

12.1 Scheme Amendment to rezone lots 5 and 6 Temple street

Location	Victoria Park
Reporting officer	Charlotte McClure
Responsible officer	Robert Cruickshank
Voting requirement	Simple Majority
Attachments	<ol style="list-style-type: none"> 1. Scheme Amendment Report 2. Schedule of submissions

Landowner	Town of Victoria Park
Applicant	Harley Dykstra
Application date	24/03/2020
DA/BA or WAPC reference	PLA/6/86
MRS zoning	Urban Zone
TPS zoning	'Public Purpose – Civic Use' Reserve
R-Code density	Not applicable
TPS precinct	Precinct Plan P12 - East Victoria Park Precinct
Use class	Not applicable
Use permissibility	Not applicable
Lot area	1098m ² and 931m ²
Right-of-way (ROW)	Not applicable
Municipal heritage inventory	Not applicable
Residential character study area/weatherboard precinct	Not applicable
Surrounding development	Residential development along Temple street, predominantly grouped dwelling development with retained original dwellings. Established commercial activities along Albany Highway included car sales yard and shop fronts addressing Albany Highway with rear loaded car parking.

Recommendation

That Council:

1. Resolves pursuant to Section 75 of the *Planning and Development Act 2005* to initiate an Amendment (Amendment No. 86) to the Town of Victoria Park Planning Scheme No. 1 to reclassify No. 4 –6 (Lots 5 and 6) Temple Street, Victoria Park from 'Public Purpose – Civic Use' reserve to 'Residential R60' zone and modify the Town Planning Scheme No. 1 Precinct Plan P12 'East Victoria Park Precinct' accordingly.
2. Classifies Amendment No. 86 to the *Town of Victoria Park Town Planning Scheme No. 1* as a 'standard amendment' in accordance with Regulation 34 of the Planning and Development (Local Planning Schemes) Regulations 2015 (the Regulations) for the following reasons:
 - (i) it is considered that the amendment would have minimal impact on the land in the scheme area that is not the subject of the amendment; and
 - (ii) it is considered that the amendment does not result in any significant environmental, social, economic or governance impact on the land in the scheme area.
3. Forwards Amendment No. 86 to the Environmental Protection Authority for assessment in accordance with Section 81 of the *Planning and Development Act 2005*, and the Western Australian Planning Commission for information.
4. Advertises Amendment No. 86 for public comments for a period of 42 days in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015*, with the following advice being included in all advertising notices and consultation letters circulated:

This proposed Amendment is available for inspection and public comment, and it should not be construed that final approval will be granted. Your written comments are welcome and will be considered by Council prior to a recommendation being made to the Western Australian Planning Commission.

Purpose

To consider the Scheme Amendment prepared to amend the Town of Victoria Park Town Planning Scheme No. 1 (TPS1) to rezone No. 4 –6 (Lots 5 and 6) Temple Street, Victoria Park from 'Public Purpose – Civic Use' reserve to 'Residential' R60'.

Council is required to assess the merits of amending TPS1 and if supported formally resolve to initiate a Scheme Amendment.

In brief

- The proposal seeks to amend the classification of No. 4 –6 (Lots 5 and 6) Temple Street, Victoria Park from 'Public Purpose – Civic Use' reserve to a 'Residential' R60' zoning.
- The land is owned by Town of Victoria Park and currently accommodates the Victoria Park Child Health Centre and Liddell Government Dental Clinic.

- In accordance with Local Planning Policy 37 'Community Consultation on Planning Proposals', preliminary consultation on the proposal was undertaken with seven submissions being received.
- The submissions reveal a mixed community opinion for the proposal and generally reservations regarding the development form that may be permitted and the relocation of the community facilities and infrastructure on the site.
- The subject land sits within the Albany Highway Secondary Centre, which the Town's draft Local Planning Strategy (draft LPS) identifies as a strategic investigation area recommended to be the subject of comprehensive Activity Centre and/or Precinct Planning as per State Planning Policy 4.2 Activity Centres (SPP 4.2) and Draft State Planning Policy 7.2 - Precinct Design (Draft SPP 7.2).
- Therefore, prior to initiating the amendment the Department of Planning Lands & Heritage (DPLH) position was sought regarding the likely success of the proposed Amendment in the context of the progression of the Draft Local Planning Strategy and the other strategic work that is still to be completed by the Town.
- The feedback provided from DPLH is that the amendment of the subject land could be progressed prior to the completion of this work, provided that it was considered in the context of the draft LPS and would not compromise any strategic planning for the area. The Town would also need to be satisfied that the land is no longer required to be reserved for Public Purpose – Civic Use and or is surplus to the Town's current and future needs for accommodating Civic Infrastructure.
- The Urban Planning Unit is satisfied that the proposed rezoning will not prejudice any future strategic planning including the preparation of an activity centre and/or precinct plan. The rezoning would also be conducive to the existing community buildings remaining lawfully on the site.
- Given the strategic location of the site adjacent to the Albany Highway secondary centre it is recommended that Council initiate the amendment to rezone the land.
- Following the rezoning, a business case will be prepared and presented to Council providing various options for the future of the land.

Background

1. The Land Asset Optimisation Strategy (LAOS) is a priority project for the Town of Victoria Park and was approved at Council at the October 2013 Ordinary Council Meeting. The Project Plan was received and endorsed by the Finance and Audit Committee in March 2017.
2. The strategy was developed by the Town to determine if any opportunities are available on property and land assets owned or controlled by the Town. LAOS aims to deliver additional sources of revenue for the Town and in the long term, aims to reduce the Town's reliance on rates.
3. The proposed amendment was originally discussed with the Town's Place Planning, Statutory Planning and Property team during 2019. An R60 zoning was deemed to be appropriate and consistent with the zoning/coding of adjoining land. Harley Dykstra was engaged to prepare the Scheme Amendment for the Town.
4. No. 4 (Lot 5) and No. 6 (Lot 6) Temple Street is owned by the Town of Victoria Park and currently accommodates the Victoria Park Child Health Centre and Liddell Government Dental Clinic.
5. Given the significant age of the buildings on site, the ongoing maintenance costs, the context and characteristics of the site and strategic location of the site, the existing situation has been considered by the Town as not a long-term solution for either the land asset or the building assets.
6. The Town have commenced discussions with the operators of the existing facilities in relation to opportunities for relocation within the Town of Victoria Park.

Application summary

7. Scheme Amendment No. 86 seeks to amend the classification of No. 4 –6 (Lots 5 and 6) Temple Street, Victoria Park from 'Public Purpose – Civic Use' reserve to 'Residential' R60'.
8. As per Local Planning Policy 37 'Community Consultation on Planning Proposals', the proposed rezoning of the site is not consistent with an approved Council strategy, in which case preliminary consultation has been undertaken with the community in order to inform the Council in deciding whether or not to initiate the Scheme Amendment.

Applicants submission

9. The Scheme Amendment and associated report was prepared and submitted by Harley Dykstra on behalf of the Town on 24 March 2020 (refer to attachment 1).
10. The following rationale for the Scheme Amendment was included in the report:

"It is considered that the rezoning of Lots 5 & 6 Temple Street, Victoria Park from "Public Purpose – Civic Use" reserve to "Residential R60" zone under the Town of Victoria Park Town Planning Scheme No. 1 is capable of approval and is an appropriate planning outcome, as outlined below:

The proposed development will facilitate the redevelopment of the subject site for higher density residential purposes, providing opportunities for increased density and dwelling choice in a high amenity location that affords a high level of services including commercial, high frequency public transport, employment and public open space.

By developing this site for residential purposes, it contributes to providing for increased infill development, relatively free from design constraints. The development of this site will contribute to the infill targets for the Town of Victoria Park, set out in Perth and Peel @ 3.5 Million.

This particular location, being directly adjacent the Albany Highway Urban Corridor, has been identified within the Central Sub-Regional Planning Framework as appropriately located for mid-rise residential redevelopment as an area of existing high amenity, with visualised revitalisation. The redevelopment of this site will contribute to the revitalisation of the corridor by increasing the activity and residential capacity on the subject site.

The proposed density (R60) is appropriate for the subject site and will provide for development of the land that is consistent with the type of residential development in this location, envisaged by State Planning Policy 4.2, Perth and Peel @ 3.5 Million and the Central Sub-Regional Planning Framework.

While the Precinct Plan for Victoria Park does prefer lower density residential development to the rear of retained character dwellings, it does also identify areas of R60 development on the land adjacent to the Albany Highway Precinct Plan. The proposed density coding for the site is therefore consistent with the Precinct Plan, and any future development of the site would require the design to be consistent with the provisions of this precinct plan.

The Town have begun discussions with the operators of the existing Infant Child Care Centre and Dental Clinic, currently located on the subject land. These ongoing discussions with the operators will provide the context of the operational details and clinical needs, to provide informed advice to the Town as to their eventual relocation to another facility in a more appropriate location."

Relevant planning framework

Legislation	<ul style="list-style-type: none"> • <i>Planning and Development Act 2005</i> • <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> • Metropolitan Region Scheme (MRS) • Town Planning Scheme No.1 (TPS1) • TPS1 Precinct Plan P11 – ‘East Victoria Park’;
State Government policies, bulletins or guidelines	<ul style="list-style-type: none"> • Perth and Peel @3.5 million: Central Sub-regional Planning Framework • State Planning Policy 4.2 Activity Centres • State Planning Policy 7.2 - Precinct Design • State Planning Policy 7.3 Residential Design Codes
Local planning policies	<ul style="list-style-type: none"> • Local Planning Policy 37 – Community Consultation on Planning Proposals
Other	<ul style="list-style-type: none"> • Draft Local Planning Strategy

Legal compliance

Part 5 ‘Local Planning Schemes’ of the Planning and Development Act 2005 and the Planning and Development (Local Planning Schemes) Regulations 2015, Regulations 50 and 51.

Planning and Development Act 2005

https://www.austlii.edu.au/cgi-bin/viewdb/au/legis/wa/consol_act/pada2005236/

Planning and Development (Local Planning Schemes) Regulations 2015

https://www8.austlii.edu.au/cgi-bin/viewdb/au/legis/wa/consol_reg/padpsr2015527/

General matters to be considered

TPS precinct plan statements	<p>The following statements of intent contained within the Precinct Plan are relevant to consideration of the Scheme Amendment.</p> <ul style="list-style-type: none"> • Areas adjoining Raphael Park Precinct, portions of Albany Highway Precinct, and the Park Centre shopping areas will be permitted to redevelop in accordance with the standard specified for Residential R40 and R60. These densities will service to increase the availability and range of housing types in areas close to the city centre and other facilities such as Curtin University. • Other types of accommodation, and some non-residential uses to service the day-to-day needs of local residents are appropriate to these localities.
Local planning policy objectives	<ul style="list-style-type: none"> • Nil

Strategic alignment

Environment	
Strategic outcome	Intended public value outcome or impact
EN01 - Land use planning that puts	The existing reservation of the property restricts the range of possible land uses, and the buildings on the site are ageing. A rezoning of the site could act as a catalyst for a

people first in urban design, allows for different housing options for people with different housing need and enhances the Town's character.	redevelopment of the site, and the introduction of other uses, including residential uses.
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Engagement

Internal engagement

Stakeholder	Comments
Place Planning	During earlier discussions in 2019, the Town's Urban Planning and Place Planning teams were generally supportive of the proposed Amendment. When formally referred to the Place Planning team in 2020, and in view of the subsequent progression of the draft Local Planning Strategy, the Place Planning team expressed some concerns about an 'ad-hoc' rezoning of the land rezoned prior to the comprehensive and coordinated Activity Centre Planning, preparation of Local Planning Scheme No. 2 and the precinct planning for Albany Highway. This is discussed in more detail in the analysis section of report. It should be noted that in light of further advice from the Town's Property team and that recently from the Department of Planning, Lands and Heritage, the Town's Place Planning team are now satisfied that progression of the Amendment will not prejudice the future strategic planning work being undertaken.

External engagement

Stakeholders	Owners and occupiers surrounding the subject land
Period of engagement	Time period that engagement was undertaken, including dates.
Level of engagement	2. Consult
Methods of engagement	Written submissions and Your Thoughts (the Town's online engagement tool)
Advertising	Advertising of the proposal comprised of letters being sent to owners and occupiers of surrounding properties.
Submission summary	Seven submissions have been received, three supporting the proposal, one opposing the proposal and three not stating a position.
Key findings	The submissions reveal a mixed community opinion for the proposal and generally reservations regarding the development form that may be permitted and the relocation of the community facilities and infrastructure on the site.

See Attachment 2 for the full schedule of submissions.

Other engagement

Stakeholder	Comments
Department of Planning Lands & Heritage (DPLH)	In contemplating initiating the Scheme Amendment, feedback and a position was sought from the Department of Planning Land and Heritage who are responsible for administering Scheme Amendments. This is discussed in more detail in the analysis section of report.

Risk management considerations

Risk and consequence	Consequence rating	Likelihood rating	Overall risk analysis	Mitigation and actions
Property The Minister for Planning, Lands and Heritage is ultimately responsible for approving Scheme Amendments. It is possible that the Minister may not support the approach and insist on finalisation of the draft Local Planning Strategy (LPS) and/or other strategic planning work to be completed and as such decide to refuse or modify the Amendment notwithstanding Council's resolution	Moderate	Unlikely	Moderate	Sought advice from the DPLH as to the likelihood of the amendment being supported who have indicated the amendment of the subject land could be progressed prior to the completion of strategic planning that is identified for this precinct, provided that it was considered in the context of the draft LPS and would not compromise any strategic planning for the area. The Town would also need to be satisfied that the land is no longer required to be

				reserved for Public Purpose – Civic Use and/or is surplus to the Town’s current and future needs for accommodating civic and community uses.
<p>Reputational That the land rezoning could result in the future displacement of the current dental service and child health service on the site.</p>	Minor	Possible	Moderate	The Town would like to and aims to continue working with these services to retain the uses within the Town of Victoria Park. ‘Community Purpose’ is however a discretionary land use within the ‘Residential’ zone in which case the existing uses could continue to operate even if the land is rezoned to Residential.
<p>Financial The rezoning of the land prior to the activity and/or precinct plans being developed may result in the proposed density of R60 being less than what could be realised for the site.</p>	Major	Likely	High	<p>If further strategic investigations and planning identifies the subject site as capable of accommodating a greater scale of development than what is currently proposed, a further scheme amendment could be progressed at this time if necessary.</p> <p>However even if this were to occur,</p>

				the current Scheme Amendment proposed will not compromise this process.
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Financial implications

Current budget impact	Sufficient funds exist within the annual budget to address this recommendation.
Future budget impact	Should the rezoning be approved a business case would be prepared exploring the potential and preferred use(s) of the land for Council to consider.

Analysis

11. No. 4 (Lot 5) and No. 6 (Lot 6) Temple Street measure 1098m² and 931m² respectively. The north-eastern boundary of the site abuts a right-of-way and 'Commercial' and 'District Centre' zoned land to the north and north-west along Albany Highway with 'Residential (R60)' zoned land along Temple Street to the north-east and south.
12. The subject land currently accommodates two existing buildings and with a rear car parking area accessed by the adjacent right of way. These buildings accommodate an Infant Health Clinic and Dentistry Clinic. A crossover to Temple Street is located on the western portion of Lot 6 Temple Street, providing access to additional car parking spaces to service the facility. The site accommodates existing mature vegetation, generally concentrated to the front of the buildings.

Strategic Planning Framework

13. The planning, subdivision and development of land within the Albany Highway Precinct is guided by multiple State government strategies and policies. The subject site is not within the Albany Highway Precinct, but directly adjoins it.

Perth and Peel@3.5 Central Sub-Regional Planning Framework

14. The State Government's metropolitan planning strategy Perth and Peel @3.5million Central Sub-Regional Planning Framework designates land along Albany Highway as Activity Centre and Urban Corridor. Activity Centres are a key focal point for commercial and social activity and the delivery of services to residents. They will also be a major driver of new jobs located within communities. Urban Corridors integrate land use with high priority transit routes (all modes of transport not just private vehicles) and connect places of significance.
15. The Central Framework seeks to optimise the use of land in these locations close to existing public transport infrastructure through targeted increases in the density and diversity of housing, business activity, jobs and community activities.

16. The Albany Highway centres are designated as a Secondary Centre (Victoria Park) and District Centre (East Victoria Park). Secondary centres are multipurpose, serving a population catchment up to 150,000 persons and supporting densities between 25-35 dwellings per hectare (gross). SPP 4.2 specifies the need to prepare activity centre structure plans for strategic metropolitan, secondary, district and specialised centres.

Local Planning Strategy

Albany Highway Secondary Activity Centre/Precinct Plan

17. At the Ordinary Council Meeting on the 21 April 2020 Council resolved to-

"... endorse the draft Local Planning Strategy (April 2020) and Appendices for a public submission period of eight (8) weeks commencing after the Western Australian Planning Commission provides Certification in accordance with regulation 12 of the Planning and Development Act (Local Planning Schemes) Regulations 2015."

18. The subject land sits within the Albany Highway Secondary Centre, which the Town's draft Local Planning Strategy identifies as a defined strategic investigation area recommended to be the subject of comprehensive Activity Centre and/or Precinct Planning as per SPP 4.2 and Draft State Planning Policy 7.2 - Precinct Design.
19. It recommends that three Activity or Precinct Plans be developed for the Victoria Park, East Victoria Park and St James Town Centres located along the length of Albany Highway, which includes the linkages between the Town Centres and to major public transport nodes (i.e. Victoria Park train station). Council approval will be sought early in the financial year to commence this process which will then inform the drafting of the Town's Local Planning Scheme No. 2 (LPS2).
20. The proposed amendment was originally discussed with the Town's Place Planning, Urban Planning and Property team during 2019. An R60 zoning was deemed appropriate. Harley Dykstra was engaged to prepare the Scheme Amendment for the Town. Since then Place Planning and in view of the draft Local Planning Strategy now having been prepared, some concerns have been expressed by Place Planning about the rezoning of the land rezoned prior to the comprehensive and coordinated Activity Centre Planning, preparation of LPS2 and the precinct planning for Albany Highway.
21. In contemplating initiating the Scheme Amendment, feedback and a position was sought from the Department of Planning Land and Heritage who are responsible for administering Scheme Amendments. Specifically, advice was sought regarding the likely support from the Department for the amendment prior to the progression of the Draft Local Planning Strategy and other strategic work to be done. The Department provided the following:

"In considering a rezoning, further planning rationale would need to be provided specifically, why the site is no longer required to be reserved for Public Purpose: Civic Use and/or is surplus to the Town's current and future needs for accommodating Civic Infrastructure."

Regarding the status of the Draft Local Planning Strategy (the Draft Strategy), while it is not expected that the Town waits until the Draft Strategy is endorsed to proceed with amendments in these areas, it is considered appropriate that any proposed amendments in the interim are considered in the context of the Draft Strategy to ensure proposals do not compromise any strategic planning for the area.

Given the proposed amendment site is within an area designated as a Strategic Investigation Area consideration should be given to whether the proposed rezoning will preclude the area from inclusion in future investigations and subsequent planning. Alternatively, a discussion of investigative works which have already been undertaken, and form the basis for the proposed amendment, could be included."

22. As identified in the risk assessment, there is the possibility that the rezoning the land prior to the activity and/or precinct plans being developed may result in the proposed density of R60 being less than what could be realised for the site. For example, the strategic investigation and subsequent planning framework could identify this subject site and surrounding land as capable to accommodating a higher density code and/or scale of development. However even if this were to occur, the current Scheme Amendment proposed will not compromise this process and a further Scheme Amendment could be progressed at this time to reflect another zoning and/or density for the site.
23. As such, progressing the subject Scheme Amendment prior to the additional strategic planning being undertaken will not prejudice the further strategic planning that needs to occur for the activity corridor area. However, the future potential zoning for the site as a result of this work to be done may inform the business case which will be prepared and presented to Council's to determine the future of the site.

'Community Purpose' Land Use

24. During the preliminary consultation period several submissions raised concerns regarding the potential relocation of the dental and child health centre. It should be noted that whilst the age of the buildings are close to the end of their economic life and will begin to become an asset liability, the Town intends to continue working with these services to retain the uses within the Town of Victoria Park. 'Community Purpose' is however a discretionary land use within the 'Residential' zone in which case the existing uses could continue to operate even if the land is rezoned to Residential. An example of this occurring is the Keith Hayes Community Building in Lathlain which is zoned Residential 'R40'.
25. Notwithstanding this, the Town's Property Service Area has commenced discussions with the Dental Clinic who have agreed to progress their strategic relocation to a newer and more co-located clinic. The rezoning of the land would function as a catalyst to commence this process and the Dental Clinic could then seek funding within their departments to facilitate a relocation solution.
26. Continuing to wait for the additional strategic work to be undertaken could potentially create additional delay of several years depending on community consultations and budget requirements, during which time the buildings on site continue to require repairs and maintenance.
27. In the event that the land was rezoned and the services on site did relocate, under the current Town Planning Scheme, there are a number of zones within which a 'Community Purpose' use is a permitted or discretionary use and therefore does not rely on land which is reserved under the Scheme for Public Purposes.
28. In addition to private sector properties, Council and State owned land in the Town can accommodate further community services if there is a specific need to deliver that community facility. The Town's Urban Planning team are satisfied that rezoning this land will not compromise the Town's current and future needs for accommodating civic and/or community uses.

Development Potential

29. Whilst a business case will be prepared for Council to determine the future of the landholdings, the rezoning of the land would facilitate redevelopment of the site for residential purposes at a density of R60 as well as being able to accommodate land uses which are either 'P' (permitted) or 'AA' (discretionary) uses within the Residential Zone. These are highlighted in the following table:

Use Class	Residential
Child Care Premises	AA
Commercial Vehicle Parking	AA
Community Purpose	AA
Consulting Rooms	AA
Educational Establishment	AA
Family Day Care	AA
Grouped Dwelling	P
Home Occupation	AA
Home Store	AA
Hospital	AA
Multiple Dwelling	P ¹
Nursing Home	AA
Place of Worships	AA
Residential Building	AA
Serviced Apartment	AA
Single House	P

30. In the event that a business case were to determine that a residential development of Multiple Dwellings (apartments) on the site is appropriate, then the following default standards of the planning framework would apply :

Development Standards - R60	
Streetscape context and character	Medium – rise (Residential Design Codes) Volume 2 – Apartments
Plot Ratio	0.8

Height	8.6 metres
Minimum primary street setback	6m average
Minimum side setbacks	3 metres
Minimum rear setback	3 metres

31. Assuming an average plot ratio unit size of 65m², the site could accommodate approximately 25 units. However as the requirements of the R-Codes, Volume 2 are performance based, it is likely that additional dwelling yield may occur.
32. As outlined above, the proposed Scheme Amendment is consistent with the current planning framework, with the rezoning to Residential R60 being consistent with that of the adjoining residential properties. Whilst the land is located in an area which is subject to further strategic planning, the proposed rezoning to R60 would likely be an interim measure which will not compromise this work and does not prevent a further rezoning of the property in the future to be consistent with the outcomes of this strategic planning work. The existing community health services that are located could remain under a proposed residential zoning however rezoning the land provides Council with a number of options for the land which will be explored further as part of a business case and presented to Council should the rezoning be approved.
33. Should Council resolve to initiate the Amendment it is considered necessary for the report prepared by Harley Dykstra, on behalf of the Town, to be amended to provide further commentary on issues addressed in this report, namely the rezoning occurring ahead of further strategic planning work, and the accommodation of future community facilities and needs in the Town.

Relevant documents

Town of Victoria Park Town Planning Scheme No. 1 - <https://www.victoriapark.wa.gov.au/Build-anddevelop/Planning/Policy-regulation-and-legislation#section-2>

Local Planning Policy 37 – Community Consultation on Planning Proposals - <https://www.victoriapark.wa.gov.au/Build-and-develop/Planning/Policy-regulation-and-legislation#section-6>

Perth and Peel at 3.5 Million - <https://www.dplh.wa.gov.au/perth-and-peel-@-3-5-million>

State Planning Policy 7.2 - Precinct Design <https://www.dplh.wa.gov.au/designwa-precinct-design>

State Planning Policy 4.2 - Activity Centres for Perth and Peel <https://www.dplh.wa.gov.au/spp4-2>

Draft Local Planning Strategy
21 April Ordinary Council Meeting Minutes <https://www.victoriapark.wa.gov.au/About-Council/Council-meetings/Minutes-Agendas>

Further consideration

In response to questions raised at the Agenda Briefing Forum, the following information has been provided by the Town's Property team:

34. *Can further information please be provided about:*

- a) *the Town's current and future needs for accommodating future civic infrastructure and how that has been assessed;*
- b) *why the Town is satisfied that the land is surplus to those needs.*

The following paragraphs in the report intend to address the surplus requirement of the specific Civic zoning:

"5. Given the significant age of the buildings on site, the ongoing maintenance costs, the context and characteristics of the site and strategic location of the site, the existing situation has been considered by the Town as not a long-term solution for either the land asset or the building assets."

"28. In addition to private sector properties, Council and State owned land in the Town can accommodate further community services if there is a specific need to deliver that community facility. The Town's Urban Planning team are satisfied that rezoning this land will not compromise the Town's current and future needs for accommodating civic and/or community uses."

In addition, as civic or community infrastructure can be located on a variety of zonings, the requirement for a very specific zoning of Public Purpose – Civic Use is no longer necessary. A Dental Clinic and Infant Health Clinic can be considered in a number of commercial or community buildings and can be achieved on a range of zonings. The Temple Street Civic-Use zoning is therefore not specifically required and is surplus as a zoning. The land is not surplus but the zoning. Maintaining this zoning moving forward in perpetuity does not allow the effective management of the Town's land and building assets, it creates unnecessary limitations for options moving forward. The change in zoning allows not only the existing uses to continue but also a variety of options to occur into the future. The buildings currently on the land are close to reaching economic obsolescence. If either tenant decided to not continue their occupation of the buildings, the Town would have very limited opportunity to re-let and the maintenance costs would continue to burden rate payers. There exists numerous land holdings and the ability for those land holdings to accommodate a civic or community use throughout the Town so any current and future needs for civic or community uses can still be achieved. From a land ownership perspective, and in line with the effective management of the Town's land asset and Policy 221 the Town's preferred tenure model is to use vested reserves for on-ongoing community services in perpetuity.

The assessment of current and future civic and community infrastructure was undertaken with the Social Infrastructure Plan, which is going to undergo some further refinement. It is mainly based on population projections with key recommendations for civic and community services similar to those at Temple Street to be co-located in multipurpose community centres and not to be in standalone buildings. Accommodating future civic and community infrastructure will aim to follow this mantra where the location of the land holding is the driving factor to make sure the services are accessible to the majority of rate payers.

The rezoning of the site to Residential does not prevent the current uses or other like community uses from operating at the site. Rezoning of the site to Residential will open up a range of options for the future use of the site, and a Business Case will need to be presented to Council to determine which option to proceed with.

35. Is it proposed to relocate the current services into other Town owned buildings?

Yes. This has already proactively been attempted to relocate these services due to the impending cost burden and poor design of the existing buildings. The Infant Health Clinic and Dental Clinic are state owned agencies and have their own specific drivers for accommodation. A private owner free rent offer and 10 Kent Street were both opportunities presented to the Infant Health Clinic however neither were to their satisfaction. The Town will continue to work with the service providers as the preference is that they are to stay in the Town.

36. If so, how much will the Town have to spend to relocate the current tenants to other Town buildings?

This is not an exact known at this stage, this will be determined to inform the future Business Case in order to make an informed decision. However, the ongoing cost to maintain the existing buildings is equally not a long-term financial solution.

37. What will happen if the Town cannot relocate the current tenants to another suitable Town building?

The tenants will not be asked to relocate unless a suitable alternative location is found. The Town will continue to work with the tenants as the existing buildings are not a long-term solution, and the tenants will not be asked to relocate.

38. How many Town buildings are currently ready and able to accommodate either or both of the dental clinic and child health service?

A number of buildings have potential from the Town's perspective however these will need to be assessed by the respective Health department representatives from Infant and Dental Clinics.