

# Attachment 1C

YOUR REF: 2023-0293  
OUR REF: Swan Yacht Club  
ENQUIRIES: Planning 9339 9339



27 July 2023

Department of Biodiversity, Conservation and Attractions  
Parks and Wildlife Service  
Locked Bag 104 Bentley Delivery Centre  
Perth WA 6983  
[rivers.planning@dbca.wa.gov.au](mailto:rivers.planning@dbca.wa.gov.au)

Dear Sir/Madam,

**RE: External referral - 2023-0293 – Implementation of Stage 1 of Swan Yacht Club’s Master Plan - Riverside Road, East Fremantle - Swan Yacht Club**

I refer to your email dated 20 June 2023 requesting referral advice for the proposed implementation of Stage 1 of Swan Yacht Club’s Master Plan.

At its meeting of 18 July 2023 Council resolved the following;

*That Council advises the Department of Biodiversity, Conservation and Attractions that:*

*A. the proposed Swan Yacht Club Master Plan is supported in principle on the basis that:*

- (i) it is implemented as a guiding document for proposed future works;*
- (ii) following finalisation and adoption of the CHRMAP, that the DBCA be advised that, in providing advice regarding detailed plans for future stages with the Swan Yacht Club Master Plan area, that the Town will be guided by the final recommendations of the adopted CHRMAP; and*
- (iii) the DBCA and the Swan Yacht Club discuss with the Town of East Fremantle the proposal to remove a portion of land on the western edge of the Lease Area prior to any determination regarding removal of this land from the Lease Area; and*

*B. the proposed works (including demolition of the existing slipway and beautification of the area, Jetty 5 replacement, new maintenance facilities, boat ramp works, and negative forklift wharf) at the Swan Yacht Club at Reserve 27376, Reserve 27377 Riverside Road, East Fremantle in accordance with the plans and information submitted on 29 May 2023 are supported subject to the following advice and conditions:*

- (1) Based on the draft CHRMAP reporting to date, it is recommended that the DBCA consider imposing development conditions relating to finished floor levels for all construction that involves habitable room floor spaces when assessing applications within the Swan Yacht Club site in order to accommodate inundation risk.*
- (2) Works are to be constructed in conformity with the drawings and written information submitted on 29 May 2023, other than where varied in compliance with the conditions of any subsequent approvals.*
- (3) A management plan is to be prepared prior to the commencement of each works project to address pedestrian movement, traffic management, site management, materials, storage, and contractor*



*parking. This management plan is to be submitted with the Town prior to the commencement of each works project.*

*(4) The applicant is to provide written verification from a licensed plumber and the Water Corporation that the subject site is connected to sewerage infrastructure in accordance with Water Corporation requirements prior to submitting a Building Permit application for any of the proposed works projects.*

*(5) The applicant is to receive written approval from utility providers for the relocation and reconnection of any utilities that may be required as part of the works including electricity, gas, water, sewerage, telephone, and internet, and submit these approvals with subsequent building permit applications.*

*(6) All structures are to be kept clean and free of graffiti and vandalism, and any graffiti or vandalism is to be remedied within 24 hours to the satisfaction of the Town.*

*(7) No additional signage or advertising is approved. A separate application for additional signage or advertising is required to be submitted for consideration by the Town and the Department of Biodiversity, Conservation and Attractions.*

*(8) Changes are not to be made in respect of the plans which have received approval, without those changes being specifically marked for the attention of the Town and the Department of Biodiversity, Conservation and Attractions.*

*(9) Where this development requires that any facility or service within a street verge (street trees, footpath, crossover, light pole, drainage point or similar) is to be removed, modified, or relocated then such works must be approved by the Town and if approved, the total cost to be borne by the applicant. The Town must act reasonably and not refuse any reasonable proposal for the removal, modification or relocation of such facilities or services (including, without limitation any works associated with the proposal) which are required by another statutory or public authority.*

*(10) The verge, kerb, foreshore footpath and footpath immediately adjacent to the subject lot are to be repaired and remediated following completion of the works to the satisfaction of the Town.*

*(11) The subject works areas are to be securely fenced from the public for the duration of works.*

*(12) Signage warning of hazards in the subject area is to be installed for the duration of the works.*

*(13) No construction materials or equipment associated with the works are to be store where it might obstruct the pedestrian footpath or cause a safety hazard to those using the footpath.*

*(14) All waste products are to be disposed of offsite at licensed waste disposal facilities in accordance with a waste management plan.*

*(15) The pedestrian path is to be rerouted only for the period associated with the works and there shall be unhindered access for pedestrians along the foreshore area beyond the works site.*

*(16) The pedestrian path is to be reopened along the foreshore upon the completion of works.*

*(17) Works are to be undertaken from 7am to 5pm Monday to Saturday. No work is to be undertaken on Sundays or public holidays.*

*(18) All works are to be undertaken in accordance with the Environmental and Construction Management Plan submitted 29 May 2023 (subject to any amendments required by the Town and the Department of Biodiversity, Conservation and Attractions).*

*(19) The site is to be cleared of any equipment or materials upon the completion of works and car bays reinstated where applicable.*

*(20) The Swan Yacht Club formally notifies the Town in writing a minimum of 1 week prior to the commencement of each works project.*

*Advice Notes:*

*(a) The Swan Yacht Club site has been identified as a potentially contaminated site on the Town's Contaminated Sites Register. Should contamination be confirmed at the property in the future, remediation will be required in accordance with the Environmental Protection Act 1986.*

*(b) The Swan Yacht Club be advised that the Town requests further discussions with the Yacht Club and the DBCA regarding the proposal to remove a portion of land on the western edge of the Lease Area prior to any determination regarding the removal of this area from the Lease Area.*

*(c) This decision does not include acknowledgement or approval of any unauthorised development which may be on the site.*

*(d) The application for a Building Permit is to conform with the approved plans unless otherwise approved by the Town and the Department of Biodiversity Conservation and Attractions.*

*(e) It is recommended that the applicant provides a Structural Engineer's dilapidation report, at the applicant's expense, specifying which structures on adjoining sites may be adversely affected by the works and providing a record of the existing condition of the structures. Two copies of each dilapidation report should be lodged with Council and one copy should be given to the owner of any affected property.*

*(f) All noise levels produced by the construction of the development are to comply with the provisions of the Environmental Protection (Noise) Regulations 1997 (as amended).*

*(g) Matters relating to dividing fences are subject to the Dividing Fences Act 1961.*

*(h) A demolition permit will be required to be submitted to the Town prior to the demolition of any structures on-site and all asbestos is to be removed and disposed of in accordance with government regulations associated with the management and disposal of asbestos products pursuant to the Health (Asbestos) Regulations 1992 and as amended.*

The Council minutes are included as a separate attachment for your information. If you have any queries regarding this matter do not hesitate to contact the Town of East Fremantle on 9339 9339 or by email at [admin@eastfremantle.wa.gov.au](mailto:admin@eastfremantle.wa.gov.au) .

Yours sincerely



**Christine Catchpole for**

**ANDREW MALONE**

Acting Chief Executive Officer



TOWN of  
**EAST FREMANTLE**

YOUR REF: 2023-0293  
OUR REF: Swan Yacht Club  
ENQUIRIES: Planning 9339 9339

9 February 2024

Department of Biodiversity, Conservation and Attractions  
Parks and Wildlife Service  
Locked Bag 104 Bentley Delivery Centre  
Perth WA 6983  
[rivers.planning@dbca.wa.gov.au](mailto:rivers.planning@dbca.wa.gov.au)

Dear Sir/Madam,

**Re-referral - 2023-0293 – Implementation of Stage 1 of Swan Yacht Club Master Plan - Riverside Road, East Fremantle**

An email from DBCA, dated 20 December 2023, was received by the Town requesting referral advice for the additional information provided as part of the Part 5 application for the Implementation of Stage 1 of the Master Plan for Swan Yacht Club.

The additional information is seen to be consistent with the previously supported Master Plan and the Town has no issues with the information that has been provided.

The Town does not wish to make any further comments in relation to this matter.

If you have any queries regarding this matter do not hesitate to contact the Town of East Fremantle on 9339 9339 or by email at [admin@eastfremantle.wa.gov.au](mailto:admin@eastfremantle.wa.gov.au) .

Yours sincerely

**Andrew Malone**  
Executive Manager Regulatory Services



**From:** [Navigational Safety](#)  
**To:** [Rivers Planning](#); [Navigational Safety](#)  
**Cc:** [Karen Sanders](#)  
**Subject:** RE: Additional information provided - Re-referral - Part 5 - 2023-0293 - Implementation of Stage 1 of Swan Yacht Club's Master Plan  
**Date:** Monday, 8 January 2024 1:34:00 PM  
**Attachments:** [image002.png](#)  
[image003.png](#)  
[231122 Revised Plan BMT3049.001-01-01A.pdf](#)  
[231122 AustralianPorts&Marinas WaveAttenuator&PotentialforReflectedWaves Rev A.pdf](#)

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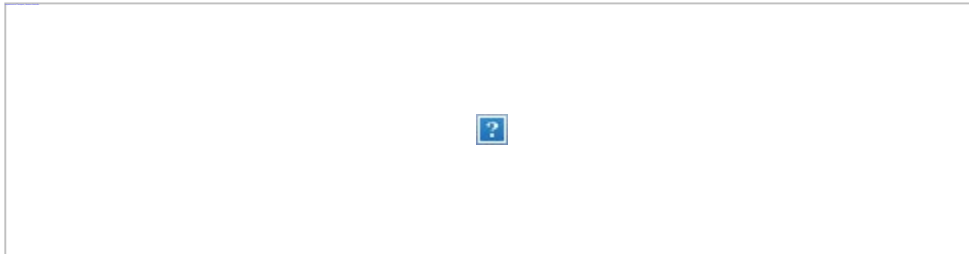
[External Email] This email was sent from outside the department – be cautious, particularly with links and attachments.

Good afternoon,

Please be advised that with the additional information provided, Navigational Safety have no further concerns relating to wake deflection adversely impacting of the safe navigation of vessels.

Regards,

**Kathryn Davies**  
**Team Leader Navigational Safety | Maritime | Department of Transport**  
5 Newman Court, Fremantle WA 6160  
Tel: (08) 0436 664 789 | Mob: 0436 664 789  
Email: [Kathryn.Davies@transport.wa.gov.au](mailto:Kathryn.Davies@transport.wa.gov.au) | Web: [www.transport.wa.gov.au](http://www.transport.wa.gov.au)



We acknowledge the Traditional Custodians of this land and pay respect to the Elders past and present.

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**From:** Rivers Planning <[rivers.planning@dbca.wa.gov.au](mailto:rivers.planning@dbca.wa.gov.au)>  
**Sent:** Monday, December 4, 2023 3:21 PM  
**To:** Navigational Safety <[Navigational.Safety@transport.wa.gov.au](mailto:Navigational.Safety@transport.wa.gov.au)>  
**Cc:** Davies, Kathryn <[Kathryn.Davies@transport.wa.gov.au](mailto:Kathryn.Davies@transport.wa.gov.au)>; Karen Sanders <[karen.sanders@dbca.wa.gov.au](mailto:karen.sanders@dbca.wa.gov.au)>  
**Subject:** Additional information provided - Re-referral - Part 5 - 2023-0293 - Implementation of Stage 1 of Swan Yacht Club's Master Plan

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Good afternoon,

Thank you for your comments on the Part 5 application for Stage 1 of Swan Yacht Club's Master Plan – 2023-0293.

The Club has provided additional information in regards the design and functioning of the wave attenuator, in response to your first point below. Would you be able to advise if this information is sufficient to determine that the backwash will not impact on safe navigation?

I believe the rest of your comments can be addressed through the assessment and conditions of approval.

Please let me know if you need further information on the proposal at this point.

I look forward to your response to the additional information regarding the wave attenuator. If you could respond by the 18 December 2023, or at your earliest convenience, that would be very helpful, thank you.

Kind regards

### **Statutory Assessments**

Rivers and Estuaries Branch

Department of Biodiversity, Conservation and Attractions

17 Dick Perry Avenue, Kensington WA 6151

Locked Bag 104, Bentley Delivery Centre WA 6983

Email: [rivers.planning@dbca.wa.gov.au](mailto:rivers.planning@dbca.wa.gov.au) Web: [www.dbca.wa.gov.au](http://www.dbca.wa.gov.au)

***We acknowledge the Whadjuk people as the Traditional Owners of this land***



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**From:** [Navigational Safety](#)  
**To:** [Karen Sanders](#)  
**Cc:** [Briant, Mark](#); [Navigational Safety](#); [Rivers Planning](#)  
**Subject:** RE: Referral for Comment - Part 5 - 2023/0293 - Implementation of Stage 1 of Swan Yacht Club's Master Plan - Riverside Road, East Fremantle  
**Date:** Thursday, 29 June 2023 9:36:22 AM  
**Attachments:** [image002.png](#)  
[image003.png](#)

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[External Email] This email was sent from outside the department – be cautious, particularly with links and attachments.

Good morning Karen,

In reviewing this proposal, I can't find a spatial reference to the proposed location of Jetty 5 and therefore am unable to assess this from a navigational safety perspective.

Could you please ask the applicant to provide georeferenced drawings of the extremity of jetty 5 so that we may upload it into our GIS database. This will assist in a thorough assessment of the proposed jetty in considering the possible impacts to navigation.

Regards,

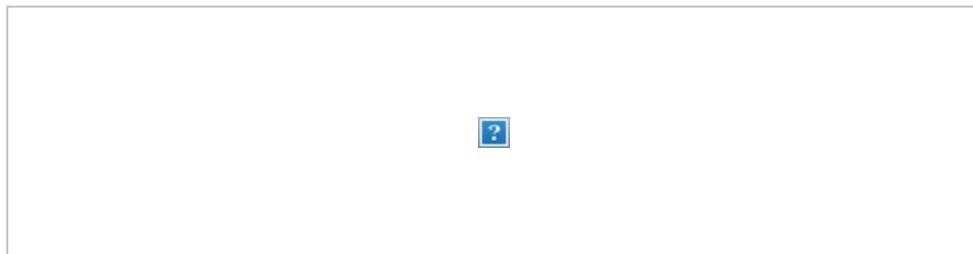
**Kathryn Davies**

**Team Leader Navigational Safety | Maritime | Department of Transport**

5 Newman Court, Fremantle WA 6160

Tel: (08) 0436 664 789 | Mob: 0436 664 789

Email: [Kathryn.Davies@transport.wa.gov.au](mailto:Kathryn.Davies@transport.wa.gov.au) | Web: [www.transport.wa.gov.au](http://www.transport.wa.gov.au)



We acknowledge the Traditional Custodians of this land and pay respect to the Elders past, present and future.

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**From:** Rivers Planning <[rivers.planning@dbca.wa.gov.au](mailto:rivers.planning@dbca.wa.gov.au)>  
**Sent:** Tuesday, 20 June 2023 4:35 PM  
**To:** Navigational Safety <[Navigational.Safety@transport.wa.gov.au](mailto:Navigational.Safety@transport.wa.gov.au)>  
**Cc:** Karen Sanders <[karen.sanders@dbca.wa.gov.au](mailto:karen.sanders@dbca.wa.gov.au)>  
**Subject:** Referral for Comment - Part 5 - 2023/0293 - Implementation of Stage 1 of Swan Yacht Club's Master Plan - Riverside Road, East Fremantle  
**Importance:** High

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Good afternoon

**PART 5 – IMPLEMENTATION OF STAGE 1 OF THE SWAN YACHT CLUB’S MASTER PLAN, INCLUDING DEMOLITION OF EXISTING SLIPWAY, LANDSCAPING, JETTY 5 REPLACEMENT, NEW MAINTENANCE FACILITIES, BOAT RAMP WORKS, NEGATIVE FORK WHARF AND INSTALLATION**

**OF DRY DOCKS –INCLUDES WORKS WITHIN LOT 300 ON DP47450, LOT 10015 ON PLAN 214976, LOT 10106 ON DP214976, LOT 8661 ON PLAN 21239, LOT 7771 ON PLAN 169877 - SWAN YACHT CLUB, RIVERSIDE ROAD AND RIVER RESERVE, EAST FREMANTLE**

The Department of Biodiversity, Conservation and Attractions (DBCA) has received an application for the above mentioned development. The application can also be downloaded from our website here <https://www.dbcwa.wa.gov.au/licences-and-permits/riverpark-development-and-planning/received-part-5-application/implementation-stage-1-master-plan-swan>. Your department is invited to provide comments and recommendations considered relevant to this proposal as part of the assessment process.

Please provide a response to this office within **42 days** of receipt of this email. Should you not be able to respond within this time, please notify the department as soon as possible, outlining the reasons for the delay and a date when a response may be available.

In preparing your response, please be aware that it may be made available for viewing by the public as part of the assessment report, unless otherwise requested.

Please forward your response via email to [rivers.planning@dbcwa.wa.gov.au](mailto:rivers.planning@dbcwa.wa.gov.au). Should there be any queries regarding this matter, please contact Karen Sanders, Environmental Officer, on 9278 0902. In all correspondence please quote the reference number 2023/0293.

Yours sincerely

**Statutory Assessments**

Rivers and Estuaries Branch

Department of Biodiversity, Conservation and Attractions

17 Dick Perry Avenue, Kensington WA 6151

Locked Bag 104, Bentley Delivery Centre WA 6983

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*We acknowledge the Whadjuk people as the Traditional Owners of this land*



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