

Strategy and Assets Committee

Meeting Date: Tuesday, 15 November, 2016
Location: Council Chambers, City Administrative Centre, Bridge Road, Nowra
Time: 4.00pm

Membership (Quorum - 5)
Clr Andrew Guile - Chairperson
All Councillors
General Manager or nominee

Addendum Agenda

Reports

SA16.54 Expression of Interest for the Sale of the Visitor Information Centre
Site and Graham Lodge 1

Confidential Reports

Reports

CSA16.9 Expression of Interest for the Sale of the Visitor Information Centre
Site and Graham Lodge

Local Government Act - Section 10A(2)(d)(i) - Commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

There is a public interest consideration against disclosure of information as disclosure of the information could reasonably be expected to reveal commercial-in-confidence information and diminish the competitive commercial value of the information of the proponents and prejudice their commercial interests.

SA16.54 Expression of Interest for the Sale of the Visitor Information Centre Site and Graham Lodge

HPERM Ref: D16/352276

Group: Assets & Works Group

Section: Business & Property

Purpose / Summary

In accordance with s10A(2)(d)(i) of the Local Government Act 1993 some information should remain confidential and will be considered as part of a separate confidential report to Council. It is not in the public interest to disclose this information as it contains “commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it”.

To inform Council of the initial stage of the Expression of Interest (EOI) process to the disposal of Lot 1 DP1010062 Pleasant Way, Nowra and to seek Council approval to shortlist selected respondents.

Recommendation (Item to be determined under delegated authority)

That Council, in accordance with Section 10A(2)(d)(i) of the Local Government Act 1993, consider a separate confidential report on this matter.

Options

1. Council accept the recommendation as presented.

Implications: Consider a separate confidential report which recommends applicants for shortlisting.

2. Provide further direction to staff and propose an alternative.

Background

On 24 May 2016 Council resolved (MIN16.412) to sell Lot 1 DP1010062, 10 Pleasant Way, Nowra (the Visitor Information Centre site including Graham Lodge) via an Expression of Interest (EOI) process. Council did this to ensure that Council retained some control over the development proposed for the site. The EOI required responses outlining the vision and concept for this important gateway location including the VIC site and Graham Lodge with a more detailed concept to be provided at the next stage.

The initial development concept forms part of the control over the development and will be included in the conditional contract for sale of land, this provides that the purchaser is to develop the property in accordance with the submission and within Council’s planning framework.

Council is seeking a Respondent which will assist Council meet its objectives for the site, and which has:

- A shared aspiration for the Gateway Site;
- The capability to deliver Council's vision;
- The financial capacity;
- Proven experience and access to the necessary resources; and
- Suitable timeframes for development of the site.

This sale is being completed through a staged Expression of Interest process and the purpose of the confidential report is to seek approval to proceed to the next stage of the process following the submission of responses relating to the proposed development (first step). There were 6 responses provided to call for the Expression of Interest.

A brief summary of the process is outlined below:

- Call for EOIs
- Upon closure, assess/score EOIs on an individual basis
- The Evaluation Panel considered mandatory participation criteria which was clearly outlined on the EOI response form.
- Report to Council on shortlist to proceed to the next stage of EOI (*We are here*)
- Submission of price and risk analysis as the next stages
- Finalise evaluation of EOI and report to Council
- Council makes a determination

Helicopter

The property was listed for sale via Expression of Interest on 18 August 2016 in accordance with Council resolution MIN16.412. This resolution was made prior to Council resolving on 4 October 2016 to exclude the helicopter and a reasonable curtilage from the sale. Accordingly, respondents were not aware of this resolution when providing their response. The helicopter will be considered during the second stage of the EOI process.

Graham Lodge

As previously advised, Graham Lodge is included in the sale of the subject property. Graham Lodge currently is protected by a State Heritage Listing which ensures that any development on the immediate surrounds and the building itself is carried out in accordance with strict heritage guidelines. Graham Lodge has a current and comprehensive Conservation Management Plan relating to the property which was made available to all interested parties at the time the sale was advertised.

Community Engagement

Council advertised its intention to sell the subject property in the local print media and on Council's website in accordance with the current Development and/or Disposal of Council Lands Policy (POL12/275). Council did not receive any submissions in relation to the disposal from the adjoining landowner and Council resolved to proceed with the sale of the property.

The property was listed on the open market for sale via Expression of Interest. This process is designed to ensure a fair, open and transparent process.

Policy Implications

All requirements outlined within the aforementioned Development and/or Disposal of Council Lands Policy (POL12/275) have been adhered to.

Financial Implications

Proceeds from the sale are to be placed in the Strategic Property Acquisition Reserve to be used for future property acquisitions. A proportion of the sale proceeds are to be used to pay the fees relating to the sale of the property such as agent fees and legal costs.

The proponents have recognised the value of Graham Lodge and opportunities provided to restore and utilise the facility as part of their proposals.