



## **Request for Expression of Interest**

### **Part of the Comer Reserve Pavilion located at Lot 50, 19 Comer Street, Como**

#### **PART 1 – BRIEF**

##### **1.1 INTRODUCTION**

The City of South Perth (the City) is inviting Expressions of Interest to lease part of the Comer Reserve Pavilion located at Lot 50, 19 Comer Street, Como (the Property).

This document has been prepared to provide prospective applicants with the following relevant information:

- Part 1 - Brief (read and keep this part).
- Part 2 - Conditions of Responding (read and keep this part); and
- Part 3 - Respondent's proposal (complete and return this part).

## **BACKGROUND**

The Comer Reserve Pavilion has recently undergone refurbishment works resulting in a newly created space within a high exposure area adjacent to a recreation reserve.

An opportunity now exists for a business, service provider, community group, sports club or not-for-profit association to activate the newly created space by way of a creative business venture for a permitted use that can benefit the community.

Applications will be assessed against selection criteria including a requirement for the successful applicant to ensure their operation/proposal will complement the social, recreational and economic services provided by the City.

### **1.2 LOCATION**

The property is located approximately 3.8 kms south of the Perth CBD within the long established and primarily residential suburb of Como.

More particularly, the subject property is located on the eastern site of Melville Parade, which runs alongside the Kwinana Freeway. The property forms part of the broader Comer Reserve which is an attractively landscaped area of recreation which includes barbeque facilities, play equipment, and a sporting oval. The reserve also encompassed the Como Croquet Club.

To the north and south are various commercial users including the Pagoda Resort and Spa. Some 200m to the south is the Preston Street café'/retail strip.

The subject tenancy shares a broader community building which includes the South Perth Toy Library, together with public ablutions. A small parking area is featured to the east, with a larger parking area to the north, in addition to surrounding street parking.

Given its long-established nature, the surrounding suburb provides for all manner of community, recreational, commercial and educational infrastructure.

### **1.3 THE OPPORTUNITY**

The City is seeking expressions of interest from businesses, service providers, residents, community or sporting organisations and not-for-profit associations to lease Part of the Comer Reserve Pavilion located at Lot 50, 19 Comer Street Como.

Lease terms may be for a period of up to Five (5) years and will be subject to the standard tenure guidelines contained within Council Policy P609 – Management and Sale of City Property.

The Policy can be found on the City of South Perth website at this location:

<https://southperth.wa.gov.au/about-us/council/policies-delegations/3>

## 1.4 Lease

It is proposed that the successful applicant will be offered a Lease for a negotiable term (subject to private treaty negotiations).

The Lease will be in accordance with the terms and conditions that form the EOI, subject to formal Council approval and the disposal of land process (*Local Government Act 1995*).

In addition to commercial terms, the Lease will address.

- Responsibility for fit-out, including the City's requirements and criteria for evaluation of fit-out plans.
- Treatment of common areas.
- Statutory and other requirements
- End of Lease/Licence obligations including removal of tenant's fixtures.

## 1.5 Lease/Licence Terms

Subject to the requirements of the *Local Government Act 1995* and Council, the following Commercial (Essential) terms are proposed.

Lessee	TBC
<b>Premises</b>	
Address	Part of the Comer Reserve Pavilion located at Lot 50, 19 Comer Street, Como
Lease Area (m2)	Consist of two vacant areas of Approx 42 m2 (subject to survey)
	Non-exclusive use of outdoor paved area 25m2 (subject to survey)
Services	Provision of water and electricity to lease area.
<b>Terms</b>	
Lease/Licence Commencement Date	To be determined (refer 2.5 -Proposed Process Timeline), upon execution of lease/licence agreement
Rent Commencement Date	Lease Commencement Date.
Term	Up to 5 years – to be negotiated.
Rent	\$15,000 per annum plus GST (plus outgoings/fees/charges)
Rent Reviews	Reviewed Annually on the anniversary of the lease commencement date, based on the Consumer Price Index (CPII)
<b>Other Costs</b>	
Lease Documentation	Lease preparation cost (50% shared contribution)

Outgoings	<p>The City's preference is a net lease basis, with all outgoings being separately payable by the tenant in addition to the rent.</p> <ul style="list-style-type: none"> <li>• Refuse collection.</li> <li>• Rates, ESL, taxes and other statutory levies.</li> <li>• Utilities and services.</li> <li>• Maintenance, repair and replacement.</li> <li>• Cleaning; and</li> <li>• Insurances.</li> <li>• Tenancy pest management</li> </ul>
<b>Security</b>	
Security Bond or Bank Guarantee	\$3,000 provided by a bank guarantee or by a cash bond to be held in a non-interest-bearing account for the duration of the Lease term.
<b>Other Commercial Conditions</b>	
Insurances	<p>The tenant must provide all insurances required under the Lease including.</p> <ul style="list-style-type: none"> <li>• Public Liability Insurance - \$20 million</li> <li>• Property insurance (including glass replacement).</li> <li>• Workers' compensation</li> </ul>
Maintenance	The tenant will be required to maintain the premises (including the landlord/tenant fixtures) to an agreed standard or condition but will not be responsible for any repair of a structural nature.
Cleaning	The tenant will be required to clean the premises including the landlord/tenant fixtures to an agreed standard including licenced outdoor areas.
Compliance	<p>The tenant must comply with any Act, by-law etc relating to the use of the building and site. The Tenant will have exclusive possession of the property and be responsible for all non-structural and preventative maintenance including but not limited to:</p> <ul style="list-style-type: none"> <li>• Fire servicing equipment.</li> <li>• Mechanical services maintenance; and</li> <li>• Electrical compliance testing.</li> </ul>
Waste Bins	The tenant will be required to arrange for its waste to be collected either with the City or a commercial waste provider.
Permitted Use	The Property is on land reserved Public Open Space under the City of South Perth Local Planning Scheme 7. A discretionary use that aligns with or is ancillary to the objective of the reserve can be considered subject to Council approval.
Further Tenancy Considerations	<ul style="list-style-type: none"> <li>• A formal Council resolution will be required to proceed with the proposed Lease following the completion of the negotiation process.</li> </ul>

	<ul style="list-style-type: none"> <li>• The City is required to give public notice of the proposed disposition to satisfy legislative requirements under the terms of the <i>Local Government Act 1995</i>.</li> <li>• Should the tenant require services beyond the standard services currently provided by the City, the tenant will be responsible to upgrade at its cost.</li> <li>• The tenant will need to arrange phone and internet connection directly with a relevant service provider if required.</li> <li>• The Property will be leased "as is" to the approved applicant and the applicant will be fully responsible for all fit-out works, obtaining approvals and licences</li> <li>• While undertaking alterations and maintenance of the Premises it is preferred that the City's contractors are utilised, where reasonable, to ensure appropriate standards are adhered to.</li> <li>• Onsite bays available for the purpose of loading/unloading tenancy goods as required. One car bay may be provided upon request and subject to an annual fee and signage fee.</li> <li>• The Lease will be subject to a redevelopment clause.</li> <li>• The tenant is responsible for installation of air-conditioning (if required).</li> </ul>
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## PROPOSED USE OF THE PROPERTY

Applicants should provide details of the proposed business or operation, including supporting information, sufficient for the City to evaluate the proposal.

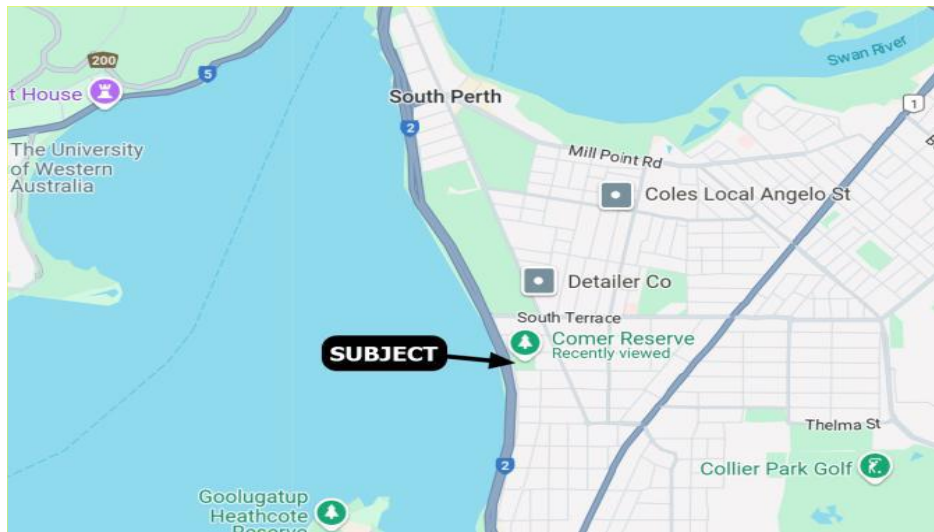
Applicants are requested to demonstrate an approach that aligns with the following principles:

- Finances are managed appropriately, sustainably and transparently for the benefit of the community.
- A clean, safe and accessible place to visit.
- Appropriate and sustainable facilities for everyone that are, well maintained and well managed.
- A healthy community.

**It is envisaged that the use with also provide for a level of activation.**

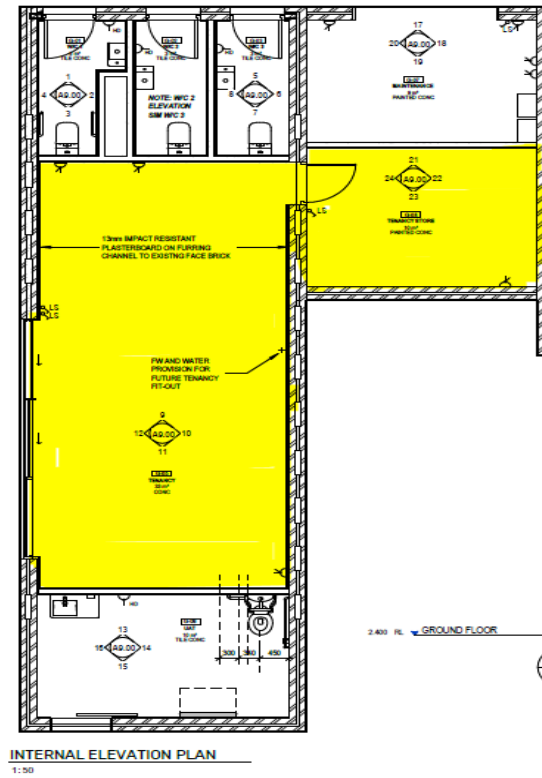


## LOCATION PLAN



## TENANCY FLOOR PLAN

## EXPRESSION OF INTEREST



## TENANCY PHOTO'S







## PART 2 - CONDITIONS OF RESPONDING

### 2.1 Privacy Statement

#### EXPRESSION OF INTEREST



The City is not liable to any person or entity for any damage or loss that occurs in relation to that person or entity taking or not taking action in respect of any presentation, statement or advice referred to in this document.

Applicants should take the appropriate steps to ensure that they conduct their own due diligence and validate the information contained in this document before acting upon it.

The City encourages applicants to seek independent advice from qualified professionals where necessary to understand the relevance of this information to their own situation.

## **2.2 HOW TO PREPARE YOUR PROPOSAL**

- (a) Carefully read all parts of the EOI document.
- (b) Ensure you understand the Requirements.
- (c) Complete and return the Respondents Proposal (Part 3) in all respects and include any supporting documentation.
- (d) Make sure you have signed the proposal and respond to all of the Selection Criteria.
- (e) Lodge your proposal before the deadline.

## **2.3 HOW TO LODGE SUBMISSION**

The deadline for this request is **4.30pm, 28 May 2025**

Submission is to be:

- Made before the proposed date.
- Sent via email only to [enquiries@southperth.wa.gov.au](mailto:enquiries@southperth.wa.gov.au)
- All pages must be numbered consecutively, and the submission must contain an index

## **2.5 Contact Information**

Applicants should not rely on any information provided by any person(s) other than those listed below:

Wayne Wardle – Leasing & Land Officer

Land and Property Business Unit

City of South Perth

Civic Centre

Cnr Sandgate Street & South Terrace

South Perth WA 6151

Email: [enquiries@southperth.wa.gov.au](mailto:enquiries@southperth.wa.gov.au)

Telephone: (08) 9474 0777

## **2.6 EVALUATION PROCESS**

Following close of the EOI, submissions will be evaluated by the City's evaluation panel on your responses to the Selection Criteria.

The following evaluation methodology will be used in respect of this Request for Proposal:

- (a) Proposals are checked for completeness and compliance. Proposals that do not contain all information requested e.g. completed Respondents proposal and attachments may be excluded from evaluation.
- (b) Proposals are assessed against the Selection Criteria.
- (c) The most suitable applicants may be short listed and may also be required to clarify their Proposal.
- (d) Referees may also be contacted prior to the selection of the successful applicant.

## **2.7 EVALUATION**

Submissions will be assessed against both the compliance and qualitative criteria as set out in this EOI.

## **2.8 COMPLIANCE CRITERIA**

These criteria are detailed within Part 3 of this document and will not be point scored. Each Proposal will be assessed on a Yes/No basis as to whether the criterion is satisfactorily met. An assessment of “No” against any criterion may eliminate the Proposal from consideration.

All Submissions for the leasing of tenancy at Lot 50, 19 Comer Street, Como, will be subject to the necessary statutory building and planning approvals being obtained.

Before responding to the following evaluation criteria, Applicants must note the following:

- a) All information relevant to your answers to each criterion are to be contained within your Submission.
- b) Applicants are to assume that the Evaluation Panel has no previous knowledge of your organisation, its activities or experience.
- c) Applicants are to provide full details for any claims, statements or examples used to address the evaluation criteria; and
- d) Applicants should ensure that they provide sufficient details in their Submission to enable adequate evaluation by the City against the Evaluation Criteria.

## **2.9 QUALITATIVE CRITERIA**

### A. Vision and Understanding

Applicants should detail their vision for the proposed Lease of the property including:

- a) Current business structure and background.
- b) Outline your vision for the lease area.

### B. Detailed Lease Proposal

Provide a detailed lease proposal which addresses, at a minimum, the Applicants proposed:



- a) Term of lease.
- b) Proposed use.
- c) Any community and/or commercial benefit outcomes intended to be achieved.
- d) Any special conditions.

#### C. Fit Out Concept Plans

Provide concept plans for the Applicants proposed fit-out of the premises (labelled “Fit-Out Concept Plans”) outlining at a minimum how the proposed fit-out:

- a) Caters for the proposed number and type of customer.
- b) Contributes towards the overall look and feel of the premises and matches the concept for the proposed business offering.
- c) Signage design and locations (both internal and external).
- d) Any additional relevant information.

#### D. Relevant Experience

Describe your experience in conducting similar Requirements.

- a) Demonstrated experience in managing, owning or operating a similar business. Include details of the location.
- b) Demonstrate competency and proven track record in establishing and maintaining a similar viable business.
- c) Any additional information.

#### E. Financial Position

A letter from a certified practising accountant confirming the Applicant is a respectable and financially responsible person/corporation.

In determining the most advantageous Proposal, the Evaluation Panel will score each Respondent against the qualitative criteria above and as detailed within Part 3 of this document.

## LEGISLATIVE, STATUTORY AND COMPLIANCE REQUIREMENTS

Leasing of the property will be subject to compliance with the *Local Government Act 1995* and Council's Statutory Process / Regulations. The Act states that:

Where Council proposes to enter into a new lease, it must comply with Section 3.58 of the *Local Government Act 1995* (the Act). Section 3.58 of the Act states that a local government can dispose of property (including by way of a lease) other than by way of public auction or public tender if, before agreeing to dispose of the property:

- a) it gives local public notice of the proposed disposition –
- b) describing the property concerned.
- c) giving details of the proposed disposition; and
- d) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than two (2) weeks after the notice is first given; and
- e) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the Council the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.

The following details must be included in the local Public Notice:

- the names of all other parties concerned.
- the consideration to be received by the local government for the disposition; and
- the market value of the disposition as ascertained by a valuation carried out not more than six (6) months before the proposed disposition.

A Development Application may need to be submitted by the Applicant to the City's Approvals Business Unit for approval of use of the leased premises.

### 2.10 Proposed Process Timeline

Stage		Target Date
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1	Advertise – Expressions of interest	29 April 2025
2	Mandatory on-site briefing inspections  Bookings NOT required	15 <sup>th</sup> May 2025 and 22 May 2025  Time 10.30AM  Time 4.30PM
3	Formal Submissions close	4.30pm, 28 May 2025 - 30 days from 1, above
4	Evaluate submissions, select preferred candidate (if any) and finalise negotiations	2-3 Weeks
5	Report to Council (if required)	3-4 weeks
6	Undertake Public Advertising of disposal of lease	Minimum 14 days
7	Signing of legal documentation	1-2 weeks

The above proposed timeframes are indicative only and are subject to change at the City's discretion.

Where additional servicing requirements are identified through the EOI process, including by the preferred submission, this may impact delivery timeframes.

## PART 3 – EOI SUBMISSION

### RESPONSE FORM

ABN:		
Registered Name of Individual/Company/Organisation:		
Business/Trading Name:		
Postal Address:		
Street Address (if different to postal address):		
Contact	Name:	
	Telephone:	
	Email:	



I/we agree that I am/we are bound by, and will comply with:

- This Request for EOI and its associated attachments, all in accordance with the Conditions of Responding contained in this Request for EOI signed and completed.
- All submissions will remain firm for a period of ninety (90) days from the closing date of the EOI.
- The Respondent consents to any disclosures made as a result of the City complying with its obligations under the *Freedom of Information Act 1991*, subject to any legally required consultation.

Dated this: \_\_\_\_\_ day of \_\_\_\_\_ 2025.

Signature of authorised signatory of Respondent: \_\_\_\_\_

Name of authorised signatory (BLOCK LETTERS): \_\_\_\_\_

Position: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Authorised signatory Postal Address: \_\_\_\_\_

Email Address: \_\_\_\_\_

### 3.1 SELECTION CRITERIA

#### 3.1(A) COMPLIANCE CRITERIA

Please select with a yes or no whether you have complied with the following Compliance criteria:

Description of Compliance Criteria	
Compliance with the Conditions or Responding contained in this EOI.	YES/NO

Please ensure that you have answered every question below.

Identification of Respondent	
Organisation Profile	
Are you a business?	YES/NO
If yes, please include details of your ABN Number, Registered Entity Name, contact person's name and contact details inclusive of phone and email address. If companies are involved, attach a current ASIC company extract search including the latest annual return.	
Are you an organisation or incorporated body not otherwise defined as a business?	YES/NO
If yes, please include details of your Constitution/Rules of Association, Registered Entity Name, Contact Person's name and contact details inclusive of phone and email address (please include copies of relevant documentation):	
Agents and Trusts	
Are you acting as an agent for another party or as the trustee of a trust?	YES/NO
If yes, please provide: Agent details including name and address, the name of the trust and the names and addresses of beneficiaries.	

Conflict of Interest
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Will any actual or potential conflict of interest arise if you are awarded a lease or licence, or is any such conflict of interest likely to arise during the term of the lease or licence?	YES/NO
If yes, please provide details and the way in which any conflict will be dealt with.	

<b>Financial Details</b>	
Do you have the financial resources to meet the lease or licence obligations?	YES/NO
If yes, please provide a financial profile for your organisation and list financial referees.	
Are you presently able to pay all your debts in full as and when they fall due?	YES/NO

<b>Legal</b>	
Are you currently involved in litigation?	YES/NO

### 3.1(B) QUALITATIVE CRITERIA

Before responding to the following Qualitative criteria, Respondents must note the following:

- All information relevant to your answers to each criterion are to be contained within the EOI.
- Respondents are to assume that the evaluation panel has no previous knowledge of your organisation, its activities or experience.
- Respondents are to provide full details for any claims, statements or examples used to address the qualitative criteria; and



- Respondents are to address each issue outlined within a Qualitative criterion.

Please address each of the Qualitative Criteria individually as a separate document.

Qualitative Criteria	Weighting
<b>A. Vision and understanding</b>	20%
<p>Respondents should detail their vision for the proposed lease space including:</p> <p>a) Current business structure and background.</p> <p>b) your vision for the lease area.</p> <p>c) Provide intended trading days and times</p>	
<b>B. Detailed Lease Proposal</b>	35%
<p>Provide a detailed lease or licence proposal (labelled "Lease Proposal") which addresses, at a minimum the Applicants proposed:</p> <p>a) Term of lease</p> <p>b) Proposed use</p> <p>c) Any community and/or commercial benefit outcomes intended to be achieved.</p> <p>d) Any special conditions.</p>	
<b>C. Fit Out Concept Plans</b>	10%
<p>Provide concept plans for the Applicants proposed fit-out of the premises (labelled "Fit-Out Concept Plans") outlining at a minimum how the proposed fit-out:</p> <p>a) Caters for the proposed number and type of customer.</p> <p>b) Contributes towards the overall look and feel of the premises and matches the concept for the proposed business.</p> <p>c) Signage design and locations (both internal and external).</p> <p>d) Any additional relevant information</p>	
<b>D. Relevant Experience</b>	20%
<p>Describe your experience in conducting similar Requirements.</p> <p>a) Demonstrated experience in managing, owning or operating a similar business. Include details of the location.</p> <p>b) Demonstrate competency and proven track record in establishing and maintaining a similar viable business.</p> <p>c) Any additional information.</p>	
<b>E. Financial Position</b>	15%
<p>Demonstrate financial strength, capacity and capability to lease the Premises and successfully operate the tenancy including:</p> <ul style="list-style-type: none"> <li>Detail approximate anticipated costs of any new equipment, furniture and/or fit out</li> </ul>	

<ul style="list-style-type: none"> <li>• Proposed rent</li> <li>• Other income streams, from this proposed business or other</li> <li>• Provide a letter from a certified practising accountant confirming the Applicant is a respectable and financially responsible person/corporation.</li> </ul>	
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## Definitions

Applicant:	A person/company who has or intends to submit a Submission in response to a Request for Proposal.
Attachments:	Any document/s provided separately by the City for completion by the Applicant or for Additional Information purposes
Closing Date:	The latest date and time for lodgement of your Submission.
Evaluation Criteria:	The criteria used by the City in evaluating your Submission as detailed in Part 2 of this document.
City:	The City of South Perth.
Request for EOI (Expression of Interest):	This document.
Submission:	A completed EOI submitted by the applicant for consideration by the City.

