

1.9 25 DOWNING STREET OAKLEIGH – PROPOSED LEASE TO MONASH OAKLEIGH COMMUNITY SUPPORT & INFORMATION SERVICE INCORPORATED

Responsible Director: Peter Panagakos

RECOMMENDATION

That Council:

1. *Negotiate a lease with Monash Oakleigh Community Support & Information Service Incorporated (MOCSIS) for the building located at 25 Downing Street, Oakleigh incorporating the following terms and conditions:
 - a. Premises: 25 Downing Street, Oakleigh
 - b. Lessee: Monash Oakleigh Community Support & Information Service Incorporated
 - c. Term: 5 years
 - d. Rent: \$1.00 per annum (plus GST)
 - e. Use: For purposes connected with provision of Community support, emergency relief, advocacy, Information and referral services to the local Community.*

("the Proposal")
2. *Give public notice of the proposal in accordance with Section 190 of the Act, in a daily newspaper and on Council's website from 6 August 2020 and invite submissions on the proposal.*
3. *Authorises Council's Chief Executive Officer or her delegate to undertake the administrative procedures necessary to enable Council to carry out its functions under Section 223 of the Act in respect of the proposal ('Appointed Officer').*
4. *Appoint a Committee of Council comprising the Oakleigh Ward Councillors and the Mayor to hear any submitters requesting to be heard and consider any submissions received under Section 223 of the Act on a date and time to be fixed.*
5. *Consider and determine the outcome of the section 223 process on the proposal at the Ordinary Meeting of Council on a date and time to be fixed.*

INTRODUCTION

The purpose of this report is for Council to commence the statutory process in accordance with Section 190 of the Act to advertise its proposal to grant a Lease to the MOCSIS for use of 25 Downing Street, Oakleigh. Please refer to Attachment 1.

BACKGROUND

The City of Oakleigh bought the Colonial Gas Company house at 25 Downing Street Oakleigh in 1977 and granted use of the building to the Citizen's Advice Bureau. The Citizen's Advice Bureau became the Monash Oakleigh Community Support and Information Service in 1997 and is one of a network of Community Information centres operating throughout Victoria under the umbrella of Community Information and Support Victoria.

MOCSIS is staffed entirely by trained volunteers and is open weekdays from 10am to 3.30pm. The Service exists to assist members of the local community by providing support, information and material aid. MOCSIS assist with the following advice:

- Referrals onto solicitors
- Family Problems
- Government Services
- Housing
- Negotiations with utility companies
- No Interest Loan Schemes
- MOCSIS Tax Help Program

MOCSIS is funded externally with grants from the Council, the Department of Social Services and various local philanthropic organisations. During FY18/19, the organisation responded to over 10,000 requests for service.

DISCUSSION

The MOCSIS Licence expired in 2004 and the organisation have remained on site in over holding since then, occupying the building on the same terms and conditions as the Licence. MOCSIS occupies the building exclusively and this form of occupancy requires a lease. A draft lease has been reviewed by MOCSIS and the form of agreement is acceptable to both parties.

Prior to offering a new lease agreement, Council is required to comply with the requirements of section 190 of the Local Government Act 1989, which states that if a lease is to be:

- (a) for 1 year or more; and
 - (i) the rent for any period of the lease is \$50,000 or more a year; or
 - (ii) the current market rental value of the land is \$50,000 or more a year; or
- (b) for 10 years or more; or

(c) a building or improving lease,

That Council must, at least 4 weeks before the lease is made, publish a public notice of the proposed lease. A person has a right to make a submission under Section 223 of the Act on the proposed lease.

In accordance with Council's Leasing and Licensing Policy, the annual rental for a Community Office is \$1.00 per annum (plus GST).

As the market rental value of this facility is greater than \$50,000, Council must publish a public notice of intention to enter into a lease and invite submissions. It is proposed to publish a public notice of the proposed lease to MOCSIS in a newspaper and on Council's website in early August 2020.

SOCIAL IMPLICATIONS

MOCSIS aims to provide free accessible information and support to the community, which is delivered by friendly, impartial trained volunteers. They aim to assist those in the local community who are marginalised, isolated or suffering from poverty or discrimination and they aim to respect the privacy and independence of everyone seeking assistance.

FINANCIAL IMPLICATIONS

The Lessee is responsible for minor repairs and maintenance, Council manages any renewal works associated with the building. The Lessee is responsible for the payment of utility charges.

CONCLUSION

MOCSIS have been occupying the site for over 40 years and continue to deliver a valued service to the local community.

To ensure the MOCSIS's ongoing tenure in a current occupancy document, it is now appropriate for Council to consider a Lease to MOCSIS. To progress this, Council is required to undertake Public Notification of its intention to grant a lease and consider any submissions before determining to enter into a lease arrangement.

Attachment 1

Site Plan



25 Downing Street Oakleigh – Proposed Lease to Monash Oakleigh Community Support & Information Service Incorporated

Attachment 2**Key terms and Conditions associated with the proposed Lease**

Leased Area	Refer to Attachment 1
Commencement Date	The date upon which Council resolves to proceed with a lease
Permitted Use	For purposes connected with provision of community support, emergency relief, advocacy, information and referral services to the local community.
Term	5 years
Rental	\$1.00 per annum (plus GST)
Maintenance	The Lessee will be responsible for minor repairs and maintenance.
Outgoings	The Lessee will be responsible for payment of gas and electricity at the site.