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CITY OF VINCENT

Ref: JP:mb/ Lease28/SC584 – D17/167231

18 December 2017

Michael Shepherd
Manager Corporate Services
Dental Health Services
Locked Bag 15
BENTLEY DC WA 6983

Dear Michael

**FUTURE USE OF SHALOM COLEMAN DENTAL CLINIC, LOT 100 (NO. 31)
SYDNEY STREET, NORTH PERTH BY MINISTER FOR HEALTH**

I refer to the Minister for Health's (Dental Health Services) lease of the dental health clinic on the above land (**Property**) from the City dated 5 March 2013.

I note that the current lease of the Property is due to expire on 30 June 2021 and there are no further option periods. I also note that the Minister for Health (Dental Health Services) has a licence to use 9 of the car parking bays at 25 Sydney Street, and this licence will also expire on 30 June 2021.

I am writing to advise you that the City has reviewed the background to the acquisition and use of the Property, as well as the adjacent child care centre (15 Haynes Street) and the car park (25 Sydney Street). The background is set out below for your information:

Lot 100 (No. 31) Sydney Street, North Perth

The land on the corner of Haynes and Sydney Streets was an amalgamation of three Lots (94, 95 & 96 Sydney Streets), which were resumed for a public work by the City of Perth in 1945. The resumption was published in the 8 June 1945 Government Gazette, which stated that the parcels of land had "*been compulsorily taken and set apart for the purposes of the following public works, namely:-Recreation Ground, Sydney and Haynes Streets, North Perth*".

The City's records indicate that the building on the land was leased to the Minister for Health as a dental health clinic since 1958. The building also originally comprised a child health clinic, which was closed in 1997 and the area was subsequently occupied by the North Perth Playgroup Inc (North Perth Playgroup is located on a portion of Lot 100 and also a portion of Lot 9). The total area of Lot 100 is 1,366m².

Lot 9 (No. 15) Haynes Street, North Perth

Lot 9 was transferred to the City of Perth by James Ewart on 2 March 1927. The land was originally used by the City as a park. At the Ordinary Meeting of [Perth] Council held on 13 October 1941 Council resolved that the land be included in a Deed of Trust



for 'recreation for the people', which was secured by a Registrar's Caveat over the land (Declaration of Trust dated 21 October 1941 for the purpose of recreation).

The total area of Lot 9 is 2,026m². The land originally comprised the Kyilla Pre-Primary, which was leased to the Education Department until the pre-primary's relocation to the Kyilla Primary School site in 2002. Since the relocation the property has been leased to Kidz Galore Pty Ltd and the North Perth Playgroup Inc.

Lot 93 (No. 25) Sydney Street, North Perth

This Lot was purchased in 1958 from Joseph Samuel Foulkes (also previously owned Lot 94). The land now comprises a car park which the Minister for Health and Kidz Galore Pty Ltd have a licence to use for staff car parking. The total area of the car park is 562m².

Based on this background, it is clear that the City's intention when acquiring the above land was to create a recreation ground for use by the public. However, for many years the land has been used for a purpose inconsistent with the Deed of Trust or Resumption. The City is currently preparing a Public Open Space Strategy, and this will inform future decisions in respect to supply and hierarchy of parks.

In light of the recent findings in respect to the intended use of the three parcels of land, including the Property, which has an enduring impact on the Certificate of Titles to the land, and pending the outcome of the Public Open Space Strategy, which is likely to identify areas of the City underserved proportionally by public open space, it is unlikely that Administration would recommend entering into long term arrangements with the Minister for Health following the expiry of the current lease on 30 June 2021.

The City recognises and supports the community service which the Shalom Coleman Dental Clinic has provided in North Perth since approximately 1958 and the Minister's investment in the facility. Recognising there is only four years remaining on the Lease, it is suggested that we meet at your convenience to discuss the long term implications.

If you have any further queries please contact Meluka Bancroft or John Paton.

Yours sincerely



John Paton
DIRECTOR CORPORATE SERVICES