

MINUTES

Council Meeting Tuesday, 16 July 2024 at 6:30 PM

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CONTENTS

1	OFFICIAL OPENING	4
2	ACKNOWLEDGEMENT OF COUNTRY.....	4
3	ANNOUNCEMENT TO GALLERY	4
4	RECORD OF ATTENDANCE.....	4
4.1	ATTENDANCE	4
4.2	APOLOGIES	4
4.3	APPROVED	5
5	DISCLOSURES OF INTEREST	5
5.1	FINANCIAL.....	5
5.1.1	DUKE STREET – ROYAL GEORGE HOTEL – CHANGE OF USE – RECREATION – PRIVATE (PILATES STUDIO) AND SAUNA AND ICE BATH FACILITY	5
5.2	PROXIMITY	5
5.3	IMPARTIALITY	5
6	PUBLIC QUESTION TIME.....	5
6.1	RESPONSES TO PREVIOUS QUESTIONS FROM MEMBERS OF THE PUBLIC TAKEN ON NOTICE	5
6.2	PUBLIC QUESTION TIME	5
6.2.1	D RICCI, HUBBLE STREET – PERTH SOUTH WEST METRO ALLIANCE OVERSEAS TRIP	5
6.2.2	D GASPAR, PRESTON POINT ROAD – EAST FREMANTLE COMMUNITY PARK	6
7	PRESENTATIONS/DEPUTATIONS	7
7.1	PRESENTATIONS	7
7.2	DEPUTATIONS.....	7
7.2.1	DUKE STREET – ROYAL GEORGE HOTEL – CHANGE OF USE – RECREATION – PRIVATE (PILATES STUDIO) AND SAUNA AND ICE BATH FACILITY	7
7.2.2	DUKE STREET – ROYAL GEORGE HOTEL – CHANGE OF USE – RECREATION – PRIVATE (PILATES STUDIO) AND SAUNA AND ICE BATH FACILITY	7
7.2.3	EAST FREMANTLE FOOTBALL CLUB – SUBLEASE AND LICENCE AGREEMENT UPDATE	7
8	APPLICATIONS FOR LEAVE OF ABSENCE	7
9	CONFIRMATION OF MINUTES OF PREVIOUS MEETING	8
9.1	MEETING OF COUNCIL (18 JUNE 2024)	8
10	ANNOUNCEMENTS BY THE PRESIDING MEMBER.....	8
10.1	CARG EVENT – ELECTRIFY 6 58	8
11	UNRESOLVED BUSINESS FROM PREVIOUS MEETINGS	8

12	REPORTS AND RECOMMENDATIONS OF COMMITTEES	8
13	REPORTS OF OFFICERS	9
13.1	EAST FREMANTLE FOOTBALL CLUB - SUBLEASE AND LICENCE AGREEMENT UPDATE	10
13.2	34 DUKE STREET – ROYAL GEORGE HOTEL – CHANGE OF USE – RECREATION – PRIVATE (PILATES STUDIO) AND SAUNA AND ICE BATH FACILITY	29
13.3	32 MOSS STREET - PROPOSED SUBDIVISION	97
13.4	15 KING STREET - HOSTED SHORT TERM RENTAL ACCOMMODATION	109
13.5	DEFERRAL OF JUNE 2024 MONTHLY FINANCIAL STATEMENTS	120
13.6	ACCOUNTS FOR PAYMENT JUNE 2024.....	123
13.7	DELEGATION TO THE CHIEF EXECUTIVE OFFICER - EAST FREMANTLE COMMUNITY PARK OPERATING BUDGET	138
13.8	EAST FREMANTLE COMMUNITY PRECINCT - DOG EXERCISE AREA APPROVAL	147
13.9	OPERATOR AGREEMENT, EAST FREMANTLE OVAL PRECINCT - ESTABLISHMENT PLAN	153
14	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN.....	159
15	NOTICE OF MOTION FOR CONSIDERATION AT THE NEXT MEETING	159
16	QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN	159
17	NEW BUSINESS OF AN URGENT NATURE.....	159
18	MATTERS BEHIND CLOSED DOORS	159
19	CLOSURE	159

MINUTES

MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBER, 135 CANNING HIGHWAY EAST FREMANTLE ON TUESDAY, 16 JULY 2024.

1 OFFICIAL OPENING

The Presiding Member opened the meeting at 6.30pm

2 ACKNOWLEDGEMENT OF COUNTRY

"On behalf of the Council I would like to acknowledge the Whadjuk Nyoongar people as the traditional custodians of the land on which this meeting is taking place and pay my respects to Elders past, present and emerging."

3 ANNOUNCEMENT TO GALLERY

"Members of the gallery are advised that no Council decision from tonight's meeting will be communicated or implemented until 12 noon on the first clear working day after this meeting, unless Council, by resolution carried at this meeting, requested the CEO to take immediate action to implement the decision."

4 RECORD OF ATTENDANCE

4.1 ATTENDANCE

The following members were in attendance:

Cr A Natale	Presiding Member
Cr C Collinson	
Cr K Donovan	
Cr J Harrington	
Cr L Maywood	
Cr A White	
Cr M Wilson	

The following staff were in attendance:

Mr J Throssell	Chief Executive Officer (CEO)
Mr A Malone	Executive Manager Regulatory Services (EMRS)
Mr P Kocian	Executive Manager Corporate Services (EMCS)
Mr N King	Executive Manager Technical Services (EMTS)
Ms C Catchpole	Senior Planner (SP)
Ms N O'Malley	Manager Community Engagement & Communications (MCEC)
Ms N Parker	Consultant
Ms J May	Minute Secretary

There were 22 members of the public in attendance.

4.2 APOLOGIES

Nil

4.3 APPROVED

Mayor O'Neill
Cr McPhail

5 DISCLOSURES OF INTEREST

5.1 FINANCIAL

5.1.1 DUKE STREET – ROYAL GEORGE HOTEL – CHANGE OF USE – RECREATION – PRIVATE (PILATES STUDIO) AND SAUNA AND ICE BATH FACILITY

Cr Wilson declared a financial interest in the above item due to having:

1. a friendship or what may be perceived as a friendship with the Project Director at Saracen Properties, Joel Saraceni.
2. a friendship or what may be perceived as a friendship with the Director(s) of Alchemy Saunas
3. a friendship or what may be perceived friendship with the Director(s) of the private Pilates studio.
4. received a financial benefit in the form of free membership to Alchemy Saunas ~ \$ 2000/year

5.2 PROXIMITY

Nil

5.3 IMPARTIALITY

Nil

6 PUBLIC QUESTION TIME

6.1 RESPONSES TO PREVIOUS QUESTIONS FROM MEMBERS OF THE PUBLIC TAKEN ON NOTICE

Nil.

6.2 PUBLIC QUESTION TIME

6.2.1 D RICCI, HUBBLE STREET – PERTH SOUTH WEST METRO ALLIANCE OVERSEAS TRIP

Further to reports last week that the Mayors and CEOs of Melville, East Fremantle, Fremantle, Cockburn, Kwinana and Rockingham councils who comprise the Perth South West Metro Alliance (PSWMA), will be travelling to the US in September to visit the San Diego naval base and other places/persons relevant to the AUKUS defence and security pact between Australia, the UK and US and that the funds will come from the Alliance's under-spends during the COVID pandemic.

"How do the Mayor and CEO of East Fremantle Council, who are board members of the PSWMA (which essentially derives its funds from the respective councils' ratepayer and other revenue) justify 'gifting/donating' themselves \$14,100 to undertake this trip – cited to include discussing 'homelessness' and understanding "emergency procedures" which in WA are covered under the State Hazmat Annex A and will soon be the remit of the new Australian Naval Nuclear Power Safety Regulator?"

Shouldn't Council's due diligence pertaining to Defence's plan to base nuclear powered submarines in Cockburn Sound (under AUKUS Pillar 1) start right here in the Perth South West Metro area with:

- i an independent safety and risk assessment both in terms of (a) the impacts on residents, the environment and marine life of a potential radiation leak and (b) the presence of US submarines making us a target in the event of hostilities breaking out involving the US – especially in view of the “don’t ask – don’t tell” agreement with the US if visiting US aircraft and vessels are carrying nuclear weapons?*
- ii community consultation, including in regard to the impact of 700 US submariners and their families moving to the PSWM area (in view of the SRF West rotations as of 2027) on already overstretched housing, road transport and social services?*

As the Chief Executive Officer had an interest in this matter, the Executive Manager Corporate Services provided the following response:

You are correct in that member local governments provide funding to the Perth South West Alliance. The Town of East Fremantle's member contribution in 2023/24 was \$38,269 ex GST.

This Alliance is a longstanding association of the local governments of Fremantle, East Fremantle, Melville, Cockburn, Kwinana and Rockingham. Whilst the Town of East Fremantle is relatively small in size (compared to the other member local governments), we are home to the Leeuwin Navy Barracks which is a significant Federal Government strategic site.

In relation to your first bulletin point, the decision to enter the AUKUS Agreement was made by the Federal Government and these questions should be directed to them.

The focus of the delegation is to ascertain the implications of the Agreement on the Region. As the AUKUS Agreement has broader implications for regional security, further details about its impact on specific naval bases and defence interests may emerge as the partnership develops.

Regarding your question on community consultation relating to the AUKUS, this is a Federal Government decision and local government has no remit to undertake consultation in relation to Federal Government decisions.

6.2.2 D GASPAR, PRESTON POINT ROAD – EAST FREMANTLE COMMUNITY PARK

1. *“Why did the council and councillors recommend the removal of the existing fence, decide it was suitable to have no perimeter fence and spend all these hundreds of thousands of dollars, only to end up with a worse outcome for the dog owners, worse for the EFFC, potentially all council ratepayers and benefiting only those ratepayers that look directly onto the facility?”* With clever use of fencing, councillors could have and can meet multiple positive outcomes.

As a ratepayer I wish for this facility to become sustainable. However these figures, agenda items above, my previous question on the dog park, makes me raise numerous questions on the F&B figures, the figures proposed to be paid to the clubs (especially the EFFC), the figures the council expects to receive, the decisions that have been made to suit the council on the facility and in direct conflict with the suitability of the EFFC to the facility.

The CEO advised that the original premise for the East Fremantle Community Park was to enable community access to the precinct; this followed extensive community consultation. This consultation resulted in the removal of the perimeter fence and was supported by the State Government who provided significant funds for the project to proceed. The East Fremantle Football Club was also involved in consultation about this outcome. The proposed new financial model to be entered into with the Club is designed to offset any loss of gate/ticket sales.

As there was to be no perimeter fencing, an alternative solution was needed to provide an area where dogs could be exercised while off leash. Accordingly, Council funded a fenced Dog Park of approximately 4000 square metres in size, at a cost of approximately \$120,000.

The facility has the capacity to manage the expected number of patrons attending the majority of football matches without the need for perimeter fencing. There is provision for temporary fencing to be erected for those occasions where there is a need to manage larger crowds or due to requirements of the WAFC (eg in regard to finals).

2. *"If the EFFC club does not enter this facility how much can ratepayers expect to either foot the bill via increase in rates or suffer from loss of other amenities and council services? The risks to the ratepayers seems significant. If this does not warrant a risk rating that is higher than 15 and require a Risk Treatment Plan, what does?"*

The Executive Manager Corporate Services advised that the 5-year budget tendered by Belgravia illustrated a net operating profit of more than \$400,000 per year from 2025/26 onwards with a forecast deficit of \$50,000 in 2024/25, which was inclusive of Belgravia Leisures Management Fee of \$180,000 and a budgeted food and beverage payment of \$109,000 to the sporting clubs. Thus, it is not expected that ratepayers will have to subsidise the facility as it will be self-funding including covering 100% of the annual sinking fund contribution of \$275,000 and 30-40% of debt service costs (principal and interest) on the loan.

7 PRESENTATIONS/DEPUTATIONS

7.1 PRESENTATIONS

Nil

7.2 DEPUTATIONS

7.2.1 DUKE STREET – ROYAL GEORGE HOTEL – CHANGE OF USE – RECREATION – PRIVATE (PILATES STUDIO) AND SAUNA AND ICE BATH FACILITY

Ms Whitton from Alchemy Saunas (applicant) addressed the meeting regarding the above application.

7.2.2 DUKE STREET – ROYAL GEORGE HOTEL – CHANGE OF USE – RECREATION – PRIVATE (PILATES STUDIO) AND SAUNA AND ICE BATH FACILITY

Mr Saraceni (owner) addressed the meeting regarding the above application.

7.2.3 EAST FREMANTLE FOOTBALL CLUB – SUBLEASE AND LICENCE AGREEMENT UPDATE

Mr Stewart (President EFFC) & Wetzler (CEO EFFC) addressed the meeting regarding the above application.

8 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

9 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

9.1 MEETING OF COUNCIL (18 JUNE 2024)

OFFICER RECOMMENDATION

Moved Cr White, seconded Cr Harrington

That the minutes of the Ordinary meeting of Council held on Tuesday, 18 June 2024 be confirmed as a true and correct record of proceedings.

(CARRIED UNANIMOUSLY 7:0)

For: Crs Wilson, Collinson, Donovan, Harrington, White, Maywood & Natale.

Against: Nil

10 ANNOUNCEMENTS BY THE PRESIDING MEMBER

10.1 CARG EVENT – ELECTRIFY 6 58

The Deputy Mayor advised of a recent event on transitioning to an all electric home hosted by the Town's CARG at the Swan Yacht Club on 6 July. Cr Natale thanked CARG members and Connor Warn for organising the event. Mayor O'Neill and Cr Maywood attended.

11 UNRESOLVED BUSINESS FROM PREVIOUS MEETINGS

Nil

12 REPORTS AND RECOMMENDATIONS OF COMMITTEES

Nil

13 REPORTS OF OFFICERS

Reports start on the next page

13.1 EAST FREMANTLE FOOTBALL CLUB - SUBLEASE AND LICENCE AGREEMENT UPDATE

Report Reference Number	OCR-2925
Prepared by	Peter Kocian, Executive Manager Corporate Services
Supervised by	Peter Kocian, Executive Manager Corporate Services
Meeting date	Tuesday, 16 July 2024
Voting requirements	Simple
Documents tabled	Nil

Attachments

1. Letter of Support from East Fremantle Bowling Club
2. Letter of Support from East Fremantle Croquet Club
3. Signed Memorandum of Understanding between the Town of East Fremantle and East Fremantle Bowling Club (Confidential Attachment)
4. Checklist from Belgravia – WAFL Match Day Fixture
5. East Fremantle Football Club – Better off Position Calculation
6. Table of Consultation between the Town of East Fremantle and the East Fremantle Football Club (Confidential Attachment)

PURPOSE

This report recommends that Council consider options with regards to the negotiation and finalisation of the Sublease and Licence Agreements with the East Fremantle Football Club (EFFC) to enable occupancy of East Fremantle Community Park and to facilitate match day football.

EXECUTIVE SUMMARY

The oval surface at East Fremantle Community Park will be assessed for Practical Completion in the week commencing Monday 15 July 2024 and parties remain optimistic that this will be achieved. Subject to Practical Completion sign-off, this means that WAFL fixtures may proceed provided that appropriate agreements are in place between the Town of East Fremantle, Belgravia Health & Leisure Group Pty Ltd (“Belgravia”) and the East Fremantle Football Club.

The next proposed WAFL fixture for East Fremantle Community Park is the derby fixture (East Fremantle v South Fremantle) scheduled for Saturday 3 August 2024. The WAFC requires a minimum of two weeks’ notice to approve fixturing, meaning that the Town/EFFC must advise the WAFC by Friday 19 July 2024 whether the oval surface has met WAFC compliance requirements and that appropriate legal agreements are in place between all parties to allow the fixture to occur. Note the two-week notice is a requirement of the WAFC and could be relaxed to a shorter timeline at the discretion of the WAFC.

The official opening of East Fremantle Community Park has been scheduled for Saturday 17 August 2024. Ideally, all agreements should be in place with the respective sporting clubs and a match played at the Oval before opening day to ensure that the celebration is successful and not marred by stakeholder dissatisfaction.

BACKGROUND

At the Ordinary Meeting of Council of 21 May 2024, Council resolved the following:

Council Resolution 092105

OFFICER RECOMMENDATION:

Moved Cr Donovan, seconded Cr Collinson

That Council:

- 1. requests the CEO finalise the attached subleases between the East Fremantle Football Club, East Fremantle Bowls Club, East Fremantle Croquet Club, East Fremantle Child and Adolescent Health Services and Belgravia Health and Leisure Group Pty Ltd to satisfy a condition precedent under the Operator Agreement;**
- 2. authorises the CEO to amend the licences clauses of the East Fremantle Football Club, East Fremantle Bowls Club, East Fremantle Croquet Club to delete the clauses permitting the F&B payment to be capped and deleting the provision permitting the F&B payment to be at the sole discretion of the Town;**
- 3. endorses the terms as outlined in the licences for the East Fremantle Football Club, East Fremantle Bowls Club, East Fremantle Croquet Club subject to the changes proposed in recommendation 2;**
- 4. requests the CEO finalise the licences between the East Fremantle Football Club, East Fremantle Bowls Club, East Fremantle Croquet Club, East Fremantle Playgroup and Belgravia Health and Leisure Group Pty Ltd to satisfy a condition precedent under the Operator Agreement; and**
- 5. requests the Chief Executive Officer submit the subleases and licences to the Minister for Lands for consent to satisfy conditions precedent under the Operator Agreement.**

(CARRIED 5:4)

For: Crs Wilson, Collinson, Donovan, Maywood & McPhail.

Against: Mayor O'Neill, Crs Natale, White, Harrington

CONSULTATION

Lance Hilton-Barber, Partner, Jackson McDonald
Executive Leadership Team
Belgravia Leadership Team
Representatives from East Fremantle Football Club, Bowling Club and Croquet Club
Nicola Parker and Brad Paatsch, Consultants
Luke Sanders, Head of WAFL Competitions, West Australian Football Commission
Cameron Sutherland, State Manager Grounds, Programmed Property Services

There has been negative press directed towards the Town by the President of the East Fremantle Football Club (refer to sports talk media clip over the weekend 6/7 July 2024). Assertions were made by the President of the EFFC that:

- That the Town has provided the EFFC with unreasonable timelines regarding finalising the Sublease and Licence Agreement.
- That the Oval Contractor should have been appointed separately to the main Building Contractor and the Town should have been more involved with overseeing the preparation of the sports oval turf.
- \$370,000 was spent on a dog exercise area which was prioritised over ensuring that a compliant sports oval surface was achieved.

Officer's wish to clarify these statements through the following comments:

That the Town has provided the EFFC with unreasonable timelines regarding finalising the Sublease and Licence Agreement.

Negotiations with EFFC in relation to the proposed sublease and licence for the EFCP commenced in September 2021. The first draft of the sublease was provided to EFFC in June 2023. The first draft of the licence was provided to EFFC in February 2024 (following finalisation of the Operator Agreement with Belgravia in late 2023). Throughout this period, the Town has been proactive in its engagement with EFFC (including the President, other board members and the CEO) on the sublease and licence and in following up EFFC on its comments and amendments to these documents. There was some delay in receiving EFFC's amendments to the sublease between 28 July 2023 to 23 October 2023. The Town understands that this was due primarily to EFFC having an interim CEO during this period and the time it took for the replacement CEO to become informed in relation to the documents. There was however a seven-week delay in receiving a formal response from EFFC to the first draft of the Licence and the Town believes that some delays may have been avoidable if negotiations had been prioritised.

That the Oval Contractor should have been appointed separately to the main Building Contractor and the Town should have been more involved with overseeing the preparation of the turf.

As part of the procurement process the option to appoint the Oval Contractor independently of the Main Building Contractor was investigated by the Project Manager and the Project Team. This was primarily on the basis at the time the oval would be completed prior to commencing the Main Works. Due to the requirement for continued value engineering on the Main Building and resulting delays, it was not possible to complete the oval independently and it was decided to incorporate the oval into the Main Builders contract. This is very common in building projects of this nature especially where there is ongoing interaction between the main construction and the oval. Access to the main construction site and landscaping was required through and from the oval throughout construction meaning to have two independent contractors would have created serious demarcation issues. From a risk perspective it was much simpler to have a single contractor.

Having an independent contractor would not have guaranteed a different result for the oval as the Main Building Contractor (Cooper and Oxley) are best placed to manage a sub-contractor of this nature (managing sub-contractors is what they do in all building projects). Unfortunately, Cooper and Oxley were forced to go with a new oval contractor to get the oval completed.

\$370,000 was spent on a dog exercise area which was prioritised over ensuring that a compliant sports oval surface was achieved.

The amount referenced above was the total budget for the Eastern Bank works at East Fremantle Community Park. These works were removed from the head contract with Cooper and Oxley, with the Town managing these works directly. Budget allowances were included for these works under the head contract and treated as a contract variation and adjustment to the contract price.

The budget included the following elements:

- Installation of concrete footpath
- Earthworks and reshaping
- Drainage
- Fencing
- Equipment and amenities
- Tree plantings
- Installation of reticulation
- Roll on turf installation for the dog park (2000m²) and the eastern bank (3000m²)

The value of the dog park works was approximately \$120,000.

The dog park has always formed a component of the East Fremantle Oval upgrade with its inclusion informed by extensive community consultation and demand. The dog park scope of works formed a deliverable of the funding agreement with the State Government for the \$25m funding and was also a key deliverable of Town of East Fremantle funding for the project.

The East Fremantle Oval precinct, prior to redevelopment was an off-lead dog area.

These works were managed independently by the Town to the main Contractor and had no bearing on achieving a compliant oval surface.

STATUTORY ENVIRONMENT

The Town is required to comply with its obligations in accordance with section 3.58 and section 3.59 of the *Local Government Act 1995*. In September 2023 the East Fremantle Oval Facility Operator Business Plan was endorsed by Council as per the requirements of section 3.58 and section 3.59 of the Act. The Operator Agreement was subsequently signed by all parties. Council in December 2023 resolved to finalise the Head Lease Agreement with Belgravia.

The Minister for Lands has consented to the Head Lease being granted to Belgravia as Operator of the EFCP. The Head Lease makes provision for the Operator to grant subleases and licences (if applicable) to East Fremantle Football Club, East Fremantle Bowling Club, East Fremantle Croquet Club, East Fremantle Child Health Clinic and East Freo Playgroup Inc.

The Minister for Lands is also required to consent to each Sublease and Licence granted to each the of the above clubs or community organisations before they can be executed by the relevant parties.

POLICY IMPLICATIONS

There are no Council Policies relevant to this matter

FINANCIAL IMPLICATIONS

Should Council consider approving a donation to the respective clubs, in lieu of the food and beverage profit share model being in place, this would be a direct expense for the Town and be expensed against an existing budget E11213. A full year trading result of a deficit of \$49,640 has been budgeted for the operations of the East Fremantle Community Park. This is inclusive of a total food and beverage payment to the clubs of \$109,139 ex GST.

STRATEGIC IMPLICATIONS

The Town of East Fremantle **Strategic Community Plan 2020-2030** states:

Strategic Priority 1 – Social – A socially connected, inclusive and safe community

1.1 Facilitate appropriate local services for the health and wellbeing of the community

- 1.1.1 Facilitate or partner to ensure a range of quality services are provided at a local level
- 1.1.2 Strengthen the sense of place and belonging through inclusive community interaction and participation.

1.2 Inviting open spaces, meeting places and recreational facilities

- 1.2.1 Provision of adequate recreational, sporting and social facilities
- 1.2.2 Activate inviting open spaces that encourage social connection

1.3 Strong community connection within a safe and vibrant lifestyle

- 1.3.1 Partner and educate to build a strong sense of community safety
- 1.3.2 Facilitate opportunities for people to develop community connections through events and celebrations.
- 1.3.3 Facilitate community group capacity building.

The Town of East Fremantle **Recreation and Community Facilities Strategy** adopted in 2016 identified that *‘the East Fremantle Oval Precinct is a major recreation and sporting precinct in East Fremantle that is currently perceived as poorly planned as a precinct, is underutilised in terms of community use and access and is an ineffective use of major open space.*

RISK IMPLICATIONS

RISKS

Risk	Risk Likelihood (based on history & with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
Failure to achieve conditions precedent will result in a delay to the clubs moving into the facility and commencing operations	Possible (3)	Moderate (3)	Moderate (5-9)	SERVICE INTERRUPTION Prolonged interruption of services - additional resources; performance affected <1month	Accept Officer Recommendation
The proposed fixture on the 3 August does not proceed	Possible (3)	Extreme (5)	High (10-16)	REPUTATIONAL Substantiated, public embarrassment, high impact, high news profile, third party actions	Accept Officer Recommendation

It is recommended that occupancy only be granted to the East Fremantle Football Club under a Sublease on the condition that East Fremantle Football Club play all of its home games at East Fremantle Community Park. The Town is aware of speculation that the East Fremantle Football Club “could choose to locate its Administration and Training at East Fremantle Community Park but play its home games elsewhere”. This is a risk that the Town needs to manage.

The East Fremantle Football Club sublease footprint is significant, and as illustrated in the financial table, the East Fremantle Football Club is effectively being subsidised \$292,000 in costs per annum with the ‘Precinct’ picking up these costs. If East Fremantle Football Club do not commit to playing home games at East Fremantle Community Park, then there is no reciprocal investment by the East Fremantle Football Club to either the financial model or activating East Fremantle Community Park as a true community facility.

RISK MATRIX

Consequence Likelihood		Insignificant	Minor	Moderate	Major	Extreme
		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives: occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating is provided below. Any items with a risk rating over 16 will be added to the Risk Register, and any item with a risk rating over 16 will require a specific risk treatment plan to be developed.

RISK RATING

Risk Rating	15
Does this item need to be added to the Town's Risk Register	Yes
Is a Risk Treatment Plan Required	No

SITE INSPECTION

Oval Surface Inspection Thursday 11 July 2024.

COMMENT

An overview of the principal terms of the sporting club sublease and licence agreements was presented to the Ordinary Council Meeting on 21 May 2024. Council provided the Chief Executive Officer with delegation to finalise these agreements.

The key topic of negotiation, and apparent stumbling block in getting the Licence Agreement finalised, has been the operable provisions of the Food and Beverage Payment model. There has been considerable discussion with the sporting clubs as to how the Food and Beverage Payment model is to work. It is important to note that that no club will receive any share of food and beverage revenue from the operation of the Food and Beverage Facilities until such time as the proposed profit share arrangement has been approved by the Director of Liquor Licensing. The Director of Liquor Licensing cannot approve the profit share arrangement unless and until the terms of each licence have been finalised.

A meeting was held between the East Fremantle Football Club, East Fremantle Bowling Club, East Fremantle Croquet Club and Belgravia on Thursday 4 July 2024 to discuss everyone's expectations as to how they see the Food and Beverage Model working. This meeting was attended by the Town, and it is become apparent that a collective agreement on the Food and Beverage Model will not be achieved within the next few weeks to enable the Sublease and Licence Agreements to be executed in their current form. This is extremely problematic as formal tenure with the East Fremantle Football Club is recommended to enable the proposed fixture on the 3 August 2024 to proceed.

The following options are presented with a view to facilitating the key objective of allowing football to be played at the East Fremantle Community Park as soon as possible, as well as considering the pressing need for EFFC to vacate Tricolore Community Centre.

Preferred Option

Agreement is reached on the Sublease and Licence, inclusive of the food and beverage payment clauses, by the 19 July. This will then allow the Town to obtain Ministerial Consent, following which the Agreements can be executed.

Advantages:

- Grants the EFFC legal tenure.
- Allows the proposed fixture on the 3 August 2024 to proceed.
- Director Liquor Licensing approves the profit share arrangement and the EFFC may receive a food and beverage payment.
- No future negotiations required.

Officer Comment – whilst this is the preferred option, feedback from the EFFC confirms that they are unlikely to agree with the food and beverage clauses as currently drafted. Given that all Clubs need to agree on these operable clauses, it may take a few months to finalise.

2nd Preferred Option

Agreement is reached on the Sublease and Licence, by removing the food and beverage payment clauses, and replacing them with an obligation on all parties reaching agreement on the formula by a specified date. A termination right for both the Town and the Clubs to be inserted into each licence in the event that the parties cannot reach agreement on the formula by the specified date. This will then allow the Town to obtain Ministerial Consent, following which the Agreements can be executed.

Advantages:

- Grants the EFFC legal tenure.
- Allows the proposed fixture on the 3 August 2024 to proceed.
- Whilst the EFFC will not be entitled to a share of food and beverage, there may be the ability for the EFFC to derive additional gate revenue if a temporary fence is installed for designated games such as the proposed Derby fixture, and the Town may consider waiving some overheads to minimise the costs that the EFFC would incur in holding this event (recognising that additional food and beverage revenue will be received on this day).
- Licence includes the right to renegotiate/terminate in the event that the Director of Liquor Licensing does not approve the profit share model.

Officer Comment – the above has been the approach undertaken with the East Fremantle Bowling Club and East Fremantle Croquet Club. A meeting was held with both clubs on Monday 8 July 2024 where support for this change was indicated. The Agreements have been re-drafted, Ministerial Consent will be requested as soon as the clubs confirm written acceptance, and the Agreements will be executed thereafter under delegated authority.

3rd Preferred Option

Agreement is reached on the Sublease and EFFC is granted access to the subleased premises comprising parts of the ground floor (which includes the changerooms) and first floor (which includes the administration offices and boardroom) before the EFFC licence is finalised and executed by EFFC.

The Sublease would need to be amended to include:

- (a) a provision allowing termination of the Sublease (on say 3 months' notice) in the event that EFFC did not enter into the licence by a specified latest date; and
- (b) a provision requiring EFFC to play all WAFL home games and WAFL home finals at the EFCP, failing which the Sublease could be terminated.

Advantages:

- Grants EFFC legal tenure for its administrative offices as a WAFL club.
- Allows the Fremantle City Football Club to move into the Tricolore Community Centre.
- EFFC may be able to commence training activities (utilising the indoor training facilities that fall within the subleased premises) but EFFC would still need to enter into a separate hire agreement with Belgravia to use the Oval in the interim period between commencement of the Sublease and commencement of the licence.

Officer Comment – while the preference would be to finalise the Sublease and licence with EFFC at the same time and have these agreements commence at the same time, this option would allow EFFC to move its administration into the EFCP and commence preparations for training and playing games at EFCP. It would not allow EFFC to receive any Food and Beverage payments and any use of the Oval would require a separate hire agreement with Belgravia for any periods prior to the commencement of the licence. The inclusion of appropriate clauses allowing termination of the Sublease on 3 months' notice if the licence is not entered into by a specified latest date would provide some protection from the Town in the event that EFFC and the Town/Belgravia are unable to reach agreement on the

licence. Given the time constraints and the need to relocate EFFC from the Tricolore Community Building this may be the most practical compromise to progress the matter.

Other Scenarios:

Stand-alone Hire Arrangement

In the absence of a signed sublease and licence, the Town/Belgravia could allow the EFFC to hire the ground and associated facilities for the 3 August 2024 only, with no permanent occupation of administration offices or other areas. A formal hire agreement detailing terms and conditions would have to be prepared (noting that Belgravia Leisure will need a similar hire agreement for usage by other groups/organisations outside the core clubs). This concept has been discussed with the EFFC and they are not supportive of this option. EFFC have indicated that there are logistical challenges for the EFFC to 'bump-in, bump-out', and thus this option has been eliminated from ongoing discussions with the EFFC.

Belgravia Leisure has also prepared a 'Game Day Checklist' (see attachment) which does identify a significant amount of work (and additional costs) to support a WAFL match day fixture. This further reinforces that one-off hire arrangements will be very inefficient.

The EFFC however has requested that the Town consider allowing access to the oval for training should there be a delay in finalising Agreements. Should the Town consider allowing training on the oval prior to the sublease and licence agreements being finalised, then a formal hire arrangement will need to be established providing the EFFC with access to the changerooms and oval only?

Council may wish to consider this as a "good will" gesture prior to execution of sub lease and license agreements prior to 3 August 2024. This would allow the opportunity for the oval to get a "trial run(s)" prior to 3 August 2024 and would also generate additional traffic for the café and restaurant/bar.

Belgravia Leisure have been consulted on a proposed hire arrangement for training and have confirmed:

- They have an existing hire agreement that they would use
- Access could be provided to the oval and downstairs changeroom
- The EFFC would be responsible for the cost of cleaning the changerooms
- EFFC to provide a copy of their public liability insurance
- Belgravia has imposed fees and charges for floodlighting costs and oval hire. The community rate could be charged.

Area	Fee	Not for Profit and Community Groups	Notes
Oval	\$100	\$50	Per hour
Oval	\$535	\$275	Full day
Oval	\$270	\$135	Half day
Supervision Fee	\$60	\$60	Per hour for outside of operating hours (eg: Monday nights)

Mr Cameron Sutherland, State Grounds Manager, Programmed, who are the sub-contractors managing the oval surface has also advised that it would be of benefit if the EFFC used the ground for training to see how it is performing and gain some feedback. He has indicated that the league squad could possibly use the oval one week after Practical Completion is signed-off, with further incorporation of the other squads over the following weeks.

EFFC insist on some other form of Agreement, such as a Memorandum of Understanding (MOU), to grant occupancy

- There would be time and expense in drafting such an Agreement.
- Legal advice has indicated that any such MOU would need to be approved by the Minister for Lands for it to have legal status and would therefore need to have sufficient legal detail such that it could gain legal status. It is therefore likely that any MOU would take an extended period to negotiate and agree (and time is therefore better spent on negotiating and finalising the licence agreement with EFFC).
- Such an Agreement would not entitle to the EFFC to a share of F+B revenue.
- Thus, the 2nd Preferred Option above will deliver the same outcome but will be a more expedient process.

Officer Comment – A MOU was executed between the Town and the East Fremantle Bowling Club on the 14th June 2024 to provide the EFBC with a licence to use facilities prior to a sublease and licence agreement being executed. This has created issues with the East Fremantle Football Club as they have also requested the same concession. However, a MOU is not recommended for the EFFC for the following reasons:

1. *No Club will receive any share of food and beverage revenue from the operation of the Food and Beverage Facilities until such time as the proposed profit share arrangement has been approved by the Director of Liquor Licensing. The Director of Liquor Licensing cannot approve the profit share arrangement unless and until the terms of each licence have been finalised. Thus, a MOU will not achieve the EFFC's desired outcome of providing for a Food and Beverage payment to EFFC.*
2. *There are legitimate issues for the Town in terms of public liability and the passing of risk if the Town was to grant early possession to EFFC before the football sublease and football licence had been finalised and executed by the parties. EFFC will be, by far, the largest organisation occupying the EFCP building (in terms of its floorspace footprint and the number of staff, players, members and invitees who will using, working in and visiting the facility at any particular time). The relative proportion of the building being occupied by EFFC and the numbers of people passing through the building at any particular time, means the risk to the Town of something going wrong (from an insurance/liability perspective) is particularly heightened.*
3. *Any agreement that provides for early access/occupation will still need Minister for Lands' consent (otherwise it will be void) and given the status of the draft football sublease and the football licence, it makes no sense to waste time, focus and money pursuing an interim agreement, that will likely require agreement on similar matters as currently detailed in the draft EFFC Sublease and the EFFC licence.*

No formal agreement is reached between the Town and the EFFC

- The fixture on the 3 August 2024 does not proceed.
- The EFFC generates nil revenue from a home fixture.
- There is adverse public and media attention.
- What is the process for remaining fixtures planned for the 2024 season?
- The EFFC are currently occupying Tricolore Community Centre and have been provided with a notice to vacate. This matter would remain unresolved also.

CONCLUSION

Whilst the finalisation of the EFFC sublease and licence agreement inclusive of the food and beverage payment model is the preferred position, it is very likely that this cannot be achieved within the next few weeks, which would put remaining home fixtures at East Fremantle Community Park in jeopardy, unless an alternative pathway was agreed.

Given time constraints to conclude preferred options one and two discussed in this report, and the need to relocate EFFC from the Tricolore Community Building, option three may be the most practical compromise to progress the matter. In order to facilitate the relocation of EFFC's administration from the Tricolore Community Centre, the Town and Belgravia could allow EFFC to enter into its sublease for the Building and occupy its administrative offices, changerooms and indoor training facilities within the Building prior to the finalisation and execution of EFFC's licence.

13.1 OFFICER RECOMMENDATION

Procedural Motion:

That the Ordinary Council Meeting of 16 July 2024 be closed to members of the public pursuant to section 5.23 of the *Local Government Act 1995* as this part of the meeting deals with:

- 5.23 (2) (c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.

Officer Recommendation

That Council, with respect to the request from the East Fremantle Football Club to be granted occupancy of the East Fremantle Community Park:

1. In order to facilitate the relocation of the East Fremantle Football Club Administration from Tricolore Community Centre, resolves to grant occupancy of East Fremantle Football Club's subleased building footprint at East Fremantle Community Park subject to the execution of the Sublease Agreement on terms acceptable to the Town (which includes a provision to terminate the Sublease on 3 months' notice if the parties fail to execute the Licence Agreement within three months of the commencement date of the Sublease and an obligation on East Fremantle Football Club to play all WAFL home games and WAFL home finals at the East Fremantle Community Park).
2. authorises the Chief Executive Officer to finalise the Sublease Agreement on the above basis and forward it to the Minister for Lands for consent, prior to execution.
3. resolves that the East Fremantle Football Club only be granted permission to use the oval at East Fremantle Community Park for match-day requirements, subject to the execution of the Licence Agreement.
4. instructs the Chief Executive Officer to advise the West Australian Football Commission that proposed match-day fixtures at East Fremantle Community Park can only proceed once the Licence Agreement with the East Fremantle Football Club has been executed. Thus, if the derby fixture on the 3 August 2024 is to be played at East Fremantle Community Park, then East Fremantle Football Club will need to agree to their Licence Agreement by Friday 19 July 2024, being two clear weeks' notice of the planned fixture. (note the two-week clear notice is a requirement of the WAFC and could be relaxed to a shorter timeline at the discretion of the WAFC).
5. resolves that the East Fremantle Football Club be granted use of the oval and changerooms as the East Fremantle Community Park for training purposes only, prior to execution of the Sublease and Licence Agreement, under the following conditions to be imposed under a Hire Agreement with Belgravia Health & Leisure Group Pty Ltd ("Belgravia"):
 - Practical Completion of the oval has been achieved;
 - Access to the oval is to be no earlier than seven days after the Practical Completion Date for the oval;
 - A formal hire agreement is to be signed by East Fremantle Football Club.
 - East Fremantle Football Club is responsible for the cost of cleaning the changerooms at the East Fremantle Community Park.
 - East Fremantle Football Club must first produce to Belgravia a certificate of currency issued by EFFC's insurer for EFFC's public liability insurance.
 - The Town informs Belgravia that it agrees to waive the community hire charge of \$50 per hour for use of the oval as a gesture of good will.
6. notes that no club will receive any share of food and beverage revenue from the operation of the Food and Beverage Facilities at East Fremantle Community Park until such time as Licence Agreements are executed and the proposed profit share arrangement has been approved by the Director of Liquor Licensing.
7. notes that the total budgeted expenditure for payments to be made to East Fremantle Football Club, East Fremantle Bowling Club and East Fremantle Croquet Club for the period ended 30 June 2025 was \$109,139 ex GST. Based on preliminary modelling, this was apportioned 70% to the East Fremantle Football Club, 25% to the East Fremantle Bowling Club and 5% to the East Fremantle Croquet Club.
8. approves a donation to each of the Clubs as below, conditional on the execution of their respective Sublease Agreements in lieu of food and beverage revenue for a maximum three-month period (effective from the date of signing of the Sublease Agreement, and calculated on a pro-rated basis, and payable in arrears), as

this is already a budgeted expense against the East Fremantle Community Park budget, to be funded against general ledger E11213:

- East Fremantle Football Club \$19,100 ex GST pro-rated over a maximum 3 months
 - East Fremantle Bowling Club \$6,821 ex GST pro-rated over a maximum 3 months
 - East Fremantle Croquet Club \$1,364 ex GST pro-rated over a maximum 3 months
9. delegate to the Chief Executive Officer discretion to reduce the donation amount to the East Fremantle Football Club if it is determined that they are not fully contributing to the food and beverage turnover at East Fremantle Community Park.
10. notes the following approximate favourable annual budget implications for the East Fremantle Football Club under the proposed Sublease and Licence Agreements, illustrating that there is a financial incentive for the East Fremantle Football Club to commit to the operating model.

Description	Approximate Annual Value
Total facility expenditure saved by the East Fremantle Football Club	\$292,000
Loss of Gate Revenue (net of match day costs)	(\$60,000)
Ticketed Membership for Grandstand (net of costs)	\$20,000
Loss of Commercial Lease Revenue	(\$70,000)
Existing Food and Beverage Revenue	(\$150,000)
Replacement Food and Beverage Payment – Year 1	\$76,397 - \$140,000
Commercial Naming Rights conservatively estimated at equivalent level	
East Fremantle Football Club Favourable Net Position	\$108,397 - \$172,000

Procedural Motion:

That the Ordinary Council Meeting of 16 July 2024 be reopened to members of the public.

13.1 MOTION / COUNCIL RESOLUTION

Council Resolution 011607

Moved Cr Collinson, seconded Cr Harrington

That Council, with respect to the request from the East Fremantle Football Club to be granted occupancy of the East Fremantle Community Park:

- 1. In order to facilitate the relocation of the East Fremantle Football Club Administration from Tricolore Community Centre, resolves to grant occupancy of East Fremantle Football Club's subleased building footprint at East Fremantle Community Park subject to the finalisation of the Sublease Agreement on terms acceptable to the Town (which includes a provision to terminate the Sublease on 3 months' notice if the parties fail to execute the Licence Agreement within three months of the commencement date of the Sublease and an obligation on East Fremantle Football Club to play all WAFL home games and WAFL home finals at the East Fremantle Community Park) by 16 August 2024, inclusive of obtaining relevant Ministerial approval.**
- 2. authorises the Chief Executive Officer to finalise the Sublease Agreement on the above basis and forward it to the Minister for Lands for consent, prior to execution.**
- 3. resolves that the East Fremantle Football Club only be granted permission to use the oval at East Fremantle Community Park for match-day requirements, subject to the execution of the Licence Agreement.**
- 4. instructs the Chief Executive Officer to advise the West Australian Football Commission that proposed match-day fixtures at East Fremantle Community Park can only proceed once the**

Licence Agreement with the East Fremantle Football Club has been executed. Thus, if the derby fixture on the 3 August 2024 is to be played at East Fremantle Community Park, then East Fremantle Football Club will need to agree to their Licence Agreement by Friday 19 July 2024, being two clear weeks' notice of the planned fixture.

(note the two-week clear notice is a requirement of the WAFC and could be relaxed to a shorter timeline at the discretion of the WAFC).

5. resolves that the East Fremantle Football Club be granted use of the oval and changerooms as the East Fremantle Community Park for training purposes only, prior to execution of the Sublease and Licence Agreement, under the following conditions to be imposed under a Hire Agreement with Belgravia Health & Leisure Group Pty Ltd ("Belgravia"):
 - Practical Completion of the oval has been achieved;
 - Access to the oval is to be no earlier than seven days after the Practical Completion Date for the oval;
 - A formal hire agreement is to be signed by East Fremantle Football Club.
 - East Fremantle Football Club is responsible for the cost of cleaning the changerooms at the East Fremantle Community Park.
 - East Fremantle Football Club must first produce to Belgravia a certificate of currency issued by EFFC's insurer for EFFC's public liability insurance.
 - The Town informs Belgravia that it agrees to waive the community hire charge of \$50 per hour for use of the oval as a gesture of good will.
6. notes that no club will receive any share of food and beverage revenue from the operation of the Food and Beverage Facilities at East Fremantle Community Park until such time as Licence Agreements are executed and the proposed profit share arrangement has been approved by the Director of Liquor Licensing.
7. notes the following approximate favourable annual budget implications for the East Fremantle Football Club under the proposed Sublease and Licence Agreements, illustrating that there is a financial incentive for the East Fremantle Football Club to commit to the operating model.

Description	Approximate Annual Value
Total facility expenditure saved by the East Fremantle Football Club	\$292,000
Loss of Gate Revenue (net of match day costs)	(\$60,000)
Ticketed Membership for Grandstand (net of costs)	\$20,000
Loss of Commercial Lease Revenue	(\$70,000)
Existing Food and Beverage Revenue	(\$150,000)
Replacement Food and Beverage Payment – Year 1	\$76,397 - \$140,000
Commercial Naming Rights conservatively estimated at equivalent level	
East Fremantle Football Club Favourable Net Position	\$108,397 - \$172,000

(CARRIED 6:1)

For: Crs Wilson, Collinson, Donovan, Harrington, Maywood & Natale.

Against: Cr White

Reasons for the Change to the Officer's Recommendation:

1. Point 1 of the officer's recommendation was amended to reflect Council's desire for the sublease to be finalised in an expeditious manner.
2. Points 7-9 from the officer's recommendation were deleted. These points referred to the prospect of a donation to the clubs, conditional on the execution of their respective Sublease Agreements, in lieu of food and beverage revenue for a maximum three-month period. While a retrospective payment based on food and beverage turnover may be considered in the future, Council considered that any such future payment should be based on actual turnover rather than a budgeted amount. Further, any such payment should be conditional on the clubs executing their respective Licence Agreements and the profit share arrangement being approved by the Director of Liquor Licensing.

REPORT ATTACHMENTS

Attachments start on the next page



East Fremantle Bowling Club (inc)

Fletcher Street
East Fremantle WA 6158
Phone :- (08) 9339 2489
Email :- efbc@bigpond.com
ABN :- 6 2036 436 425

President: Lew Watts
Secretary: Kerry Poole

5th July 2024

Mr Jonathan Throssell
Chief Executive Officer
Town Hall
135 Canning H'way
East Fremantle 6158

Dear Jonathan,

I write in support of the East Fremantle Football Club (EFFC) being offered a Memorandum of Understanding (MOU) which would allow them to occupy the East Fremantle Community Centre.

The East Fremantle Bowling Club (EFBC) are most appreciative for the MOU that permitted us to move in and enjoy the fantastic new bowling greens and facilities. Coming to a similar arrangement between the EFFC and the EF Town Council can only benefit all concerned.

Surely it's in everyone's best interests to have all the precinct partners on site and the food and beverage facilities being strongly supported by their members.

Our understanding is that the respective Licence Agreements are unlikely to be signed in the immediate future. A logical way forward is to enter into an MOU with the EFFC whilst the problems with agreements are being resolved in the background.

Referred for your consideration.

Yours Sincerely

Lew Watts
President EFBC



East Fremantle Croquet Club
59 Allen Street
EAST FREMANTLE WA 6158

ABN: 45 207 641 243
Telephone: 0448 043 840

President David Fardon
Vice President1 Meagan Fardon
Vice President2 Alistair Hutchison

8 July 2024

Mr Jonathan Throssell
Chief Executive Officer
Town Hall
135 Canning H'way
East Fremantle 6158

Dear Jonathan

I write in support of the East Fremantle Football Club (EFFC) being offered a Memorandum of Understanding (MOU), which would allow them to occupy the East Fremantle Community Centre, in coming to a similar interim arrangement as the East Fremantle Bowling Club (EFBC) have, is eminently reasonable.

I heard comments made on radio last weekend by the President of East Fremantle Football Club (EFFC) where he (correctly) specifically mentioned support by the East Fremantle Croquet Club (EFCC), for granting the Football Club the Memorandum of Understanding. However, the EFCC does not support, some of the other statements, made by Mr Stewart.

Yours Sincerely

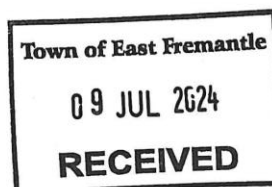
Alistair Hutchison

Vice President EFCC

ICORR128880

Town of East Fremantle
Doc No: ICORR128880
File: R/RS10
Reg Date: 09 JUL 2024
Officer: PK

Attach:



Belgravia Checklist for East Fremantle Football Club Game Day Support

Item	Responsibility	Action	Cost	Cost Estimate	Contractor	Contact
Oval Preparation	BELGRAVIA	BELGRAVIA	BELGRAVIA		PROGRAMMED	Cam Sutherland
Oval Set - Up - Play / Control / Activations / Security	W AFL / E FFC	W AFL/EFFC	EFFC			
Game Day Marketing	W AFL / E FFC	EFFC	EFFC			
Electronic Signage & Other Signage Requirements	EFFC	EFFC	EFFC			
Traffic Management Plan & Activation Contractors	BELGRAVIA	BELGRAVIA	EFFC			
Parking Attendants / Access	EFFC	EFFC	EFFC			
Fencing Requirements - Licensed areas - Limiting Access etc	BELGRAVIA	BELGRAVIA	EFFC			
Liquor Licensing Signage & Compliance	BELGRAVIA	BELGRAVIA	BELGRAVIA			
Volunteer Co-ordination with Belgravia	EFFC	EFFC	N/A			
Security - Contract Hire	BELGRAVIA	BELGRAVIA	EFFC			
Club Door Attendants - Access control to Club Areas - Volunteers	EFFC	EFFC	N/A			
Occasional Liquor License Application	EFFC	BELGRAVIA	EFFC	\$1,200	RGL	Lavan Legal
Game Day Activations - MC & Public Address & Music	EFFC	EFFC	EFFC			
Game Day Activations - Childrens Play Area	EFFC	EFFC	EFFC	\$4,000		
Game Day Activations - W AFL Wonderland	EFFC	BELGRAVIA	W AFL			
Media Access and Set - Up & Co-ordination	EFFC	EFFC	W AFL			
Ground Map - Public Awareness Signage	EFFC	EFFC	EFFC			
Entertainment - DJ / Live / Staging / PA Music System Set - Up	EFFC	EFFC	EFFC			
Ambulance in Attendance	EFFC	EFFC	EFFC			
Medical Room Access / Set Up	BELGRAVIA	EFFC	EFFC			
Merchandise Set - Up Areas	EFFC	EFFC	EFFC			
Additional Seating Requirements / Temporary Stands	EFFC	EFFC	EFFC			
Public Toilet Management	BELGRAVIA	BELGRAVIA	BELGRAVIA			
Additional Public Toilet Hire - Porta Loos	BELGRAVIA	BELGRAVIA	EFFC			
Waste Removal / Additional Bins	BELGRAVIA	BELGRAVIA	BELGRAVIA			
Cleaning Contractors - Additional - Grounds / Grandstands/Public	BELGRAVIA	BELGRAVIA	EFFC			
Carnaby's Additional Cleaning	BELGRAVIA	BELGRAVIA	EFFC			
Outside Catering - Food Trucks in agreeance with EFFC	BELGRAVIA	BELGRAVIA	EFFC			
Management of Food Trucks Access / Parking / Licenses	BELGRAVIA / EFFC	BELG / EFFC	EFFC			
Additional Power Sources / Generators etc	EFFC	EFFC	EFFC			
Communications Equipment Hire / Purchase 2 Way Radios	BELGRAVIA	BELGRAVIA	BELGRAVIA			
EFFC - Main Pop - Up Kitchen & Bar (Undercroft Area)	BELGRAVIA / EFFC	EFFC	EFFC			
Mezzanine Area - Pop - Up - Bar Set - up and Operation	BELGRAVIA	BELGRAVIA	EFFC			
Main Can Bar Set - Up & Operation - Grassed Area	BELGRAVIA	BELGRAVIA	EFFC			
Pop-Up Sites - Operational Equipment Set-Up / Hire	BELGRAVIA	BELGRAVIA	EFFC			
CUB Loan Equipment - Marquees/Furniture/Bars/Breeze Barriers etc	BELGRAVIA	BELGRAVIA	N/A			
Game Day Refridgeration Hire Units - Beverage Stock	BELGRAVIA	BELGRAVIA	EFFC			
Game Day Point Of Sale & Cash Floats	BELGRAVIA / EFFC	BELGRAVIA	BELGRAVIA			
ICE suply and distribution / Water Stations	BELGRAVIA	BELGRAVIA	BELGRAVIA			
Group Fitness Room - Set - Up / Function Operation/F&B Supply	BELGRAVIA	BELGRAVIA	EFFC			
Board Room Set - Up / Function Operation / F & B Supply	BELGRAVIA	BELGRAVIA	EFFC			
Carnaby's Bar & Restaurant - Football Function	BELGRAVIA	BELGRAVIA	EFFC			
Carnaby's Bar & Restaurant - Operational Requirements F & B	BELGRAVIA	BELGRAVIA	EFFC			
Carnaby's Bar & Restaurant Post Game Operational Requirements	BELGRAVIA	BELGRAVIA	EFFC			
Belgravia Staff Co-odination & Rostering	BELGRAVIA	BELGRAVIA	EFFC			
General Bump in / Bump Out Operational Costs	BELGRAVIA	BELGRAVIA	EFFC			

EAST FREMANTLE FOOTBALL CLUB - BETTER OFF POSITION - ANALYSIS			
TOWN OF EAST FREMANTLE VERSION 3			
East Fremantle Football Club	Low	High	Comments
1 Key Facility Expenditure Items (2019 Actual Figures non indexed)			These are current expenditure items that EFFC will no longer incur at the new facility
1.1 Cleaning	\$25,000	\$25,000	
1.2 Cleaning Consumables	\$5,000	\$5,000	
1.3 Electricity	\$45,000	\$45,000	
1.4 Gas	\$5,500	\$5,500	
1.5 Building Insurance	\$30,000	\$30,000	
1.6 Rates, Taxes and Water	\$20,000	\$20,000	
1.7 Turf Maintenance	\$33,000	\$33,000	
1.8 Repairs & Maintenance	\$28,000	\$28,000	
1.9 Bar Staff	\$75,000	\$75,000	
1.10 Bar Equipment & Leasing	\$18,500	\$18,500	
1.11 Waste Disposal	\$4,500	\$4,500	
1.12 Security	\$2,500	\$2,500	
1.13 Adjustments	\$0	\$0	This is an estimate of savings above that EFFC believe wont be realised
1.14 Total Facility Expenditure Saved by EFFC	\$292,000	\$292,000	
2 Key Profit Foregone by EFFC (2019 Actual Figures non indexed)			
2.1 Food and Beverage	-\$150,000	-\$150,000	
2.2 Gate/Membership Revenue	-\$60,000	-\$60,000	Excludes any seated membership revenue retained by EFFC which is included in 4.2
2.3 Tenant Revenue	-\$70,000	-\$70,000	
2.4 Total EFFC Foregone Profit	-\$280,000	-\$280,000	
3.0 EFFC Net Position before dividends	\$12,000	\$12,000	
4 EFFC Revenues from New Building (Projected)			
4.1 Food and Beverage Dividend	\$76,397	\$140,000	Estimate
4.2 Ticketed Membership (net of costs)	\$10,000	\$20,000	Assumes EFFC will still be selling some form of ticketing membership that provides access to bar/function room/grandstand seating and will have some fenced fully ticketed games
4.3 Naming Rights	\$30,000	\$100,000	Estimated net proceeds from Naming Rights based on EFFC independent valuation
4.4 Total New Revenue	\$116,397	\$260,000	
5.0 EFFC Net Position after New Revenue	\$128,397	\$272,000	This is excluding any precinct profit dividend

Cr Wilson declared a financial interest in the following item and left the meeting at 8.40pm

13.2 34 DUKE STREET – ROYAL GEORGE HOTEL – CHANGE OF USE – RECREATION – PRIVATE (PILATES STUDIO) AND SAUNA AND ICE BATH FACILITY

Owner	34 Duke Street Pty Ltd
Applicant	Urbis Ltd
Report Reference Number	TPR-1795
Planning Reference Code	043/2024
Prepared by	Christine Catchpole, Senior Planner
Supervised by	Andrew Malone, Executive Manager Regulatory Services
Meeting date	Tuesday, 16 July 2024
Voting requirements	Simple majority
Documents tabled	Nil

Attachments

1. Location and advertising plan
2. Site photos
3. Parking plan and planning report/plans dated 19 and 22 April 2024
4. Schedule of Submissions – Object /Concerns /Conditional support
5. Schedule of Submissions – Support

PURPOSE

The purpose of this report is for Council to consider a change of use application for the part of the ground floor and the basement level of the Royal George Hotel building to Recreation – Private (Pilates studio) and a use not listed under Local Planning Scheme No. 3 (sauna and ice bath facility).

EXECUTIVE SUMMARY

In April 2024 the Western Australian Planning Commission (WAPC) approved an amendment to the original development approval issued on 4 November 2021 for restoration and adaptive reuse of the Hotel and a nine storey apartment building. The amended approval encompassed a change of use from hotel to tavern, an extension to the approval commencement date and apartment design modifications. However, at the present time the applicant has stated that *“due to market demand, in the interim the feasibility of the approved tavern and apartments is still being investigated.”* The owner is now seeking approval for a change of use for part of the ground floor to recreation – private (Pilates studio) and for the basement to a sauna and ice bath facility. Seventeen (17) parking bays have been provided to the rear of the building.

Under LPS 3 the proposed uses are classified as ‘A’ (advertising required) for the recreation – private (Pilates studio) and ‘unlisted use’ for the sauna and ice bath facility. This requires advertising under the relevant provisions of the Scheme. The application was advertised from 14 to 31 May 2024 and 93 submissions were received. In the main, the submissions objecting or expressing concern (17) are supportive of the proposed uses, however, most express the view that the actual scale and operation of the businesses will be far greater than that stated. Also, the Town’s administration will be unable to ensure compliance with the stated number of patrons/staff and consequently adequate parking cannot be provided on-site thus adding to the precincts parking and traffic issues. A few submitters are concerned with potential damage to the building caused by sauna steam and reduced public access because it will not be used for hospitality purposes.

The proposed uses are considered to align with the objectives of the Special Zone – Royal George Hotel and the adjacent George Street Mixed Use zone and suitable to occupy the heritage listed building. Businesses of this nature are already operating in George Street and the sauna facility is proposing to relocate from 128 George Street. The internal modifications and fit-out will be the subject of building permit applications. The fit-out plans (as received) were referred to the HCWA for its assessment and advice. The HCWA has already conveyed its advice in support of the change of use, adding that the proposal will facilitate a new use for the building which is a positive outcome. The administration considers occupation of the building desirable given the WAPC approval for the site is not proceeding at this point and this may prevent any further anti-social activity.

The main planning consideration and issue of most concern in the submissions is parking and whether an adequate amount has been provided on-site. Given the current parking situation in the Plympton precinct and Duke Street in particular, it is considered that the patron/staff numbers and use of available floor space must be closely examined. LPS 3 requires 30 bays to be provided (based on combined gymnasium and health studio parking rates), hence a technical shortfall of 13 bays. The parking requirement has also been considered under the *Interim Guidance - Non-Residential Car Parking Requirements* (i.e., a State planning document which has proposed new parking standards for planning schemes/policies). A 5 bay surplus was identified under this document.

Notwithstanding the above, a more practical parking assessment has been undertaken based on; the bays available on-site; the applicant's expected patronage and the floor space proposed. Based on the 17 on-site bays provided, it is recommended to cap both businesses at a maximum of two staff members and 10 patrons (Pilates studio) and 10 or 15 patrons (sauna/ice bath facility) at any one time (subject to the specified hours as outlined in the recommended conditions). In theory, if a maximum of 22 people (for the specified peak hours) attend the site at any one time and they all drive a 5 bay shortfall is considered to be a reasonable assumption. This scenario is considered supportable based on one staff member not being present for all the operating hours, not all patrons driving, less than 10 patrons anticipated at any one time and restricted operating hours. Should parking demand exceed the 17 bays (keeping in mind the 5 bay surplus under the Interim Guidance document), it is considered on-street bays will meet the possible demand for a few bays. Furthermore, it is considered restricting hours of operation will lessen the demand for evening parking, traffic in local streets and reduce potential impact on residential amenity. In the long run it may be demonstrated that the rear parking area is not fully utilised based on the patronage caps. If this was to eventuate the applicant has the right to request the Council reconsider the conditions of development approval.

Provided patron/staff numbers are capped, hours of operation limited, floor space restricted and bike racks provided (as recommended in the officer report) the 17 bays are considered adequate to meet the demands of the uses proposed. The remaining recommended conditions of approval are intended to address heritage, safety and security for patrons and local residential amenity matters. Lighting, landscaping, signage, potential noise control and other environmental health standards are required to be satisfied prior to occupation of the premises, commencement of the uses and for the ongoing operations.

Given the above comments it is considered the matters raised in the submissions have been addressed through recommended conditions of development approval as outlined in the officer recommendation. Subject to the conditions of approval being supported it is recommended the parking shortfall be supported and the change of use be approved.

BACKGROUND

In 2024 the site was the subject of an amended development approval application in relation to a WAPC approval issued in November 2021. The amendment proposed a change of use from 'hotel' to 'tavern', function spaces, deletion of the Hotel rooms on the upper level, reduction from 23/24 to 20 apartments and an extension of the approval to October 2025. The Council did not support this amendment to the development approval, however requested cash in lieu of the parking shortfall be provided if the proposal was supported. The WAPC imposed a condition requiring a payment in lieu of parking to the sum of \$481,320. This payment only applies to the WAPC approval.

In relation to the WAPC approval and the subject application the owner has advised that *“due to market demands, whilst the final components of feasibility are confirmed for this approval, the client is seeking to utilise the building for two new land uses, which forms the basis for this change of use application.”*

Concurrent development approvals

The State Development Assessment Unit (SDAU) has advised that the WAPC approval for a tavern, function spaces and the apartment building (valid until October 2025) runs concurrently with any approval that may be issued by the Council. However, while multiple approvals can be in place at the one time, it is not possible to act on more than one approval at the same time.

Should the owner decide to initiate the WAPC approval (or any aspect of the approval) following activation of any Council approval, then an amendment to the current WAPC approval would be required to be submitted for assessment by the SDAU and determination by the WAPC. However, should any development approvals issued by Council not be acted upon or cease, the WAPC approval remains valid.

If the owner was to propose to use the remaining space in the Hotel building for any of the uses approved as part of the WAPC approval, this would not be possible without first seeking an amendment and approval by the WAPC. Similarly, if another use not part of the subject application was proposed, then a fresh development application must be submitted for Council's consideration. Should any other variation arise in regard to the use of the site the Town's administration would seek further advice.

CONSULTATION

Recreation – Private (Pilates studio) is classified as an 'A' use under the Zoning Table of LPS 3 which means that the use is not permitted unless the local government has exercised its discretion by granting development approval after giving notice of the proposal in accordance with clause 64 of the Deemed Provisions. A sauna and ice bath facility is considered a use not listed in the Zoning Table (i.e., the use does not fall within any use class as defined in LPS 3) so the Council must consider the proposed use in accordance with Clause 4.4.2. This clause requires the Council to determine that the use is consistent with the objectives of the Special Zone – Royal George Hotel and is therefore permitted or otherwise and follow the advertising procedures of the Scheme which are specified in clause 64 of the Deemed Provisions.

The advertising procedures can require notifying owners and occupiers of properties in the vicinity of the development, which in the opinion of the local government are likely to be affected by approval of the proposal, erecting a sign on the site and/or publishing a notice of the proposal in a local newspaper. In relation to this application the administration considered it was sufficient to directly notify owners/occupiers in Duke Street and a section of George Street (between May and King Street) by letter and inviting comment (refer to advertising map - Attachment 1).

Advertising was undertaken from 14 to 31 May 2024. The following outcomes were recorded:

- 93 submissions received.
- 76 submissions in support (~40% of those respondents living in the Town).
- 17 submissions objecting, expressing concerns and/or conditional support.

Refer to Attachment 5 and 6 for submissions in full.

In summary, the submission themes are as follows:

- **Parking** – inadequate on-site parking for the businesses proposed, particularly given the existing parking and traffic issues in the Plympton precinct for residents and commercial operators, making it even more difficult for residents and clients / patrons of existing businesses/residents to park. The overall parking requirements for the Royal George Hotel building, if fully occupied, have not been adequately addressed.

- Scale of uses – the businesses will not operate as stated in the application in relation to number of patrons, staff, equipment and occupied floor space. Expansion is possible.
- Hours of operation – the proposed hours are likely to detrimentally impact residential amenity.
- Uses not appropriate – the building should be used for hospitality purposes so the general public can access the heritage building. The proposed uses may cause damage to the heritage building.
- Additional use of the building – the use of the remaining floorspace is unknown and this may increase the parking requirement which cannot be accommodated at the rear of the site.
- Traffic management – the increased demand for on-street parking and additional traffic movements due to the perceived scale of the businesses will place a greater impact on the already difficult parking / traffic situation in the Plympton precinct.
- Safety of motorists and pedestrians – the increased traffic and parking demands will create an unsafe situation in the vicinity of the site and the Plympton precinct.
- Commercial business threat – competition for other similar businesses in the area and already numerous Pilates businesses in the Town.
- Plympton precinct traffic issues – have not been addressed adequately and this proposal reinforces the need to act to improve the situation – suggested resident parking permits.
- Consultation – lack of community consultation.

Heritage Council of WA

HCWA referral advice in respect to the change of use states the following:

The proposal has been considered in the context of the identified cultural heritage significance of Royal George Hotel, East Fremantle, and the following advice is given:

Findings

- *Royal George Hotel has cultural heritage significance as a notable landmark, community gathering place.*
- *This proposal is for a change of use in the basement. The associated fit-out will form part of a separate referral.*
- *Based on discussions with the owner, it is understood that the future use and fit-out will not have implications for the conservation of heritage fabric, and that all associated demolition has been previously approved. It is also understood that conservation works to the external northern elevation are currently underway.*
- *The proposal raises no heritage concerns and will facilitate a new use which is a positive outcome for the vacant building.*

Advice *The proposal, in accordance with the submission, is supported.*

HCWA referral advice in respect to Stage 1 of the sauna and ice bath facility fit-out (Building Permit) states the following:

Findings

- *Royal George Hotel has cultural heritage significance as a notable landmark, community gathering place.*
- *This proposal is for stage one basement fit-out for Alchemy Sauna. Future stages including the pools will form part of a separate referral.*
- *The fit-out will be installed in a largely reversible manner that ensures the significant fabric is conserved with minimal intervention, and an appreciation of the space is maintained.*
- *The proposed activation of the building is a positive outcome.*

Advice *The proposal, in accordance with the submission, is supported subject to the following conditions:*

1. *Material testing of the proposed sealer to be applied to the limestone walls is to be undertaken prior to full application to determine the suitability of the product based on the existing condition and conservation requirements with regards to breathability of the walls.*
2. *To avoid damage to significant fabric, new services are to be installed through the new concrete floor slab wherever possible and walls are not to be chased.*

These conditions will be included in the officer recommendation.

The application was assessed by the Town's Operations/Technical Services section and officers had no objection to the proposal or the parking layout proposed.

Environmental Health comments are included in the comment section of the report.

Referral to Main Roads WA is not required under the *Planning and Development Act, 2005 – Instrument of Delegation*.

STATUTORY ENVIRONMENT

Planning and Development Act, 2005

Heritage Act, 2018

Planning and Development (Local Planning Schemes) Regulations, 2015

Local Planning Scheme No. 3 (LPS 3)

State Heritage List – Permanent Entry (30.10.1998)

Classified by the National Trust (5.12.2005)

LPS 3 – Heritage List – Category A

Metropolitan Region Scheme – the site abuts a Primary and Other Regional Road reservation under the MRS

POLICY IMPLICATIONS

Local Planning Policy 3.1.4 - Payment in Lieu of Parking Plan

Local Planning Policy 3.1.6 – George Street Designated Heritage Area

Interim Guidance – Non-Residential Car Parking Requirements - February 2023 – Dept. Planning; Lands and Heritage

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

The Town of East Fremantle Strategic Community Plan 2020-2030 states as follows:

Built Environment

Accessible, well planned built landscapes which are in balance with the Town's unique heritage and open spaces.

3.1 Facilitates sustainable growth with housing options to meet future community needs.

3.1.1 Advocate for a desirable planning and community outcome for all major strategic development sites.

3.1.2 Plan for a mix of inclusive diversified housing options.

3.1.3 Plan for improved streetscapes.

3.2 Maintaining and enhancing the Town's character.

3.2.1 Ensure appropriate planning policies to protect the Town's existing built form.

3.3 Plan and maintain the Town's assets to ensure they are accessible, inviting and well connected.

3.3.1 Continue to improve asset management within resource capabilities.

3.3.2 Plan and advocate for improved access and connectivity.

RISK IMPLICATIONS

A risk assessment was undertaken and the risk to the Town in determining this application was deemed to be low. Should Council refuse the application or impose conditions that are not agreeable to the applicant, the applicant has a right of Review (appeal) to the State Administrative Tribunal (SAT). As the Town's Officers have recommended conditional approval, Council will be required to obtain the services of a consultant to represent and defend the Council's resolution at the SAT. This may have financial implications for the Town.

SITE INSPECTION

Numerous site inspections at various times.

COMMENT

Proposed Uses and Operation

The applicant has provided the following information in relation to the proposed business operations. The Pilates studio will be located in two main rooms within the ground floor; access to be provided via the main entry on the corner, while the sauna and ice bath facility will occupy three main rooms within the basement area. The applicant has advised that minimal internal works are required for the proposed change of use (subject to building permit fit-out applications). The proposed operational details provided below are as outlined in the development application:

Pilates studio (recreation – private)

- Description: Indoor, video led, group reformer classes.
- Operating hours: 5:15am – 10:45pm 7 days a week. Classes run hourly.
- Staffing: 1 x part time studio manager, approximately 6-8 hours a week, unstaffed for remaining periods.
- Expected demand: Capped classes of 10 clients per session maximum.

Sauna and ice bath facilities (unlisted use)

- Description: Alchemy Saunas provide sauna and ice bath facilities.
- Operating hours: 6am to 8pm 7 days a week.
- Staffing: 1 staff member on site at any time.
- Expected demand: 10 patrons per hour maximum.

Additional information in response to submissions

The applicant has provided additional information in response to submission comments and a summary is provided below (italics).

Sauna capacity

- *Analysis of members addresses shows that approximately 39% of the membership base that use George Street facility (expected to transfer to the Royal George) live within a walkable catchment of the Plympton Precinct and East Fremantle;*
- *The submitted hourly utilisation rates from 2023 and 2024 at the George Street location show on average 1-4 people per hour, with the highest number of people being 5.*
- *Peak periods of use are 6-8am and 5-7pm. This is before and after the opening hours of most other George Street businesses, meaning overall parking demand on the wider precinct is moderated;*
- *The utilisation rates also show much lower than 10 people per hour – being an overall average of 1.8 people per hour in 2023 and 2.5 people per hour in 2024. Therefore, the new Royal George facility is likely to operate significantly below 10 people per hour for a lot of the time resulting in a surplus of car parking being available;*
- *Alchemy often cater for sporting teams (including visiting AFL teams) and community groups which means at times the facility will need to cater for more than the expected demand of 10 people per hour. This is an*

important part of their business and adds to the commercial activity along George Street in general; in general, these larger groups often access shared modes of transport.

*In summary, imposing a capacity limit on the sauna **would not be supported by the applicant** for the following reasons:*

- a large proportion of the actual users of the facility live within a walkable catchment and/or access shared modes of transport;*
- the facility needs to be able to accommodate groups larger than 10 people on select occasions which provides flow on commercial activity to other businesses;*
- peak times are outside of business hours for the vast majority of other commercial operations on George Street; and*
- the facility will operate far below 10 people per hour, meaning there will be a surplus of car parking available for the majority of the time.*

As a final point, a lot of the time with planning applications we are guessing about demand, walkability, peak times etc. On this occasion the Town can have confidence that it is making a planning decision based on factual information as the above represents real data from a real business that has already successfully co-existed with other residents and businesses on George Street for almost 2 years without any dedicated car parking or capacity limits. We are only improving the situation by relocating this existing business to a new location that has adequate car parking.

Pilates capacity

- A layout plan submitted shows a maximum of 11 reformers that can fit in the space, this is contrary to the false assertion in some of the submissions that 20 reformers can fit;*
- Our tenant has advised that they are intending to install 9 reformers initially and adding an additional reformer based on demand; and*
- If the Town thought it was appropriate, we **would support the Town imposing a capacity limit of 10**, as this is near enough to the maximum that can fit within the space and is consistent with our tenant's business intentions as well as expected and peak demand.*

Land Use Permissibility

Recreation – private is classified as an 'A' use within the Special Zone – Royal George Hotel, meaning it is not permitted unless the local government exercises discretion and advertises the application. The administration classifies the sauna and ice bath facility as a use not listed (i.e. the use does not fall within any use class as defined in LPS 3) so the Council must consider the proposed use in accordance with Clause 4.4.2. This clause requires that the Council determine the use is consistent with the objectives of the Special Zone – Royal George Hotel and that the advertising procedure of the Scheme is followed. These advertising requirements are outlined in the Consultation section of the report and have been undertaken.

The objectives of the Special Zone – Royal George Hotel are as follows:

- to encourage the preservation and re-use of the Royal George Hotel building;
- to accommodate the redevelopment of the Royal George Hotel site in a manner which will complement the preservation of the Hotel building; and
- to enhance and promote George Street as a vibrant main street.

The administration considers the proposed uses are not contrary to the objectives and are acceptable uses for the building and the George Street Mixed Use zone. There are similar Pilates studios already operating in George Street and the Town Centre and the sauna and ice bath facility is relocating from 128 George Street. Given the long term uncertainty regarding the WAPC approved redevelopment of the site, the proposed uses are considered to meet the aim for reuse and redevelopment of the site under LPS 3, that is, to *“provide for a range of commercial, shopping, civic and community facilities to meet the day to day needs of the community and which will contribute towards the vibrancy of the Town”*.

Both the HCWA and the Town's administration consider an occupied building a preferred outcome. The restoration of the heritage building will likely be better protected if the building is occupied. However, issues of amenity for nearby residents and the safety and security for patrons using the car park and building must also be addressed. It is therefore considered appropriate that lighting and landscaping of the site be required and the hours of operation of the businesses be more in line with standard business operating hours. It is therefore recommended that conditions be imposed to ensure these matters are given the appropriate attention prior to occupation and commencement of the uses. These matters are discussed below.

Operating Hours

A number of submissions have commented on the operating hours being outside of standard business hours and requested later and earlier start/finish times. The administration supports these comments. The proposed start and finish times of 5.15am to 10.45pm for the Pilates studio is considered too early and late given the proximity of the car park and building entrances to residential properties. It is expected that noise from cars and patrons will impact on residential amenity during hours when people are sleeping. Operating hours that accord more closely with other non-hospitality businesses and domestic hours are therefore recommended to respect residential amenity, that is 6.30am to 8.30pm. These hours encompass the peak hours identified by the applicant and will also lessen the pressure for parking bays later in the evening.

While it could be argued the approved tavern use would be operating for longer hours into the evening as are some other businesses, this is not relevant to the assessment of the current application and the tavern use may not eventuate. This area is not classified as an entertainment precinct and therefore residential amenity must be given due consideration.

Additional Uses in Building

Some submitters are concerned that the remaining useable floorspace in the building will be occupied by other businesses or used to expand the proposed uses. Therefore, the total parking demand for the building is unknown and the rear parking area of 17 bays will be insufficient. The development application specifies only some sections of the building are to be occupied and the officer recommendation in response is that a condition of approval be imposed which restricts the proposed uses to the areas indicated on the plans. In response to the claim that the remaining floor space will be used for expansion of the proposed uses and/or alternate uses the applicant has provided the following information (*italics*).

- *The actual surveyed areas that are occupiable within the building are as follows:*
 - *Basement – 216sqm*
 - *Lower ground – 113sqm*
 - *Ground floor – 271sqm*
 - *First floor – 254sqm*
 - *Total area – 854sqm*
- *As you can see from the above the total occupiable area of the building is 854sqm (including the Pilates and saunas spaces), with the balance of space to be used subject to future applications equating to 526sqm; and*
- *This is contrary to the false assertion in some of the submissions that the building floor area is 1,500sqm with a balance of 1,200sqm still to be leased.*

Any future proposals for other businesses to occupy any remaining floor space or for the expansion of the current businesses would require the submission of a development application for Council's consideration or an amendment to the WAPC development approval, as previously outlined in the background section of the report. It is likely any such applications would be subject to advertising and to assessment of additional parking requirements under LPS 3. Signage applications would also be assessed as separate development applications and would likely require referral to the HCWA. Any fit-out and internal alterations as part of the building permit process will also require referral to the HCWA.

Parking Requirement

LPS 3 defines a Recreation – Private (Pilates studio) use as “*premises used for indoor or outdoor leisure, recreation or sport which are usually not open to the public without charge.*” Under Schedule 10 of LPS 3 the parking requirement for a private recreation use and personal services (i.e., sauna and ice bath facility) are most closely categorised as ‘*Indoor Recreation – Health Studio’ or ‘gymnasium’*, that is, “*1 space for every 10m² net floor area.*” While specific car parking standards for a Pilates studio and sauna and ice bath facility are not listed in LPS 3, the applicant was advised that in order to undertake a technical assessment under LPS 3, the administration would apply a car parking rate of 1 bay per 10m² of floor space.

Based on the above car parking rate and as outlined in the table below, the provision of 30 bays is required for the recreation use based on the proposed floor space. The newly constructed parking area at the rear of the building provides 17 bays that meet Australian Standard dimensions and this parking layout has been endorsed by the Town’s Technical Services. Immediately adjacent on-street parking is limited and availability is dependent on the time and day of the week, so it cannot be considered as a reliable option for satisfying all, or part of the parking requirement, under clause 5.8.7 of LPS 3. Therefore, the technical shortfall in on-site parking bays the Council will be considering is 13 bays.

Car Parking Assessment under LPS 3

Use	LPS 3 Provision	Floorspace	LPS 3 requirement	Total provided
Recreation – Private (gymnasium)	1 space / 10m ² net floor area	112m ²	11.2 (11) bays	17
Unlisted use (sauna and ice bath facilities – health studio)	1 space for every 10m ² net floor area	189m ²	18.9 (19) bays	0
Total			30 bays	17 (13 bay shortfall)

State Planning - Interim Guidance – Non-Residential Car Parking Requirements (February 2023)

Notwithstanding the above parking assessment, the applicant has requested the parking requirement be considered under the *Interim Guidance – Non-Residential Car Parking Requirements* (February 2023) to support the applicant’s arguments in support of the shortfall. This document is part of the State government planning reform agenda in relation to the review of car parking requirements. It is the result of work currently being progressed by the Department of Planning, Lands and Heritage (DPLH) and was subject to consultation with local government and other stakeholders in 2023. The document has been formulated to develop a consistent approach and provide guidance relating to non-residential car parking standards within activity centres and industrial/service commercial zones across local governments.

The DPLH determined it was necessary to move away from the current system of assessing parking requirements (i.e., planning scheme provisions) due to the inconsistency of parking standards across local governments and the ad-hoc rates being applied in the absence of recent and accurate research into parking demands. The Interim Guidance document has been developed to support local governments and on release of this document, the DPLH suggested local governments undertake an immediate review of car parking rates in their locality, as the revised parking rates will eventually inform changes to the Planning and Development (Local Planning Schemes) Regulations (mandatory provisions for all local government).

An assessment under the Interim Guidance document has been undertaken by the administration. The following table demonstrates a parking surplus. Notwithstanding, these parking ratios have not yet been endorsed by the WAPC and it is considered they should be used as a guide within the Plympton precinct until the DPLH determines otherwise.

Interim Guidance – Non-Residential Car Parking Requirements – Indicative rates for a ‘Lower Order Centre’

Note: the Interim Guidance document indicates rates an LGA may consider a maximum and minimum rate to be applied depending on specific land uses and site circumstances. In this case the maximum rate is considered appropriate.

Use	Provision	Patrons (max 10 for Pilates & 10 for sauna facility)	Requirement	Provided
Recreation – Private (both uses)	<u>Min:</u> 1 space for every 8 persons accommodated	20 patrons	Min 2.5 (3)	17
	<u>Max:</u> 1 space for every 2 persons accommodated	20 patrons	10	17
		2 staff (1 bay for each use)	2	0
		20 patrons / 2 staff maximum	Max 12	Total 17 bays (5 bay surplus)

Also, in support of the application, the applicant has argued that the requirement for 30 bays under LPS 3 does not appropriately account for the expected on-site demand generated by each use. It is expected that a maximum of 20 patrons could be on-site at any one time (less if the sauna patron numbers are as stated). Noting that each use is stated as not exceeding an anticipated capacity of 10 patrons at any one session and each use has only 1 staff member in attendance at any one time, with one staff member only required to attend 6-8 hours per week. A group session (of greater than 10 patrons) may be required on an occasional basis.

Amendment No. 15 – ‘Zero Bays’ for Parking Provision

The applicant has also raised the argument that there is a conditional provision in LPS 3 which permits zero bays for parking for the heritage building. The current application does not propose to utilise this ‘zero bays’ as there are 17 dedicated parking bays, so in effect this is 17 bays more than required. However, Scheme Amendment No. 15 (specifically cl. 5.9.8.11 of LPS 3), states that *parking requirements for non-residential uses in the existing Royal George Hotel building may be reduced to zero bays where it has been demonstrated to the satisfaction of the decision maker, having regard to the advice of the State Design Review Panel, that the provision of the required parking would result in an undesirable built form outcome*. The clause refers to redevelopment of the entire site, specifically the development of the previously vacant rear portion. The change of use has no impact on built form and there are no proposed works impacting on built form, therefore the administration is of the view that the zero bays provision is not applicable.

Parking Provisions under LPS 3

In considering this application the Council must consider whether it is to relax the parking requirement or not and approve of a technical shortfall. The car parking requirements of LPS 3 in relation to car parking have, in part, been replaced by the clause 77 (D) of the Planning and Development (Local Planning Schemes Regulations), 2015. These changes to the parking provisions for planning schemes are part of the planning reform agenda and state as follows.

The Council may approve the application even if it does not meet Scheme requirements, however, it can only do so if the following criteria are met.

(1) *The local government may –*

- (a) *vary a minimum on-site parking requirement that applies to development so that the minimum number of car parking spaces that must be provided as part of the development is a lower number; or*
- (b) *waive a minimum on-site parking requirement that applies to development.*

(2) *The local government must not vary or waive a minimum on-site parking requirement under subclause (1) in relation to development unless the local government is satisfied –*

- (a) *that reasonable efforts have been made to comply with the minimum on-site parking requirement without adversely affecting access arrangements, the safety of pedestrians or persons in vehicles, open space, street trees or service infrastructure; and*
- (b) *that —*
 - (i) *in the case of a variation — the lower number of car parking spaces would be adequate for the demands of the development, having regard to the likely use of the car parking spaces, the availability of off-site parking facilities and the likely use of alternative means of transport; or*
 - (ii) *in the case of a waiver — it is not necessary for car parking spaces to be provided as part of the development, having regard to the availability of off-site parking facilities and the likely use of alternative means of transport.*

Parking demand in relation to change of use

The administration's position is that a change of use triggers a parking assessment under the provisions of LPS 3 which must take into account the current parking situation in the Plympton precinct, available on-site parking, the potential demand for bays generated by the proposed uses and operating hours.

The applicant believes that the peak times for Pilates studios are generally before and after general business hours, as well as weekends and the peak periods for the sauna facilities are similar, although potentially busier at the weekends. The applicant is suggesting this demand is likely to be offset with businesses in the area that have standard business operating hours or are open only within those times, potentially providing some access to on-street bays. The administration does not fully agree with this argument because there are many businesses in the immediate area that do not have standard business hours or are busier on the weekends and would be competing for on-street parking bays at the same time as the proposed uses. During these evening hours, after school activities/classes and residents returning home add additional pressure on parking demand for on-street bays. Similarly, in the morning peak hour, employees and patrons of other businesses are seeking bays. However, it is considered that after 10.00am when working residents have left the area, employees have parked and school has commenced that there is likely to be additional on-street parking capacity. Therefore, it is considered reasonable to allow an increase of no more than 15 patrons at any one time, between the hours of 10.00am and 3.00pm, to attend the sauna and ice bath facility. It is further noted that the peak period for Pilates will be over and attendance at classes will reduce between those hours. It is still considered maximum visitations to the site 10.00am and 3.00pm will not exceed 22.

While the assessment of the proposal under the Interim Guidance document (i.e., new parking rates) indicates adequate parking has been provided based on the maximum rate applied to proposed patron numbers, the Town considers the uses are somewhat untested in terms of their operation and actual parking requirement. Notwithstanding the applicant has provided a guide to sauna patron numbers in respect to an average attendance at certain times of the day, there is no way of predicting the number of people who may attend a class or a sauna session at any time of the day. The applicant has stated that no more than 10 patrons are expected to attend each session and that only one staff member is required for each use. However, they do not support an imposed cap on the number of people attending a session which would seemingly indicate that more than 10 patrons in any one session is a possibility and in addition, have stated that at times more than 10 patrons for the sauna are expected, when group/team sessions are booked. Even though it is believed they would arrive using the same transport, this cannot be guaranteed.

Furthermore, the Town's Environmental Health Officer has advised that there are currently no health guidelines in place in WA with regards to the use of saunas. It is difficult to determine a maximum accommodation number for the saunas as the use does not fit into any of the 'Type of use' categories as outlined in Regulation 7 under the Health (Public Building) Regulations 1992. A building permit fit-out application has been submitted for Stage 1 of the business indicating 110m² and two sauna rooms. If a maximum accommodation number was determined based on bench seating at 450mm per person the larger sauna could seat approximately 13 persons and the smaller sauna

approximately 9 persons (this is an estimate as the inside layout of the sauna rooms has not been provided). These figures may be reduced further if accommodation numbers were based on floor area of 1m² per person. However, Stage 2 of the building permit fit-out indicates another sauna room which it is estimated could seat about 10 persons. Also, maximum accommodation numbers within the facility may be influenced by the number of sanitary facilities provided, which are again determined based on use in the National Construction Code. Taking the above into account, it is clear the expected maximum of 10 people per hour could be exceeded. It is therefore considered necessary to apply a cap of 10 patrons at any one time to manage the parking demand in what the administration considers to be the peak periods and 15 patrons at any one time outside the peak periods, that is, between the hours of 10.00am and 3.00pm.

Furthermore, it is the administration's understanding that the sessions for Pilates are scheduled on the hour (start of a pre-recorded onscreen instruction video) with a 15 minute transition period, in theory making parking spaces available for the next session. The sauna sessions would likely have greater flexibility as it is unlikely a person would remain in a sauna for 45 minutes, so there is likely to be a greater demand for a turnover of bays. If each session is fully booked for both uses, and all on-site bays required, it is anticipated that George, Duke and Silas Street will be required to cater for the (up to) 5 additional bays, potentially more if the anticipated capacity is exceeded. Technically, there will not be enough bays to cater for both staff, and more than a maximum capacity of 20 patrons (22 required; 17 provided).

Also, it is evident from the Schedule of Submissions in support that many sauna patrons live outside the Town (~60%) and some of those who live in the Town are not in the immediate vicinity and will likely drive. Similarly, it cannot be predicted that patrons of the Pilates studio will not drive even if they do live within the Town, particularly for the early and late sessions. While the administration does concede that not every bay will be occupied for the entirety of the operating hours and the applicant has argued that patrons will not always use individual transport or may walk/cycle, there is still the likelihood that the expected capacity of the sauna could be exceeded and that Pilates sessions will be mostly to fully occupied.

In theory and based on the applicant's expected attendance not exceeding 20 patrons, the ideal outcome would be to have 22 bays provided in the rear parking area. This number of bays cannot be accommodated and achieve compliance with Australian Standards for bays and vehicle manoeuvring. Given these circumstances, parking issues in the precinct and the limit of 17 on-site bays it is considered necessary to ensure the number of bays provided corresponds as closely as possible with the maximum number of expected patrons during the peak periods. It is therefore recommended that the patron numbers be capped at a maximum of 10 each business and 2 staff members (1/business) for what is considered to be the peak hours for parking in the area. In practical terms, this means the actual requirement should every patron drive will be 22 bays, that is a 5 bay shortfall. Keeping in mind the Interim Guidance document indicted a 5 bay surplus, it could be argued that adequate parking on site has been provided. Also, it is also noted that there is the availability of on street bays immediately adjacent the property which may facilitate peak parking demand. Notwithstanding, the above caps and based on the likely reduced parking pressure outside peak hours it is considered that the cap on sauna patron numbers can be increased to no more than 15 at any one time across all sauna rooms between the hours of 10.00am and 3.00pm, with maximum visitations to the site expected to remain at 22.

The applicant also agrees that it is difficult to calculate the parking demand but is of the view that there is 'real data' about usage to support their argument that adequate parking has been provided. While this data is helpful, the administration cannot verify this information. Furthermore, a number of submitters have made the comment that the sauna business at 128 George Street was occupying parking spaces on George Street and that this was placing pressure on existing businesses and client parking availability. It still remains to be seen whether the on-site parking will be adequate as argued above. It may be, that with an upgraded and expanded facility, that the patronage per hour will increase beyond current use and that larger groups will attend more frequently.

The applicant has stated that it is not expected 10 patrons will be exceeded at each session and only 1 staff member for each business is required and have supported this cap for the Pilates studio. Further, in relation to the sauna,

that the numbers are not expected to reach the cap per hour for most of the sessions throughout the day based on previous years' patronage. So, if this is to be the manner in which the uses will operate, a cap on patron numbers should not impact the operation of the businesses as proposed. If team groups wish to attend then they will be required to split into groups of 10 or less or attend outside of the designated peak hours (as specified in the recommended conditions of approval). In the longer term should it be demonstrated that the parking provided at the rear is underutilised then the business operators can request the Council reconsider the conditions of development approval in relation to patron caps.

In effect, this approach could be considered a type of trial period for the Town's administration to get a better understanding of the parking demand generated by the businesses and the manner in which they will be managed on-site when they become operational. It is not anticipated that there will be insufficient parking, however, given the parking pressures in the precinct, the reliance of on-street parking by existing residents and businesses and the unknown potential use of the remainder of the building, it is considered this is a reasonable approach to determine whether the businesses will operate as stated and whether there is the potential for the cap to be increased into the future.

While the required number of bays for each patron and staff member attending the site would be the ideal, the administration is of the view that the combination of the on-site parking closely meeting demand and the possibility that some patrons will walk/cycle/car pool, the 17 bays provided is considered to be an acceptable balance. If, some or all of the additional 5 bays are required it is expected that they will not be required all at the same time and that the odd bay will be found in surrounding streets or the Richmond Quarter.

As mentioned previously, the Council is required to determine whether it is prepared to support the parking shortfall for the proposed uses. Clause 77(2) of the Deemed Provisions provides Council with the ability to vary or waive the car parking requirement in relation to a development provided it is satisfied with the following:

- (a) that reasonable efforts have been made to comply with the minimum on-site parking requirement without adversely affecting access arrangements, the safety of pedestrians or persons in vehicles, open space, street trees or service infrastructure; and*
- (b) that in the case of a variation — the lower number of car parking spaces would be adequate for the demands of the development, having regard to the likely use of the car parking spaces, the availability of off-site parking facilities and the likely use of alternative means of transport.*

In light of the above discussion, it is considered that (a) and (b) have been satisfied subject to the recommended conditions of development approval being imposed. This recognises the parking limitations and restricts the number of patrons and staff on-site at any one time, therefore it is considered the technical shortfall of 13 bays can be supported.

Capped patron and staff numbers

Considering the above comments, the administration's view is that these recommended conditions of approval are not unreasonable. As discussed with the applicant prior to the submission of the application, the number of bays available at the rear of the site is considered to be a limitation on the scale of the businesses proposed for this site. For the reasons outlined above it is considered necessary to impose conditions of development approval which cap the number of patrons and staff as indicated by the applicant in the application details with some leeway for the sauna/ice bath use outside of what are considered the peak hour period for parking demand. The conditions are recommended so the scale of the businesses accords with the parking provided and that the businesses can be monitored in terms of compliance. Compliance action can be taken under the Planning and Development Act, 2005.

Local Planning Policy (LPP) 3.1.6 – George Street Designated Heritage Area

Section 8 of the LPP 3.1.6 deals specifically with the Royal George Hotel site. The following provisions apply in respect to the change of use application.

Access

i. Only one vehicular access point to or from Duke Street to any new development is considered supportable.

Vehicle Parking

i. Vehicle parking contained in semi-basement or undercroft parking is to be located either behind street front tenancies or otherwise suitably screened from the street or 'sleeved' behind commercial or residential uses fronting Duke Street.

It is considered the parking provided satisfies these provisions (in a change of use application) and the existing street front wall along Duke Street is remaining and will partly screen the carpark. Also, a landscaping condition is recommended to soften the visual appearance of the car park.

CONCLUSION

In summary, the planning issues from the administration's viewpoint and those expressed in the submissions in relation to the determination of the application are as follows:

- are the proposed uses appropriate for the zoning and the heritage listed building?
- will the proposed businesses operate as stated in the application?
- is there sufficient on-site car parking for the proposed uses?
- will any negative impact on the traffic safety and amenity of the surrounding area result if approval is granted.

Another important issue for the Town which must be weighed against the proposed use of the building is the community benefit of the Hotel building being occupied by an active use as opposed to the building remaining vacant and potentially subject to vandalism and anti-social behaviour. The ideal outcome is for the building to be occupied by a suitable use, that has minimal impact on on-street parking, traffic and amenity. Keeping in mind that almost any active use of the building is going to generate a demand for parking.

It is considered the proposed Pilates studio and sauna/ice bath facility are considered suitable uses to occupy the building and align with the objectives of the Special Zone – Royal George Hotel, subject to compliance with the recommended conditions of approval outlined in the report. The HCWA has assessed the proposal and is fully supportive of the change of use and the Stage 1 building permit fit-out for the sauna facility.

Due to the nature of the uses proposed the applicant will need to comply with the Building Code of Australia and environmental health and noise regulations. Conditions of approval and advice notes in this regard are recommended so the applicant is aware of these matters and achieves compliance prior to occupancy permits being issued and while the uses are trading. These matters are detailed in the officer recommendation.

In conclusion, the principal planning consideration is whether adequate parking has been provided on the site for the operation of the uses as proposed. It is considered that the worst case scenario (i.e., full attendance at each session and every patron requiring a bay) is unlikely to eventuate. If the businesses operate as stated and the caps are applied then the parking demand will likely be accommodated on site. It is therefore, recommended that the parking shortfall under LPS 3 of 13 bays be supported in respect to this application provided there is a cap restricting staff at no more than 2 persons at any one time and the uses to no more than 20 to 25 patrons attending at any one time across both businesses (subject to the specified hours as outlined in the recommended conditions). However, the expectation is that the patrons attending the site will not exceed 22 based on assumed attendances outside of peak hours. The other recommended conditions of approval relate to minimising impacts on amenity for existing residents and businesses, primarily in relation to hours of operation and limiting increased traffic in the precinct brought about by patrons searching for parking bays.

Should the business operators not comply with the conditions imposed, the administration can take compliance action under the Planning and Development Act, 2005. If it is demonstrated the rear car park can accommodate the parking demand then the applicant has the right to apply for a reconsideration of any of the conditions imposed.

Given the matters discussed above and subject to support for all the conditions of development approval outlined in the officer recommendation it is recommended the Council approve the change of use application.

13.2 OFFICER RECOMMENDATION

Moved: Cr Collinson Seconded Cr Harrington

That in accordance with the provisions of Local Planning Scheme No. 3 Council exercises its discretion to:

- (i) approve a use not listed in the Zoning Table of Local Planning Scheme No. 3 in accordance with Clause 4.4.2 (sauna and ice bath facility); and
- (ii) vary Clause 77 (D) of Schedule 2 - Deemed Provisions of the Planning and Development (LPS) Regulations, 2015 to allow an on-site parking shortfall of 13 bays,

for a change of use to Recreation – Private (Pilates studio) and Sauna and Ice Bath Facility at No. 34 (Lot 303) Duke Street, East Fremantle as indicated on plans and supporting information received on 19 and 22 April 2024, subject to the following conditions.

1. The hours of operation for the Pilates studio are limited to 6.30am to 8.30pm Monday to Sunday.
2. The hours of operation for the sauna and ice bath facility are limited to 6.30am to 8.30pm Monday to Sunday.
3. No more than ten (10) patrons in total can attend the Pilates studio at any one time over the course of the hours of operation as stated in condition 1.
4. No more than ten 10 Pilates reformers are to be installed. Additional reformers cannot be installed without the further approval of the Council.
5. No more than ten (10) patrons in total can utilise the sauna rooms and ice bath facility at any one time over the course of the hours of operation between 6.30am to 10.00am and 3.00pm to 8.30pm. Additional sauna rooms or any intention to increase patron capacity cannot be undertaken without the further approval of the Council.
6. No more than 15 patrons in total can utilise the sauna rooms and ice bath facility at any one time over the course of the hours of operation between 10.00am and 3.00pm. Additional sauna rooms or any intention to increase capacity cannot be undertaken without the further approval of the Council.
7. No more than two (2) staff members; one staff member for each use can be on site at any one time over the course of the approved hours of operation.
8. The Pilates studio and the sauna and ice bath facility are not to occupy any additional floor space of the building other than the floor space areas indicated in the planning report /plans submitted on 19 April 2024.
9. The provision of 17 vehicle parking bays as indicated on plans received on 22 April 2024 being provided for the sole use of the staff and patrons of the approved uses for the time the uses are in operation. Signage being installed to the satisfaction of the Office of the CEO to this effect to inform the public.
10. Paving, line marking and draining of the car park area to the satisfaction of the Office of the CEO and the work to be completed prior to the occupancy permit being issued.
11. The crossover to Duke Street and any modifications made to the crossover to be approved and constructed to the satisfaction of the Office of the CEO.
12. Landscaping and reticulation of the car parking area to be completed to the satisfaction of the Office of the CEO prior to the issue of an occupancy permit. The landscaping thereafter is to be maintained and replanted (if required) to the satisfaction of the Office of the CEO.
13. Sight lines at the crossover entrance to the car parking area to be in accordance with Australian Standards and to the satisfaction of the Office of the CEO.
14. The installation of six (6) bike racks in the car parking area. The location and design of the bike racks to be approved prior to installation and to the satisfaction of the Office of the CEO and installed prior to the occupancy permit being issued.

15. Prior to the issue of the occupancy permit application a lighting plan shall be provided and approved by the Office of the CEO demonstrating the lightning is illuminating the car park and relevant entrances to the building to the satisfaction of the Office of the CEO and in accordance with the relevant Australian Standards. The lighting plan shall thereafter be implemented to the satisfaction of the Office of the CEO.
16. Prior to the submission of an occupancy permit application, a waste management plan is to be submitted for approval by the Office of the CEO. The approved waste management plan is to be implemented and adhered to at all times by the owners and managers of the development to the satisfaction of the Office of the CEO.
17. A separate development application is required for any proposed signage in relation to the uses. All signage to comply with the Town's Local Planning Policy Design Guidelines – Signage.
18. Compliance with the Heritage Council of WA conditions regarding the sauna and ice bath facility fit-out as indicated in referral advice dated 28 June 2024:
 - a. Material testing of the proposed sealer to be applied to the limestone walls is to be undertaken prior to full application to determine the suitability of the product based on the existing condition and conservation requirements with regards to breathability of the walls.
 - b. To avoid damage to significant fabric, new services are to be installed through the new concrete floor slab wherever possible and walls are not to be chased.
19. Noise emissions from the premises shall comply with the provisions of the Environmental Protection (Noise) Regulations 1997.
20. The commercial building to be kept clean and free of graffiti and vandalism at all times and any such graffiti or vandalism to be remedied within 24 hours to the satisfaction of the Office of the CEO.
21. The premises must be inspected by the Town's Environmental Health Officer prior to opening.
 - a) Prior to the submission of a building permit application, a Parking and Access Management Plan is to be submitted to and approved by the Office of the Chief Executive Officer with the following inclusions:
 - b) provision of 17 on-site marked vehicle parking bays;
 - c) identification of ACROD bay(s);
 - d) effective and safe management of traffic movements to, from and within the car parking areas, including directional signage for deliveries and patrons;
 - e) identification of clear and safe pedestrian access through the car park to the entries of the building; and
 - f) vehicle parking bays, internal driveways and vehicle manoeuvring areas to be designed in accordance with AS2890.1-2004 parking facilities Part 1 : Off Street Parking. The 85-percentile car turning template standard can be used to design non-standard vehicle manoeuvres.
22. Prior to the submission of a building permit application, a Construction Management Plan shall be prepared to the satisfaction of the Town. This plan is to address the following matters during the construction/development period:
 - (a) Noise, vibration, air, and dust management;
 - (b) Contact details of essential site personnel, construction periods and construction operating hours;
 - (c) Traffic management, including footpath closures and proposed signage;
 - (d) Parking management for all trades, contractors, and visitors to site;
 - (e) Public safety and amenity (traffic control and pedestrian management);
 - (f) Site access/egress management;
 - (g) Scaffolding management plan;
 - (h) Management plan for the loading and unloading of vehicles;
 - (i) Heavy construction machinery and deliveries;
 - (j) Bulk earthwork operations;
 - (k) Stormwater and sand/sediment control;
 - (l) Street tree management and protection;
 - (m) Protection of footpath;
 - (n) Details of all concrete pours and requirements relating to piling methods or associated works;
 - (o) Temporary fencing;

- (p) Temporary toilets;
- (q) Dilapidation of Town infrastructure and nearby properties;
- (r) Hoardings and gantries; and
- (s) Any other relevant matters.

The requirements of this plan are to be observed at all times during the construction process.

- 23. With regard to the plans submitted with respect to the building permit application, changes are not to be made in respect of the plans which have received development approval, without those changes being specifically marked for Council's attention.
- 24. The works are to be constructed in conformity with the drawings and written information in relation to use accompanying the application for development approval other than where varied in compliance with the conditions of this development approval or with Council's further approval.
- 25. The proposed uses are not to be commenced until all required Building Permits are issued in compliance with the conditions of this development approval unless otherwise amended by the Office of the CEO.
- 26. With regards to the plans submitted with respect to the Building Permit application, changes are not to be made in respect of the plans which have received development approval, without those changes being specifically marked for the Town's attention.
- 27. The proposed use is not to be commenced until all conditions attached to this development approval have been finalised to the satisfaction of the Office of the CEO.
- 28. This development approval is to remain valid for a period of 24 months from the date of this approval. If the development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.

Advice Notes:

- i) *The premises shall comply with the requirements of the Health (Public Building) Regulations 1992. The proponent must make application during the Building Permit application stage to the Town of East Fremantle's Environmental Health Services via Form 1 - Application to construct, alter or extend a public building as a requirement of the Health (Public Buildings) Regulations 1992. A maximum accommodation number will be determined for the use based on ventilation, floor area, exit widths and sanitary facilities.*
- ii) *Work on construction sites shall be limited to between 7am and 7pm on any day which is not a Sunday or Public Holiday. If work is to be done outside these hours a noise management plan must be submitted and approved by the Chief Executive Officer, Town of East Fremantle prior to work commencing, as required by the Environmental Protection (Noise) Regulations 1997.*
- iii) *The proposed ice baths/pool shall comply with the requirements of the Health (Aquatic Facilities) Regulations 2007 and the Code of Practice for the Design, Construction, Operation, Management, and Maintenance of Aquatic Facilities. The attached Department of Health Guidance Note 12 provides further advice in relation to ice baths for commercial and public use.*
- iv) *The applicant/owner is advised that it is their responsibility to ensure that the proposed development complies with all other applicable legislation, local laws and / or licence / permit requirements that relate to the approved uses.*
- v) *A building permit is required to be submitted and approved by the Town in accordance with the Building Act 2011 and Building Regulations 2012. Note that conditions of development approval may require actions and further approvals prior to a building permit application being submitted.*
- vi) *A copy of the approved plans as stamped by the Town is attached and the application for a building permit is to conform with the approved plans unless otherwise approved by the Office of the CEO.*
- vii) *In determining the positioning of outdoor lighting of the car park and entrances and potential effects, regard should be given to the requirements of Australian Standard AS4283 – 1997 Control of the obtrusive effects of outdoor lighting. This standard considers several aspects of potential obtrusiveness, unwanted light falling on surrounding properties, the brightness of the illumination which may obstruct visibility of nearby residents and users of adjacent roads and public property.*

Amendment

Moved Cr White, seconded Cr Donovan

That the motion be amended as follows:

Clause 1 – delete the hours of operation as presented and insert “5.15am to 10.45pm”

Clause 2 - delete the hours of operation as presented and insert “5am to 9pm”

Clause 5 – delete ten (10) patrons” and insert “twenty (20) patrons”

Delete Clause 6

Insert new clause 28 “Applicant to actively promote a parking strategy to utilise capacity in Silas Street.”

Renumber clauses accordingly.

(CARRIED 5:1)

For: Crs White, Donovan, Harrington, Maywood & Natale.

Against: Cr Collinson

The substantive motion as amended was put.

13.2 AMENDED SUBSTANTIVE MOTION/ COUNCIL RESOLUTION

Council Resolution 021607

Moved Cr Collinson, seconded Cr Harrington

That in accordance with the provisions of Local Planning Scheme No. 3 Council exercises its discretion to:

- (i) approve a use not listed in the Zoning Table of Local Planning Scheme No. 3 in accordance with Clause 4.4.2 (sauna and ice bath facility); and**
- (ii) vary Clause 77 (D) of Schedule 2 - Deemed Provisions of the Planning and Development (LPS) Regulations, 2015 to allow an on-site parking shortfall of 13 bays,**

for a change of use to Recreation – Private (Pilates studio) and Sauna and Ice Bath Facility at No. 34 (Lot 303) Duke Street, East Fremantle as indicated on plans and supporting information received on 19 and 22 April 2024, subject to the following conditions.

- 1. The hours of operation for the Pilates studio are limited to 5.15am to 10.45pm Monday to Sunday.**
- 2. The hours of operation for the sauna and ice bath facility are limited to 5am to 9pm Monday to Sunday.**
- 3. No more than ten (10) patrons in total can attend the Pilates studio at any one time over the course of the hours of operation as stated in condition 1.**
- 4. No more than ten 10 Pilates reformers are to be installed. Additional reformers cannot be installed without the further approval of the Council.**
- 5. No more than twenty (20) patrons in total can utilise the sauna rooms and ice bath facility at any one time over the course of the hours of operation.**
- 6. No more than two (2) staff members; one staff member for each use can be on site at any one time over the course of the approved hours of operation.**
- 7. The Pilates studio and the sauna and ice bath facility are not to occupy any additional floor space of the building other than the floor space areas indicated in the planning report /plans submitted on 19 April 2024.**

8. The provision of 17 vehicle parking bays as indicated on plans received on 22 April 2024 being provided for the sole use of the staff and patrons of the approved uses for the time the uses are in operation. Signage being installed to the satisfaction of the Office of the CEO to this effect to inform the public.
9. Paving, line marking and draining of the car park area to the satisfaction of the Office of the CEO and the work to be completed prior to the occupancy permit being issued.
10. The crossover to Duke Street and any modifications made to the crossover to be approved and constructed to the satisfaction of the Office of the CEO.
11. Landscaping and reticulation of the car parking area to be completed to the satisfaction of the Office of the CEO prior to the issue of an occupancy permit. The landscaping thereafter is to be maintained and replanted (if required) to the satisfaction of the Office of the CEO.
12. Sight lines at the crossover entrance to the car parking area to be in accordance with Australian Standards and to the satisfaction of the Office of the CEO.
13. The installation of six (6) bike racks in the car parking area. The location and design of the bike racks to be approved prior to installation and to the satisfaction of the Office of the CEO and installed prior to the occupancy permit being issued.
14. Prior to the issue of the occupancy permit application a lighting plan shall be provided and approved by the Office of the CEO demonstrating the lightning is illuminating the car park and relevant entrances to the building to the satisfaction of the Office of the CEO and in accordance with the relevant Australian Standards. The lighting plan shall thereafter be implemented to the satisfaction of the Office of the CEO.
15. Prior to the submission of an occupancy permit application, a waste management plan is to be submitted for approval by the Office of the CEO. The approved waste management plan is to be implemented and adhered to at all times by the owners and managers of the development to the satisfaction of the Office of the CEO.
16. A separate development application is required for any proposed signage in relation to the uses. All signage to comply with the Town's Local Planning Policy Design Guidelines – Signage.
17. Compliance with the Heritage Council of WA conditions regarding the sauna and ice bath facility fit-out as indicated in referral advice dated 28 June 2024:
 - a. Material testing of the proposed sealer to be applied to the limestone walls is to be undertaken prior to full application to determine the suitability of the product based on the existing condition and conservation requirements with regards to breathability of the walls.
 - b. To avoid damage to significant fabric, new services are to be installed through the new concrete floor slab wherever possible and walls are not to be chased.
18. Noise emissions from the premises shall comply with the provisions of the Environmental Protection (Noise) Regulations 1997.
19. The commercial building to be kept clean and free of graffiti and vandalism at all times and any such graffiti or vandalism to be remedied within 24 hours to the satisfaction of the Office of the CEO.
20. The premises must be inspected by the Town's Environmental Health Officer prior to opening.
 - a) Prior to the submission of a building permit application, a Parking and Access Management Plan is to be submitted to and approved by the Office of the Chief Executive Officer with the following inclusions:
 - b) provision of 17 on-site marked vehicle parking bays;
 - c) identification of ACROD bay(s);
 - d) effective and safe management of traffic movements to, from and within the car parking areas, including directional signage for deliveries and patrons;
 - e) identification of clear and safe pedestrian access through the car park to the entries of the building; and

- f) vehicle parking bays, internal driveways and vehicle manoeuvring areas to be designed in accordance with AS2890.1-2004 parking facilities Part 1 : Off Street Parking. The 85-percentile car turning template standard can be used to design non-standard vehicle manoeuvres.

21. Prior to the submission of a building permit application, a Construction Management Plan shall be prepared to the satisfaction of the Town. This plan is to address the following matters during the construction/development period:

- (a) Noise, vibration, air, and dust management;
- (b) Contact details of essential site personnel, construction periods and construction operating hours;
- (c) Traffic management, including footpath closures and proposed signage;
- (d) Parking management for all trades, contractors, and visitors to site;
- (e) Public safety and amenity (traffic control and pedestrian management);
- (f) Site access/egress management;
- (g) Scaffolding management plan;
- (h) Management plan for the loading and unloading of vehicles;
- (i) Heavy construction machinery and deliveries;
- (j) Bulk earthwork operations;
- (k) Stormwater and sand/sediment control;
- (l) Street tree management and protection;
- (m) Protection of footpath;
- (n) Details of all concrete pours and requirements relating to piling methods or associated works;
- (o) Temporary fencing;
- (p) Temporary toilets;
- (q) Dilapidation of Town infrastructure and nearby properties;
- (r) Hoardings and gantries; and
- (s) Any other relevant matters.

The requirements of this plan are to be observed at all times during the construction process.

- 22. With regard to the plans submitted with respect to the building permit application, changes are not to be made in respect of the plans which have received development approval, without those changes being specifically marked for Council's attention.**
- 23. The works are to be constructed in conformity with the drawings and written information in relation to use accompanying the application for development approval other than where varied in compliance with the conditions of this development approval or with Council's further approval.**
- 24. The proposed uses are not to be commenced until all required Building Permits are issued in compliance with the conditions of this development approval unless otherwise amended by the Office of the CEO.**
- 25. With regards to the plans submitted with respect to the Building Permit application, changes are not to be made in respect of the plans which have received development approval, without those changes being specifically marked for the Town's attention.**
- 26. The proposed use is not to be commenced until all conditions attached to this development approval have been finalised to the satisfaction of the Office of the CEO.**
- 27. This development approval is to remain valid for a period of 24 months from the date of this approval. If the development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.**
- 28. Applicant to actively promote a parking strategy to utilise capacity in Silas Street.**

Advice Notes:

- i) The premises shall comply with the requirements of the Health (Public Building) Regulations 1992. The proponent must make application during the Building Permit application stage to the Town of East Fremantle's Environmental Health Services via Form 1 - Application to construct, alter or extend a public**

- building as a requirement of the Health (Public Buildings) Regulations 1992. A maximum accommodation number will be determined for the use based on ventilation, floor area, exit widths and sanitary facilities.*
- ii) Work on construction sites shall be limited to between 7am and 7pm on any day which is not a Sunday or Public Holiday. If work is to be done outside these hours a noise management plan must be submitted and approved by the Chief Executive Officer, Town of East Fremantle prior to work commencing, as required by the Environmental Protection (Noise) Regulations 1997.*
 - iii) The proposed ice baths/pool shall comply with the requirements of the Health (Aquatic Facilities) Regulations 2007 and the Code of Practice for the Design, Construction, Operation, Management, and Maintenance of Aquatic Facilities. The attached Department of Health Guidance Note 12 provides further advice in relation to ice baths for commercial and public use.*
 - iv) The applicant/owner is advised that it is their responsibility to ensure that the proposed development complies with all other applicable legislation, local laws and / or licence / permit requirements that relate to the approved uses.*
 - v) A building permit is required to be submitted and approved by the Town in accordance with the Building Act 2011 and Building Regulations 2012. Note that conditions of development approval may require actions and further approvals prior to a building permit application being submitted.*
 - vi) A copy of the approved plans as stamped by the Town is attached and the application for a building permit is to conform with the approved plans unless otherwise approved by the Office of the CEO.*
 - vii) In determining the positioning of outdoor lighting of the car park and entrances and potential effects, regard should be given to the requirements of Australian Standard AS4283 – 1997 Control of the obtrusive effects of outdoor lighting. This standard considers several aspects of potential obtrusiveness, unwanted light falling on surrounding properties, the brightness of the illumination which may obstruct visibility of nearby residents and users of adjacent roads and public property.*

(CARRIED 5:1)

For: Crs White, Donovan, Harrington, Maywood & Natale.

Against: Cr Collinson

Reason for the Change to the Officer's Recommendation:

To allow for fewer constraints on the businesses operations in respect to the operating hours and the patron numbers as requested by the applicant in the additional information provided by the applicant prior to the Council meeting.

Cr Wilson returned to the meeting at 9.04pm and it was noted he did not speak or vote on the previous motion.

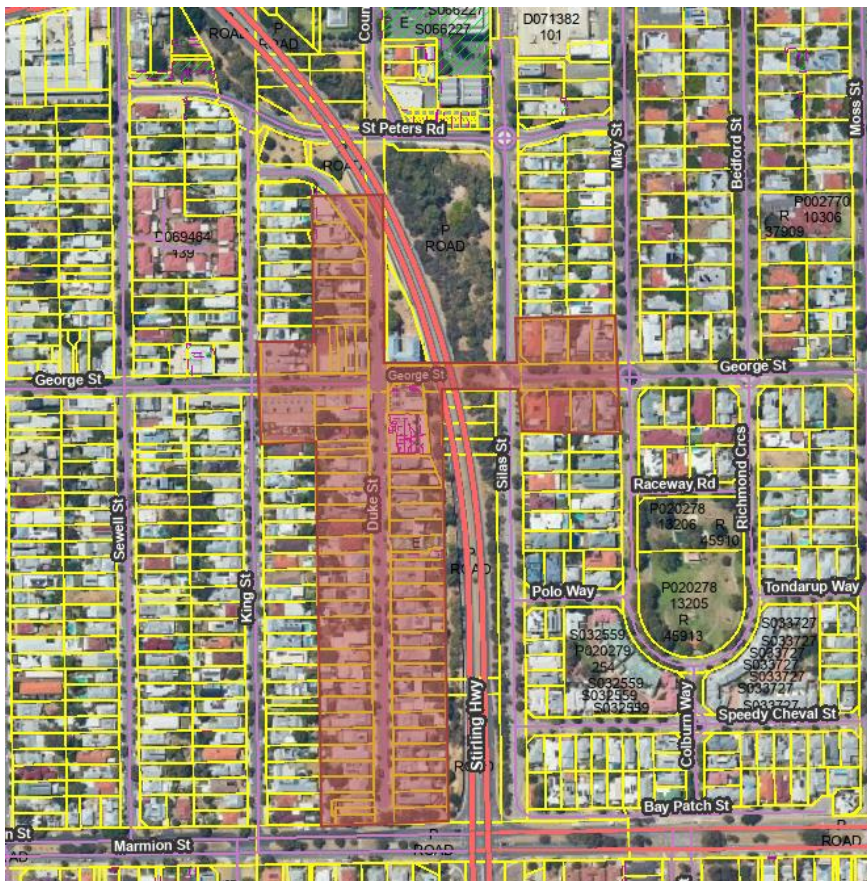
REPORT ATTACHMENTS

Attachments start on the next page.

Location plan



Advertising plan – shaded lots



Photos - 34 Duke Street – Royal George Hotel site





SITE PLAN



3 22/01/2024 DIMENSIONS ACCORD
2 16/01/2024 DIMENSIONS PER TRAFFIC TECH NOTE
1 26/02/2024 100% J-HMI PRELIMINARY
REV DATE

EKAM
Architecture
15/47 880 178
info@ekamarchitecture.com.au
LURN
SARACEN PROPERTIES

PROJECT
PROPOSED PARKING LAYOUT
ROYAL GEORGE HOTEL
31 DUKE ST, LAST MILE MANTLE

TITLE
SITE PLAN
PROJECT NO 1546
SCALE 1:200 @A1
DATE FEB 2024
DRAWING NO A201

REV 3



LEVEL 8
1 WILLIAM STREET
PERTH WA 6000

URBIS.COM.AU
Urbis Ltd
ABN 50 105 256 228

19 April 2024

Andrew Malone
Town of East Fremantle
135 Canning Highway
East Fremantle, WA 6158

Dear Andrew,

ROYAL GEORGE HOTEL- CHANGE OF USE APPLICATION

Urbis on behalf of our client, Saracen Properties (**Saracen**) is pleased to submit this change of use request in relation to the Royal George Hotel.

Urbis received approval from the SDAU for a Form 17C on 11 April 2024, which sought a change of use to 'Tavern', along with minor amendments to the built form of the apartment component of the development.

Due to market demand, in the interim whilst the feasibility of that project is still being investigated, the client is seeking approval for an additional change of use with the Town.

This change of use request is seeking approval for the following uses:

- 'Recreation – Private' – for a Pilates Studio; and
- 'Use not listed' – to accommodate Alchemy Saunas, offering sauna and ice bath facilities.

To assist the Town in their consideration of this request, please find enclosed the following:

- Certificate of Title – **Appendix A**
- Floor plans – **Appendix B**
- Traffic technical note from Stantech – **Appendix C**

CONTEXT AND BACKGROUND

Previous approvals

The initial approval at the subject site was for a comprehensive restoration and adaptive re-use of the National and State Heritage listed Royal George Hotel, on the corner of George and Duke Street in East Fremantle. The proposal was for re-use of the building for a variety of hospitality purposes, including a restaurant, small bar, and boutique hotel rooms. The approval also includes a new nine-storey, 23 apartment building to the north of the site.

Royal George - Change of Use Application



Since approval, Saracen has progressed with delivery of the project, including completion of the external heritage restoration works (totalling \$6 million) which was informed by a Conservation Management Strategy and approved by the Heritage Council of WA in December 2019. The works were undertaken in parallel with the development application process outlined and were officially completed in mid-2022.

Saracen eventually identified an operator, and through the selection of the operator, minor changes to the use and hotel were required. This included the removal of the hotel rooms, and replacement of the function space. Further, modifications were proposed within the restaurant/small bar areas and the basement level of the beverage production facility. This application was recently approved on 11 April 2024.

Due to market demands, whilst the final components of feasibility are confirmed for this approval, the client is seeking to utilise the building for two new land uses, which forms the basis for this change of use application.

Meeting with Town

Urbis and the client met with senior officers of the Town on 11 March 2024 to provide an update on the SDAU development application and discuss the proposed change of use application for the Royal George Hotel.

Generally, the proposal was received positively by the Town, with discussions focused on what the most appropriate land use classifications are, along with parking requirements.

The feedback received in the meeting was noted and accommodated where required in this application.

Meeting with Heritage Council

We understand the client met with the Heritage Council to discuss the proposed change of use application and the implications of the proposal on the heritage listed hotel building.

The Heritage Council advised they had no issues with the proposal, acknowledging the proposal does not seek to substantially modify the hotel building or depart from the existing Heritage Impact Statements prepared for the hotel building in other approved applications.

Site details

The below table identifies the legal lot details for the subject site.

Table 1 – Lot Details

Address	Lot/Plan	Vol/Folio	Proprietor	Area
34 Duke Street, East Fremantle	Lot 303 on Diagram 91758	2929/940	34 Duke Street Pty Ltd	1,499sq.m

Concurrent with the development application process and since approval in November 2021, work has been completed on the external restoration of the Hotel. This is illustrated in the photo below.

A copy of the Certificate of Title is provided in **Appendix A**.



PROPOSED CHANGE OF USE

The proposal seeks to change the approved uses within specific areas of the hotel building to 'recreation – private' and 'use note listed', consistent with the Town of East Fremantle (**Town**) Local Planning Scheme No.3 (**LPS 3**). The specific uses proposed are:

- Recreation – Private: for a Pilates Studio; and
- Use not listed: Alchemy Saunas, providing sauna and ice bath facilities.

The Pilates Studio will be located in two main rooms within the ground floor, whilst Alchemy Saunas will occupy three main rooms within the lower basement area.

Minimal internal works are required for the proposal. The internal works have been discussed between the client and Heritage Council, who advised they have no issues with the proposal and the proposed works do not substantially vary from the HIS prepared in the previous development applications approved over the site.

The general nature and details of the each use are outlined below.

Pilates Studio

- **Description:** Indoor, video led, group reformer classes.
- **Operating hours:** 5:15am – 10:45pm 7 days a week. Classes run hourly.
- **Staffing:** 1 x part time studio manager, approximately 6-8 hours a week, unstaffed for remaining periods.
- **Expected demand:** Capped classes of 10 clients per session maximum.



Wellness Studio

- **Description:** Alchemy Saunas provide sauna and ice bath facilities.
- **Operating hours:** 6am to 8pm 7 days a week.
- **Staffing:** 1 staff member on site at any time.
- **Expected:** 10 patrons per hour maximum.

PLANNING FRAMEWORK CONSIDERATIONS

Local Planning Scheme no.3

The site is zoned 'Special Zone – Royal George Hotel' under the Town's Local Planning Scheme No. 3 (**LPS3**). The objectives of the Special Zone – Royal George Hotel are:

- *To encourage the preservation and re-use of the Royal George Hotel building;*
- *To accommodate the redevelopment of the Royal George Hotel site in a manner which will complement the preservation of the hotel building.*
- *To enhance and promote George Street as a vibrant main street.*

Recreation – Private and the Use Note Listed (Alchemy Saunas) are both uses that are consistent with the objectives of the Special Zone – Royal George Hotel, as they propose to reuse the heritage building whilst having minimal impact on the heritage fabric. The uses will also compliment the George Street main street precinct, as the uses generally promote health and wellness within the local community.

Permissibility

Recreation – Private use 'A' use within the Special Zone – Royal George hotel, meaning it's not permitted unless the local government exercises discretion and advertises the application in accordance with clause 9.4 of LPS3.

Alchemy Saunas is best characterised as an unlisted land use, as agreed upon with the Town via email correspondence received on 18 March 2024. Whilst there are no specific provisions in LPS3 for unlisted uses, generally speaking a proposal for an unlisted use requires advertisement, similar to 'A' uses. An unlisted use generally is required to demonstrate how the use will not unduly impact upon the amenity of the surrounding area.

Parking

A parking assessment is provided in **Table 2** below against the provisions of LPS3. Whilst the Town does not apply a specific car parking rate, the Town has advised via email they would seek to apply a car parking rate of 1 bay per 10msqm of floor space, consistent with the 'Gymnasium' land use.

Table 2: Car parking assessment against provisions of LPS3

Use	LPS3 Provision	Floorspace	LPS3 Requirement	Total Provided
Recreation – Private (gymnasium)	1 space for every 10m ² net floor area	112m ²	11 bays	17



Use	LPS3 Provision	Floorspace	LPS3 Requirement	Total Provided
Unlisted use (gymnasium)	1 space for every 10m ² net floor area	189m ²	18.9 (19)	
Total			30 bays	17 (13 bay shortfall)

As demonstrated in Table 2 above, the proposed change of use application will result in a shortfall of 13 bays, which is a shortfall significantly less than in previously approved applications over the site.

Notwithstanding, we note the car parking rates applied by LPS3 do not appropriately account for the on-site demand generated by each use. A total of 30 car bays are required subject to the provisions of LPS3, however there can only be a maximum of 22 people on site at any one time, noting each use has a maximum patron capacity of 10 people, and each use only has 1 staff member rostered at any one time.

This also doesn't accommodate for the natural peak times of each use. For a pilates studio, peak times are generally in the morning prior to typical business hours, and in the evening after typical business hours, as well as weekends. Peak periods for a 'Sauna' are similar, although busier on weekends.

Further to the above, we've also reviewed the Draft Interim Guidance on Non-Residential Car Parking Requirements (**Interim Guidance**) recently released by the Department of Planning, Lands and Heritage (**DPLH**). Subject to the Interim Guidance, the subject site would classify as a 'Lower Order Centre', with both uses being classed as 'Recreation-Private'. Refer to **Table 3** below for a parking assessment against the requirements of the Interim Guidance.

Table 3 Assessment against provisions of Interim Guidance

Use	Provision	Patrons	Requirement	Provided
Recreation – Private (both uses)	Min: 1 space for every 8 persons accommodated	20 patrons (max 10 for Pilates and Alchemy Saunas)	2.75 (3)	17
	Max: 1 space for every 2 persons accommodated	2 staff (1 for each use) 22 people total maximum	11	

As demonstrated in Table 3 above, when considering the Interim Guidance provided by the DPLH, the proposed change of use application provides a surplus of car parking bays on site.



The Interim Guidance outlines that Local Governments should consider the general principles of the Interim Guidance or matters to be addressed with respect to non-residential car parking. It's considered the parking rates applied by the Interim Guidance more appropriately captures the demand generated by the proposed uses, compared with the parking rates applied for a 'Gymnasium' under LPS3.

Considering the above, the proposed parking is adequate for the proposed change of use application and warrants approval accordingly.

TECHNICAL CONSIDERATIONS

A technical note has been prepared by Stantec assessing the proposed parking area to ensure it complies with the relevant Australian Standards.

As outlined in the technical note, the car park design is generally consistent with the Australian Standards, subject to minor design modifications. The design modifications have been taken into account, and the car park design has been amended in accordance with the recommendations of the technical note.

Refer to **Appendix 3** for a copy of the technical note.

CONCLUSION

As demonstrated in this application, the proposed uses are entirely suitable for the site and actively seek to promote retention and reactivation of the existing heritage building. The uses proposed are consistent with the applicable planning framework under LPS3.

Considering the above, we respectfully request the Town favourably determines the proposed application.

Kind regards,

A handwritten signature in black ink, appearing to be "Robert Walker", written over a horizontal line.

Robert Walker
Senior Consultant
+61 8 9346 0556
rwalker@urbis.com.au



APPENDIX A CERTIFICATE OF TITLE

WESTERN



AUSTRALIA

TITLE NUMBER

Volume Folio

2929 940

RECORD OF CERTIFICATE OF TITLE

UNDER THE TRANSFER OF LAND ACT 1893

The person described in the first schedule is the registered proprietor of an estate in fee simple in the land described below subject to the reservations, conditions and depth limit contained in the original grant (if a grant issued) and to the limitations, interests, encumbrances and notifications shown in the second schedule.

BGRoberts
REGISTRAR OF TITLES



LAND DESCRIPTION:

LOT 303 ON DIAGRAM 91758

REGISTERED PROPRIETOR: (FIRST SCHEDULE)

34 DUKE STREET PTY LTD OF GROUND FLOOR 342 MURRAY STREET PERTH WA 6000
(TF N657002) REGISTERED 26/6/2017

LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS: (SECOND SCHEDULE)

1. H110405 MEMORIAL. HERITAGE OF WESTERN AUSTRALIA ACT 1990. LODGED 17/5/1999.
2. N679023 MEMORIAL. HERITAGE OF WESTERN AUSTRALIA ACT 1990. LODGED 24/7/2017.
3. O833051 NOTIFICATION. HERITAGE ACT 2018. LODGED 11/8/2021.
4. O989411 MORTGAGE TO HARVIS FINANCE NO. 2 PTY LTD OF LEVEL 9 190 ST GEORGES TERRACE PERTH WA 6000 REGISTERED 22/12/2021.
5. O989414 CAVEAT BY STATE OF WESTERN AUSTRALIA LODGED 22/12/2021.

Warning: A current search of the sketch of the land should be obtained where detail of position, dimensions or area of the lot is required.
Lot as described in the land description may be a lot or location.

-----END OF CERTIFICATE OF TITLE-----

STATEMENTS:

The statements set out below are not intended to be nor should they be relied on as substitutes for inspection of the land and the relevant documents or for local government, legal, surveying or other professional advice.

SKETCH OF LAND:	2106-366 (303/D91758)
PREVIOUS TITLE:	LR3168-416
PROPERTY STREET ADDRESS:	34 DUKE ST, EAST FREMANTLE.
LOCAL GOVERNMENT AUTHORITY:	TOWN OF EAST FREMANTLE

LANDGATE COPY OF ORIGINAL NOT TO SCALE 08/04/2024 09:08 AM Request number: 66432939

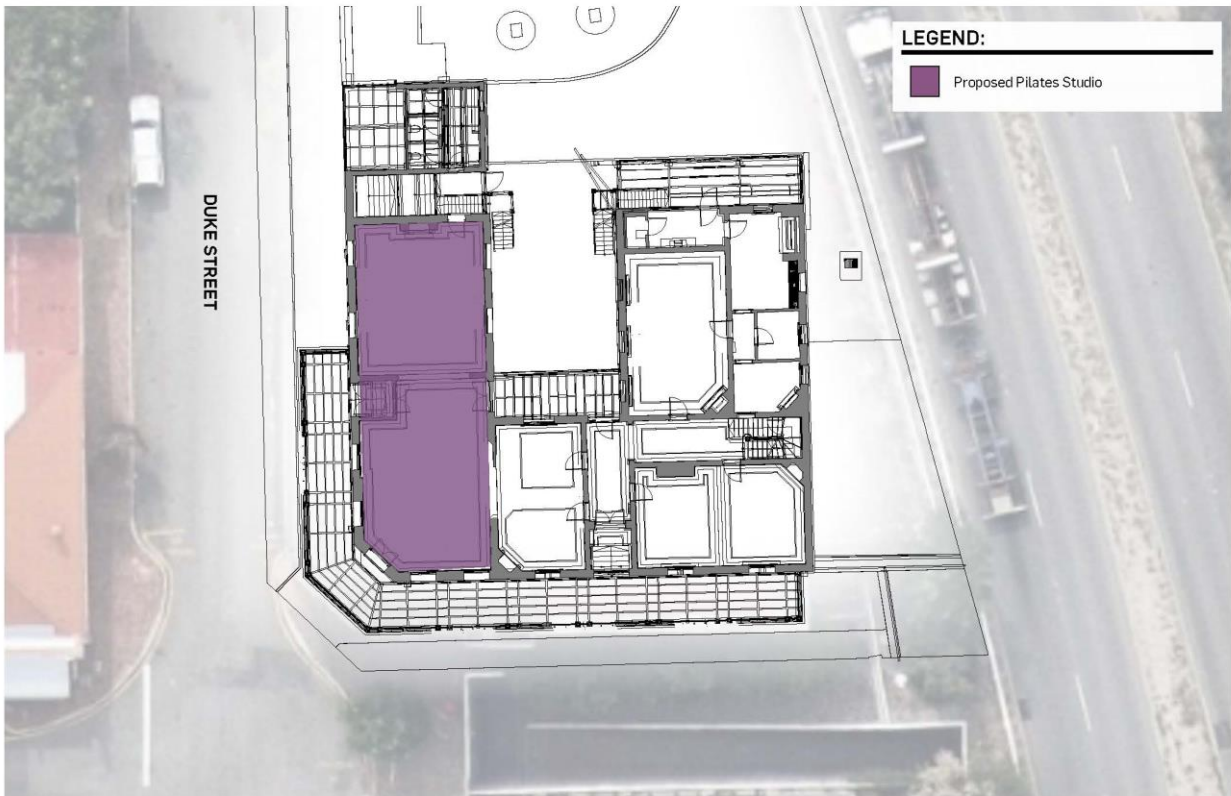

Landgate
www.landgate.wa.gov.au



APPENDIX B PLANS



GROUND FLOOR

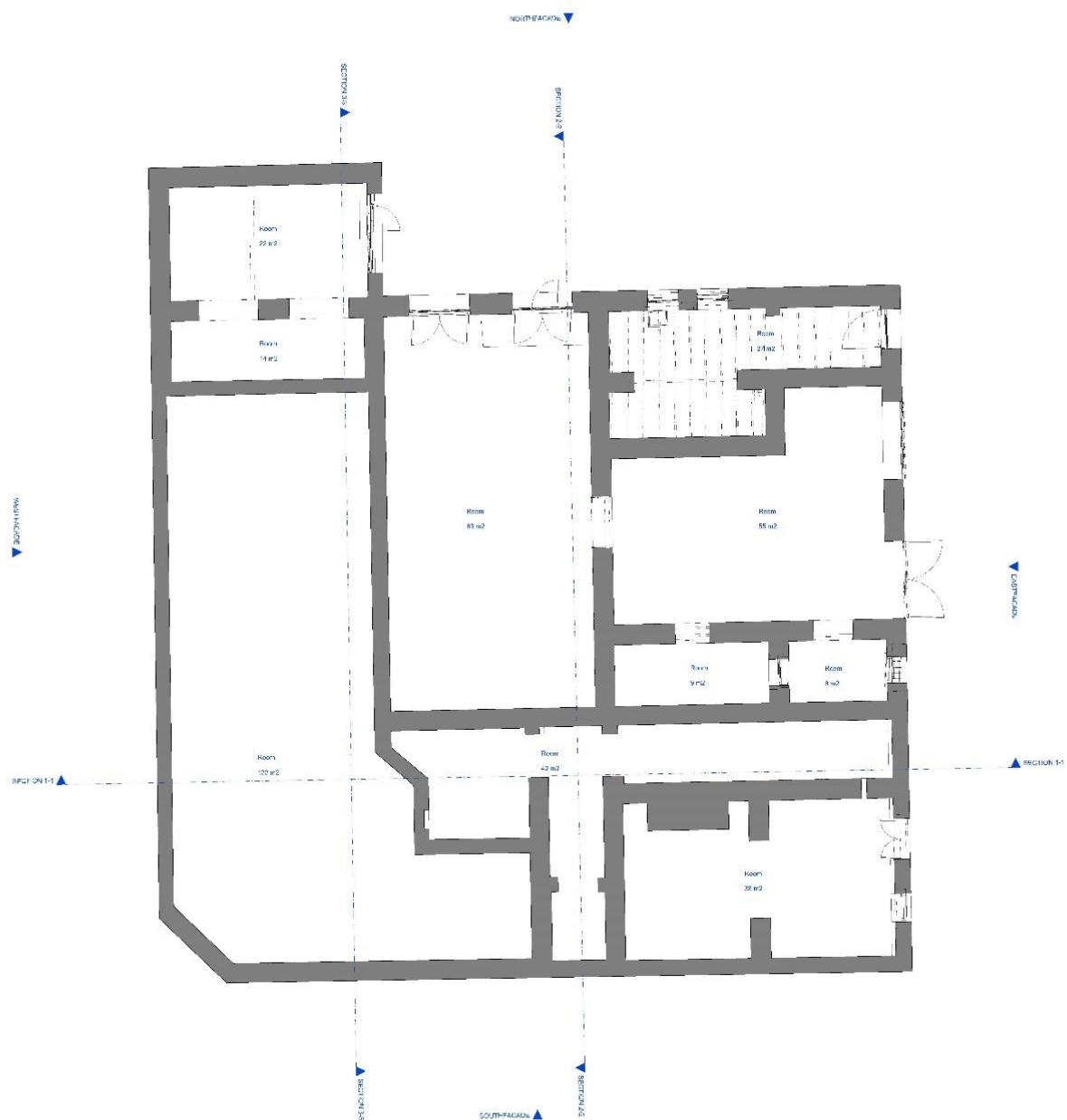


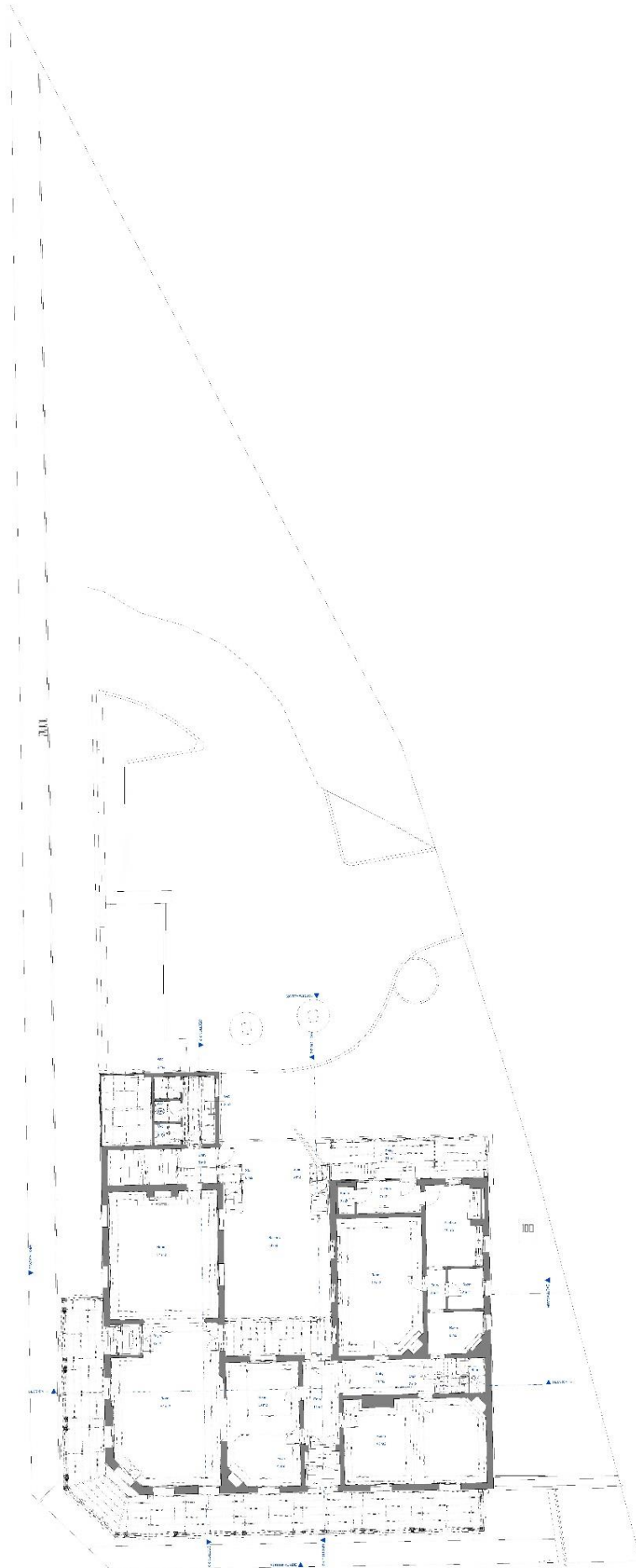
LOWER BASEMENT



ROYAL GEORGE
CHANGE OF USE PLAN

DATE: 11.03.2024
JOB NO: P0023410
DWG NO: 01
REV:







APPENDIX C

TECHNICAL NOTE



Memo

To: Robert Walker, Urbis

From: Shannon Leigh

Project/File: 301400721

Date: 8 April 2024

Reference: Royal George Hotel

Stantec has been commissioned to conduct a parking review for the proposed redevelopment of the Royal George Hotel located at 34 Duke Street, East Fremantle.

The scope of the report is as follows:

- *Review the proposed car park design in accordance with AS2890.1 requirements.*
- *Conduct a swept path assessment for the proposed car park.*
- *Initial feedback from the preliminary assessment highlighting any issues or concerns.*
- *Final review and Technical Note summarising review findings and swept paths.*

8 April 2024
Robert Walker, Urbis
Page 2 of 7

Reference: Royal George Hotel

1 Background

The Royal George Hotel is located at 34 Duke Street, East Fremantle as shown in Figure 1. The Site is bounded by Duke Street to the west, George Street to the south and Stirling Highway to the east.

Figure 1 – Site Area



Design with community in mind

8 April 2024
Robert Walker, Urbis
Page 3 of 7

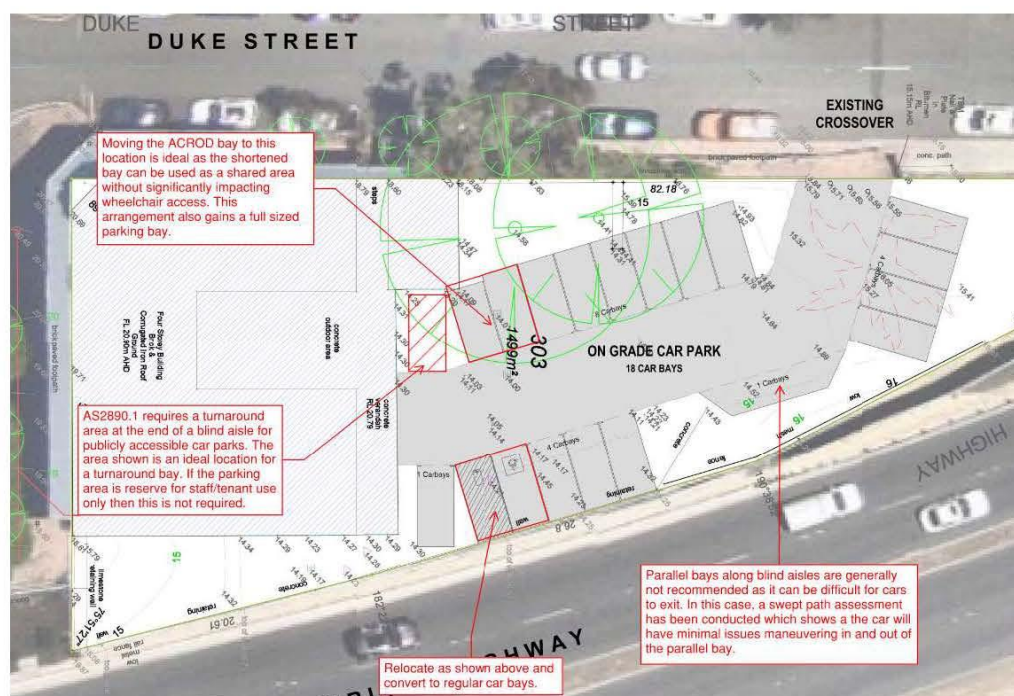
Reference: Royal George Hotel

2 Parking Review

A car park review was conducted for the proposed site plan in accordance with AS2890.1. While there were no geometric issues related to the car park, some recommendations have been provided to improve internal circulation and optimise the bay layouts. Figure 2 provides a markup of the recommended modifications to the car park with a summary provided below.

- It is recommended that the ACROD bay be relocated to the location shown in Figure 2 as the shortened bay can be used as a shared area without significantly impacting wheelchair access. This arrangement also results in 1 additional full-sized parking bay.
- AS2890.1 requires a turnaround area at the end of a blind aisle for publicly accessible car parks. The area indicated in Figure 2 is the ideal location for a turnaround bay. If the parking area is reserved for staff/tenant use only with designated bays, then this area is not required.
- Parallel bays along blind aisles are generally not recommended, as manoeuvring out of this bay can be difficult (the car essentially needs to do a u-turn). In this case, a swept path assessment showed that the car will have minimal issues manoeuvring in and out of the parallel bay.

Figure 2 – Markup of Recommended Car Park Modifications



Design with community in mind

3 Swept Paths

A swept path assessment was conducted for a standard large car (B85) with the vehicle specifications shown in Figure 3. The analysis covers movements throughout the Site that are considered to be difficult for drivers, in areas where space is limited, and/or for movements that are considered to be unconventional.

Figure 3 – B85 Vehicle Specifications

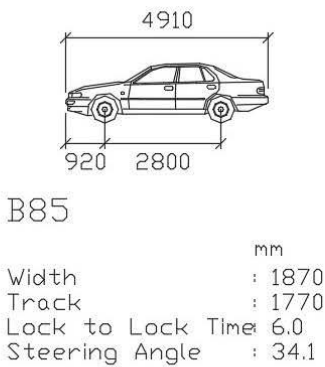
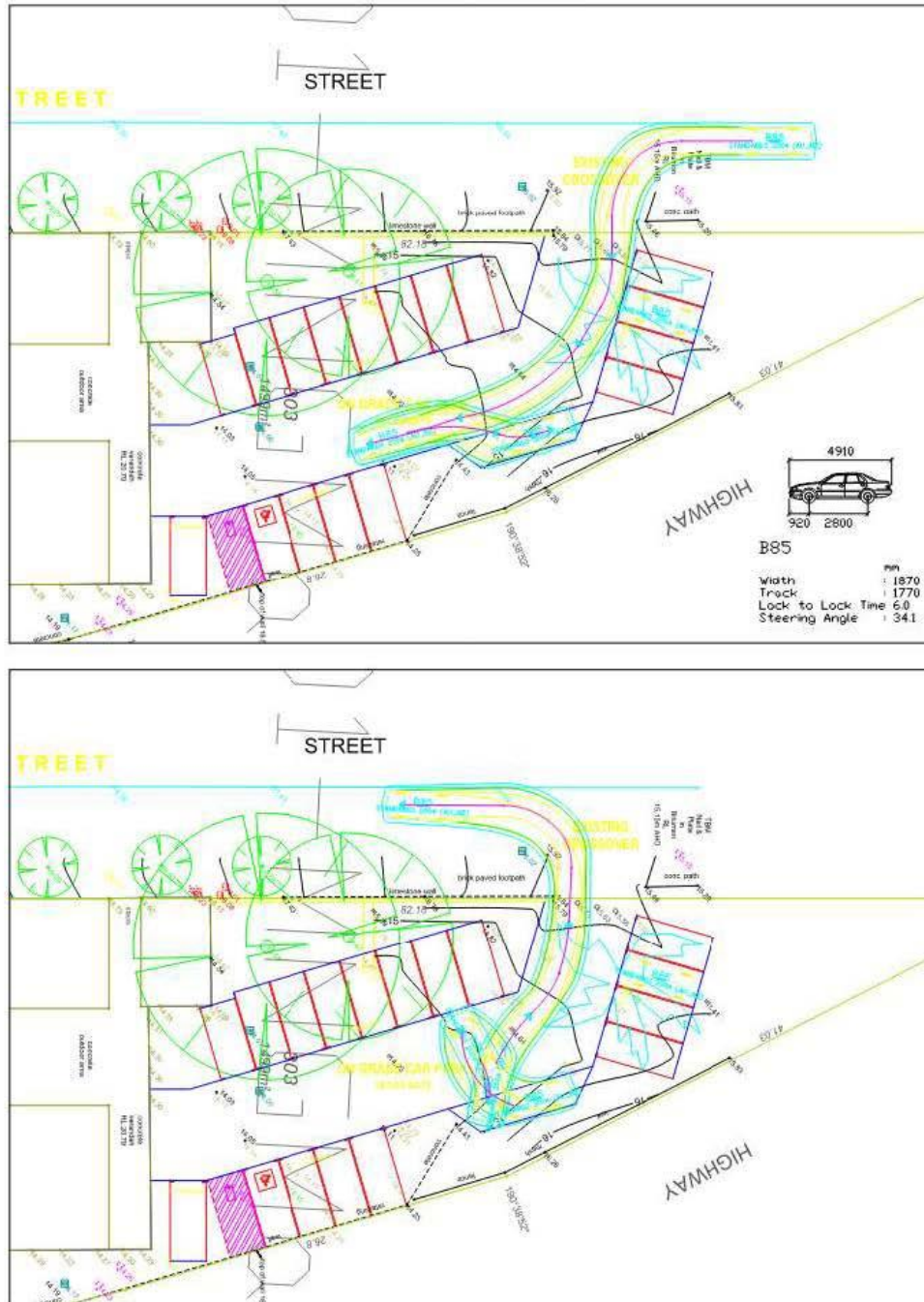


Figure 4 and Figure 5 show the swept path analysis and how a standard large car is capable of entering and exiting these parking bays at key locations without issues.

8 April 2024
Robert Walker, Urbis
Page 5 of 7

Reference: Royal George Hotel

Figure 4 – B85 Swept Path 1

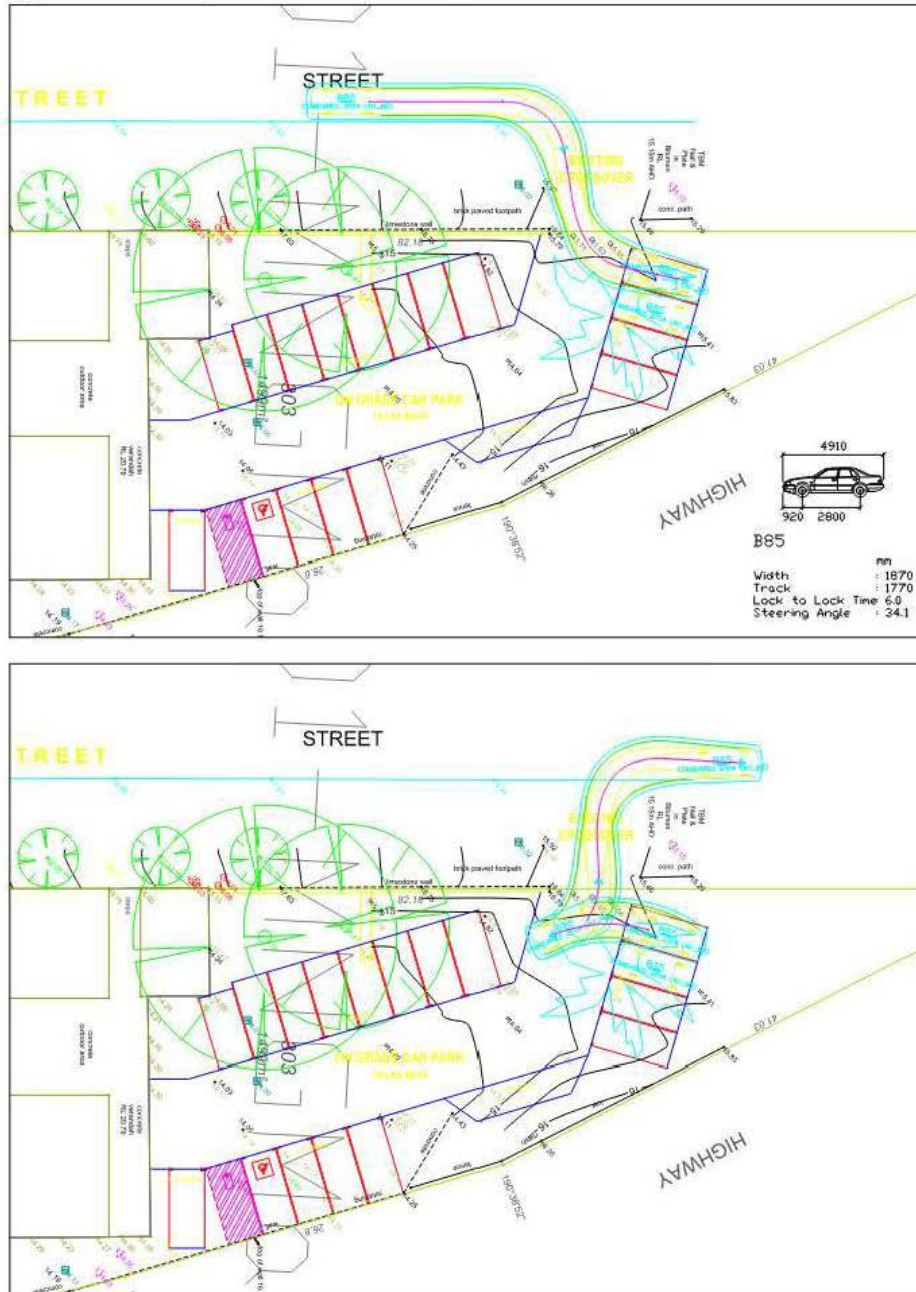


Design with community in mind

8 April 2024
Robert Walker, Urbis
Page 6 of 7

Reference: Royal George Hotel

Figure 5 – B85 Swept Path 2



Design with community in mind

8 April 2024
Robert Walker, Urbis
Page 7 of 7

Reference: Royal George Hotel

4 Conclusions

A summary of the parking assessment is as follows:

- The parking review shows the car parking is mostly compliant with AS2890.1 with some recommended modifications proposed to improve the parking layout.
- The swept path analysis shows that the vehicles will have minimal issues entering and exiting the car park.

Schedule of Submissions - Object / Concerns / Conditional Support

Proposed Change of Use – Royal George Hotel - 34 (Lot 303) Duke Street, East Fremantle

No.	Object	Submission	Applicant Response	Officer's Response and Recommendation
1	Object	<p>I have some very strong concerns regarding the submission in relation to what the two businesses propose and what their actual true honest intention is.</p> <p>Currently both businesses propose to limit patrons to 10 each at any one time. Looking at the plans it is quite clear both have the capacity for at least double their proposal. Discussion with current patrons of the sauna business reveal that the new facility is designed to handle up to 30 clients at one time. The floor area of the Reformer Studio has the capacity for at least 20 reformer beds. The sauna business has been operating on George St for some time now. Parking for the business was to be provided in the space to the rear of the building. However, this area has been locked behind electric gates with a 'No Parking' sign attached. Clearly the sauna business has ignored conditions set out by Council and I believe this will be the case with the facility at 34 Duke St, going on previous behaviour. Council cannot trust that this business will stick to guidelines and Council stipulations.</p> <p>I have been a resident and local business owner for the past 25 years. Parking in the Plympton Ward has always been an issue for as long as I can remember. Lately there has been a distinct drop in parking bay availability which has impacted the businesses on George St and local residents. To allow these two new businesses to open would greatly impact parking availability. Potentially 50 extra parking bays required at any one time not to mention crossover, potentially much more. I would suggest that parking requirement more closely reflects the demand that these businesses will place on parking bays. Currently they propose providing 17 bays for a limit of 20 clients. With potentially 50 clients ,a more honest number, shouldn't they be providing at least 40 bays.</p> <p>I feel like more community consultation should be sort before any decisions are made. If this is approved it will be difficult for the Council to monitor numbers, and a costly exercise if legal action has to be taken for the businesses not following guidelines. It is a bit like the "horse will have bolted" and we in this area will have no way actioning the problem. I for one know already that the parking has become an issue in the past two years for my business and feel the extra load will have further negative effects on the business.</p> <p>I am not against development but I am all for honesty in the application process.</p>	<p>The Pilates is limited to 10 reformers due to space limitations. The statement that the space has more capacity than this is simply incorrect and has no basis in fact.</p> <p>The statements about the likely patronage of the Alchemy Saunas venue also have no basis in fact or connection to any real-world information about the operations of the Alchemy Saunas business.</p> <p>The expected number of patrons per hour at Alchemy Saunas is 10. This is an estimate of the likely usage at peak times and is based on the historical use of the previous facility on George Street. In determining their expected patronage at peak times of 10 people, Alchemy have considered their hourly usage statistics from 2023 and 2024 as well as the increased size of their new facility. The key parts of this analysis of the data from the previous Alchemy Saunas venue on George Street is as follows:</p> <ul style="list-style-type: none"> in 2023, there was an average of 1.8 people per hour using the facility; in 2023 an average of 3.8 persons used the facility during its busiest hour (between 6 and 7pm); in 2024 there was an average of 2.5 people per hour using the facility; and in 2024 an average of 4.2 persons used the facility during its busiest hour (between 5 and 6pm). <p>This analysis demonstrates that the estimate of 10 people per hour for the new venue already represents a significant increase in usage on the old facility which is more than commensurate with the significant upgrade of venue size, quality and location.</p> <p>It is important to note that we do not support a cap on the maximum number of people that can use the space as there is not a direct correlation between patronage and vehicle use for the following reasons:</p> <ul style="list-style-type: none"> A large proportion of Alchemy's existing membership base are residents of the Plympton precinct and other parts of East Fremantle, meaning the facility is easily and often accessed by alternative modes of transport such as walking and cycling; At certain times there will be more than 10 people using the facility as Alchemy's business often specifically caters for sporting teams and other community groups. These groups typically travel together in shared modes of transport such as car-pooling or small vans and also engage in other commercial activities on George Street (such as using the cafes) providing a wider commercial benefit to the area; and The very nature of their business is that sauna use is often undertaken as a social group activity by 2 or more friends and travel to/from the facility is often shared. <p>For these reasons, we support the Town's decision to have regard to the Draft Interim Guidance on Non-Residential Car Parking Requirements (Interim Guidance) recently released by the Department of Planning, Lands</p>	<p>Each development application is assessed on the proposal as stated/plans presented in the signed application and each application is assessed according to its merits. The application has been assessed under the provisions of Local Planning Scheme No. 3 (LPS 3) and referred to the Town's Operations/Technical Services/Environmental Health and the Heritage Council of WA for advice/approval.</p> <p>The matters raised in the submission concerning floor space, patron numbers, equipment and the staff proposed are acknowledged and are considered to be addressed in conditions of development approval as outlined in the officer report.</p> <p>Any additional proposed use of the building or an increase in the floorspace for any approved uses will be required to be assessed under a new development application by the current applicant and/or business operator.</p> <p>Parking has been assessed based on the LPS 3 Scheme provisions and in relation to the proposed operation of the businesses. While a technical shortfall is identified the administration is of the view that the parking provided meets the need that is expected to be generated by the proposed uses (subject to compliance with conditions of development approval). Council can consider approval of the proposal with a parking shortfall. The Town's administration agreed to consider the parking rates provided in the Interim Guidance (new parking rates) document as a further planning 'instrument' that could assist in the car parking assessment.</p> <p>Should the applicant / operator be found to be in breach of a development approval condition then compliance action can be taken by the Town.</p> <p>As for all applications in the Plympton precinct parking and traffic is given primary consideration. However, many businesses currently operating in the precinct requested parking concessions and have been granted parking concessions by Council and/or are operating without parking for historical reasons.</p> <p>Any future parking and/or traffic management analysis or measures proposed will be in undertaken in consultation with the community.</p> <p>The application has been advertised and consultation undertaken in accordance with the requirements of LPS 3.</p> <p>Established planning principles in regard to making good planning decisions states that the threat of competition to existing businesses is not a relevant planning consideration. It only becomes a relevant planning consideration if there is a prospect that there will be a reduction in the facilities available to the community.</p> <p><u>Recommendation:</u> That the concerns raised in the submission in relation to operation of the businesses, parking and amenity are not upheld subject to the conditions as outlined in the officer report relating to restrictions placed on floor space, hours of operation, equipment and patron/staff numbers being imposed.</p>

No.	Object	Submission	Applicant Response	Officer's Response and Recommendation
			<p>and Heritage (DPLH). When considering the Interim Guidance provided by the DPLH, the proposed change of use application provides a surplus of car parking bays on site.</p> <p>The previous location of Alchemy Saunas on George Street was also largely reliant on on-street parking. The relocation of Alchemy Saunas to a venue with dedicated parking will result in a significant improvement to the on-street parking situation.</p>	<p><u>Recommendation:</u> That the concerns raised in the submissions are not upheld as the threat of competition to existing businesses is not a relevant planning consideration in this circumstance.</p>
2	Conditional support & concerns	<p>We wish to express our support and concerns regarding the proposed change of use. As a collection of residences on George Street near the corner of Duke Street, this change presents both positive opportunities and potential challenges that require careful consideration.</p> <p>We support Alchemy Sauna's move to the new location. The business is a popular community establishment not replicated on the street or in the immediate area. However, traffic and parking pressures on the street have increased, although these are manageable for surrounding residents due to the reasonable trading hours of 6am-8 pm. In addition, their membership model heavily draws from the local community.</p> <p>The provision of 17 car bays at the proposed entrance to Alchemy will entice clients to utilise these spaces, alleviating some of the parking pressure on the streets.</p> <p>However, the application from the Pilates studio raises concerns. This type of business is already well represented both on the street and in the immediate surrounding area. Due to the location of the business entrance, it is likely to encourage people to park on George Street, especially considering the minimal street lighting in the area. We would like to see reduced trading times in line with Alchemy Sauna to alleviate this pressure on the street.</p> <p>Generally, the traffic in this area could be improved. The corner of Duke and George is a heavy bottleneck dealing with traffic from multiple sources, including the dance studio, jazz club, a popular pizza shop, restaurant, dentist, offices, Alchemy, and residents. The dead end is used as a turning circle, carpark, and child pick-up area, and it is a poorly designed roadway where a severe incident is only a moment away.</p> <p>Neither Duke Street nor George Street is wide enough for cars to park on both sides while allowing two-way driving without frequent damage to side mirrors and car scrapes. The intersection of Duke and King Street has a give-way sign, which experiences frequent high-speed vehicle roll-throughs. This is another area of safety concern, which increased traffic would only exacerbate.</p> <p>We understand that the Town and the proponent have had car counters to assess and prepare reports on traffic—however, these methods do not capture the movement of traffic as the locals experience it.</p> <p>Although the property has previously been approved for the Hotel, that approval included road and parking improvements to Duke Street that this change of use does not provide. Therefore, in summary, we would like the Council to consider:</p> <p>Traffic Management & Resident Parking Implement measures to prioritize parking for residents in front of their homes. Consider traffic flow improvements to alleviate congestion and risk. A precedent resident parking</p>	<p>We note the general support offered for Alchemy Saunas relocation.</p> <p>The fact there are other Pilates venues already in the street is not a valid planning consideration.</p> <p>We note the general comments around parking and traffic relate to the area in a more general sense and are not specific to this application.</p> <p>The comments around noise and patronage should be taken in the context that the current conditionally approved use for the heritage building is for a Tavern with a capacity of approximately 500 people. On any reasonable measure, the proposed uses reflect a significant decrease in noise and patronage.</p> <p>Both Pilates and sauna businesses are not uses which historically generate any significant noise and their proposed trading hours are consistent with other businesses which already operate on George St and generate significantly more noise and patronage (e.g., the local restaurants and bars).</p> <p>For these reasons we don't support a limit on the trading hours outside of what has been proposed.</p> <p>We don't support capacity limits for the sauna business for the reasons outlined above in our response to submission 1.</p>	<p>Comments in support noted.</p> <p>Established planning principles in regard to making good planning decisions states that the threat of competition to existing businesses is not a relevant planning consideration. It only becomes a relevant planning consideration if there is a prospect that there will be a reduction in the facilities available to the community.</p> <p>Parking has been assessed based on the LPS 3 Scheme provisions and in relation to the proposed operation of the businesses. While a technical shortfall is identified the administration is of the view that the parking provided meets the need that is expected to be generated by the proposed uses (subject to compliance with conditions of development approval). Council can consider approval of the proposal with a parking shortfall.</p> <p>Should the applicant / operator found to be in breach of a development approval condition then compliance action can be taken by the Town.</p> <p>As for all applications in the Plympton precinct the history of the area in relation to parking and traffic is given primary consideration. However, many businesses currently operating in the precinct requested parking concessions and have been granted parking concessions by Council and/or are operating without parking for historical reasons. Under LPS 3 the Council may vary the parking requirement.</p> <p>Comments in regard to traffic management and safety in the precinct in general are noted. The application has been referred to the Town's Operations officers who have supported the application. The additional traffic potentially generated by the proposed businesses is not considered to exceed the vehicle capacity of the surrounding streets.</p> <p>The proposed traffic management, parking control and suggestion for resident parking permit comments are noted. However, these matters do not form part of the assessment of the development application. Any change to traffic management/measures or parking controls in the area would be subject to community consultation.</p> <p><u>Recommendation:</u> That the concerns raised in the submission in relation to operation of the businesses (including operating hours), parking, amenity and lighting are not upheld subject to the conditions as outlined in the officer report related to restrictions placed on floor space, hours of operation, patron/staff numbers, equipment and a lighting plan being imposed.</p>

No.	Object	Submission	Applicant Response	Officer's Response and Recommendation
		<p>is on Hubble Street, and we would like it implemented on George and Duke Streets for early mornings and evenings.</p> <p>Noise & Numbers Establish guidelines to ensure recreational facilities close by 9 pm to minimize disturbances to residents and maintain a minimum of 10 people per hour as outlined in their proposals.</p> <p>Community Consultation Engage in some community focus groups to determine how the community would like to see the area develop, including traffic management and parking solutions, e.g., fewer cars, more people, and then act on it rather than file it away.</p> <p>In conclusion, while we support the Royal George Hotel's change of use to a recreation facility, the Town must address these concerns proactively. By doing so, we can ensure that the new facility becomes a valuable and well-loved asset for our community.</p> <p>Thank you for considering our views. We look forward to seeing how this development progresses and hope it will bring positive changes to our Town.</p>		<p><u>Recommendation:</u> That the concerns raised in the submissions are not upheld as the threat of competition to existing businesses is not a relevant planning consideration in this circumstance.</p>
3	Conditional support	<p>I am writing to express my support and share some concerns regarding the proposed change of use of the Royal George Hotel on Duke Street from a hotel to a recreation facility. As a resident, I believe this change presents both positive opportunities and potential challenges that require careful consideration.</p> <p>Firstly, I would like to commend the introduction of the sauna and ice bath concept by the Alchemy Sauna Team. This addition has been well-received by the community and has demonstrated a successful business model with minimal impact on surrounding residents, thanks to their reasonable trading hours of 6am-8pm and exclusive membership numbers. The provision of 17 car bays at the proposed entrance has also been effective in managing parking demands.</p> <p>The inclusion of a Pilates studio promoting well-being is another positive aspect of the proposal. However, I have concerns regarding its front entrance facing the Jazz club. This area is already highly congested, particularly from Thursday to Sunday, due to the drop-off and pick-up activities for the dance studio, the Jazz club, and the busy Eugene's Pizza. Duke Street, especially at the bottom end with the bend causing visual restrictions, is under significant strain. The street is not wide enough to accommodate parked cars on both sides while allowing two-way traffic flow.</p> <p>As a resident, it is often challenging to find parking in front of our home during Jazz club events, frequently necessitating parking on different streets and walking home. While this is manageable on an occasional basis, there is a concern that with the Pilates studio's proposed operating hours of 5am-11pm, this issue could become a daily occurrence and obviously the additional businesses joining the Royal George Hotel.</p> <p>I urge the Council to address the following concerns in the planning and implementation stages:</p> <p><u>Traffic Management:</u> Implement measures to prioritize parking for residents in front of their homes. Consider traffic flow improvements to alleviate congestion, especially at the problematic bend on Duke Street.</p> <p><u>Noise and Disturbance:</u> Establish operational guidelines to ensure recreational facilities close by 9pm to minimize disturbances to local residents.</p>	<p>We note the general support offered for Alchemy Saunas relocation.</p> <p>We note the general comments around parking and traffic relate to the area in a more general sense and are not specific to this application.</p> <p>Both Pilates and sauna businesses are not uses which generate significant noise and their proposed trading hours are consistent with other businesses which already operate well into the evening on George St and generate significantly more noise and patronage (e.g., the local restaurants and bars).</p>	<p>Comments in support noted.</p> <p>Established planning principles in regard to making good planning decisions states that the threat of competition to existing businesses is not a relevant planning consideration. It only becomes a relevant planning consideration if there is a prospect that there will be a reduction in the facilities available to the community.</p> <p>Parking has been assessed based on the LPS 3 Scheme provisions and in relation to the proposed operation of the businesses. While a technical shortfall is identified the administration is of the view that the parking provided meets the need that is expected to be generated by the proposed uses (subject to compliance with conditions of development approval). Council can consider approval of the proposal with a parking shortfall.</p> <p>Should the applicant / operator found to be in breach of a development approval condition then compliance action can be taken by the Town.</p> <p>As for all applications in the Plympton precinct the history of the area in relation to parking and traffic is given primary consideration. However, many businesses currently operating in the precinct requested parking concessions and have been granted parking concessions by Council and/or are operating without parking for historical reasons. Under LPS 3 the Council may vary the parking requirement.</p> <p>Entry to the Pilates studio from the corner entry is through an existing doorway in the building and for pedestrians. There is no additional parking proposed in this area.</p> <p>Comments in regard to traffic management and safety in the precinct in general are noted. The application has been referred to the Town's Operations officers who have supported the application. The additional traffic potentially generated by the proposed businesses is not considered to exceed the vehicle capacity of the surrounding streets.</p>

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		<p><u>Community Consultation:</u> Ensure ongoing community involvement in the planning process with regular updates and opportunities for feedback to address residents' concerns and ensure the facility meets the community's needs.</p> <p>In conclusion, while I support the change of use of the Royal George Hotel to a recreation facility, it is essential that the Town of East Fremantle addresses these concerns proactively. By doing so, we can ensure that the new facility becomes a valuable and well-loved asset for our community.</p> <p>Thank you for considering my views. I look forward to seeing how this development progresses and am hopeful that it will bring positive changes to our Town.</p>		<p>The proposed traffic management and parking control comments are noted. However, these matters do not form part of the assessment of the development application. Any change to traffic management/measures or parking controls in the area would be subject to community consultation.</p> <p><u>Recommendation:</u> That the concerns raised in the submission in relation to operation of the businesses, parking and amenity are not upheld subject to the conditions as outlined in the officer report related to restrictions placed on floor space, hours of operation, equipment and patron/staff numbers being imposed.</p> <p><u>Recommendation:</u> That the concerns raised in the submissions are not upheld as the threat of competition to existing businesses is not a relevant planning consideration in this circumstance.</p>
4	Concerns	<p>We do not want to lose our off street parking due to road congestion as a result of the new change of use proposal.</p> <p>The public, residents and business owners need to know the parking requirements for the new proposed Royal George Hotel use with community input.</p>	<p>There are 17 dedicated parking bays for the heritage building at the rear of the property. We support the Town's decision to have regard to the Draft Interim Guidance on Non-Residential Car Parking Requirements (Interim Guidance) recently released by the Department of Planning, Lands and Heritage (DPLH).</p> <p>When considering the Interim Guidance provided by the DPLH, the proposed change of use application provides a surplus of car parking bays on site which is appropriate and represents a significant benefit to the area for the following reasons:</p> <ul style="list-style-type: none"> • they are 17 bays which don't currently exist; • the previous location of Alchemy Saunas on George Street was largely reliant on on-street parking and their relocation to a venue with dedicated parking will result in additional bays being available on-street; and • a large proportion of Alchemy's existing membership base are residents of the Plympton precinct and other parts of East Fremantle, meaning the facility is easily and often accessed by alternative modes of transport such as walking and cycling; and • the current conditionally approved use for the heritage building is for a Tavern with a capacity of approximately 500 people and dedicated parking of 8 bays which would objectively have a far greater impact for traffic and on-street parking than the current change of use application. 	<p>Comments noted.</p> <p>Parking has been assessed based on the LPS 3 Scheme provisions and in relation to the proposed operation of the businesses. While a technical shortfall is identified the administration is of the view that the parking provided meets the need that is expected to be generated by the proposed uses (subject to compliance with conditions of development approval). Council can consider approval of the proposal with a parking shortfall.</p> <p>The Town's administration agreed to consider the parking rates provided in the Interim Guidance (new parking rates) document as a further planning 'instrument' that could assist in the car parking assessment.</p> <p>Should the applicant / operator found to be in breach of a development approval condition then compliance action can be taken by the Town.</p> <p>The application has been advertised and consultation undertaken in accordance with the requirements of LPS 3.</p> <p><u>Recommendation:</u> That the concerns raised in the submission in relation to operation of the businesses, parking and amenity be not upheld subject to the conditions as outlined in the officer report related to restrictions placed on floor space, hours of operation, equipment and patron/staff numbers being imposed.</p>

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5	Object	<p>As a local resident to the George Street precinct, I am really concerned about the parking impact on our already very busy street. We are finding ourselves struggling to find parking at the best of times! The application is only for a very small part of the Royal George Hotel and it seems to me that they are already short in car bays for the number of people those 2 businesses are expected to cater for. What is going to happen when the rest of the building a whopping 1,200m² will be approved for hospitality (as per latest iteration of use)? The locals will have no chance of getting parking! We need to consider this building as a whole not by little bits.</p> <p>Furthermore, I am outraged that no time has been given to community consultation on this new turn of events with this application. A mere 15 days. I have been a resident of East Fremantle for over 17 years. This is outrageous.</p>	<p>The statement that the rest of the building is 1,200 sqm is incorrect. The building has a total current usable floor area of 854 sqm including the uses that are subject to this application.</p> <p>The Royal George Hotel has undergone significant community consultation over the last 6 years, least of which was the scheme amendment process which set the list of possible uses – which this application is consistent with – and dealt with the limitations to provide parking for a State listed heritage building on a constrained site. Accordingly, there is a conditional provision in the scheme which permits zero car parking bays for the heritage building on this basis ('zero provision').</p> <p>This scheme does not propose to utilise this 'zero provision' as there are 17 dedicated parking bays for the heritage building at the rear of the property which is well in excess of zero that is permissible under the scheme. We support the Town's decision to have regard to the Draft Interim Guidance on Non-Residential Car Parking Requirements (Interim Guidance) recently released by the Department of Planning, Lands and Heritage (DPLH). When considering the Interim Guidance provided by the DPLH, the proposed change of use application provides a surplus of car parking bays on site.</p> <p>This represents a significant benefit to the area for the following reasons:</p> <ul style="list-style-type: none"> • they are 17 bays which don't currently exist; • the previous location of Alchemy Saunas on George Street was largely reliant on on-street parking and their relocation to a venue with dedicated parking will result in additional bays being available on-street; and • the current conditionally approved use for the heritage building is for a Tavern with a capacity of approximately 500 people and dedicated parking of 8 bays. This is a far superior outcome. 	<p>Each development application is assessed on the proposal as stated/plans presented in the signed application and each application is assessed according to its merits. The application has been assessed under the provisions of Local Planning Scheme No. 3 (LPS 3) and referred to the Town's Operations/Technical Services and the Heritage Council of WA for advice/approval.</p> <p>The matters raised in the submission concerning floor space, patron numbers, equipment and the staff proposed are acknowledged and are considered to be addressed in conditions of development approval as outlined in the officer report.</p> <p>Any additional proposed use of the building or an increase in the floorspace for any approved uses will be required to be assessed under a new development application by the current applicant and/or business operator.</p> <p>Parking has been assessed based on the LPS 3 Scheme provisions and in relation to the proposed operation of the businesses. While a technical shortfall is identified the administration is of the view that the parking provided meets the need that is expected to be generated by the proposed uses (subject to compliance with conditions of development approval). Council can consider approval of the proposal with a parking shortfall.</p> <p>Under Scheme Amendment No. 15 (cl. 5.9.8.11), parking requirements for non-residential uses in the existing Royal George Hotel building may be reduced to zero bays where it has been demonstrated to the satisfaction of the decision maker, having regard to the advice of the State Design Review Panel, that the provision of the required parking would result in an undesirable built form outcome. The Town is of the view that in regard to a change of use application there is no impact on built form, as there is no external change to the heritage building proposed. As such, it is considered the zero bay provision in relation to parking is not applicable.</p> <p>Should the applicant / operator found to be in breach of a development approval condition then compliance action can be taken by the Town.</p> <p>As for all applications in the Plympton precinct parking and traffic is given primary consideration. Many businesses currently operating in the precinct requested parking concessions and have been granted parking concessions by Council and/or are operating without parking for historical reasons.</p> <p>Any future parking and/or traffic management analysis or measures proposed will be undertaken in consultation with the community.</p> <p>The application has been advertised and consultation undertaken in accordance with the requirements of LPS 3.</p> <p><u>Recommendation:</u> That the concerns raised in the submission in relation to operation of the businesses, parking and amenity are not upheld subject to the conditions as outlined in the officer report related to restrictions placed on floor space, hours of operation, equipment and patron/staff numbers being imposed.</p>
6	Concerns	<p>This proposal does in no way address the problems of parking for a building that has much more area to lease than the proposed application. Again, the concerns of local people are being ignored.</p>	<p>Please refer to response to submission 4 which deals with the issues raised.</p>	<p>Each development application is assessed on the proposal as stated/plans presented in the signed application and each application is assessed according to its merits. The application has been assessed under the provisions of Local Planning Scheme No. 3 (LPS 3) and referred to the Town's</p>

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				<p>Operations/Technical Services and the Heritage Council of WA for advice/approval.</p> <p>The matters raised in the submission concerning floor space, patron numbers, equipment and the staff proposed are acknowledged and are considered to be addressed in conditions of development approval as outlined in the officer report.</p> <p>Any additional proposed use of the building or an increase in the floorspace for any approved uses will be required to be assessed under a new development application by the current applicant and/or business operator.</p> <p>Parking has been assessed based on the LPS 3 Scheme provisions and in relation to the proposed operation of the businesses. While a technical shortfall is identified the administration is of the view that the parking provided meets the need that is expected to be generated by the proposed uses (subject to compliance with conditions of development approval). Council can consider approval of the proposal with a parking shortfall.</p> <p>Should the applicant / operator found to be in breach of a development approval condition then compliance action can be taken by the Town.</p> <p><u>Recommendation:</u> That the concerns raised in the submission in relation to operation of the businesses, parking and amenity are not upheld subject to the conditions as outlined in the officer report related to restrictions placed on floor space, hours of operation, equipment and patron/staff numbers being imposed.</p>
7	Concerns	<p>Concerned that latest application has not been given enough time to allow public / community input like previous submissions and workshops on this space.</p> <p>There are significant concerns that the current application proposed for this change of use, does not reflect the number of patrons intended for each business and consequently there will be a massive shortfall in available car bays in the area. Parking along George Street and the side streets is already at a premium and has further increased in the last 18 month – 2 years. The extra demand these two businesses can potentially place on bays will create a big problem for other business operators and residents.</p> <p>In the application, it states that the 2 businesses proposed will only have a total of 10 patrons per business per time. The proposed reformer studio floor space is more suited to a space much larger than 10 bed reformers – more a 20 bed reformer studio, and this will be fully utilised. The business will be looking to maximise revenue from the rented floor space. The council cannot guarantee numbers are capped to 10. The business is also intending to be open late in the evenings, different to their application.</p> <p>The Alchemy Sauna already has capacity over 10 in the current space along George Street and has openly stated plans for the new space at the Royal George will be bigger (30+ person sauna). The statement for both premises that only 10 people per hour per space will be in these spaces is just not accurate and is a misleading application. These businesses are there to make a profit, limiting numbers reduces their viability. It is just common sense.</p> <p>Realistic numbers of up to 50 patrons between the businesses per hour and then with changeover time you are looking at approx. additional <u>50 car bays</u> that will be needed. 17 car bays for these spaces is not nearly enough. Additionally, both these spaces want</p>	Please refer to response to submissions 1 and 4 which deal with the issues raised.	<p>The application has been advertised and consultation undertaken in accordance with the requirements of LPS 3. The current development application is not considered a 'complex' development application or of the same commercial scale as the previous proposal for a tavern and functions spaces (as assessed and advertised by the State Development Assessment Unit).</p> <p>Each development application is assessed on the proposal as stated/plans presented in the signed application and each application is assessed according to its merits. The application has been assessed under the provisions of Local Planning Scheme No. 3 (LPS 3) and referred to the Town's Operations/Technical Services and the Heritage Council of WA for advice/approval.</p> <p>The matters raised in the submission concerning floor space, patron numbers, equipment and the staff proposed are acknowledged and are considered to be addressed in conditions of development approval as outlined in the officer report.</p> <p>Any additional proposed use of the building or an increase in the floorspace for any approved uses will be required to be assessed under a new development application by the current applicant and/or business operator.</p> <p>Parking has been assessed based on the LPS 3 Scheme provisions and in relation to the proposed operation of the businesses. While a technical shortfall is identified the administration is of the view that the parking provided meets the need that is expected to be generated by the proposed</p>

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		<p>to operate outside of usual business hours which means extended strain on existing parking (late night / overnight capabilities)</p> <p>As for the other proposed area within the Royal George Hotel – it is unknown. Other tenancies may appear and so therefore an unknown quantity in terms of parking that will be required in addition to the above.</p> <p>I am not against new spaces or development in the area, but feel it must be done accurately, honestly and with community input.</p>		<p>uses (subject to compliance with conditions of development approval). Council can consider approval of the proposal with a parking shortfall.</p> <p>Should the applicant / operator found to be in breach of a development approval condition then compliance action can be taken by the Town.</p> <p>As for all applications in the Plympton precinct parking and traffic is given primary consideration. However, many businesses currently operating in the precinct have been granted parking concessions by Council and/or are operating without parking for historical reasons.</p> <p>Any additional proposed use of the building or an increase in the use of the floorspace of the building will be required to be assessed under a new development application by the current applicant and/or business operator.</p> <p>Parking has been assessed based on the LPS 3 Scheme provisions and in relation to the proposed operation of the businesses. While a technical shortfall is identified the administration is of the view that the parking provided meets the need that is expected to be generated by the proposed uses (subject to compliance with conditions of development approval). Council can consider approval of the proposal with a parking shortfall.</p> <p>Should the applicant / operator found to be in breach of a development approval condition then compliance action can be taken by the Town.</p> <p><u>Recommendation:</u> That the concerns raised in the submission in relation to operation of the businesses, parking and amenity are not upheld subject to the conditions as outlined in the officer report related to restrictions placed on floor space, hours of operation, equipment and patron/staff numbers being imposed.</p>
	Concerns	<p>I am writing to you to express my concern with regards to the above change of application and the impact it will have as a small business owner in the George Street precinct.</p> <p>DANCE CENTRAL at the BRUSH FACTORY at 36 Duke Street. We would like to lodge our objection to the proposed amendment on the grounds of lack of parking, risk to children with traffic and personal safety.</p> <p>The DANCE CENTRAL dance school occupies two modern studios which offer professional performance instruction to students ranging from 3 years to adults. Dance Central is an award-winning dance school, and the studios were set up from scratch by the owner of the Brush Factory to provide a “community use” in the historic building.</p> <p>The dance school is open from 3.30 pm to 9.30pm Monday to Thursday and Saturday 9am to 3pm. There are approximately 150 families using the school with around 200 students. Parents drop off and pick up and/or park and wait. This is already a logistical issue with traffic, picking up and dropping off. An increase in traffic and attempted parking over and above what has already been approved will present considerable risk to dance students.</p> <p>We strongly oppose the proposed amendments. This is a new change of use proposed but no time for community input into this process with community workshops like other major projects, this is the most iconic building in the Town. This is an important heritage building with the highest classification.</p>	<p>We note the operational challenges of the dance business are specific to their use and their building and do not relate to our proposal.</p> <p>The statement that the building is 1,500 sqm is incorrect. The building has a total current usable floor area of 854 sqm including the uses that are subject to this application.</p>	<p>Comments in regard to traffic management and safety in the precinct in general are noted. The application has been referred to the Town's Operations department which has supported the application. The additional traffic generated by the proposed businesses is not considered to exceed the vehicle capacity of the surrounding streets.</p> <p>As for all applications in the Plympton precinct the history of the area in relation to parking and traffic is given primary consideration. However, many businesses currently operating in the precinct requested parking concessions and have been granted concessions by Council and/or are operating without parking for historical reasons. Under LPS 3 the Council may vary the parking requirement. In this instance the dance school was approved with 3 shared bays. This number of bays does not cater to every parent choosing to wait or drop off /pick up students.</p> <p>The application has been advertised and consultation undertaken in accordance with the requirements of LPS 3. The current development application is not considered a ‘complex’ development application or of the same commercial scale as the previous proposal for a tavern and functions spaces (as assessed and advertised by the State Development Assessment Unit).</p> <p>Parking has been assessed based on the LPS 3 Scheme provisions and in relation to the proposed operation of the businesses. While a technical shortfall is identified the administration is of the view that the parking</p>

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		<p>The current application is only for approximately 300m2 of the total area, which is only a small portion of the total building but <u>is already 13 car bays short on only 300m2</u>. Where are the car bays for the remaining 1200m2 ? * total building is approx. 1500m2</p> <p>As there is a further 1,200m2 of leasable area within this building, where are these other 50-60 or 70 car bays going to come from?</p>		<p>provided meets the need that is expected to be generated by the proposed uses (subject to compliance with conditions of development approval). Council can consider approval of the proposal with a parking shortfall.</p> <p>Should the applicant / operator found to be in breach of a development approval condition then compliance action can be taken by the Town.</p> <p>The proposed traffic management and parking control comments are noted. However, these matters do not form part of the assessment of the development application. Any change to traffic management/measures or parking controls in the area would be subject to community consultation.</p> <p><u>Recommendation:</u> That the concerns raised in the submission in relation to operation of the businesses, parking and amenity are not upheld subject to the conditions as outlined in the officer report related to restrictions placed on floor space, hours of operation, equipment and patron/staff numbers being imposed.</p>
8	Object	<p>I use a small Pilates studio already in East Fremantle and feel there are already plenty to choose from. Plus, the new footy club has a huge gym and Pilates studio just starting up which is run by a big corporation.</p> <p>There is already a sauna and ice bath place just around the corner on George Street. I would hate these small businesses to be affected with a big business coming in and running the small businesses out of the area.</p> <p>Parking is already horrendous around this area too, getting a park on George so at this end, is proving very difficult at times too.</p>	<p>The fact there are other Pilates venues already in the street is not a valid planning consideration.</p> <p>We assume they are referring to Alchemy Saunas, which is the business relocating to the Royal George Hotel.</p> <p>Please refer to response to submission 4 which deals with the other issues raised.</p>	<p>Established planning principles in regard to making good planning decisions states that the threat of competition to existing businesses is not a relevant planning consideration. It only becomes a relevant planning consideration if there is a prospect that there will be a reduction in the facilities available to the community.</p> <p>Parking has been assessed based on the LPS 3 Scheme provisions and in relation to the proposed operation of the businesses. While a technical shortfall is identified the administration is of the view that the parking provided meets the need that is expected to be generated by the proposed uses (subject to compliance with conditions of development approval). Council can consider approval of the proposal with a parking shortfall.</p> <p><u>Recommendation:</u> That the concerns raised in the submission in relation to operation of the businesses, parking and amenity are not upheld subject to the conditions as outlined in the officer report related to restrictions placed on floor space, hours of operation, equipment and patron/staff numbers being imposed.</p> <p><u>Recommendation:</u> That the concerns raised in the submissions are not upheld as the threat of competition to existing businesses is not a relevant planning consideration in this circumstance.</p>
9	Concerns	<p>There are currently four Pilates studios within 100m of this proposed business. I include physiotherapy practices offering Pilates (East Freo, Silas St and George St). How is another Pilates studio acceptable?</p> <p>There is inadequate parking. Every local knows of the daily battle for street parking. To fight for a park near your house is stressful. If you are unwell, elderly or have small children, this is unacceptable. I am seriously injured and only have street parking. If I cannot park with close range of my house, it is difficult and adds to my daily pain and dysfunction.</p> <p>The inadequate parking allocation required to businesses during the 'emergency situation' of covid is over and should be removed.</p>	Please refer to response to submission 8 which deals with the issues raised.	<p>Established planning principles in regard to making good planning decisions states that the threat of competition to existing businesses is not a relevant planning consideration. It only becomes a relevant planning consideration if there is a prospect that there will be a reduction in the facilities available to the community.</p> <p>Parking has been assessed based on the LPS 3 Scheme provisions and in relation to the proposed operation of the businesses. While a technical shortfall is identified the administration is of the view that the parking provided meets the need that is expected to be generated by the proposed uses (subject to compliance with conditions of development approval). Council can consider approval of the proposal with a parking shortfall.</p>

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		<p>I ask if the Council is acting in the best interests of the community, or of the large developers? At the last Council meeting I attended made it very clear that the developers were in control. I witnessed the Council begging them to contribute to the costs of a proposed parking development.</p> <p>If the Council has a future, they need to stand up to big development corporations and the WA Planning Commission.</p>		<p>Comments in regard to traffic management and safety in the precinct in general are noted. The application has been referred to the Town's Operations officers who have supported the application. The additional traffic potentially generated by the proposed businesses is not considered to exceed the vehicle capacity of the surrounding streets.</p> <p>The proposed traffic management and parking control comments are noted. However, these matters do not form part of the assessment of the development application. Any change to traffic management/measures or parking controls in the area would be subject to community consultation.</p> <p>The development application is not being determined by the WA Planning Commission. Planning legislation enacted in regard to the COVID emergency is not applicable in the assessment of this application.</p> <p><u>Recommendation:</u> That the concerns raised in the submission in relation to operation of the businesses, parking and amenity are not upheld subject to the conditions as outlined in the officer report related to restrictions placed on floor space, hours of operation, equipment and patron/staff numbers being imposed.</p> <p><u>Recommendation:</u> That the concerns raised in the submissions are not upheld as the threat of competition to existing businesses is not a relevant planning consideration in this circumstance.</p>
10	Object	<p>The proposed changes to the Royal George Hotel have not been adequately addressed regards parking and access.</p> <p>Already the junction of George Street and Duke street is congested with street parking and adding more pressure is ill advised. The concept that parking will happen north of the underpass is unproven and, in my view, optimistic.</p> <p>I urge you to refuse changes to the development application unless more parking and access issues are adequately addressed.</p>	Please refer to response to submission 4 which deals with the issues raised.	<p>Each development application is assessed on the proposal as stated/plans presented in the signed application and each application is assessed according to its merits. The application has been assessed under the provisions of Local Planning Scheme No. 3 (LPS 3) and referred to the Town's Operations/Technical Services and the Heritage Council of WA for advice/approval.</p> <p>The matters raised in the submission concerning floor space, patron numbers, equipment and the staff proposed are acknowledged and are considered to be addressed in conditions of development approval as outlined in the officer report.</p> <p>Any additional proposed use of the building or an increase in the floorspace for any approved uses will be required to be assessed under a new development application by the current applicant and/or business operator.</p> <p>Parking has been assessed based on the LPS 3 Scheme provisions and in relation to the proposed operation of the businesses. While a technical shortfall is identified the administration is of the view that the parking provided meets the need that is expected to be generated by the proposed uses (subject to compliance with conditions of development approval). Council can consider approval of the proposal with a parking shortfall.</p> <p>Should the applicant / operator found to be in breach of a development approval condition then compliance action can be taken by the Town.</p> <p>As for all applications in the Plympton precinct parking and traffic is given primary consideration. However, many businesses currently operating in the precinct have been granted parking concessions by Council and/or are operating without parking for historical reasons.</p>

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				<p>Any future parking and/or traffic management analysis or measures proposed will be in undertaken in consultation with the community.</p> <p>The application has been advertised and consultation undertaken in accordance with the requirements of LPS 3.</p> <p>Established planning principles in regard to making good planning decisions states that the threat of competition to existing businesses is not a relevant planning consideration. It only becomes a relevant planning consideration if there is a prospect that there will be a reduction in the facilities available to the community.</p> <p><u>Recommendation:</u> That the concerns raised in the submission in relation to operation of the businesses, parking and amenity are not upheld subject to the conditions as outlined in the officer report related to restrictions placed on floor space, hours of operation, equipment and patron/staff numbers being imposed.</p>
11	Support with concerns	<p>I have no objection with regard to use, any approval needs to have due consideration to its impact and conditioned accordingly.</p> <p>Past Approval Issued for the Site Noting that a recent approval for the redevelopment of the subject site was granted by the SDAU on 11 April, I wish to confirm that in the past approval, neither land uses being proposed by the current application formed part of that. It is further noted that the approval contrary to Councils request for 'cash in lieu' for the car parking associated with the Tavern of \$1million was approved at \$481,000.</p> <p>It should be noted that without knowing what the intended use of the building in its entirety is, the exact shortfall of bays is unknown, unless the balance of the building not subject to this application is confirmed as 'not usable' and restricted from access until such time that an appropriate approval for these areas is obtained. I believe this would provide a layer of protection to residents and businesses in the area that rely on the limited parking until the owners outline their intentions. If this is to be considered, It should be noted that the proposed tenant's staff are already occupying the building.</p> <p>The payment of this cash in lieu was in order to alleviate inherent parking issues that would result from the proposed development, noting that there was an identified shortfall. Whilst this was requested to be waived by the applicant in its entirety, the SDAU saw fit to impose such a condition requiring payment of cash in lieu so the Council could put this towards additional parking facilities.</p> <p>The current change of land use application that is before the Council is separate from the previous approval issued in April this year, and a NEW application. Whilst reference is made to the approval in the submission, <u>it needs to be noted there is no association with the current approval, and hence no condition imposed on the past approval such as the cash in lieu payment is applicable</u>. This application is not seeking to amend the approval that was issued but is seeking approval in its own right.</p> <p>As such any approval that the Council issues in regard to this change of land use request should be conditioned accordingly, and the Council should not be of the misconception that the existing approval will ever be implemented. Whilst reference is made that this past approval continues to be assessed by the applicant regarding its financial viability, this application has no merit with respect to the current request and hence should be disregarded.</p>	<p>The building is an existing building and it is entirely appropriate to seek an approval to use an existing building or part of an existing building.</p> <p>The statement that the building is 1,500 sqm is incorrect. The building has a total current usable floor area of 854 sqm including the uses that are subject to this application.</p> <p>Please refer to our responses to submissions 1 and 4 which deal with the other issues raised.</p>	<p>Comments noted in support of the proposed use and suggested conditions of development approval. Refer to officer report and recommendation.</p> <p>The approval granted by the WAPC on 11 April 2024 included a condition of approval relating to a payment in lieu of parking (cash in lieu for the parking shortfall as assessed / determined by the SDAU / WAPC).</p> <p>Any additional proposed use of the building or an increase in the floorspace for any approved uses will be required to be assessed under a new development application by the current applicant and/or business operator.</p> <p>Each development application is assessed on the proposal as stated/plans presented in the signed application and each application is assessed according to its merits. The application has been assessed under the provisions of Local Planning Scheme No. 3 (LPS 3) and referred to the Town's Operations/Technical Services and the Heritage Council of WA for advice/approval.</p> <p>The matters raised in the submission concerning use of the remainder of the building, floor space, patron numbers, equipment and the staff proposed are acknowledged and are considered to be addressed in conditions of development approval as outlined in the officer report.</p> <p>Parking has been assessed based on the LPS 3 Scheme provisions and in relation to the proposed operation of the businesses. While a technical shortfall is identified the administration is of the view that the parking provided meets the need that is expected to be generated by the proposed uses (subject to compliance with conditions of development approval). Council can consider approval of the proposal with a parking shortfall.</p> <p>Should the applicant / operator found to be in breach of a development approval condition then compliance action can be taken by the Town.</p> <p>As for all applications in the Plympton precinct parking and traffic is given primary consideration. However, many businesses currently operating in the</p>

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		<p>This is also evident with the proposed at-grade parking replacing the area that would house the residential apartments from the current approval, hence meaning this could not ever be constructed.</p> <p>New Approval The change of land use application seeks to utilise a total of 304m2 of floor area within the existing 1,500m2 structure on site. This will comprise of two land uses which I confirm are capable of being favourably considered and approved by Council, but any approval should be conditioned accordingly to ensure operation of the uses is undertaken as proposed, and also any impose that is placed on existing parking facilities and traffic within the locality is adequately dealt with.</p> <p>Limitation of Patrons. The applicant states in the submission that the operation of both the Sauna and Pilates uses will generate 10 patrons per hour per use, and also be serviced by 1 staff per use. As detailed in the submission this equates to 22 people using the site per hour (which I agree based on what's presented), but it does not take into account the actual way these users operate. With each of these uses being booked on the hour, it needs to be acknowledged that whilst 20 patrons are using the facility, up to an additional 20 patrons will be waiting at the site for the following session. This will have a direct impact on parking and traffic, as at the time of transitioning sessions (end of the hour), there will be up to 40 patrons onsite with 2 staff, and this parking needs to be accounted for.</p> <p>I understand the parking ratios that are being applied via the Scheme and the proposed 'new' standards that are being referenced in the application, but these are being used in a manner that does not reflect the operation of the uses being proposed. With one of these uses being 'Use Not Listed' I request that the proposed parking ratio of 1 per 10sqm (Scheme provision) of internal space be applied as a minimum to cater for the high parking demand that will be generated by these uses. This would equate to the need for circa 30 bays to be applied to any approval which would account for patrons and staff. As stated by their application this currently equates to a shortfall of 13 bays on what is proposed, which is of concern.</p> <p>I wish to advise Council that this could be applicable to me directly as I am about to submit retrospective approval for a similar land use in George Street and have been discussing this with Council technical staff. Council has advised they would seek to apply a ratio of 1:10m2 of internal floor area.</p> <p>With parking associated with the sauna area (and hence patronage) should there be any expansion upon this, the applicant will require a new application to expand floor area, and hence will result in additional parking requirements being required by Council. Noting that circa 1,200m2 of the existing structure does not form part of this application but may offer potential expansion of these uses, it is acknowledged that this could eventuate in the need for up to an additional 120 car bays should the same/similar land uses be applied.</p> <p><i>There is also concern that should additional floor area of the building that is not part of this application is utilised for expansion purposes, this would also be subject to the 1 bay per 10m2 and needs to be considered by Council. Assurance that the remaining 'unused floor area' of the existing building (which does not form part of this application) is excluded from any use needs to be enforced by Council with appropriate conditions).</i></p> <p>Expansion of Uses. The Change of Use application covers a total of 304m2 (of 1,500m2), with the balance of the existing structure remaining vacant. As this application is stand-alone and has no ties back to the other approval that has been issued, I raise concern that the proposed</p>		<p>precinct have been granted parking concessions by Council and/or are operating without parking for historical reasons.</p> <p>Any future parking and/or traffic management analysis or measures proposed will be in undertaken in consultation with the community.</p> <p>The application has been advertised and consultation undertaken in accordance with the requirements of LPS 3.</p> <p>Established planning principles in regard to making good planning decisions states that the threat of competition to existing businesses is not a relevant planning consideration. It only becomes a relevant planning consideration if there is a prospect that there will be a reduction in the facilities available to the community.</p> <p>Any additional proposed use of the building or an increase in the floorspace for any approved uses will be required to be assessed under a new development application by the current applicant and/or business operator.</p> <p><u>Recommendation:</u> That the concerns raised in the submission in relation to operation of the businesses, parking and amenity are not upheld subject to the conditions as outlined in the officer report related to restrictions placed on floor space, hours of operation, equipment and patron/staff numbers being imposed.</p>

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		<p>land uses may over time expand to utilise these other areas which are not mentioned/covered by this application in any form. Whilst there is no mention of these areas being utilised by either of the proposed land uses, I would think it prudent that the Council ensure that a limit on patronage and floor space be applied via appropriate conditioning of any approval, to enable the Council to enforce any breach that may occur.</p> <p>Should either of these land uses exceed the stated patronage of 20 people per hour, this will have a further detrimental impact on parking and traffic, and well exceed that which is being presented to Council for approval. If the proposed land uses are to operate in the manner presented, such a condition would be appropriate as it would protect the Council from future issues that may eventuate. Should the proponent wish to increase the operations beyond that stated 20 people per hour (noting I believe this to be 40 per hour at transition), a new application would be required to be submitted to Council for consideration, and also assess the impacts that these additional patrons would have on the surrounding area.</p> <p><i>(Condition any approval to limit patronage to the land use(s) and a stated sauna m2 in a similar way to hospitality venues. This will ensure unforeseen pressure on parking does not eventuate should additional parking not be provided onsite by the proponent).</i></p> <p><i>Hospitality venues are limited to seats and tables and in this use the capacity should be limited to seats in the sauna as that is the generator of parking. Therefore, the <u>only</u> way to ensure the applicants claim of 10 persons is to limit the actual sauna area to 12m2 which is an industry standard and their own standard in their other operating venues.* They operated a 10-person venue from 128 George Street which was 45m2 of internal area, with the subject site of this application being over 4 times the size at 189m2 yet yielding the same patronage numbers – which I find difficult to comprehend.</i></p> <p>Conclusion Whilst I do not object to the proposed land uses being applied for by the applicant, I request that the Council ensure that the operation of the land uses is undertaken in the manner being presented by the application, and adequate conditions being imposed by the Council to ensure compliance.</p> <p>With the approval of the change of land use, I do not believe that development of the site as previously approved will occur due to financial matters as highlighted by the applicant, with this 'stand-alone' application being the only approval that would be implemented. Should the Council deem a shortfall in parking with the current application for 300m2 (already 13 short) appropriate, I request Council apply adequate conditions to any shortfall in parking. It should also be noted that any expansion of land uses, beyond the 300m2 as identified in the application, will require 1 bay per 10m2 (with 1,200m2 remaining vacant/unused as specified by the applicant).</p> <p>It is a shame this iconic building won't be the approved hospitality use that was intended for the site, as recently approved in April, where the public would have access to this important building. I understand that the site is privately owned, but it is disappointing that the owners were able to acquire this property under the guise that they would be undertaking works that would restore an historic building and assist in revitalizing the George Street precinct, and yet we are here discussing a Pilates and sauna land use for 'part' of the building, with no certainty that the intended 'vision', historic restoration will ever be achieved/delivered.</p> <p>I further understand that the site was acquired at a discounted rate to cover the costs of a full heritage renovation under the redevelopment yet note that the building has only been partly renovated to date and will remain so with this change of land use application, as this does not form part of a larger application for the site.</p>		

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		I believe the building should be assessed as a whole, but If Council decide to support this part use application, Council appropriately condition any approval of this application to ensure traffic and parking matters are addressed accordingly, or seek deferral of the application to enable the applicant to provide plans and justification with regard to operations and how patronage will be limited and managed to ensure that only 20 patrons per hours will be onsite in addition to the two staff.		
12	Concern	<p>This application is pertinent to me as I live in Plympton Ward.</p> <p>The implications of a change of use application affects the residents directly. If it is approved it paves the way for further applications for businesses in the Royal George Hotel development without allowance to increase parking space.</p> <p>Currently, parking in George Street, Duke Street and the immediate area is mostly manageable and well maintained.</p> <p>I am very concerned that the change of use application will be extended to other tenancy applications and consequently put further pressure on parking.</p>	Please refer to response to submission 4 which deals with the issues raised.	<p>Parking has been assessed based on the LPS 3 Scheme provisions and in relation to the proposed operation of the businesses. While a technical shortfall is identified the administration is of the view that the parking provided meets the need that is expected to be generated by the proposed uses (subject to compliance with conditions of development approval). Council can consider approval of the proposal with a parking shortfall.</p> <p>As for all applications in the Plympton precinct the history of the area in relation to parking and traffic is given primary consideration. However, many businesses currently operating in the precinct requested parking concessions and have been granted parking concessions by Council and/or are operating without parking for historical reasons. Under LPS 3 the Council may vary the parking requirement.</p> <p>Any additional proposed use of the building or an increase in the floorspace for any approved uses will be required to be assessed under a new development application by the current applicant and/or business operator.</p> <p><u>Recommendation:</u> That the concerns raised in the submission in relation to operation of the businesses, parking and amenity be not upheld subject to the conditions as outlined in the officer report related to restrictions placed on floor space, hours of operation, equipment and patron/staff numbers being imposed.</p>
13	Object	<p>I would ask you all to seriously consider voting against this change of use as once approved there would be no going back and there is just not enough space in the area for that extra huge amount parking spaces, it is already a very over crowded area.</p> <p>The fact this was kept very secretive and at no time have I heard for community voting or thoughts on this. It is a huge decision and the lack of notices put out to the East Fremantle ratepayers is to me underhanded and sneaky.</p> <p>To me this seems to be a very shady deal around the Royal George – the line in the sand seems to be every changing for them. This is a disaster waiting to happen – show some sense and integrity.</p> <p>I sincerely hope you all see the potential disaster this would be for this community in the situated area.</p>	Please refer to response to submission 4 which deals with the issues raised.	<p>The application has been advertised and consultation undertaken in accordance with the requirements of LPS 3. The current development application is not considered a 'complex' development application or of the same commercial scale as the previous proposal for a tavern and functions spaces (as assessed and advertised by the State Development Assessment Unit).</p> <p>Parking has been assessed based on the LPS 3 Scheme provisions and in relation to the proposed operation of the businesses. While a technical shortfall is identified the administration is of the view that the parking provided meets the need that is expected to be generated by the proposed uses (subject to compliance with conditions of development approval). Council can consider approval of the proposal with a parking shortfall.</p> <p>Should the applicant / operator found to be in breach of a development approval condition then compliance action can be taken by the Town.</p> <p>Any additional proposed use of the building or an increase in the floorspace for any approved uses will be required to be assessed under a new development application by the current applicant and/or business operator.</p> <p><u>Recommendation:</u> That the concerns raised in the submission in relation to operation of the businesses, parking and amenity are not upheld subject to the conditions as</p>

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				outlined in the officer report related to restrictions placed on floor space, hours of operation, equipment and patron/staff numbers being imposed.
14	Conditional support and concerns	<p>I have concerns about the proposed change of use for the Royal George Hotel (opposite our venue).</p> <p>I support the idea of having some uses for this location and after more than 20yrs the building looks amazing. BUT to be told that there is only a dozen or so car bays onsite for the many potential offices or studios that may go in (which is great on its own) BUT nowhere near enough car bays for such approval and use.</p> <p>I know the parking would increase but like changes after the public 10 bays and building on George St got sold off. The street did adapt and all seems to be tolerable but then yesterday I am told by the owners of the Alchemy Sauna that they are moving into the Hotel which is great but I am told they will operate a bigger operation.</p> <p>They are hoping for at least double the size. Including more staff. They advise me that they will raise the capacity to 10 customers at a minimum every hour which means to find parking for 20 customers who most drive to the current location plus an increase in staff numbers.</p> <p>I think the building and the business is great for the area and the street but to have an increase in 20 plus cars every hour. Allowing for customers to arrive before their time and the current customers to leave from 6am to late into the evening is a massive strain on the neighbours and the street as a whole. This is just 1 business. The building can be leased to many businesses.</p> <p>The owners of the building have the opportunity and NOW is the time to design and build appropriate parking for not just the tenants now but also for the tenants when the building is fully occupied. Paying a levy for parking later will not solve the problems.</p> <p>I hope this parking can be seriously considered before approval is granted. I hope some future planning can be envisioned now for this problem so that it is not an issue for the neighbours and business alike.</p>	Please refer to response to submissions 1 and 6 which deals with the issues raised.	<p>Comments in support are noted.</p> <p>The matters raised in the submission concerning floor space, patron numbers, equipment and the staff proposed are acknowledged and are considered to be addressed in conditions of development approval as outlined in the officer report.</p> <p>Any additional proposed use of the building or an increase in the floorspace for any approved uses will be required to be assessed under a new development application by the current applicant and/or business operator.</p> <p>Parking has been assessed based on the LPS 3 Scheme provisions and in relation to the proposed operation of the businesses. While a technical shortfall is identified the administration is of the view that the parking provided meets the need that is expected to be generated by the proposed uses (subject to compliance with conditions of development approval). Council can consider approval of the proposal with a parking shortfall.</p> <p>Should the applicant / operator found to be in breach of a development approval condition then compliance action can be taken by the Town.</p> <p>As for all applications in the Plympton precinct parking and traffic is given primary consideration. Many businesses currently operating in the precinct requested parking concessions and have been granted parking concessions by Council and/or are operating without parking for historical reasons.</p> <p>Any future parking and/or traffic management analysis or measures proposed will be undertaken in consultation with the community.</p> <p>The application has been advertised and consultation undertaken in accordance with the requirements of LPS 3.</p> <p>Established planning principles in regard to making good planning decisions states that the threat of competition to existing businesses is not a relevant planning consideration. It only becomes a relevant planning consideration if there is a prospect that there will be a reduction in the facilities available to the community.</p> <p>The proposed traffic management and parking control comments are noted. However, these matters do not form part of the assessment of the development application. Any change to traffic management/measures or parking controls in the area would be subject to community consultation.</p> <p><u>Recommendation:</u> That the concerns raised in the submission in relation to operation of the businesses, parking and amenity are not upheld subject to the conditions as outlined in the officer report related to restrictions placed on floor space, hours of operation, equipment and patron/staff numbers being imposed.</p>
15	Object	I wish to raise my concern that the current owners of the Royal George Hotel appear to want to change from the approved hospitality use. I am very aware that the current owners received a 'golden opportunity' in the form of a very low and attractive price for the hotel with a given understanding that the hotel would be restored towards its	The change of use is entirely consistent with the schedule of permissible uses under the Local Planning Scheme and relevant scheme amendment that governs development of the site. The community had ample opportunity for	The 'Significant Development' application for the change of use to a tavern, function spaces and various other amendments to the original approval granted by the WA Planning Commission (WAPC) in 2021 was approved by the WAPC in April 2024. This approval has validity until October 2025. The State Development Assessment Unit has advised that multiple approvals for the one

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		<p>original glory, to reflect its remarkable heritage status for the benefit of all who wished to enjoy its ambience and hospitality of such a magnificent hotel as its history intended.</p> <p>As a local rate payer who has lived in this vicinity for over 20 years, I feel such a pride in the steady and appropriate growth in the East Fremantle locality with a particular focus on the recently completed Community Park. The park has evolved with strong community input. The Royal George Hotel is an iconic building which once restored, will become the meeting place for residents and people further afield to enjoy the hospitality offered by incoming businesses.</p> <p>I am very concerned that the change of use indicated will interfere with the initial plans that residents were given to understand would occur. Given this late change appears to be proceeding without further community input, I cannot believe that the Council would allow any changes to use that would detract from the original plan for this magnificent, glorious building to be restored to its original glory, and see it full of life as its history intended, to provide hospitality to all who wish to enjoy its rich, historical surrounds.</p> <p>Further, perhaps I should also mention the obvious 'elephant in the room', parking. The current application is for a relatively small area of the hotel, though will require parking for attending patrons and also patrons arriving for their appointment at the Pilates and sauna programs. Given the remaining larger areas in the hotel are yet to be leased for businesses as yet unknown, where might the car spaces come from for those businesses? As we all know, George St and surrounding streets are already experiencing struggles with a lack of parking for local residents and the local businesses.</p> <p>I respectfully seek your assurance that you will heed the 'voice' of residents of East Fremantle who attended workshops and the like, to encourage the Council to retain the approved use of the hotel, once restored, for hospitality as the Royal George Hotel was intended.</p>	<p>input throughout the ~3 year scheme amendment process which included multiple public advertising periods and community consultation processes.</p>	<p>property can be in place at the one time. The Town nor the Council does not have the authority to direct that use of the Hotel building and the site in general be used as per the WAPC granted approval.</p> <p>The application was referred to the Heritage Council of WA (HCWA) and the referral response is summarised below:</p> <p>Findings</p> <ul style="list-style-type: none"> Based on discussions with the owner, it is understood that the future use and fit-out will not have implications for the conservation of heritage fabric, and that all associated demolition has been previously approved. It is also understood that conservation works to the external northern elevation are currently underway. The proposal raises no heritage concerns and will facilitate a new use which is a positive outcome for the vacant building. <p>Advice</p> <ul style="list-style-type: none"> The proposal, in accordance with the submission, is supported. <p><u>Note:</u> Building Permit fit-out plans will also be referred to the HCWA when received by the administration.</p> <p>The Town's administration requested the HCWA provide an update in regard to the progress of the restoration of the Hotel in relation to the Heritage Agreement and associated conservation management plan. To date the HCWA has not provided an update.</p> <p>The application has been advertised and consultation undertaken in accordance with the requirements of LPS 3. The current development application is not considered a 'complex' development application or of the same commercial scale as the previous proposal for a tavern and functions spaces (as assessed and advertised by the State Development Assessment Unit, therefore the same advertising radius is not considered applicable.</p> <p>Parking has been assessed based on the LPS 3 Scheme provisions and in relation to the proposed operation of the businesses. While a technical shortfall is identified the administration is of the view that the parking provided meets the need that is expected to be generated by the proposed uses (subject to compliance with conditions of development approval). Council can consider approval of the proposal with a parking shortfall.</p> <p>Should the applicant / operator found to be in breach of a development approval condition then compliance action can be taken by the Town.</p> <p>As for all applications in the Plympton precinct parking and traffic is given primary consideration. However, many businesses currently operating in the precinct requested parking concessions and have been granted parking concessions by Council and/or are operating without parking for historical reasons.</p> <p>Any future parking and/or traffic management analysis or measures proposed will be undertaken in consultation with the community.</p> <p><u>Recommendation:</u> That the concerns raised in the submission in relation to operation of the businesses, parking and amenity are not upheld subject to the conditions as</p>

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				outlined in the officer report related to restrictions placed on floor space, hours of operation, equipment and patron/staff numbers being imposed.
16	Concerns	<p>I am writing to voice my concerns about the Royal George building. I have just purchased 35 Duke Street which is across the road from the Royal George building and do not have off street parking. My main concern before purchasing was the existing parking shortage on Duke Street, but I was not aware of the current change of use application which will further impact parking in the area.</p> <p>My concerns are this is a large building that will need many more car bays than the 17 being proposed. I hope Council will refuse this application until the owners or Council form a long term solution to the parking.</p>	Please refer to response to submission 4 which deals with the issues raised.	<p>It is noted the submitter is aware of the application and has taken advantage of the opportunity to provide comment.</p> <p>As for all applications in the Plympton precinct parking and traffic is given primary consideration. However, many businesses currently operating in the precinct requested parking concessions and have been granted parking concessions by Council and/or are operating without parking for historical reasons.</p> <p>Parking has been assessed based on the LPS 3 Scheme provisions and in relation to the proposed operation of the businesses. While a technical shortfall is identified the administration is of the view that the parking provided meets the need that is expected to be generated by the proposed uses (subject to compliance with conditions of development approval). Council can consider approval of the proposal with a parking shortfall.</p> <p>Should the applicant / operator found to be in breach of a development approval condition then compliance action can be taken by the Town.</p> <p>Any future parking and/or traffic management analysis or measures proposed will be in undertaken in consultation with the community.</p> <p><u>Recommendation:</u> That the concerns raised in the submission in relation to operation of the businesses, parking and amenity are not upheld subject to the conditions as outlined in the officer report related to restrictions placed on floor space, hours of operation, equipment and patron/staff numbers being imposed.</p>
17	Concerns	<p>Understand this is a small proposal but my concern is once again around parking. Where will parking come from for the remainder of the building and other potential applications.</p> <p>These applications can absolutely not rely on street parking. It is hard enough to find a park close to my home these days with all the current businesses in the area. Added to this, the original Royal George application used the public car park behind what is now Alchemy Saunas and the new owner has gated this off so there are even fewer parks available to the public.</p> <p>It is time some of the streets are turned into permit only parking and for the owners of the Royal George Hotel to address the elephant in the room, be a bit more transparent and come up with a robust plan for parking.</p>	Please refer to response to submission 4 which deals with the issues raised.	<p>As for all applications in the Plympton precinct parking and traffic is given primary consideration. However, many businesses currently operating in the precinct requested parking concessions and have been granted parking concessions by Council and/or are operating without parking for historical reasons.</p> <p>Any additional proposed use of the building or an increase in the floorspace for any approved uses will be required to be assessed under a new development application by the current applicant and/or business operator.</p> <p>Parking has been assessed based on the LPS 3 Scheme provisions and in relation to the proposed operation of the businesses. While a technical shortfall is identified the administration is of the view that the parking provided meets the need that is expected to be generated by the proposed uses (subject to compliance with conditions of development approval). Council can consider approval of the proposal with a parking shortfall.</p> <p>Should the applicant / operator found to be in breach of a development approval condition then compliance action can be taken by the Town.</p> <p>Access to the parking area at the rear of 128 George Street has been addressed with the owner of the property.</p> <p>Any future parking and/or traffic management analysis or measures proposed will be in undertaken in consultation with the community.</p>

No.	Object	Submission	Applicant Response	Officer’s Response and Recommendation
				<p>The application has been advertised and consultation undertaken in accordance with the requirements of LPS 3. The current development application is not considered a ‘complex’ development application or of the same commercial scale as the previous proposal for a tavern and functions spaces (as assessed and advertised by the State Development Assessment Unit).</p> <p><u>Recommendation:</u> That the concerns raised in the submission in relation to operation of the businesses, parking and amenity are not upheld subject to the conditions as outlined in the officer report related to restrictions placed on floor space, hours of operation, equipment and patron/staff numbers being imposed.</p>

Schedule of Submissions – Support

Proposed Change of Use – Royal George Hotel – 34 (Lot 303) Duke Street, East Fremantle

No.	Support	Submission	Officer's Response and Recommendation
1	Support	Proposal will put East Fremantle on the map in the global health space.	Comment noted. <u>Recommendation:</u> That the Officer Recommendation be supported.
2	Support	Supports proposal.	Comment noted. <u>Recommendation:</u> That the Officer Recommendation be supported.
3	Support	<ul style="list-style-type: none"> Regular user of sauna/ice bath/Pilates. Fantastic use of the Royal George Hotel. Exceptional idea to have iconic building used to enhance community wellbeing. Will encourage Pilates/sauna/ice bath users from surrounding suburbs to visit George Street, which will only further enhance interaction with businesses along the street. Services will complement the existing allied health businesses in the area. 	Comments noted. <u>Recommendation:</u> That the Officer Recommendation be supported.
4	Support	Great community offering.	Comment noted. <u>Recommendation:</u> That the Officer Recommendation be supported.
5	Support	Happy with the proposal and our grade (sic) to the old Royal George Hotel.	Comment noted. <u>Recommendation:</u> That the Officer Recommendation be supported.
6	Support	Amazing uses for the heritage building and as a local resident, I am fully supportive and eager to use them.	Comment noted. <u>Recommendation:</u> That the Officer Recommendation be supported.
7	Support	Fully support bringing this building back to life. The exterior renovation that was finished a couple of years ago is magnificent and eager to see inside.	Comment noted. <u>Recommendation:</u> That the Officer Recommendation be supported.
8	Support	<ul style="list-style-type: none"> I work on George Street at Natmed and the sauna has been great for my clients, the community and myself. Being in public health the benefits to community health from a facility like this cannot be overstated. Full support of this and eager to see the Alchemy space come to life. 	Comment noted. <u>Recommendation:</u> That the Officer Recommendation be supported.
9	Support	<ul style="list-style-type: none"> The introduction of a Pilates studio and Alchemy Saunas will provide valuable wellness amenities to local residents and also contribute to the vibrancy of surrounding business community. Facilities will offer opportunities for health and fitness activities, promoting physical and mental well-being for customers. Additionally, the presence of such establishments can attract visitors to the George St precinct, potentially increasing foot traffic and patronage for neighbouring businesses. The current location on George Street is incredible and this would be a fantastic addition to the Royal George Hotel. Clear that both businesses aim to reuse the heritage building with minimal impact on its fabric, while promoting significant benefit to the community. The parking assessment demonstrates the proposed parking arrangements are adequate, considering the demand generated by the uses and compliance with relevant guidelines. Urge Town to support the proposal. 	Comment noted. <u>Recommendation:</u> That the Officer Recommendation be supported.
10	Support	<ul style="list-style-type: none"> Exciting opportunity to activate a historic property which has been dilapidated for many years. Commencement of a sauna and Pilates business represents an opportunity for the use of the property in a manner which promotes the health and well-being of the local community and avoids the risk of anti-social behaviour which arises with licensed venues. Please approve this application. 	Comment noted. <u>Recommendation:</u> That the Officer Recommendation be supported.

No.	Support	Submission	Officer's Response and Recommendation
11	Support	Experience of including more health facilities into the area provides a stronger sense of community and ability to network with other residents. It creates safe, healthy and desirable presence of people that does not involve alcohol or other similar venues that can disrupt the surrounding residents.	Comment noted. <u>Recommendation:</u> That the Officer Recommendation be supported.
12	Support	As a local resident and home owner I support the proposal without hesitation.	Comment noted. <u>Recommendation:</u> That the Officer Recommendation be supported.
13	Support	I work frequently in Fremantle.	Comment noted. <u>Recommendation:</u> That the Officer Recommendation be supported.
14	Support	We would like to support the proposal as we feel it will be of benefit to the community.	Comment noted. <u>Recommendation:</u> That the Officer Recommendation be supported.
15	Support	I am a current member and this facility is such a great community boost.	Comment noted. <u>Recommendation:</u> That the Officer Recommendation be supported.
16	Support	I am happy for the proposal and fully support its progression. I believe it will be beneficial to the community.	Comment noted. <u>Recommendation:</u> That the Officer Recommendation be supported.
17	Support	Would love this location to be approved.	Comment noted. <u>Recommendation:</u> That the Officer Recommendation be supported.
18	Support	I think these businesses will be a fantastic addition to the George St Precinct and local community in general.	Comment noted. <u>Recommendation:</u> That the Officer Recommendation be supported.
19	Support	Great initiative, and fully support the change of use request. We will use the facility once it is operating (mostly the sauna/ice bath facility). Look forward to it all coming to fruition.	Comment noted. <u>Recommendation:</u> That the Officer Recommendation be supported.
20	Support	It is awesome can't wait to see the new building.	Comment noted. <u>Recommendation:</u> That the Officer Recommendation be supported.
21	Support	As a member of the East Fremantle community through playing for East Fremantle's WAFLW team and having grown up in Fremantle I support the Royal George being converted into the Pilates/ Sauna/ Ice bath studio and think I would personally benefit from this change as well as many others in the community.	Comment noted. <u>Recommendation:</u> That the Officer Recommendation be supported.
22	Support	I live nearby and love sauna and ice baths. It is a great community at Alchemy and the locals would really benefit from having this new venue on Duke Street.	Comment noted. <u>Recommendation:</u> That the Officer Recommendation be supported.
23	Support	I live in east Freo and a frequent user of the sauna, I am a player for Fremantle dockers and it is essential for my recovery and preparation. Need this.	Comment noted. <u>Recommendation:</u> That the Officer Recommendation be supported.
24	Support	I have been a member with Alchemy Saunas for 10 months. In that time, I have met and connected with so many wonderful East Freo community members whom I would have never got the opportunity to if not for Alchemy and their inclusive, community driven business. Majority of the community lives in walking distance and has no need to drive. My only comment of concern is for video lead Pilates classes on reformer machines. Having worked in the Pilates industry for over 14 years, I have seen this cheap and careless business model cause injury and do not support it. Especially in East Fremantle where the demographic is older clientele, the risk is too high for patrons to be left on their own. I support qualified instructor lead classes.	Comment noted. <u>Recommendation:</u> That the Officer Recommendation be supported.
25	Support	I am the owner of a property in close proximity to the proposed development and with Alchemy's current location. I have never had any issues with their operations and look forward to the new facility and Royal George being finally open to the public again. As my property has no driveway, I have spoken with Executive Manager of Regulatory Services several times about the issue of car parking on lower Duke Street and hope that some resident parking will be on the agenda. Aside from this increasingly problematic issue, I fully support the development and look forward to the area becoming ever more vibrant.	Comment noted. Matters related to individual resident parking on Duke Street are not the subject of the assessment of the development application. <u>Recommendation:</u> That the Officer Recommendation be supported.

No.	Support	Submission	Officer's Response and Recommendation
26	Support	I see that people coming out of the sauna patronise my business and it helps activate and revitalise this end of the street at Eugene's pizzeria George street East Fremantle.	Comment noted. <u>Recommendation:</u> That the Officer Recommendation be supported.
27	Support	Support this fully.	Comment noted. <u>Recommendation:</u> That the Officer Recommendation be supported.
28	Support	<p>As a local resident of the Town of East Fremantle, I fully support the proposed Change of Use Application for the Royal George Hotel on Duke Street. Alchemy Saunas, a well-established local business, has been providing exceptional sauna and ice bath facilities to our community for the past 18 months. Their relocation to the Royal George Hotel will solidify their presence in East Fremantle, ensuring they continue to meet the needs of our community for years to come.</p> <p>The Alchemy Sauna Change of Use aligns perfectly with the Town of East Fremantle's Strategic Community Plan by:</p> <ul style="list-style-type: none"> - Facilitating essential local services that promote the health and wellbeing of our community - Providing recreational facilities that support healthy and active lifestyles - Strengthening community connections within a safe and vibrant environment - Actively supporting an existing local business, maintaining a strong "local" focus - Continuing to revitalise local business activity centres. <p>We look forward to being able to use their new facilities at The Royal George Hotel.</p>	Comment noted. <u>Recommendation:</u> That the Officer Recommendation be supported.
29	Support	Being an Athlete with the Fremantle Dockers I use this facility multiple times weekly to ensure I can perform at my best. Not only for performance based is this great but for general health and wellbeing this facility is magnificent.	Comment noted. <u>Recommendation:</u> That the Officer Recommendation be supported.
30	Support	I support it.	Comment noted. <u>Recommendation:</u> That the Officer Recommendation be supported.
31	Support	I support the proposal.	Comment noted. <u>Recommendation:</u> That the Officer Recommendation be supported.
32	Support	I absolutely love Alchemy. I am footballer from Fremantle and the alchemy saunas are a highlight not only for my recovery but to socialise with genuine people outside of work is awesome. It's just down the road from me and I can't wait for the new facility to open I think it will be awesome for the community.	Comment noted. <u>Recommendation:</u> That the Officer Recommendation be supported.
33	Support	<p>As a longstanding provider of health services in our community, I am in strong support of the change of use at Duke Street to include Alchemy Saunas. It is a complementary service that aids our patients achieve their therapeutic outcomes and by supporting this application, we are advocating for a comprehensive approach to health that combines the benefits of both our services.</p> <p>We also recognise the potential for this sauna facility to act as a catalyst for economic growth and community well-being as this is an incredibly fast growing industry that Alchemy seems to be leading.</p> <p>We believe that this facility will complement our existing health services and significantly enhance the health options available to our residents.</p>	Comment noted. <u>Recommendation:</u> That the Officer Recommendation be supported.
34	Support	I play for the Fremantle Dockers and live in East Fremantle. I absolutely love using the ice baths and sauna facilities to help with my recovery. Will be a great feature of the Royal George.	Comment noted. <u>Recommendation:</u> That the Officer Recommendation be supported.
35	Support	<p>I am a resident of East Fremantle and support the proposal whole heartedly.</p> <p>I am an athlete with the Fremantle Dockers in the AFL and would utilise the facility (sauna/ice bath) multiple times per week to assist both mental and physical recovery. I also know many residents and friends that also live in the area that would love this kind of facility and make use of it.</p>	Comment noted. <u>Recommendation:</u> That the Officer Recommendation be supported.

No.	Support	Submission	Officer's Response and Recommendation
		I hope very much that it is accepted.	
36	Support	We have really enjoyed having the sauna and ice bath on George street and we were so glad to find out that the facility could be relocated nearby	Comment noted. <u>Recommendation:</u> That the Officer Recommendation be supported.
37	Support	As a part business owner of the Jetty Bar i support the attached proposal. I feel it will bring a vibrancy to the area and more foot traffic to support the surrounding businesses	Comment noted. <u>Recommendation:</u> That the Officer Recommendation be supported.
38	Support	As an equity owner of a business in the area i am in support of this proposal.	Comment noted. <u>Recommendation:</u> That the Officer Recommendation be supported.
39	Support	The proposed plans sound perfect for the area!	Comment noted. <u>Recommendation:</u> That the Officer Recommendation be supported.
40	Support	Support.	Comment noted. <u>Recommendation:</u> That the Officer Recommendation be supported.
41	Support	Saunas provide great health benefits - physical and mental. The better the facility is, the greater the positive effect on us as individuals and the community. My family and I really hope it goes through.	Comment noted. <u>Recommendation:</u> That the Officer Recommendation be supported.
42	Support	Support bringing this to the area and revamping The Royal George.	Comment noted. <u>Recommendation:</u> That the Officer Recommendation be supported.
43	Support	This sauna and others like this are the best thing for the community. I head to the sauna 3-4 times a week and have met so many amazing people from our community and some neighbouring communities. I highly support this. Please make the right decision for the community this sauna has contributed to a better mental health and wellbeing for me.	Comment noted. <u>Recommendation:</u> That the Officer Recommendation be supported.
44	Support	No objection and support the proposal.	Comment noted. <u>Recommendation:</u> That the Officer Recommendation be supported.
45	Support	I think the sauna and other businesses will be great for the area. I support this change. Great for the health of our residents. I do think we need to think about parking and make sure residents in the area can still find parking for their own homes, so further engagement should occur around this.	Comment noted. <u>Recommendation:</u> That the Officer Recommendation be supported.
46	Support	I support the proposal.	Comment noted. <u>Recommendation:</u> That the Officer Recommendation be supported.
47	Support	The local businesses need foot traffic to the area to survive. I have noticed so many more people in the area utilising the sauna facilities and in turn spending time and money in the cafes. The Royal George Hotel has been unused for too long and local enterprise needs to be supported. Parking is not an issue. We need to attract more retail outlets to the area.	Comment noted. <u>Recommendation:</u> That the Officer Recommendation be supported.
48	Support	I support the proposal.	Comment noted. <u>Recommendation:</u> That the Officer Recommendation be supported.
49	Support	I support the proposal.	Comment noted. <u>Recommendation:</u> That the Officer Recommendation be supported.

No.	Support	Submission	Officer's Response and Recommendation
50	Support	I think this is a great use of the space and fully support this application. We don't have anything like this in the community and it would be a great health benefit to the community.	Comment noted. <u>Recommendation:</u> That the Officer Recommendation be supported.
51	Support	As part of the senior leadership team of Belgravia Leisure who have been appointed by the Town of East Fremantle to manage and operate East Fremantle Community Park, I am in strong support of this change of use application as this not only complements our health and wellbeing services at B Active but will add to the community's demand for these recovery offerings. Please do not hesitate to contact me should you require any further information.	Comment noted. <u>Recommendation:</u> That the Officer Recommendation be supported.
52	Support	Very excited to see this building be used to provide health and well-being related facilities. Absolutely fantastic!	Comment noted. <u>Recommendation:</u> That the Officer Recommendation be supported.
53	Support	As a resident of the town of East Fremantle, I have been enjoying the continuing development and enlivening that has been happening along George St. The proposal for the sauna and ice bath facility as well as the Pilates studio is very exciting. I am definitely in support of it. It is great to see new business keen to put their time money and energy into such a beautiful building and continue to make George street such a fantastic hub of activity.	Comment noted. <u>Recommendation:</u> That the Officer Recommendation be supported.
54	Support	I support this development, amazing opportunity for the area.	Comment noted. <u>Recommendation:</u> That the Officer Recommendation be supported.
55	Support	Seeing these wellness facilities added to the George Street precinct is a wonderful initiative and will only add more life to this thriving area.	Comment noted. <u>Recommendation:</u> That the Officer Recommendation be supported.
56	Support	I support the proposal.	Comment noted. <u>Recommendation:</u> That the Officer Recommendation be supported.
57	Support	I support the proposal.	Comment noted. <u>Recommendation:</u> That the Officer Recommendation be supported.
58	Support	Would be a great addition to the community.	Comment noted. <u>Recommendation:</u> That the Officer Recommendation be supported.
59	Support	Very excited by this development	Comment noted. <u>Recommendation:</u> That the Officer Recommendation be supported.
60	Support	I think having a studio Pilates in such a beautiful historic building is a good idea.	Comment noted. <u>Recommendation:</u> That the Officer Recommendation be supported.
61	Support	I support the proposal, saunas have good health benefits and would be a good addition to the local area.	Comment noted. <u>Recommendation:</u> That the Officer Recommendation be supported.
62	Support	Can't wait to have these awesome facilities close to home.	Comment noted. <u>Recommendation:</u> That the Officer Recommendation be supported.
63	Support	Would be an amazing asset to an amazing community.	Comment noted. <u>Recommendation:</u> That the Officer Recommendation be supported.
64	Support	Great asset to local community.	Comment noted. <u>Recommendation:</u> That the Officer Recommendation be supported.
65	Support	Support bringing this to the area and revamping The Royal George. Would be a great addition for everyone's wellness	Comment noted. <u>Recommendation:</u> That the Officer Recommendation be supported.

No.	Support	Submission	Officer's Response and Recommendation
66	Support	It will be a fantastic addition to the area. A great space bringing not only locals from the area together, but also bringing in the wider community to the area.	Comment noted. <u>Recommendation:</u> That the Officer Recommendation be supported.
67	Support	The site has been empty and derelict for years. Making use of the space for Pilates and sauna is a great use to help improve the health of the local community and will not cause noise or disruption for local residents and business.	Comment noted. <u>Recommendation:</u> That the Officer Recommendation be supported.
68	Support	I support this change.	Comment noted. <u>Recommendation:</u> That the Officer Recommendation be supported.
69	Support	I support the proposal.	Comment noted. <u>Recommendation:</u> That the Officer Recommendation be supported.
70	Support	Saunas and ice baths can only be a benefit to the community.	Comment noted. <u>Recommendation:</u> That the Officer Recommendation be supported.
71	Support	I think this is a fantastic idea that suits George Streett and the Royal George Hotel.	Comment noted. <u>Recommendation:</u> That the Officer Recommendation be supported.
72	Support	Great idea to use this iconic building for community recreation.	Comment noted. <u>Recommendation:</u> That the Officer Recommendation be supported.
73	Support	As a mental health and wellbeing provider in the Fremantle area - I can attest to the positive impact that the sauna and ice bath availability has had. The implementation of these services within our community has had a significant positive impact on the way those we interact with treat their wellbeing. The consistency of use, coupled with the easy access has proven highly impactful for not only those suffering, but those looking to maintain their wellbeing as well. As a registered charity, we 20Talk, support the change of use proposal as we believe it will positively enhance the lives of many in the Fremantle and surrounding areas.	Comment noted. <u>Recommendation:</u> That the Officer Recommendation be supported.
74	Support	I support the proposal.	Comment noted. <u>Recommendation:</u> That the Officer Recommendation be supported.
75	Support	I work in the area and would love to see this go ahead.	Comment noted. <u>Recommendation:</u> That the Officer Recommendation be supported.
76	Support	Support the change of purpose, exterior should remain the same but would support a sauna ice bath facility that brings community together in a historic beautiful building.	Comment noted. <u>Recommendation:</u> That the Officer Recommendation be supported.

13.3 32 MOSS STREET - PROPOSED SUBDIVISION

Report Reference Number	OCR-2847
Prepared by	James Bannerman
Supervised by	Andrew Malone
Meeting date	Tuesday, 16 July 2024
Voting requirements	Simple majority
Documents tabled	Nil

Attachments

1. Location Plan
2. Photos
3. Subdivision plan date stamped 29 May 2024
4. Recommended conditions of subdivision approval for 32 Moss Street, East Fremantle

PURPOSE

The purpose of this report is for Council to consider a referral from the Western Australian Planning Commission (WAPC) for the proposed subdivision of 32 (Lot 10) Moss Street, East Fremantle into 2 adjacent freehold green title lots.

EXECUTIVE SUMMARY

A referral was received from the WAPC for the subdivision of 32 (Lot 10) Moss Street.

The lot is zoned Residential R20, has an area of 893m² and a frontage width of 24.14m. There is an existing dwelling that is not heritage listed located on site.

It is proposed to create two street facing adjacent freehold green title lots from the parent lot, each being 447m² in area. The existing dwelling is proposed to be demolished. A demolition permit will be required to be issued prior to demolition being undertaken.

Notwithstanding the lot sizes proposed do not meet the minimum site area requirements for a Residential R20 coded area, it is within the 5% variation that is acceptable under the Department of Planning, Lands and Heritage's Operational Policy 2.2 - Residential Subdivision.

It is recommended that the Council support the proposed subdivision subject to the conditions included in the final recommendation noting that the Town is a referral agency only and the WAPC is the decision making authority for the subdivision.

BACKGROUND

Zoning	Residential R20
Site Area	893m ² 2 green title lots proposed of 447m ² each
Heritage	N/A
Fremantle Port Buffer	Area 3
Previous Decision of Town and/or History of Issue Onsite	Subdivision application refused by WAPC 10 July 2009 (not supported by Council following referral). DA P088/16 for an ancillary dwelling approved 28 September 2016 – never constructed.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Planning and Development Act, 2005
Local Planning Scheme No. 3 (LPS 3)

POLICY IMPLICATIONS

Operational Policy 2.2 – Residential Subdivision – Department of Planning; Lands and Heritage
Local Planning Policy 3.1.1 - Residential Design Guidelines
Crossover Policy
Urban Streetscape and Public Realm Style Guide

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

The Town of East Fremantle Strategic Community Plan 2020-2030 states as follows:

Built Environment

Accessible, well planned built landscapes which are in balance with the Town's unique heritage and open spaces.

3.1 Facilitates sustainable growth with housing options to meet future community needs.

3.1.1 Advocate for a desirable planning and community outcome for all major strategic development sites.

3.1.2 Plan for a mix of inclusive diversified housing options.

3.1.3 Plan for improved streetscapes.

3.2 Maintaining and enhancing the Town's character.

3.2.1 Ensure appropriate planning policies to protect the Town's existing built form.

3.3 Plan and maintain the Town's assets to ensure they are accessible, inviting and well connected.

3.3.1 Continue to improve asset management within resource capabilities.

3.3.2 Plan and advocate for improved access and connectivity.

RISK IMPLICATIONS

RISKS

Risk	Risk Likelihood (based on history & with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
The risk rating is considered low. The Council is not the decision making authority in regard to subdivision applications. It provides advice and comments with a determination recommendation and appropriate conditions.	Rare (1)	Minor (2)	Low (1-4)	COMPLIANCE Short term non-compliance but with significant regulatory requirements imposed	Accept Officer Recommendation

RISK MATRIX

Consequence Likelihood		Insignificant	Minor	Moderate	Major	Extreme
		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives: occupational health and safety, financial, service interruption, compliance, reputation, and environment. A risk matrix has been prepared and a risk rating is provided below. Any items with a risk rating over 16 will be added to the Risk Register, and any item with a risk rating over 16 will require a specific risk treatment plan to be developed.

RISK RATING

Risk Rating	2
Does this item need to be added to the Town's Risk Register	No
Is a Risk Treatment Plan Required	No

SITE INSPECTION

A site inspection was undertaken.

COMMENT

A referral was received from the WAPC for the subdivision of 32 (Lot 10) Moss Street.

The lot is zoned Residential R20, has an area of 893m² and a frontage width of 24.14m. There is an existing dwelling that is not heritage listed located on site.

It is proposed to create two street facing adjacent green title lots from the site each being 447m² in area. The existing dwelling is proposed to be demolished. A demolition permit will be required to be issued prior to demolition being undertaken.

It is noted that there was a previous application for subdivision of the lot in 2009 that was not supported by Council and ultimately not approved by the WAPC. The stated reasons for the refusal included the following:

1. The proposed subdivision did not satisfy the average site area requirement for land coded R20 under Table 1 of the Residential Design Codes 2008 (500m²).
2. The provisions of Clause 6.1.3 A3 9 (iv) of the Residential Design Codes 2008 could not be applied as the subject land was not coded R20 as of 4 October 2002.
3. Approval of the subdivision would set an undesirable precedent for the further subdivision of surrounding lots.

Each one of these points recommending refusal can now be revisited given the changes that have occurred in the density coding of the area, changes in the Residential Design Codes and surrounding subdivision. The area is now coded Residential R20. The average and minimum lot size under the R20 code has been reduced in the latest version

of the Residential Design Codes and there is similar original lot subdivision (with original dwellings) to the north and south along the eastern side of Moss Street. It seems some of the larger blocks were subdivided in the same fashion when the land was originally subdivided.

Under the current Residential Design Codes the proposed lots do not achieve the average lot size required of R20 subdivisions (450m²), however, they do achieve the minimum lot size requirement of 350m² and the minimum lot width of 10m. The variation of 3m² is equivalent to less than 1% reduction in average lot size and within the 5% variation that is acceptable under the Department of Planning, Lands and Heritage's Operational Policy 2.2 - Residential Subdivision clause 4.2.4 a) point 4.

It is considered there will be negligible impact on the surrounding streetscape from the proposed subdivision as the lots directly to the north and the south of the subject lot have smaller frontages and lot areas. Directly to the north, 30 Moss Street has an area of 330m² and a lot frontage of 8.91m² and to the south 34 Moss Street and 36 Moss Street have areas of 412m² and frontages of 10.8m.

The administration will request the retention of the existing two crossovers in the same location, as well as retention of the existing verge trees.

The proposed lots are within Area 3 of the Fremantle Port Buffer Zone. Conditions may be imposed on development to limit possible amenity impacts such as noise and odour from Fremantle Port. A condition has been included in relation to this matter to alert land owners of potential amenity impacts from proximity to the port.

Given the preceding comments, the proposed subdivision is recommended for support subject to the conditions included below and in listed in Attachment 4. Condition 1 to 10 are from the WAPC model subdivision conditions schedule (current 2024 version). Condition 9 refers to current Town policies in reference to crossovers and Condition 10 is a non-standard condition that requests future development in accordance with Town requirements. Non-standard conditions recommended by Council are at the discretion of the WAPC and may be imposed as advice notes that have no statutory power, rather than conditions, but nonetheless alert the applicant to potential matters that should be addressed. Reasons for the inclusion of the proposed conditions are also provided below.

Condition Number	Proposed Condition	Reason
1	Other than buildings, outbuildings and/or structures shown on the approved plan for retention, all buildings, outbuildings, and/or structures present on the lot(s) at the time of subdivision approval being demolished and materials removed from the lot(s).	Removal of the existing structures on site is required to allow the lot arrangement to be undertaken.
2	In regard to Condition 1, a demolition permit will be required to be obtained from the Town of East Fremantle prior to the commencement of demolition works.	All structures that are to be demolished require a demolition approval in accordance with the Building Act.
3	The land being filled, stabilised, drained and/or graded as required to ensure that: (a) lots can accommodate their intended development; and (b) finished ground levels at the boundaries of the lot(s) the subject of this approval match or otherwise coordinate with the existing and/or proposed finished ground levels of the land abutting; and (c) stormwater is contained on-site.	The land is finished such that development can be undertaken with minimal fill, retaining, and cleaning and stormwater is appropriately contained on site
4	A notification, pursuant to Section 165 of the Planning and Development Act 2005 is to be placed on the certificate(s) of title of the proposed lot(s). Notice of this notification is to be	The two lots are within 200m of Canning Highway which is a major transport corridor.

	included on the diagram or plan of survey (deposited plan). The notification is to state as follows: This lot is situated in the vicinity of a transport corridor and is currently affected, or may in the future be affected by transport noise. Additional planning and building requirements may apply to development on this land to achieve an acceptable level of noise reduction.	As such any future development on the lots may be required to address traffic noise.
5	All septic sewer systems including all tanks and pipes and associated drainage systems (soak wells or leach drains) and any stormwater disposal systems are to be decommissioned, in accordance with the Health (Treatment of Sewerage and Disposal of Effluent and Liquid Waste) Regulations 1974, removed, filled with clean sand, and compacted. Proof of decommissioning is to be provided in the form of either certification from a licensed plumber or a statutory declaration from the landowner/applicant, confirming that the site has been inspected and all septic tanks, soak wells, leach drains and any associated pipework have been removed.	Confirmation is to be provided that any septic sewer systems are to be decommissioned appropriately to ensure there are no ongoing environmental, amenity or safety issues.
6	The applicant/landowner is advised that pursuant to the Commonwealth Telecommunications Act 1997 there will generally be a requirement for the installation of fibre-ready telecommunications infrastructure. Exemptions can be sought for certain types of development. Further information is available from the Australian Government website at Department of Infrastructure, Transport, Regional Development, Communications, and the Arts www.infrastructure.gov.au	An internet connection is to be provided to the proposed lots.
7	A notification, pursuant to Section 165 of the Planning and Development Act 2005 is to be placed on the certificate(s) of title of the proposed lot(s) advising of the existence of a hazard or other factor. Notice of this notification is to be included on the diagram or plan of survey (deposited plan). The notification is to state as follows: "This lot is in close proximity to Fremantle Port and may be adversely affected by virtue of odour, noise, dust and/or light emissions from that land use."	The lots are located in the Fremantle Port Buffer Zone Area 3. Although there may not be any specific development requirements a warning should be provided that occasionally there are impacts from odour, noise, dust, and/or light from Fremantle Harbour.
8	The landowner/applicant is advised that no street verge trees are to be removed. Street verge trees are to be retained and protected from damage, including unauthorised pruning, unless otherwise approved by the local government. In this regard, the landowner/applicant is advised to liaise with the Town of East Fremantle prior to commencement of subdivisional works	During demolition there is the possibility that trees will be damaged or removed. The trees require protection as they are a Town asset that are valued by the community.
9	Suitable arrangements being made with the local government for the provision of vehicular crossover(s) to service the lot(s) shown on the approved plan of subdivision. Any proposal to remove or re-locate the crossovers will be subject to the submission of an application that is in accordance with the Town's crossover policy, Local Planning Policy 3.1.1 - Residential Design Guidelines and the Urban Streetscape and Public Realm Style Guide (or equivalent).	The current location of the crossovers minimises the impact on crossovers on adjacent lots and also on lots on the other side of the road (with regards to reversing vehicles). The Town wishes to minimise the disruption caused by the unnecessary removal and replacement of existing crossovers that are already in place.
10	All development on the lot(s) is to comply with the requirements of the Town of East Fremantle's current Local Planning Scheme, Residential Design Codes and Local Planning Policy 3.1.1 - Residential Design Guidelines and any variations will be subject to a development application.	As the proposed lots are located in an area with a high number of heritage properties there is an expectation that any new dwellings will comply with the Town's development requirements that ensure that the dwelling complements surrounding development.

CONCLUSION

It is considered that the proposed subdivision of 32 (Lot 10) Moss Street into two green title lots of 447m² will not have significant impacts on the streetscape or the surrounding properties. The subdivision is compliant with the Department of Planning, Lands and Heritage's requirements for subdivision and within the 5% variation in average lot area that is permitted. It is considered there are no reasons which would indicate the subdivision could reasonably be refused by the WAPC. It is noted that approval and subsequent conditions of approval are ultimately a matter for the decision making authority which is the WAPC and the Town is a referral agency only.

There are two elements of the final recommendation. Firstly, that the proposed subdivision is recommended for support by Council subject to the conditions included in the final recommendation and secondly, that Council authorises the Mayor and Chief Executive Officer to sign and affix the Common Seal in relation to any Notifications pursuant to Section 165 of the Planning and Development Act, 2005 that are recommended to be placed on the certificates of title of the proposed lots.

13.3 OFFICER RECOMMENDATION / COUNCIL RESOLUTION

Council Resolution 031607

OFFICER RECOMMENDATION:

Moved Cr Collinson, seconded Cr White

That Council:

- 1. recommends support for the proposed subdivision of No. 32 (Lot 10) Moss Street, East Fremantle in accordance with Department of Planning, Lands and Heritage date stamped plans 29 May 2024 and authorises the Town's administration on behalf of the Council to provide a referral response to the Western Australian Planning Commission advising of Council's resolution to support the application subject to the conditions included in Attachment 4.**
- 2. authorises the Mayor and Chief Executive Officer to sign and affix the Common Seal in relation to any 'Notifications' pursuant to Section 165 of the Planning and Development Act, 2005 that are recommended to be placed on the certificates of title of the proposed lots.**

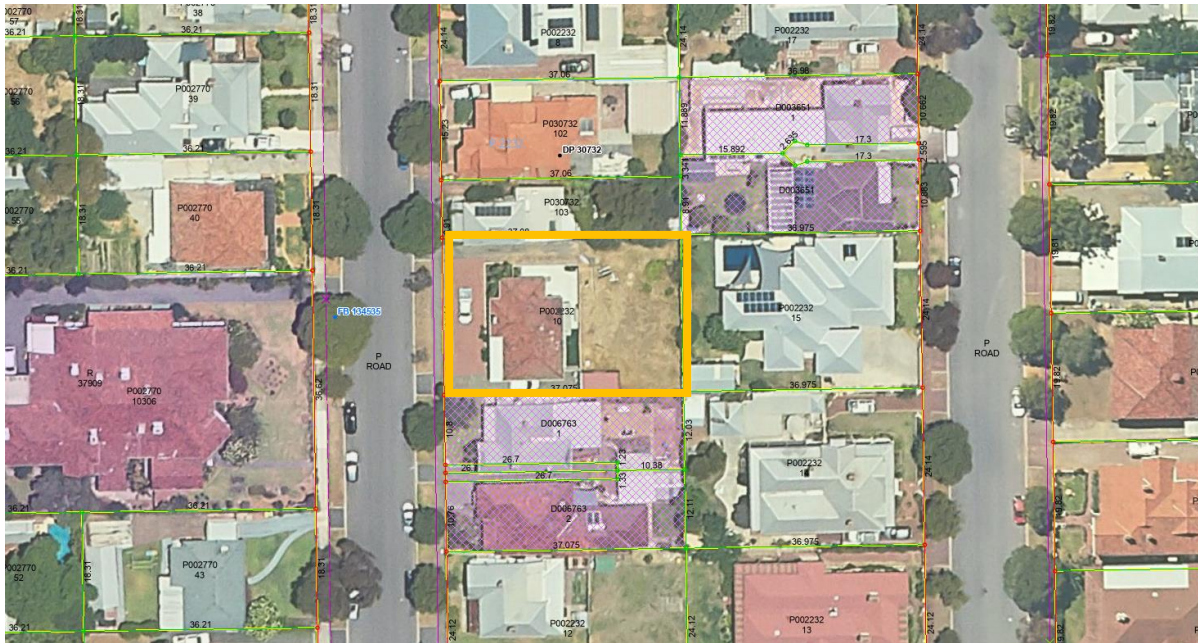
(CARRIED UNANIMOUSLY 7:0)

For: Crs Wilson, White, Donovan, Collinson, Harrington, Maywood & Natale.

Against: Nil.

REPORT ATTACHMENTS

Attachments start on the next page.



32 Moss Street – Photos



32 Moss Street – property subject to subdivision



34 Moss Street - Neighbouring property to the south



30 Moss Street – Neighbouring property to the north

Attachment -2



34 & 36 Moss Street - Neighbouring properties to the south



28 & 30 Moss Street - Neighbouring properties to the north

Approx. Sewer Junction
Up: 0.3
Approx. Inv: 16.9
Approx. Depth: 1.8
Check with Water Corp.
For Depth & Details

Brick & Colorbond Well Clear

Approx. Sewer Junction
Up: 0.3
Approx. Inv: 16.6
Approx. Depth: 2.0
Check with Water Corp.
For Depth & Details

Metal Structure

Obstructed

Colorbond Fence
1.8m High in Good Condition

NOTE: Approximate Sewer Clearance 88mm
(This is not an Easement) Check Water Corp. for any possible Easements or Setbacks.

Grass

Colorbond Fence
1.8m High in Good Condition

Brick & Tin Structure on Concrete

Possible Parapet

UMR

Rendered Brick & Tin (#34)
Approx. F.L. 18.75

Weatherboard & Tin (#30)

Sand

UMR Concrete

Brick Wall
0.8m High

Bitumen

Fibro Fence
1.6m High in Fair Condition

POWER DOME

PHONE PIT

SMALL VERGE TREE

Semi Mount

Moss Street

REF NAIL & PLATE IN BITUMEN DATA AND WAS ESTABLISHED FROM SHM USING DATA SUPPLIED BY THE WAT

NOTE: THIS IS A PROPOSED SKETCH ONLY, AND SHOULD NOT BE USED FOR FINAL DIMENSIONS AND AREAS FOR SELLING PURPOSES OR FOR DESIGNING A NEW HOUSE(S) TO FIT THE PROPOSED LOTS.

NOTE: PROPOSED LOT NUMBERS, ANGLES, DIMENSIONS, AND AREAS ARE ALL SUBJECT TO SURVEY AND TITLES OFFICE EXAMINATION

Recommended conditions of subdivision approval for 32 Moss Street, East Fremantle

1. Other than buildings, outbuildings and/or structures shown on the approved plan for retention, all buildings, outbuildings and/or structures present on the lot(s) at the time of subdivision approval being demolished and materials removed from the lot(s).
2. In regard to Condition 1, a demolition permit will be required to be obtained from the Town of East Fremantle prior to the commencement of demolition works.
3. The land being filled, stabilised, drained and/or graded as required to ensure that:
 - a) lots can accommodate their intended development; and
 - b) finished ground levels at the boundaries of the lot(s) the subject of this approval match or otherwise coordinate with the existing and/or proposed finished ground levels of the land abutting; and
 - c) stormwater is contained on-site, or appropriately treated and connected to the local drainage system.
4. A notification, pursuant to Section 165 of the Planning and Development Act 2005 is to be placed on the certificate(s) of title of the proposed lot(s). Notice of this notification is to be included on the diagram or plan of survey (deposited plan). The notification is to state as follows: This lot is situated in the vicinity of a transport corridor and is currently affected, or may in the future be affected by transport noise. Additional planning and building requirements may apply to development on this land to achieve an acceptable level of noise reduction.
5. All septic sewer systems including all tanks and pipes and associated drainage systems (soak wells or leach drains) and any stormwater disposal systems are to be decommissioned, in accordance with the Health (Treatment of Sewerage and Disposal of Effluent and Liquid Waste) Regulations 1974, removed, filled with clean sand and compacted. Proof of decommissioning is to be provided in the form of either certification from a licensed plumber or a statutory declaration from the landowner/applicant, confirming that the site has been inspected and all septic tanks, soak wells, leach drains, and any associated pipework have been removed.
6. The applicant/landowner is advised that pursuant to the Commonwealth Telecommunications Act 1997 there will generally be a requirement for the installation of fibre-ready telecommunications infrastructure. Exemptions can be sought for certain types of development. Further information is available from the Australian Government website at Department of Infrastructure, Transport, Regional Development, Communications and the Arts www.infrastructure.gov.au.
7. A notification, pursuant to Section 165 of the Planning and Development Act 2005 is to be placed on the certificate(s) of title of the proposed lot(s) advising of the existence of a hazard or other factor. Notice of this notification is to be included on the diagram or plan of survey (deposited plan). The notification is to state as follows: "This lot is in close proximity to Fremantle Port and may be adversely affected by virtue of odour, noise, dust and/or light emissions from that land use."
8. The landowner/applicant is advised that no street verge trees are to be removed. Street verge trees are to be retained and protected from damage, including unauthorised pruning, unless otherwise approved by the local government. In this regard, the landowner/applicant is advised to liaise with the Town of East Fremantle prior to commencement of subdivisional works.
9. Suitable arrangements being made with the local government for the provision of vehicular crossover(s) to service the lot(s) shown on the approved plan of subdivision. Any proposal to remove or re-locate the crossovers will be subject to the submission of an application that is in accordance with the Town's crossover policy, Local Planning Policy 3.1.1 - Residential Design Guidelines and the Urban Streetscape and Public Realm Style Guide (or equivalent).

10. All development on the lot(s) is to comply with the requirements of the Town of East Fremantle 's current Local Planning Scheme, Residential Design Codes and Local Planning Policy 3.1.1 - Residential Design Guidelines and any variations will be subject to a development approval application.

13.4 15 KING STREET - HOSTED SHORT TERM RENTAL ACCOMMODATION

Report Reference Number	OCR-2839
Prepared by	James Bannerman
Supervised by	Andrew Malone
Meeting date	Tuesday, 16 July 2024
Voting requirements	Simple majority
Documents tabled	Nil

Attachments

1. Location and advertising plan
2. Photos
3. Plans
4. Place Record form

PURPOSE

The purpose of this report is for the Council to consider a development application for a hosted short term rental accommodation (STRA) use at No. 15 (Lot 469) King Street, East Fremantle.

EXECUTIVE SUMMARY

This development application proposes the operation of hosted short term rental accommodation within an existing dwelling at 15 (Lot 429) King Street, East Fremantle. The owners/operators reside at the premises. The property is heritage listed (Category B) and the original heritage section at the front (and separated from the rest of the dwelling by a lockable door) has a bedroom, study, bathroom, lounge, and kitchenette. This will be used as the STRA. Food for guests will not be provided.

The proposed use for STRA is an “unlisted use” within a Residential zone, however, the local government may “determine that the use is consistent with the objectives and purposes of the particular zone and is therefore permitted” (clause 4.4.2a of Local Planning Scheme No.3).

It is recommended that the Council support the proposed change of use to STRA subject to the conditions included in the final recommendation.

BACKGROUND

Zoning	Residential R20
Site Area	508m ²
Heritage	Category B
Fremantle Port Buffer	Area 2 – no physical development so no response required
Previous Decision of Town and/or History of Issue Onsite	P5/13 – development approval for additions – 16 April 2023

CONSULTATIONAdvertising

The proposed change of use was advertised to surrounding properties from 31 May to 17 June 2024. No submissions were received.

Internal Consultation

Nil

External Consultation

Nil

STATUTORY ENVIRONMENT

Planning and Development Act, 2005

Local Planning Scheme No. 3 (LPS 3)

POLICY IMPLICATIONS

Position Statement – Planning for Tourism and Short Term Rental Accommodation Guidelines

Planning Bulletin 115/2023 – Short Term Rental Accommodation – Interim Advice for Local Government

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

The Town of East Fremantle Strategic Community Plan 2020-2030 states as follows:

Built Environment

Accessible, well planned built landscapes which are in balance with the Town's unique heritage and open spaces.

3.1 Facilitates sustainable growth with housing options to meet future community needs.

3.1.1 Advocate for a desirable planning and community outcome for all major strategic development sites.

3.1.2 Plan for a mix of inclusive diversified housing options.

3.1.3 Plan for improved streetscapes.

3.2 Maintaining and enhancing the Town's character.

3.2.1 Ensure appropriate planning policies to protect the Town's existing built form.

3.3 Plan and maintain the Town's assets to ensure they are accessible, inviting and well connected.

3.3.1 Continue to improve asset management within resource capabilities.

3.3.2 Plan and advocate for improved access and connectivity.

RISK IMPLICATIONS**RISKS**

Risk	Risk Likelihood (based on history & with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
The risk rating is considered low. If the Officer Recommendation is not supported the applicant may exercise their right to a Review (Appeal) of the decision. Financial costs may be incurred defending the Council's decision.	Unlikely (2)	Minor (2)	Low (1-4)	COMPLIANCE Short term non-compliance but with significant regulatory requirements imposed	Accept Officer Recommendation

RISK MATRIX

Consequence Likelihood		Insignificant	Minor	Moderate	Major	Extreme
		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives: occupational health and safety, financial, service interruption, compliance, reputation, and environment. A risk matrix has been prepared and a risk rating is provided below. Any items with a risk rating over 16 will be added to the Risk Register, and any item with a risk rating over 16 will require a specific risk treatment plan to be developed.

RISK RATING

Risk Rating	4
Does this item need to be added to the Town's Risk Register	No
Is a Risk Treatment Plan Required	No

SITE INSPECTION

A site inspection was undertaken.

COMMENT

This development application proposes the operation of hosted STRA within an existing dwelling at 15 (Lot 429) King Street, East Fremantle. The owners/operators reside at the premises. The property is heritage listed (Category B) and the original heritage section at the front (and separated from the rest of the dwelling by a lockable door) has a bedroom, study, bathroom, lounge, and kitchenette. This will be used as the STRA. Food for guests will not be provided.

The administration is now aware that the STRA at the subject site has been operating without development (planning) approval. The recent introduction of State government legislation / regulations that require property owners to register STRA properties on a State STRA Register, the applicants are now seeking approval so they can register the accommodation. Without this registration they will be in breach of the new legislation.

The applicant has provided a number of documents including procedures around check-in and check-out of guests, a code of conduct, complaints management, evacuation plan and fire and emergency response plan.

Conditions will be recommended that will ensure that the STRA does not create any amenity issues for surrounding properties.

The following issues are relevant to the determination of this application:

- impact on residential amenity;
- number of people accommodated and number of bedrooms for accommodation purposes;
- adequacy of car parking; and
- management of the property.

The Council does not have any specific policies or local laws that regulate STRAs. The proposed use for STRA is an “unlisted use” within a Residential zone, however, local government may “determine that the use is consistent with the objectives and purposes of the particular zone and is therefore permitted” (clause 4.4.2a of Local Planning Scheme No. 3).

The State government has created a new regulatory framework for short term rental accommodation which has now been introduced. Under this new regime hosted STRA will not require development approval but all STRA must be registered to operate with Consumer Protection (Department of Energy, Mining, Industry Regulation and Safety – DEMIRS). By 1 January 2025 it will be mandatory for STRA operators to have registered their accommodation. However, as changes to the planning legislation to reflect and support the STRA legislation changes have not been enacted (i.e., mandatory amendments to local planning schemes) the owner of the subject property does not have an exemption from seeking a development approval at the present time under LPS 3.

The application has been assessed regarding the relevant sections of the Department of Planning Lands and Heritage’s Position Statement – Planning for Tourism, Local Planning Scheme No. 3 provisions, residential amenity, and the impact that the use could have on surrounding neighbours and conditions imposed accordingly. It is recognised that some of the requirements that are part of this assessment will become irrelevant once the full extent of State government regulations is implemented and amendments are made to the Town’s local planning scheme.

Code of Conduct, Complaints and Fire and Emergency Response

Information has been provided that covers the following points:

- the owner’s contact details;
- details of how nuisance issues such as noise and anti-social behaviour would be addressed by the owner;
- a fire and emergency response plan;
- car parking; and
- the number of people occupying the premises and the number of bedrooms for the STRA.

Car Parking

No on-site parking is available, however, there have been no parking issues reported to the Town’s administration despite the STRA being in operation without the administration’s knowledge. On-street unreserved parking is available adjacent to the property. The number of people permitted to be accommodated will also be addressed through a condition of development (planning) approval, which will limit any potential parking demand as a result of a two person limit being imposed as a condition (and as requested by the applicant) in the officer recommendation.

It is noted that the property is located relatively close to a bus stop on Canning Highway and has the benefit of high frequency bus routes travelling in both directions to and from Fremantle Train Station and Canning Bridge Train Station. This has the potential to reduce the need for guests to have a car.

Maximum Number of Guests

A single bedroom, study, living area, and kitchenette of an existing dwelling is to be utilised as the STRA. The maximum number of guests will be limited to 2 people and included as a condition in the final recommendation for approval to minimise amenity impacts on surrounding residents.

Signage

Commercial operations in residential areas that impact on the amenity of surrounding residents should be mitigated, including matters such as excessive signage, which can create visual pollution. No signage is referred to in the development application and a condition will be recommended that does not permit signage.

Noise

Noise is a legitimate concern for surrounding residents of STRAs. It is considered that the day-to-day operations of the STRA should not exceed normal household levels. In this case the property managers will be able to be contacted if there are issues with noise. The management plan states that noise must be kept to a minimum.

Time Limit for Approval

A time limit of 12 months will be recommended as a condition of approval. However, renewal of the approval will become redundant as a result of the future introduction of the exemption from development approval for hosted STRAs under the new planning legislation.

It is noted that there are a number of properties within Residential zones in East Fremantle that are currently approved for use as STRAs. This proposal is no different and it is considered it represents a relatively low risk based on the information supplied by the applicant.

CONCLUSION

It is expected that once the new planning regulations are fully implemented and LPS 3 amended to deal with hosted STRA this proposal will not require development approval, however, for the time being development approval is required for this unlisted use.

The proposed STRA is considered to be an activity that will have minimal impact on the amenity of nearby properties or on the neighbourhood providing the code of conduct is adhered to and matters considered in this report are addressed by way of the recommended conditions of development approval.

Based on the preceding assessment the proposed renewal of the approval (subject to the timing of new planning legislation) to operate the STRA should be supported subject to the conditions included in the final recommendation.

13.4 OFFICER RECOMMENDATION / COUNCIL RESOLUTION

Council Resolution 041607

OFFICER RECOMMENDATION:

Moved Cr Harrington, seconded Cr White

That Council grants development approval for hosted short term rental accommodation at No. 15 (Lot 429) King Street, East Fremantle, in accordance with correspondence and plans received on 30 May 2024, subject to the following conditions:

- (1) Approval is for a period of 12 months only from the date of this approval (subject to changes in State government planning legislation for short term rental accommodation).**
- (2) Maximum accommodation is for two persons based on one bedroom only being provided for guest accommodation.**
- (3) Hard wired smoke alarms as required by the National Construction Code are to be installed and proof of the instalment is to be provided to the Town to the satisfaction of the Chief Executive Officer and prior to the short term rental accommodation commencing operations.**
- (4) Residual current devices are to be provided to all power points and lights switches and proof of installation is to be provided to the satisfaction of the Chief Executive Officer and prior to the short term rental accommodation commencing operations.**
- (5) Compliance with the information provided with this application including check-in and check-out procedures, code of conduct, complaints management procedure and fire and emergency response plan submitted with this application to the satisfaction of the Chief Executive Officer, in consultation with relevant officers.**
- (6) The owner/owner's representative is to advise guests of key elements of the management plan including:**

- a) emergency evacuation procedures;
- b) noise is to be kept to a minimum at all times; and
- c) correct waste disposal procedures.

- (7) The approval may be revoked by Council, prior to the expiry of the 12 month period referred to in (1) above, if any adverse impacts involving noise, anti-social behaviour, breaches of length of stay or the management plan, waste removal, security or parking are unable to be controlled by the applicant/owner or their representative in a timely and effective manner which is to the satisfaction of the Chief Executive Officer.
- (8) No occupants' vehicles are to be parked on the Council verge. On-street parking may be available, but not reserved.
- (9) No on-site signage is permitted to be displayed in relation to the short term rental accommodation.

Footnote:

The following are not conditions but notes of advice to the applicant/owner:

- (a) *Where an approval has lapsed, the use must not be carried out without the further approval of the local government having first been sought and obtained.*
- (b) *An annual renewal fee is required to be paid prior to the expiry date to enable continuation of the short term rental accommodation (subject to changes in State government regulations).*
- (c) *The applicant is to ensure that the short term rental accommodation is registered with the State government and complies with relevant State government regulations.*

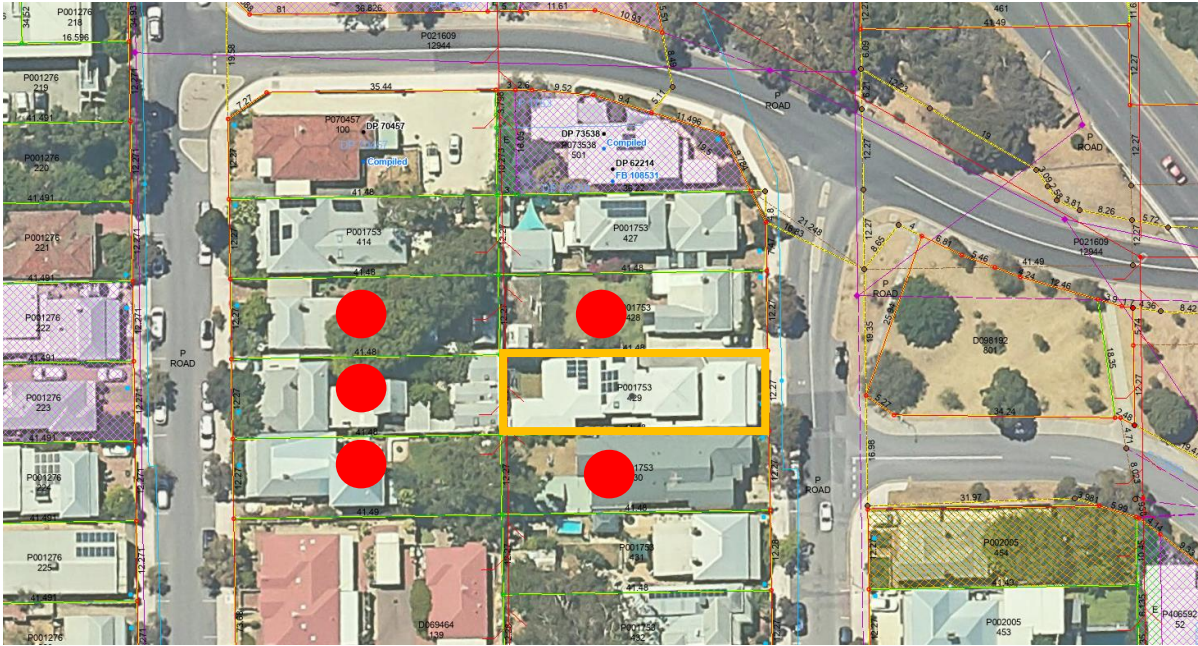
CARRIED UNANIMOUSLY 7:0)

For: Crs Wilson, White, Donovan, Collinson, Harrington, Maywood & Natale.

Against: Nil.

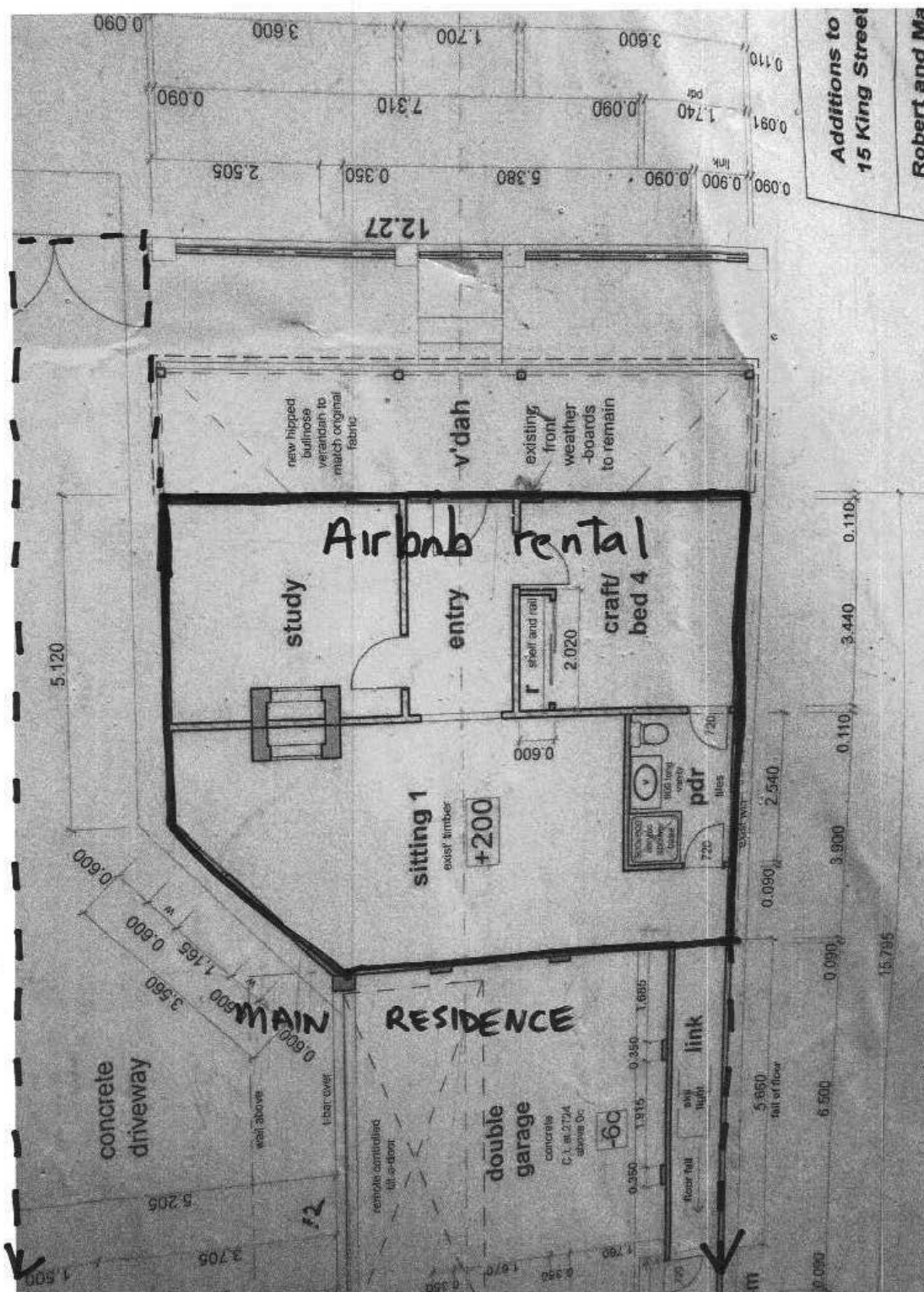
REPORT ATTACHMENTS

Attachments start on the next page.



15 King Street – Photos





PLACE RECORD FORM

PRECINCT	Plympton
ADDRESS	15 King Street
PROPERTY NAME	N/A
LOT NO	Lot 429
PLACE TYPE	Residence
CONSTRUCTION DATE	C 1907
ARCHITECTURAL STYLE	Federation Bungalow
USE/S	Original Use: Residence/ Current Use: Residence
STATE REGISTER	N/A
OTHER LISTINGS	N/A
MANAGEMENT CATEGORY	Category B
PHYSICAL DESCRIPTION	<p>No 15 King Street is a single storey cottage constructed in timber framing, rusticated, and feathered edge weatherboard cladding with a hipped corrugated iron roof. It is a simple expression of the Federation Bungalow style. The front elevation is symmetrically planned with a central door and hoper light flanked by sidelights and windows. The windows are double hung sash windows flanked by sidelights. The facade features a full width bullnosed roofed verandah. The original St Andrew's cross pattern balustrade has been replaced with a vertical timber balustrade.</p> <p>There are additions to the rear.</p>

	The place is consistent with the pattern of development in Plympton and plays an important role in the pattern of development of a working class suburb.
HISTORICAL NOTES	Plympton is a cohesive precinct where most of the places were constructed in the late nineteenth century and the first quarter of the twentieth century. It is comprised primarily of homes for workers and their families with a high concentration of small lots with timber, brick and stone cottages.
OWNERS	Unknown
HISTORIC THEME	Demographic Settlements - Residential Subdivision
CONSTRUCTION MATERIALS	Walls - Timber framing, rusticated and feather edge weatherboard cladding Roof - Corrugated roof sheeting
PHYSICAL SETTING	The residence is situated on a sloping site with a rendered brick wall and timber picket fence at the lot boundary.
STATEMENT OF SIGNIFICANCE	No 15 King Street is a single storey house constructed in timber framing and weatherboard cladding with a corrugated iron roof. The place has historic and aesthetic value with its contribution to Plympton's high concentration of worker's cottages and associated buildings. It contributes to the local community's sense of place. The place has some heritage value for its intrinsic aesthetic value as a Federation Bungalow and it retains a moderate to high degree of authenticity and a high degree of integrity. The additions to the rear have no significance.
AESTHETIC SIGNIFICANCE	No 15 King Street has considerable aesthetic value as a typical Federation Bungalow. It retains all the characteristic features of a dwelling of the type and period.
HISTORIC SIGNIFICANCE	No 15 King Street has some historic value. It was part of the suburban residential development associated with the expansion of East Fremantle during the Goldrush period of the 1880s and 1890s.
SCIENTIFIC SIGNIFICANCE	N/A
SOCIAL SIGNIFICANCE	No 15 King Street has some social value. It is associated with a significant area of worker's cottages which contributes to the community's sense of place.
RARITY	No 15 King Street is not rare in the immediate context but Plympton has rarity value as a working class suburb.
CONDITION	No 15 King Street is in good condition.
INTEGRITY	No 15 King Street retains a high degree of integrity.
AUTHENTICITY	No 15 King Street retains a moderate to high degree of authenticity.
MAIN SOURCES	

13.5 DEFERRAL OF JUNE 2024 MONTHLY FINANCIAL STATEMENTS

Report Reference Number	OCR-2884
Prepared by	Phil Garoni, Manager Finance
Supervised by	Peter Kocian, Executive Manager Corporate Services
Meeting date	Tuesday, 16 July 2024
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	Nil

PURPOSE

Given the end of year processes involved with producing the Annual Financial Report, it is proposed that the June 2024 Monthly Financial Statements be presented to Council at the August Ordinary Council meeting.

EXECUTIVE SUMMARY

Regulation 34 of the *Local Government (Financial Management) Regulations 1996* requires the Town to prepare a monthly Statement of Financial Activity. The monthly Statement of Financial Activity is to be presented to the Council at an ordinary meeting within 2 months after the end of the month to which the statement relates.

BACKGROUND

Not Applicable.

CONSULTATION

Executive Manager Corporate Services.

STATUTORY ENVIRONMENT

Section 6.4 of the Local Government Act 1995 and Regulation 34 of the *Local Government (Financial Management) Regulations 1996* detail the form and way a local government is to prepare its Statement of Financial Activity.

POLICY IMPLICATIONS

Significant accounting policies are adopted by Council on an annual basis. These policies are used in the preparation of the statutory reports submitted to Council.

FINANCIAL IMPLICATIONS

There are no financial implications relative to this report.

STRATEGIC IMPLICATIONS

The matter being put to the Council is not likely to have a direct impact on the strategies of the Council.

4.9 A financially sustainable Town – Provide financial management services to enable the Town to sustainably provide services to the community.

RISK IMPLICATIONS

RISKS

Risk	Risk Likelihood (based on history & with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
Inadequate oversight of the financial position of the Town may result in adverse financial trends	Rare (1)	Major (4)	Low (1-4)	FINANCIAL IMPACT \$50,000 - \$250,000	Managed by the rigorous financial tasks and analysis undertaken to finalise the end of year accounts.
Grant funding received for specific purpose is not spent in current financial year and funds cannot be acquitted in a timely matter	Possible (3)	Moderate (3)	Moderate (5-9)	FINANCIAL IMPACT \$250,001 - \$1,000,000	Managed by the grants being a specific item of importance in the end of year tasks and analysis undertaken.

RISK MATRIX

Consequence Likelihood		Insignificant	Minor	Moderate	Major	Extreme
		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives: occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating is provided below. Any items with a risk rating over 16 will be added to the Risk Register, and any item with a risk rating over 16 will require a specific risk treatment plan to be developed.

RISK RATING

Risk Rating	9
Does this item need to be added to the Town's Risk Register	Yes
Is a Risk Treatment Plan Required	No

SITE INSPECTION

Not applicable.

COMMENT

A significant amount of work is required to finalise the end of year accounts (accruals, reconciliation of reserves, reconciliation of leave provisions, reconciliation of fixed assets, fair value of assets) and it is proposed that the presentation of the June Financial Statements be deferred until the accounts are finalised. This will also allow a thorough comparison of June 30 balances against the 2024/25 Budget, including net current assets carried forward.

CONCLUSION

Council resolves to defer the June 2024 monthly financial statements until the accounts are finalised which will then be presented at the August 2024 Ordinary Council Meeting.

13.5 OFFICER RECOMMENDATION / COUNCIL RESOLUTION

Council Resolution 051607

OFFICER RECOMMENDATION:

Moved Cr Wilson, seconded Cr White

That Council approves the deferral of the June 2024 Monthly Financial Report until the August 2024 Ordinary Council Meeting, as permissible under Regulation 34 of the *Local Government (Financial Management) Regulations 1996*.

CARRIED UNANIMOUSLY 7:0

For: Crs Wilson, White, Donovan, Collinson, Harrington, Maywood & Natale.

Against: Nil.

REPORT ATTACHMENTS

No Attachments

13.6 ACCOUNTS FOR PAYMENT JUNE 2024

Report Reference Number	OCR-2886
Prepared by	Natalie McGill, Senior Finance Officer
Supervised by	Phil Garoni, Finance Manager
Meeting date	Tuesday, 16 July 2024
Voting requirements	Simple Majority
Documents tabled	Nil

Attachments

1. List of Accounts – June 2024
2. Fuel Summary – May 2024

PURPOSE

That Council, in accordance with regulation 13(1) of the *Local Government (Financial Management) Regulations 1996*, receives the list of payments made under delegated authority for the month ending 30 June 2024.

EXECUTIVE SUMMARY

Council has an Executive role in receiving the list of payments pursuant to Regulation 13(1) of the *Local Government (Financial Management) Regulations 1996*. It is therefore recommended that Council receives the List of Accounts paid for the period 1 June to 30 June 2024, as per the summary table.

BACKGROUND

The Chief Executive Officer has delegated authority to make payments from the Municipal and Trust Accounts in accordance with budget allocations.

The Town provides payments to suppliers by electronic funds transfer, cheque, or credit card. Attached are itemised lists of all payments made under delegated authority during the said period.

The bulk of payments are processed by electronic funds transfer (EFT) with the exception of occasional reimbursements and refunds.

CONSULTATION

Nil.

STATUTORY ENVIRONMENT

Regulation 13: *Local Government (Financial Management) Regulations 1996* (as amended) requires local governments to prepare a list of payments made under delegated authority to be prepared and presented to Council monthly.

A new regulation has been added to the *Local Government (Financial Management) Regulations 1996* to increase transparency and accountability in local government, through greater oversight of incidental spending.

Regulation 13A covers purchasing cards issued by local governments to their employees. Purchasing cards use a local government approved line of credit that allows for the timely payment of goods and services acquired in the ordinary course of business.

Purchasing cards include the following:

- business or corporate credit cards
- debit cards
- store cards
- fuel cards
- taxi cards

Other than debit cards, purchasing cards all require a separate payment to the card provider.

Purchasing cards do not include:

- non-reloadable gift cards – these cards are not connected to a local government account or intended to be used as a means of making ordinary business transactions.
- pre-loaded purchase or credit card advances – these are cash advances and should be recorded and acquitted accordingly.
- SmartRider cards that are centrally controlled for general use – if these cards are managed under the cash advance provisions.

POLICY IMPLICATIONS

Policy 2.1.3 Purchasing. All supplier payments are approved under delegated authority pursuant to the authorisation limits outlined in Council's Purchasing Policy.

FINANCIAL IMPLICATIONS

All expenditure is incurred by authorised officers and made in accordance with the adopted Annual Budget. All amounts quoted in this report are inclusive of GST.

STRATEGIC IMPLICATIONS

A proactive, approachable Council which values community consultation, transparency and accountability
 5.1 Strengthen organisational accountability and transparency
 5.2 Strive for excellence in leadership and governance.

RISK IMPLICATIONS

RISKS

Risk	Risk Likelihood (based on history & with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
That Council does not accept the list of payments	Rare (1)	Moderate (3)	Low (1-4)	COMPLIANCE Minor regulatory or statutory impact	Accept Officer Recommendation

RISK MATRIX

Consequence Likelihood		Insignificant	Minor	Moderate	Major	Extreme
		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives: occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating is provided below. Any items with a risk rating over 16 will be added to the Risk Register, and any item with a risk rating over 16 will require a specific risk treatment plan to be developed.

RISK RATING

Risk Rating	3
Does this item need to be added to the Town's Risk Register	No
Is a Risk Treatment Plan Required	No

SITE INSPECTION

N/A

COMMENT

Payments for the period include the following significant items.

Payee	Particulars	Amount (GST inc)
COOPER & OXLEY GROUP PTY LTD - GENERAL	RFT08-2021/22 EF OVAL REDEVELOPMENT PRINCIPAL CONTRACTOR - CERTIFICATE 18	259,570.41
DEPARTMENT OF FIRE AND EMERGENCY SERVICES	2023/24 ESL B 4TH QTR CONTRIBUTION	153,035.97
LOVEGROVE TURF SERVICES	EF EASTERN BANK - GRADE & LEVEL AREA 5000M2, SUPPLY & LAY LAWN SOIL 5000M2, SUPPLY & LAY ROLL ON TURF 5000M2	108,350.00
ADAGE FURNITURE	EF OVAL PRECINCT FURNITURE PURCHASE AS PER QUOTE Q3270	104,766.20
AE HOSKINS BUILDING SERVICES	FREMANTLE WOMENS SOCCER CLUB BUILDING UPGRADE - PROGRESS CLAIM 2 - CONTRACT WORKS COMPLETED TO 25/05/24 & VARIATION TO WORKS	93,639.89
READYTECH	ANNUAL SUBSCRIPTION 24/25 SYNERGY SOFT LICENCES	85,781.95
CARABINER ARCHITECTS PTY LTD	RTF03-2021/22 ARCHITECTURAL SERVICES - EF OVAL PRECINCT REDEVELOPMENT PROJECT - FEB TO APRIL 2024	76,183.89
RESOURCE RECOVERY GROUP	WASTE & RECYCLING FEES – MAY 24	47,484.09

VEOLIA RECYCLING & RECOVERY	WASTE & RECYCLING FEES – MAY 24	45,200.09
PROTEC ASPHALT	PENHURST ST ROAD REHABILITATION & FOOTPATH UPGRADE	40,837.50
RANGE FORD	SUPPLY 1 X 2024 FORD RANGER SUPER CAB CHASSIS	35,160.99

CONCLUSION

Nil

13.6 OFFICER RECOMMENDATION / COUNCIL RESOLUTION**Council Resolution 061607****OFFICER RECOMMENDATION:****Moved Cr White, seconded Cr Wilson**

That Council in accordance with regulation 13(1) of the *Local Government (Financial Management) Regulations 1996*, receives the list of payments made under delegated authority for the month ended 30 June 2024.

June 2024		
Voucher No.	Account	Amount
Cheque 5401	Municipal (Cheques)	\$288.25
EFT 37482—37699	Municipal (EFT)	\$1,709,771.76
Payroll	Municipal (EFT)	\$345,839.75
	Municipal (Direct Debit June 2024)**	\$2,774,236.44
	Credit Card (June 2024)	\$5,336.78
	Total Payments	\$4,835,472.98

**noting that the direct debit amount includes an investment placed with Suncorp for \$2,710,048

CARRIED UNANIMOUSLY 7:0)

For: Crs Wilson, White, Donovan, Collinson, Harrington, Maywood & Natale.

Against: Nil.

REPORT ATTACHMENTS

Attachments start on the next page

TOWN OF EAST FREMANTLE

List of Accounts paid by the Chief Executive for June 2024 submitted for the information of the Council Meeting to be held on Tuesday 16 July 2024

Cheque	Payment Date	Supplier	Description	Inv Amount	Cheque
5401	19/06/2024	TOEF	ADMIN PETTY CASH RECOUP 30/05/24	288.25	288.25
			CHEQUE TOTAL	288.25	288.25
EFTS		Supplier	Description	Inv Amount	EFT
EFT37482	05/06/2024	AUSTRALIA POST	MONTHLY POSTAL CHARGES - MAY 24	1,901.43	1,901.43
EFT37483	05/06/2024	CHILD SUPPORT AGENCY	PAYROLL DEDUCTIONS JUNE 24	476.87	476.87
EFT37484	05/06/2024	CONSTRUCTION TRAINING FUND	BCITF 12/03/24 - 16/04/24	5,640.58	5,640.58
EFT37485	05/06/2024	BUNNINGS BLDG SUPPLIES LTD	12 BAGS OF COLD MIX ASPHALT	286.79	
			MATERIALS FOR FLOOR REPAIRS	235.31	
			MATERIALS FOR DOOR REPAIRS	54.93	577.03
EFT37486	05/06/2024	BOC LIMITED	CONTAINER SERVICE - MAY 2024	22.57	22.57
EFT37487	05/06/2024	FREMANTLE HERALD	ADVERTISING - PUBLIC NOTICE DOG EXERCISE AREA EFCP 1/06/24	284.90	284.90
EFT37488	05/06/2024	S LIMBERT	CHSP VOLUNTEER MEAL REIMBURSEMENT 27/05/24	14.00	14.00
EFT37489	05/06/2024	OPTUS ADMINISTRATION PTY LTD	MOBILE PHONE USE 22/04/24 - 21/05/24	169.98	169.98
EFT37490	05/06/2024	WATER CORPORATION	WATER SUPPLY & SERVICE CHARGES - TOWN HALL	999.42	
			WATER USE 28/03/24 - 28/05/24 - LEE PARK	8.34	1,007.76
EFT37491	05/06/2024	WORK CLOBBER	OPERATIONS STAFF UNIFORMS	1,720.74	1,720.74
EFT37492	05/06/2024	SYNERGY	POWER SUPPLY TOWN HALL 16/04/24 - 20/05/24	1,310.11	1,310.11
EFT37493	05/06/2024	STEANN PTY LTD	GREEN WASTE REMOVAL FROM BUND - MAY 2024	2,777.24	
			GREENWASTE VERGE COLLECTION 102.06 TONNES - MAY 2024 - TRANSPORT & DISPOSAL TO RRC - RFQ11-2020/21	28,458.30	31,235.54
EFT37494	05/06/2024	TOTAL PACKAGING (WA) PTY LTD	15 x CARTONS OF BIODEGRADABLE DOG WASTE DISPOSAL BAGS	3,775.20	3,775.20
EFT37495	05/06/2024	RESOURCE RECOVERY GROUP (SMRC)	REPAYMENT OF OFFICE PROJECT LOAN PRINCIPAL - Q4 23/24	2,227.74	2,227.74
EFT37496	05/06/2024	WATERLOGIC AUSTRALIA PTY LTD	RENTAL & SERVICE - FREESTANDING WATER FILTER - JUNE JULY AUGUST 2024	209.22	209.22
EFT37497	05/06/2024	HOST DIRECT (HOST CORPORATION PTY LTD)	PROVISION OF TABLE TOP EQUIPMENT FOR EF COMMUNITY PARK AS PER SCHEDULE	137.50	
			FURNITURE FITTINGS & EQUIPMENT FOR THE HOSPITALITY AREA OF THE EAST FREMANTLE COMMUNITY PARK	239.80	377.30
EFT37498	05/06/2024	SATELLITE SECURITY SERVICES	SECURITY MONITORING 01/05/24 - 31/08/24 - TOWN HALL & DOVENBY, DEPOT & RANGERS, OLD POLICE STATION	783.68	
			TOWN HALL - 6 MONTHLY SMOKE DETECTOR ALARM TESTING - 28/05/24	192.50	976.18
EFT37499	05/06/2024	WOOLWORTHS GROUP LIMITED	WOOLWORTHS PURCHASES - CHSP - 21/05/24	33.50	
			WOOLWORTHS PURCHASES - ADMIN - 22/05/24	28.05	
			WOOLWORTHS PURCHASES - ADMIN - 22/05/24	66.95	
			WOOLWORTHS PURCHASES DEPOT 28/05/24	25.00	
			WOOLWORTHS PURCHASES DEPOT 04/06/24	31.40	184.90
EFT37500	05/06/2024	WEST COAST SHADE	SHADE SAIL DISMANTLE - WINTER 2024 - EI CHAPMAN, ULRICH PARK, NORM MCKENZIE, STRATFORD STREET PARK, GLASSON PARK, JOHN TONKIN PARK, LOCKE PARK, LEE PARK, RACEWAY PARK	3,168.00	3,168.00
EFT37501	05/06/2024	HYDRO JET	GRAFFITI REMOVAL - MOSS STREET TICKET BOOTH	209.00	
			GRAFFITI REMOVAL - MARMION STREET BUS SHELTER & GEORGE STREET PEDESTRIAN UNDERPASS	253.00	462.00
EFT37502	05/06/2024	KONICA MINOLTA BUSINESS SOLUTIONS	PRINTING AND COPYING FOR FY 2023-2024 - 01/05/24 - 01/06/24	54.47	54.47
EFT37503	05/06/2024	FOCUS NETWORKS	QU7575G - MICROSOFT SERVER LICENSE RENEWAL - 30 JUNE 2024, QU7575G - MICROSOFT SERVER LICENSE RENEWAL - 23 MAY 2025	9,962.42	
			RFT04-2021/22 23/24 FINANCIAL YEAR -MANAGED PROACTIVE SERVICE (IT SUPPORT SERVICES) - MAY 24	7,210.50	17,172.92
EFT37504	05/06/2024	THE TURBAN INDIAN RESTURANT	CATERING - 06/05/24	295.85	295.85
EFT37505	05/06/2024	PROMPT GLASS	LACROSSE / CRICKET CLUB VANDALISM 28-29/05/2024 - GLASS DOOR REPAIRS - EMERGENCY CALL OUT	1,210.00	1,210.00
EFT37506	05/06/2024	LOCALISE PTY LTD	RFQ007-2023/24 FACILITATE WORKSHOPS TO PREPARE UPDATED CORPORATE BUSINESS PLAN 2024/25 - 2027/28 MAP NEXT STAGES OF IPR - COUNCIL WORKSHOP 3 23/04, ELT WORKSHOP 24/04, COUNCIL WORKSHOP 08/05, ELT DEBRIEF 10/05, DRAFT CBP 17/05	12,947.00	12,947.00
EFT37507	05/06/2024	VOCUS COMMUNICATIONS	VOIP SLIP LINES/SERVICES MONTHLY CHARGES TO 31/05/24	382.13	382.13
EFT37508	05/06/2024	REPCO	20 LITRE 15W40 ENGINE OIL, 15 AMP FUSES	110.44	110.44
EFT37509	05/06/2024	STATE WIDE TURF SERVICES	LOW MOW AND SWEEP AT PRESTON POINT RESERVE	2,475.00	2,475.00
EFT37510	05/06/2024	VEOLIA RECYCLING & RECOVERY (FORMALLY SUEZ)	GENERAL WASTE PICK UP - 46 EAST STREET - MAY 24	874.10	874.10
EFT37511	05/06/2024	FREMANTLE PICTURE FRAMERS	UPDATING OF ELECTED MEMBERS PHOTOBOARD AND EX CEO DETAILS ON PHOTO	1,272.70	1,272.70
EFT37512	05/06/2024	H DICKSON	CHSP VOLUNTEER MEAL REIMBURSEMENT 29/05/24	15.00	15.00
EFT37513	05/06/2024	JAYBRO GROUP PTY LTD	100x SAND BAGS FOR DRAINAGE (INC DELIVERY)	338.80	338.80
EFT37514	05/06/2024	THE FRUIT BOX GROUP	FRUITBOX TOWN HALL AND DEPOT - 29/04/24 - 20/05/24	252.00	252.00
EFT37515	05/06/2024	GRACE RECORDS MANAGEMENT	STORAGE FEES AND FILE RETRIEVAL - 01/06/24 - 30/06/24	438.75	438.75
EFT37516	05/06/2024	FREMANTLE SWAN DRAGON BOAT CLUB	COMMUNITY ASSISTANCE GRANT 23-24	990.00	990.00

EFT37517	05/06/2024	KYOCERA DOCUMENT SOLUTIONS	PRINTING COSTS 2023/24 - FINANCE - RF59800236 - 6053CI , REG SVS - RVG2901500 6054CI & DEPOT - RVQ3Y09206 - MARCH 24	263.65	
			PRINTING COSTS 2023/24 - FINANCE - RF59800236 - 6053CI , REG SVS - RVG2901500 6054CI & DEPOT - RVQ3Y09206 - MAY 24	213.85	477.50
EFT37518	05/06/2024	M2M ONE PTY LTD	TOWN HALL LIFT EMERGENCY SIM CARD - JUNE 24	19.25	19.25
EFT37519	05/06/2024	PAPERSCOUT	DESIGN & DEVELOPMENT OF 2 NEWSPAPER ADS - APRIL & MAY	616.00	616.00
EFT37520	05/06/2024	TPG NETWORK PTY LTD	INTERNET CHARGES 01/05/24 - 31/05/24	1,920.60	1,920.60
EFT37521	05/06/2024	PROTEC ASPHALT	EAST FREMANTLE OVAL - CONNECTING PATH - REMOVE EXISTING MATERIAL, PREPARE & LAY ROAD BASE 100MM 6T, RED ASPHALT 2T	1,870.00	1,870.00
EFT37522	05/06/2024	SERVICEFM PTY LTD	ANNUAL ELECTRICAL TAG & TESTING - SUMPTON GREEN	203.94	
			ANNUAL ELECTRICAL TAG & TESTING - DOVENBY HOUSE	301.29	
			ANNUAL ELECTRICAL TAG & TESTING - DOVENBY HOUSE	723.14	
			ANNUAL ELECTRICAL TAG & TESTING - TOWN HALL	1,128.77	2,357.14
EFT37523	05/06/2024	M LIMBERT	CHSP VOLUNTEER MEAL REIMBURSEMENT 27/05/24	14.00	14.00
EFT37524	05/06/2024	DONALD CANT WATTS CORKE (WA) PTY LTD	RFT 01 2021-22 CONTRACT VARIATION - PROJECT MANAGEMENT FEE VARIATION FOR PROJECT PROLONGATION	24,750.00	24,750.00
EFT37525	05/06/2024	TASSIE DEVIL LINEMARKING	LAST REMAINING LINE MARKING REINSTATEMENT FOR RACEWAY AREA - SPEEDY CHEVAL	1,547.70	1,547.70
EFT37526	05/06/2024	T ABELHA	CHSP VOLUNTEER MEAL REIMBURSEMENT 27/05/24	15.00	15.00
EFT37527	05/06/2024	TRAFFIC LOGISTICS AUSTRALIA	TRAFFIC COUNTS AS REQUESTED RICHMOND WARD	4,560.00	
			QUARTERLY TRAFFIC COUNTS FOR PRESTON POINT WARD	4,560.00	
			QUARTERLY TRAFFIC COUNTS FOR WOODSIDE WARD	4,560.00	13,680.00
EFT37528	05/06/2024	JOHN TIMOTHY MONAGHAN T/AS MONAGHAN SURVEYING	SUMPTON GREEN - INTERIOR BUILDING SURVEY	890.00	890.00
EFT37529	05/06/2024	LO-GO APPOINTMENT (Helene Pty Ltd)	CONTRACT STAFF COMMUNICATIONS OFFICER W/E 18/05/24	385.22	
			CONTRACT STAFF COMMUNICATIONS OFFICER W/E 25/05/24	385.22	
			CONTRACT STAFF COMMUNICATIONS OFFICER W/E 01/06/24	693.40	1,463.84
EFT37530	05/06/2024	PHOENIX CONTAINERS PTY LTD	SOCCER CLUB SEA CONTAINER HIRE - JUNE 2024	140.25	
			SEA CONTAINER HIRE - BOWLING CLUB TEMPORARY RELOCATION FOR EFCF REDEVELOPMENT - JUNE 2024	165.00	305.25
EFT37531	05/06/2024	ALISON CONNELL	NEIGHBOURHOOD LINK CLIENT ACTIVITY 02/04 & 30/04	120.00	
			NEIGHBOURHOOD LINK CLIENT ACTIVITY 28/05/24	60.00	180.00
EFT37532	05/06/2024	PREMIUM BRAKE AND CLUTCH SERVICE	ROSA BUS SERVICE AND DOT ANNUAL INSPECTION	3,455.69	3,455.69
EFT37533	05/06/2024	S DOUGLAS	CHSP VOLUNTEER MEAL REIMBURSEMENT 23/05/24	15.00	
			CHSP VOLUNTEER MEAL REIMBURSEMENT 30/05/24	10.35	25.35
EFT37534	05/06/2024	SOUTHERN BINS PTY LTD	BULK BINS - WAUHOP ROAD - MAY 2024 - 24/05/24	1,280.00	
			BULK BINS - WAUHOP ROAD - MAY 2024 23/05/24	1,280.00	2,560.00
EFT37535	05/06/2024	J MUIR	CHSP VOLUNTEER MEAL REIMBURSEMENT 23/05/24	15.00	15.00
EFT37536	05/06/2024	N PATTERSON	CHSP VOLUNTEER MEAL REIMBURSEMENT 16/04/24 - RECEIVED 28/05/24	14.00	
			CHSP VOLUNTEER MEAL REIMBURSEMENT 21/05/24	13.20	27.20
EFT37537	05/06/2024	THE BLACK TRUFFLE NORTH FREMANTLE	CATERING FOR COUNCIL MEETING 05/06/24	349.00	349.00
EFT37538	05/06/2024	BING TECHNOLOGIES PTY LTD	BING MAIL TRIAL 15/05/24 - 31/05/24	398.16	398.16
EFT37539	05/06/2024	EASI PACKAGING PTY LTD	PAYROLL DEDUCTIONS JUNE 24	3,541.91	3,541.91
EFT37540	05/06/2024	MICHAEL RICHARD WARD	BUILDING SURVEYOR SERVICES - 14/05 - 4 HOURS AND 21/05 - 5.5 HRS	950.00	950.00
EFT37541	05/06/2024	RAPID GLOBAL PTY LTD	ANNUAL LICENCE FEE AND USER FEES FOR JUNE 2024-MAY 2025	605.00	605.00
EFT37542	05/06/2024	WELDLOK INDUSTRIES (NEPEAN BUILDING & INFRASTRUCTRE P/L)	2 x REPLACEMENT GRATES AS PER QUOTE #730109A	814.00	814.00
EFT37543	05/06/2024	RANGE FORD	SUPPLY 1 X 2024 FORD RANGER SUPER CAB CHASSIS	35,160.99	35,160.99
EFT37544	05/06/2024	SOLO RESOURCE RECOVERY	EDUCTING AND JETTING OF THE TOWNS DRAINAGE NETWORK	9,145.68	
			EDUCTING AND JETTING OF THE TOWNS DRAINAGE NETWORK	10,512.98	
			EDUCTING AND JETTING OF THE TOWNS DRAINAGE NETWORK	3,732.30	23,390.96
EFT37545	05/06/2024	COMPLETE OFFICE SUPPLIES	FURNITURE, FITTINGS AND EQUIPMENT FOR HOSPITALITY AREA OF THE EAST FREMANTLE COMMUNITY PARK.	22,190.52	22,190.52
EFT37546	05/06/2024	FULL FAT CONSULTING	PROFESSIONAL SERVICES - CONTRACT MANAGEMENT - EAST FREMANTLE OVAL REDEVELOPMENT - IMPLEMENTATION OF GAP RECCOMENDATIONS AND CLIENT SIDE SUPPORT FOR TRANSATION TO OPERATION EFCP	15,210.00	15,210.00
EFT37547	05/06/2024	METROWEST ELECTRICAL & COMMUNICATIONS PTY LTD	SUPPLY, INSTALL AND WARRANTY ELECTRIC STRIKE LOCKWOOD ES2000 (SPIN ROOM AND GROUP FITNESS)., INSTALLATION OF POWER AND DATA	6,130.30	6,130.30
EFT37548	05/06/2024	ELK SECURITY	GYM ACCESS SYSTEM PER QUOTE NO. 4912 INCLUDING DELIVERY	10,059.35	10,059.35
EFT37549	05/06/2024	SELECT STAGING CONCEPTS	QUATTRO ELEVATE STAGE PACKAGE INCLUDING PODIUM, HIGH LEGS, STANDARD MODULAR STEP AND STORAGE TROLLEY, FREIGHT	13,929.17	13,929.17
EFT37550	05/06/2024	MORIN AND SON TREE SERVICES	REMOVAL OF CACTUS AT LEE PARK- 24/05/24	5,005.00	
			STREET TREE PRUNING AS DIRECTED	5,522.00	10,527.00
EFT37551	05/06/2024	KANYANA WILDLIFE REHABILITATION CENTRE	CLIENT OUTING 25/01/24	425.00	425.00

EFT37552	05/06/2024	TOMPKINS PARK COMMUNITY & RECREATIONAL ASSOCIATION INC	CLIENT OUTING 12/12/24	620.00	620.00
EFT37553	05/06/2024	C AINSLIE	PARTIAL REFUND OF LIFETIME DOG REGISTRATION - DOG NOW STERILISED	150.00	150.00
EFT37554	05/06/2024	AMPOL AUSTRALIA PETROLEUM PTY LTD	FUEL USE 01/05/24 - 31/05/24	5,368.42	5,368.42
EFT37555	12/06/2024	D LAMBERT - PATIO LIVING	INFRASTRUCTURE BOND REFUND	1,500.00	1,500.00
EFT37556	12/06/2024	J SEARLS	INFRASTRUCTURE BOND REFUND	1,671.65	1,671.65
EFT37557	12/06/2024	M MCINTYRE	INFRASTRUCTURE BOND REFUND	1,500.00	1,500.00
EFT37558	12/06/2024	T HARDING	MOORING PEN BOND REFUND	2,612.60	2,612.60
EFT37559	19/06/2024	ENVIRONMENTAL HEALTH AUSTRALIA	FOOD SAFE ONLINE TRAINING SUBSCRIPTION 01/07/24 - 30/06/25	550.00	550.00
EFT37560	19/06/2024	CHILD SUPPORT AGENCY	PAYROLL DEDUCTIONS JUNE 24	476.87	476.87
EFT37561	19/06/2024	BUNNINGS BLDG SUPPLIES LTD	MATERIALS FOR VARIOUS REPAIRS	170.06	
			TOWN HALL - MENS TOILET BIN & BRUSH	60.96	
			MATERIALS FOR STREET AND ROAD WORKS	265.25	
			MATERIALS FOR ROAD AND STREET WORKS	312.13	808.40
EFT37562	19/06/2024	BOORAGOON TYRE SERVICE	REPLACEMENT TYRE AND RIM FOR P4048	135.00	135.00
EFT37563	19/06/2024	CITY OF COCKBURN	TIP FEES - MAY 2024	630.00	630.00
EFT37564	19/06/2024	CITY OF FREMANTLE	PLASTIC FREE JULY QUIZ NIGHT AND CLOTHES SWAP	1,000.00	1,000.00
EFT37565	19/06/2024	FREMANTLE HERALD	ADVERTISING - SCHEDULE OF MEETINGS 24/25 - 01/06/24	440.00	
			MONTHLY HALF PAGE COLOUR -01/06/24	605.00	
			ADVERTISING FEES & CHARGES & PLANNING COMMITTEE MEETINGS - 15/06/24	208.83	
			ADVERTISING FEES & CHARGES & PLANNING COMMITTEE MEETINGS -15/06/24	313.29	1,567.12
EFT37566	19/06/2024	READYTECH (IT VISION)	ANNUAL SUBSCRIPTION 24/25 SYNERGY SOFT LICENCES	85,871.95	85,871.95
EFT37567	19/06/2024	S LIMBERT	CHSP VOLUNTEER MEAL REIMBURSEMENT 10/06/24	15.00	15.00
EFT37568	19/06/2024	MCLEODS	LEGAL SERVICES BY MCLEODS FOR REGULATORY SERVICES - BUILDING COMPLIANCE ISSUES	1,014.75	
			LEGAL ADVICE - RESPONCE TO VEXATIOUS PERSON	743.60	1,758.35
EFT37569	19/06/2024	MELVILLE TOYOTA	100000KM SERVICE OF TOYOTA HILUX P4063	383.32	383.32
EFT37570	19/06/2024	MAYOR O'NEILL	SITTING FEES, ICT ALLOWANCE & MAYORAL ALLOWANCE - JUNE 24	5,693.34	5,693.34
EFT37571	19/06/2024	TELSTRA LIMITED	CEO MOBILE PHONE 01/05 - 01/06 & 01/06 - 01/07	267.96	267.96
EFT37572	19/06/2024	WATER CORPORATION	WATER USE & SERVICE CHARGES - VARIOUS LOCATIONS	4,452.90	4,452.90
EFT37573	19/06/2024	SYNERGY	POWER SUPPLY STREET LIGHTS 25/04/24 - 24/05/24	11,746.76	11,746.76
EFT37574	19/06/2024	FREMANTLE ROWING CLUB	COMMUNITY ASSISTANCE GRANT 23-24	460.00	460.00
EFT37575	19/06/2024	TREE PLANTING & WATERING	STREET TREE WATERING - APRIL 24	7,936.52	
			STREET TREE WATERING - MAY 24	9,920.65	17,857.17
EFT37576	19/06/2024	FORESTVALE TREES	SUPPLY 5 X CALLISTEMON KPS 35L, 16 X JACARANDA 35L, 20 X AGONIS FLEXUOSA 35L, 5 X EUCALYPTUS SIDEROXYLON 75/90L, 4 X TUCKEROO 75/90L, 5 X CORYMBIA EXEMIA 75/90L PLUS DELIVERY	7,694.50	7,694.50
EFT37577	19/06/2024	KOOL LINE ELECTRICAL & REFRIGERATION	WA TREE FESTIVAL - SAMSON PARK - ELECTRICIAN - CONTRIBUTION TO CITY OF FREMANTLE EVENT	951.50	
			WAUHOP CHANGING ROOM UPGRADE - TEMPORARY BUILDING LIGHTS	1,083.50	
			EH GRAY MIDWIFE CENTRE - SUPPLY & INSTALL NEW SWITCHBOARD WITH MAIN SWITCH & RCD INC NEW MAIN EARTH STAKE	2,799.50	
			SUMPTON GREEN - SUPPLY & INSTALL 5X RDC'S TO REPLACE EXISTING CIRCUIT BREAKERS	2,475.00	
			NORM MCKENZIE - REPLACE FAULTY BBQ CIRCUIT BOARD	1,325.50	
			TOWN HALL - REPLACE FAULTY LED LIGHT OVER REAR STAIRS	742.50	
			TOWN HALL - STAFF EV CHARGER MODEM INSTALL & PROGRAMMING	1,303.50	
			WAUHOP PARK - OVAL LIGHTS - REPLACE FAULTY TIME CLOCK	643.50	
			TRICOLORE - FAULT FIND LIGHTS & REPLACE GLOBES AS NEEDED	599.50	
			PRESTON POINT RESERVE - PURCHASE OF CHRISTIE BBQ	11,192.50	23,116.50
EFT37578	19/06/2024	RESOURCE RECOVERY GROUP (SMRC)	RRRC OVERHEADS & WCF FIXED COSTS CONTRIBUTIONS - MAY 24	8,822.44	
			MRF GATE FEES FOR MAY 24	5,124.79	
			FOGO GATE FEES MAY 24	20,114.31	
			DIVERSIONS TO SUEZ/VIOLEA FOR MAY 24	13,422.55	47,484.09
EFT37579	19/06/2024	DEPT OF MINES, INDUSTRY REGULATION & SAFETY	BSL COLLECTED MAY 24	1,553.17	1,553.17
EFT37580	19/06/2024	LOCAL GOVERNMENT PROFESSIONALS AUSTRALIA WA	CONTRACT MANAGEMENT WORKSHOP 24/06/24	945.00	945.00
EFT37581	19/06/2024	DEPARTMENT OF FIRE AND EMERGENCY SERVICES	2023/24 ESL B 4TH QTR CONTRIBUTION	153,035.97	153,035.97
EFT37582	19/06/2024	SATELLITE SECURITY SERVICES	ALARM CODE UPDATE TO ALL LOCATIONS	231.00	231.00
EFT37583	19/06/2024	CR. HARRINGTON	SITTING FEES & ICT ALLOWANCE - JUNE 24	1,710.84	1,710.84
EFT37584	19/06/2024	WOOLWORTHS GROUP LIMITED	WOOLWORTHS PURCHASES - ADMIN - 05/06/24	65.35	
			WOOLWORTHS PURCHASES - ADMIN 07/06/24	55.85	
			WOOLWORTHS PURCHASES - DEPOT 11/06/24	9.00	
			WOOLWORTHS PURCHASES - ADMIN 13/06/24	120.65	
			WOOLWORTHS PURCHASES - DEPOT 18/06/24	49.55	300.40
EFT37585	19/06/2024	CR. COLLINSON	SITTING FEES & ICT ALLOWANCE- JUNE 24	1,710.84	1,710.84
EFT37586	19/06/2024	HYDRO JET	GRAFFITI REMOVAL - CRN OAKOVER STREET & CANNING HIGHWAY	209.00	209.00
EFT37587	19/06/2024	LANDSCAPE YARD O'CONNOR	MATERIAL FOR BACK GATE ACCESS	387.60	387.60
EFT37588	19/06/2024	DEPARTMENT OF TRANSPORT	VEHICLE REGISTRATION DETAILS REQUEST FEES - MAY 24	492.80	492.80

EFT37589	19/06/2024	SEEK LIMITED	4 - 6 REGULAR POST STAND OUT AND PREMIUM ADS - 12 MONTHS - GENERAL HAND CIVIL OPS 06/06/24	484.00	484.00
EFT37590	19/06/2024	FOCUS NETWORKS	STRATEGIC IT PLAN REFRESH - QU-6735G -FINAL BALANCE PAYMENT	1,980.00	
			RFT04-2021/22 MANAGED ICT SERVICES 23/24 FINANCIAL YEAR -SOFTWARE AS A SERVICE (SAAS) AND MANAGED HARDWARE - JUNE 24	10,693.07	
			QU 7659G SECURITY GROUP LOCKDOWN ON BUILDING AND RECORDS FOLDERS ON Y DRIVE	594.00	
			RFT04-2021/22 -23/24 FINANCIAL YEAR PROJECT WORK RATE FOR OUT OF SCOPE WORKS - MAY 24	506.00	13,773.07
EFT37591	19/06/2024	ENVIRO SWEEP	STREET SWEEPING - RFQ12-2020/21 - MAY 2024 (INC FUEL SURCHARGE & WEEKLY AUTUMN SWEEPS IN DESIGNATED AREAS)	4,848.86	4,848.86
EFT37592	19/06/2024	THE TURBAN INDIAN RESTURANT	CATERING WORKS COMMITTEE MEETING 28/05/24	200.35	200.35
EFT37593	19/06/2024	LANDMARK ENGINEERING AND DESIGN PTY LTD T/AS EXTERIA	4 X BIKE RACKS FOR OVAL (INC DELIVERY)	2,682.90	2,682.90
EFT37594	19/06/2024	ERGOLINK	OFFICE EQUIPMENT INCLUDING - CHAIRS, MONITOR RISERS, CUSHIONS ETC	3,533.25	3,533.25
EFT37595	19/06/2024	LANDGATE	GRV SCHEDULES 2023/2024 - DATED 11/05/24 - 24/05/24	74.15	74.15
EFT37596	19/06/2024	SNAP PRINTING	LEEUEWIN BOAT RAMP - 4X PARKING FEE INCREASE STICKERS FOR 2024/25	498.80	498.80
EFT37597	19/06/2024	CR. MCPHAIL	SITTING FEES & ICT ALLOWANCE- JUNE 24	1,710.84	1,710.84
EFT37598	19/06/2024	CR. WHITE	SITTING FEES & ICT ALLOWANCE- JUNE 24	1,710.84	1,710.84
EFT37599	19/06/2024	SONIC HEALTH PLUS	THREE PRE-EMPLOYMENT MEDICALS FOR NEW EMPLOYEES	954.80	954.80
EFT37600	19/06/2024	APARC AUSTRALIAN PARKING & REVENUE CONTROL PTY LTD	PAYABLE CREDIT CARD TRANSACTIONS VIA TILL PER MONTH - MAY 24	214.12	
			ONGOINGMONTHLY CHARGES- HOST CMS INCLUDING LICENCE & COMMUNICATION COSTS - MAY 24	176.55	
			2 x UPDATE NEW FINANCIAL YEAR PARKING TARIFF MODIFICATION UPDATES AND SUPPLY 2 X NEW TARRIF LABELS FOR TICKET MACHINES	327.23	717.90
EFT37601	19/06/2024	FREMANTLE SEA SCOUTS	COMMUNITY ASSISTANCE GRANT 23-24	1,100.00	1,100.00
EFT37602	19/06/2024	CR. NATALE	SITTING FEES , ICT ALLOWANCE & DEPUTY MAYORAL ALLOWANCE - JUNE 24	2,511.84	2,511.84
EFT37603	19/06/2024	VEOLIA RECYCLING & RECOVERY (FORMALLY SUEZ)	FOGO GREEN BINS - RESIDENTIAL & PRIORITY, GENERAL WASTE RED BINS - RESIDENTIAL & PRIORITY, PARKS & RESERVES, STREET LITTER BINS , RECYCLING YELLOW BINS - RESIDENTIAL & PRIORITY , STREET LITTER BINS , GENERAL WASTE - RED BINS COMMERCIAL - WEEKLY, RECYCLING - YELLOW BIN - COMMERCIAL, RECYCLING & GENERAL WASTE - 48 -50 ALEXANDRA ROAD - MAY 24	45,200.09	45,200.09
EFT37604	19/06/2024	WINC	A4 COPYING PAPR AND OFFICE STATIONERIES ORDERED ON 05/06/2024	447.02	
			DEPOT STATIONARY & OFFICE SUPPLIES	211.34	658.36
EFT37605	19/06/2024	H DICKSON	CHSP VOLUNTEER MEAL REIMBURSEMENT 12/06/24	12.00	
			CHSP VOLUNTEER MEAL REIMBURSEMENT 14/06/24	11.00	23.00
EFT37606	19/06/2024	CONTRA-FLOW PTY LTD	2X LIGHT TOWERS FOR CAR PARK AREA - 7 JUNE 2024	385.86	385.86
EFT37607	19/06/2024	ELMO SOFTWARE LTD	ANNUAL LICENSE FEE FOR ELMO EVOLVE 11/06/24 - 10/06/25	15,447.28	15,447.28
EFT37608	19/06/2024	GRACE RECORDS MANAGEMENT (AUSTRALIA)	DOCUMENT SCANNING - DATA STORAGE, USER LICENCES AND HOSTING - MAY 24	1,149.84	1,149.84
EFT37609	19/06/2024	WA FENCEWORKS PTY LTD	REMAINING 2x FENCE AREAS FOR DEPOT	6,386.27	6,386.27
EFT37610	19/06/2024	FRESH PROVISIONS BICTON	NEIGHBOURHOOD LINK CLIENT AND VOLUNTEER LUNCHES - 07/05/24	123.91	
			NEIGHBOURHOOD LINK CLIENT AND VOLUNTEER LUNCHES - 14/05/24	68.48	
			NEIGHBOURHOOD LINK CLIENT AND VOLUNTEER LUNCHES - 28/05/24	82.35	274.74
EFT37611	19/06/2024	CR. DONOVAN	SITTING FEES & ICT ALLOWANCE - JUNE 24	1,710.84	1,710.84
EFT37612	19/06/2024	PAATSCH CONSULTING PTY LTD	RFT01 2020/21 CONTRACT VARIATION 4 - PROPOSAL DATED 24 MARCH 2024 -HOURS FOR APRIL AND MAY ONLY	4,527.05	4,527.05
EFT37613	19/06/2024	PAPERSCOUT	DESIGN/PRINT OF EAST FREMANTLE WASTE GUIDE	4,411.00	4,411.00
EFT37614	19/06/2024	PROTEC ASPHALT	PENHURST ST ROAD REHABILITATION & FOOTPATH UPGRADE	37,515.50	
			PENHURST ST ROAD REHABILITATION & FOOTPATH UPGRADE - IN EXCESS OF PO 42298	3,322.00	40,837.50
EFT37615	19/06/2024	VISIMAX	16 X "WA RANGER" CLOTH PATCHES (BLUE)	161.57	161.57
EFT37616	19/06/2024	M LIMBERT	CHSP VOLUNTEER MEAL REIMBURSEMENT 10/06/24	15.00	15.00
EFT37617	19/06/2024	T ABELHA	CHSP VOLUNTEER MEAL REIMBURSEMENT 16/06/24	15.00	
			CHSP VOLUNTEER MEAL REIMBURSEMENT 17/06/24	15.00	30.00
EFT37618	19/06/2024	CR.WILSON	SITTING FEES & ICT ALLOWANCE - JUNE 24	1,710.84	1,710.84
EFT37619	19/06/2024	JACKSON MCDONALD BARRISTERS & SOLICITORS	LEGAL SERVICES - EF OVAL PRECINCT REDEVELOPMENT 30/04/24 - 16/05/24	3,117.22	3,117.22
EFT37620	19/06/2024	ALL FENCE U RENT	HIRE OF TEMP FENCE - SURROUNDING EFO DOG PARK 07/05/24 - 07/06/24	660.00	660.00
EFT37621	19/06/2024	CALL ASSOCIATES PTY LTD	SERVICE AGREEMENT FOR AFTER HOURS CALL CETRE SERVICES 23/24 - MAY 24	219.23	219.23
EFT37622	19/06/2024	NDY MANAGEMENT PTY LIMITED T/A NORMAN DISNEY & YOUNG	CONTRACT FEE VARIATION - POST TENDER UPDATES TO THE AV REQUIREMENTS ALLOWING FOR INVESTIGATION AND INCORPORATION OF OPERATOR AV REQUIREMENTS	9,240.00	
			CONTRACT FEE VARIATION - POST TENDER UPDATES TO THE GOUND FLOOR KITCHEN, CAFE AND BAR SERVICE AREAS - TENDER CHANGES TO AUDIO VISUAL	5,226.16	

			CONTRACT FEE VARIATION - POST TENDER UPDATES TO THE GOUND FLOOR KITCHEN, CAFE AND BAR SERVICE AREAS	4,610.10	
			RFQ13-2021/22 EF OVAL REDEVELOPMENT MECHANICAL SERVICES - 29/04/24 - 26/05/24	133.38	19,209.64
EFT37623	19/06/2024	S TOWNE	REIMBURSEMENT OF FLIGHTS & 50% OF ACCOMMODATION COSTS FOR ATTENDANCE AT PIA NATIONAL CONFERENCE 22-24 MAY 24	928.17	928.17
EFT37624	19/06/2024	J & V EARTHMOVING CONTRACTORS	WAUHOP PARK - LIMESTONE BLOCK REPAIRS TO ASSIST DRAINAGE	3,190.00	3,190.00
EFT37625	19/06/2024	BRITESHINE CLEANING & MAINTENANCE SERVICES PTY LTD	CLEANING - MAY 2024 - TOWN HALL, DEPOT, DOVENBY HOUSE, SUMPTON GREEN, GLASSON PARK CLEANING & CONSUMABLES - MAY 2024	8,393.07	8,393.07
EFT37626	19/06/2024	DMG PROPERTY PTY LTD	PROPERTY MANAGEMENT SERVICES - FREMANTLE WOMENS FOOTBALL CLUB UPGRADE - APRIL 24 - CONTRACT PRE-COMMENCEMENT	5,500.00	
			PROPERTY MANAGEMENT SERVICES - FREMANTLE WOMENS FOOTBALL CLUB UPGRADE - MAY 24 - CONTRACT MANAGEMENT	4,471.50	9,971.50
EFT37627	19/06/2024	LOVEGROVE TURF SERVICES	EF EASTERN BANK - GRADE & LEVEL AREA 5000M2, SUPPLY & LAY LAWN SOIL 5000M2, SUPPLY & LAY ROLL ON TURF 5000M2	82,500.00	
			EAST FREMANTLE OVAL EASTERN BANK - ADDITIONAL 2500M2 SUPPLY & LAY ROLL-ON TURF	25,850.00	108,350.00
EFT37628	19/06/2024	COOPER & OXLEY GROUP PTY LTD - RETENTIONS	RTF 03-2021/22 EF OVAL - REDEVELOPMENT PRINCIPAL- CONTRACTOR RETENTION AMOUNT- CERTIFICATE 18	2,736.48	2,736.48
EFT37629	19/06/2024	COOPER & OXLEY GROUP PTY LTD - GENERAL	RFT08 2021/22 EAST FREMANTLE OVAL REDEVELOPMENT PRINCIPAL CONTRACTOR - CONTRACT VARIATIONS - AS PER DECEMBER 2023 - COST REPORT AND EMCS EMAIL DATED 9 JANUARY - CERTIFICATE 18	259,570.41	259,570.41
EFT37630	19/06/2024	SAGE CONSULTING ENGINEERS PTY LTD	RFQ06-2021/22 - FCFC BUILDING UPGRADE - REVISED ELECTRICAL DESIGN - ISSUE FOR CONSTRUCTION AMENDMENTS & SITE INSPECTION & ADVICE REGARDING DAMAG SUBMAIN	1,342.00	1,342.00
EFT37631	19/06/2024	PEACEFUL EARTH WELLBEING	NEIGHBOURHOOD LINK CLIENT ACTIVITY 04/06/24	50.00	50.00
EFT37632	19/06/2024	S DOUGLAS	CHSP VOLUNTEER MEAL REIMBURSEMENT 06/06/24	15.00	
			CHSP VOLUNTEER MEAL REIMBURSEMENT 12/06/24	12.00	
			CHSP VOLUNTEER MEAL REIMBURSEMENT 14/06/24	15.00	
			CHSP VOLUNTEER MEAL REIMBURSEMENT 13/06/24	12.90	54.90
EFT37633	19/06/2024	J MUIR	CHSP VOLUNTEER MEAL REIMBURSEMENT 30/05/24	15.00	
			CHSP VOLUNTEER MEAL REIMBURSEMENT 06/06/24	15.00	
			CHSP VOLUNTEER MEAL REIMBURSEMENT 13/06/24	15.00	45.00
EFT37634	19/06/2024	VOCUS COMMUNICATIONS (AMCOM PTY LTD)	MANAGED HARDWARE UC ACCESS - 01/07/24 - 31/07/24 - PREPAYMENT	202.40	202.40
EFT37635	19/06/2024	BING TECHNOLOGIES PTY LTD	BING MAIL TRIAL 04/06/24 - 16/04/24	83.62	83.62
EFT37636	19/06/2024	EASI PACKAGING PTY LTD	PAYROLL DEDUCTIONS JUNE 24	3,159.05	3,159.05
EFT37637	19/06/2024	INFORMATION PROFICIENCY	RFQ001-2023/24 STATUTORY REVIEW OF RECORD KEEPING PLAN AND OTHER RELATED PROJECTS - MILESTONE 4 - PROJECT COMPLETION 25%	3,850.00	3,850.00
EFT37638	19/06/2024	CR.MAYWOOD	SITTING FEES & ICT ALLOWANCE - JUNE 24	1,710.84	1,710.84
EFT37639	19/06/2024	MICHAEL RICHARD WARD	BUILDING SURVEYOR SERVICES PROVIDED BY MICHAEL WARD TO THE TOWN - 30/04 (4HRS) & 07/05 (8.5HRS)	1,250.00	
			BUILDING SURVEYOR SERVICES PROVIDED BY MICHAEL WARD TO THE TOWN - 28/05/24 (4.5HRS), 29/05/24 (3HRS) & 04/06/24 (6HRS)	1,350.00	2,600.00
EFT37640	19/06/2024	AE HOSKINS BUILDING SERVICES	FREMANTLE WOMENS SOCCER CLUB BUILDING UPGRADE - PROGRESS CLAIM 2 - CONTRACT WORKS COMPLETED TO 25/05/24	83,328.75	
			FREMANTLE WOMENS SOCCER CLUB BUILDING UPGRADE - - PROGRESS CLAIM 2 - VARIATION WORKS COMPLETED TO 25/05/24	10,311.14	93,639.89
EFT37641	19/06/2024	R & H PLUMBING AND GAS PTY LTD	LOCKE PARK - DRINKING FOUNTAIN REPAIR	415.80	
			GLASSON PARK - REPAIR TAP	660.00	1,075.80
EFT37642	19/06/2024	BWH SHEETMETAL SUPPLIES	SCORE BOARD - FREE STANDING AND SPONSORS PANEL	7,007.00	7,007.00
EFT37643	19/06/2024	MORIN AND SON TREE SERVICES	STREET TREE PRUNING AS DIRECTED	4,510.00	4,510.00
EFT37644	19/06/2024	UNITED RENTALS AUSTRALIA T/A ROYAL WOLF AUSTRALIA	HIRE OF 2x TEMPORARY OFFICE UNITS FOR WAUHOP PARK - MAY 24	6,026.23	6,026.23
EFT37645	19/06/2024	HBE SECURITY PTY LTD	SUPPLY, INSTALL AND COMMISSION GSM INTERCOM ON SAFETY INFORMATION BOARD FOR THE GYM	2,675.48	2,675.48
EFT37646	19/06/2024	H HUDSON	REIMBURSEMENT OF COST OF FUEL FOR 1GBT981	27.09	27.09
EFT37647	19/06/2024	SPORTS SURFACES	WAUHOP PARK - INSTALL 1X PAIR SOCCER GOALS INCLUDING CONCRETE FOOTINGS	2,728.00	2,728.00
EFT37648	19/06/2024	S IRELAND	REFUND OF SWIMMING POOL INSPECTION FEES PAID TWICE IN ERROR	156.70	156.70
EFT37649	19/06/2024	MARSH PTY LTD	WORKSAFE PLAN GAP ANALYSIS 7 EMERGENCY PREPAREDNESS	22,715.00	22,715.00
EFT37650	27/06/2024	SKYTREE HOMES PTY LTD	INFRASTRUCTURE BOND REFUND	5,000.00	5,000.00
EFT37651	27/06/2024	K ROSENTHAL	INFRASTRUCTURE BOND REFUND	1,500.00	1,500.00
EFT37652	27/06/2024	QUAINE CONSTRUCTIONS PTY LTD	INFRASTRUCTURE BOND REFUND	5,000.00	5,000.00
EFT37653	27/06/2024	H QUARTERMAINE	INFRASTRUCTURE BOND REFUND	1,500.00	1,500.00
EFT37654	27/06/2024	J FINGLETON	INFRASTRUCTURE BOND REFUND	4,000.00	4,000.00
EFT37655	27/06/2024	WANNEROO PATIOS	INFRASTRUCTURE BOND REFUND	1,500.00	1,500.00
EFT37656	27/06/2024	T NOLAN	INFRASTRUCTURE BOND REFUND	1,500.00	1,500.00
EFT37657	27/06/2024	E HARRIS	INFRASTRUCTURE BOND REFUND	5,000.00	5,000.00
EFT37658	27/06/2024	GREMCON PTY LTD	INFRASTRUCTURE BOND REFUND	2,000.00	2,000.00
EFT37659	27/06/2024	C WERNER	INFRASTRUCTURE BOND REFUND	2,000.00	2,000.00

EFT37660	27/06/2024	B GARWOOD	INFRASTRUCTURE BOND REFUND	1,500.00	1,500.00
EFT37661	28/06/2024	CHILD SUPPORT AGENCY	PAYROLL DEDUCTIONS JUNE 24	476.87	476.87
EFT37662	28/06/2024	BUNNINGS BLDG SUPPLIES LTD	BIKE RACK HARDWARE & MATERIALS	178.77	
			ANCHOR BOLTS FOR COMMUNITY PARK BIKE RACKS	95.37	274.14
EFT37663	28/06/2024	THE CANCER COUNCIL WA	FRIDGE DECALS	611.11	611.11
EFT37664	28/06/2024	FREMANTLE HERALD	MONTHLY HALF PAGE COLOUR AD - EDITION 29/6/24	726.00	726.00
EFT37665	28/06/2024	S LIMBERT	CHSP VOLUNTEER MEAL REIMBURSEMENT 24/06/24	13.00	13.00
EFT37666	28/06/2024	TELSTRA LIMITED	MONTHLY DATA FEES FOR OPERATIONS & RANGERS TABLETS AND PHONES, RETIC AND VMS TRAILER - 04/06/24 - 03/07/24	1,120.00	
			SUMPTON GREEN PHONES TO 07/06/24	91.16	1,211.16
EFT37667	28/06/2024	PERTH AUTO ALLIANCE TRADING AS TITAN FORD	P5008 - 1GQD688 - SERVICE AND TYRE REPLACEMENTS	1,574.40	1,574.40
EFT37668	28/06/2024	SYNERGY	POWER SUPPLY VARIOUS LOCATIONS	660.83	660.83
EFT37669	28/06/2024	JONATHAN EPPS	ARBORIST REPORTS & RISK ASSESSMENTS - PARKS & RESERVES AS DIRECTED	4,015.00	4,015.00
EFT37670	28/06/2024	KOOL LINE ELECTRICAL & REFRIGERATION	INSTALL SWITCH GEAR CUBICLE TO LIGHT TOWER AT HENRY JEFFREY OVAL	1,842.50	
			INSTALL NEW POWER SWITCHBOARD AND 3 PHASE POWER OUTLET FOR BOWLS CLUB ELECTRIC MOWER	1,721.50	
			SUPPLY NEW CUBICLE FOR LIGHT TOWER AT HENRY JEFFERY OVAL	4,262.50	7,826.50
EFT37671	28/06/2024	SATELLITE SECURITY SERVICES	TOWN HALL / DOVENBY HOUSE - SECURITY FOB REPLACEMENTS / SPARES X30	544.50	544.50
EFT37672	28/06/2024	WOOLWORTHS GROUP LIMITED	WOOLWORTHS PURCHASES DEPOT - 24/06/24	6.20	
			WOOLWORTHS PURCHASES - CHSP 24/06/24	48.94	55.14
EFT37673	28/06/2024	ADCO SERVICES	SUMPTON GREEN - VERMIN BOARD & NEW GATE PAINTING WORKS & DOWNPIPE REPLACEMENT	1,100.00	1,100.00
EFT37674	28/06/2024	LANDGATE	GRV SCHEDULES - DATED 27/04/24-10/05/24 & 25/05/24 - 07/06/24	373.81	373.81
EFT37675	28/06/2024	LOCALISE PTY LTD	RFQ007-2023/24 - FACILITATE WORKSHOPS TO PREPARE UPDATED CORPORATE BUSINESS PLAN 2024/25 - 2027/28, MAP NEXT STAGES OF IPR	5,555.00	5,555.00
EFT37676	28/06/2024	WINC	A4 COPYING PAPR AND OFFICE STATIONERIES ORDERED ON 05/06/2024 WINC REF - NET57418900	153.45	153.45
EFT37677	28/06/2024	RICHMOND PRIMARY SCHOOL P & C ASSOCIATION (INC)	COMMUNITY ASSISTANCE GRANT 23-24	1,000.00	1,000.00
EFT37678	28/06/2024	H DICKSON	CHSP VOLUNTEER MEAL REIMBURSEMENT 21/06/24	15.00	15.00
EFT37679	28/06/2024	LEE SYMINTON ARCHITECT	RFQ06-2021/22 - FCFC BUILDING UPGRADE VARIATION	9,275.20	9,275.20
EFT37680	28/06/2024	PROTEC ASPHALT	HENRY JEFFERY CHANGEROOMS - INSTALLATION OF ASTRO TURF AT ENTRY/ EXIT	2,500.00	
			NAVY LEAGUE CAR PARK ADJACENT TO RIVERSIDE DRIVE - 26 TONNES BLACK ASPHALT	11,726.00	14,226.00
EFT37681	28/06/2024	THINKPROJECT AUSTRALIA PTY LTD	RAMM SOFTWARE - ANNUAL SUPPORT & MAINTENANCE 01/07/24 - 30/06/25	8,982.92	8,982.92
EFT37682	28/06/2024	MARSH ADVISORY	STRATEGIC RISK REVIEW WORKSHOP SERVICES	3,575.00	3,575.00
EFT37683	28/06/2024	M LIMBERT	CHSP VOLUNTEER MEAL REIMBURSEMENT 24/06/24	15.00	15.00
EFT37684	28/06/2024	T ABELHA	CHSP VOLUNTEER MEAL REIMBURSEMENT 23/06/24	15.00	15.00
EFT37685	28/06/2024	SWAN LOCK SERVICE	DOVENBY HOUSE - LADIES TOILET LOCK REPAIRS	215.00	215.00
EFT37686	28/06/2024	CLASSIC HIRE	FCFC - TOILET HIRE 01/04/24 - 01/05/24	1,054.35	
			FCFC - TOILET HIRE 01/05/24 - 01/06/24	1,312.57	2,366.92
EFT37687	28/06/2024	J & V EARTHMOVING CONTRACTORS	EAST FREMANTLE COMMUNITY PARK - DOG PARK NEW FOOTPATH, BIN PADS & PARK BENCH PADS 97M2	10,797.60	10,797.60
EFT37688	28/06/2024	A CONNELL	NEIGHBOURHOOD LINK CLIENT ACTIVITY 11/06/24	60.00	60.00
EFT37689	28/06/2024	S DOUGLAS	CHSP VOLUNTEER MEAL REIMBURSEMENT 20/06/24	10.95	10.95
EFT37690	28/06/2024	J MUIR	CHSP VOLUNTEER MEAL REIMBURSEMENT 20/06/24	11.95	11.95
EFT37691	28/06/2024	N PATTERSON	CHSP VOLUNTEER MEAL REIMBURSEMENT 18/06/24	12.00	12.00
EFT37692	28/06/2024	EASI PACKAGING PTY LTD	PAYROLL DEDUCTIONS JUNE 24	3,159.05	3,159.05
EFT37693	28/06/2024	ADAGE FURNITURE	EAST FREMANTLE ORECINCT FURNITURE PURCHASE AS PER QUOTE Q32708	97,066.20	
			EAST FREMANTLE PRECINCT FURNITURE PURCHASE AS PER QUOTE Q32708 IN EXCESS OF P/O 41969	7,700.00	104,766.20
EFT37694	28/06/2024	MICHAEL RICHARD WARD	BUILDING SURVEYOR SERVICES 11/06/24 - 6.5HRS AND 18/06/24 - 7HRS	1,350.00	1,350.00
EFT37695	28/06/2024	CAR CARE TOWING SERVICES	REMOVE CRASHED AND DUMPED VEHICLE FROM TOEF SUMP & TOW TO COUNCIL IMPOUND	385.00	385.00
EFT37696	28/06/2024	MORIN AND SON TREE SERVICES	STREET TREE PRUNING AS DIRECTED	4,468.00	
			STREET TREE PRUNING AS DIRECTED IN EXCESS OF P/O 42368	1,450.00	
			STREET TREE PRUNING / MAINTENANCE AS DIRECTED	594.00	6,512.00
EFT37697	28/06/2024	B ACTIVE EAST FREMANTLE	TOWN CONTRIBUTION TO STAFF GYM MEMBERSHIPS - 09/05/24 - 05/06/24	1,020.00	1,020.00
EFT37698	28/06/2024	J CALDER	RATES REFUND	2,000.00	2,000.00
EFT37699	28/06/2024	CARABINER ARCHITECTS PTY LTD	RTF03-2021/22 ARCHITECTURAL SERVICES - EF OVAL PRECINCT REDEVELOPMENT PROJECT - FEB TO APRIL 2024, IN EXCESS OF P/O 39747	76,183.89	76,183.89
			EFT TOTAL	1,709,771.76	1,709,771.76
	Direct Debit - June 2024	Supplier	Description	Inv Amount	EFT
		CBA	INTEREST ADJUSTMENT	0.05	0.05
		CBA	OVERDRAFT LINE FEE	504.11	504.11
		SHERRIF'S OFFICE PERTH	FER	2,171.00	2,171.00
		CBA	MERCHANT FEE	161.06	161.06

		CBA	MERCHANT FEE	264.24	264.24
		FLEETCARE	FLEETCARE PAYMENT	2,560.53	2,560.53
		AMEX	AMEX FEE	1.99	1.99
		TILL	TILL SIMPLEPAY FEE	403.12	403.12
		SUPERCHOICE	EMPLOYEE SUPERANNUATION - FEBRUARY 24	57,952.45	57,952.45
		CBA	ACCOUNT SERVICE TRANSACTION FEES	3.00	3.00
		CBA	BPOINT TRANSACTION FEES	34.32	34.32
		CBA	BPAY TRANSACTION FEES	84.39	84.39
			INVESTMENT - SUNCORP	2,710,048.00	2,710,048.00
		CBA	COMMBIZ TRANSACTION FEES	48.18	48.18
				2,774,236.44	2,774,236.44
	Credit Cards - June 2024	Supplier	Description	Inv Amount	EFT
		CREDIT CARD - A DRIVER	OMAC ENTERPRISES - UNIFORM	156.00	156.00
			WOOLWORTHS - BATTERIES	69.50	69.50
			AMPOL - FUEL	39.43	39.43
			SUPER CHEAP AUTO - FLOORMATS & BRAKE FLUID	77.97	77.97
			WORK CLOBBER - UNIFORM	551.50	551.50
			AMPOL - FUEL	55.03	55.03
			AMPOL - FUEL	32.32	32.32
		CREDIT CARD - NICK KING	WOOLWORTHS - CATERING	13.05	13.05
			BUNNINGS - 4 X PORTABLE WORK LIGHTS	276.00	276.00
			DOMINOS - CATERING	113.00	113.00
			WESTERN POWER - LED STREETLIGHT APPLICATION	498.91	498.91
			SQ REMASTONE -PAVERS FOR WAUHOP CARPARK	117.00	117.00
		CREDIT CARD - PETER KOCIAN	FACEBOOK - SUBSCRIPTION	19.00	19.00
			BROWNES DAIRY - MILK	29.75	29.75
			AUSSIE CLOTHESLINES - LETTER BOXES EF COMMUNITY PARK	737.50	737.50
			FACEBOOK - SUBSCRIPTION	21.00	21.00
			BROWNES DAIRY - MILK	29.75	29.75
			POSH PIZZA - CATERING	244.45	244.45
			BROWNES DAIRY - MILK	29.75	29.75
			FRESH PROVISIONS - CATERING	120.00	120.00
			CANVA - SUBSCRIPTION	17.99	17.99
			PICOBELLO - CATERING	56.00	56.00
			MAILCHIMP - SUBSCRIPTION	88.29	88.29
			LOCAL GOVERNMENT MANAGERS - WORKSHOP REGISTRATION FEES	700.00	700.00
			BROWNES DAIRY - MILK	29.75	29.75
			RIMPA - WORKSOP REGISTRATION FEES	199.29	199.29
			FACEBOOK - SUBSCRIPTION	20.00	20.00
			SPOTLIGHT MELVILLE	33.00	33.00
			BROWNES DAIRY - MILK	29.75	29.75
		CREDIT CARD - ANDREW MALONE	NESPRESSO NORTH SYDNEY - COFFEE PODS	82.00	82.00
			FONGS CHINESE RESTURANT - CATERING	177.60	177.60
			DOCUPRINT - PRINTING OF BANNER FOR CARG EVENT	312.40	312.40
			FACEBOOK - SUBSCRIPTION	15.00	15.00
			FACEBOOK - SUBSCRIPTION	15.00	15.00
			NESPRESSO NORTH SYDNEY - COFFEE PODS	106.60	106.60
		CREDIT CARD - REGINA TETI	KMART KARDINYA - CLIENT CARDS	22.50	22.50
			OFFICEWORKS FREMANTLE - STATIONERY	8.90	8.90
			OFFICEWORKS FREMANTLE - STATIONERY	21.40	21.40
			WOOLWORTHS - CLIENT RAFFLE PRIZE	145.20	145.20
			PALMYRA SUPA NEWS - WRAPPING	25.20	25.20
			CREDIT CARD TOTAL	5,336.78	5,336.78
			Description	GROSS PAY	EFT
			PAYROLL FORTNIGHT ENDING 11/06/24	167,950.32	167,950.32
			PAYROLL FORTNIGHT ENDING 25/06/24	177,889.43	177,889.43
			PAYROLL TOTALS	345,839.75	345,839.75
			AMPOL FUEL CARDS- MAY 24	5,368.42	5,368.42
			GRAND TOTAL	4,835,472.98	4,835,472.98



Tax Invoice

Need help?

Self Service:
<https://cards.ampol.com.au>

Email:
ampolcard@ampol.com.au

Call:
1300 365 096
Ampol Customer Service:
8:30am - 6:00pm EST, Mon to Fri

000082 000
TOWN OF EAST FREMANTLE
PO BOX1097
FREMANTLE WA 6959

Invoice date: 31/05/2024

Your account details	Due date	Total due inc GST
Invoice ref no: <div></div> Account no: <div></div>	21/06/2024	\$5,368.42

Your AmpolCard invoice summary

01/05/2024 – 31/05/2024

Description	Product	Quantity	Amount \$ excl GST	GST amount	Total inc GST \$
FLEET	Unleaded	988.17	1,615.33	161.55	1,776.88
	Premium 95 A	95.99	166.07	16.61	182.68
	Premium 98 A	259.87	477.54	47.75	525.29
	Oils/Lubricants		55.00	5.50	60.50
	Premium Diesel A	1,486.52	2,566.46	256.61	2,823.07
	Total for Fleet		4,880.40	488.02	5,368.42
	Total		4,880.40	488.02	5,368.42

Payment options

	Billers Code: Ref: <div></div>	Direct Payment <div></div>	 Visit pay.ampol.com.au or Phone: 1300 138 469. Surcharges apply.
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Breakdown of account summary				Invoice date:	31/05/2024
				Account no:	
Details of fleet transactions processed from 01/05/2024 - 31/05/2024				Invoice ref no:	
Transaction Effective Date	Transaction Number	Customer Total	Customer Total GST		
//		0.00	0.00		
Total		0.00	0.00		

Breakdown of fleet summary

Details of fleet transactions processed from 01/05/2024 - 31/05/2024 Invoice ref no: 0000310030 Account no: 0200402776 Invoice date: 31/05/2024

Card details Location	Date	Time	Trans no	Odo reading	Product	Quantity	Unit \$ inc GST	Amount \$ inc GST	Trn fee inc GST	Total \$ inc GST	GST on supply	GST on trn fee
1207 Rego 1GUV822 Crd Holder AMINISTRATION												
Ampol Foodary Melville	20/05	08:54	E50808	82821	Premium 95 A	45.71	192.40	87.95	0.00	87.95	8.00	0.00
Ampol Foodary Fremantle East	07/05	19:48	E16928	82227	Premium 95 A	50.28	188.40	94.73	0.00	94.73	8.61	0.00
Card total						95.99		182.68	0.00	182.68	16.61	0.00
Domestic 4063												
2506 Rego 1DTJ953 Crd Holder HACC												
Ampol Foodary Fremantle East	22/05	14:00	E23925	95902	Unleaded	58.04	187.45	108.80	0.00	108.80	9.89	0.00
Ampol Foodary Fremantle East	09/05	14:42	E23512	95528	Unleaded	54.63	191.74	104.75	0.00	104.75	9.52	0.00
Ampol Foodary Fremantle East	01/05	08:47	E16801	95200	Unleaded	63.30	199.53	126.30	0.00	126.30	11.48	0.00
Card total						175.97		339.85	0.00	339.85	30.89	0.00
Domestic 4085												
0483 Rego 1GBT981 Crd Holder HACC												
Ampol Foodary Fremantle East	22/05	09:25	E23911	130699	Unleaded	40.46	187.45	75.84	0.00	75.84	6.89	0.00
Ampol Foodary O'Connor	28/05	12:40	E94340	130961	Unleaded	29.76	165.40	49.22	0.00	49.22	4.47	0.00
Ampol Foodary Fremantle East	10/05	14:05	E16970	130171	Unleaded	35.72	183.40	65.51	0.00	65.51	5.96	0.00
Ampol Foodary Fremantle East	02/05	13:27	E16816	129806	Unleaded	37.10	199.24	73.92	0.00	73.92	6.72	0.00
Card total						143.04		264.49	0.00	264.49	24.04	0.00
Domestic 4088												
0467 Rego 1GCQ228 Crd Holder HACC												
Ampol Foodary Fremantle East	23/05	15:49	E23993	181531	Unleaded	27.10	187.21	50.73	0.00	50.73	4.61	0.00
Ampol Foodary Fremantle East	28/05	15:32	E24138	181837	Unleaded	34.63	165.40	57.28	0.00	57.28	5.21	0.00
Ampol Foodary Fremantle East	09/05	09:43	E16955	180775	Unleaded	30.24	191.74	57.98	0.00	57.98	5.27	0.00
Ampol Foodary O'Connor	30/04	10:30	E91960	180212	Unleaded	30.36	173.40	52.64	0.00	52.64	4.79	0.00
Ampol Foodary Fremantle East	03/05	15:27	E16836	180521	Unleaded	32.28	188.40	60.82	0.00	60.82	5.53	0.00
Ampol Foodary Fremantle East	14/05	15:51	E23630	180991	Unleaded	27.76	168.40	46.75	0.00	46.75	4.25	0.00

Card details Location	Date	Time	Trans no	Odo reading	Product	Quantity	Unit \$ inc GST	Amount \$ inc GST	Trn fee inc GST	Total \$ inc GST	GST on supply	GST on trn fee
Ampal Foodary O'Connor	17/05	15:05	E93445	181287	Unleaded	33.45	185.40	62.02	0.00	62.02	5.64	0.00
					Card total	215.82		388.22	0.00	388.22	35.30	0.00
Domestic 4089												
0475 Rego 1GCQ227 Crd Holder HACC												
Ampal Foodary Fremantle East	20/05	14:40	E23816	89706	Premium 98 A	43.62	194.40	84.80	0.00	84.80	7.71	0.00
Ampal Foodary Fremantle East	27/05	14:21	E24087	90037	Premium 98 A	47.62	193.40	92.10	0.00	92.10	8.37	0.00
Ampal Foodary Fremantle East	06/05	15:08	E23419	88820	Unleaded	34.86	179.40	62.54	0.00	62.54	5.69	0.00
Ampal Foodary Fremantle East	08/05	14:56	E23495	88993	Premium 98 A	25.65	214.57	55.04	0.00	55.04	5.00	0.00
Ampal Foodary Fremantle East	13/05	09:49	E17039	89206	Premium 98 A	29.02	196.40	57.00	0.00	57.00	5.18	0.00
Ampal Foodary Fremantle East	30/04	13:25	E23278	88270	Premium 98 A	44.00	198.40	87.30	0.00	87.30	7.94	0.00
Ampal Foodary Fremantle East	01/05	15:50	E23300	88399	Premium 98 A	16.86	220.58	37.19	0.00	37.19	3.38	0.00
Ampal Foodary Fremantle East	03/05	14:46	E16830	88911	Premium 98 A	25.22	211.40	53.32	0.00	53.32	4.85	0.00
Ampal Foodary Fremantle East	15/05	15:16	E23660	89388	Premium 98 A	27.88	209.95	58.54	0.00	58.54	5.32	0.00
					Card total	294.73		587.83	0.00	587.83	53.44	0.00
Domestic 4091												
6959 Rego 1GDV315 Crd Holder												
Ampal Foodary Fremantle East	17/05	07:49	E23707	65000	Premium Diesel A	69.13	189.41	130.94	0.00	130.94	11.90	0.00
					Card total	69.13		130.94	0.00	130.94	11.90	0.00
Domestic 4096												
16967 Rego 1GFU278 Crd Holder WORKS												
Ampal Foodary Fremantle East	08/05	13:26	E23488	49010	Premium Diesel A	72.03	190.66	137.33	0.00	137.33	12.48	0.00
					Card total	72.03		137.33	0.00	137.33	12.48	0.00
Domestic 5002												
7015 Rego 1GKM815 Crd Holder WORKS												
Ampal Foodary Fremantle East	21/05	06:53	E23836	59908	Premium Diesel A	92.33	188.24	173.80	0.00	173.80	15.80	0.00
					Card total	92.33		173.80	0.00	173.80	15.80	0.00

Card details Location	Date	Time	Trans no	Odo reading	Product	Quantity	Unit \$ inc GST	Amount \$ inc GST	Trn fee inc GST	Total \$ inc GST	GST on supply	GST on trn fee
Domestic 5007												
4047 Rego 1GPJ542 Crd Holder WORKS												
Ampal Foodary Fremantle East	30/04	13:41	E23279	1162	Premium Diesel A	28.57	195.09	55.74	0.00	55.74	5.07	0.00
					Card total	28.57		55.74	0.00	55.74	5.07	0.00
Domestic 5009												
1945 Rego 1GQJ387 Crd Holder RANGERS SERVICES												
Ampal Foodary Fremantle East	30/05	13:42	E24218	92630	Premium Diesel A	47.40	187.33	88.79	0.00	88.79	8.07	0.00
					Card total	47.40		88.79	0.00	88.79	8.07	0.00
2809 Rego 1GQJ387 Crd Holder RANGERS SERVICES												
Ampal Foodary Fremantle East	12/05	07:05	E23549	91725	Premium Diesel A	41.10	189.20	77.76	0.00	77.76	7.07	0.00
Ampal Foodary Fremantle East	03/05	16:07	E16840	91405	Premium Diesel A	42.87	194.53	83.40	0.00	83.40	7.58	0.00
Ampal Foodary Fremantle East	19/05	08:40	E23776	92050	Premium Diesel A	43.53	188.58	82.09	0.00	82.09	7.46	0.00
					Card total	127.50		243.25	0.00	243.25	22.11	0.00
Domestic 5010												
7148 Rego 1GQL999 Crd Holder WORKS												
Ampal Foodary Fremantle East	10/05	10:09	E16969	0	Premium Diesel A	33.26	189.05	62.88	0.00	62.88	5.72	0.00
					Card total	33.26		62.88	0.00	62.88	5.72	0.00
Domestic 5020												
3076 Rego 1HMC350 Crd Holder WORKS												
Ampal Foodary Fremantle East	14/05	11:37	E23612	28230	Premium Diesel A	118.55	189.38	224.52	0.00	224.52	20.41	0.00
					Card total	118.55		224.52	0.00	224.52	20.41	0.00
Domestic 5021												
3159 Rego 1HLR056 Crd Holder WORKS												
Ampal Foodary Fremantle East	30/05	07:07	E24197	16331	Premium Diesel A	62.74	187.33	117.53	0.00	117.53	10.68	0.00
Ampal Foodary Fremantle East	07/05	10:21	E23436	15845	Premium Diesel A	64.58	191.95	123.96	0.00	123.96	11.27	0.00
					Card total	127.32		241.49	0.00	241.49	21.95	0.00
Domestic P5015												
7072 Rego 1GYB392 Crd Holder												
Ampal Foodary Fremantle East	22/05	07:07	E23903	1179	Premium Diesel A	29.56	188.22	55.64	0.00	55.64	5.06	0.00

Card details Location	Date	Time	Trans no	Odo reading	Product	Quantity	Unit \$ inc GST	Amount \$ inc GST	Trn fee inc GST	Total \$ inc GST	GST on supply	GST on trn fee
Ampol Foodary Fremantle East	14/05	08:51	E17056	1170	Premium Diesel A	29.47	189.38	55.81	0.00	55.81	5.07	0.00
						Card total	59.03	111.45	0.00	111.45	10.13	0.00
Domestic P5016												
7106 Rego 1GYB393 Crd Holder												
Ampol Foodary Fremantle East	23/05	12:14	E23975	785	Premium Diesel A	39.96	188.05	75.15	0.00	75.15	6.83	0.00
Ampol Foodary Fremantle East	08/05	10:33	E23479	774	Premium Diesel A	29.10	190.66	55.48	0.00	55.48	5.04	0.00
Ampol Foodary Fremantle East	02/05	08:43	E23317	770	Premium Diesel A	29.66	194.57	57.71	0.00	57.71	5.25	0.00
Ampol Foodary Fremantle East	16/05	10:10	E17097	780	Premium Diesel A	34.31	189.42	64.99	0.00	64.99	5.91	0.00
						Card total	133.03	253.33	0.00	253.33	23.03	0.00
Domestic P5018												
7406 Rego 1HHZ552 Crd Holder												
Ampol Foodary Fremantle East	20/05	14:47	E23817	67643	Premium Diesel A	37.39	188.58	70.51	0.00	70.51	6.41	0.00
Ampol Foodary Fremantle East	22/05	15:14	E23929	67830	Premium Diesel A	35.70	188.22	67.19	0.00	67.19	6.11	0.00
Ampol Foodary Fremantle East	27/05	08:19	E24069	68112	Premium Diesel A	33.98	188.09	63.91	0.00	63.91	5.81	0.00
Ampol Foodary Fremantle East	27/05	14:57	E24088	68213	Premium Diesel A	21.00	188.09	39.50	0.00	39.50	3.59	0.00
Ampol Foodary Fremantle East	29/05	15:48	E24181	68395	Premium Diesel A	35.69	187.14	66.79	0.00	66.79	6.07	0.00
Ampol Foodary Fremantle East	29/05	15:52	E24182	68395	Oils/Lubricants			60.50	0.00	60.50	5.50	0.00
Ampol Foodary Fremantle East	01/05	08:35	E16798	66103	Premium Diesel A	37.95	195.21	74.08	0.00	74.08	6.73	0.00
Ampol Foodary Fremantle East	06/05	08:44	E23400	66414	Premium Diesel A	38.37	193.29	74.17	0.00	74.17	6.74	0.00
Ampol Foodary Fremantle East	06/05	15:04	E23417	66604	Premium Diesel A	35.69	193.29	68.99	0.00	68.99	6.27	0.00
Ampol Foodary Fremantle East	08/05	14:39	E23494	66777	Premium Diesel A	30.34	190.66	57.85	0.00	57.85	5.26	0.00
Ampol Foodary Fremantle East	09/05	15:39	E23516	66953	Premium Diesel A	28.77	189.60	54.55	0.00	54.55	4.96	0.00
Ampol Foodary Fremantle East	13/05	14:41	E23594	67142	Premium Diesel A	30.93	189.20	58.52	0.00	58.52	5.32	0.00
Ampol Foodary Fremantle East	16/05	15:39	E23691	67372	Premium Diesel A	48.26	189.42	91.41	0.00	91.41	8.31	0.00
						Card total	414.07	847.97	0.00	847.97	77.08	0.00
Domestic P5019												
6876 Rego Crd Holder OPERATIONS												
Ampol Foodary Fremantle East	21/05	10:16	E23861	0	Unleaded	133.67	164.40	219.75	0.00	219.75	19.98	0.00

Card details Location	Date	Time	Trans no	Odo reading	Product	Quantity	Unit \$ inc GST	Amount \$ inc GST	Trn fee inc GST	Total \$ inc GST	GST on supply	GST on trn fee
Ampol Foodary Fremantle East	21/05	10:16	E23861	0	Premium Diesel A	42.57	188.24	80.13	0.00	80.13	7.28	0.00
						Card total	176.24	299.88	0.00	299.88	27.26	0.00
Domestic P5022												
5194 Rego 1HSK094 Crd Holder												
Ampol Foodary Applecross	21/05	20:40	E14321	46090	Unleaded	45.46	166.40	75.65	0.00	75.65	6.88	0.00
Ampol Foodary Applecross	28/05	20:27	E14747	46621	Unleaded	30.21	167.40	50.57	0.00	50.57	4.60	0.00
Ampol Foodary Fremantle East	13/05	14:11	E23592	45241	Unleaded	47.52	173.40	82.40	0.00	82.40	7.49	0.00
Ampol Foodary Midvale	30/04	17:39	S33114	44429	Unleaded	43.90	177.40	77.88	0.00	77.88	7.08	0.00
						Card total	167.09	286.50	0.00	286.50	26.05	0.00
Domestic P5025												
5727 Rego 1IEM002 Crd Holder OPERATIONS												
Ampol Foodary Fremantle East	24/05	13:36	E24016	2620	Premium Diesel A	63.95	188.08	120.27	0.00	120.27	10.93	0.00
Ampol Foodary Fremantle East	06/05	14:01	E23412	1917	Premium Diesel A	57.78	193.29	111.68	0.00	111.68	10.15	0.00
						Card total	121.73	231.95	0.00	231.95	21.08	0.00
Domestic P5026												
7100 Rego 1IDR863 Crd Holder CHSP												
Ampol Foodary Fremantle East	10/05	15:30	E16976	1040	Unleaded	22.85	183.40	41.91	0.00	41.91	3.81	0.00
						Card total	22.85	41.91	0.00	41.91	3.81	0.00
Domestic P5027												
7118 Rego 1IDR864 Crd Holder CHSP												
Ampol Foodary Fremantle East	23/05	10:24	E23964	1843	Unleaded	24.11	187.21	45.14	0.00	45.14	4.10	0.00
Ampol Foodary O' Connor	30/05	08:45	E94499	2632	Unleaded	18.76	184.03	34.52	0.00	34.52	3.14	0.00
Ampol Foodary Fremantle East	07/05	11:53	E23440	1180	Unleaded	27.70	173.40	48.03	0.00	48.03	4.37	0.00
Ampol Foodary Fremantle East	15/05	15:52	E23664	1536	Unleaded	24.30	189.01	45.93	0.00	45.93	4.18	0.00
						Card total	94.87	173.62	0.00	173.62	15.79	0.00

13.7 DELEGATION TO THE CHIEF EXECUTIVE OFFICER - EAST FREMANTLE COMMUNITY PARK OPERATING BUDGET

Report Reference Number	OCR-2891
Prepared by	Peter Kocian, Executive Manager Corporate Services
Supervised by	Jonathan Throssell, Chief Executive Officer
Meeting date	Tuesday, 16 July 2024
Voting requirements	Absolute Majority
Documents tabled	Nil.

Attachments

1. Draft Contract Variation Form
2. Amended Operating Budget – Preliminary Period – East Fremantle Community Park

PURPOSE

Council is requested to approve a proposed delegation to the Chief Executive Officer to approve variations to the Operating Budget for the East Fremantle Community Park.

EXECUTIVE SUMMARY

At its meeting of 21 May 2024, Council approved a variation to the operating budget for the East Fremantle Community Park, for the period May to June 2024. This resulted in discussion as to how requests for budget variations are to be managed and approved. One such mechanism is for Council to provide the CEO with a delegation to approve budget variations up to a maximum value.

BACKGROUND

Belgravia Leisure submitted the following five-year operating budget with their tender. The amounts below are net of the management fee and food and beverage payment to the sporting clubs.

1 April – 30 June 2024 – deficit of (\$102,825) amended to a deficit of (\$133,637) (May OCM)
 Preliminary Period (1 April 2024 – 30 June 2025) – deficit of (\$8,792) amended to a deficit of (\$49,644).
 25/26 – profit \$425,734
 26/27 – profit \$436,996
 27/28 – profit \$461,112
 28/29 – profit \$489,177

There is provision in the defined term of “Tendered Budget” in clause 1.1 of the Operator Agreement for the Town and Belgravia to agree a variation to the budget for the Tendered Budget Period. The Tendered Budget Period covers the Preliminary Period (from 1 April 2024 to 30 June 2025) and the next two consecutive financial years.

CONSULTATION

Chief Executive Officer
 Mr. Rohan Gunton, WA State Manager – Belgravia Leisure
 Council Concept Forum June 2024

STATUTORY ENVIRONMENT

A local government may delegate (by absolute majority) to the Chief Executive Officer the exercise of any of its powers or the discharge of any of its duties under the *Local Government Act 1995* other than those referred to in s5.43. The Chief Executive Officer may also delegate powers or duties to employees.

POLICY IMPLICATIONS

Council has an existing Contract Variations Policy which enables the CEO to vary the contract price by up to 10% to a maximum of \$50,000. These limits have been applied to the proposed delegation.

FINANCIAL IMPLICATIONS

There are no direct financial implications associated with the Officer's Recommendation.

STRATEGIC IMPLICATIONS

The Town of East Fremantle Strategic Community Plan 2020 – 2030 states as follows:

Strategic Priority 5: Leadership and Governance

5.1 Strengthen organisational accountability and transparency.

5.1.3 Improve the efficiency and effectiveness of services.

5.3 Strive for excellence in leadership and governance.

5.3.2 Improve organisational systems with a focus on innovation.

RISK IMPLICATIONS

RISKS

Risk	Risk Likelihood (based on history & with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
Should Council not approve a delegation, all price variations will be submitted to Council for approval.	Possible (3)	Moderate (3)	Moderate (5-9)	SERVICE INTERRUPTION Short term temporary interruption - backlog cleared <1 day	Accept Officer Recommendation

RISK MATRIX

Consequence Likelihood		Insignificant	Minor	Moderate	Major	Extreme
		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives: occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating is provided below. Any items with a risk rating over 16 will be added to the Risk Register, and any item with a risk rating over 16 will require a specific risk treatment plan to be developed.

RISK RATING

Risk Rating	9
Does this item need to be added to the Town's Risk Register	No
Is a Risk Treatment Plan Required	No

SITE INSPECTION

Not applicable.

COMMENT

Under the Operator Agreement, Belgravia is required to submit its first annual Business Plan to the Town by 1 April 2025, which includes the annual revenue and expenditure budget for the period 1 July 2025 – 30 June 2026. This is an annual process. Council will be requested to receive the Business Plan each year and formally approve the budget for the following year.

As Council has adopted the budget, Council can then determine to provide a delegation to the CEO to approve variations to the adopted budget, subject to any conditions that Council may wish to impose.

The below is the proposed wording for the delegation:

BELGRAVIA OPERATOR AGREEMENT – BUDGET VARIATION

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995 s3.57 re Tenders for providing goods or services, s3.58</i> <i>Local Government (Functions and General) Regulations 1996:</i> <ul style="list-style-type: none"> • <i>r.11(2)(j) Exercising contract extension options</i> • <i>r.21A Varying a contract for the supply of goods or services</i> <i>Local Government Act 1995 s6.8 re Expenditure from municipal fund not included in annual budget</i>
Delegate:	Chief Executive Officer
Function: <i>This is a precis only.</i> <i>Delegates must act with full understanding of the</i>	The power to approve a minor operating budget variation provided that the budget variation is necessary.

<i>legislation and conditions relevant to this delegation.</i>	
Council Conditions on this Delegation:	<ol style="list-style-type: none"> 1. For the purposes of this delegation, a minor price variation is limited to 10% or \$50,000 (whichever is greater) against the forecast annual profit or deficit. 2. This delegation only applies to amendments to the operating budget. Any capital items not included in the approved budget requires the approval of Council. 3. Requests for variations from the Operator are to be accompanied by the following supporting documents: <ul style="list-style-type: none"> - an amended profit and loss statement for the full year identifying which line item has been varied and the impact on the forecast surplus or deficit - a written explanation as to why the variation has occurred and whether the variation represents a one-off adjustment or will it impact future budget periods. If the variation does impact future budget periods, forward profit and loss statements are to be provided showing the adjustment. - a 'variation to contract' form is to be completed and signed by both parties should the variation be approved 4. All variations are to be reported to Council on a quarterly basis, with a revised profit and loss statement to be presented and for Council to retrospectively approve an amendment to budget pursuant to section 6.8 of the Local Government Act 1995
Express Power to Sub-Delegate:	<p><i>Local Government Act 1995:</i></p> <p>s.5.44 CEO may delegate some powers and duties to other employees</p>

CONCLUSION

Council can determine whether or not to provide a delegation to the Chief Executive Officer to negotiate and approve contract price variations. If a delegation is not supported, all variations to the Budget will need to be presented to a Council meeting for a decision, which will likely lead to delays and be administratively less efficient.

13.7 OFFICER RECOMMENDATION / COUNCIL RESOLUTION

Council Resolution 071607**OFFICER RECOMMENDATION:****Moved Cr Donovan, seconded Cr White**

That Council, with respect to the requirements under the Operator Agreement, East Fremantle Oval Precinct, between the Town of East Fremantle and Belgravia Health and Leisure Group Pty Ltd:

- 1. pursuant to section 5.42 of the *Local Government Act 1995*, by absolute majority, provides a delegation to the Chief Executive Officer to approve variations to the Tendered Budget for the East Fremantle Community Park as follows:**

BELGRAVIA OPERATOR AGREEMENT – BUDGET VARIATIONS

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995 s3.57 re Tenders for providing goods or services, s3.58</i> <i>Local Government (Functions and General) Regulations 1996:</i> <ul style="list-style-type: none"> • <i>r.11(2)(j) Exercising contract extension options</i> • <i>r.21A Varying a contract for the supply of goods or services</i> <i>Local Government Act 1995 s6.8 re Expenditure from municipal fund not included in annual budget</i>
Delegate:	Chief Executive Officer
Function: <i>This is a precis only.</i> <i>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	The power to approve a minor operating budget variation provided that the budget variation is necessary.
Council Conditions on this Delegation:	1. For the purposes of this delegation, a minor price variation is limited to 10% or \$50,000 (whichever is greater) against the forecast annual profit or deficit.

	<ol style="list-style-type: none"> 2. This delegation only applies to amendments to the operating budget. Any capital items not included in the approved budget requires the approval of Council. 3. Requests for variations from the Operator are to be accompanied by the following supporting documents: <ul style="list-style-type: none"> - an amended profit and loss statement for the full year identifying which line item has been varied and the impact on the forecast surplus or deficit - a written explanation as to why the variation has occurred and whether the variation represents a one-off adjustment or will it impact future budget periods. If the variation does impact future budget periods, forward profit and loss statements are to be provided showing the adjustment. - a 'variation to contract' form is to be completed and signed by both parties should the variation be approved 4. All variations are to be reported to Council on a quarterly basis, with a revised profit and loss statement to be presented and for Council to retrospectively approve an amendment to budget pursuant to section 6.8 of the Local Government Act 1995
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<p>2. notes that the Tendered Budget for the Preliminary Period (1 April 2024 – 30 June 2025) has been amended to a deficit of (\$49,644) after payment of the Management Fee (\$180,000) and forecast food and beverage club payments of (\$109,139).</p> <p><u>(CARRIED UNANIMOUSLY BY AN ABSOLUTE MAJORITY 7:0)</u></p> <p>For: Crs Collinson, Donovan, Harrington, White, Maywood, Wilson & Natale.</p> <p>Against: Nil</p>	

REPORT ATTACHMENTS

Attachments start on the next page

CONTRACT VARIATION FORM

[illegible]

Original Forecast Deficit/Surplus

Previous Approved Variations

Forecast Deficit/Surplus Prior to this Variation

Net Value the Contract will be/would be changed by this Variation

Revised Forecast/Surplus (excl GST)

East Fremantle Community Park

	<i>Year 0</i>	<i>Year 1</i>
Financial Year	April+May+June 24	
INCOME		
Fitness Classes	26,182	170,182
Personal Training		47,968
Casual Gym	5,018	37,818
Memberships	122,150	1,031,303
Coaching Zone Membership/Pilates	22,520	370,332
Bistro Sales	345,700	2,074,200
Merchandise Sales	3,020	18,117
Locker Hire		-
TOTAL INCOME	524,590	3,749,920
COST OF GOODS SOLD		
Bistro Purchases	107,858	684,486
Merchandise Purchases	1,510	10,870
TOTAL COST OF SALES	109,368	695,356
PERSONNEL COSTS		
Management wages	70,833	425,000
Bonus		7,000
Kitchen wages	29,202	170,000
F&B Wages	56,687	227,523
Reception	10,049	60,000
Gym Instructor	25,445	118,571
Personal Trainer		26,382
Aerobics Instructor	41,811	280,800
Precint staff		120,000
Annual Leave Provision	10,217	22,885
Sick Leave	2,365	11,443
Payroll Tax	12,956	64,449
Workcover	4,028	13,547
Superannuation	23,344	124,951
Staff Training	20,000	31,051
Staff Recruitment		1,948
Staff Uniforms	7,000	3,600
TOTAL PERSONNEL COSTS	313,938	1,709,149
MAINTENANCE & OPERATIONS		
Building Maintenance		55,687
Cleaning	20,573	123,436
Consumables	1,783	10,698
Utilities	14,660	87,959
Equipment Purchase	1,000	6,000
Garbage Removal	1,529	9,176

Grounds Maintenance		190,260
Repairs & Maintenance		80,000
Telephone	1,333	8,000
TOTAL MAINT & OPERATIONS	40,878	571,216
ADVERTISING, MARKETING & BUSINESS DEVELOPMENT		
Marketing	4,119	46,724
Promotion & Advertising	30,000	8,444
TOTAL A,M & BD COSTS	34,119	55,168
OPERATING		
Computer Costs	1,377	8,260
Computer Costs - Software	1,600	9,600
Insurance	12,500	74,998
Lease Costs (fitness equipment)	31,502	189,011
Lease Costs (general)	5,479	32,872
Consultancy Fees	50,000	
License Fees	110	660
Misc	13,792	82,753
Office Supplies	1,000	6,000
Rates & Taxes	907	5,442
Security Services	2,500	15,000
Subscriptions & Registration	4,000	24,000
TOTAL OPERATING COSTS	124,766	448,596
TOTAL OPERATIONS COSTS	623,070	3,479,486
CONTRIBUTION FROM OPERATIONS	- 98,480	270,434
TOTAL CONTRIBUTION	- 98,480	270,434
DD Billing Fees	5,157	30,939
Bank fees		-
TOTAL INTEREST & FEES	5,157	30,939
NET PROFIT BEFORE DEPRECIATION	- 103,637	239,495
NET PROFIT AFTER TAX	- 103,637	239,495
Management Fee	30,000	180,000
Club Share of Food & Beverage		109,139
TOTAL PAYMENTS	30,000	289,139
DEPRECIATION		
Deprec - Furniture&Fittings		-
Deprec - Plant & Equipment		-
TOTAL DEPRECIATION	-	-
NET PROFIT/(SURPLUS)	- 133,637	- 49,644

13.8 EAST FREMANTLE COMMUNITY PRECINCT - DOG EXERCISE AREA APPROVAL

Report Reference Number	OCR-2921
Prepared by	Nicholas King, Executive Manager Technical Services
Supervised by	Jonathan Throssell, Chief Executive Officer
Meeting date	Tuesday, 16 July 2024
Voting requirements	Absolute Majority
Documents tabled	Nil
Attachments	

1. Map of Proposed East Fremantle Community Park dog exercise area
2. Schedule of Submissions

PURPOSE

To seek Council approval of the proposed dog exercise area within the East Fremantle Community Park.

EXECUTIVE SUMMARY

The Town, as per the *Dog Act 1976*, must specify a public place to be a dog exercise area. The new dog park, which is due to open in July 2024 is required to be approved to ensure compliance with the Act.

Once feedback is received through the public consultation process, Council will consider the designated dog exercise area.

BACKGROUND

Council resolved at its Ordinary Council Meeting 21 May 2024, 082105 as below:

“That Council gives public notice of its intention to designate a dog exercise area within the East Fremantle Community Park, as per the attached map.”

As per the *Dog Act 1976* Local Governments must give public notice of their intention to designate a dog exercise area. A minimum consultation period of 28 days is advised, to provide the public with enough time to provide any comments on the proposed dog exercise area.

CONSULTATION

Consultation was undertaken for a period of 28 days, having closed on 1 July 2024. Consultation was as below:

- News item on The Towns website
- Facebook post
- Instagram post
- Advert in Fremantle Herald next week.

The Town received 14 submissions as part of the consultation and 19 comments on social media, with most of the submissions positive in anticipation of the dog park opening.

STATUTORY ENVIRONMENT

Dog Act 1976

Local Government Act 1995

Town of East Fremantle Dog Local Law 2016

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Signage will be installed, with costs associated coming from the Towns Signage operational budget.

STRATEGIC IMPLICATIONS

1.2.2 Activate inviting and open spaces that encourage social connection across all age groups

4.1.2 Plan for improved streetscapes, parks and reserves

RISK IMPLICATIONS**RISKS**

Risk	Risk Likelihood (based on history & with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
If the area is not designated a dog exercise area and a dog attack occurs, the Town may be liable for any damages	Possible (3)	Moderate (3)	Moderate (5-9)	FINANCIAL IMPACT \$10,000 - \$50,000	Accept Officer Recommendation

RISK MATRIX

Consequence Likelihood		Insignificant	Minor	Moderate	Major	Extreme
		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives: occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating is provided below. Any items with a risk rating over 16 will be added to the Risk Register, and any item with a risk rating over 16 will require a specific risk treatment plan to be developed.

RISK RATING

Risk Rating	9
Does this item need to be added to the Town's Risk Register	No
Is a Risk Treatment Plan Required	No

SITE INSPECTION

Nil

COMMENT

Following the installation of the roll-on turf in the dog park, the grass has taken well into the winter period and is ready for use. In addition to this, a concrete footpath was installed heading south from the Allen Street entry/exit towards the sump, a drink fountain, two bench seats and two bins were also installed, in preparation for the dog park to open. Statutory signage will be installed at each entry point before the park is open to the public.

It is anticipated that the dog park will be well used by the public and create a lot of interest for the East Fremantle Community Precinct.

CONCLUSION

Considering most of the public feedback was positive, residents and potential users are looking forward to the opening of the dog park once approval is granted. If approval is granted by the Council, the intention will be to open the dog park before the end of July 2024.

13.8 OFFICER RECOMMENDATION / COUNCIL RESOLUTION

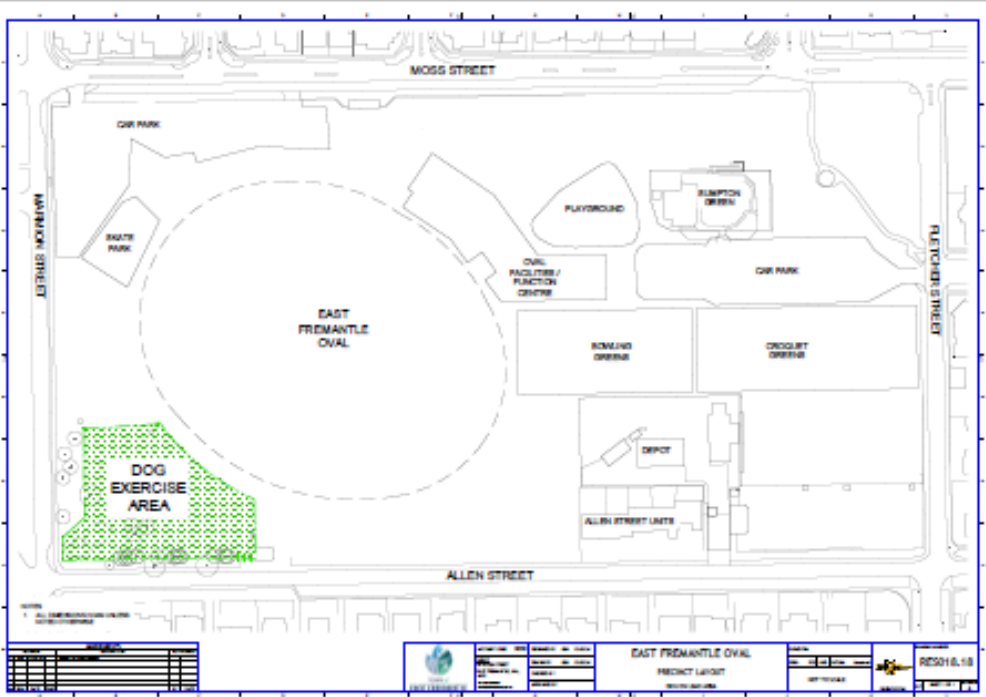
Council Resolution 081607

OFFICER RECOMMENDATION:

Moved Cr Wilson. seconded Cr Harrington

That Council:

- 1. with respect to the advertised proposal to designate a dog exercise area within East Fremantle Community Park, notes the schedule of public submissions as attached; and**
- 2. pursuant to section 31 (3A) of the *Dog Act 1976*, by absolute majority, declares the area depicted in the map below, contained within the East Fremantle Community Park, as a dog exercise area.**



EAST FREMANTLE OVAL
PRECINCT LAYOUT

RESOL 18

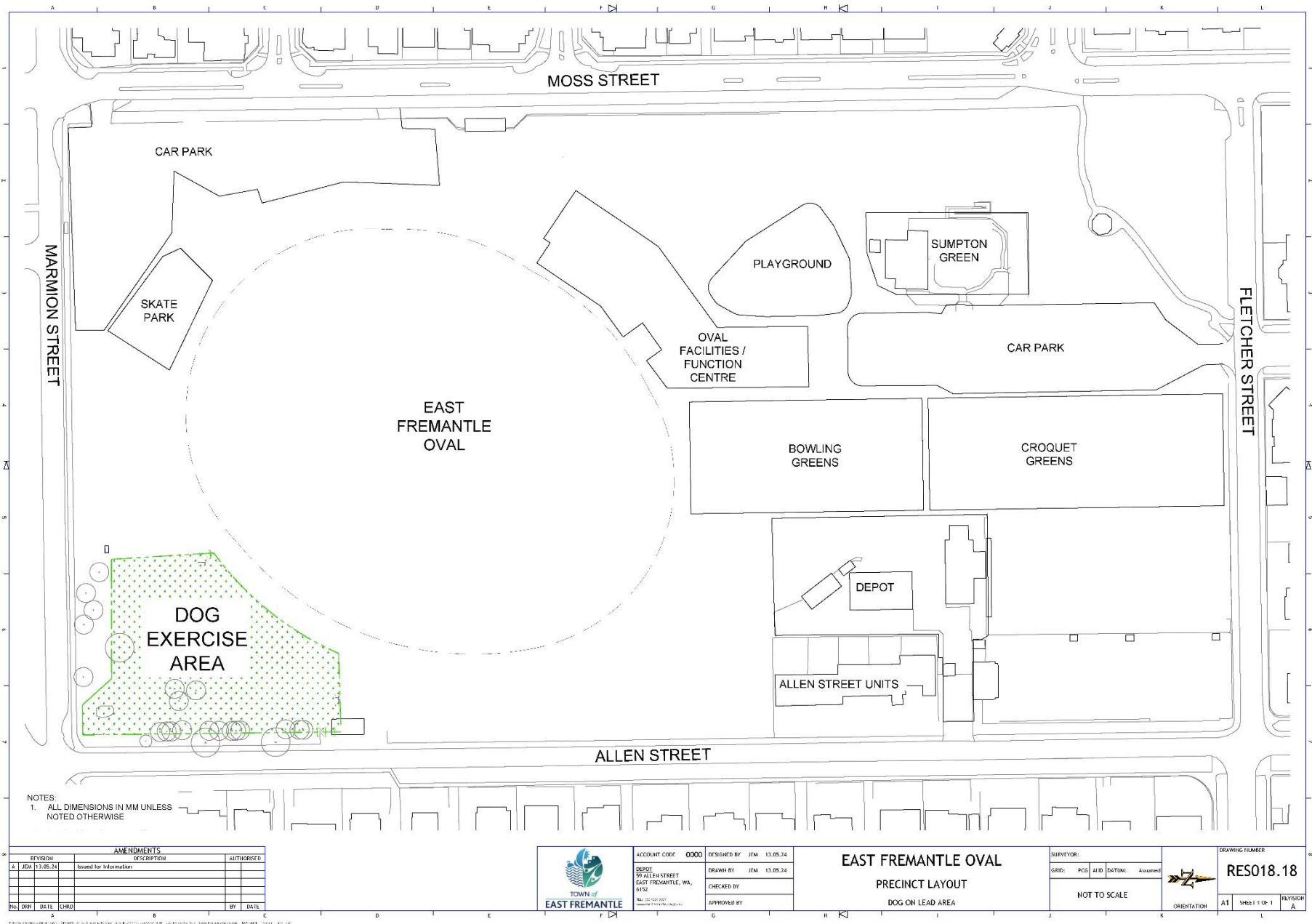
(CARRIED UNANIMOUSLY BY AN ABSOLUTE MAJORITY 7:0)

For: Crs Collinson, Donovan, Harrington, White, Maywood, Wilson & Natale.

Against: Nil

REPORT ATTACHMENTS

Attachments start on the next page



Proposed Dog Exercise Park East Fremantle Community Park - Public Consultation

No	Submitted Via	Date received	Comments
1	Website	1/06/2024	<p>Hi,</p> <p>I've been watching the development of the dog exercise area on the corner of Marmion and Allen street with great interest, as I live on Fortescue street and currently have two dogs.</p> <p>With the rain over the last few days, the compensation basin at the top of the park has started to fill with water. Is it intended that dogs will be able to access this area once the park is open, and is there still more work planned to be done to clean up the site?</p> <p>I'm concerned that there is still a lot of rubble (including glass, concrete, rocks and metal) in the basin and on the walls which poses a risk to animals. If it's not going to be cleaned up, can I suggest that it is fenced and turned into a frog pond or otherwise landscaped?</p> <p>Also, is the area along marmion street going to receive some landscaping treatment? There's still a lot of building rubble that hasn't been cleared away, and it detracts from the otherwise fantastic facility that the oval has become.</p> <p>Thanks for considering my input.</p>
2	Website	4/06/2024	<p>1. Please advise the fence to fence length and width. I'm looking to determine how far a ball can be thrown. 2 If the section doesn't provide a good distance to throw a ball far enough to exercise a healthy dog then what's the point of the area? 3. To provide for healthy dog exercise could an extended space be considered up towards the depot on one side and up towards the skate park on the other. 4 if the area is too small it will not be used and the city might misinterpret this as people not wanting to exercise their dog when the truth is the section is too small to exercise a dog.</p>
	Website		<p>The Town has shared no details or plans for the dog exercise area, other than that it's off-lead. As I've seen the area and can see that it's currently fenced, I'd like to suggest the following:</p> <ul style="list-style-type: none">- adequate dog waste stations with bags checked a refilled regularly- dog-friendly water station <p>It would also be helpful if the Town shared the timeframe for opening. Residents have been expecting it to open this month, per communications.</p>
3		18/06/2024	<p>Thanks</p>
4	Website	18/06/2024	<p>I'd love a small dog enclosure to be considered?</p>
5	Website	18/06/2024	<p>We very much welcome this proposal for off lead dog exercise in the neighbourhood!</p>
	Website		<p>I hope this area is monitored by council and Dog owners made to pick up after their hounds as come game day no doubt some spectators will want to stand in the Dog area as it has and still is PRIME viewing area that was used for kids bouncy castles and food trucks on game day and for heath reasons it needs to be kept clean.</p>
6		18/06/2024	
7	Website	18/06/2024	<p>Will there be a seperate area for small dogs?</p>
8	Website	18/06/2024	<p>Am totally in support of this park. Wish it would open already to give dog owners a nice space to exercise our dogs off lead.</p>
9	Website	18/06/2024	<p>I fully support the proposed off lead dog exercise area.</p>
10	Website	19/06/2024	<p>Great idea! Definitely go ahead!</p>
11	Website	19/06/2024	<p>Can't wait for it to open!</p>
	Website		<p>1. Absolutely essential to have this area 2. Could easily be bigger; there is so much grassed area outside the proposed dog area that will never be used 3. Needs dog bags, bins and drinking fountain 4. Some seats would be great 5. Some interesting things for dogs such as tunnels, jumps, climbing things. There are some great dog exercise areas around that you could research and copy. The one close to the west end of the Causeway in the city is a great example of a small dog park which is really interesting for dogs. 6. Repeat: this is really necessary. Many of us used the oval previously and have missed having a free exercise area within walking distance. The Silas st one is terrible. So dusty and sandy in summer and wet and dirty in winter.</p>
12		21/06/2024	
13	Website	24/06/2024	<p>A good spot for the dog park. Be good to have the old turnstiles removed for a nicer amenity.</p>
	Website		<p>Dear CEO,</p> <p>I am writing to express my strong support for the proposed dog exercise park and to advocate for the removal of the current ticket office. I believe these changes would significantly enhance the quality of life in the area for the following key reasons:</p> <p>1. Enhanced Community Amenities: A dog exercise park would provide a much-needed space for pet owners to safely and responsibly exercise their dogs. This designated area would encourage social interaction among residents, fostering a sense of community while promoting healthy and active lifestyles for both pets and their owners.</p> <p>2. Aesthetic Improvement: The current ticket office is an eyesore and detracts from the overall appearance. Its outdated and neglected state stands in stark contrast to the modern and cohesive design of the surrounding area. Removing the ticket office would open up the space for more visually appealing and functional uses, such as the proposed dog park.</p> <p>3. Consistency with New Design Vision: The new design for this area emphasises a cohesive and attractive environment that reflects the community's values and aspirations. The ticket office, unfortunately in my opinion, does not align with this vision. Its removal would be a step towards achieving the aesthetic and functional goals outlined in the new design.</p> <p>4. Improved Safety and Security: The current ticket office attracts undesirable activities, including drug use and loitering. This not only compromises the safety and security of the area but also discourages families and individuals from utilising the nearby spaces. Removing the ticket office would mitigate these issues and contribute to a safer and more welcoming environment for all residents.</p> <p>5. Cost of Upkeep: The maintenance and upkeep of the ticket office represent a financial burden on the community. The funds currently allocated to maintaining it could be better utilised for other community projects, such as the proposed dog exercise park, which would provide tangible benefits to a larger portion of the population.</p> <p>6. Optimised Land Use: The space occupied by the ticket office can be put to much better use. A dog exercise park would be a valuable addition to the community, providing a multifunctional space that serves the needs of pet owners while also enhancing the overall appeal of the area.</p> <p>In conclusion, I firmly believe that establishing a dog exercise park and removing the ticket office would bring numerous benefits to the community. It would create a safer, more attractive and more engaging environment for all residents to enjoy. I respectfully urge the council to consider these proposals and take the necessary steps to implement these positive changes.</p> <p>Thank you for your time and consideration.</p>
14		27/06/2024	
15	Facebook	24/05/2024	<p>Sounds great! Hoping there will also be a water fountain for dogs and their owners. Thanks.</p>
16	Facebook	24/05/2024	<p>Can I be the proposed head of belly rubs and pupper pats?</p>
17	Facebook	24/05/2024	<p>It is a shame that there is not a separate park for small and large dogs like there is at Piney Lakes. Perhaps you could consider it for future dog parks</p>
18	Facebook	24/05/2024	<p>Susan Pippet, I don't think too many big dogs would be able to go. The area proposed is tiny in size, unfortunately.</p>
19	Facebook	24/05/2024	<p>Ros Farrington, I'm looking at the map and thinking there's enough room to bring it up to the skate park and further towards the depot given this is not likely to be a picnic area</p>
20	Facebook	24/05/2024	<p>Carolyn Bailey Agree, that would make a big difference.</p>
21	Facebook	24/05/2024	<p>Assuming there will be a fence around the dog exercise area so the dogs can enjoy a run off lead, without the worry of them running away or onto the road. If so it's a great idea.</p>
		24/05/2024	<p>What's the chance of the area being bigger - there is heaps of space alongside the depot and over towards the skate park. If not a larger dog park what is the expected use of this area?</p>
22	Facebook		<p>Is there any practical theory being applied to the size of the space allocated? What's the longest distance a ball can be thrown?</p>
23	Facebook	24/05/2024	<p>Already installed</p>
24	Facebook	24/05/2024	<p>Wonderful! Can't wait.</p>
25	Facebook	24/05/2024	<p>the dog exercise area has been promoted as opening in June. As the feedback closes 1 July, does this mean the opening will be further delayed?</p>
26	Facebook	25/05/2024	<p>Superb.</p>
27	Facebook	27/05/2024	<p>Isn't the area already fenced off with gates in preparation?</p>
	Instagram and Facebook messenger	3/06/2024	<p>Please ensure Rangers are proactive in ensuring owners are managing their dogs. In Fremantle there many instances of dogs being attacked and people intimidated. Needs to be nipped in the bud.</p>
	Comment on Facebook post on community page	18/06/2024	<p>I don't know what more there is to propose as it has been built and turfed and fenced off ready to go and if anything it will be a pain come football time as spectators will be standing in dog poo as we know not all dog owners do the right thing and pick up after their hounds. At least dogs will be confined to the fenced off area and NOT allowed to poo on the playing surface as they do at Pally Primary and Claremont Oval.</p>
29			
30	Facebook		<p>We are ready, can't wait....</p>
31	Facebook		<p>Great idea</p>
32	Facebook		<p>I'm so looking forward to this!!</p>
33	Facebook		<p>Sounds great! Hoping there will also be a water fountain for dogs and their owners. Thanks.</p>

13.9 OPERATOR AGREEMENT, EAST FREMANTLE OVAL PRECINCT - ESTABLISHMENT PLAN

Report Reference Number	OCR-2888
Prepared by	Peter Kocian, Executive Manager Corporate Services
Supervised by	Jonathan Throssell, Chief Executive Officer
Meeting date	Tuesday, 16 July 2024
Voting requirements	Simple
Documents tabled	Nil
Attachments	

1. **Establishment Plan 2023 – East Fremantle Community Park (Confidential Attachment – Commercial in Confidence)**

PURPOSE

Council is requested to approve the Establishment Plan prepared by Belgravia Health and Leisure Group Pty Ltd (“Belgravia”) for the operations of the East Fremantle Community Park.

EXECUTIVE SUMMARY

The Town is required to do certain things under the executed Operator Agreement with Belgravia, including approving the Establishment Plan inclusive of the proposed EFOP Fees and Charges.

BACKGROUND

Belgravia provided the draft Establishment Plan and Appendices to the Town and its representatives in December 2023. Some initial feedback was provided at this time, with revised documents provided to the Town again in April 2024 and June 2024. Based on the requirements under the Operator Agreement, the Town should act in good faith and provide approval as soon as possible.

CONSULTATION

Council Forum 2 July 2024
Executive Leadership Team
Belgravia Leadership Team

Council Members have provided feedback on the Establishment Plan including the following comments:

- Incorrect references to the ‘Mabel’.
- References to gas consumption.
- Street address.
- Previous construction budget of \$32.5m.
- There was a suggestion for KPIs around carbon reduction in relation to power and water use, direction of amounts to landfill as well as recycling and FOGO, greening and solar power and batteries, promotion of electric transport and storage of e-bikes.
- The availability of board room hire for community use was raised.
- Regarding KPI 4 on page 14 “Access to meeting space for designated community groups and the ability for designated community groups or users to book spaces at low prices”, there was a suggestion that fees be waived for certain community groups that operate for the health and wellbeing of the East Fremantle Community.

A meeting was held with Belgravia on the 11 July 2024 to discuss this feedback and Belgravia confirmed that they would make the required changes to the Establishment Plan, noting that:

- The carbon reduction initiatives are captured in Belgravia's Sustainability Plan. The Town is also planning to undertake further sustainability projects at East Fremantle Community Park including installation of solar panels, battery storage and EV charging stations.
- Whilst Belgravia have introduced fees for community use of facilities, they have confirmed that they are willing to establish a framework for the waiving of fees for eligible community groups, as guided by the Town.

STATUTORY ENVIRONMENT

The Town of East Fremantle and Belgravia Health and Leisure Group Pty Ltd executed the Operator Agreement, East Fremantle Oval Precinct on 21 November 2023 (this is the "Effective Date").

There are various requirements under the Operator Agreement which require initial Council approval:

Clause 11. Fees and Charges

11.1 Approval for EFOP Fees and Charges

(a) The Operator must prepare and submit its proposed EFOP Fees and Charges to the Town for the Town's approval as part of the Establishment Plan approval process.

(e) The Town must give notice to the Operator once it has approved the EFOP Fees and Charges

Clause 12. Establishment Plan and Annual Business Plan

12.1 Preparation and approval of the Establishment Plan

(a) Within 3 months after the Effective Date, the Operator must provide the Town for its review and approval the Establishment Plan for the Preliminary Period.

(b) The Establishment Plan must be prepared in accordance with Part G of Schedule 2.

(c) The Establishment Plan prepared and submitted in accordance with clause 12.1 must include the following information:

- (i) planned performance and improvement activities as they relate to the operation and management of the EFOP;
 - (ii) planned performance and improvement activities for the delivery of the EFOP Programs for the Preliminary Period;
 - (iii) the Initial Budget (which must be based on the Tendered Budget for the Preliminary Period);
 - (iv) the proposed EFOP Fees and Charges;
 - (v) the Annual Marketing Plan for the Preliminary Period;
 - (vi) forecasted visitation for the EFOP for the Preliminary Period;
 - (vii) the Human Resources Plan for the Preliminary Period;
 - (viii) the Precinct Partners Management Plan for the Preliminary Period;
 - (ix) the Customer Service Plan;
 - (x) the Training Plan;
 - (xi) the Sustainability Management Plan;
 - (xii) the Precinct Activation Plan; and
 - (xiii) anything else reasonably required by the Town.
- (d) The Town must give notice to the Operator if the Town (acting reasonably) requires any amendments to the Establishment Plan or if it requires additional information or supporting documents.
- (e) If the Town (acting reasonably) gives notice to the Operator in accordance with clause 12.1(d), the Operator must:
- (i) provide answers to the Town's questions;
 - (ii) provide copies of the supporting documents requested by the Town; and

- (iii) amend the Establishment Plan to incorporate the Town's amendments and re-submit the Establishment Plan to the Town for its approval within 20 Business Days of receiving the Town's notice under clause 12.1(d).

(f) The Town must give notice to the Operator once it has approved the Establishment Plan.

13.4 Operator Phase Plans

- (a) The Operator must prepare each Operating Phase Plan annually in accordance with the requirements of Part G of Schedule 2.
- (b) During the Pre-Opening Period, each Operating Phase Plan (other than the Establishment Plan) must be submitted to the Town and approved by the Town on or before 1 December 2023.

Part G – Operating Phase Plans

- Establishment Plan
- Annual Business Plan (not required in Year 0)
- Emergency Action Plan
- Risk Management Plan
- Asset Maintenance Plan
- Disaster Recovery Plan
- Grounds and Garden Management Plan
- Playing Surface Management Plan
- Business Continuity Plan

POLICY IMPLICATIONS

There are no Council Policies relevant to this item.

FINANCIAL IMPLICATIONS

There are no financial implications relevant to this item. The Budget for the Preliminary Period (April 2024 – 30 June 2025) contained within the Establishment Plan details a net loss of (\$49,644) after the payment of the Management Fee and Club Food and Beverage Payments. Council adopted this amount through the adoption of the Town's Statutory Budget for the period ended 30 June 2025.

STRATEGIC IMPLICATIONS

The Town of East Fremantle **Strategic Community Plan 2020-2030** states:

Strategic Priority 1 – Social – A socially connected, inclusive and safe community

1.1 Facilitate appropriate local services for the health and wellbeing of the community

- 1.1.3 Facilitate or partner to ensure a range of quality services are provided at a local level
- 1.1.4 Strengthen the sense of place and belonging through inclusive community interaction and participation.

1.2 Inviting open spaces, meeting places and recreational facilities

- 1.2.1 Provision of adequate recreational, sporting and social facilities
- 1.2.2 Activate inviting open spaces that encourage social connection

1.3 Strong community connection within a safe and vibrant lifestyle

- 1.3.1 Partner and educate to build a strong sense of community safety
- 1.3.2 Facilitate opportunities for people to develop community connections through events and celebrations.
- 1.3.3 Facilitate community group capacity building.

The Town of East Fremantle **Recreation and Community Facilities Strategy** adopted in 2016 identified that 'the East Fremantle Oval Precinct is a major recreation and sporting precinct in East Fremantle that is currently perceived as

poorly planned as a precinct, is underutilised in terms of community use and access and is an ineffective use of major open space.

RISK IMPLICATIONS

RISKS

Risk	Risk Likelihood (based on history & with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
That the Town does not comply with the provisions under the Operator Agreement	Possible (3)	Moderate (3)	Moderate (5-9)	SERVICE INTERRUPTION Medium term temporary interruption - backlog cleared by additional resources <1 week	Accept Officer Recommendation

RISK MATRIX

Consequence Likelihood		Insignificant	Minor	Moderate	Major	Extreme
		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives: occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating is provided below. Any items with a risk rating over 16 will be added to the Risk Register, and any item with a risk rating over 16 will require a specific risk treatment plan to be developed.

RISK RATING

Risk Rating	9
Does this item need to be added to the Town's Risk Register	No
Is a Risk Treatment Plan Required	No

SITE INSPECTION

Not applicable.

COMMENT

The Establishment Plan is recommended for approval. Key elements of the Establishment Plan which are highlighted for the attention of Council Members include:

- Marketing Plan
- Precinct opening hours for the Café, Bistro, Function Centre and Health Club
- Key Performance Indicators
- Club Food and Beverage Payment arrangements

- Precinct Activation Plan
- Food and Beverage Strategy
- Alcohol Pricing Strategy
- Priority Usage Policy (noting on declared events where clubs have exclusive use of function areas, bar facilities can be accessed via the serving hatches)
- Schedule of Fees and Charges
- Sustainability Management Plan
- Health Club Operations Plan
- Budget for the Preliminary Period

One of the Conditions Precedent of the Operator Agreement was for the Operator completing and the Town approving each of the Operating Phase Plans. As the Conditions Precedent are for the sole benefit of the Town, the Town may waive or defer the completion of items. The following Operating Phase Plans have been provided to the Town for approval:

Operating Phase Plans:

- Establishment Plan
 - Annual Business Plan
 - Emergency Action Plan
 - Risk Management Plan
 - Asset Maintenance Plan
 - Disaster Recovery Plan
 - Grounds and Garden Management Plan
 - Playing Surface Management Plan
 - Business Continuity Plan
- Not required until 1 April 2025

CONCLUSION

Council is requested to approve the Establishment Plan and delegate to the Chief Executive Officer the approval of the respective Operating Phase Plans excluding the Annual Business Plan which is to be presented to Council.

The Chief Executive Officer advised of the following correction to Condition 3 of the recommendation:

Replace the words “delegates to the Chief Executive Officer the authority” with the words “authorises the Chief Executive Officer”.

13.9 OFFICER RECOMMENDATION / COUNCIL RESOLUTION

Council Resolution 091607

OFFICER RECOMMENDATION:

Moved Cr Donovan, seconded Cr Harrington

That Council, with respect to the requirements under the Operator Agreement, East Fremantle Oval Precinct, between the Town of East Fremantle and Belgravia Health and Leisure Group Pty Ltd:

- 1. approves the Establishment Plan submitted by Belgravia Leisure as presented inclusive of the Schedule of Fees and Charges, noting that some minor edits are required but these are not material to the operation of the East Fremantle Community Park.**
- 2. notes that Belgravia Leisure has agreed to establishing a framework to consider waiving fees for community use of facilities for eligible community groups, as guided by the Town (noting that any fee waivers will have a minor budget impact).**

3. **authorises the Chief Executive Officer to approve the following Operating Phase Plans including the power to waive the condition precedent under the Operator Agreement as some of the Plans were not completed within three-months of commencement:**
 - **Emergency Action Plan**
 - **Risk Management Plan**
 - **Asset Maintenance Plan**
 - **Disaster Recovery Plan**
 - **Grounds and Garden Management Plan**
 - **Playing Surface Management Plan**
 - **Business Continuity Plan**
4. **requests that the Annual Business Plan be submitted to Council for formal approval before the 1 April 2025.**

(CARRIED UNANIMOUSLY 7:0)

For: Crs Collinson, Donovan, Harrington, White, Maywood, Wilson & Natale.

Against: Nil

REPORT ATTACHMENTS

Confidential Attachment

14 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

15 NOTICE OF MOTION FOR CONSIDERATION AT THE NEXT MEETING

Nil

16 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil

17 NEW BUSINESS OF AN URGENT NATURE

Nil

18 MATTERS BEHIND CLOSED DOORS

Nil

19 CLOSURE

There being no further business, the Presiding Member declared the meeting closed at 9.17pm

*I hereby certify that the Minutes of the ordinary meeting of the **Council** of the Town of East Fremantle, held on **16 July 2024**, Minute Book reference **1. to 19.** were confirmed at the meeting of the Council on*

20 AUGUST 2024



Presiding Member