

## Information Pack

### Expression of Interest (EOI)

for the occupancy of Rosa Benedikt Community Centre

Eastern Office and Meeting Space

EOI Opens 24 April 2023 – Closes 5pm 22 May 2023



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## The EOI Process

Knox City Council is undertaking an Expressions of Interest (EOI) for the tenancy and management of Rosa Benedikt Community Centre Eastern Office and Meeting Space, 11 Gerda St, Scoresby.

Prospective occupants should carefully read this information pack before submitting their EOI.

All EOIs must be submitted via Council's eTender Portal by 5pm on Monday 24 April 2023. The EOI closes at 5pm on 22 May 2023. Anticipated move in date is 1 July 2023 unless otherwise negotiated.

## Facility Information

### Location and site

Rosa Benedikt Community Centre is located at 11 Gerda St, Rowville (see photos 1 and 2 below).

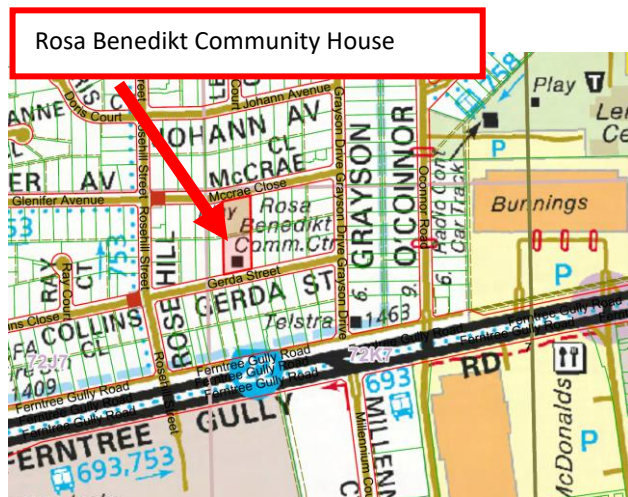


Photo 1: Street map



Photo 2: Aerial view

### Description of Rosa Benedikt

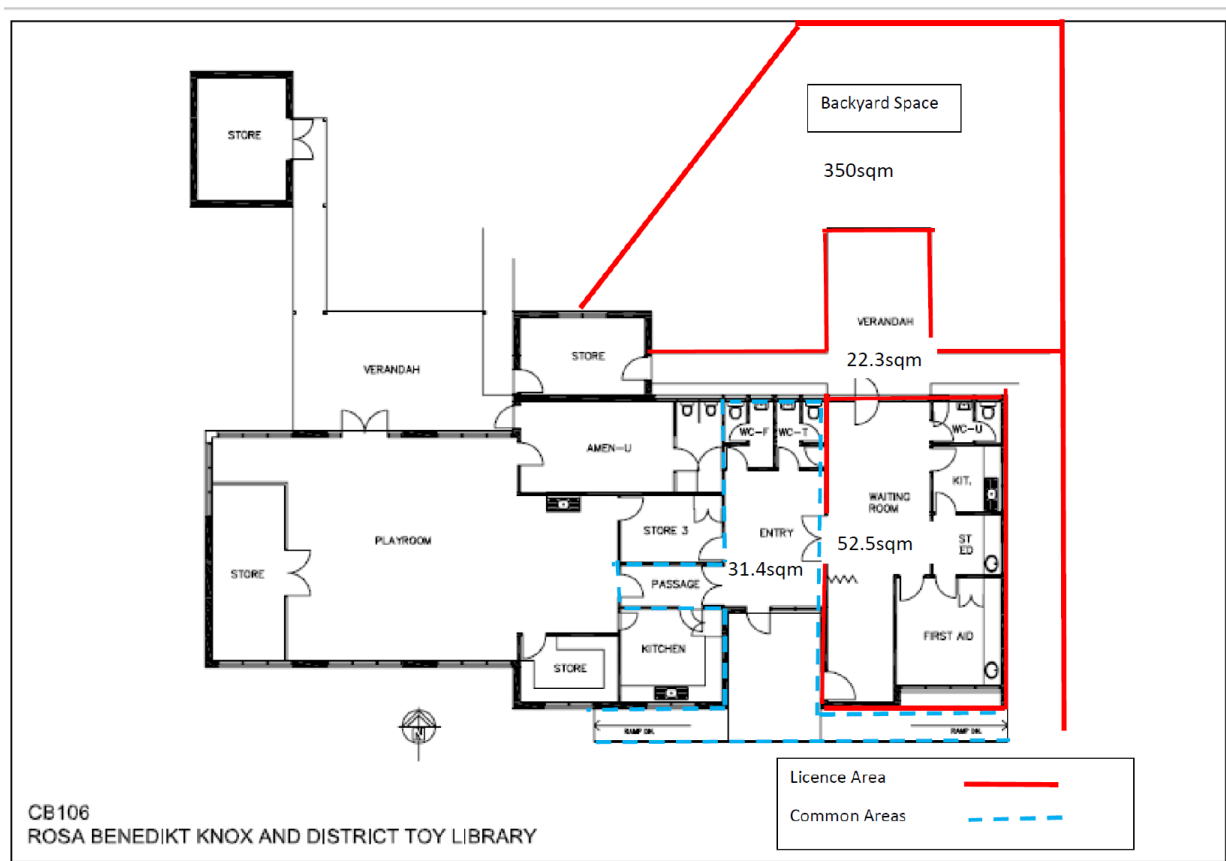
The facility is approximately 84m<sup>2</sup> in area with an outdoor garden and undercover verandah of approx. 372.m<sup>2</sup> (see building plan over the page). The main entrance is off a small carpark and as you enter the building the available license space is on your right hand side leading off from the foyer.

### Rosa Benedikt Community Centre Building Layout

The licensed area and common areas are illustrated as per the Building Plan on page 5 of this document and consist of the following;

Licence Space	Common Space
<ul style="list-style-type: none"> <li>• open space meeting area</li> <li>• one office</li> <li>• one kitchen</li> <li>• one wash closet</li> <li>• small rear garden and verandah</li> </ul>	<ul style="list-style-type: none"> <li>• two car spaces at the front of the building</li> <li>• foyer</li> <li>• public toilets leading from the foyer</li> <li>• front yard</li> </ul>

### Licence Area and Building Plan



### Condition of Rosa Benedikt Community Centre

Council has assessed the condition of the facility and the building is considered in good condition. There are currently no works planned in the next financial year (2023-2024).

## Terms and conditions of occupancy

Council's Leasing and Licensing Policy (Appendix 2) aims to ensure Council-owned facilities are used to meet community needs, and that the process for tenancy agreements is transparent, equitable with fair and reasonable fees. The Policy sets out standard terms and conditions and will form the basis of negotiations between Council and the successful applicant for tenancy of the facility.

Under the terms of the Licence Agreement, the organisation occupying the Community Office spaces located on the eastern side of the building (hereinafter referred to as the tenant) will be responsible for the general operation, maintenance and cleanliness of their licenced area. Council will be responsible for major structural maintenance.

## Eligibility

The tenant must be a legally constituted organisation, such as an incorporated association, registered company or equivalent. Individuals are not eligible.

## Permitted Usage

Hours of use will be confirmed by negotiation with the preferred tenant; however, activities must not take place before 7am on weekdays and 9am on weekends, and must conclude and premises be vacated by 11pm Sunday to Thursday and midnight Friday to Sunday. Activities must always be conducted in a way that does not disturb any neighbours.

Casual hire arrangements must be in line with Council's Casual Hire of Community Facilities Policy ([Appendix 2](#)).

## Insurances

The tenant must hold public liability insurance for \$20 million and ensure that individuals or groups hiring the facility also hold appropriate public liability insurance.

Council's insurance policies do not cover the tenant's contents.

## Reporting Requirements

Council will monitor the performance of the tenant and compliance with the tenancy agreement. The tenant must provide Council with an annual report with information including:

- The activities undertaken
- Levels of public access
- Details of major maintenance undertaken
- A list of committee members and contact details
- The tenant's most recent annual report and financial statements

Council may meet the tenant regularly to discuss any relevant matters and visit the facility to check its presentation.

## Council's Objectives

### Tenant

The tenant must be a legally constituted organisation, preferably with experience in managing a community facility.

Expressions of interest are welcomed from not-for-profit community organisations and commercial enterprises. Please note, only applications which clearly demonstrate the delivery of community benefits as a result of utilising the Rosa Benedikt Community Facility will be considered.

### Objectives

Council aims for the operation of the facility are as follows:

- The management of the facility is underpinned by sound governance capabilities and financial management practices
- Use of the facility provides a social benefit to the Rowville and wider Knox communities



- The facility and its surrounds are always presented in a clean, safe and tidy condition
- The operation of the facility does not cause any residential amenity issues
- Sustainable operating processes are in place

### Usage preferences

Council’s preferences for use of the facility are as follows:

- Use is optimised to provide access to a diverse range of users
- Where appropriate, multipurpose and shared use is considered and implemented
- Activities must be suitable for the size and fabric of the facility
- There must be clear and demonstrable community benefit

### Multipurpose use

A licence agreement does not provide exclusive use of the premises to the tenant. Council reserves the right to enter into tenancy arrangements with more than one applicant to optimise use of the facility. If Council decides to offer the facility on a shared basis to two or more tenants this will be subject to negotiation and a Memorandum of Understanding to support the operation of the facility must be signed by all parties.

## Tenant

### Tenancy arrangements

The organisation occupying the facility will need to enter into a legally binding tenancy agreement with Council. This will be in the form of a Licence Agreement. The term of the agreement will be for five (5) years, however it should be noted that the agreement will include a clause which gives Council the authority to terminate occupancy at any time with six months’ notice.

### Responsibilities of tenant and Council

<b>Responsibilities of the tenant:</b>	<b>Responsibilities of Council:</b>
Take out all appropriate insurances, licences, registrations, etc. that are needed for operation of the facility	Maintain the hall in a structurally sound and safe condition
Maintain the facility in a clean, safe and properly functioning condition	Respond promptly and effectively to requests made by the tenant in relation to matters associated with the facility
Ensure compliance with all legal reporting requirements	Monitor the performance of the tenant, including the satisfaction of users
Operate the facility in such a manner that it does not adversely impact upon the neighbourhood amenity	Ensure compliance with the terms of the occupancy arrangement including the Building Maintenance Protocol
Keep a record the use of the facility	Take out all appropriate building and public liability insurances
Ensure that users conduct themselves in an orderly manner	
Effectively liaise with and give support to users in matters relating to the facility	

Formally report to Council on the operation of the facility on an annual basis, or at any other time requested by Council	
Report any building maintenance issues to the Council in keeping with the established Building Maintenance Protocol	
Effectively respond to any requests or complaints by users	
Promptly inform Council of any matters related to the operation of the facility that Council should be aware of	

### Licence Fees

The licence fee will be based upon the type of organisation, as required under Council’s Leasing and Licensing Policy. The Policy sets out differing rates depending on the nature of the tenant. The categories and current 2023-2024 fees are as follows:

Category	Eligibility	Fee
Community Group A	Not-for-profit organisations with low income earning potential are eligible for Council’s Community Rate	\$229
Community Group B	Not for profit organisations with higher income earning potential will be negotiated based on several criteria including market rental value, financial and maintenance contributions made by the prospective tenant, ability to generate income, service fees, access levels and use of volunteers.	To be negotiated, will not be less than \$229 or above market rental value
Commercial	For-profit organisations.	Market rental value. In December 2020 market rental value was \$13,500 per annum. If required, a new market rental valuation will be undertaken before Council enters into the agreement with the preferred tenant.

The decision of which category the tenant belongs to will rest solely with Council.

## EOI Assessment Process

The EOI assessment process will be conducted by an internal panel of Knox City Council officers.

The panel will meet formally to review each EOI and conduct interviews with shortlisted candidates, as required.

The panel will select a preferred tenant. Council and the preferred tenant will meet to resolve the terms of the tenancy agreement and any other relevant matters. The outcome of these negotiations will be reported to the panel for its final endorsement. The panel's choice will then be sent to Council's CEO for formal ratification.

Applicants will be notified of the outcome of the expression of interest process no later than 20 May 2023.

### Evaluation Criteria

Each EOI will be evaluated against a set of established criteria. These criteria will reflect the ability of the group to satisfy the aims outlined in Council's aims and preferences above.

Criteria	Weighting
<b>1. Ability to manage community facilities</b>	
Management is underpinned by sound governance capabilities and financial management practices	35%
Ability to present facility and surrounds in clean, safe and tidy condition	
Operation of facility in a way that will not cause residential amenity issues	
Ability to adhere to COVIDSafe requirements	
<b>2. Benefit to the community</b>	
Activities provide a clear community benefit to local and broader Knox communities	35%
Optimise use of facility to ensure access by a diverse range of users, including multipurpose/shared use (where appropriate)	
<b>3. Experience in offering community outcomes and/or relevant experience</b>	10%
<b>4. Fit for purpose/suitability</b>	
Activities are suitable for the facility	15%
Facility meets the needs of the tenant	
Legal status of tenant	
<b>5. Sustainability</b>	
Operational processes that support sustainable practices	5%



## Additional Information

### Council Contact

If you need any further information about the facility or EOI process, you can submit questions via the eTender Portal, or contact Community Planning Officer ph: 0428 616 184 / email: CWvenues@knox.vic.gov.au

### Facility Visits

The following days and times have been arranged for prospective applicants to view the facility.

The dates are:

- Thursday 4 May 4pm
- Thursday 11 May 4pm

Please contact Community Planning Officer ph: 0428 616 184 / email: CWvenues@knox.vic.gov.au.

If you wish to attend. If you would like to view the facility but these times are unsuitable, an alternative may be able to be arranged.

### How to submit an EOI

The Rosa Benedikt Community Centre Tenancy EOI Application Form is located in Council's eTender Portal:  
<https://knox.etenderbox.com.au/>

**Submissions must be made by 5pm on Monday 22 May 2023. Late submissions will not be accepted.**

## Appendix 1 – Leasing and Licensing Policy

The Leasing and Licensing Policy provides a framework for leasing and licensing Council owned and managed properties. It establishes the terms and conditions that form the basis of negotiations for lease and licences.

To view a copy of the [Leasing and Licensing Policy](#), please visit Knox City Council's website.

## Appendix 2 – Casual Hire of Community Facilities Policy

The Casual Hire of Community Facilities Policy provides a framework for the hire of Council community facilities. The policy applies to the casual hire of all Council facilities.

To view a copy of the [Casual Hire of Community Facilities Policy](#), please visit Knox City Council's website.

## Appendix 3 – Standard Licence Agreement

A copy of Council's standard Licence Agreement.