



Redland
CITY COUNCIL

AGENDA

LATE REPORTS GENERAL MEETING

**Wednesday, 20 January 2021
commencing at 9.30am**

**The Council Chambers
91 - 93 Bloomfield Street
CLEVELAND QLD**

Order Of Business

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 15.1 Redland Community Centre Inc. - Lease Renewal 1

15 REPORTS FROM INFRASTRUCTURE & OPERATIONS

15.1 REDLAND COMMUNITY CENTRE INC. - LEASE RENEWAL

Objective Reference:

Authorising Officer: Dr Nicole Davis, Acting Chief Executive Officer

Responsible Officer: Sherry Clarke, Group Manager City Operations

Report Author: Laura Twining, Senior Leasing Officer

Attachments: 1. Site Plan

PURPOSE

To seek Council approval, as joint landowner, to renew the lease agreement for Redland Community Centre Inc. over Lot 10 SP101323, described as 29 Loraine Street, Capalaba.

BACKGROUND

On 28 February 1996, Council resolved to enter into a partnership with the State Government to construct a community facility at 29 Loraine Street, Capalaba. In return for its financial contribution towards the project, Council acquired a 35% interest in the property and owns the land as tenants in common with the State of Queensland represented by the Department of Communities, Housing and Digital Economy (The Department), formerly known as the Department of Communities, Disability Services and Seniors.

Until recently, both Lifeline and Redland Community Centre Inc. leased parts of the facility under separate tenure agreements. Lifeline surrendered their tenure and through negotiations with The Department, Redland Community Centre Inc. established sole occupancy of the facility, accommodating the growing demand for their services now and into the future.

Redland Community Centre Inc. is a non-profit community based organisation, endorsed by the Federal Government as a public benevolent institution and registered as a charity with the Australian Charities and Not for Profits Commission (ACNC). The Centre supports people in the Redland City area and suburbs of Wynnum/Manly through a number of valuable 'one stop shop' community focused services including homelessness programs, family support, emergency relief and counselling.

ISSUES

Since the facility was opened, The Department has negotiated and prepared lease documents for co-signing by Council. The lease currently held by Redland Community Centre Inc. expired on 30 September 2018 and remains in place under the hold over clause. The Department has negotiated and drafted a new lease with the group until 30 September 2023. The lease now requires co-signing, as joint landowners, by Council.

Renewal of the lease held by Redland Community Centre Inc. will allow the group to continue providing counselling, emergency relief, family and individual support services to people within the Redland City area.

STRATEGIC IMPLICATIONS

Legislative Requirements

The *Local Government Regulation 2012* s.236(1)(b)(ii) requires that Council agree by resolution that it is appropriate to dispose of an interest in land to a community organisation, other than by tender or auction. As Redland Community Centre Inc. meets the definition of a community organisation, s.236(1)(b)(ii) applies and allows this lease of Council land.

Risk Management

The lease requires Redland Community Centre Inc. to maintain public liability insurance for an amount of not less than \$20 million. Property insurance for the building is maintained by Council. The Department conduct inspections to ensure compliance with occupant safety and building condition, and there are clauses under the proposed lease to address any non-compliance to these. The Department has confirmed all statutory maintenance at the site is currently up to date.

Redland Community Centre Inc. hold a funding agreement for service delivery with The Department. Financial and sustainability checks were undertaken by The Department at the time of issuing the service delivery contract.

An agreement is in place between Council and The Department outlining the responsibilities of each owner proportionate to the respective interest in the facility, being the State of Queensland (65%) and Council (35%).

Financial

Council will not incur costs associated with lease preparation.

People

This recommendation does not have Council staff implications.

Environmental

This recommendation does not have environmental implications.

Social

Renewal of the lease will allow Redland Community Centre Inc. to continue providing counselling, emergency relief, family and individual support services to people within the Redland City area.

Human Rights

There are no Human Rights impacted as a result of this report.

Alignment with Council's Policy and Plans

CDV-001-P Community Leasing Policy supports leases to not-for-profit community organisations.

Our Future Redlands - A Corporate Plan to 2026 and Beyond is supported by this proposal, particularly:

7. Strong and connected communities

- 7.2 Council maximises community benefit from the use of its parklands and facilities by improving access to, and the quality of shared use of, public spaces and facilities by groups for sporting, recreational and community activities.

CONSULTATION

Consulted	Consultation Date	Comments/Actions
Service Manager, Legal Services	28/10/2020	Provided legal approval of new lease prepared by The Department
Councillor, Division 8	28/10/2020	Notified of pending lease renewal
Service Manager, Strengthening Communities	30/10/2020	Report reviewed and new lease supported
Service Manager, City Sport and Venues	10/11/2020	Report reviewed and new lease supported

OPTIONS**Option One**

That Council resolves as follows:

1. To approve and discharge, as joint landowner, a new lease to Redland Community Centre Inc. over Lot 10 SP101323 situated at 29 Loraine Street Capalaba, as shown on the attached site plan, with a lease term to 30 September 2023.
2. To agree in accordance with s.236(2) of the *Local Government Regulation 2012* that s.236(1)(b)(ii) of the *Local Government Regulation 2012* applies allowing the proposed lease to a community organisation, other than by tender or auction.
3. To authorise the Chief Executive Officer to sign all documents in regard to this matter.

Option Two

That Council does not approve a new lease to Redland Community Centre Inc. and investigates alternative arrangements.

OFFICER'S RECOMMENDATION

That Council resolves as follows:

1. To approve and discharge, as joint landowner, a new lease to Redland Community Centre Inc. over Lot 10 SP101323 situated at 29 Loraine Street Capalaba, as shown on the attached site plan, with a lease term to 30 September 2023.
2. To agree in accordance with s.236(2) of the *Local Government Regulation 2012* that s.236(1)(b)(ii) of the *Local Government Regulation 2012* applies allowing the proposed lease to a community organisation, other than by tender or auction.
3. To authorise the Chief Executive Officer to sign all documents in regard to this matter.

Attachment 1

Redland Community Centre Inc. – Lot 10 SP101323 – Lease area outlined in yellow

