

**LICENCE OF COUNCIL COMMUNITY  
BUILDING – 3 YEAR TERM**

**EXPRESSION OF INTEREST  
INFORMATION PACK**

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## **Introduction**

Community facilities owned and licenced by Council to diverse organisations make an important contribution to Council's ability to achieve its vision by providing access to appropriate facilities within the local Community.

This Community Facilities Licensing Package provides a framework for the licensing of Council owned properties to community groups at subsidised rates of rental. It establishes the requirement for all community tenants to demonstrate the community benefit arising from their use of the property and sets out reporting requirements to ensure accountability to Council and recognition of Council's contribution.

A number of Liverpool City Council-owned buildings have now become available for licence to community organisations to undertake programs that will benefit the wider community of Liverpool.

Liverpool City Council invites interested organisations, and community groups to submit an Expression of Interest (EOI) for a licence of any of the Council-owned buildings listed under *Appendix A*.

EOIs will be assessed through a selection panel, against a number of criteria aligned with Council priority areas, strategies, legislative and regulatory frameworks. Council is not obliged to accept, nor can it guarantee an allocation to all organisations that apply. Council will, however, explore all available options to assist each applicant to meet its objectives.

## **Community Profile**

As the Liverpool population changes, so do demands for services. Projected changes to the community profile will affect the type of facilities that the community requires. Council will ensure that access to Council facilities and assets are not unnecessarily restricted and assessed over time to meet changing community needs.

## **Legislative Framework**

A number of laws and regulations affect Council licences. Of particular relevance are the following New South Wales Acts:-

*Local Government Act 1993*: Includes restrictions on the maximum length of licences and provisions requiring licences to be advertised in certain circumstances, including licences for properties with market rental value of more than \$50,000 a year.

*Retail Leases Act 2003*: Controls licences of premises that are used wholly or predominantly for retail provision of goods or services (including by not-for-profit organisations).

*Crown Land Reserves Act 1978*: Sets out the role Council undertakes as Committee of Management for any Crown land it has been appointed to manage. The Act nominates the government approval process and framework for establishing any licence over land owned by the crown.

## **Related Policies**

The City of Liverpool *Community Facilities Strategy* is informed by and supports the following strategic documents:-

- Our Home, Liverpool 2027 – Community Strategic Plan
- Social Justice Policy
- Social Impact Assessment Policy
- Local Government Act 1993

- Local Government (General Regulations) 2004
- Planning and Environment Act
- Occupational Health and Safety Act 2004
- Crown Land Reserves Act 1978
- Ageing Strategy
- Charter of Human Rights and Responsibilities Act 2006
- Council Plan 2013 – 2017
- Municipal Public Health and Wellbeing Plan 2013-17
- Property Policy 2009
- Social Justice Charter and Action Plan 2011
- Heritage Act (1977)
- Environmental Planning and Assessment Act (1979)
- Smoke Free Environment Act (2000)
- Crown Lands Regulation (2005)
- Local Government General Regulation (2005)
- Work Health & Safety Act 2011
- Liquor Act 2007 (NSW)
- Disability Action Plan
- Local Refugee Action Plan
- Reconciliation Action Plan

Liverpool City Council's objectives for the community:-

- Enhance community participation, health and well-being through provision of appropriate and accessible community facilities;
- Ensure Council-owned facilities are used to meet demonstrated Community needs consistent with Council's Vision, Policies and the Council Plan;
- Optimise use by the Liverpool Community of Council facilities;
- Increase Community access to activities and services, particularly access by disadvantaged and socially isolated groups;
- Assist not-for-profit and volunteer-based organisations that offer activities and services in the City of Liverpool;
- Assist Licensee organisations to understand and support the achievement of Council's policies and plans;
- Ensure fair and consistent licence conditions between Licensee organisations and equitable access to Licenced facilities;
- Develop a partnership approach to facility management and maintenance in which Licensees share the responsibility and cost;
- Ensure that Council's contribution is publicised to the Community;
- Ensure that Council-owned facilities are constantly and appropriately maintained, developed and occupies responsibly having regard to the interests of local communities and the care of the assets; and
- Ensure sound financial management and effective administration of Council Community licensing.

## **Process and Key Dates**

Responses to this invitation for Expression of Interest must be in writing and include the following:-

- To download an information package, visit <http://www.liverpool.nsw.gov.au/eoi/lccb> and to apply follow the application link <https://liverpool.smartygrants.com.au/CFM-EOI>
- Responses to key assessment criteria outlined in the EOI form;
- Letters of support and/or commitment from other proposed user groups, if applicable; and
- Any other supporting documentation the applicant feels is relevant to the EOI.

All proposals must be submitted on or before **Tuesday 3 July 2018** through the online application portal.

Applications received or lodged after the closing time will not be accepted.

The Council is not under any obligation to:

- Accept an application or guarantee the allocation of community facilities to every organisation that applies;
- Provide an applicant with a further opportunity to respond to this invitation of Expression of Interest; or
- Allow an applicant to vary its proposal once that proposal has been lodged.

Indicative timing of the Expression of Interest process is summarised as follows, subject to the Council having the right to vary both the timing and process.

<b>Step</b>	<b>Details</b>	<b>Date</b>
Call for Expression of Interest	Advertised on the Council website and in the local papers	6 June to 3 July 2018 (midnight)
Expression of Interest Closes	Applications received or lodged after the closing time will not be accepted.	3 July 2018
Expression of Interest Evaluated	EOIs will be assessed through a selection panel, against a number of criteria aligned with Council priority areas, strategies, legislative and regulatory frameworks.	17 August 2018
Confirmation of Successful and Unsuccessful Applications	On completion of the Expression of Interest process Council may select any or several of the respondents and confirm successful applicants	20 August to 19 October 2018
Licence development and entry into agreements	Applicant and Council agree on key terms as outlined in licence agreement and schedule. If applicant accepts Community Facilities Management will prepare the licence. Draft sent to applicant and once returned, Council's Legal section review licence and accepted by Council. The process is finalised by Council and a copy of the agreement & schedule posted to tenant.	31 October 2018

### **Preparing your EOI**

1. Carefully read all parts of this document.
2. Ensure you understand the selection criteria and the evaluation process.
3. Fully complete the Expression of Interest form, including responding to all of the selection criteria.
4. Attach all relevant documentation, e.g. letters of support/commitment, and any other documentation that may support your application.
5. Lodge your EOI before the closing date.

## **Review Process of Existing Tenants**

Renegotiation for an extension for a further period of a licence takes approximately six months prior to the expiration of the existing licence. During this process the focus will be on the current and future requirements of the occupant of a particular facility as well as the changing needs of the community and Council priorities.

This process includes two steps, namely, an initial screening and a review.

### **Initial Screening**

Council's commitment to continue an existing licence agreement with a group or entity is based on the following:-

- there is a demonstrated need for the service currently provided by the group or entity,
- performance of that group or entity has been satisfactory and all terms and conditions set in the existing licence agreement have been met, and
- the service area has been identified as a priority area during Council's planning process,
- The facility is not required for Council services.

### **Review**

If the performance of a group or entity occupying a Council facility is found to be unsatisfactory and/or the service(s) provided by the group/entity is no longer required by the community, a review will be undertaken. Council officers may request further information from the group or entity to clarify why they wish to continue the service(s) and to demonstrate that the service(s) is still in demand and meets an identified need.

Council officers will have to consider the information provided by the group or entity along with any other relevant information including Council priorities, potential alternative uses of the facility.

Council is not obliged to continue a licence agreement with a group or entity beyond the agreed period irrespective of its performance and/or compliance with the agreed terms and conditions. Council will also consider all potential alternative uses of a facility once it becomes available including identified community needs and service gaps. Council will make a facility available for a community/commercial entity only if it is determined that it is the most suitable option to produce optimum benefits to the community.

### **Expressions of Interest Process**

Once a facility becomes available due to discontinuation of an existing licence, the occupying group or entity deciding to vacate the facility, Council obtain/purchase a new facility or establish a new facility, Council will seek Expressions of Interest from interested community groups/entities.

Applications may be made by community groups/entities any time of the year even when Council is not seeking Expressions of Interest for any particular facility. In such instances applications will be assessed by Council officers as any other request and report to Council with recommendations. Council officers' recommendations will be based on the availability of facilities, potential benefits to the community and the strategic importance of the intended activity/service. The recommendation may be to advise the group or entity about the unavailability of a facility, offer of an opportunity to negotiate with an existing group to share a facility or proposing any other action that may be appropriate including the rejection of the request.

Council cannot guarantee that existing/current agreements will be approved in future years due to changes in organisational priorities, consideration of other applicants and in line with community need. Allocations will be based on fulfilment of previous years' financial obligations; utilisation of previous bookings; adherence to agreements and terms and conditions of use;

adherence to all regulations and bylaws that govern the booking; and benefit of program/activity/service to community.

NB: As part of a licence agreement with Council, broader use of a facility, in addition to the licenced area may be required for specific agreed purposes. These will be outlined under the “special conditions” of a licence agreement and will then inform hire agreements of a facility and/or space. These conditions will only apply for the term of the licence.

## **Evaluation Process**

In assessing each proposal, the Council will use the following evaluation criteria (not listed in any particular order of importance):

- All applications are assessed by a panel of Council officers to determine whether or not they meet mandatory criteria.
- Applications will be assessed against each recommended criteria. The criteria are weighted to ensure Council objectives and priorities are being met.
- The applicant’s ability to meet the Council’s objectives;
- The applicant’s ability to demonstrate relevant community and economic benefit of the proposed use of the facility;
- The applicant’s ability to demonstrate that the facility will be developed, managed and maintained in accordance with Council’s best practice for facility and asset management;
- proposed use’s potential to maximize facility use through increased community participation or combined services collocation;
- Affiliations with local networks, service providers and peak bodies; and
- The organisation is a not-for-profit and targets the Liverpool LGA community.

The Council will not be bound to engage any applicant or review any proposal that does not conform to the requirements set out in this documentation. The respondent acknowledges that the Council is not bound to accept any proposal submitted in response to this invitation for Expression of Interest and may terminate the Expression of Interest process at any time.

The submission of a proposal does not give rise to any contract governing, or in any way concerning, the Expression of Interest process, or any aspect of the Expression of Interest process. The Council expressly disclaims any intention to enter into such a contract.

## **Closing Date**

Expressions of Interest must be lodged by **Tuesday 3 July 2018**.

## **Further Information**

For further information please contact:

Liverpool City Council

Community Facilities Management

1300 36 2170

[managementf@liverpool.nsw.gov.au](mailto:managementf@liverpool.nsw.gov.au)

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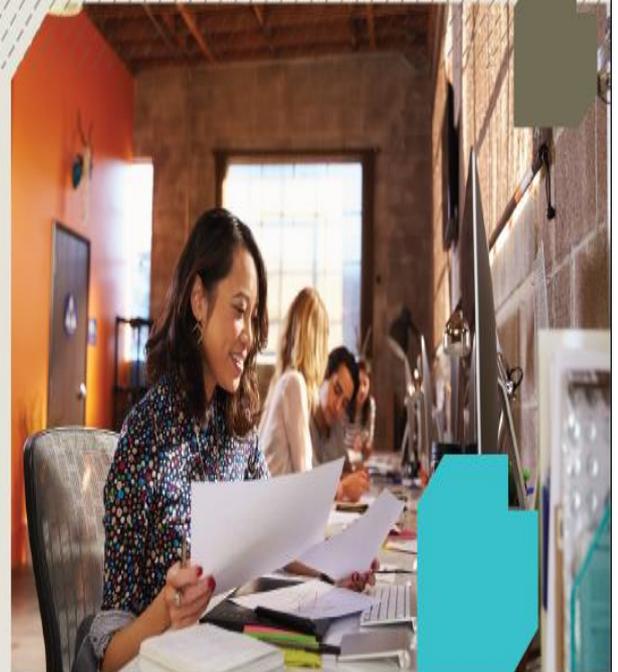
# OFFICE SPACES FOR LEASE

## EXPRESSIONS OF INTEREST: LICENSED SPACES

Opportunities are now available for community-based organisations (non-commercial) to rent offices in Council-owned facilities through license agreements.

Council encourages organisations that provide community programs and services in Liverpool to express their interest in leasing space within its community facilities.

Applications close 3 July 2018.



## SPACES AVAILABLE:

C. R. O'BRIEN CIVIC CENTRE — entire building

CARNES HILL COMMUNITY PRECINCT — 3 offices

CASULA COMMUNITY CENTRE — 1 office and a meeting room

CECIL HILLS COMMUNITY CENTRE — 1 office

CHIPPING NORTON COMMUNITY CENTRE

— 1 front office, and an office meeting space at rear

CHIPPING NORTON RECREATION CENTRE (THE LAKES BOATSHED)

— ground floor

DR JAMES PIRIE COMMUNITY CENTRE — front and back offices

FRANK CALABRO COMMUNITY CENTRE — entire building

FRANK OLIVERI COMMUNITY CENTRE — entire building

GREEN VALLEY DISTRICT CENTRE — front and back offices

HECKENBERG CHILD CARE CENTRE — entire building

HECKENBERG COMMUNITY CENTRE — 1 office

HINCHINBROOK COMMUNITY CENTRE — 1 office

LIVERPOOL COMMUNITY CENTRE — 5 offices, and a downstairs meeting space

MEMORIAL COMMUNITY CENTRE — entire building

MILLER COMMUNITY CENTRE — entire building

MILLER COMMUNITY HEALTH CENTRE — entire building

MOOREBANK COMMUNITY CENTRE — 1 office and a downstairs meeting space

SETON RECREATION CENTRE — 1 office and a meeting space

VOYAGER POINT COMMUNITY CENTRE — offices only

WARWICK FARM COMMUNITY HUB — entire building

WATTLE GROVE COMMUNITY CENTRE — front offices

WATTLE GROVE YOUTH CENTRE — front offices

**LIVERPOOL  
CITY  
COUNCIL**

To download an information package, or to apply, visit [www.liverpool.nsw.gov.au/eoi/lccb](http://www.liverpool.nsw.gov.au/eoi/lccb). You can also contact Community Facilities Management at [managementf@liverpool.nsw.gov.au](mailto:managementf@liverpool.nsw.gov.au) or call 1300 36 2170.