

Late item 8.2.3

Ordinary Meeting

Thursday, 6 December 2018

commencing at 9:00am

Council Chambers, Corner Currie and Bury Streets, Nambour

TABLE OF CONTENTS

ITEM	SUBJECT	PAGE NO
8	REPORTS DIRECT TO COUNCIL	5
8.2	BUSINESS PERFORMANCE	5
8.2.3	EXCEPTIONS UNDER LOCAL GOVERNMENT REGULATION 2012 FOR A GOVERNMENT AGENCY	5

8 REPORTS DIRECT TO COUNCIL**8.2 BUSINESS PERFORMANCE****8.2.3 EXCEPTIONS UNDER LOCAL GOVERNMENT REGULATION 2012 FOR A GOVERNMENT AGENCY****File No:** F2015/5217**Author:** Group Executive
Business Performance Group**Attachments:** Att 1 - Confidential Proposed QPS Tenancy - *Confidential pg 5/6*

PURPOSE

The purpose of this report is to seek exceptions from Council, in accordance with the *Local Government Regulation 2012*, to enter into leases with a government agency, other than through a tender or auction process.

EXECUTIVE SUMMARY

The *Local Government Regulation 2012*, section 224(6) states that 'the grant of a lease over land or buildings' is a disposal of a valuable non-current asset and section 227 further states that this disposal must be by written tender or auction.

Section 236(1) lists allowable exceptions to the tender or auction process. Government agencies are excepted under section 236(1)(b), 'if the local government has decided by resolution, the exception may apply' under section 236(2).

Queensland Police Service (QPS) has approached Council and expressed an interest in occupying part of Council's Corporate Building in Nambour from January 2019. Discussions have progressed and a market deal is currently under discussion.

OFFICER RECOMMENDATION**That Council:**

- (a) receive and note the report titled "Exceptions under Local Government Regulation 2012 for a Government Agency"
- (b) resolve in accordance with section 236(2) of the *Local Government Regulation 2012* ("Regulation") that the exception under section 236(1)(b) of the Regulation applies to the disposal (lease) of this property to a Government Agency (namely the Queensland Police Service) and
- (c) resolve to enter into a lease arrangement with Queensland Police Service (QPS) over part of Council's buildings in Nambour.

FINANCE AND RESOURCING

Market rental and terms are yet to be negotiated for a proposed lease to commence from January 2019. See confidential *Attachment 1* for proposed lease terms.

CORPORATE PLAN

Corporate Plan Goal: *A smart economy*
Outcome: We serve our community by providing this great service
Operational Activity: S1 - Economic development - providing industry and business programs and initiatives to support the growth of the regional economy.

CONSULTATION

Councillor Consultation

Councillors have previously been made aware of early potential interest by QPS.

Internal Consultation

Chief Executive Officer
Group Executive – Business Performance
Group Executive – Economic & Community Development
Manager – Property Management Branch
HR Officer – People and Culture

External Consultation

Lease Manager – Department of Housing and Public Works
A/Principal Property Officer – Public Safety Business Agency
A/Assistant Commissioner – Queensland Police Service
Detective Inspector – Queensland Police Service
Valuer – Savills Australia

Community Engagement

Due to the internal administrative nature of this report there has been no direct community consultation.

PROPOSAL

Council officers have been working with Queensland Police Service (QPS) in response to their request to accommodate a number of staff within available premises owned by Council – this being Suite B at 134 Currie St, Nambour. Refer to confidential *Attachment 1* for proposed terms.

Legal

Consultation with Council's Legal Services will occur as negotiations progress to drafting.

Policy

This request is in accordance with the Council Procurement Policy.

Risk

Refer to confidential *Attachment 1*.

Previous Council Resolution

There is no previous Council resolution relevant to this report.

Related Documentation

There is no related documentation relevant to this report.

Critical Dates

As indicated above, subject to Council endorsement of this report and negotiation of acceptable terms, the lease would commence from January 2019.

Implementation

Should Council resolve that exceptions apply, leases will be negotiated and implemented.