



EXPRESSION OF INTEREST

Lease

MAYLANDS INTERPRETIVE CENTRE

To occupy the Premises, by Agreement, situated at
Tranby Reserve, 2 Hardey Road, Maylands

Deadline

4:00pm Friday 16 July 2021



Background and Purpose of Expression of Interest

Current Use of Premises

The Maylands Interpretative Centre (MIC) is currently being used exclusively by a local artist who has been occupying the building since 9 August 2010.

The site is owned by the State of WA and is reserved 'Parks and Recreation' under the Metropolitan Region Scheme.

The City is responsible for the management of the site through a Management Order with the designated purpose of 'Recreation'.

Ability to Lease

Any new lease will be subject to:

- The City obtaining approval from the State Government to modify the Management Order to enable the City to lease the site; and
- The City obtaining approval from the State Government to lease the site to the City's preferred tenant.

Site Details

Maylands Interpretative Centre at Tranby Reserve, 2 Hardey Road, Maylands.

The leased area consists of:

- A studio area;
- A kitchenette; and
- A toilet.

The building also includes an outdoor eaves/verandah area, which may be able to be used in association with the leased area.

Outdoor Area

The outside of the building includes signage, which details the historical significance of the nearby well. In light of this the outside of the building is not currently proposed to be included in any future lease agreements. The rear of the verandah is also being used to store two kayaks on behalf of a local kayaking group.

Although the outdoor eaves/verandah area is not included in the exclusive lease area, it may be possible to negotiate a use agreement with the City in association with the use of the building, provided the area remains available for the general public as well.

Use/Restrictions of Premises

Condition of Building

Overall, the building is in a good condition. Some minor maintenance works and deep cleaning will be required at the end of the existing lease, which will be done prior to handover of the building.

Reserve Purpose

The current purpose of Tranby Reserve is 'Recreation'. The State Government has advised that any use of the subject site would need to be ancillary to the reserve purpose and deliver clear positive community benefits.

Uses Considered

Ideally, the City is seeking community uses that are consistent with the Community Facility Lease and License/User Agreement Policy (**Attachment 1**), however commercial uses can also be considered. Community or commercial uses should be ancillary to the current 'Recreation' purpose of the reserve and deliver clear community benefits.

In the event the City receives expressions of interest from organisations that wish to use the premises for uses that are not considered 'Recreation', the City will liaise with the State Government to see if they are supportive of the use and if it is possible to modify the reserve purpose.

Alterations and Extensions to Building

Alterations and extensions to the building can be considered, however will be subject to obtaining any applicable approvals which is likely to include development approval and building permit.

Availability of the Site

As stated previously any lease of the subject site is subject to obtaining relevant approvals from the State Government, which may take approximately 2 to 3 months depending on complexity.

Site Meeting Details

Should applicants wish to inspect the site, viewings are available at the following times:

- Tuesday 8 June 2021, 10am – 11am
- Thursday 10 June 2021, 4pm – 5pm

Appointments are required. Please call the City's Leasing Officer, Jarrad Wishart-Brown on 08 9272 0698 to confirm your attendance.

Valuation

A valuation was conducted on 21 December 2020 with the rentable amount being approximately \$7,500 per annum for community type uses and approximately \$9,450 per annum for commercial type uses.

Terms of the Proposed Lease

Community Leases

Community leases will generally have the following terms in accordance with the City of Bayswater's Community Facility Lease and License/User Agreement Policy, which is attached for reference purposes (**Attachment 1**).

	Category 1 Not-for-profit Community Groups <ul style="list-style-type: none"> • 1a - Local service groups • 1b - Community child care centres • 1c - Other community groups 	Category 2 Sporting and Recreational Groups	Category 3 Not-for-profit Funded Community Groups	Category 4 Child Health Clinics
Lease Term	2-5 years	2-5 years	2-10 years	Up to 2 years
Rent	1a: \$1 pa 1b: \$1,360 pa 1c: \$1,390 pa	\$1 pa	40% of market value	\$1 pa
Utilities (electricity, water, gas as applicable)	To be paid by the City	To be paid by the City	To be paid by the lessee	To be paid by the City
Council rates	To be paid by the City	To be paid by the City	To be paid by the lessee	To be paid by the City
Emergency Services Levy (ESL)	To be paid by the lessee	To be paid by the lessee	To be paid by the lessee	To be paid by the lessee

Commercial Leases

Commercial leases will generally have the following terms:

- Lease Term: 5 years
- Rent: based on valuation amount
- Rates: approximately \$2,000 pa to be paid by the lessee
- Emergency Services Levy (ESL): approximately \$450 pa to be paid by the lessee
- Outgoings: to be paid by the lessee

Information Required

The Expression of Interest is required to include:

1. The Perspective Lessee Application Form (**Attachment 2**).
2. Justification about how the respondent satisfies each of the Lease Assessment Criteria contained in **Attachment 3**. *Please note that the justification provided should be as concise as possible.*

Further Information and Contacts

Further information can be obtained by contacting the City's Lease Officer, Jarrad Wishart-Brown, on 9272 0698.

All Expressions of Interest should be addressed as follows, including the subject heading:

Subject: "EOI" – Maylands Interpretative Centre, Tranby Reserve, 2 Hardey Road, Maylands

Via Email

mail@bayswater.wa.gov.au

In Person

Chief Executive Officer
City of Bayswater Civic Centre
61 Broun Ave, Morley

Via Mail

Chief Executive Officer
City of Bayswater
PO Box 467
MORLEY WA 6943

All Expressions of Interest must be lodged with the City of Bayswater by **4:00pm** on **Friday 16 July 2021** either by email, mail or in person at the Civic Centre 61 Broun Avenue, Morley.

Disclaimers

Any expression, statement or opinion expressed or implied in this publication has been made in good faith and on the basis that the Council, its employees and agents are not liable for any loss whatsoever which may occur as a result of action been taken or not taken (as the case may be) in respect to the information contained within this document.

Any investigations or studies undertaken in preparing the Expression of Interest are the onus of the person or group making the response. Any due diligence undertaken is to be the responsibility and completed at the expense of the person or group providing an Expression of Interest. The City is under no obligation to proceed with any proposed interest.

COUNCIL POLICY: COMMUNITY FACILITY LEASE AND LICENCE/USER AGREEMENT POLICY



POLICY OWNER: Manager Strategic Planning and Place

POLICY STATEMENT: To provide a structured and consistent approach to the management of Council's lease and licence/user agreements with not-for-profit organisations and sporting and recreational groups for the use of community facilities.

POLICY DETAILS

1. Council will provide a range of well-maintained and well managed community facilities and enter into agreement with community based not-for-profit organisations and sporting groups for their use in order to ensure the city owned buildings and infrastructure are of a high quality appropriate to community needs.
2. Council will ensure consistent, fair, equitable access for locally based organisations to its community facilities.
3. Council will ensure that its community facilities are managed to an appropriate and sustainable standard. The City will undertake periodical inspections as required with appropriate feedback given to the Tenant.
4. Council will aim to increase community access to activities and services by optimum use of Council facilities achieved by encouraging integration and co-location.
5. For the purposes of tenancy negotiation, all community leases shall be classified into one of the categories as outlined in Annexure 1.
6. Lease tenure, lease fees and annual charges, and tenant/city obligations shall be as outlined in Annexure 1.
7. Where practicable utility charges will be individually metered for each Tenant otherwise an equitable percentage of the overall site utility charges will be applied.
8. The tenant shall have responsibility for all obligations as outlined in Annexure 1.
9. Council reserves the right in all cases to inspect premises and ensure Lease conditions and Key Performance Indicators are being met.

RELATED LEGISLATION AND OTHER REFERENCES

Local Government Act 1995 (WA).

Residential Tenancies Act 1987 (WA)

Residential Park (Long-Stay Tenants) Act 2006 (WA) & Regulations

Adopted by Council:	19 April 2011
Reviewed	1 March 2016 9 April 2019
Strategic Link	C1.1 - A strong sense of community through the provision of quality services and facilities
Document Ref	3249778

Annexure 1 - Categories of Tenants

Categ ory No.	Lessee Description	Reference	Lease Fee and Charges	City and Lessee Obligations	Lease Tenure
1.	Not-for-profit community groups: a) Local service groups – the lessee operates exclusively in, and its membership is predominately drawn from, the City of Bayswater district. b) Community child care centres. c) Other community groups – those with locations outside, and/or servicing a wider catchment than the City of Bayswater district.	Member based not for profit groups made up of mostly community representatives and volunteers, (whether incorporated or not) established to provide community, services and/or raise money for those in need and deemed exempt dispositions under the <i>Local Government Act 1995</i> (WA).	a) Local service groups - \$1/pa b) Community child care centres - \$1,360/pa (plus GST) c) Other community groups - \$1,390/pa (plus GST) Plus outgoings (excluding rates and utility costs) identified as Lessee Obligations under the immediately preceding lease or licence/user agreement. The Lease fee will be indexed annually to CPI where applicable. Rates and utility costs will not be charged by the City. Emergency Services Levy will be charged by the City.	Lessee Cleaning, pest control, consumables, and contents and public liability insurance associated with the facility. Repairs and maintenance on items installed by the Lessee or where the damage is attributable to Tenant use/activity. Waste charges will be payable by the City as determined by the Coordinator Environmental Health on a case-by- case basis based on individual club needs. City Building insurance and all maintenance and repairs excluding damage attributable to Tenant use/activity. The City will undertake the servicing of all inbuilt mechanical services (eg air conditioning and cool rooms) and alarm systems, with the cost being borne by the tenant.	Lease/Licence Agreement (2-5 years)
2.	Sporting and recreational groups	Being sporting and recreational groups (whether incorporated or not) that would be deemed exempt dispositions under the <i>Local Government Act 1995</i> (WA). Excludes state sporting/recreational bodies.	\$1/pa Plus outgoings (excluding rates and utility costs) identified as Lessee Obligations under the immediately preceding lease or licence/user agreement. Rates and utility costs will not be charged by the City. Emergency Services Levy will be charged by the City.	Lessee Cleaning, pest control, consumables, and contents and public liability insurance associated with the facility. Repairs and maintenance on items installed by the Lessee or where the damage is attributable to Tenant use/activity. Waste charges will be payable by the City as determined by the Coordinator Environmental Health on a case-by- case basis based on individual club needs. City Building insurance and all maintenance and repairs excluding damage attributable to Tenant use/activity. The City will undertake the servicing of all inbuilt mechanical services (eg air conditioning and cool rooms) and alarm systems, with the cost being borne by the tenant.	Lease/Licence Agreement (2-5 years)
3.	Not for profit – funded	Not for profit groups, that are professional organisations with paid staff and are generally Government funded or have significant membership bases. Includes places of worship and state sporting/recreational bodies.	40% of market valuation or as otherwise determined by the City following an Expression of Interest process Plus the Emergency Services Levy, GST and all utility costs and other outgoings identified as Lessee Obligations. The Lease fee will be indexed annually to CPI. Rates will not be charged by the City.	Lessee Cleaning, pest control, consumables, and contents and public liability insurance associated with the facility. Repairs and maintenance on items installed by the Lessee or where the damage is attributable to Tenant use/activity. Waste charges will be payable by the City as determined by the Coordinator Environmental Health on a case-by- case basis based on individual club needs. City Building insurance and all maintenance and repairs excluding damage attributable to Tenant use/activity. The City will undertake the servicing of all inbuilt mechanical services (eg air conditioning and cool rooms) and alarm systems, with the cost being borne by the tenant.	Lease Agreement (2-10 years)

4.	Child Health Clinics	Services provided by community child health nurses, employed by WA Health, deemed exempt dispositions under <i>the Local Government Act 1995</i> (WA).	<p>\$1/pa</p> <p>Plus GST and all utility costs and other outgoings identified as Lessee Obligations.</p> <p>Rates will not be charged by the City.</p> <p>Emergency Services Levy will be charged by the City.</p>	<p><u>Lessee</u> Consumables, insurances and all outgoings associated with the facility.</p> <p>Repairs and maintenance on items installed by the Lessee or where the damage is attributable to Tenant use/activity.</p> <p>Waste charges will be payable by the City as determined by the Coordinator Environmental Health on a case-by- case basis based on individual club needs.</p> <p><u>City</u> Building insurance and all maintenance and repairs excluding damage attributable to Tenant use/activity.</p> <p>The City will undertake the servicing of all inbuilt mechanical services (eg air conditioning and cool rooms) and alarm systems, with the cost being borne by the tenant.</p>	Informal User Agreement (up to two years)
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Perspective Lessee Application Form

Organisation Details	
Organisation's Australian Business Number (ABN)	
Organisation Name (as per the organisation's ABN)	
Contact Person	Name: Position: Phone: Email:
Description of key activities proposed to be undertaken by the organisation in the premises:	
Is the organisation registered with the Australian Charities and Not-for-profits Commission (ACNC)? <i>(Not applicable for commercial leases)</i>	Yes: _____ No: _____ Date registration is valid to: _____
With reference to the City of Bayswater's Community Facility Lease and License/User Agreement Policy, what category do you consider yourself to be and why? <i>(Not applicable for commercial leases)</i>	

People Associated with Organisation			
People involved living within and outside the City of Bayswater:		Living within the City of Bayswater	Living outside the City of Bayswater
	Number of Staff:		
	Number of Volunteers:		
	Number of Members:		
	Number of Customers/Clients:		
Use of Premises			
Typical times the premises will be used.	Monday	From: _____	To: _____
	Tuesday	From: _____	To: _____
	Wednesday	From: _____	To: _____
	Thursday	From: _____	To: _____
	Friday	From: _____	To: _____
	Saturday	From: _____	To: _____
	Sunday	From: _____	To: _____

Additional Information

Perspective lessees are also required to provide the following information, where applicable:

Information	Provided
A copy of financial statements showing the financial situation of the organisation, including any separate account for a reserve or sinking fund.	Yes: _____ No: _____ N/A: _____
A copy of the organisation's most recent Annual General Meeting (AGM) minutes.	Yes: _____ No: _____ N/A: _____
A copy of any required current certifications and/or accreditations associated with the organisation.	Yes: _____ No: _____ N/A: _____
Your proposed Business Plan. <i>(Not applicable for community leases)</i>	Yes: _____ No: _____ N/A: _____
Your history and background in the industry. <i>(Not applicable for community leases)</i>	Yes: _____ No: _____ N/A: _____

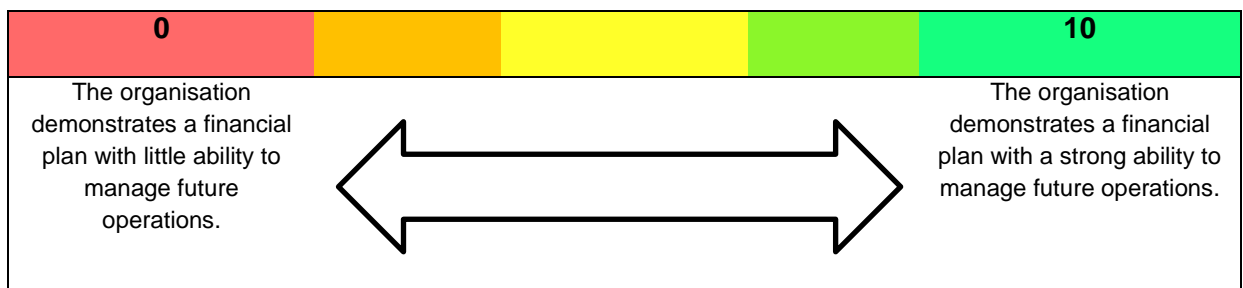
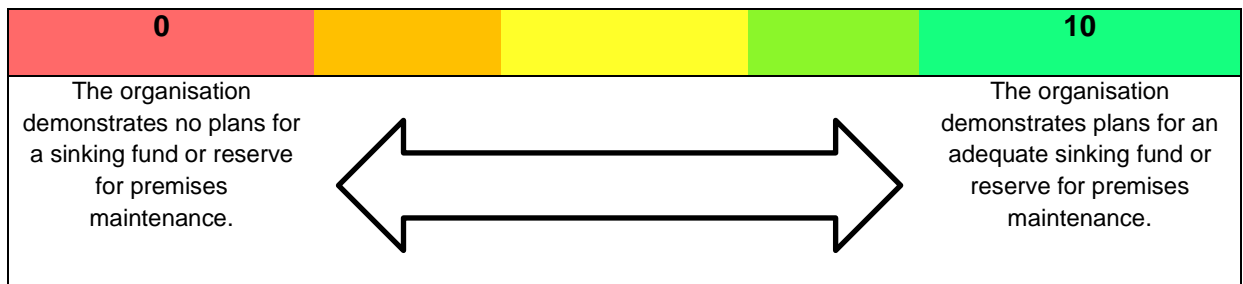
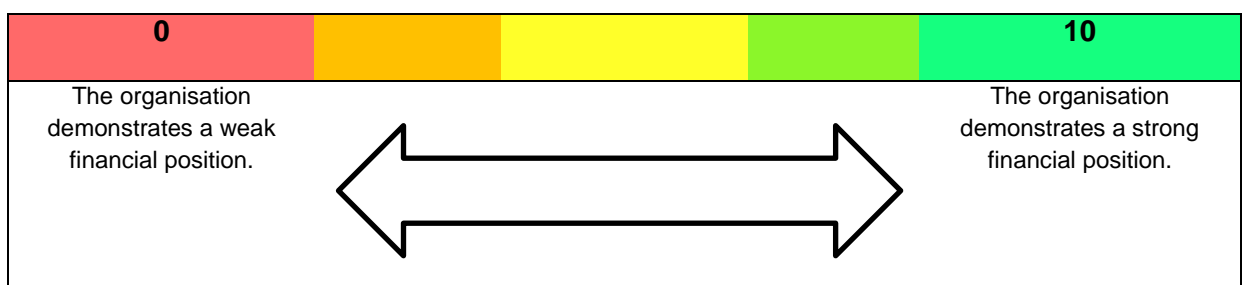
LEASE ASSESSMENT CRITERIA

This criteria is used when assessing expressions of interest (EOI) for new leases. Each EOI is assessed against each criteria with a score between 0 and 10.

Criterion 1: Financial Sustainability

Evidence of financial sustainability including:

- A strong financial position – adequate finances to cover operating costs;
- Plans for a sinking fund or reserve for premises maintenance; and
- A sound financial plan to manage future operations.

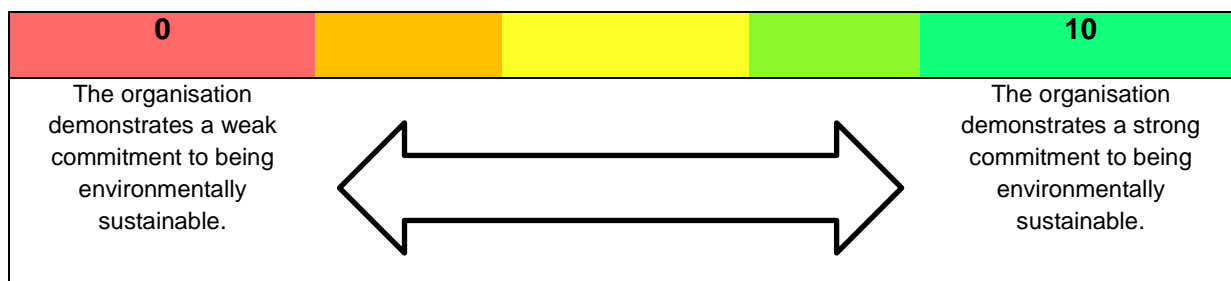


Criterion 2: Environmental Sustainability

Evidence of an environmental sustainability plan demonstrating a commitment to:

- Using power, water and gas efficiently;
- Recycling;
- Sustainable travel behaviour, including walking, cycling and catching public transport;

- Avoiding the use of single use plastic;
- Using environmentally sensitive products for cleaning and other operations; and
- Promoting and educating members, customers, volunteers and staff about environmentally sustainable practices.



Criterion 3: Strategic Alignment

Evidence that the services provided align with the current strategies of the City, such as the:

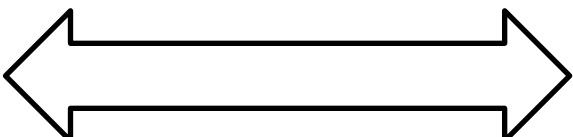
- Strategic Community Plan;
- Corporate Business Plan;
- Long Term Financial Plan;
- Asset Management Strategic Plan;
- Local Homelessness Strategy;
- Reconciliation Action Plan;
- Town Centre Activation Plans;
- Youth Action Plan;
- Access and Inclusion Plan;
- Local Planning Strategy; and/or
- Community Recreation Plan.



Criterion 4: Community Benefit

Evidence that community benefit will be realised by providing a service:

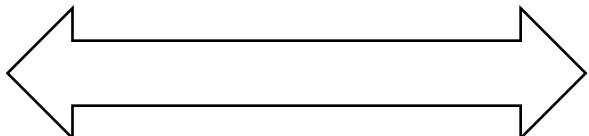
- That is of high importance to the local community; and
- That is not currently being adequately met or provided to the local community.
- That is needed by the local community as identified by the City in an endorsed strategy or similar.

0				10
<p>The services are considered to be of little importance to the local community, are currently adequately provided to the local community by other organisations, and/or are not needed by the local community as identified by the City in an endorsed strategy or similar.</p>				<p>The services are considered to be of high importance to the local community, are not currently being adequately met or provided to the local community, and/or are needed by the local community as identified by the City in an endorsed strategy or similar.</p>

Criterion 5: Governance and Development

Evidence of sound governance and plans for organisational growth and development including:

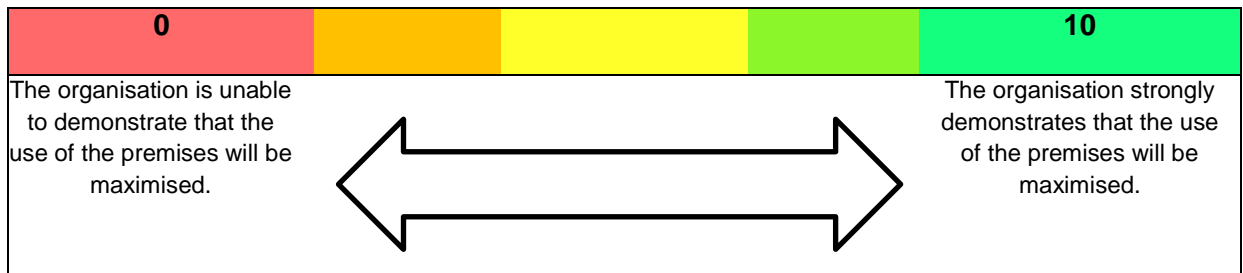
- Evidence of a governing body, where applicable;
- Evidence of compliance with relevant legislation and/or accreditations or certifications required for the nature of the organisation; and
- Plans to maintain or grow membership, volunteer, customer and/or employee base.

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<p>The organisation provides no evidence of a governing body, where applicable, and no evidence of compliance with relevant legislation and/or accreditations or certifications where required.</p> <p>The organisation does not demonstrate any plans to maintain or grow its membership, volunteer, customer and/or employee base.</p>				<p>The organisation demonstrates evidence of a governing body, where applicable, and evidence of any required compliance with relevant legislation and/or accreditations or certifications.</p> <p>The organisation demonstrates strong plans to maintain or grow its membership, volunteer, customer and/or employee base.</p>

Criterion 6: Efficiency of Use

Evidence that the lessee intends to maximise the use of the premises by:

- Using the premises to its maximum potential themselves; and/or
- Advertising and making the premises available to other organisations when not in use.



Criterion 7: Appropriate Use

Evidence that:

- The use of the premises is appropriate for the area; and
- Any potential adverse amenity impacts can be adequately managed, such as carparking, noise, and anti-social behaviour.

