

GOVERNMENT
WESTERN AUSTRALIA



SWAN RIVER TRUST

Freshwater Bay Management Plan

Report No 29
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TERMS OF REFERENCE

In 1988 the Government of Western Australia released the Swan River Management Strategy which was to become its policy for the Swan and Canning Rivers. The Strategy contained a number of recommendations suggesting that detailed management plans be prepared for particular sections of the foreshore, including Freshwater Bay.

The Swan River Trust has been systematically implementing these recommendations since 1989. In December 1992 the Claremont Heritage Trust Advisory Committee sought the Trust's assistance in the preparation of a management plan for the Town of Claremont foreshore, with particular reference to the heritage values of the area.

A draft plan was released for a three month public comment period in February 1994. Forty five submissions were received and the plan was amended to incorporate comments made in the submissions. A summary of the comments received and the amendments made to the plan is provided in Appendix 1 at the back of the plan.

The final plan has now been adopted by the Swan River Trust, Town of Claremont and the Claremont Heritage Trust Advisory Committee. These bodies, in consultation with local residents and the general community, will now cooperate to implement the recommendations made in the plan.

EXECUTIVE SUMMARY

Freshwater Bay is one of the most spectacular areas of the Swan River, with its open water, beaches, steep vegetated slopes and cliffs. The area has significant conservation, landscape and particularly heritage values, but is also subject to heavy pressure for residential, institutional and recreational use.

Public access around the foreshore is limited by the location of various developments, private property and steep terrain. The natural values are being degraded by the loss of natural vegetation, weed invasion, littering and erosion. In addition the heritage values are not well known to the community and as a result not well appreciated. Many State and local government organisations play a role in management of the foreshores of Freshwater Bay, primarily the Town of Claremont and the Swan River Trust. This plan represents a cooperative effort between these two organisations to protect the natural environment of the Freshwater Bay area, provide for appropriate levels of public access to foreshore areas and conserve, enhance and promote the heritage values of the area.

A Freshwater Bay Heritage Trail

The main focus of the plan is the construction of a heritage trail along the foreshore to be known as the Freshwater Bay Heritage Trail. Developed in conjunction with the Claremont Heritage Trust Advisory Committee, this proposal provides for the promotion of the heritage values of the area via a walk trail, interpretive signage and brochures.

The trail will be soft surfaced including marked grass areas, crushed limestone pathways and cut and fill timber steps where necessary. Initially the trail will be constructed between the Claremont Museum and Claremont Yacht Club with possible continuation around the bay to the Peppermint Grove Shire boundary. Further investigations into demand and environmental impact and further consultation with landowners will be required before this section can be implemented.

The trail will be located in such a way as to protect the natural environment, particularly to ensure natural vegetation is retained. Natural landforms will be used as barriers to entry to protect landowners' right of privacy and to reduce security problems where possible. Special consideration will be given to providing safe access through areas such as the slipyard of the Claremont Yacht Club.

Public access across private land

The plan recognises that some land along the foreshore is privately owned and explores the possibility of developing management agreements with landowners under Section 11 of the Swan River Trust Act to provide for public access and allow for the development of the heritage trail. Confusion has also arisen in regard to the location of the foreshore reserve No 24523 and therefore the location of property boundaries. The plan recommends that all landowners are made aware of title amendments as a result of a 1952 survey relocating the old title boundaries and steps are taken to delineate the boundary of public-private land.

The plan also identifies the variability and inappropriateness of the Parks and Recreation (P&R) Reservation under the Metropolitan Region Scheme within the Freshwater Bay area. A rationalisation of the P&R Reservation boundaries to address this problem is recommended.

Protecting natural and cultural values

The plan makes recommendations to protect the natural environment including instigating a vegetation rehabilitation program which will include eradication of noxious species and replanting of native vegetation. Identifying native fauna which inhabit the area to ensure its protection and improving litter removal procedures are also recommended. In addition an environmental interpretation program for the area including displays and literature and linking with school educational programs is suggested to increase the communities' understanding of the natural environment.

Cultural values are protected through the conservation and/or restoration of features of historical significance, establishing gardens of historical value and providing Aboriginal and European heritage interpretation of the area along the heritage trail.

Long term management

The plan addresses the long term management of Freshwater Bay and recognises the need for the involvement of the local community. The plan recommends that a working committee with landowner representation be established to coordinate foreshore management in cooperation with the Town of Claremont, the Swan River Trust and the Ministry for Planning.

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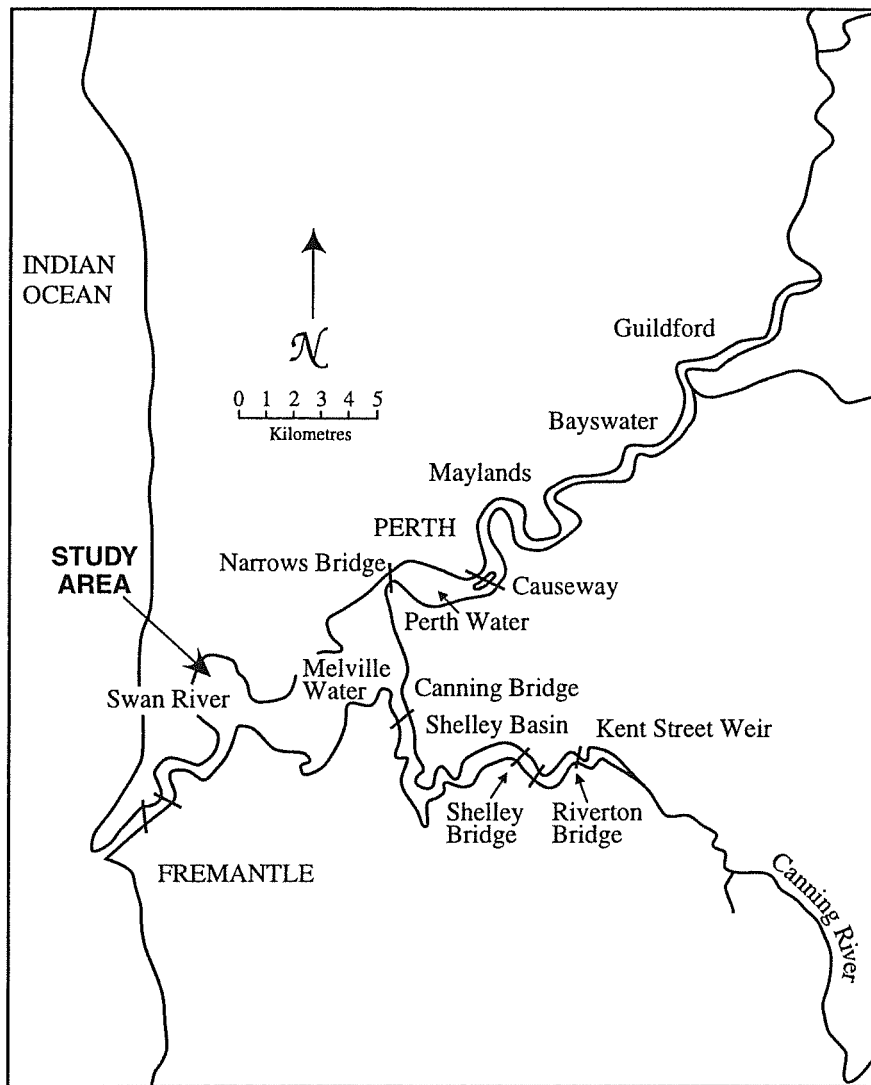
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1. INTRODUCTION

This management plan has been prepared by the Swan River Trust in response to a request from Claremont Town Council to the Chairman of the Swan River Trust in December 1992. The request to assist the Council in preparing a management plan came specifically from its Claremont Heritage Trust Advisory Committee. This request was in turn based on the Committee's proposal in September 1991 to construct a heritage trail along the Freshwater Bay foreshore, as the area contains features/sites of major significance to Claremont's post- and pre-European settlement. The Claremont Town Council received a small grant from the Western Australian Heritage Council in May 1992 to assist in the development of the trail.

The Swan River Trust and the Town of Claremont have been committed to ensuring that consultation with landowners and other parties has occurred during development of the management plan. Landowners in the subject area (see Map 1) were contacted by the Swan River Trust in early 1992 and advised that preparatory work would be undertaken for the proposed Freshwater Bay Heritage Trail. Since 1992 communications have included:

- A public meeting held in 1993 by the Claremont Heritage Trust Advisory Committee to discuss the proposed heritage trail.
- Media coverage informing residents of the proposed trail.
- Release of the draft plan for public comment and amendment of the plan to take account of concerns raised.

Technical problems relating to the Department of Land Administration's re-survey of the foreshore reserve (Reserve 24523 - see Section 6 below) delayed development of the proposed heritage trail in 1992. Furthermore, the Minister for Lands also advised in 1992 that a management plan should be prepared for the reserve before work was commenced on the proposed trail. This requirement was subsequently relayed to the Claremont Town Council, resulting in the Council's request for assistance from the Swan River Trust in the preparation of the plan.

Much of the subject area falls within the Swan River Trust Act management area and, as such, preparation of this management plan is in accordance with Part 3 of the Act. It is also in accordance with the Swan River Management Strategy recommendation that "management and development plans for river foreshore areas (be)...prepared in each municipality" (Government of Western Australia, 1988).

Preparation of this plan is also consistent with the Claremont Town Council's ongoing planning and management initiatives for its area of responsibility. For example, this management plan follows a previous report on the Claremont foreshore prepared for the Claremont Heritage Trust Advisory Committee by R. Bodycoat in 1989. It is also consistent with the preparation of the Lake Claremont Management Plan by the Lake Claremont Management Committee in 1992. The plan will be used by the Town of Claremont in conjunction with its Town Planning Scheme and associated policies. The Swan River Trust will use the plan in conjunction with the Management Strategy and policies.

2. AIMS AND OBJECTIVES

The aims of this management plan are:

- to develop a strategy and specific recommendations for the protection and enhancement of the environmental and conservation values of the study area;
 - to provide an agreed basis for the environmental management and appropriate development of the Town of Claremont foreshore, with the following specific objectives:
1. Protect and enhance the values of the public land contained within the study area.
 2. Provide for appropriate levels of public access to and within areas of public land/foreshore consistent with the capability of the resource and the external factors (eg, tenure) affecting given locations within the public land/foreshore.
 3. Protect the rights of private landowners adjacent to public land/foreshore.
 4. Identify the natural and cultural values of the study area and propose options for the location of a future heritage trail.
 5. Review the mechanisms currently in place which control the use/development of land affecting the foreshore within the study area and recommend appropriate application of those mechanisms to protect the environmental and cultural values of the study area.
 6. Identify the basis for a cooperative community approach to the long term management and enhancement of the values of the Claremont foreshore.

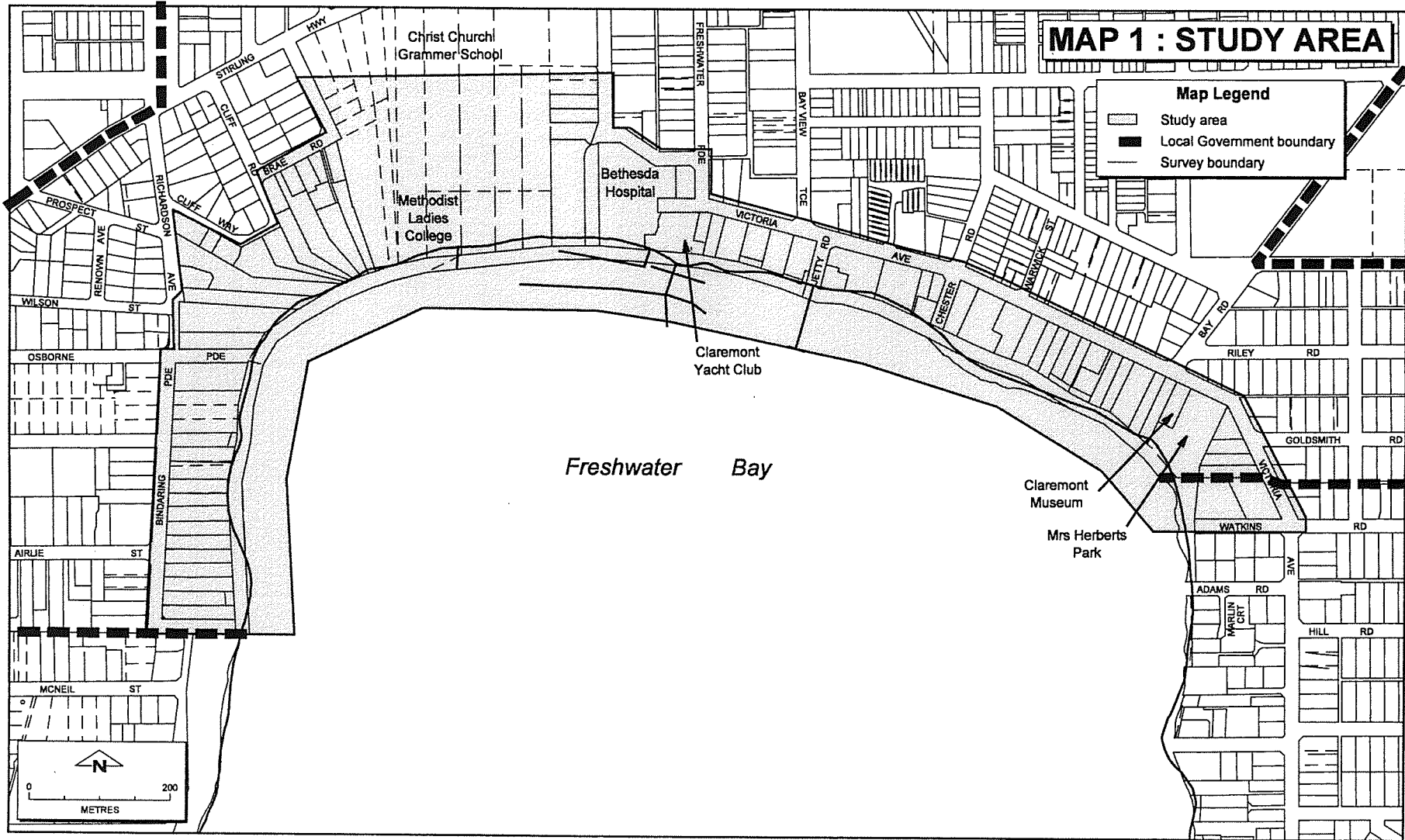
3. STUDY AREA

The study area (see Map 1) lies at the northern end of Freshwater Bay within the boundaries of the Town of Claremont, from Watkins Road on the eastern side of the bay (border with the City of Nedlands) to Bindaring Parade on the western side (Shire of Peppermint Grove). The length of the foreshore is approximately 1.7 kilometres. The inland boundaries of the study area are defined by Victoria Avenue, Queenslea Drive, Stirling Highway, Corry Lyn Road, Brae Road, Cliff Road/Way, Richardson Avenue and Bindaring Parade. (Although the focus of the plan is on the foreshore proper, the boundaries of affected properties and reserves are defined by these roads). The intent of the plan is to concentrate on State owned land in the study area. However many of the cliff faces and slopes are in private ownership and it is hoped that agreements can be negotiated to enable the conservation of natural values on private land. Such cooperative agreements can be established in accordance with Section 11 of the Swan River Trust Act and do not require the acquisition of private property.

The area contains seven Crown reserves (see Table 1 and Map 5) and 70 freehold lots with mixed residential and institutional uses. In the latter case, a considerable proportion of the study area consists of land owned by Christ Church Grammar School, Methodist Ladies College and Bethesda Hospital.

Table 1: Crown reserves in study area

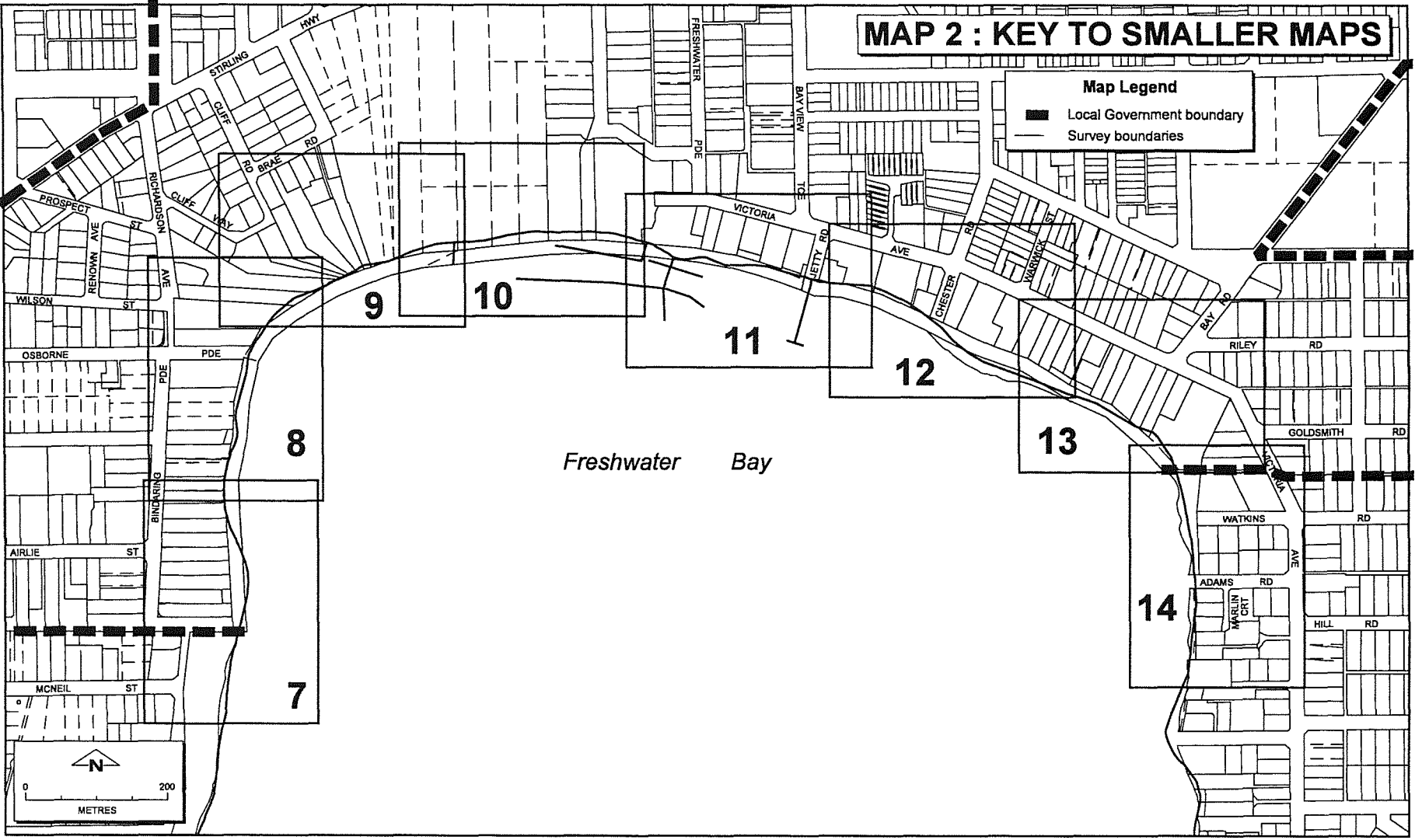
RESERVE (AREA)	DATE	PURPOSE (CLASS)	VESTED
24523 (3.5 ha.)	1956	Recreation (C)	Claremont T.C.
5659 (139 m ²)	1899	Museum Site & Cultural Centre (B)	Claremont T.C.
885 (7891 m ²)	1899	Picnic Ground (A)	Claremont T.C. (wpl 21 years)
2025 (2974 m ²)	1892	Recreation (A)	Claremont T.C.
35609 (301 m ²)	1978	Public Recreation (C)	Claremont T.C.
25344 (266 m ²)	1959	Recreation (C)	Claremont T.C.
39246 (159 m ²)	1985	Public Recreation (C)	Claremont T.C.



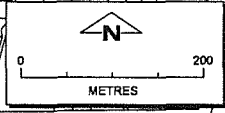
MAP 2 : KEY TO SMALLER MAPS

Map Legend

- Local Government boundary
- Survey boundaries



Freshwater Bay



4. NATURAL ENVIRONMENT

4.1 Geomorphology and soils

Topographically, the study area ranges from relatively gently sloping terrain in the eastern portion of the bay (where contours rise to 5-10 metres from high water mark [HWM]) to the steeper terrain west and south of the Claremont Yacht Club. In this cliffed, steep section the foreshore rises up to 45 m before levelling out. With one exception (Lot 98) the escarpment defines the edge of major residential and institutional structural development. However, between HWM and the 5-10 m contour lines immediately west of the Claremont Yacht Club, the slopes are quite moderate, before rising steeply to the cliff top. It is possible that the 'levelling out' was artificially created by quarrying in the mid-1800s. A work program for convict labour in the 1850s refers to quarrying of the Freshwater Bay cliffs to obtain material for road construction (S. Hasluck, Claremont Museum, pers.comm.).

With respect to geology, the study area falls within the Pleistocene Coastal Limestone Formation, which is "...predominantly a cemented dune sand (aeolianite) consisting of calcareous shell fragments and quartz grains cemented in calcium carbonate..." (Seddon, 1972). Overlying this formation are the Cottesloe and Karrakatta Soil Formations, shallow and deep yellow-brown sands respectively. The former occur (approximately) in the study area south of the Cliff Way/Richardson Avenue intersection and the latter to the east. Steep limestone cliffs dominate the landscape in the western sector of the study area, adjacent to Richardson Avenue/Bindaring Parade. Periodically sections of the cliff face collapse as a consequence of natural erosion processes. These processes have added debris to the rocky shoreline in this area, increasing the difficulty of (or adding interest to) traversing the public foreshore.

A notable feature of the foreshore in the study area, at least historically, was the existence of freshwater springs at the base of the cliffs. The 'Swan River Chart' prepared by the *HMS Beagle* in 1841 (Battye Ref. 766c) refers to "freshwater oozing through the sand" in this area (See Map 3). Photographs taken early this century show a number of wind pumps along the shoreline on the western side of the bay, presumably to exploit the freshwater resource. The springs are now less apparent, probably due to the intensive and extensive exploitation of groundwater resources over the past decades.

4.2 Vegetation

The foreshore vegetation in the eastern sector of the study area, from the Museum to the Claremont Yacht Club, consists almost entirely of introduced grasses as ground cover, except for occasional patches of rushes on the shoreline. Other than exotic palms which have been planted on the foreshore, landscape tree planting consists of Western Australian peppermints (*Agonis flexuosa*) on the Council reserves between the foreshore and Victoria Avenue.

The steep limestone and sandy slopes on the western side of Freshwater Bay are visually dominated by native vegetation. However, there is a high proportion of introduced species. Some species present are common garden plants, which have probably extended their distribution through disposal of cuttings over the cliff and/or have been planted by local landowners.

Generally the vegetation in this area has been significantly disturbed by development and cultivation activities. A review of historic photographs of the study area indicates a significant decline not only in the original, endemic vegetation but also in the gardens established by the early European landowners as part of their property development. These were, in a landscape sense, considered to be superior to the currently existing gardens and derelict, exotic dominated sections of foreshore.

4.2.1 Fringing vegetation

Occasional trees are present on the shoreline. There is a single dense stand dominated by saltwater sheoak (*Allocasuarina obesa*) and Rottneest cypress (*Callitris preissii*) with both of these species more frequently occurring as isolated individuals. Flooded gum (*Eucalyptus rudis*) and marri (*E. calophylla*) are present in varying densities along the foreshore. Occasional basket bush (*Spyridium globulosum*) and Western Australian peppermint (*Agonis flexuosa*) are present along the foreshore. There is a high proportion of introduced tree and shrub species including Japanese pepper (*Schinus terebinthifolius*), poplars (*Populus* sp.), plane trees (*Planatus ericifolia*) and castor oil trees (*Ricinus communis*).

The understory vegetation is restricted to a narrow fringe. Shore-rush (*Juncus kraussii*) occurs occasionally on the narrow sandy and rocky shoreline. The native thistle (*Chenopodium glaucum*) and creeping brookwood (*Samolus repens*) co-occur, usually in a

matrix of saltwater couch (*Paspalum distichum*) and buffalo grass (*Stenostaphrum secundatum*). Knotted club rush (*Isolepis nodosa*) occurs intermittently.

Among the more obvious components of the vegetation is bamboo (*Bambusa* sp.). Bamboo occurs in several dense homogeneous stands along the foreshore, with areas dominated by this species extending up to 100 m. False caper (*Euphorbia terracina*) is present in low numbers. Bridal creeper (*Myrsiphyllum asparagoides*) is widely distributed. Other prevalent weeds lining the foreshore include clovers (*Trifolium* sp.), common sow thistle (*Sonchus oleraceus*) with wild oats (*Avena barbata* and *A. fatua*) and cat's tails (*Rostraria cristata*) present above the high water mark. A variety of members of the Asteraceae (daisy family) are common close to HWM.

4.2.2 Sandy rise vegetation

The sandy rise landform supports a matrix of open-closed woodlands, dense scrub and open grasslands.

The dominant overstorey species in the woodlands include tuart, marri and flooded gum, and Rottneest cypress. There is considerable variation in the relative and total densities of these species. There are two areas planted with pines (*Pinus* sp.).

Common native shrub species include cockie's tongue (*Templetonia retusa*), parrot bush (*Dryandra sessilis*), basket bush (*Spyridium globulosum*), wattles, including red-eyed (*Acacia cyclops*), summer-scented (*A. rostellifera*) and golden-wreath wattle (*A. saligna*), and the wattle-related albizia (*Paraserianthes lophanta*). These species generally occur either in dense stands or as isolated individuals. The native shrub *Alyxia buxifolia* is prevalent throughout the sandy rises. Other native species present in low numbers are berry goat bush (*Rhagodia baccata*), blackboys (*Xanthorrhoea preissii*) and chenille honey myrtle (*Melaleuca huegleyi*).

Geraldton wax (*Chamelaucium uncinatum*), a species not endemic to the Perth region, is prolific in a restricted area. There is a large African boxthorn (*Lycium ferocissimum*) close to the Devil's Elbow.

Few native understorey species are present. The coastal sword sedge (*Lepidosperma gladiatum*) is prevalent in some areas, and patchy in others. A variety of grasses forms a matrix with the coastal sword sedge in some areas. The native creeper *Hovea* sp. occurs intermittently.

Kangaroo sedge (*Themeda triandra*) is also present although it has a restricted distribution. Zamia palms (*Macrozamia riedlei*) occur on slight gradients.

Common weed species within this vegetation type include clovers, Watsonia sp., perennial veldt grass (*Erharta calycina*), African lovegrass (*Eragrostis curvula*), haretail grass (*Lagurus ovatus*), and wild oats. Bridal creeper is prevalent. Broad leaf dock (*Rumex obtusifolius*) is scattered throughout.

The bulbous species known as African cornflag (*Chasmante aethiopica*) is prolific in the vicinity of Lot 10 and adjacent to the school. Nasturtiums (*Tropaeolum majus*) are present near the patches of bamboo. The succulent Agave sp. is widely distributed in the vicinity of the MLC boat shed, and it is rapidly extending west.

4.2.3 Limestone cliff vegetation

The limestone slopes support stands of Rottneest cypress, with occasional tuart present on deeper soils, with marri, flooded gum and saltwater sheoak more common closer to the river.

Higher areas of this limestone ridge support a dense heath of parrot bush, a variety of *Melaleuca* spp., cockie's tongues, *Alyxia buxifolia* and basket bush. The lower, protected areas of deep soil have more luxuriant growth of the same species. Occasional Acacia including red-eyed and summer-scented wattles are present.

Where the cliffs are close to the water, there are occasional castor oil trees and Japanese pepper. A small group of domestic fig trees (*Ficus* sp.) occurs on the rocky shoreline near the southern boundary of the study area.

The understorey is dominated by a matrix of introduced monocot species, with interspersed bulbous herbs and small shrubs. Buffalo grass, clovers, dandelions (*Taraxacum officinale*), common sow thistle and some kikuyu occur along these slopes and cliffs. Areas with dense shrub cover support few, if any, understorey species.

Nasturtiums become increasingly prevalent towards the top of the steep slopes.

4.2.4 Common weeds

A number of grass species, creepers, shrub and tree species occur consistently throughout the study area, whilst others grow in restricted areas.

4.3 Fauna

A wide diversity of animal life is found in the Swan-Canning estuarine system. The estuary supports numerous aquatic vertebrates, invertebrates, insects and birds. Many of the animals are permanent inhabitants while others are migrants which utilise the estuary as a nursery or nesting site, drawn by the abundant food available in the estuary.

Although there have been no fauna surveys specific to the Freshwater Bay area there have been general surveys of lower estuary aquatic fauna, a good summary of which has been given by Thurlow et al (1986). A study of the Swan River foreshore from Rocky Bay to Point Roe (SRT, 1994) gives an indication of the terrestrial fauna we would expect to find in lower estuarine foreshore areas.

4.3.1 Aquatic fauna

There is a wide range of aquatic invertebrates in the lower reaches of the Swan-Canning estuarine system including crustaceans, molluscs, annelids, coelenterates, echinoderms, foraminiferans, platyhelminths and byozoans. Habitat selection is influenced by sediment particle size, water depth and oxygen conditions of the sediment. Most species prefer sandy, shallow, well aerated conditions as found in foreshore areas. Few species inhabit the fine, oxygen-depleted mud of the deeper water (Thurlow et al, 1986).

Species which are fished in the estuary include large decapods such as the western king prawn (*Penaeus latisulcatus*), the greasyback, school or common river prawn (*Matapeneas dalli*) and the blue manna crab (*Portunus pelagicus*). The western king prawn and blue manna crab are basically marine but use the estuary as a nursery habitat for juveniles; they are more commonly found in the estuary during the summer (Thurlow et al, 1986).

There is an abundance of fish species found in the Swan-Canning estuarine system. The lower estuary is dominated by teleost fish and a few elasmobranches (sharks and rays). Fish may live and breed entirely within the estuary, use the estuary as a nursery or simply enter the estuary to feed. Some of the more abundant fish utilised for recreational fishing include cobbler (*Cnidoglanis macrocephalus*), yellow tailed perch (*Amniataba caudavittatus*) and tailor (*Pomatomus saltatrix*).

4.3.2 Terrestrial fauna

The only native mammal which seems to have been able to adapt to urban living is the brushtailed possum (*Trichosurus vulpeca*) and it is a likely inhabitant of the area. There have been reports of the water rat (*Hydromys chrysogaster*) and an unidentified native bat in the lower estuary but neither have been positively identified (SRT, 1994).

Many introduced species of terrestrial fauna are present including turtle doves, foxes, mice, rabbits, non-endemic kookaburras and garden snails. Although introduced predators such as cats and kookaburras have reduced reptile numbers the area is probably inhabited by species such as the bobtail lizard (*Tiliqua rugosa*), Bynoe's gecko (*Heteronotia binoei*), dugite (*Pseudonaja affinis*), king skink (*Egernia kingii*) and striped skink (*Ctenotus fallens*).

Many aquatic birds have been identified in the lower estuary. The shallow tidal flats provide abundant food for wading birds while the deeper areas of the tidal flats are used by ducks and swans. Waders tend to be very shy and prefer feeding in nearshore areas and among reed beds which provide abundant insect life (Thurlow et al, 1986). Due to the lack of suitable habitat in the study area waders are not common.

A brief survey of birds in the study area identified the following species (Free, 1997). This list is by no means exhaustive as more species would be expected in an extended survey.

Australian Shelduck	<i>Tadorna tadornoides</i>
Mallard	<i>Anas platyrhynchos</i>
Pacific Black Duck	<i>Anas superciliosa</i>
Darter	<i>Anhinga melanogaster</i>
Little Pied Cormorant	<i>Phalacrocorax melanoleucos</i>
Little Black Cormorant	<i>Phalacrocorax sulcirostris</i>
Great Cormorant	<i>Phalacrocorax carbo</i>
Australian Pelican	<i>Pelecanus conspicillatus</i>
White-faced Heron	<i>Egretta novaehollandiae</i>
Great Egret	<i>Ardea alba</i>
Nankeen Night Heron	<i>Nycticorax caledonicus</i>
Osprey	<i>Pandion haliaetus</i>
Common Sandpiper	<i>Actitis hypoleucos</i>
Black Winged Stilt	<i>Himantopus himantopus</i>
Silver Gull	<i>Larus novaehollandiae</i>
Caspian Turn	<i>Sterna caspia</i>
Created Turn	<i>Sterna bergii</i>
Laughing Turtle Dove	<i>Streptopelia senegalensis</i>

Spotted Turtle Dove	<i>Streptopelia chinensis</i>	Brown Honeyeater	<i>Lichmera indistincta</i>
Galah	<i>Eolophus roseicapilla</i>	Magie-lark	<i>Grallina cyanoleuca</i>
Rainbow Lorikeet	<i>Trichoglossus haematodus</i>	Willie Wagtail	<i>Rhipidura leucophrys</i>
Australian Ringneck	<i>Barnardius zonarius</i>	Australian Magpie	<i>Gymnorhina tibicen</i>
Laughing Kookaburra	<i>Dacelo novaeguineae</i>	Australian Raven	<i>Corvus coronoides</i>
Sacred Kingfisher	<i>Todiramphus sanctus</i>	Welcome Swallow	<i>Hirundo neoxena</i>
Red Wattlebird	<i>Anthochaera carunculata</i>	Tree Martin	<i>Hirundo nigricans</i>
Singing Honeyeater	<i>Lichenostomus virescens</i>	Silvereye	<i>Zosterops Lateralis</i>

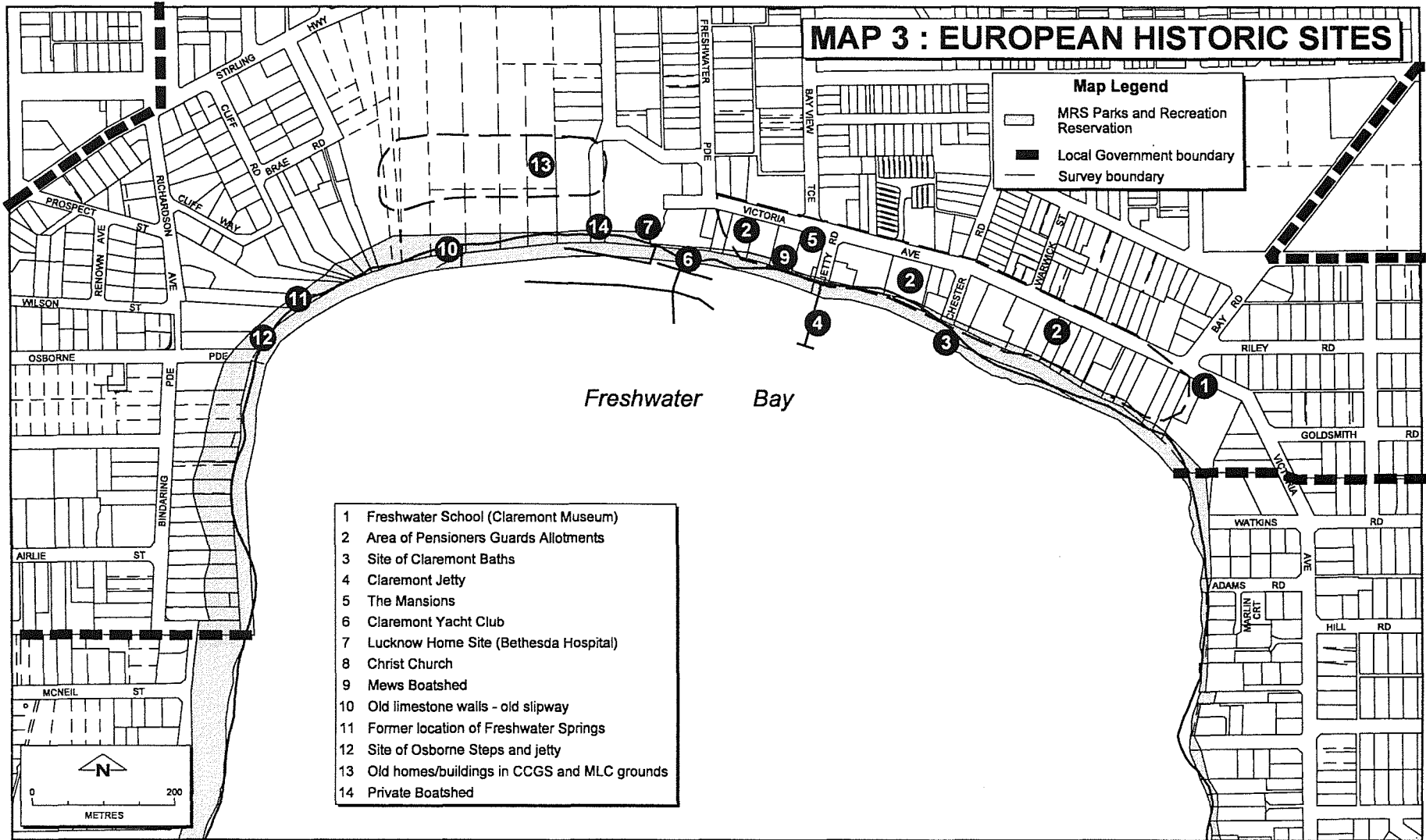
5. HISTORY AND HERITAGE

Prior to, and during the early years of, European occupation of Western Australia, the Freshwater Bay area was inhabited by Aboriginal people. Unfortunately, very little remains of their presence and even place names have been replaced by European nomenclature. Only *Karrakatta*, the name for the sand bar in Freshwater Bay, has been adopted for use, although not for its original location. Other site names which have been recorded include: *Curveergaroup*, the cliffed area surrounding the northwestern corner of the bay; and *Minderup*, the bay itself (S. Hasluck, pers. comm.). The vicinity of the old Osborne Steps was known as *Karbomunup*, referred to by Daisy Bates as a site for corroborees (artefacts have been found there), and the rocky shore a place of legends (Friends of the Claremont Museum, 1988). The extent of the historic Aboriginal presence is indicated in the recollections of Jess Hammond in 1934 (Battye Ref. 002 8003/7-23) when he refers to 10 Aboriginal people for every European in the 1860s. Before development of the proposed heritage trail is finalised, research should be undertaken to obtain as much relevant information as possible on the Aboriginal occupation and use of the study area, which in turn can be incorporated into interpretative material and sites for the trail.

Considerable information is available on the European historic values and sites of the study area, much of it due to the efforts of the Claremont Museum and its supporters. It is not intended to reproduce this information here, although major sites and features are indicated on Table 2 and Map 3. It is important to recognise that the foreshore and adjacent areas have high historic conservation value in terms of the development of Claremont (Perth's first suburb) in the 1860s and Perth itself. Many of these values (either physical structures or sites) are accessible or visible from the foreshore, justifying the proposal to establish a heritage trail and highlighting the value of the public reserves - in particular Reserve 24523. Furthermore, in many respects the foreshore appears to have been better managed and developed in 'historic' times (up until the early decades of this century). Although it is not desirable, let alone economically feasible, to recreate the number of jetties and other structures which once dominated the bay, other features, such as the European gardens associated with historic homes/sites, native vegetation and the Osborne Steps should be considered for restoration as part of ongoing foreshore management and development of the proposed heritage trail.

Table 2: European historic sites/features

	SITE	ORIGINAL PURPOSE
1.	Claremont Museum	Freshwater Bay School 1862
2.	Residential Lots, Victoria Avenue	Site of homes of 'pensioner guards' 1850s
3.	End of Chester Road	Site of Claremont Baths
4.	Claremont Jetty	Claremont Jetty 1898
5.	Bayview Mansions, Victoria Avenue	"The Mansions" 1898
6.	Claremont Yacht Club	Claremont Yacht Club 1905
7.	Bethesda Hospital	'Lucknow' - home of Colonial Secretary 1883
8.	Christ Church	Christ Church 1893
9.	Mews Boatshed, foreshore near CYC	Mews Boatshed
10.	MLC foreshore, limestone walls	Old slipway c. 1900-30s
11.	Richardson Avenue	Freshwater springs
12.	Osborne Parade	Steps, jetty, changing rooms c. 1898-1930s
13.	Christ Church Grammer School and MLC	Old homes/buildings c. 1908-20s
14.	Private Boatshed	Boatshed



6. RESOURCE USE

6.1 History of Reserve 24523

Perth is fortunate in having extensive areas of the Swan-Canning Rivers foreshore in public ownership/reservation. However, in many locations the proximity of freehold title prevents or makes public access difficult and the foreshore continues to be a desirable commodity for competing recreation demands, and for residential and commercial development. Although a Parks and Recreation Reservation under the Metropolitan Region Scheme is in place throughout the metropolitan region, its presence does not guarantee access for the public where the reserved land is still in private ownership. This is not the situation in the present study area.

Fundamental to any management planning of the Freshwater Bay study area is an understanding of the importance and history of Reserve 24523 (Recreation) - the 'foreshore' reserve. Although the other reserves in the study area (see Map 5 and Table 1) play a very important role in providing for public access and recreation at specific locations, it is Reserve 24523 which can potentially provide for lateral access along almost the entire length of the Claremont foreshore. However, despite the opportunities provided by the existence of the reserve, its surveyed location along the HWM presents some difficulties in planning for the long term use and management of the foreshore.

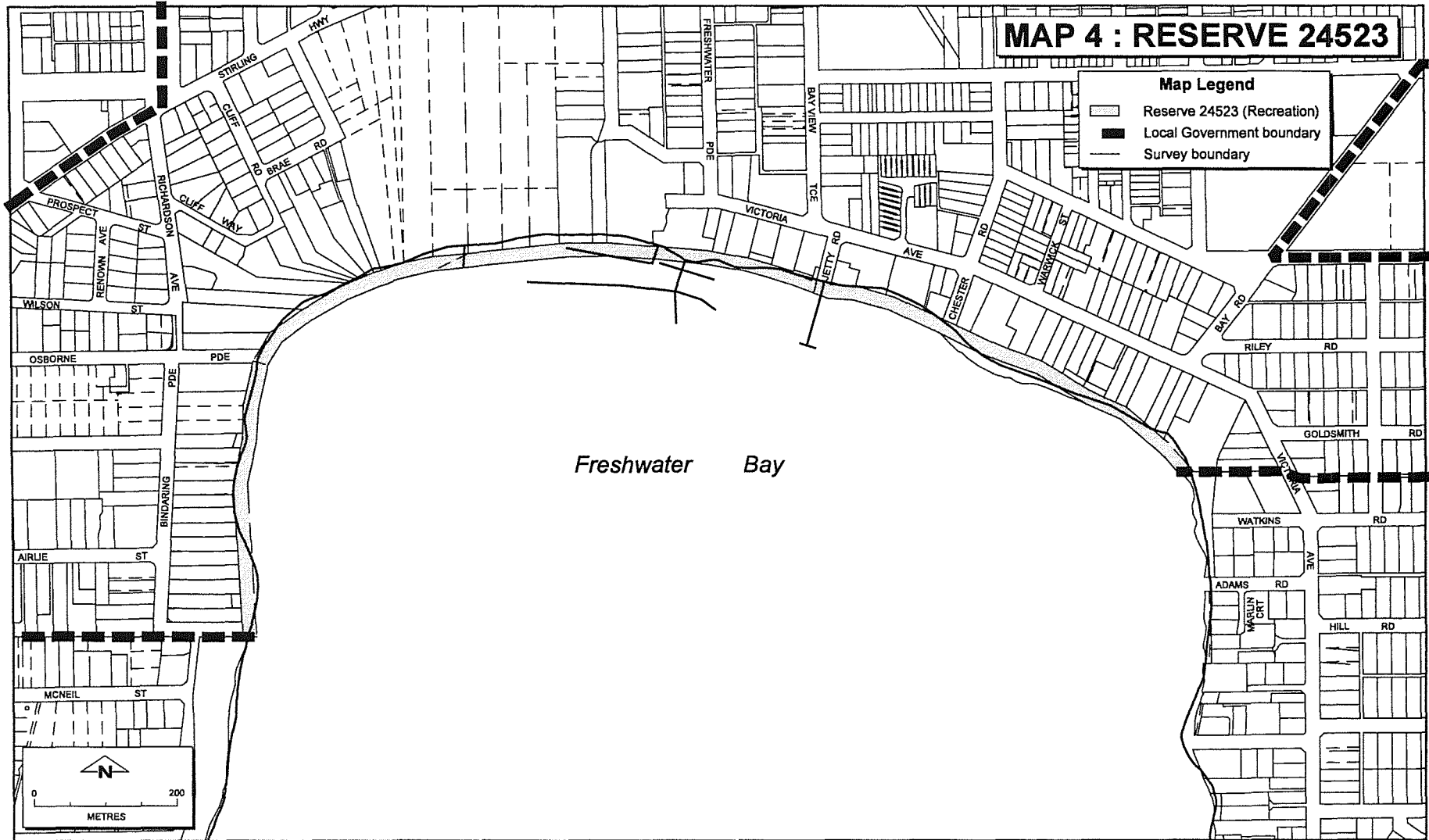
The location of the current reserve is a consequence of its original purpose. In 1912 the Melville Water and Freshwater Bay Road Act was promulgated to "authorise the construction of a road on the shore of Melville Water and Freshwater Bay". It was proposed to construct a road one chain wide and "for such purpose to reclaim the land below high water mark, and, so far as may be necessary, to remove all jetties and other structures there-from". Section 4 of the Act stated that: "No compensation shall be payable to any person in respect of any injury sustained, or right lost or prejudiced, through the operation of this Act or the exercise of any power thereby conferred".

Although the 'land' was vested in the Crown in 1912, the survey that fixed the major part of the landward boundary as required under that Act was not effected until 1952. This followed a series of requests from the

(then) Municipality of Claremont for more effective control of the foreshore. To achieve that control, that portion of the 'road' within the Town of Claremont was declared as Reserve 24523 - with the required legal links to the Act of 1912. The reserve was gazetted in 1956 as Class 'C' for the purpose of 'Recreation', until the land was required for the purpose of a road in accordance with the Act.

However, history has subsequently determined that the road was not required and the Act of 1912 was repealed in 1966 by the Swan River Conservation Act. It should be noted that all action carried out lawfully prior to its repeal remains in force, including the establishment of Reserve 24523. Due to uncertainties regarding the location of the 1952 survey landward boundary of the reserve, the Department of Land Administration has carried out a re-survey to provide for clear definition, and planning and management of the reserve. The original titles of properties along this section of the river indicate the boundaries as being the river edge, that is, fixed to the movement of the shoreline. However, this was changed when the 1952 survey was undertaken - even though it was not amended on the original titles. DOLA has written to landowners whose properties abut the reserve advising them that the re-survey would be undertaken and titles amended to reflect the existence of the reserve. (K. McCrackan, DOLA, pers. comm.).

Since the original intention of the 1912 Act was to reclaim below HWM to construct the road (similar to Mounts Bay Road), much of the reserve west of Chester Road lies below HWM. While this may have been acceptable in the context of the original purpose for reservation, it presents some problems with respect to public access in the context of the reserve's current designation of 'Recreation'. This is most apparent in those sections of the reserve where access across public 'land' is only possible during low tide. In order to provide for reasonable public use of the reserve alternative options will have to be examined, in conjunction with the implications of the MRS Parks and Recreation Reservation.



6.2 MRS Parks and Recreation Reservation

The Parks and Recreation (P & R) Reservation (see Map 5) has been one of the key components of the Metropolitan Region Scheme (MRS) since the Scheme's inception in 1963, which in turn was based on the Stephenson-Hepburn Plan of 1955. Although the MRS was reviewed in 1987 and 1990 the objectives of the P & R Reservation have been maintained and implemented. Since 1963 approximately 14,000 hectares of land have been publicly acquired for the region. The Government's most recent review of the MRS, *Metroplan - A Planning Strategy for the Perth Metropolitan Region* (Department of Planning and Urban Development, 1990), reinforces the value of not only implementing the Region Open Space system based on the P & R Reservation proposed in the 1963 MRS but also using other non-acquisitive mechanisms for protecting important natural conservation and landscape resources. The strategy recognises that land acquisition is costly and funds are limited.

In presenting a Region Open Space Concept Plan, *Metroplan* identifies three principles:

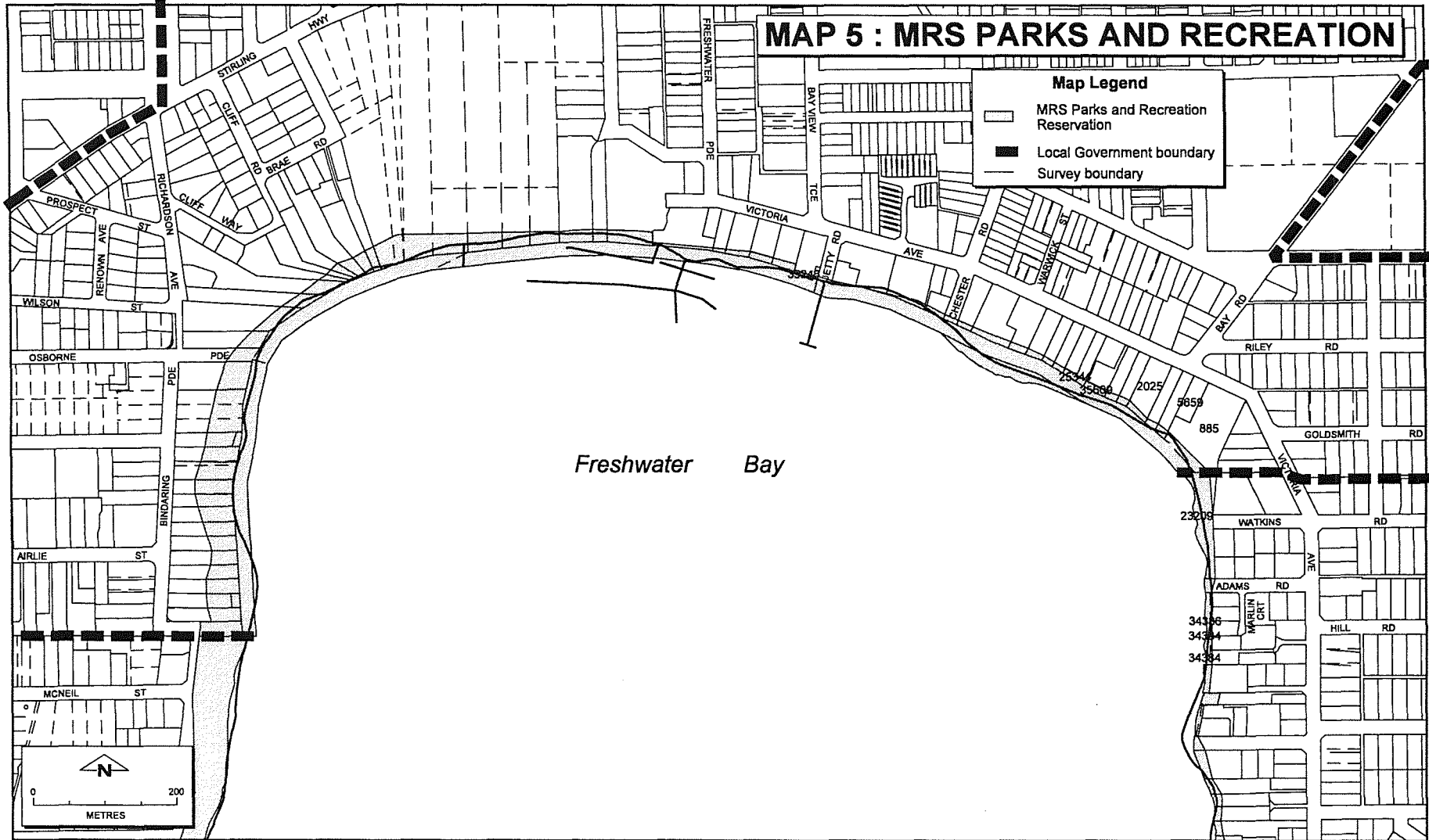
- "the enlargement, consolidation and development of Parks and Recreation reservations into a series of Regional Parks of structural, recreational and environmental importance;
- the interlinking of Regional Parks by other public and private open space as well as footpaths, bridle paths and water courses, to provide for public access and passive recreation;
- the protection of regional landscapes and important environmental areas — which are not included in Regional Parks and where full public access is not required — by appropriate zoning controls." (p.82)

Aspects of these principles have direct relevance to planning for the use and management of the study area, in particular the role of non-public resources in the provision of public access and landscape protection. *Metroplan* also states that "the Swan River Trust Management Area performs the function of a Regional Park for both the Swan and Canning foreshores" (p.83). This highlights the need for an integrated approach to management planning, and identification of suitable mechanisms to provide for appropriate levels of public use and access which are consistent and applicable throughout the region.

Within the study area the landward boundary of the P & R Reservation varies considerably, from 10 metres in the vicinity of Jetty Road to a maximum of approximately 60 metres adjacent to Bindaring Parade. It is clear that the reservation boundary is in an inappropriate location, for different reasons, in many parts of the study area. For example, in some locations the boundary passes through existing developments while in other areas the reservation fails to include features which would be appropriate, in particular all of the vegetated steep slopes (that is, up to the ridge crest) adjacent to the Richardson Avenue/Brae Road sector.

As part of a review of the Swan River Trust Management Area (which includes the P & R Reservation) the Swan River Trust is currently examining the appropriateness of the existing reservation boundary within, and adjacent to, the study area. The focus is on effective long term management planning, taking into account existing development, protecting vegetation and public access. The outcome of this review is likely to be a recommendation to the Western Australian Planning Commission to amend the MRS P & R Reservation boundary, in the areas being examined, to better reflect the realities of existing development and to achieve the objectives of the reservation (public recreation/access, landscape protection, environmental conservation and management).

One of the issues that will be included in the current review is the question of acquisition of the P & R Reservation. The original intent of the reservation was to acquire the designated land for public benefit through: negotiated purchase from the landowner; cession under Section 20A of the *Town Planning and Development Act 1928* as a condition of subdivision; or resumption. While acquisition is still a preferable mechanism for protecting and managing reserved land in many locations throughout the metropolitan area, in the case of the extensive foreshore P & R Reservation along the Swan River the economic reality is such that acquisition through purchase is unlikely in the foreseeable future. However, this does not mean that the reservation should be devalued in terms of its objectives and opportunities.



Rather it highlights the need to explore other mechanisms for protection and control, in conjunction with the existing statutory controls provided by Clause 30A of the *Metropolitan Region Town Planning Scheme Act 1959* and Part 5 of the *Swan River Trust Act 1988*. Such mechanisms include ceding of affected land by landowners to the WAPC/SRT and leasing back on a 'peppercorn' rental arrangement.

6.3 Swan River Trust - agreements with private landowners

Section 11 of the *Swan River Trust Act 1988* empowers the Trust, with the approval of the Minister, to enter into and give effect to an agreement with the owner, lessee or licensee of any land -

- for the control or management of that land as if it were part of the management area; and
- for the purpose of obtaining rights of access and other rights necessary for the protection and public use of land and waters in the management area.

No agreement shall be entered into under this section unless the owner and/or persons occupying the land with the consent of the owner have given approval in writing.

In view of the current freehold status of the P & R Reservation in the study area and access difficulties associated with the location of Reserve 24523, the Trust's ability to enter into agreements with private landowners provides a valid option for ensuring appropriate public access within the foreshore. However, such agreements (which must be in writing) depend entirely on the goodwill and cooperation of the landowners in recognising the validity of public interests.

6.4 Existing and proposed developments

As Perth's oldest suburb, Claremont is highly developed. However, high land values in the study area associated with the river front location have resulted in continuing residential redevelopment of the area in recent years, including multiple occupancy and subdivision of old, large blocks. Most of this development west of the schools is confined to the ridge top above the steep cliffs. Two properties, Lot 2 Brae Road and Lot 3 Bindaring Parade, have boatsheds on the foreshore adjacent to the boundary of Reserve 24523. On the less steep

section of the study area east of Claremont Yacht Club, residential development comes to within a few metres of the shoreline and some of the properties have boatsheds/shelters with access across the reserve.

Institutional (re)development has also continued. Bethesda Hospital, which has 65 metres of foreshore frontage immediately west of the Claremont Yacht Club, has undergone substantial redevelopment in recent years. The hospital is currently planning to landscape the slopes between its new buildings and the foreshore, with the aim of recreating the terraced gardens which existed at the time of the historic 'Lucknow' home. The hospital administration wishes to provide pleasant landscaped grounds for the use of its patients and staff (B. Thompson, Administrator, pers. comm.). For some years the Claremont Yacht Club (CYC) leased a small area next to its existing carpark from the hospital, to provide for additional parking and storage space. Although the lease has expired CYC wishes to continue using the area, and to expand the site to include a more effective overflow carpark and barbecue area. The hospital administration has expressed some concern regarding the use and management of the current area, but it is considering the proposal - under strict management conditions. If the development proceeds it will have implications for public access along this section of foreshore, access which is already compromised by the CYC carpark and slipway. CYC is currently proposing to dredge its inner moorings, which are too shallow.

The other major institutional landowners are the Christ Church Grammar School (CCGS) and Methodist Ladies College (MLC), which together own approximately 320 metres of foreshore frontage. CCGS is considering the construction of a new boatshed, possibly in conjunction with MLC (V. Evans, Bursar, pers. comm.). CCGS already has a large boatshed and pontoon on the foreshore. MLC is preparing to undertake redevelopment of its property including the foreshore, where it would like to focus on environmental and heritage values (A. Willis, Business Administrator, pers. comm.). The two schools and the hospital together own a substantial section of the foreshore in which legal public access is difficult, yet it is this part of the study area foreshore (from CYC to the Peppermint Grove Boundary) which has the potential to provide for an environmental component of the proposed heritage trail.

Two important, existing public developments are the Claremont Museum and the Claremont Jetty. Both provide a focus for public use of the study area, one in an historical/educational context and the other recreational. The Museum and the jetty can potentially increase their values to the public with the development of the proposed Heritage Trail.

6.5 Recreational use

Recreational activities focused on the river have been a feature of Freshwater Bay for more than 100 years. In many respects the potential infrastructure for recreational activities is considerably less today than it was in the latter part of the 19th century and the early decades of this century. The northern shoreline of the bay contained a number of private and public jetties and baths. Even the Osborne Steps connected with a jetty and, further along the shoreline, the nuns from Loreto Convent had their own change rooms. While the number of jetties was a consequence of the continuing importance of the river for transportation at the time, it is clear that private landowners and the public in general valued the river and its foreshore for recreational pursuits.

The study area has undoubtedly maintained, and perhaps enhanced, its recreational value. However, it is uncertain whether public resources are as accessible as they may have once been. The presence of Reserve 24523 guarantees public access along the foreshore but, legally, access is restricted to low tide conditions where the reserve is below mean HWM. One public jetty exists to provide for recreational fishing, fortunately rebuilt in 1991 following its closure and demolition. Access for the disabled and infirm is not available along the foreshore, or onto the foreshore from Reserves 2025 and 885 on Victoria Avenue, despite the high value of these reserves as recreational and landscape features. The river is probably perceived today as less of a swimming resource than it was in historical times, when public swimming baths were an important feature of the river. The Claremont Yacht Club (established in 1905) is an important recreational feature of the study area,

providing its members with sailing, mooring, slipway and social facilities. Yet the club, by its very nature (specific activity and paid membership) is a locationally restricting feature in the sense that it places constraints on public access to, and within the foreshore. For example, the CYC carpark was built on Reserve 24523, constraining (both physically and perceptually) public access along the foreshore. Claremont Town Council occasionally receives complaints from the public about being prevented from accessing the CYC foreshore (R. Brooks, CTC, pers. comm.).

Nevertheless, the study area continues to be an important recreational resource for aquatic and shoreline based activities, including boating, water skiing, fishing, walking and swimming. The importance of walking in today's health conscious society, continuing interest by the public in historic sites, features and issues, and awareness of the needs and rights of the disabled are elements which should be brought together in the development of the proposed heritage trail to further improve the recreational use of the study area.

As stated above, private landowners gain boating access to the river directly from their properties along the Victoria Avenue section of the foreshore, while two landowners on the steep western side of the bay have built boatsheds on the foreshore. The parking and launching of boats on the reserve along the Victoria Avenue section is in potential conflict with the construction and use of an effective walking trail along this part of the foreshore. Similarly, members of the public are occasionally launching and retrieving small boats from the end of Chester Road. Swan River Trust Regulation 7 prohibits the launching of boats from trailers into the waters of the river, except at permitted launching places.

Swan River gazetted Water Ski Area 7 is located in the western sector of Freshwater Bay, southwards from Osborne Parade. Users are restricted to gazetted areas on weekends and public holidays, but can use other areas not subject to speed controls at other times.

7. ROLE OF RELEVANT AUTHORITIES

The study area is subject to the control of the Claremont Town Council, a large number of government authorities and organisations, as well as the interest of non-government organisations and public groups. Following is a summary of the roles of those which are most relevant to the management plan.

7.1 Claremont Town Council

The Council is responsible for local planning and development control outside the Swan River Trust management area, provision of recreational facilities, and day-to-day maintenance and management of foreshore reserves in the management area. Under the Swan River Trust Act local government authorities (LGAs) have a vital role in the provision of advice to the Trust concerning the preparation of management programs and development proposals, and as partners in any joint agreement. LGAs are entitled to send a representative with voting rights to Trust meetings when it is considering any matter which may affect that LGA.

As a LGA, Claremont Town Council must prepare a detailed town planning scheme consistent with the proposals shown in the Metropolitan Region Scheme. The Claremont Town Planning Scheme (TPS) affects the study area by the application of specific by-laws under the *Local Government Act 1960*. The first, By-law 132, relates to a building set-back line along the Town foreshore. The by-law, which was gazetted in 1962, stipulates a 30 feet (9.1 metres) building set-back inland from the HWM, and that no building or part of a building will be erected between the building line and the HWM. The TPS further states that:

“council may permit the relevant set-back distance for a building on a lot to be calculated from the boundary of that lot with the foreshore reserve if the Council is satisfied that the development is so designed and sited that:

- ~ public access to the foreshore reserve will not be inhibited; and
- ~ that part of the foreshore reserve abutting on the land to be developed will not have the appearance of being part of that land.”(p.38)

Although the set-back line has been gazetted for the entire municipal foreshore, in reality it has most effectively been applied to the developed foreshore fronting Victoria Avenue. That is, from the Claremont Yacht Club to Watkins Road. The physical constraints to building imposed by the steep slopes west of CYC, and the existence of the Club prior to gazettal, mean that the by-law has not yet been applied to that section of foreshore. However, the boat sheds which have been constructed on the foreshore would constitute ‘buildings’. Although the gazetted notice refers to HWM, the actual plan (Plan 180) attached as a schedule to the by-law shows the building line abutting Reserve 24523.

The second by-law which affects the study area is By-law 123, which imposes building height restrictions on those properties west of CYC to the Town boundary. The by-law was first gazetted in 1969, then amended in 1975. Plans attached as schedules to the gazettal show the extent of the area affected by the restrictions, and include all of the steeply sloping escarpment between the ridge crest and the shoreline. The by-law states that:

“...the distance from the underside of any part of the footings of a building to the top of the building immediately above such part shall not exceed 2.4 metres and no part of a building shall be more than 1.8 metres above the natural surface of the land immediately beneath such part”.

The TPS goes further and specifies that any part of a building should not be more than one metre above ground level. If applied, these controls effectively prevent any substantial construction on the escarpment, maintaining it as a landscape feature. This is in line with the Council’s position that the escarpment should be retained in its natural state. An additional mechanism which is applied through the TPS is the designation of specific maximum building heights for the lots along Richardson Avenue/Bindaring Parade. An individual maximum height has been calculated for each lot, expressed in metres above AHD based on the addition of the existing contour levels and allowable building height.

CTC actively manages all the reserves in the study area which require a ‘parks and gardens’ maintenance program. This includes the foreshore between the Museum and the CYC. Vehicular access is controlled on

the foreshore, although residents whose properties front onto the foreshore are provided with keys for the gates which prevent public vehicular access onto the reserve. As well as planning, regulatory and management roles, the Council plays a very important role in organising and administering community interests in local environmental and heritage matters, for example, through its involvement with the Museum and management of Lake Claremont.

7.2 Swan River Trust

Proclamation of the *Swan River Trust Act 1988* established the Swan River Trust and an associated management area. The Trust is responsible for the planning and management of the management area and provides advice to the Minister for Water Resources. Under Part V of the Act the Minister has responsibility for the development approval process for proposals which are within the management area. Clause 7 of the Act specifies 10 functions of the Trust; those most relevant to the study area include:

- To manage and protect the management area and to undertake such works and the provision of such facilities as may be required for that purpose.
- To co-ordinate and promote the activities of other bodies that have functions in relation to the management area.
- To provide advice and assistance to planning authorities so that, in relation to the management area, proper provision is made in planning schemes for: reservation of river foreshores; and protection and public use of land and waters.
- To provide advice to the Western Australian Planning Commission on statements of planning policy and model planning scheme provisions relating to any matter within its functions; and to publish other statements of policy relating to any other matter within its functions.
- To provide advice and promote public education on any matter within its function.
- To join with any other person or body in doing anything that is within its functions.

Before proclamation of the Swan River Trust Act the river was managed in accordance with the *Waterways Conservation Act 1976*, and administered by the Swan River Management Authority and the Waterways

Commission (WWC). However, provisions of Schedule 3 of the Swan River Trust Act repealed the Waterways Conservation Act as it applied to the management area and dissolved the Authority. Clause 29 of the *Acts Amendment (Swan River Trust) Act 1988*, then required the Waterways Commission to provide the services of its staff to the Swan River Trust. Restructuring of the Western Australian water industry in 1995 led to the roles and staff of the former Waterways Commission being included in the new Water and Rivers Commission (WRC). The WRC has responsibility for management of all water resources in WA. The new Commission now provides the services of its staff to the Swan River Trust.

7.3 Western Australian Planning Commission and Ministry for Planning

The Western Australian Planning Commission (WAPC) and the Ministry for Planning are the State agencies responsible for developing, reviewing and implementing the land use planning system in Western Australia. There are three major Acts controlling planning in the State:

- *Western Australian Planning Commission Act 1985*
- *Metropolitan Region Town Planning Scheme Act 1959*
- *Town Planning and Development Act 1928*

The Commission is a statutory authority which receives its technical advice and assistance from a public sector agency, the Ministry for Planning. The two agencies work towards two major objectives: to formulate, develop and promote plans and policies to support and improve an effective land use planning system; and to provide a statutory and coordination framework to enable the Government to effectively manage the process of land use, land supply and sustainable urban development.

In the Swan River Trust Management Area, including the study area, the role of the WAPC and MFP is to:

- control subdivision of land;
- promote and provide for the appropriate use and zoning of land;
- create and acquire land for the Parks and Recreation Reservation which forms part of the management area;
- interact with the Swan River Trust on development proposals which affect the management area.

7.4 Environmental Protection Authority and the Department of Environmental Protection

The Environmental Protection Authority (EPA) was established under the *Environmental Protection Act 1986* for: the prevention, control and abatement of environmental pollution; and the conservation, preservation, protection, enhancement and management of the environment. The Department of Environmental Protection (DEP) has been established as the public sector agency which provides technical assistance and professional services to the EPA.

The EPA's major objective in regard to the Swan River is to ensure that the river's existing environmental values are maintained and enhanced. Within the Swan River Trust Management Area the EPA and the DEP take an interest in land use changes and development which may impact on the environment. Under current legislation the EPA may require any proposed development within the management area to undergo environmental impact assessment. If such a situation arises the EPA will consult with the Swan River Trust and provide advice to the Minister for the Environment on the environmental acceptability of the proposal. The EPA also works with the Swan River Trust to control pollution of the river system.

7.5 Department of Land Administration

The *Land Act 1933* allows the Department of Land Administration (DOLA) to reserve lands above low water mark on the banks of tidal rivers for whatever purpose is deemed fit in the public interest. The Act also provides that the Minister for Lands may require an authority to submit management plans for any reserve which is vested in that authority. Clause 8 of the *Acts Amendment (Swan River Trust) Act 1988* requires the Minister to consult with the Trust before reserving any land in the management area, before cancelling or amending any reserve or altering a boundary of any reserve within the management area.

7.6 Department of Transport

The Department of Transport (DOT) (previously the Department of Marine and Harbours) has certain statutory responsibilities in marine and related matters, and it is these responsibilities which form the basis of DOT's involvement in river matters. The primary objective of DOT is to provide for the advancement of efficient and safe shipping and effective boating and port administration through the provision of facilities and services. Legislation administered by DOT relates either to navigable waters or to ports. This includes the Port of Perth, which comprises the waters between the Causeway, Canning Bridge and the Fremantle Port Authority area.

Through the Minister for Transport, DOT controls the river bed within the Port of Perth for the purposes of port activities and leasing to groups for specific purposes. The *Acts Amendment (Swan River Trust) Act* requires DOT to obtain approval from the Trust before issuing jetty licences, and requires DOT to issue a jetty licence if the Trust issues planning approval.

DOT may also construct, provide and maintain facilities and services, both on land and water, to meet the needs of recreational and commercial shipping and boating (including jetties, moorings, launching ramps, navigation aids and marine craft) with the approval of the Minister for Water Resources. Within the study area DOT is responsible, among other things, for registration and control of pleasure craft (including the water ski area) and maintenance of Claremont Jetty.

7.7 Other authorities

A number of other agencies play a major role in the overall Swan River Trust management area, but with less specific relevance to the study area for the purposes of this management plan. These include: Water Corporation (drainage); Department of Conservation and Land Management (nature conservation, management of reserves); Department of Fisheries (management of fish resources); and Department of Health (water quality - human use)

8. PUBLIC INVOLVEMENT AND CONSULTATION

8.1 Need for involvement and consultation

Although the foreshore area subject to this management plan is small in extent, it is an area of intense interest and concern to a broad cross-section of the community. The overall public resources and issues (such as access) being considered directly affect, and perhaps conflict with, those of the private landowners who reside, or have interests, in the study area. If management and use of public resources is to be effective then the development and implementation of the management plan must be based on a thorough public consultation process with interested parties.

Public participation in the development of management programs is a requirement of the Swan River Trust Act and one of the primary objectives of the Swan River Management Strategy, which states that the public should be encouraged to participate "in planning and management of the river environment". However, as the authority responsible for the management of the study area, and being the elected representatives of the affected community, the Claremont Town Council is the most appropriate body to coordinate consultative and implementation processes.

8.2 Community involvement

Environment and heritage issues and concerns are becoming increasingly important in the community. This is evident from the number of community interest groups which have formed in recent years, such as the Friends of the Claremont Museum and the Lake Claremont Management Committee. While it is the Council which initiated, and administers, these bodies, they could not be maintained without community representation and support. The concern in the establishment of interest groups and committees as various needs/issues arise is the difficulty for the local authority. The difficulty is focusing limited financial and administrative resources to support these interest groups and committees.

The Claremont Heritage Trust Advisory Committee oversaw the preparation of the management plan and proposed the development of the heritage trail. The Committee was established by the Council in 1989 and its membership consists predominantly of people from

the community. The Committee deals with a number of issues and the concept of a 'Friends of Freshwater Bay' community group has been suggested to facilitate community participation on foreshore related issues. Such groups, for areas where 'on-ground' environmental management is required (for example, building trails, weeding, replanting), have proven successful in other locations.

For example: a community group called Bayswater Greenwork 'adopted' the foreshore reserve south of Garratt Road Bridge, concentrating on removal of noxious species and revegetation; the Armadale Settlers Common adopted another System 6 area along the Darling Scarp (EPA, 1992); and a number of community groups have been established which receive funding support from State and Commonwealth bodies, such as Greening Australia. D.Kaesehagen (1991) surveyed local authorities along the Swan and Canning Rivers and discovered that 80% of the local authorities had community groups involved at various levels of environmental/landscape management and development. He is a member of the North Fremantle Community Association, which has been involved with the redevelopment of the North Fremantle area, particularly with regard to protection of the river environment. The Association successfully completed a major project to construct the Rocky Bay Heritage Trail, involving trail construction, removal of noxious plants, growing and replanting of native species, and preparing a brochure and signs. The Association was highly successful in securing funding and technical assistance, and large scale support from the local community. There are obvious parallels, and potential lessons to be learned, from the operation of this community group in implementing a project which is similar in purpose and scope to what is required for Freshwater Bay.

Since there are obvious benefits in concentrating available resources, especially human resources within the community, the Council must decide the most appropriate organisational structure to deal with the growing number of heritage and environment issues (and opportunities) which are emerging. The most appropriate structure may be an overall community association guiding area or issue specific sub-groups.

Another community resource which could potentially be involved in the management of the study area are local schools. The East Claremont Primary School, for example, will be undertaking a foreshore clean-up this

year (V. McAuslane, pers. comm.). The presence of the large private schools, MLC and CCGS, as landowners in the management area could provide an opportunity for their participation in its management and development.

8.3 Community consultation

During preparation of the management plan the Swan River Trust and the Claremont Heritage Trust Advisory Committee consulted with river landowners and other interested parties to identify community concerns and allow local community input to the recommendations in the plan. The following methods of community consultation were used:

- A letter to river landowners in 1992 advising of the proposal to construct a heritage trail along the Freshwater Bay foreshore.
- A public meeting held in 1993 by the Claremont Heritage Trust Advisory Committee to discuss the proposed heritage trail.
- 1993 media coverage informing residents of the proposed trail.
- Release of the draft plan for public comment and amendment of the plan to take account of concerns raised.

8.3.1. Public submissions

Following the review and acceptance of the preliminary draft management plan by the Claremont Town Council and Swan River Trust a final draft was made available for public comment. A total of forty five submissions on the Draft Freshwater Bay Management Plan were received. The submissions were predominantly from individual residents of the Freshwater Bay area.

The majority of submissions generally supported the identification of historical sites and features in the area but opposed the development of a sealed heritage path between the Claremont Museum and Claremont Yacht Club. The main concerns raised were the impacts a formal heritage path may have on the surrounding environment, amenity, existing recreational activities and affected landowners. The importance of some parts of the study area to the Aboriginal community was also highlighted.

A list of submissions, details of comments received and amendments made to the plan as a result are provided in Appendix 1.

Analysis of the submissions by the Swan River Trust occurred in consultation with relevant persons and agencies as necessary. The following criteria were used to determine amendments to the draft.

- i) Consistency with the Swan River Management Strategy and Swan River Trust policy;
- ii) The supply of additional information not available for inclusion in the draft;
- iii) Ambiguity in the draft;
- iv) Whether issues were beyond the scope of this study;
- v) Overwhelming concern with a recommendation or issue in the report.
- vi) Whether the status of some recommendations had changed during or as a result of the public submission period;
- vii) Whether submissions raised original ideas that had not been discussed in the draft; and
- viii) Whether submissions identified changes to the implementation of recommendations.

The majority of comments received related to the second, third and fifth criteria.

9. ISSUES AND GENERAL RECOMMENDATIONS

Review of the various physical, historical, regulatory, and recreational attributes of the study area raises a number of issues which need to be addressed by the management plan. These issues can be categorised according to the relevant objectives set out in Section 2.

9.1 Protect and enhance values of the public land and identify natural/cultural values

The public foreshore resources in the study area, and the freehold land under P & R Reservation, have a number of identifiable values:

1. Remnant native vegetation of conservation value.
2. Wildlife communities and habitats of conservation value.
3. Shoreline and aquatic recreation opportunities.
4. Combined environmental and social values as part of the Swan and Canning river system.
5. Sites and features of educational and historical significance.

9.1.1 Issues and recommendations

Issues and recommendations associated with the protection and enhancement of these values are:

Issue 1: The quality of native vegetation is declining, and under threat from spreading weed species, fires and physical disturbance. Most of the vegetation in need of rehabilitation is on freehold land within the P & R Reservation.

Recommendation: Instigate a rehabilitation program to ensure continued survival of indigenous species.

Issue 2: The provision of public access must protect fauna habitats. The Trust encourages the retention of the natural environment in undeveloped areas and endemic plant species should be used wherever possible for revegetation and landscaping. There is limited information on the composition and extent of fauna communities and their habitats within the study area.

Recommendation: Prepare a fauna inventory for the area prior to construction of the heritage trail. This could involve the collection of information from the

community, State and local government agencies and fauna surveys if necessary. Ensure that the trail is located in such a way as to avoid disruption to areas of importance to native fauna.

Encourage the use of endemic plant species or suitable habitat species for revegetation and landscaping. Collect seed stock from native plant species in situ, and also areas outside the immediate study area boundaries

Issue 3: Some areas of the foreshore, especially in locations over-grown with noxious species, contain remnants of vegetation of historic value.

Recommendation: Identify vegetation (individual plants and groups) of historic value and investigate the design and planting of historic gardens to provide a basis for (re)development of the school and hospital sites.

Issue 4: There is a problem with litter, apparently water-borne, along the shoreline of the western section of the bay.

Recommendation: Maintain the shoreline in a clean condition and inform the boating community about the need to avoid littering on the river.

Issue 5: Although major European historic sites and features are identified in Claremont Museum literature, 'on-site' interpretative facilities (except at the Museum itself), such as explanatory signs, could be installed to improve public awareness and appreciation of the historic values of the area.

Recommendation: Develop and implement an interpretative program in association with the proposed heritage trail.

Issue 6: There is a need to protect and enhance features of historical significance as a means of encouraging interest in the history of the area. Before European settlement the Freshwater Bay area was used by Aboriginal people, but little is known of the Aboriginal heritage of the area

Recommendation: Encourage the conservation and/or restoration of features of historical significance. Undertake research and provide appropriate information on Aboriginal heritage issues for the proposed heritage trail interpretative program. Any works are to be subject to the provisions of the *Aboriginal Heritage Act 1972-1980*.

9.2 Provide for appropriate levels of public access

Provision of appropriate levels of public access to, and along, the foreshore is one of the key policies of the Swan River Trust. As stated in the Swan River Management Strategy: “one of the reasons for achieving reservation over all...river foreshores is to secure for all members of the public the right of access to and along the foreshore” (p.23).

9.2.1 Issues and recommendations

There are a number of issues associated with public access in the study area:

Issue 7: Public use of the foreshore could be substantially enhanced by the development of a heritage trail.

Note: It is envisaged that funding of the proposed heritage trail will be a cooperative effort by the various interests involved. Detailed investigation into the funding possibilities will need to be undertaken to determine the most appropriate arrangement. Various funding programs, such as the National Estate Grants Program, will be explored for the development and maintenance costs. It is not the intention of the plan to depend upon private funds to finance the development of the heritage trail.

Recommendation: Investigate sources of funding and infrastructure, and community support to develop the trail.

Issue 8: Freehold land abuts Reserve 24523, which in turn often coincides with HWM west of the CYC. This only allows legal ‘dry’ access at low tide. In other locations where the reserve boundary is above HWM the terrain is steep and rocky, and difficult to negotiate.

Recommendation: Provide better access along the foreshore, possibly through the application of agreements under Section 11 of the Swan River Trust Act (see Issue 16).

Issue 9: The location of Reserve 243523 along the Bindaring Parade sector of the study area can potentially provide for public access above HWM. However, due to the steep and rocky terrain, establishment of a legally located trail will be difficult, and accurately locating the reserve boundary will need

careful reference to the recently plotted Department of Land Administration reserve survey.

Recommendation: The route of the proposed heritage trail needs to be carefully surveyed along the western sector using the DOLA survey boundaries as reference points.

Issue 10: There is no adequate access for the physically disabled onto, and along, the developed foreshore reserve east of CYC.

Recommendation: Investigate the demand for a formally constructed trail for disabled people (to Australian Standards Association requirements) along the foreshore east of CYC. Delay any proposal to develop such a path until a demonstrated need exists. Improve parking for the disabled at the Claremont Museum and Chester Road and provide access for the disabled at the Museum, Chester Road and Jetty Road.

Issue 11: The location of CYC on the foreshore is a physical and perceptual impediment to public use of Reserve 24523. Additionally, the operation of the boat slipway is a potential hazard to people crossing the foreshore at this point.

Recommendation: Define a safe pedestrian accessway which crosses CYC carpark and slipway. The accessway should join sections of the Reserve 24523 which have been separated by the construction of the carpark and slipway.

Issue 12: The P & R Reservation exists to provide, among other things, for public access. However, the land under reservation has not been acquired and reserve boundaries are not consistent.

Recommendation: Rationalise the P & R boundary and determine appropriate mechanisms for enabling more effective public access.

Issue 13: Some areas of the foreshore consists of steep slopes with thin soils susceptible to erosion. Areas of remnant vegetation could be degraded if uncontrolled access occurs.

Recommendation: Carry out investigations into the demand for a soft trail between MLC and Bindaring Parade and the impact an elevated walkway would have on the surrounding amenity. Ensure walkways and trail

are located and constructed in a manner which prevents erosion and protects areas of remnant vegetation.

9.3 Rights of private landowners

The constraints placed upon public use of, and access to, the foreshore have been highlighted in this management plan. However, it is recognised that the private landowners in the study area have right to the quiet use of their property. Additionally, uncertainties concerning title boundaries need to be resolved. Specifically:

9.3.1 Issues and recommendations

Issue 14: Original titles for private land west of CYC show the edge of the Swan River as the property boundaries. However, the creation of Reserve 24523 in 1912 and the subsequent survey in 1952 legally relocated these old title boundaries to the inland boundary of the reserve.

Recommendation: Advise landowners of title amendments based on the Department of Land Administration survey of Reserve 24523. Steps should be taken to delineate the boundary of public-private land.

Issue 15: Related to Issue 14, the location of the P & R boundary potentially presents landowners with legal problems in the development and use of their land, and planning and development control agencies with difficulties in resolving those problems.

Recommendation: Rationalise the P & R reservation boundaries.

Issue 16: As with Issue 8. Even with the formalising of title boundaries to abut Reserve 24523, lengthy sections of the reserve west of CYC remain legally accessible to the public only at low tide. Also, steep rocky sections of the foreshore along Bindaring Parade will increase the cost of a trail (boardwalks, retaining walls, etc).

Recommendation: Consult with landowners to discuss the possibility of entering agreements under Section 11 of the Swan River Trust Act to enable the conservation of natural values on private property adjoining Reserve 24523 and entering into agreements under Section 7 of the Act to facilitate construction of a public access path/trail.

Issue 17: A legitimate concern of private landowners is the question of their liability should the trail permit access adjacent to or across private property. Concern about security has also been expressed in regard to providing public access to the rear of properties. Specific issues of concern for some residents include:

- Hard surface would allow easy access to rear of the properties and secluded areas which may lead to burglaries and vandalism.
- Intrusion onto school properties may have implications for security.
- The amenity and enjoyment of the foreshore may be disturbed by extra access. This may also compromise the value of adjoining properties.
- The trail may compromise privacy of adjoining properties, as it would be located, due to necessity, no more than 10m from the riverfront entrances to private properties.
- Who will police the inevitable after hours illegal use of the trail?

Two situations have been identified where these issues are of concern:

1. The trail is located on public land adjacent to private property. In this situation the private landowners would not be responsible for public liability. Security issues will need to be addressed whilst locating the trail.
2. The trail is located across private land. In this situation the cooperation of the landowner will be vital and an agreement under Section 11 of the Swan River Trust Act may be prepared between the Swan River Trust and the landowner to permit public access (Refer Section 10 for more information on landowner agreements). In developing agreements the issue of public liability and security will need to be considered and adequately addressed to the satisfaction of each party.

Recommendation: Whilst locating the heritage trail the Swan River Trust will investigate options for maintaining security and privacy for private landowners. This may include using natural landforms as barriers to entry.

The Swan River Trust to consult with the Crown Law Department seeking advice to determine the public liability of landowners entering into agreements under Section 11 of the Swan River Trust Act.

9.4 Application of regulatory and planning mechanisms to protect environmental and cultural values

The Claremont Town Council, Swan River Trust and Western Australian Planning Commission/Ministry for Planning (MFP) play a major role in the study area in terms of administering a range of regulatory and planning mechanisms, with the support of legislation, which can be applied to the management of the area. However, the following issue needs to be addressed:

9.4.1 Issues and recommendations

Issue 18: The P & R Reservation, which defines the area DPUD (now MFP) proposed to acquire for public use, contains a valuable environmental and recreational asset. Yet the limited availability of funds for purchase predicate against it being secured for the community in the near future. The inconsistent boundaries make it difficult for the responsible planning agencies to have a coherent approach to dealing with development proposals which affect the reservation (as evidenced by existing developments which are partly within the P & R area). The use of non-acquisitive mechanisms has been proposed by DPUD (now MFP) and the SRT, but the options which are available appear to be limited to voluntary agreements and ceding of land as a condition of development approval. Until such times as formal agreements have been reached, effective management of foreshore resources (such as control of exotic species and revegetation) will depend on the cooperation and goodwill of the landowners.

Recommendation: Prepare and implement, in the short term, a review of the P & R, and develop suitable procedures/mechanisms for protecting the environment and other values of the reservation.

9.5 The community and the long term management of the foreshore

Section 8 highlighted the value of community involvement in the long term management of the Freshwater Bay foreshore. However, for this to be successful the following issue needs to be resolved:

9.5.1 Issues and recommendations

Issue 19: Community involvement in the study area is needed in both the short term implementation of works and in long term management. This will require a commitment not only from the community but also the CTC and the Trust in providing funding (directly and by tapping into other sources), administrative and technical support. However, there are a number of emerging and current environment and heritage issues in Claremont which are capturing public interest. A process for effectively focusing and maintaining community interest and support for both short term and long term issues needs to be developed.

Recommendation: Undertake a thorough public consultation process with interested parties to explore the issues pertaining to the management of the foreshore area. An appropriate procedure/mechanism needs to be developed as a matter of priority. Include in this process the formation of a working committee with landowner representation from each section of the study area to coordinate foreshore management in cooperation with the Town of Claremont, the Swan River Trust and the Ministry for Planning. All affected landowners and respondents are to be given progress reports on the proposal.

10. MANAGEMENT RECOMMENDATIONS

10.1 Landowner agreements

From a use and management perspective the Claremont foreshore can be broadly divided into the section from the Museum to CYC where the reserve is substantially above HWM and public access is relatively easy, and the section from the Club to Bindaring Parade where the reserve boundaries constrain public use and access due to the proximity of freehold land. In the former case resolution of use and management issues is straightforward. However, in the section west of CYC the level of development and use which can occur depends, in the foreseeable future, upon the Trust and the Council reaching an agreement with the landowners if the full potential of an effective heritage trail and associated management programs is to be realised. This is qualified by the fact that Reserve 24523 does include 'dry' areas along the Bindaring Parade sector, where construction of small boardwalks and/or retaining walls would enable public access. Additionally, the Osborne Parade road reserve can enable access to the foreshore if facilities are constructed. But even in these areas implementation of programs such as vegetation management will have limited value if the programs are not extended onto the adjacent freehold land which contains most of the cliff faces and slopes.

Therefore, a major recommendation of this management plan is that the Trust and the Council jointly seek the cooperation of private landowners in the study area. This may be facilitated by:

- Involving landowners in the development and implementation of the management plan as members of the community group interested in the long term well-being of the foreshore, and encouraging them to enter into agreements under Section 11 of the Act. This approach may be effective with the institutional

landowners (schools and hospital) whose objectives of education and health are 'community orientated' and therefore closely aligned to those of the Trust and Council in terms of maintaining and enhancing environmental quality, protecting and promoting heritage values and providing educational opportunities. There is sufficient physical space along the CCGS/MLC foreshore to provide for the construction of a low key trail for public access which would not intrude greatly onto the school property but provide for access above HWM.

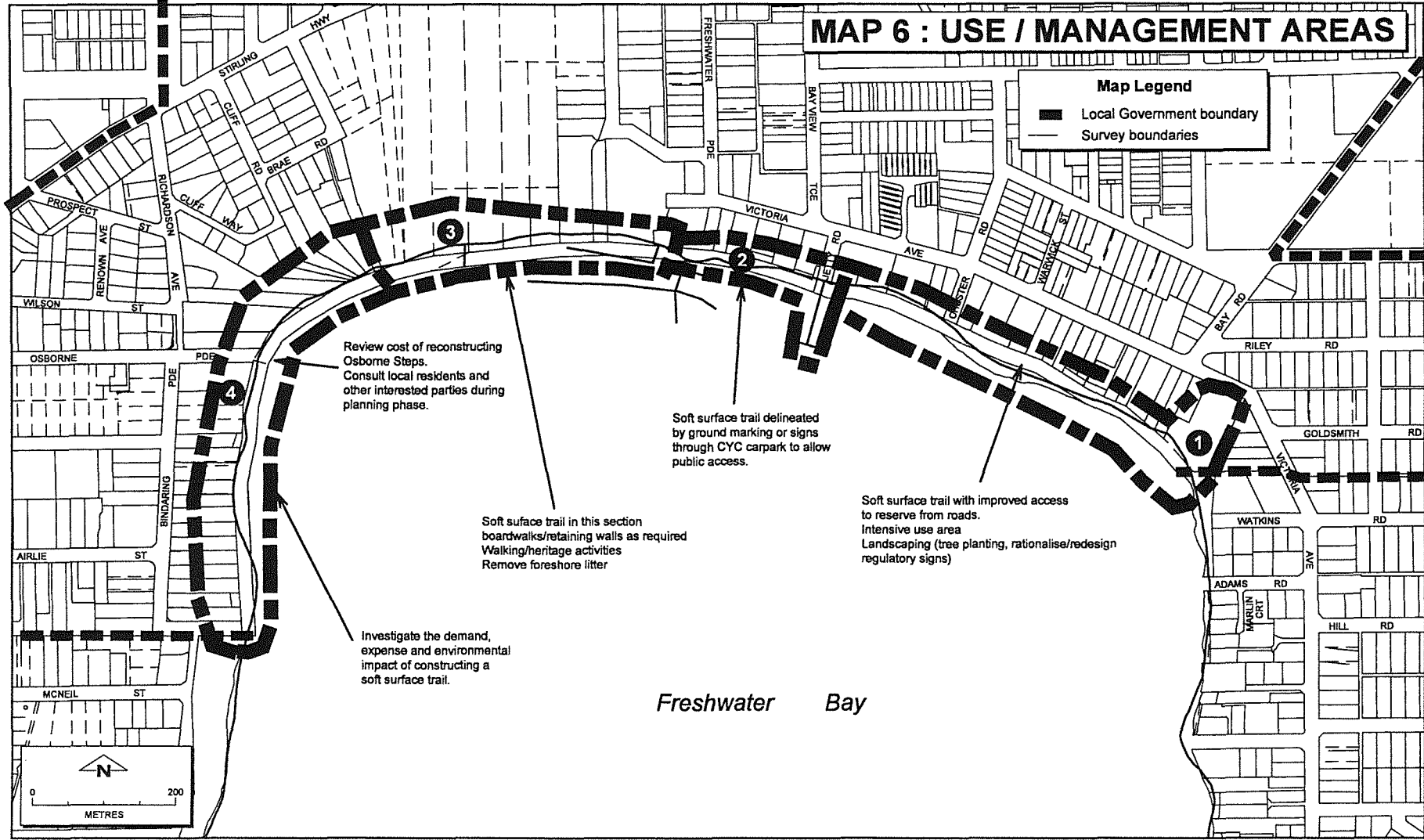
- A flexible approach could be taken by the regulatory agencies to assessing development proposals by landowners which overall do not conflict with the objectives of the Town Planning Scheme and Trust policy (such as boatsheds, slipways, steps). Limited public use of the foreshore need not be inconsistent with these uses.
- The proposed review and proposed adjustment of MRS P & R boundaries could provide scope for negotiating with landowners on the issue of foreshore use where the boundary is clearly in an inappropriate location with respect to existing development and/or constrains an owner's development options.

The uncertainties associated with freehold/public land mean that, for the area west of CYC, two use and management options have to be examined. The first would require extensive agreement by owners of adjoining freehold land while the second could be implemented without such agreement.

MAP 6 : USE / MANAGEMENT AREAS

Map Legend

- Local Government boundary
- Survey boundaries



Review cost of reconstructing Osborne Steps. Consult local residents and other interested parties during planning phase.

Soft surface trail delineated by ground marking or signs through CYC carpark to allow public access.

Soft surface trail in this section boardwalks/retaining walls as required Walking/heritage activities Remove foreshore litter

Investigate the demand, expense and environmental impact of constructing a soft surface trail.

Soft surface trail with improved access to reserve from roads. Intensive use area Landscaping (tree planting, rationalise/redesign regulatory signs)

Freshwater Bay

10.2 Use and access

The study area can be divided into four broad use and management areas (see Map 6). With respect to access it is recommended that to ensure the safety of pedestrians, and because of the short length of the paths and the topographic constraints of the western sector, cycling is not permitted on the trail. The trail should be soft surfaced and include marked grassed areas, crushed limestone pathways, with cut and fill timber steps where required. The trail should be developed as the Freshwater Bay Heritage Trail, with interpretative signs installed and brochures produced to locate and explain heritage sites and features.

10.2.1 Area 1: Museum to Claremont Jetty

- To continue as a high use, intensively managed area.
- A soft surface trail should be constructed along the foreshore between Reserve 885 and the jetty. It will be necessary to provide for proper access onto Chester and Jetty Roads at the junction with the proposed trail. In the latter case it will be necessary to construct a 'bridge' across the concrete drain. Similarly, the drain at the foreshore end of Reserve 2025 needs to be bridged when the trail is constructed.
- In order to protect the trail it will have to be constructed away from the active zone of the river's edge, on the inland side of the reserve.

10.2.2 Area 2: Claremont Jetty to Claremont Yacht Club

- The CYC carpark should be sign-posted to advise that public access is permitted, and a route across the carpark delineated by ground marking and/or additional signs. The path should pass behind the slipway.

10.2.3 Area 3: Bethesda Hospital to MLC

- Use of the foreshore west of CYC should be restricted to walking and heritage based activities by the public. Existing river-dependent uses by the private landowners should continue (boatsheds and access to river).
- Public Access Option 1:
If institutional landowners will allow public access across their land, the preferred option is to construct a soft surface trail 1.3 metres wide inland from the

vegetation line to allow public access under all prevailing tidal conditions. The route of the trail between CYC and Bethesda Hospital needs to be determined in conjunction with the proposed joint development of carpark/barbecue facilities by the hospital and club, as well as the proposed landscaping of the foreshore by the hospital. Similarly, the trail route needs to be designed in collaboration with CCGS and MLC.

- Public Access Option 2:

If private property owners do not agree to the use of their land public access will be confined to the beach below HWM for much of foreshore, allowing 'dry' access when the tide is not high, since the inland boundary of the reserve tends to coincide with HWM along this section. Where the reserve is marginally above HWM it will be inadvisable to remove shoreline vegetation to construct a trail, to avoid destabilising the shoreline. Construction of a boardwalk may be possible, but its potential impact on vegetation and shoreline stability would need to be investigated.

10.2.4 Area 4: MLC to Bindaring Parade

It is extremely difficult to traverse the river front on foot from the previous location of the Osborne Steps to Peppermint Grove and there is concern that the proposed soft trail would be little used by the public and that the cost would not be justified. There is also concern that the steeper parts of the bay have thin soils and are susceptible to erosion.

- Claremont Town Council could obtain cost estimates for reconstruction of the Osborne Steps, to provide access to the foreshore from Osborne Parade. If financially feasible, consideration should be given to reconstructing the steps which would provide a valuable access point and recreation feature. This proposal should be the subject of widespread public debate should it reach the detailed planning phase.
- The Swan River Trust recognises the need to ensure that construction of a trail between MLC and Bindaring Parade is justified in regard to demand, expense and environmental impact. The Trust proposes to carry out further investigations into this issue. These investigations will involve consultation with the community.

- Should public access to this section be found to be desirable:

- Public use of this section will be a continuation of the preceding section.
- At the boundary with the Shire of Peppermint Grove the heritage trail should link up with the foreshore path system already established by the Shire. This will require the construction of steps.

10.3 Cultural and environmental interpretation

10.3.1 Aboriginal heritage

The Claremont Town Council and Swan River Trust should consult closely with relevant Aboriginal people, Department of Aboriginal Affairs and the WA Museum Aboriginal Sites Department concerning the location and sensitivity of Aboriginal cultural sites and features in the study area. In particular, the cultural sensitivity of any sites of Aboriginal heritage needs to be assessed and approvals obtained before any sites are promoted and interpreted in the context of the heritage trail. Provided the necessary approvals and information have been obtained, Aboriginal heritage sites (as well as sites relevant to historic Aboriginal-European interaction) should be incorporated into the overall interpretation program.

10.3.2 European heritage

The Claremont Museum should be requested to develop an in situ interpretative program (see also recommendation 6) for the European historic sites and features in the study area. That is, to prepare information which can be transposed to signs and displays at, or in the vicinity of, structures and sites of significance along the proposed heritage trail. The effectiveness of the trail will be enhanced if users are able to recognise features along the trail through the use of signs, markers and displays - making the trail as self-explanatory as possible. However, these should still be supplemented by brochures, and other displays at the Museum.

10.3.3 Environmental interpretation

A similar program, using signs, displays and literature, should be developed for the environmental features of the area, including information on local geology and

geomorphology (such as formation of the embayment, limestone cliffs and fossils, groundwater and springs), vegetation and wildlife. The information required, while needing to be accurate, could be collated by 'non-experts' from the substantial existing information which is available. This could in turn be supplemented by simple survey work, in the case of birds for example, carried out by local conservation groups and interested individuals in the community. It also provides an ideal opportunity to link foreshore conservation and management objectives with the educational programs of the schools within and adjacent to the study area. The schools, particularly CCGS and MLC, may be interested in undertaking wildlife/vegetation surveys and contributing to revegetation programs (for example, by collecting and germinating seeds, planting seedlings, learning about ecology and microhabitats, etc) and other activities relevant to their curricula.

10.4 Environmental and landscape management

10.4.1 Vegetation

The following recommendations for managing the vegetation of the study area apply to both public and freehold areas of the study area.

Eradication of noxious species

A number of conspicuous vegetation elements which require urgent action are:

- ~ Tree species: castor oil trees*, Japanese pepper*;
- ~ Grasses: bamboo*;
- ~ Cactus: agave*;
- ~ Creepers: bridal creeper***, nasturtiums***;
- ~ Bulbs: watsonia*, African cornflag*;
- ~ Monocots**: various grasses

* These species can be controlled and eradicated by physically removing most of the above ground plant material either by burning or by cutting off, and immediately painting a translocated herbicide such as Glyphosate (360 g/L at 1:100) on the exposed stem or trunk. This will have little or no impact on surrounding vegetation, and will not result in soil destabilisation through root removal. The physical removal of the timber is the most effective means of control if this is practical.

Large, very woody castor oil and Japanese pepper trees and cacti may be more effectively killed by drilling a hole and putting the herbicide directly into the trunk.

** Buffalo grass fringing the shoreline can be eradicated through use of Fusillade in accordance with Swan River Trust Report No 12.

*** Spraying with Glyphosate (360 g/L at 1 : 100) is generally the most effective means of eradication.

It should be noted that grasses help to stabilise the steep sandy slopes, and therefore play an important role in the hill slope dynamics. To reduce the extent of these species, it will be necessary to establish a dense shrub layer, and reinforce existing trees. This will decrease light available for grasses, and reduce their growth. Re-establishment of native grasses, sedges and rushes, such as coastal sword sedge, knotted club rush and kangaroo grass, will enhance the stability of the slopes.

Replanting

Seed for revegetation should be collected from the area to be revegetated. This helps to preserve the genetic diversity of the vegetation within the area. Plants grown from seed collected from the area to be revegetated tend to be more successful than plants germinated from seed collected in other areas.

Seed from the majority of species does not require any form of treatment for successful germination. However, seed from species such as parrot bush, wattles and blackboys may require heat treatment. *Zamia* palm seeds must be exposed to acid and have their surfaces etched lightly for successful germination.

Two methods of establishing seedlings are common direct seeding and planting. The principle requirements for direct seeding are:

- ~ the soil is aerated, and furrowed to prevent seed from being washed away,
- ~ the area should be cleared of grasses and other weeds, and
- ~ the use of mulches may also be beneficial. The best results are achieved by the use of labour, physically turning the soil over and removing rhizomes and plant root material already present.

Planting programs should ensure that seedlings are maintained throughout their first year, through provision of water once a month, and frequent removal of grasses from their immediate surrounds. After this period occasional weeding may be necessary. If this method is used, it is important that the soils and fertiliser used are sterile.

10.4.2 Landscaping

This management plan concurs with a number of recommendations made by R. Bodycoat in his 1989 report to the Claremont Heritage Trust Advisory Committee, with particular reference to the foreshore between the Museum and CYC. Specifically:

- ~ Existing fences and old structures on freehold lots abutting Reserve 24523 should be upgraded.
- ~ Supplementary planting of suitably located, appropriate tree species should be undertaken by CTC to provide shade and a transition between private and public land.
- ~ The number of regulatory signs along the foreshore should be reviewed, with the aim of reducing their overall number (in locations where several individual signs apply to the one area) with single display, aesthetic signs similar to those used by the Department of Conservation and Land Management.

The Swan River Trust recognises that maintaining views is of major concern to landowners in the area and that rehabilitation works and landscaping need not obstruct views.

10.4.3 Rubbish disposal/litter

Litter is a significant problem west of CYC. The Swan River Trust has difficulty cleaning this area because of the limited access.

The Trust will maintain this area more regularly when access is improved, enabling regular collection of the litter which accumulates along the shoreline. CYC and the jetty may or may not be the source of the rubbish, its accumulation in this section of the bay may be a function of wind and wave action across Freshwater Bay and Melville Water. However, it is clear that most, if not all, of the rubbish is water-borne and the Trust should approach the boating community with a view to producing a pamphlet, or some other communication, to request the assistance of boat owners in controlling the amount of litter which is deposited into the river. Similarly, CTC should carry out an education program, in conjunction with the application of relevant by-laws, to inform users of the foreshore and the jetty of the environmental hazards and aesthetic problems associated with litter (such as plastic bait bags).

11. IMPLEMENTATION

With respect to implementation of the plan's recommendations, the following procedure should be followed:

Priority 1

1. The Council, in conjunction with the Museum and community groups, should commence work on development of the heritage trail/foreshore access path from the Museum to the Claremont Yacht Club. The foreshore reserve in this sector is accessible and heavily used. Works to be undertaken are:
 - ~ construction of the soft surfaced trail between the jetty and Museum, including improvement of access from Jetty and Chester Roads;
 - ~ installation of informative and interpretive heritage signs/displays;
 - ~ development and implementation of a landscape plan for the foreshore;
 - ~ implementation of an anti-litter campaign.
2. Consultation with landowners west of CYC to the Town boundary on agreements and other methods to assist in public use of the foreshore and management and enhancement of its resources. Review of P & R boundaries with relevant agencies and landowners. Investigation of other issues such as public liability.
3. Formation of a working committee and community interest group to assist in the development and management of the foreshore.
4. Management of natural vegetation (replanting, weed eradication) on the public foreshore.

Priority 2

Construction of a path between the jetty and CYC, with provision of signs advising the public of their right of access across the foreshore and delineation of a safe access route.

Priority 3

Investigation into the demand for expense and environmental impact of the heritage trail between CYC and the Peppermint Grove Shire boundary. Survey of a suitable route for the heritage trail - pending the outcome of discussions with landowners on the public use/cession of land currently in freehold.

Priority 4

Construction of the heritage trail, with supporting interpretative program, west of CYC.

A delineated trail is not required in all instances. Rather a trail which blends in with the natural environment and provides an experience of the foreshore is desired.

The plan should be reviewed periodically, at least every three years, to assess the implementation and relevance of its recommendations.

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APPENDIX 1 SUMMARY OF PUBLIC SUBMISSIONS

Following the review and acceptance of the preliminary draft management plan by the Claremont Town Council and Swan River Trust a final draft was made available for public comment. A total of forty five submissions on the Draft Freshwater Bay Management Plan were received. The submissions were predominantly from individual residents of the Freshwater Bay area. The majority of submissions generally supported the identification of historical sites and features in the area but opposed the development of a sealed heritage path between the Claremont Museum and Claremont Yacht Club. The main concerns raised were the impacts a formal heritage path may have on the surrounding environment, amenity, existing recreational activities and affected landowners. The importance of some parts of the study area to the Aboriginal community was also highlighted.

Analysis of the submissions by the Swan River Trust occurred in consultation with relevant persons and agencies as necessary. The following criteria were used to determine amendments to the draft.

- i) Consistency with the Swan River Management Strategy and Swan River Trust policy;
- ii) The supply of additional information not available for inclusion in the draft;
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- iv) Whether issues were beyond the scope of this study;
- v) Overwhelming concern with a recommendation or issue in the report.
- vi) Whether the status of some recommendations had changed during or as a result of the public submission period;
- vii) Whether submissions raised original ideas that had not been discussed in the draft; and
- viii) Whether submissions identified changes to the implementation of recommendations.

The majority of comments received related to the second, third and fifth criteria.

List of submissions

1. MH Atkins & RW Cusack
2. Dr A Boulton
3. JP Dempster
4. A Fraser
5. N & A Patrick
6. SC Anderson
7. Mr and Mrs K Leunig
8. Dr Jon Sainken
9. Christchurch Grammer School
10. JC Morris
11. Mrs LP Christian
12. E, E & D Freeman
13. Genevieve Morrissey
14. Lee Steere & Co
15. Keith Gilbride
16. Peter Chappell
17. JB Bell
18. Marie Locke
19. RR Lake
20. DN & MH Allan
21. Jean Teasdale
22. Body Corporate (RSB Bennett)
23. E Thomas
24. DJ Whitely
25. HE & GH Watkins
26. Bennett (TANEDA PTY LTD)
27. JH & EM Macaulay
28. PWE deLacy
29. HG & NA Ferrier
30. GR Young
31. HJ Perkins
32. ID & DM Stock
33. DR Candy
34. KJ & CP Morrison
35. D Sadka
36. TL Perrott
37. J Simpson
38. CJ Mews
39. G Robertson
40. C McAllister
41. CH & E Day
42. G Black
43. R Mortlock
44. C Brittain & J McKay
45. AP Bovell

Detailed submission comments and amendments

Details of comments received and the amendments made to the draft plan as a result of these comments are provided below. Comments are addressed under the relevant chapter headings.

There is no discussion of comments in agreement with recommendations. These comments will help to set priorities for implementation.

Chapter 1 - Introduction

Submission comments - Consultation with landowners

Six submissions indicated the statement in the Introduction that “landowners in the subject area were contacted by the Swan River Trust in early 1992”, was inaccurate and that greater consultation with affected landowners is required.

Discussion

The Swan River Trust acknowledges that not all landowners were contacted in early 1992 due to an administrative error. As a result this contact was relatively unsuccessful. Since this time a number of avenues have been available for local landowners to raise concerns. These include:

- A public meeting held in 1993 by the Claremont Heritage Trust Advisory Committee to discuss the proposed heritage trail.
- Media coverage informing residents of the proposed trail.
- Release of the draft plan for public comment and amendment of the plan to take account of concerns raised.

Section 8.3 of the plan outlines the mechanisms through which public consultation was undertaken. It also emphasises that the Trust and Town of Claremont are committed to ensuring consultation with landowners occurs at all stages of development and implementation of the plan.

Amendments

Section 8.3 has been amended to outline all the avenues available to the community to raise concerns and have input to the plan. An advisory committee has been established and a brochure outlining the main points of the plan will be distributed to local residents.

Chapter 2 - Aims and objectives

No comments received.

Chapter 3 - Study area

No comments received.

Chapter 4 - Natural environment

Submission comments - Fauna protection

Three submissions were concerned that the draft document did not include any discussion of the composition and extent of fauna in the study area. One of the main areas of concern was the disruption of riparian bird life common to the area (eg ducks, herons, pelicans, cormorants and ospreys) due to the removal of vegetation, the isolation of water from inland vegetation, the increased level of activity (cyclists, pedestrians and dogs), and the increased accessibility to previously remote sections of the western escarpment of the bay.

Twenty seven submissions expressed similar concern over the intrusion into wildlife habitat and in particular the fragility of the environment between the Claremont Yacht Club and Devils Elbow. The potential adverse impacts the proposed trail may have on estuarine and terrestrial invertebrates was also raised. Several submissions requested that an investigation into the impacts of the proposal on fauna be undertaken.

Discussion

The Trust acknowledges that the composition and extent of fauna in the study area was not discussed in the draft plan. This was due primarily to the lack of information available.

The Trust recognises the value of maintaining foreshore areas as important habitat for a variety of native wildlife. It is also committed to ensuring that the provision of public access to foreshore areas is achieved in such a way as to protect these habitats.

Amendments

As a result of the comments received a number of amendments have been made to the plan. These are as follows:

- *A brief description of the fauna of the Freshwater Bay area has been incorporated into Chapter 4 of the plan.*

- *'Wildlife communities and habitats of conservation value' has been included as an identifiable natural value of the study area listed in Section 9.1 of the plan.*
- *Issue 2 has been expanded, outlining the need to identify fauna communities and their extent and habitats in the study area.*
- *The recommendation for issue 2 has been expanded to include:*

Prepare a fauna inventory for the area prior to construction of the heritage trail. This could involve the collection of information from the community, State and local government agencies and fauna surveys if necessary. Ensure that the trail is located in such a way as to avoid disruption to areas of importance to native fauna.

Submission comments - Protection of beaches

A few respondents were concerned that the proposed heritage trail would encroach onto the narrow sandy beaches west of the Claremont Museum, stating that such development would be contrary to the Trust's emphasis on the preservation of beaches around the river.

Discussion

Section 10.2.1 of the plan states that the path would be constructed away from the active zone of the river's edge, on the inland side of the reserve. This location would allow for the maintenance and protection of the beach in this area.

Amendments

Nil

Chapter 5 - History and heritage

Submission comments - Osborne Steps

One submission suggested that discussion of history and heritage should include information that historically the Osborne Steps became polluted and were not useable for much of the year. Further, the submission expressed concern that the steps, jetty and changing rooms were to be considered for restoration in conjunction with the development of the heritage trail.

Discussion

Chapter 5 of the plan gives a brief outline of the history and heritage of the study area. It is not the

intention of this section of the plan to discuss historical use of particular features in detail. This type of information has been collected and is available from the Claremont Museum.

Section 10.2.4 of the plan states that if financially feasible, consideration should be given to reconstructing the Osborne Steps. It also states that the proposal should be open to public debate should it reach the detailed planning phase. The Trust agrees that any feasibility study carried out should consider all issues of concern to the community. This should include any environmental issues and the demand for use of the steps. This recommendation relates only to the steps and not the associated jetty and changing rooms.

Amendments

Section 10.2.4 has been amended to state that environmental and financial feasibility studies should be undertaken prior to any decision being made about reconstruction of the Osborne Steps. The investigation should also consider demand for use of the steps.

Submission comments - Aboriginal heritage

One submission claimed that the caves in the cliff face have significant value to Aboriginal heritage and that sacred rites were held there until recently. The submission expressed concern over the possibility of these sites being desecrated with the increased level of public access.

Discussion

The plan recognises that the Freshwater Bay area was used by Aboriginal people and that areas of significance to Aboriginal heritage need to be identified and protected. (Refer Chapter 5, Section 9.1.1 (Issue 6) , and Section 10.3.1).

Amendments

Section 9.1.1 Issue 6 has been expanded to include a recommendation to ensure that any works are subject to the provisions of the Aboriginal Heritage Act 1972 -1980.

Note: Section 18 of the Aboriginal Heritage Act 1972-1980 refers to the requirement to refer changes in land use or development proposals to the Aboriginal Heritage Commission for consideration. The Commission will provide advice to planning authorities on the likely impact a proposal may have on sites of Aboriginal significance.

Submission comments - Mews Boatshed

One submission stated that the Mews Boatshed is in a derelict condition and requires immediate attention if it is to remain a visible historical structure.

Discussion

The Claremont Museum obtained funds to move the boatshed to the museum site. The boatshed has been relocated and its contents conserved within a newly constructed building at the museum.

Amendments

Issue 6 has been expanded in Section 9.1.1 to identify the need to protect and enhance features of historical significance. The recommendation associated with this issue has also been expanded, encouraging the restoration/conservation of features of historical significance as a means of enhancing interest in the history of the area.

Submission comments - Boatshed near Lot 6

One respondent suggested that a boatshed present near the southern boundary of Lot 6 for more than 50 years (1952) was not included on maps and the owner considers it of heritage and functional significance.

Discussion

The Trust is aware of the existence and importance of the boatshed near Lot 6. It considers that the existence of these types of features justifies the need for the proposed heritage trail.

Amendments

This feature has been identified as a European historic site/feature in Table 2 and on Map 3 in Chapter 5. A recommendation has been inserted in Section 9.1.1 encouraging restoration/conservation of these types of features.

Submission comments - Historical interpretation

Three submissions suggested that the heritage trail will not enhance people's understanding of historical sites.

Discussion

This point is generally not supported by the majority of submissions received. Section 10.3.2 of the plan

suggests that the Claremont Museum should be requested to develop an in situ interpretative program for the European historic sites and features in the study area. The information from this program would be transposed to signs and displays along the heritage trail. It is the experience of the Trust that this type of interpretive information enhances people's understanding of the environment around them.

Amendments

Nil

Chapter 6 - Resource use

Submission comments - Section 11 Swan River Trust Act

One submission requested that the contents of Section 11 of the Swan River Trust Act, in an abridged form, should be included in the draft.

Discussion

Section 6.3 of the draft plan incorrectly quoted Section 7 of the Swan River Trust Act as relating to agreements with private landowners. This Section of the Act is in fact Section 11. An explanation of Section 11 of the Act has therefore already been included in the plan.

Amendments

Section 6.3 has been corrected.

Chapter 7 - Role of relevant authorities

Submission comments - Land acquisition

One submission was concerned that the Swan River Trust is not an elected or representative body, and yet can invoke the land acquisition from private owners, without first consulting with every affected landowner personally in writing of the intention.

Discussion

This submission confuses the roles of the Swan River Trust and the Ministry for Planning (MFP). The MFP is responsible for the identification and acquisition of the Parks and Recreation Reservation.

The Swan River Trust can under Section 11 of the Swan River Trust Act enter into agreements with landowners to facilitate management. It is a requirement of the Act that no agreement shall be entered into unless the owner

and any person occupying the land with the consent of the owner have given approval in writing to the agreement. This approach is recommended in Section 9.3.1 Issue 16. The recommendation clearly states that landowners should be consulted to discuss the possibility of entering into agreements.

Since the Draft Management Plan was produced in 1994 organisational changes have occurred within many State departments. These include the restructure of the Western Australian water industry, the State Planning Commission (now Western Australian Planning Commission), the Department of Planning and Urban Development (now Ministry for Planning) and the Environmental Protection Authority.

Amendments

Sections 7.2, 7.3 and 7.4 have been amended to reflect the organisational changes that have occurred since the production of the Draft Management Plan.

Any sections which refer to agencies which have had organisational changes have been amended to reflect these changes.

Chapter 8 - Public involvement and consultation

Submission comments - Consultation with landowners

Several submissions indicated that contrary to the reference in the report that "close consultation must occur with the affected landowners", they have not received any communication since the release of the draft report and that a much greater level of communication is required on this "important issue".

Suggestions in regard to this comment included:

- Alternative strategies be developed in consultation with the community.
- A letter via Australia Post is the only reliable method of ensuring affected residents are notified of matters under discussion.
- Claremont Heritage Trust Advisory Committee may not give due consideration to the issues concerning the affected residents and that a working committee be formed with affected landowner representatives from each section in order to secure their vested rights.

Discussion

It should be noted that in 1992 the Trust wrote to landowners advising them of the proposal but it appears many property owners did not receive this correspondence. However, in 1993 the Claremont Heritage Trust Advisory Committee held a public meeting to discuss the proposed trail. In both instances a poor response was received.

In Section 8 the plan acknowledges the need for thorough public consultation with interested parties if the management and use of public resources is to be effective. The need for Council to establish an effective public interest group to be involved in the long term management and development of the foreshore is highlighted in Section 8.2 and Section 9.5.1- Recommendation 19.

Amendments

Recommendation 19 has been expanded to incorporate the following points:

- *A thorough public consultation process with interested parties to be undertaken (workshops organised) to explore the issues pertaining to the proposal.*
- *A working committee to be formed with affected landowner representatives from each section of the study area to coordinate management of the foreshore in cooperation with the Town of Claremont, Swan River Trust and the Ministry for Planning.*
- *All affected landowners and respondents to be given progress reports on the proposal.*

Chapter 9 - Issues and general recommendations

Submission comments - Issue 5 - Signage

Two submissions were concerned by the erection of additional signposts.

Discussion

Section 10.4.2 of the plan recommends that signs along the foreshore should be reviewed, with the aim of replacing some of them with single display, aesthetic signs similar to those used by the Department of Conservation and Land Management. Additional

signage associated with the heritage trail would be incorporated into this review and developed in a way that is sympathetic with the existing natural and cultural environment.

Amendments

Nil

Issue 7 - Submission comments - Funding for the heritage trail

A total of 15 submissions believed that the proposal to develop a heritage trail would constitute an inappropriate use of funds and that private monies should not fund the development.

The main concerns included:

- The financial feasibility of the proposal with regard to the installation and the ongoing maintenance (water damage) costs of the pathway.
- Who would be expected to pay for the ongoing maintenance costs to keep the trail in good condition and safe (sand, algae, water and erosion), particularly after regular storm damage.
- It was stated that the Trust should concentrate on directing funds into eliminating algae and river pollution problems.

Discussion

Section 9.2.1 Issue and Recommendation 7 recommend an investigations into the sources of funding and infrastructure, and community support to develop the trail.

It is envisaged that funding of the proposed heritage trail will be a cooperative effort by the various players involved. Detailed investigation into the funding possibilities will need to be undertaken to determine the most appropriate arrangement. During this investigation various funding programs such as the National Estate Grants Program will be explored to access funds and ongoing maintenance costs. It is not the intention of the plan to use private funds to finance the development of the heritage trail.

Amendments

A note accompanying Recommendation 7 has been inserted providing a brief outline of the possible funding mechanisms which could be utilised to develop the heritage trail.

Issue 8 - Submission comments

One submission queried why Reserve 24523 needed to be widened and considered that purchasing rear yards is an unjustifiable expense to the public (\$1500/m2).

Discussion

Section 9.4.1 Issue and Recommendation 18 address the issue of acquisition of land and admit that the limited availability of funds for purchase predicates against this land being secured for the community in the near future. Recommendation 8 recommends the use of voluntary agreements under Section 11 of the Swan River Trust Act to allow for public access. Section 9.4.1 also recommends that suitable procedures /mechanisms be developed to allow for the future protection and enhancement of the reserve.

Amendments

Nil

Issue 10 - Submission comments

Over half of the submissions received questioned the need for a sealed path to disabled standards between the Claremont Museum and the Claremont Yacht Club.

The main concerns and comments included:

- The area is well grassed and readily accessible for wheelchairs and prams with four radial access ways - two parks , Chester and Jetty Roads.
- Demand for wheelchair access and whether any study had been undertaken in this regard was questioned.
- Disabled have ready access in adjacent and other areas around the river. “ Lets not ruin all of our river foreshore with pathways”.
- Suggestion that motorised units be made available from the Museum to assist wheelchair mobility.

- No provision for wheelchairs to turn around on a 1.5 metre constructed path.
- Recommendation that parking for the disabled be included at the Museum and Chester Road, with improved access to the beach through the two parks.

Discussion

The Trust has recognised the community concerns in regard to the proposed constructed pathway between the Claremont Museum and the Claremont Yacht Club. The recommendation to construct a sealed path has therefore been removed from the plan.

Amendments

Recommendation 10 has been amended to reflect these concerns. The recommendation for access for the disabled east of Chester Road will be deleted and Recommendation 10 will now read:

Investigate the demand for a formally constructed path for disabled people (to Australian Standards Association requirements) along the foreshore east of CYC. Delay any proposal to develop such a path until a demonstrated need exists. Improve parking for the disabled at the Claremont Museum and Chester Road and provide access for the disabled at the Museum, Chester Road and Jetty Road.

Section 10.2.1 and Section 10.2.2. have also been amended to reflect the removal of the sealed path from the plan.

Issue 11 - Submission comments

Several submissions acknowledged the need to improve access west across the CYC slipway .

Amendments

Recommendation 11 has been expanded to read:

Define a safe pedestrian access way which crosses the CYC carpark and slipway. The accessway should join sections of Reserve 24523 which have been separated by the construction of the carpark and the slipway.

Issue 12- Submission comments

Six submissions stated that the reserve boundary is in an inappropriate location and does not reflect the rights of landowners, or the needs of the community - nor is it commercially appropriate.

The following comments/ suggestions were made:

- The Parks and Recreation Reserve boundary be reviewed to be more representative of the physical and functional needs of the reserve coupled with commercial reality.
- The Parks and Recreation Reserve boundary be rationalised as quickly as possible - excluding their properties from the reserve.
- Landowners should be compensated for loss of heritage values.

Discussion

The need to rationalise the existing P & R Reservation boundary is addressed in the Section 9.2.1 Issue and Recommendation 12 and Section 9.4.1 Issue and Recommendation 18.

Amendments

Nil

Issue 14 - Submission comments

Several submissions indicated that the owners of land adjoining the river had not yet been advised of any proposed title amendments.

This issue is addressed in Section 9.3.1 Issue 14 and Recommendation 14 recommends that landowners be advised of title amendments.

Amendments

Nil

Issue 15 - Submission comments

One submission supported the rationalisation of the P & R Reservation boundary but stressed that the realignment must be realistic.

One respondent was prepared to give up, free of any compensation, a limited section of land providing that the owner could develop his land without further land acquisition.

Several respondents were concerned about losing the development potential and the total area of land to which they hold title.

Discussion

These comments are addressed under Section 9.3.1 Issues and Recommendations 15 & 16. Recommendation 15 recommends the rationalisation of the P & R Reservation to reduce legal/ development problems for landowners and Recommendation 16 recommends entering into agreements with landowners under the Swan River Trust Act to facilitate foreshore management and the development of the heritage trail.

Amendments

Nil

Issue 17 - Submission comments

A total of 20 submissions were concerned about the impact the proposed path would have on their security and privacy. Some of the main issues raised included:

- Hard surface would allow easy access to rear of the properties and secluded areas leading to burglaries and vandalism.
- Intrusion onto school properties will have implications for security.
- People have invested heavily in the area because it is quiet and with a view to enjoying the foreshore amenity. Any disturbance to this right would severely compromise the value of landowners, properties.
- Exclusion of free access currently enjoyed.
- The pathway constitutes a total invasion of privacy, as it would be located, due to necessity, no more than 10 m from the riverfront entrances to private properties.
- Who will police the inevitable after hours illegal use of the trail?

Discussion

These comments were not discussed at length within the scope of the draft plan, however the Swan River Trust recognises that these issues will be of concern to local landowners.

Amendments

The text and recommendations under Section 9.3.1. Issue 17 have been expanded to further discuss these issues.

Chapter 10 - Management recommendations

Area 1 and 2: Claremont Museum to Claremont Yacht Club

A total of 34 submissions had major reservations about the proposed sealed path between the Claremont Museum and Claremont Yacht club and many strongly opposed its construction.

The major concerns/comments about the path included:

- The path could not be policed and would be improperly used by cycles, skateboards, rollerblades and motorbikes. The associated hazards of such activities for young children, the elderly and wildlife were highlighted.
- The path would significantly disrupt the current low impact recreational uses, eg launching small boats/dinghies, prawners, crabbers, canoeists, sailboarders and artists.
- The path would destroy the pleasure of families who safely enjoy walking along the foreshore, and interfere with the young children's usage of the beach.
- The path would destroy the stillness and beauty of this unique stretch of foreshore and take away the very reason why people enjoy its surrounds.
- The path would create a physical barrier and detract from the surrounding natural amenity of the area.
- Materials to be used for the proposed constructed path had not been discussed and concern was expressed that bitumen, concrete or brick may be used.
- The path may increase the parking problems in the cul-de-sacs of Chester and Jetty Roads especially on weekends and public holidays.
- The path would be impractical between Chester Road and Jetty Road because of limited space between the HWM and private property boundaries.
- The path may cause erosion as the area between Chester Road and Claremont Yacht Club is affected by the winter tide which will result in the path being seasonally inundated.

Discussion

The Trust has recognised the community concerns over to the proposed constructed pathway between the Claremont Museum and the Claremont Yacht Club. The recommendation to construct a sealed path has therefore been removed from the plan.

Amendments

Section 10.2 has been amended to describe the entire length of the trail as a soft surfaced trail including marked grassed areas, crushed limestone pathways, with cut and fill timber steps as required. No sealed pathways have been recommended in the plan. Sections 10.2.1 and 10.2.2 and Recommendation 10 have also been amended to reflect this change.

Area 4: MLC to Bindaring Parade

Submission comments

Three submissions raised concern about the soft surface trail proposed between MLC and Bindaring Parade. The concerns included:

- The steeper parts of the bay have thin soils which are susceptible to erosion.
- It is extremely difficult to traverse the river front on foot from the previous location of the Osborne Steps to Peppermint Grove; the proposed soft trail would be little used by the public and the expense would not be justified.

Discussion

Recommendation 13 provides for locating the trail throughout the study area to avoid erosion prone areas.

The Trust recognises the need to ensure that construction of a soft trail between MLC and Bindaring Parade is justified in regard to demand and expense. The Trust proposes to carry out further investigations into this issue. These investigation will involve consultation with the community.

Amendments

Recommendation 13 in Section 9.2.1 has been expanded to read:

Carry out investigations into the demand for a soft trail between MLC and Bindaring Parade and the impact an elevated walkway would have on the surrounding amenity.

Ensure walkways and trails are located and constructed in a manner which prevents erosion and protects areas of remnant vegetation.

Section 10.2.4 has also been amended to reflect this change.

Section 10.4: Environmental and landscape management

Submission comments

Five submissions had reservations about the proposed landscaping works and believed that they may impact on the surrounding amenity and restrict landowners' views. Other issues raised include:

- The proposal would impede the operations involved in removing weed from the foreshore which is deposited from the river and gathers in large quantities between the months of October and May.

Discussion

The final plan states that plantings will be located to avoid areas where weed and rubbish accumulate.

Amendments

Nil

- Supported the native revegetation program, however, was concerned that any weed control will destabilise the foreshore and has requested careful research and planning.

Discussion

Section 10.4.1 of the plan discusses techniques for weed removal. This section notes that grasses help to stabilise the steep sandy slopes and recommends the re-establishment of native grasses, sedges and rushes to enhance the stability of the slopes once noxious species are removed.

This comment relates directly to the implementation of the management plan and will be taken into account at this time.

Amendments

Nil

- Considered that the plantings of the Claremont Town Council, which are markedly different to that recommended in the draft are acceptable to the public.

Discussion

The final plan contains reference to the plantings undertaken by the Town of Claremont and describes their relationship to the recommended vegetation treatments.

Amendments

Nil

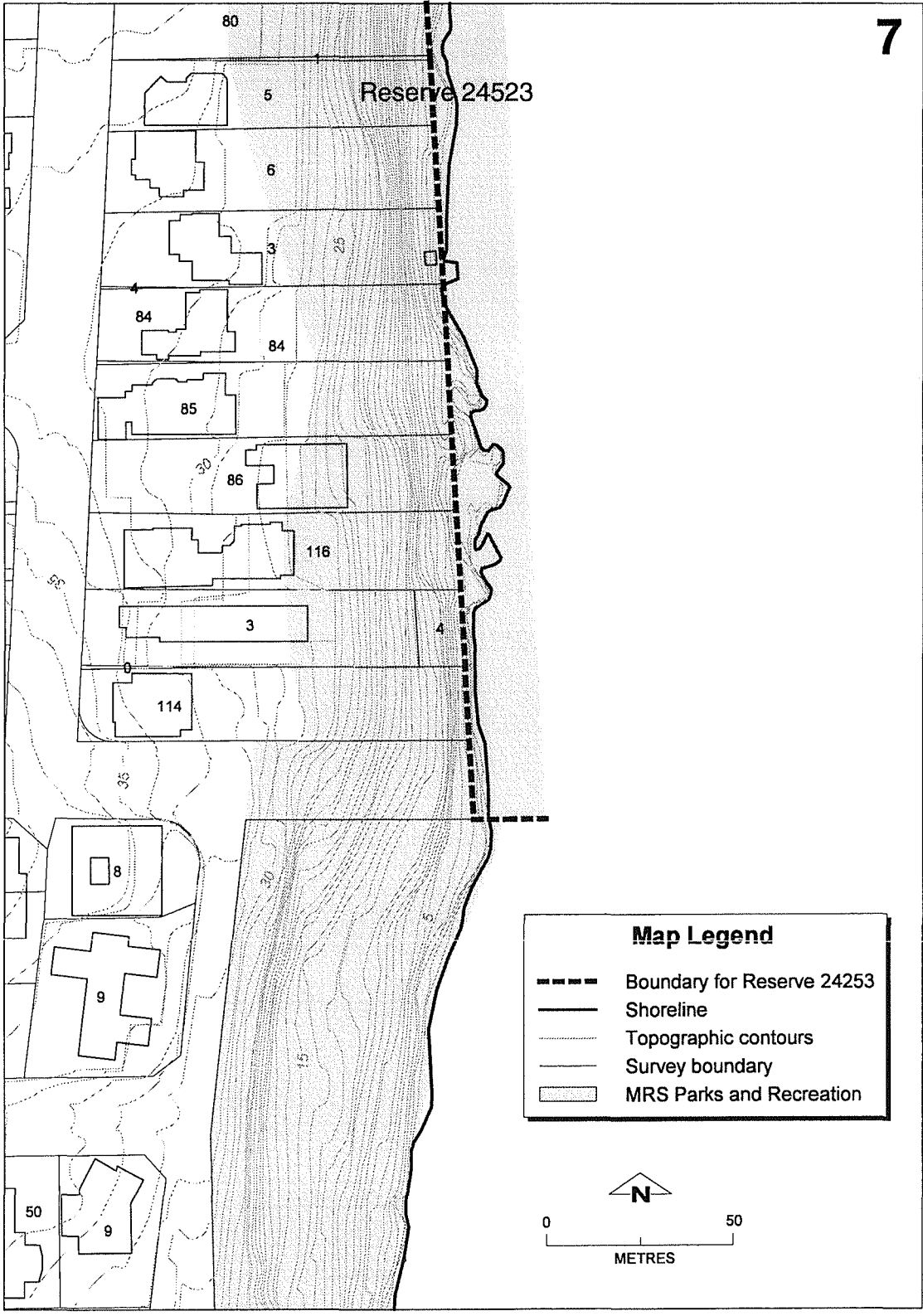
- Landscaping should not restrict the views of private lot owners and should be minimal as the openness is a significant part of natural beauty and is an asset to the heritage of the area.

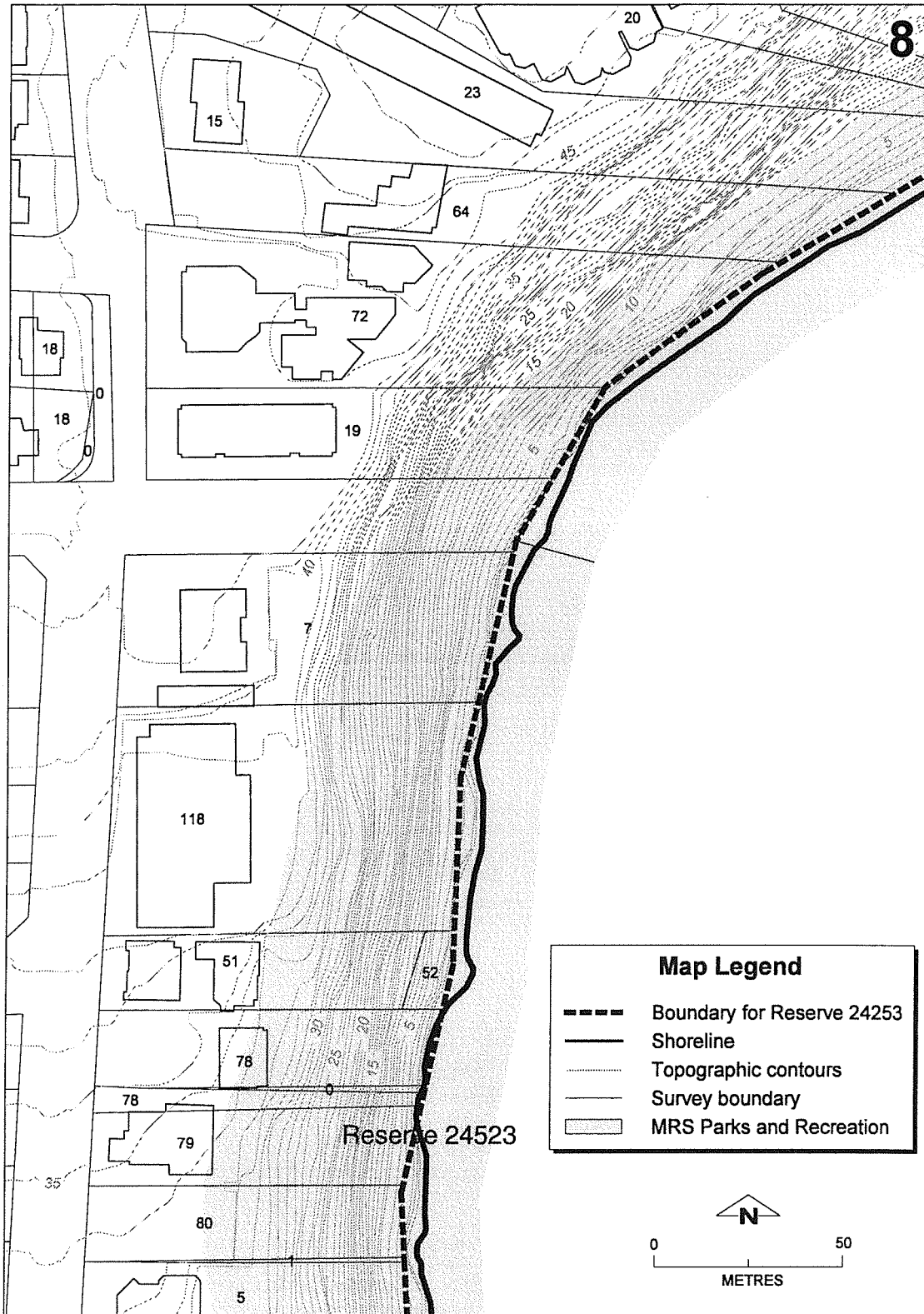
Discussion

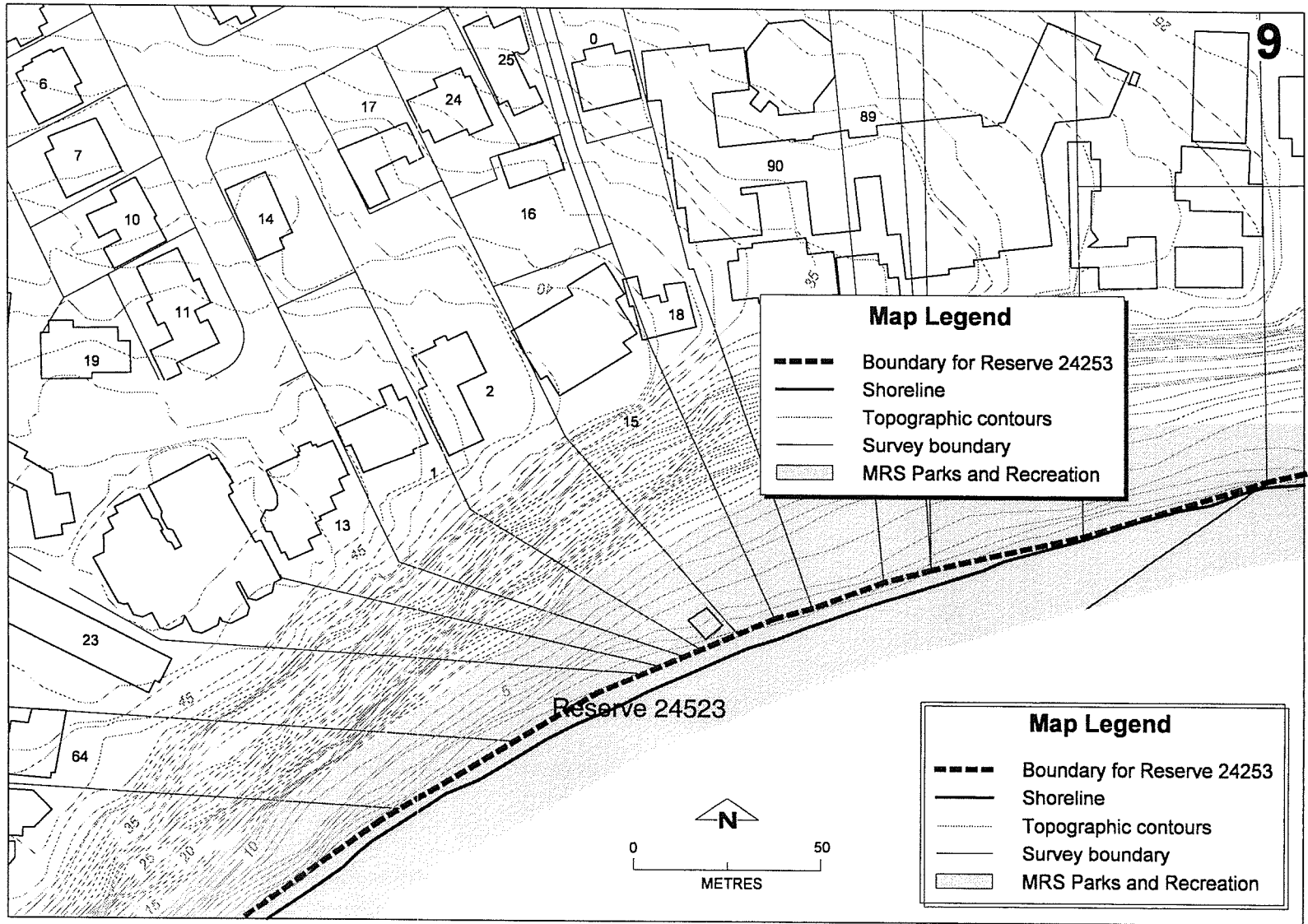
The Trust recognises that maintaining views is of major concern to landowners in the area.

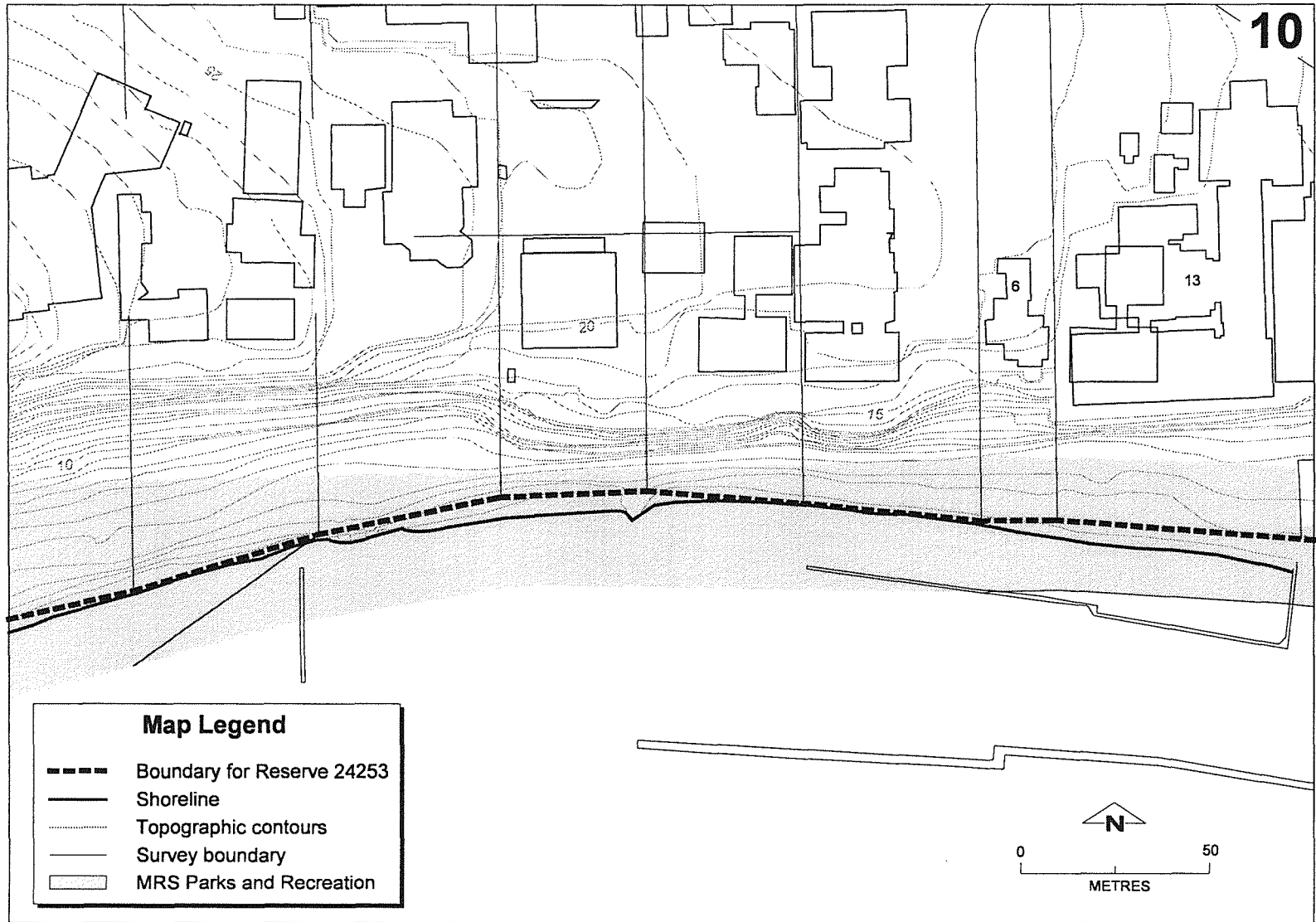
Amendments

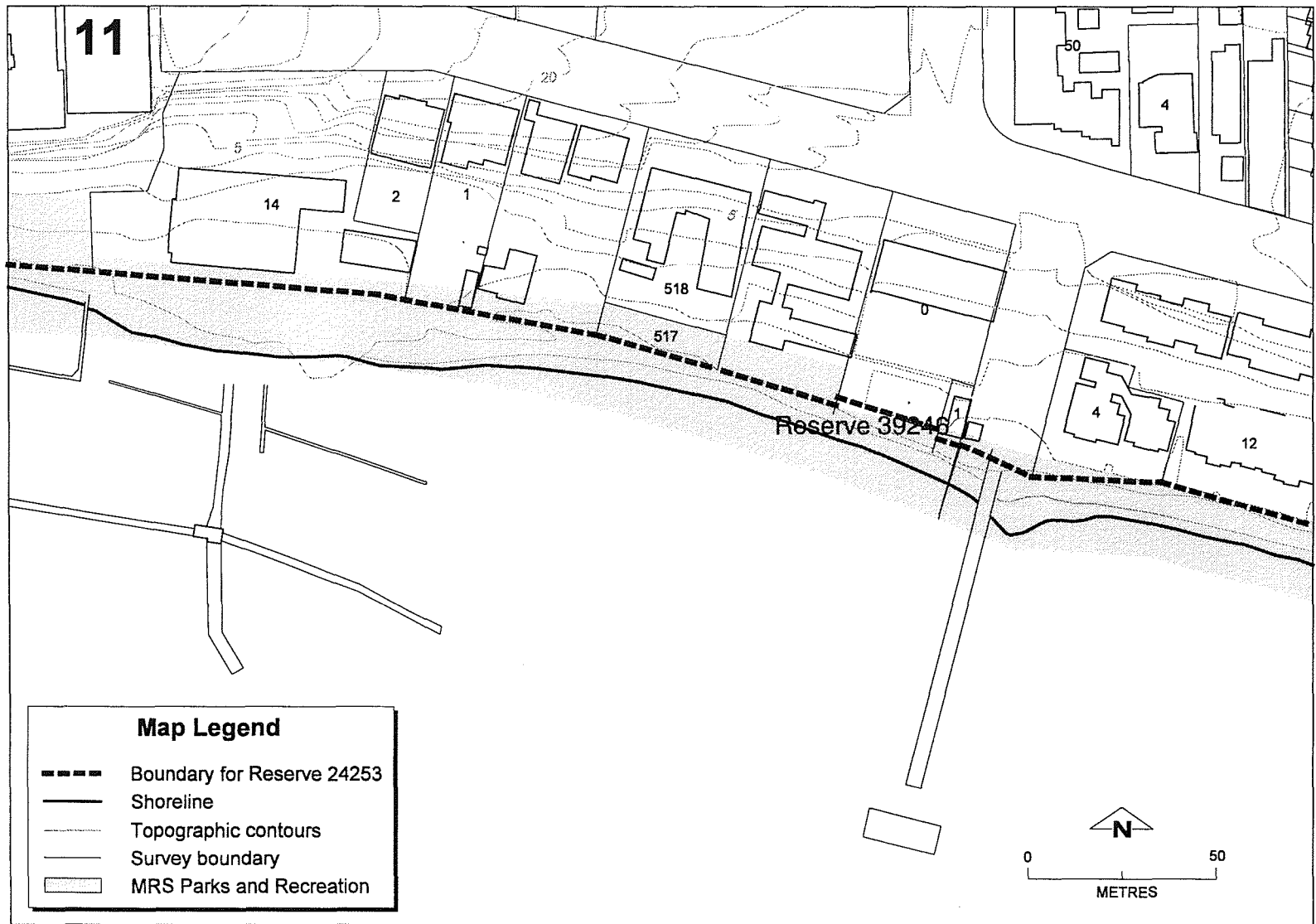
Section 10.4.1 has been expanded to include a statement that rehabilitation work need not obstruct views.

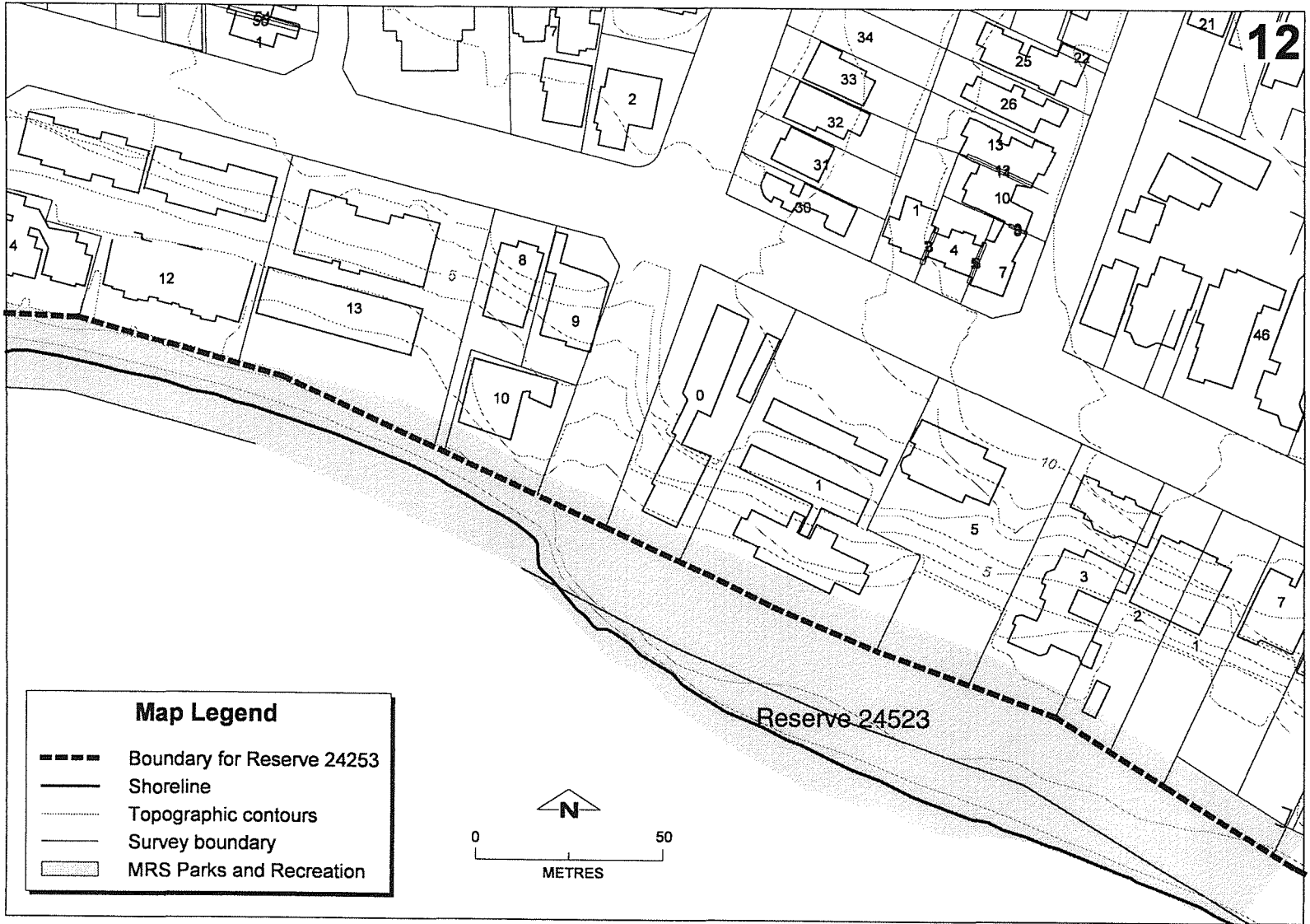


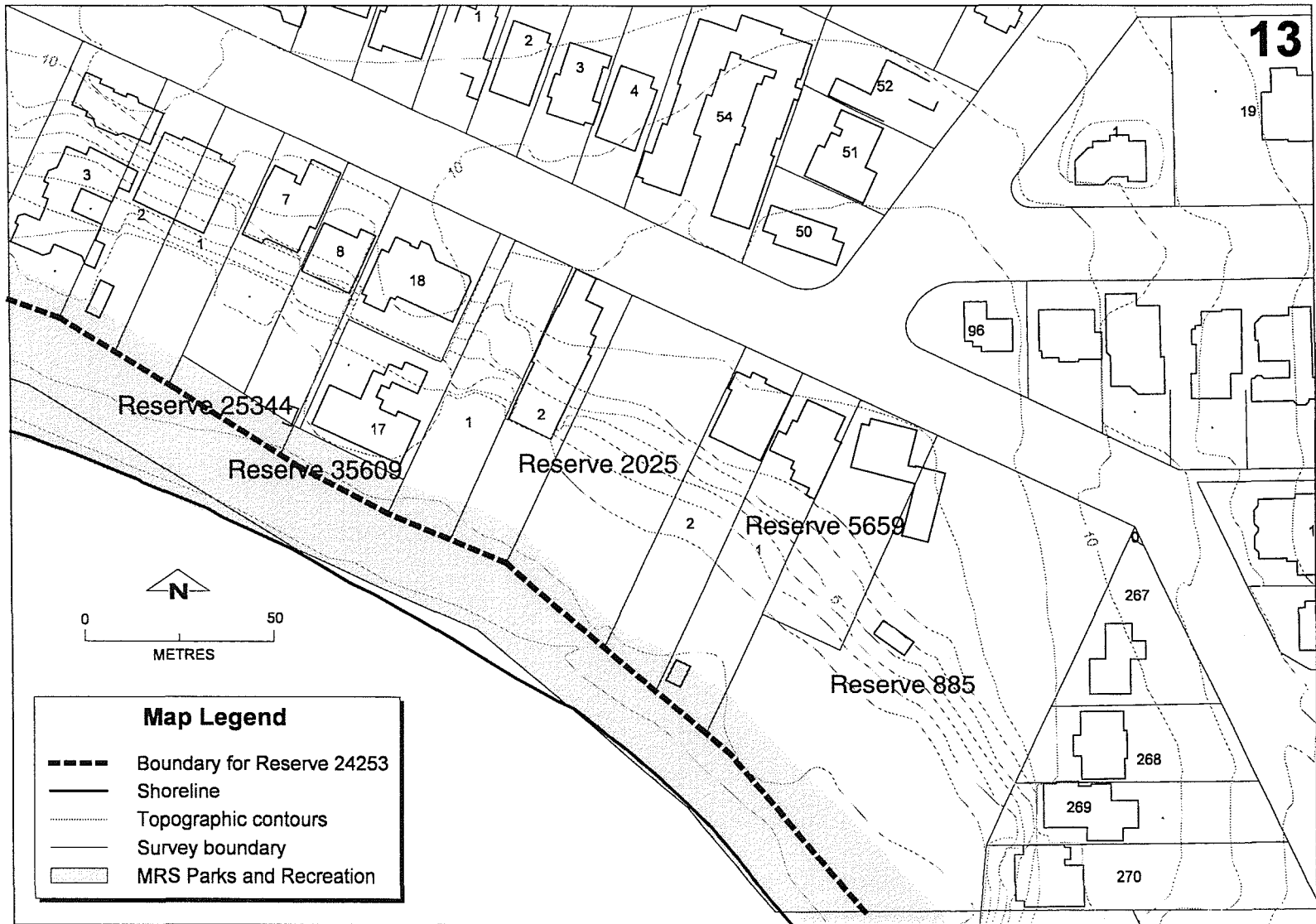


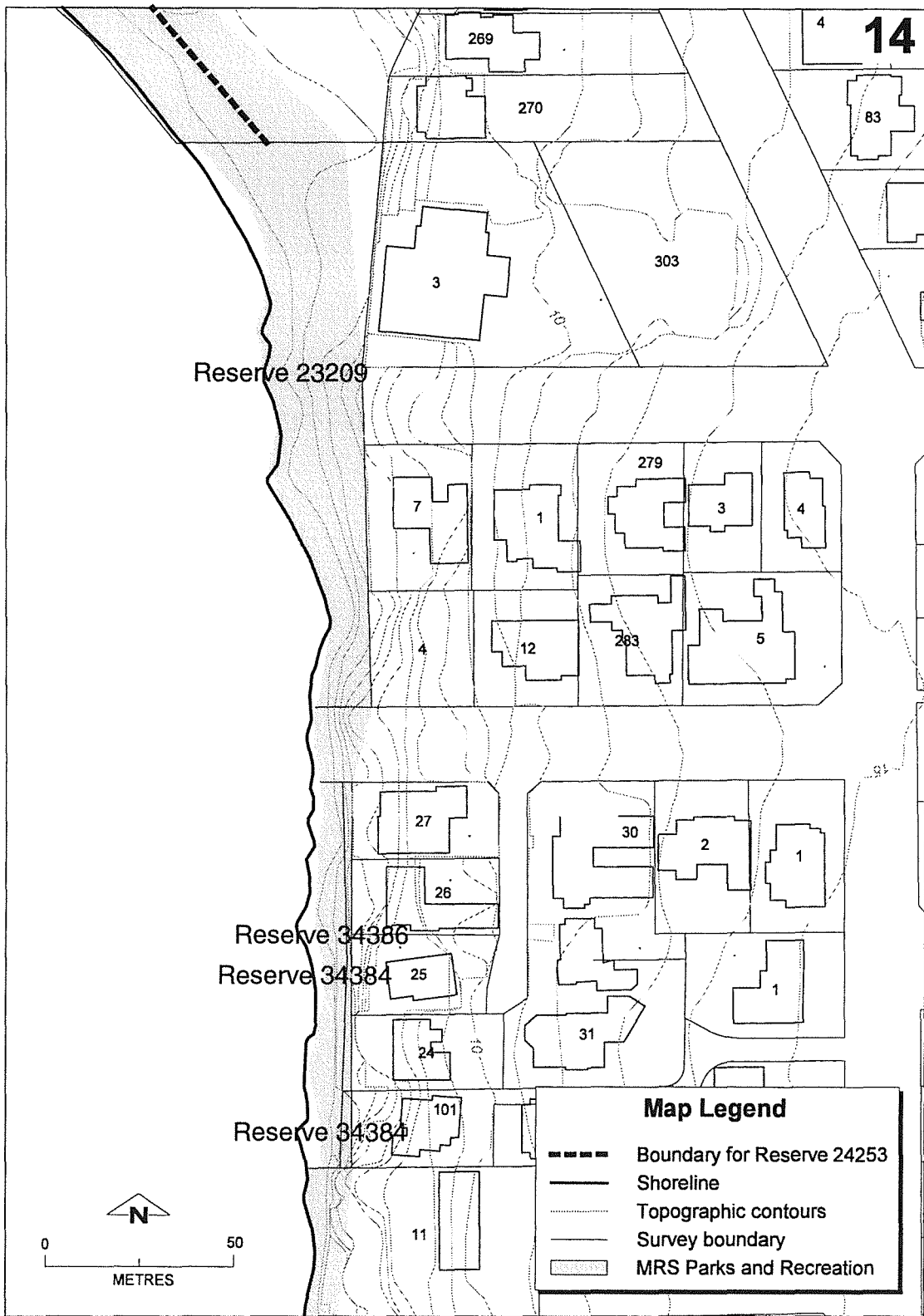












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