EXPRESSION OF INTEREST



LEASING/LICENSING OPPORTUNITY PART LAND AND BUILDING AT 125 – 149 GEORGE STREET, DONCASTER EAST

1. Background/overview

Rieschiecks Reserve located at 125-149 George Street, Doncaster East provides a range of community, recreation, heritage and sporting facilities including Schramms Cottage Museum, Scout Hall ('Building'), playground, athletic track and field facilities, sports pavilion, sporting oval, Heimat Centre (including Heimat House built in 1889) and a large area of open space including carparks.

Until recently, the Building accommodated the activities of the scouts and senior athletics. The part of the Building which had accommodated the senior athletics is now vacant giving rise to this Expressions of Interest ('EOI') process.

An exciting opportunity exists for an incorporated community not for profit association to lease or licence part of the Building comprising an area of approx. 147.5m². (For the purposes of this document, a reference to Premises relates to a lease and a reference to Licensed Area relates to a licence).

It is envisioned that the space will accommodate a use or uses providing programs or activities which either complement existing services or which recognise a service gap in response to community needs in Manningham. The Premises/Licensed Area is not to be used for any purpose which may cause it to be construed as a retail premises as defined in the *Retail Leases Act* 2003.

The lease/licence with the successful respondent to the EOI will be subject to the rent (set out in this document as the determined rent for community service use leases/licences), and on terms and conditions relevant to the permitted use.

By way of background:

- apart from scout activities, the Building has also been used for general meetings and programming (e.g. Yoga etc.);
- no Council services are co-located within the Building;
- the Scouts (existing Tenant) will continue to occupy the northern section of the Building; and
- common areas within the Building comprising the kitchen (excluding the external servery which is for the use of the other Tenant), male and female toilets, as well as a general passageway are provided for shared or common use.

2. Premises/Licensed Area

The Premises/Licensed Area is shown bordered by thick pink borders on the Plan included in Annexure A and comprises an area of approx. 147.5m². The Common Area is coloured yellow on the Plan in Annexure A. The Tenant/Licensee (as applicable) will be granted a licence (matching the term of the lease/licence) to use the Common Area for the purpose of accessing the Premises/Licensed Area.

The Building is not separately metered for electricity and Yarra Valley Water services and charges. The Tenant/Licensee's proportion of these outgoings is 39.03% (being the proportion that the lettable area of the Premises/Licensed Area 147.5m² bears to the total lettable area of all Premises in the Building being 377.90m²). The Tenant/Licensee will be responsible for 100% of any outgoings (e.g. telephone) connected to the Premises/Licensed Area.

3. Alterations to the Premises/Licensed Area

No upgrades have been undertaken at the Building. Future upgrades may be considered once a lease/licence has been awarded for use of the space, however both the upgrade and timing, if such are to proceed, will be subject to budget availability.

It is acknowledged that some minor alterations may be required to accommodate the permitted use of the Premises/Licensed Area selected through this EOI process.

As such, if intending to submit an EOI, please indicate the alterations required for the intended use, the estimated cost and timeframe to undertake and complete the works and how the costs are to be funded.

Council will give consideration to potential alterations but this would only occur following the execution of a lease/licence between the parties and having regard to the incoming Tenant/Licensee's use of the space (for instance, the requirement for separate toilets or additional storage). Any level of Council's contribution would be subject to agreement between the parties, and this detail should be included in a response to this EOI.

4. Car Parking

Parking is available to the general public. No parking will be dedicated for the Premises/Licensed Area.

5. Lease/Licence

The purpose of this EOI process is to source a suitable Tenant/Licensee to enter into a lease/licence with Council.

By calling for the EOI, Council will be able to identify the level of interest and therefore determine the most appropriate use for the Premises/Licensed Area and potentially, enter into a lease/licence.

6. Planning and Zoning

The Building sits within a reserve classified as Public Park and Recreation Zone (PPRZ). For more information regarding this zone, please refer to <u>36.02 PUBLIC PARK AND RECREATION ZONE MANNINGHAM Planning Scheme - Ordinance</u>

Intending applicants must make their own enquires as to the suitability of the Premises/Licensed Area for the intended use.

If a planning permit is required for the intended use, the successful applicant selected through this EOI process acknowledges that:

- it will at its cost, make application for the requisite planning permit; and
- the lease/licence is conditional on the issue of the planning permit allowing the permitted use.

7. Terms and Conditions

The proposal that best meets the selection criteria in the EOI will be offered a lease/licence on the following general terms and conditions:

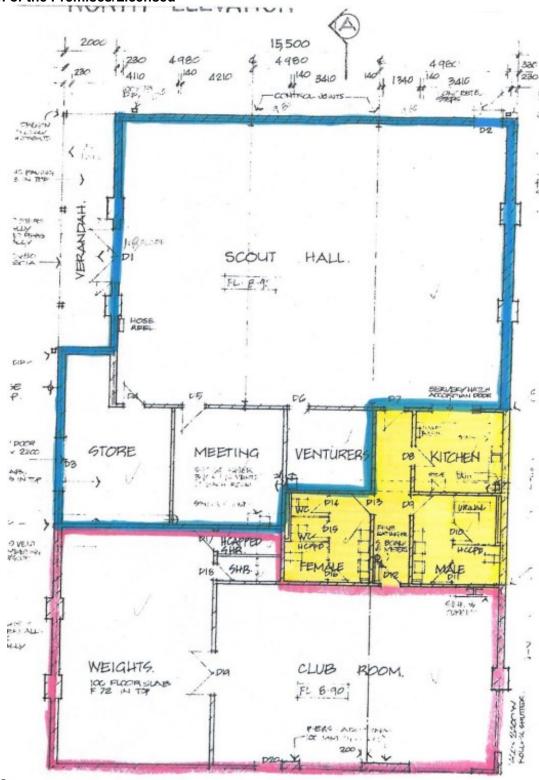
Land:	The part of the land contained in certificate of title volume 8664 folio 411
Premises/Licensed Area:	The part of the Land and Building, shown outlined by a thick pink border on the attached plan Annexure A being part 125-149 George Street, Doncaster East. (The Common Area is coloured yellow on the Plan)
Commencement Date:	to be determined subject to the requirement:1. to obtain a planning permit for the proposed permitted use; and/or2. any alterations required for the permitted use
Term:	3 years
Further Term (if any):	Not applicable
Commencing rent:	Rent for the Term is: Year 1 \$317.98 Year 2 \$326.72 Year 3 \$334.89 Note: rent is based on community service use, that is, it excludes retail use within the meaning of the Retail Leases Act 2003
Permitted Purpose:	as agreed between the parties and conditional on the issue of planning approval, if required
Hours of Operation:	To be determined dependent on the permitted use
Bank Guarantee:	Requirement to submit a bank guarantee to be determined

Outgoings (rates, taxes,	Tenant/Licensee's Proportion for Outgoings:
charges and levies and	(a) in relation to outgoings that only benefit the
Services):	Premises/Licensed Area: 100%; and
	(b) in relation to Outgoings that benefit all the
	Premises within the Building: the proportion
	that the Lettable Area of the
	Premises/Licensed Area bears to the
	Lettable Area, being 39.03%
Services (utilities)-	The Building comprising the Premises/Licensed
Premises/Licensed Area:	Area, premises accommodating the other Tenant
	and the Common Area is not separately metered.
	The Tenant/Licensee will be responsible for 39.03%
	of the utilities in respect of the Premises/Licensed Area and the Common Area
	Area and the Common Area
Cleaning –	100% of the cost to keep the Premises/Licensed
Premises/Licensed Area	Area clean and free from rubbish, storing all rubbish
Oleaning Organization	in proper containers and have it regularly removed
Cleaning - Common Areas:	The Tenant/Licensee acknowledges that it: 1. will with the other Building Tenant:
	1. Will with the other building renant.
	(a) keep the Common Area clean (including
	the replacement of consumables); and
	(b) maintain the Common Area. For clarity,
	this includes but is not limited to the
	replacement of globes, replacement of
	worn or damaged tap washers and aerator,
	cistern washers and supply and
	maintenance of sanitary bin services; and
	2. is responsible for its proportion of costs for
	utilities servicing and consumed in the
	Common Area
Repairs & Maintenance of	A draft Maintenance Schedule is included in
Leased/Licensed Area and Common Area:	Annexure B
Special conditions:	Special conditions to be included in the
-	lease/licence will amongst other things include:
	- grant of licence over the Common Areas for the term including obligations relating to utilities,
	cleaning and maintenance;
	······ 3 ······························
	- an asbestos provision in acknowledgment that
	the Building construction predates 1983 and may
	therefore contain asbestos material (including but not limited to cement sheet product that form
	walls and roof and vinyl tiles) which is
	documented in the Asbestos Register
	maintained by Council. Any alterations or works
	to the Premises/Licensed Area approved by
	Council is to be undertaken in accordance with
	the requirements contained in Council's

Asbestos Management Plan;

- entry by Council and/or its contractor into the Premises/Licensed Area at any time without giving prior notice for the purpose of fulfilling its obligations under the *Building Act* 1993 and the Building Regulations 2018 to inspect at such frequency as required the essential safety measures (ESM) to maintain the ESM in a state which enables the ESM to fulfil its purpose;
- a requirement for the Tenant/Licensee to undertake and implement sustainable practices wherever possible and to the extent reasonably practicable, including water wise practices, correct use of waste and recycling bins, turning off light switches and electronic equipment at power points when not in use and a preference for purchasing of sustainable products such as recycled paper, toilet paper and cleaning products whenever possible;
- for sports related use, an obligation on the Tenant/Licensee to submit a Business or Strategic Plan setting out its commitment to providing:
 - (a) inclusive practices that integrate and welcome all community members on and off field, including but not limited to people with a disability, young people and females;
 - (b) wider health benefits for members including mental health, healthy eating and social inclusion;
 - (c) identifying potential future facility requirements; and
 - (d) alignment to relevant Council plans and strategies;
- other special conditions as applicable to the permitted use

Annexure A Plan of the Premises/Licensed



Area

Premises/Licensed Area

Common Area

ANNEXURE B

Maintenance Schedule

ITEM	TENANT/LICENSEE'S RESPONSIBILITY	**TENANT/LICENSEE'S RESPONSIBILITY (TASK PERFORMED BY COUNCIL / PAID FOR BY TENANT/LICENSEE/LICENSEE)	COUNCIL'S RESPONSIBILITY
Air-conditioning, evaporative coolers and/or heating appliances (where unit installed)	 Regular servicing, cleaning of units (including vents/outlets of dust) Cost of callouts for temperature adjustment of units which are set within standard temperature range Repair and replace due to fair wear and tear 		
Common Area (coloured yellow on the plan in Annexure A including the bathroom/toilets, kitchen and hallway)	The Tenant/Licensee together with the other Building occupier to: arrange/attend to regular cleaning of Common Areas to ensure no mould develops arrange/attend to general cleaning of bathrooms and showers ensure removal of mould as required keep drains clear repair and replace damaged and worn fittings (including but not limited to tap washers, aerators, cistern washers) due to wilful or negligent damage attributable to the Tenant/Licensee and the other Building occupier arrange replacement of consumables supply and maintain sanitary bin services replace as required, light globes and fluorescent tubes keep and maintain all kitchen surfaces, appliances and equipment in a clean and working state (including rangehood) maintain, repair and replace all non-fixed appliances provided by the Tenant/Licensee maintain exhaust fan comply with any applicable food handling	Tenant/Licensee to reimburse Council the cost of any repairs/maintenance required due to: • wilful or negligent damage attributed to the Tenant/Licensee, and • the Council arranging work (any of the matters itemised in the column headed 'Tenant/Licensee's Responsibility') for which the Tenant/Licensee and the other Building occupier are otherwise responsible	 Infrastructure repairs or works required for drainage purposes, relating to septic, sewerage, drains, water pipes, pits Repair and replacement of internal surface plumbing fittings such as toilet, cisterns, seats and taps

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	requirements report to Council any blockages to the sewerage system Annual cyclic/maintenance check/service of hot water unit		
Curtain/drapes/blinds	 Regular cleaning (where fitted) Cost of repair and replacement due to fair wear and tear 		
Cyclic/Program Maintenance Check			Facility Management to conduct an annual check on the following areas:
Electrical wiring, fittings and lights	 Day to day replacement of all light globes and fluorescent tubes Regular cleaning of all light fixtures, ceiling fans Cost of repair, replacement and maintenance of surface electrical fittings such as light switches, electrical points, diffusers, fluorescent tubes as well as other exposed components Repair of faults, maintenance and repairs – to be carried out by qualified tradespeople 		Repair and replace building electrical wiring due to structural damage or where deemed required Repair and replace existing external security lighting
Essential Safety Measures	 Report any faults with exit lighting Report any use or faults of fire fighting equipment Keep all paths of travel & fire exits clear in accordance with Essential Safety Measures requirements Refill/replace fire fighting equipment when 		Facility Management Unit to undertake essential safety measures audits in accordance with Building Codes of Australia

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	inappropriately discharged, damaged or stolen as a result of misuse or wilful damage		
Floor surfaces and coverings	 All regular cleaning and maintenance of floors and floor coverings Repair and replace due to fair wear and tear 		
Flyscreens	Repair and replace screen and flywire due to fair wear and tear Installation of additional flyscreens		
Glass	Regular cleaning of all internal / external glass surfaces Replace all broken or cracked windows due to accidental or wilful damage Replacement glass to be minimum 6mm laminated		Replacement of windows due to vandalism not attributed to Tenant/Licensee or structural damage.
Graffiti	Tenant/Licensee is responsible for removal of all internal graffiti in accordance with Council Policy. Offensive graffiti must be removed within 24 hours and all other graffiti within 48 hours, after notification or discovery Tenant/Licensee is responsible to notify Council of any external graffiti found		Council is responsible for removal of offensive external graffiti within 24 Hours and all other external graffiti within 48 Hours, proceeding notification or discovery
Grounds	 Keep all entry/exit areas clear and sweep regularly Seek Council's written approval before any modification to the grounds Weed garden beds, pavement and driveways on a regular basis to control weeds within 5 meters of the surrounds of the Premises/Licensed Area 		Maintenance and removal of dead, dying and dangerous trees
Housekeeping / general cleaning (internal & external)	 Clean and remove all dirt, cobwebs and general rubbish Keep all paths of travel and fire exits clear as per Essential Safety Measures requirements Clean windows as required Supply and replacement of all consumables for 		

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	the Tenant/Licensee's use		
Keys and locks	Where Tenant/Licensee is under Council key system - • keys to be labelled with a phone number only to ensure property security • Supply Council with a list of names & contact details of all key holders	Under the Council key system - Supply keys for Tenant/Licensee that exceed standard key allocation Cost of repair and replacement of lock due to misuse/wilful damage and replace lost or damaged keys	Install and maintain key / lock systems.
Pest control	 Keep all areas in a clean and hygienic state All pest control as required both internal and external i.e. rats, rabbits, mice ants, bees & wasps 		Termite control
Portable Electrical appliances/items, extension cords and power boards	Ensure that all electrical equipment and appliances are inspected, tested and tagged in accordance with, and as often as required by the standards contained in the Standard Inspection and Testing AS/NZS 3760		
Refurbishment, alterations & additions	 Seek and obtain Council's written approval of any proposed work Associated costs and ongoing maintenance costs 		
Risk Management	 Display an emergency evacuation plan in a prominent location and ensure the Tenant/Licensee and the Tenant's/Licensee's invitees are familiar with the procedures Keep an adequate stocked first aid kit at the Premises/Licensed Area which is regularly inspected and replenished 		
Roof, spouting, gutters and downpipes	 Clean surface of all eaves, walls and downpipes (excluding actual roof) Cleaning of roof, spouting, gutters and 		Roof cladding replacement if required, due to fair wear and tear
Security	Where security system is installed or requested by the Tenant/Licensee, the		

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Signage	Tenant/Licensee will be responsible for maintaining the system and all associated costs Tenant/Licensee responsible for notifying Council of security codes and to supply a copy of the keys Keep up to date list of key / code holders, where security systems are installed Internal Tenant/Licensee identification signage Regular cleaning as required Replacement, maintenance or additional change of information required Maintain and replace all internal/external signage relating to the Tenant/Licensee All advertising on buildings & surrounds is subject to Council's Outdoor Advertising on Council Owned and Managed Property Policy (a copy of which can be obtained from Council)		Where Council has purchased facility and reserve signage (incorporating user groups) installation, maintenance and replacement costs will be Council's responsibility All signage to be documented on a signage register External signage (other than advertising) is Council's responsibility. Refer to Manningham City Council Outdoor Signage Strategy 2011
Skylight If applicable	 Regular cleaning of skylight Replace all broken or cracked skylight due to damage and fair wear and tear 		
Smoke Detectors	Note: Requirement for installation of smoke detectors in accordance with building regulations and dependent upon Building class Tenant/Licensee responsible for installation and all associated costs relating to smoke detectors installed.		
Telephone & data wiring Walls, ceilings, doors	Tenant/Licensee responsible for all points, line rental, reporting all faults to retail provider and all associated usage charges Regular cleaning and removal of scuff marks		

ITEM	TENANT/LICENSEE'S RESPONSIBILITY	**TENANT/LICENSEE'S RESPONSIBILITY (TASK PERFORMED BY COUNCIL / PAID FOR BY TENANT/LICENSEE/LICENSEE)	COUNCIL'S RESPONSIBILITY
(including cupboard fittings, handles & locks)	 Patch & paint where damaged Maintain all painted surfaces, door fittings, handles and locks 		
Waste collection	 Place waste and recycling materials in the correct allocated bins Ensure contamination is kept at a minimum in recycle bins and remove any contamination before presenting for collection Place the bins out for collection the evening prior to collection day to meet the requirements of Council's collection Following collection, return the bins to a lockable secure area to minimise risks of vandalism (including arson) Responsible and appropriate removal of rubbish through Council approved methods For sites to which there has been a cardboard recycle skip allocated, it is the Tenant/Licensee responsibility to advise Council if the lock is missing / lost / stolen or if any keys have been lost or stolen Bins / skips deemed contaminated will require the Tenant/Licensee to remove the contaminated material prior to the next scheduled collection 	Tenant/Licensee will pay a charge if the current level of service provision is increased as a result of requests for additional bins	Initial provision and replacement of damaged/vandalised bins Current waste services provided by Council may include: Garbage bin Recycle bin Garden waste bin Cardboard recycle skip The waste service to be provided by Council will be assessed on an individual Tenant/Licensee needs by Council's Waste Management Unit
Water tank	Ongoing maintenance and associated infrastructure		

The Expressions of Interest Process

The process is as follows:

Process	Detail	Relevant Date
Call for Expressions of Interest	Council's website – 28 days	7 June 2023
Availability of Expressions of Interest Forms	To be available for downloading on Council's website	7 June 2023
How to submit an Expression of Interest	If you are intending to submit an Expression of Interest form: 1. read all parts of this document and ensure all the requirements are	
	understood	
	2. make the necessary enquiries to ascertain if the intended use of the Premises/Licensed Area is permissible under the planning zone. If a planning permit is likely to be required, ascertain the costs involved	
	3. complete the Expression of Interest Form and ensure that all attachments required to be submitted with the application are attached. You may attach additional information in support of your application	
	ensure that the Expression of Interest Form is signed and dated	
Lodgement of Expressions of Interest Forms	Expression of Interest forms addressed as follows must be lodged by 5pm on the closing date:	Expressions of Interest close 5pm on 5 July 2023
	By Post Attention: Chief Legal and Governance Officer Expression of Interest - Part 125-149 George Street, Doncaster East Manningham City Council P.O.Box 1	Any Expressions of Interest received after the closing date and time will not be considered
	Doncaster VIC 3108 Email propertyservices@manningham.vic.gov.au	
Assessment of Expressions of Interest	All eligible Expressions of Interest will be assessed against the assessment criteria set out in this document.	Following close of Expressions of Interest
Further information	Where information included in the	Following close of

submitted Expression of Interest Form is	Expressions of Interest
	Expressions of interest
	Inspection of
	Premises/Licensed Area
	3pm – 3.45pm on
Attendance is not mandatory but is highly recommended as it will provide the opportunity not only to view the Premises/Licensed Area but also to clarify any questions in relation to the	Wednesday 21 June 2023
of Interest process.	
Respondents to the Expression of Interest should not rely on any information provided by any person other than Council's Chief Legal and Governance Officer	
Eligible submissions will be assessed by a	
panel comprising 3 Council Officers	
All submitters to the process will be advised of the outcome once the successful submission is selected and approved	
If required, the successful applicant to make application for the planning permit at its cost	
Consider any alterations or works which are required to accommodate the intended use of the Premises/Licensed Area and set out both the estimated costs including the funding of the costs	
	recommended as it will provide the opportunity not only to view the Premises/Licensed Area but also to clarify any questions in relation to the Premises/Licensed Area or the Expression of Interest process. Respondents to the Expression of Interest should not rely on any information provided by any person other than Council's Chief Legal and Governance Officer Eligible submissions will be assessed by a panel comprising 3 Council Officers All submitters to the process will be advised of the outcome once the successful submission is selected and approved If required, the successful applicant to make application for the planning permit at its cost Consider any alterations or works which are required to accommodate the intended use of the Premises/Licensed Area and set out both the estimated costs including

Assessment Criteria

A weighted assessment criteria will be applied in the assessment and selection process. The assessment criteria will be based on:

Criteria

Is there a demonstrated and unmet need for the purpose for which the Premises/Licensed Area is proposed to be used?

Does the proposed use align with Council Plan goals, Health and Wellbeing Strategy and Active for Life Recreation Strategy?

Is the proposed use compatible or complementary to the existing available service in the Building?

Does the respondent adequately demonstrate its experience and capacity to deliver the proposed service?

Has the respondent proven to Council's reasonable satisfaction that it is solvent and able to comply with its obligations under the lease/licence by providing at least 2 references as to the financial circumstances and at least 2 references as to the business experience?

Does the proposed use promote community participation, inclusiveness, connectedness and partnerships?

Do the proposed hours of use of the Premises/Licensed Area represents optimisation of use?

Expression of Interest Application

Please complete the following information:

1.	Full Name of the incorporated association including registration no.	
	issued by Consumer Affairs Victoria	
2.	Registered address for communication, service of notice, including email address	
3.	Association's rules (or constitution)	Is the Association using its own rules? ☐ Yes ☐ No
	constitution)	If Yes, do the rules address the 23 matters in Schedule 1 of the Associations Incorporation Reform Act 2012? ☐ Yes ☐ No
		Is the Association using the Model Rules? ☐ Yes ☐ No
4.	Is the community organisation a registered	☐ Yes
	charity with the Australian Charities and Not-for-	□ No
5.	profits Commission? Name of current Office	
	holders (Secretary, etc)	
6.	Does the organisation (association) execute documents under common	☐ Yes ☐ No Please insert execution clause and name and position of
	seal?	officer holders to sign the lease/licence
7.	Name of Office holder	
	submitting this application	Name: Tel/Mobile Nos: Email.
Duna	lava Francisca	
	ious Experience se provide details of previou	s experience which demonstrates the association's ability
to su	cceed with the submitted pro	
8.	Experience 1:	
	Details of reference as to financial circumstances and business experience:	
	·	Name: Organisation: Contact details:
9.	Experience 2:	
	Details of reference as to financial circumstances	

	and business experience:	Name: Organisation: Contact details:
10.	Experience 3:	
	Details of reference as to financial circumstances and business experience:	Name: Organisation: Contact details:
	Supporting information:	☐ Most recent certified financial statement attached ☐ Bank statement attached ☐ other
11.	Registered for GST?	☐ Yes ☐ No Insert ABN
12.	Does the organisation have a current public liability insurance policy?	☐ Yes ☐ No Please attach a copy
13.	What services and activities is the organisation proposing to offer/deliver from the Premises/Licensed Area? How will the specified services and activities benefit the Manningham community?	
14.	What are your proposed target groups -? e.g. Manningham residents, children, aged, youth, other. Please indicate the number of participants or percentage of participants in the various categories.	
15.	Please provide details of any collaboration between the organisation's services and other providers in Manningham	
16.	Please provide details of the fees proposed to be charged for participation in service/activities	
17.	Is there any mutually beneficial relationship that your proposal has to the other Building occupant?	

	If so, please detail	
18.	What are the expected days and hours of operation?	
19.	Where are the organisation's current services operated from?	
	If the organisation currently leases a Building, please provide the cost of the annual rent and outgoings payable in respect of the current location	
20.	If the organisation is successful in securing a lease/licence, would it continue to offer/deliver services from its current location (detailed in 19 above)?	
	Please give reasons for your response	
21.	Does the organisation's proposal require any alterations to the Premises/Licensed Area?	
	If so, provide details of: 1. the alterations required including the estimated cost for each component; 2. how the cost identified in (1) is to be funded;	
	3. is the organisation seeking a contribution towards the costs in (1) above and if so, what value?	
	irm that the information provi orrect.	ded in this application is to the best of my knowledge true
Name and Office held		Signature
 Dat	te	