



Attn: Chief Executive Officer
Town of East Fremantle
135 Canning Highway
EAST FREMANTLE WA 6959
Via email to: admin@eastfremantle.wa.gov.au

Dear Andrew

**APPLICATION FOR DEVELOPMENT APPROVAL FOR CONTAMINATION
REMEDATION SITE WORKS – LOTS 14-19 (NOS. 7, 9, 15, 17, 19 & 27)
CANNING HIGHWAY, EAST FREMANTLE**

Please find enclosed an application for development approval for site works required for the remediation of contaminated soils on Lots 14-19 (Nos. 7, 9, 15, 17, 19 & 27) Canning Highway, East Fremantle (the 'subject site').

In accordance with the Town of East Fremantle's requirements, please find enclosed:

- A completed and signed Town of East Fremantle Application for Development Approval form;
- A completed and signed MRS Form 1;
- A current copy of the Certificates of Title for the subject site;
- A copy of the Remediation Action Plan;
- A site feature survey; and
- Supporting justification and attachments contained within this correspondence.

1.0 Site Details

The subject site comprises six (6) lots, legally defined as set out in Table 1 and shown in Figure 1 below.

Table 1 – Certificate of Title Details

Lot	Plan	Vol	Folio	Street Address	Area	Proprietor
14	3954	1502	195	No. 7 Canning Hwy, East Fremantle	736m ²	Commissioner of Main Roads
15	3954	1224	370	No. 9 Canning Hwy, East Fremantle	602m ²	Commissioner of Main Roads

16	3954	1692	584	No. 15 Canning Hwy, East Fremantle	662m ²	The Metropolitan Region Planning Authority
17	3954	1026	405	No. 17 Canning Hwy, East Fremantle	421m ²	Commissioner of Main Roads
18	3954	1739	285	No. 19 Canning Hwy, East Fremantle	480m ²	State Planning Commission
19	3954	1083	446	No. 27 Canning Hwy, East Fremantle	762m ²	Western Australian Planning Commission

Figure 1 – The subject site



2.0 Background

Housing Diversity Pipeline

The Department of Planning, Lands and Heritage (DPLH) is administering the Housing Diversity Pipeline (HDP) program, a key initiative supporting the delivery of the State Government's \$3.2 billion investment in social housing. HDP Round One released surplus government landholdings to market seeking to secure a development proponent on each site to deliver new diversified housing supply that incorporates a minimum 20 per cent social housing.

Following an initial registration of interest, an Expression of Interest was released in late 2022 inviting proposals across eight metropolitan sites and one south west regional site. In late 2023 shortlisted respondents across four sites were invited to submit detailed proposals. The State Government evaluated those proposals and is now in advanced stages of procurement on three sites, including the subject site.

Contamination Investigations

In early 2023, Aurora Environmental (Aurora) was commissioned to complete an Environmental Due Diligence Investigation (EDDI) to identify any contamination constraints which may impede redevelopment of the site for residential purposes.

The EDDI found that previous land uses on Lot 14 included a car hire, boat storage area and a swimming pool product storage area, each of which are potentially contaminating activities.

A Detailed Site Investigation was subsequently commissioned which established:

- Asbestos containing material (ACM) across the site attributed to demolition of former residential houses / structures and fence lines. ACM was identified within shallow fill material (maximum depth of 0.4m bgl), with fragments described as being in good condition, bonded and between 2cm² and 20cm²).
- Within fill material, metals (site-wide) and polycyclic aromatic hydrocarbons (PAHs) associated with the wrapping of an Underground Storage Tank (UST) that was unexpectedly encountered on Lot 14.

The UST has approximate dimensions of 2.1m (length) by 1.1m (diameter) and was encountered at approximately 0.4m bgl, with the tank pit appearing to have been excavated into the underlying limestone. A creosote coating was observed on the outer wall of the UST and was identified as the source of elevated PAHs in in-situ soils surrounding the tank, including benzo(a)pyrene concentrations which potentially pose a risk to human health for residential land use (to maximum investigated depth of 1.3m bgl).

Concentrations of metals (specifically, copper, lead, and zinc) which potentially pose a risk to human health for residential land use were detected within fill material across most of the site, with impacts generally encountered within the shallow soil profile (with a maximum depth of 1m bgl).

A Remedial Option Appraisal has been undertaken and it was determined that Option 1: Off-site treatment – resource recovery (prior to off-site disposal) and replacement with clean fill is the preferred method.

The site was reported to the Department of Water and Environment Regulation (DWER) as knowingly contaminated in January 2024 with a request to stop the clock on reclassifying the site on the basis that the Department is actively progressing work to remediate the site.

As recommended by DWER guidelines, DPLH has also engaged an environmental Auditor to review all work and documentation along the way and ultimately prepare a Voluntary Auditors Report for submission to DWER at the completion of remedial works to support the request for reclassification.

Consistent with DWER's Assessment and Management of Contaminated Sites, Contaminated Sites Guidelines, a Remediation Action Plan (RAP) has been prepared to guide work required to remediate the site.

The RAP has been endorsed by the Auditor and forms the basis of tender documentation to procure a contractor to undertake the site remediation works. The procurement of a remediation works contractor is being progressed in parallel with this application for development approval.

RPS Group have been engaged as the lead Environmental Consultant and Project Manager to facilitate the implementation of the RAP. It is anticipated that the works will commence in Q1/Q2 of 2025 and take approximately 10-14 working days to complete.

DPLH intends to complete site remediation works in Q2 of 2025 in order to progress reclassification through DWER with a target classification of 'Decontaminated' by mid-2025 to facilitate future development of the site.

3.0 Proposed Site Works

The inferred extent of soil impacts and proposed configuration of the remediation setup to undertake the works is shown as Attachment 1. The proposed configuration of the remediation setup will be confirmed following the appointment of a Remediation Contractor who will be responsible for preparing a Site Management Plan, Traffic Management Plan and Dust Management Plan in accordance with the Town's requirements.

The majority of contaminated soil is located between 0.1-0.5m below ground level, reaching depths of up to 0.7m on Lot 15, noting the Underground Storage Tank on Lot 14 will involve excavation of up to 1.2m to enable its removal. Broadly, the proposed remediation methodology involves the excavation and removal of contaminated soils and replacement with clean fill, as detailed in the attached Remediation Action Plan (Attachment 2).

The remediation works will be carried out under the supervision and direction of the Environmental Consultant who will monitor and validate the works in accordance with the requirements of the RAP.

4.0 Planning Framework

Town of East Fremantle Local Planning Scheme No. 3

The Town of East Fremantle Local Planning Scheme No. 3 (Scheme) sets out the provisions for development control and land use within the Town. Pursuant to the provisions of the Scheme, the subject site is zoned 'Residential'.

Part 4 of the Scheme outlines the relevant objectives of the 'Residential' zone. The proposed works are consistent with the requirements of the Scheme and the objectives of the Residential zone as the proposed works are required to be completed in order to permit residential development of the land.

As the site is a registered contaminated site, further residential development in accordance with the objectives of the Scheme cannot occur until the land is remediated and DWER have reclassified the site to permit residential development in accordance with the *Contaminated Sites Act 2003*.

Part 8.2 of the Scheme identifies examples of development where planning approval of the local government is not required, however, the Town has advised that development approval for the proposed remediation works is required

The proposed remediation works consist purely of soil replacement with no changes to the finished natural ground level proposed or other development works with the potential to create an adverse impact on the amenity of the surrounding area.

5.0 Site Management and Consultation

Prior to the commencement of site works DPLH will submit for the Town's review and endorsement relevant management plans required in accordance with the requirements of DWER's Assessment and Management of Contaminated Sites, Contaminated Sites Guidelines and the Department of Health's Guidelines for the Assessment, Remediation and Management of Asbestos – Contaminated Sites in Western Australia and the specifications of the adopted RAP, including:

- Site management plan (noise, vibration, etc);
- Dust management plan; and
- Traffic management plan.

DPLH has been engaging with the Town's environmental health department and will continue to do so to ensure that the Town's requirements for consultation and site management are adequately addressed.

In accordance with the RAP, DPLH will consult directly with all impacted landowners within the vicinity of the site to advise of the planned remedial works, provide essential information, and ensure adequate points of contact are established prior to the commencement of any site works.

The Environmental Consultant and Contaminated Sites auditor will be responsible for monitoring the completion of all site works in accordance with the relevant DWER and DoH regulations and guidance and in line with any licenses or permits that are required to be sought for the work under relevant legislation.

6.0 Summary

This application seeks approval to undertake site works necessary for the remediation of soil contamination. Remediation of the land must be completed in order for DWER to reclassify the site to permit residential development under the *Contaminated Sites Act 2003*.

Following reclassification the site can be redeveloped to deliver new diversified residential development as part of the State Government's Housing Diversity Pipeline to meet critical housing needs of the local community.

The proposed works are consistent with the requirements of Local Planning Scheme No.3 and will not have an adverse impact on the amenity of the locality.

The Department of Planning, Lands and Heritage requests that the Town consider this application and issue a determination at the earliest opportunity.

Should you have any queries or require clarification on the above matter, please do not hesitate to contact me on 6552 4457 or via email grady.obrien@dplh.wa.gov.au.

Yours sincerely,



Grady O'Brien
Senior Project Officer, Land and Housing Coordination
Department of Planning, Lands and Heritage

Encl.

- Attachment 1
- Attachment 2