction Management Plan prepared by the Fremantle Bridge Alliance (date stamped 16 November 2023) is to be submitted to and approved by the Western Australian Planning Commission, on advice from the City of Fremantle, Fremantle Port Authority, Department of Biodiversity, Conservation and Attractions, Department of Transport, Public Transport Authority, Main Roads Western Australia and Town of East Fremantle, addressing but not limited to the following:
 - a. A detailed work statement that describes the construction of the new bridge and demolition of the existing bridge;
 - b. A detailed site map showing laydown areas, access track, vehicle entry/exit points, parking areas, refuelling locations (if required), stockpiling and storage areas, temporary fencing and signage, gantries, measures proposed to manage turbidity plumes (riverbed disturbance) and erosion and sediment run-off (on land);
 - c. Key personnel contact details;
 - d. Management of machinery, equipment, vehicles, including refuelling procedure (if required) and spill response;
 - e. Site-specific management plans that address:
 - i. vessel management plan
 - ii. pest management and control
 - iii. aquatic noise
 - iv. flora and fauna protection
 - v. noise management
 - vi. dust and vibration management
 - vii. water quality
 - viii. acid sulphate soils
 - ix. waste
 - x. fill and/or topsoil being brought onto the site;
 - f. On-site storage and management of chemicals to prevent spills;
 - g. Erosion and sediment controls, including onsite storage and bunding of materials;
 - h. Sediment and turbidity management, including sediment contamination risk management. Demolition and construction methods that reduce the extent and duration of riverbed and sediment disturbance are preferred;
 - i. Water quality protection, including water quality monitoring;
 - j. Protection of vegetation, including identification of trees to be removed and trees to be retained (refer to Australian Standard AS 4970-2009: Protection of trees on development sites);
 - k. Waste management;

- l. Public access route and management;
 - m. Asbestos removal;
 - n. Complaints and environmental incident management;
 - o. Hours of operation, timeframes and responsibilities for tasks identified;
 - p. Proposed contingency actions should environmental controls be inadequate;
 - q. Any other matters considered relevant to the proposal not identified above;
 - r. All contractors and personnel involved in the works, activities, operations and/or development approved by the Department of Biodiversity, Conservation and Attractions are to be familiar with the conditions and requirements of this approval at all times; and
 - s. In case of damage or pollution events, including sediment plumes, contact the Department of Biodiversity, Conservation and Attractions on 9278 0981 (Riverpark Duty Officer) or the Department of Transport on 9480 9924 (Marine Pollution Response).
14. The approved Construction and Environmental Management Plan is to be implemented and adhered to at all times during demolition and construction, to the satisfaction of the Western Australian Planning Commission.
15. Within six (6) months of the proposed bridge becoming operational, all waste and temporary construction materials and structures shall be removed from the Parks and Recreation reserve and any other foreshore areas and the site cleaned and remediated to the satisfaction of the Western Australian Planning Commission on advice from the City of Fremantle and Department of Biodiversity, Conservation and Attractions.
16. Within six (6) months of the proposed bridge becoming operational, the applicant shall provide a Close-out Report to the satisfaction of the Western Australian Planning Commission on advice from the City of Fremantle and the Department of Biodiversity, Conservation and Attractions.

Construction Traffic Management Plan

17. Prior to commencement of development, a Construction Traffic Management Plan, aligned with the Traffic Staging Plan prepared by the Fremantle Bridge Alliance (date stamped 16 November 2024), is to be submitted to and approved by the Western Australian Planning Commission, on advice from the City of Fremantle, Fremantle Port Authority, Department of Biodiversity, Conservation and Attractions, Department of Transport, Public Transport Authority, Main Roads Western Australia, City of Melville and Town of East Fremantle, addressing but not limited to:
- a) road closures;
 - b) intersection upgrades;
 - c) traffic diversions/detours;
 - d) controlled intersection changes;
 - e) pedestrian and cyclist management;
 - f) other local area traffic management measures;
 - g) public transport route diversions and bus stop relocations;
 - h) strategies to redistribute regional through-traffic away from the project area;
 - i) consider and coordinate the impact of traffic management for other major

development works within the City of Fremantle and Town of East Fremantle during construction;

- j) Exploring options to lessen the impact of freight logistics on other road users, to/from the port, during the Bridge Closure;
 - k) Temporary road improvements to the Stirling Highway intersections and the Marmion Street and High Street connections to Fremantle;
 - l) Maintaining cycling and pedestrian connectivity through the upgrade of alternative routes and the use of temporary signage;
 - m) incorporate strategies that encourage the adoption of public transport and modal shift.
18. The approved Construction Traffic Management Plan is to be implemented and adhered to at all times during demolition and construction, to the satisfaction of the Western Australian Planning Commission.

Stormwater Management

19. Prior to the existing bridge closure, a final Stormwater Management Plan is to be submitted to and approved by the Western Australian Planning Commission, on advice from the City of Fremantle, Fremantle Port Authority and Department of Biodiversity, Conservation and Attractions.
20. The approved Stormwater Management Plan is to be implemented and adhered to at all times to the satisfaction of the Western Australian Planning Commission.

Lighting

21. Prior to the existing bridge closure, the applicant is to submit a Lighting Strategy detailing external illumination of the development in accordance with AS4282:1997, AS1158.3.1 for approval by the Western Australian Planning Commission, on advice from the City of Fremantle, Department of Biodiversity, Conservation and Attractions and Government Architect Western Australia.
22. Within six (6) months of the proposed bridge becoming operational, the applicant is to demonstrate the lighting has been installed in accordance with the approved strategy to the satisfaction of the Western Australian Planning Commission.
23. Within six (6) months of the proposed bridge becoming operational, the approved Lighting Strategy is to be implemented and thereafter adhered to at all times unless otherwise approved by the Western Australian Planning Commission, on advice from the City of Fremantle and Department of Biodiversity, Conservation and Attractions.

Public Art

24. Prior to the existing bridge closure, a Public Art Strategy aligned with the Architecture, Urban Design and Landscape Framework prepared by Ecoscape and Dr Anthony Duckworth and the Heritage Interpretation Strategy prepared by Element Advisory (date stamped 16 November 2023), is to be submitted to and approved by the Western Australian Planning Commission on advice from the City of Fremantle, Department of Biodiversity, Conservation and Attractions and Government Architect Western Australia.
25. Within six (6) months of the proposed bridge becoming operational the approved

Public Art Strategy is to be implemented and therefore adhered to at all times unless otherwise approved by the Western Australian Planning Commission, on advice from the City of Fremantle and Department of Biodiversity, Conservation and Attractions.

Signage and Wayfinding

26. Prior to the existing bridge closure, a Signage and Wayfinding Strategy aligned with the Architecture, Urban Design and Landscape Framework prepared by Ecoscape and Dr Anthony Duckworth and the Heritage Interpretation Strategy prepared by Element Advisory (date stamped 16 November 2023), is to be submitted to and approved by the Western Australian Planning Commission on advice from the City of Fremantle, Department of Biodiversity, Conservation and Attractions and Government Architect Western Australia.
27. Within six (6) months of the proposed bridge becoming operational, the approved Signage and Wayfinding Strategy is to be implemented and thereafter adhered to at all times unless otherwise approved by the Western Australian Planning Commission, on advice from the City of Fremantle and Department of Biodiversity, Conservation and Attractions.

Heritage

28. Prior to the existing bridge closure, a Heritage Interpretation Plan, aligned with the Architecture, Urban Design and Landscape Framework prepared by Ecoscape and Dr Anthony Duckworth and the Heritage Interpretation Strategy prepared by Element Advisory (date stamped 16 November 2023), is to be submitted to and approved by the Western Australian Planning Commission on advice from the City of Fremantle, Department of Biodiversity, Conservation and Attractions and Government Architect Western Australia and is to include, but not be limited to:
 - a) further information about the extent and future management of piers to be retained in the riverbed; and
 - b) details of proposed interpretation strategies to be implemented.
29. Within six (6) months of the proposed bridge becoming operational, the Heritage Interpretation Plan is to be implemented and thereafter maintained, to the satisfaction of the Western Australian Planning Commission.
30. Prior to the existing bridge closure, a standard archival record is to be prepared in accordance with the Heritage Council of WA's Guide to Preparing an Archival Record. A copy of the archival record is to be provided to the Department of Planning, Lands and Heritage and City of Fremantle for their records.

Sustainability

31. Prior to the existing bridge closure, a Sustainability Strategy detailing how the sustainability initiatives are to integrate into the bridge design and public realm works is to be submitted to and approved by the Western Australian Planning Commission.
32. Within six (6) months of the proposed bridge becoming operational, documentation from a suitably qualified professional is to be provided certifying that all applicable sustainability initiatives identified in the approved Sustainability Report have been implemented in the construction of that stage, to the satisfaction of the Western

Australian Planning Commission.

Advice Notes

- a) This is a development approval only. It is the responsibility of the landowner/applicant to ensure that the proposed development complies with all other applicable legislation, local laws and licence or permit requirements that may relate to the development.
- b) With regard to Condition 1, the term “substantially commenced” has the meaning given to it in the Planning and Development (Local Planning Schemes) Regulations 2015 as amended from time to time. The substantial commencement date is calculated from the date the applicant receives the determination notice.
- c) With regard to the final working drawings, these are to comply with all of the relevant conditions of development approval, and any variations from the approved plans are required to be clearly identified. Once the Commission is satisfied that the working drawings and information are consistent with the approved development plans and conditions of approval, the Commission will provide a clearance letter and copies of the working drawings to MRWA and other relevant authorities. Where works and/or building permits are proposed to be staged, the Commission may agree to staged clearances of working drawings and associated conditions of approval. In such cases, a ‘Conditions Staging Matrix’ will need to be completed and submitted for the Commission’s approval.

Interim documentation may be acceptable for the clearance of some conditions for the initial stages of the development, in accordance with an approved Conditions Staging Matrix. In an instance where interim documents or plans are accepted by the Commission, the documentation is required to identify the time or stage for the delivery of the final documents and/or plans.

- d) The applicant is advised to notify the Department of Biodiversity, Conservation and Attractions in writing not less than seven (7) days prior to the commencement of works. The notification of works and the submission of any documents can be emailed to metroryvercrossings@dbca.wa.gov.au.
- e) The applicant is advised that any proposed works that may impact existing City of Fremantle assets including roads, footpaths, trees or other infrastructure within adjacent reserves will be subject to separate applications.
- f) With regard to Condition 4, the Asset Ownership and Management Plan is to be prepared with agreement of Main Roads Western Australia and on advice from the City of Fremantle, Fremantle Port Authority, Swan River Trust, Department of Biodiversity, Conservation and Attractions and the Public Transport Authority, to clarify ownership, management roles and responsibilities regarding any of the relevant traffic bridge or associated infrastructure assets and includes but not limited to addressing:
 - i. on-going monitoring and maintenance actions required for the bridge and associated landscaping (including vegetation) and scour and erosion protection structures. This is to ensure they are maintained in good condition and functioning as intended, and should outline the required

tasks, responsibilities and contingency actions.; and

- ii. graffiti management including application of non-sacrificial anti-graffiti treatments.
- g) The applicant is advised that the Department of Biodiversity, Conservation and Attractions has issued a strategic permit (P12364) to Main Roads under the Swan and Canning Rivers Management Regulation 2007 for it to undertake repairs and maintenance to its bridge structures within the Swan and Canning Development Control Area. The Department of Biodiversity, Conservation and Attractions has advised that future repairs and maintenance required for the Fremantle Traffic Bridge may be able to be included in the strategic maintenance permit. With regard to Condition 9, the Landscaping Plans should include the following details:
 - i. Final design and section drawings showing further details of the pause points/nodes, interface between the bridge abutment and river and foreshore areas, and scour and erosion protection for the bridge abutments and piers.
 - ii. Materials, colours and finishes for the development should reflect the character and landscape setting of the Swan River and surrounding foreshore.
 - iii. Native plant species, densities, size and location of planting areas.
 - iv. The number and location of replacement trees to be planted in the foreshore reserves.
 - v. Benthic habitat creation on the existing (retained) bridge piers and other locations (if proposed).
 - vi. Any vegetation removed during construction will need to be replaced 3:1 within the project area. It is understood that the cultural and heritage interpretation nodes and trails will need to be refined, and there may be opportunity to include another node on the southern side of the bridge. These additions should be reflected in the final Landscape Management Plan.
 - vii. Details and specifications of the park furniture, public art, surface treatments, pathways, access, interpretation nodes and signage.
 - viii. Details on how design strategies have addressed the principles outlined in the Western Australian Planning Commission Safer Places by Design – Crime Prevention through Environmental Design Planning Guidelines.

It is recommended that revegetation of the river's edge, including adjacent to the proposed rock revetments and other hard structures, is undertaken to visually soften these hard structures and improve the interface with the river. Further opportunity to revegetate the southern foreshore (i.e. N Worrall/Beach Street Park) should be considered.
- h) With regard to Condition 13, the Construction and Environmental Management

Plans should address:

- i. The most appropriate means of sediment and turbidity management for the proposed works. All reasonable efforts shall be taken to control sediment run-off and turbidity plumes (in the river) but, where they occur, work must stop whilst the incident is addressed, and work should only recommence once the management device is restored. A water quality monitoring plan will need to be prepared and it is expected that the baseline data collected during the site investigations will be used to inform construction works and water quality trigger value.
 - ii. The City of Fremantle engineers have requested regular meetings on traffic management, construction management and engagement throughout the construction period.
 - iii. The Department of Biodiversity, Conservation and Attractions requires all fill and/or topsoil to be certified clean, uncontaminated and free from rubble, weeds and disease and geotechnically suitable for the proposed works.
 - iv. The proposed works are located within a high to moderate acid sulfate soil risk area. The Acid Sulfate Soils Guideline Series for guidance on the identification, assessment and management of acid sulfate soils in Western Australia is available from the Department of Water and Environmental Regulation website at www.dwer.wa.gov.au. If any acid sulfate soils are exposed during the works, the Contaminated Sites Branch of the Department of Water and Environmental Regulation should be contacted for further advice on 1300 762 982.
 - v. Dewatering operations will need to be managed in accordance with Policy 50 – Planning for Dewatering Affecting the Swan Canning Development Control Area (Policy 50). If discharge of dewatering effluent to the Swan River, either directly or indirectly (i.e. the stormwater network), is required for the construction works, pre- and post-treatment dewatering effluent samples will need to be provided to the Department of Biodiversity, Conservation and Attractions for review. It will need to be demonstrated that the dewatering effluent can meet the discharge criteria provided in Appendix 1 of Policy 50.
 - vi. Ten (10) square metres of bonded (non-friable) asbestos can be removed without a licence and in accordance with the Health (Asbestos) Regulations 1992 and the Environmental Protection (Controlled Waste) Regulations 2001. Amounts more than 10 square metres must be removed by a Class B asbestos removal licence holder. All asbestos removal is to be carried out in accordance with the Work Health and Safety Act 2020 and accompanying regulations and the requirements of the Code of Practice for the Safe Removal of Asbestos 2nd Edition [NOHSC: 2002 (2005)].
- i) With regard to Condition 16, the Close-Out Report should contain:
- i. before and after photos of the works;
 - ii. any comments in relation to compliance and non-compliance with conditions of the approval; and

- iii. as-constructed surveys and as-constructed drawings.
- j) The applicant is advised that no works are to occur to the foreshore, riverbank or waterway (including infrastructure, vegetation and navigation hazards) beyond the scope of the approved works. Should any inadvertent damage or impacts occur, the applicant is required to notify the Department of Biodiversity, Conservation and Attractions within 48 hours and make good any damage to the satisfaction of the Department of Biodiversity, Conservation and Attractions.
- k) The applicant is advised that anyone proposing to carry out construction or excavation works within 15 metres of Critical Asset Infrastructure must contact 'Before You Dig Australia' (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>. All works occurring within 15 metres of Critical Asset Infrastructure must undergo ATCO Engineering Assessment to determine whether 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.

All works occurring within 15 metres of Critical Asset Infrastructure must also 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>. 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>.