

EXPRESSION OF INTEREST TO LEASE



COMMUNITY FACILITY

ELLIOT YOUTH CENTRE

4 Ponderosa Street, Hillcrest QLD 4118

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EXPRESSION OF INTEREST GUIDELINES

1. INTRODUCTION

The City of Logan is fortunate to have many proactive organisations involved in providing programs and services that aim to support and respond to the needs of our diverse community. Logan City Council regularly receive requests from such organisations for assistance in allocation of community, sporting and recreation facilities.

To provide a transparent and equitable process for the allocation of these facilities, Logan City Council may undertake an Expression of Interest processes for identified facilities as they become available. This process enables Council to invite, identify and appoint suitable lessees to each of these facilities.

1.1. Council Policy

In accordance with Council's Policy "*Licence or Lease of Council Owned or Controlled Land to Sporting, Recreational and Community Organisations*" the Lease Advisory Group resolved to undertake an Expression of Interest process as follows:

Approval Date: 1 June 2024

Facility: Elliot Youth Centre

Address: 4 Ponderosa Street, Hillcrest QLD 4118

Council is looking to attract applications from organisations interested to lease The Facility.

1.2. Expression of Interest Process

Expression of Interest Guidelines for The Facility forms part of the Expression of Interest.

The Expression of Interest invites applications from eligible organisations interested in leasing The Facility. The Expression of Interest process will be managed by Council's Sports and Community Infrastructure Branch in accordance with Council's current practices.

Information on the Expression of Interest for The Facility can be found on the Logan City Council's website at

<https://www.logan.qld.gov.au/community-leasing/leasing>

1.3. Lodging your Application

Your application must be lodged by either:

- Delivering a hard copy to:
Attention: Senior Leasing Officer
Sports and Community Infrastructure Branch
Logan City Council
150 Wembley Road
LOGAN CENTRAL QLD 4114

OR:

- E-mailing a copy to council@logan.qld.gov.au

Applications CLOSE 4pm Thursday 4 July 2024

***Late applications may be considered at the sole discretion of Logan City Council**

1.4. Late Applications

Late applications may be considered at the sole discretion of Council as detailed in the "Expression of Interest Conditions of Response".

2. OUTCOMES SOUGHT FOR COMMUNITY FACILITIES

2.1. Relationship with Council

The successful organisation will be required to work with Council to:

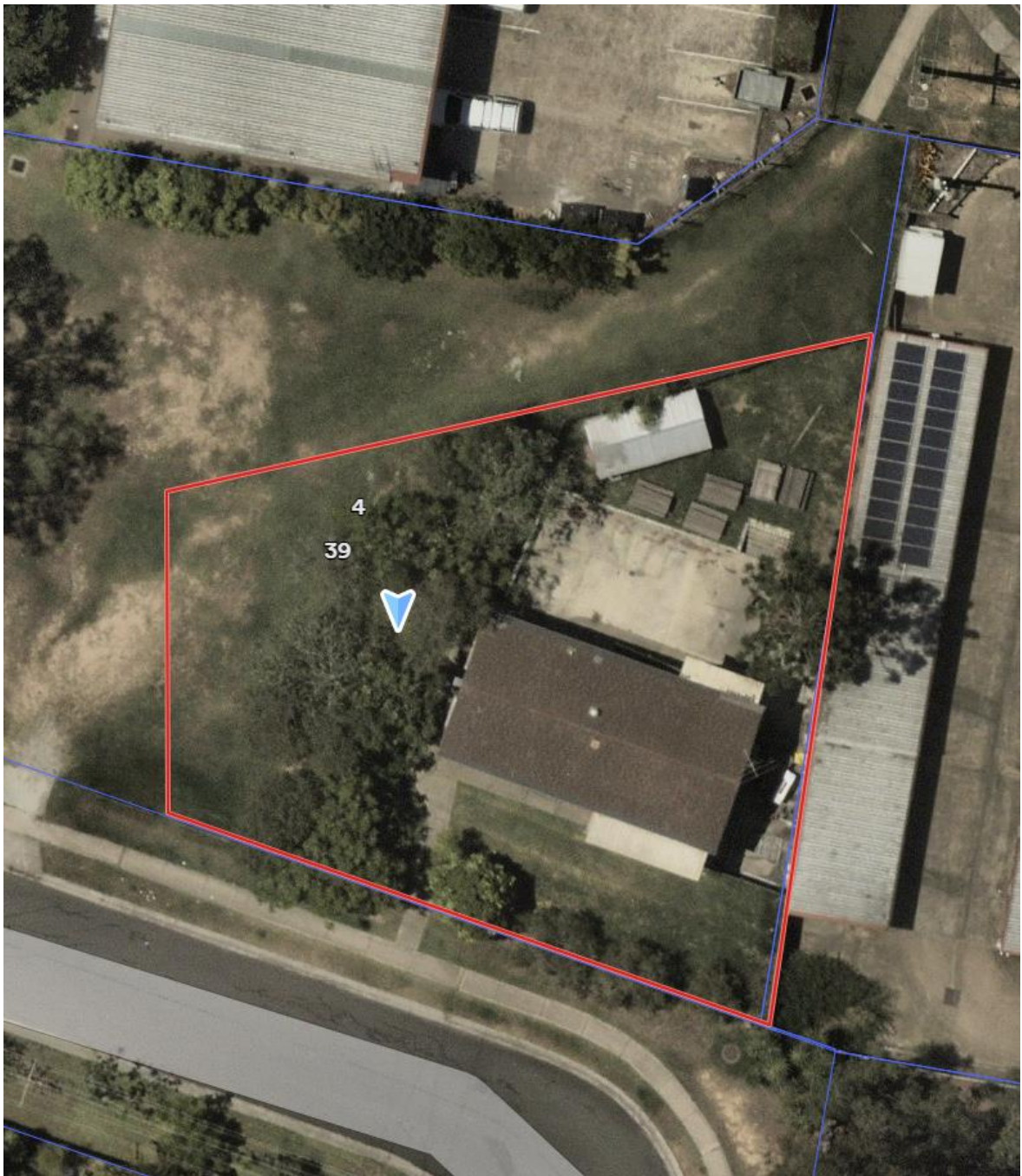
- meet the requirements of the tenure agreements;
- develop strategic documents;
- identify and apply for / undergo training needs and opportunities;
- work in partnership with Council to ensure the upkeep and proposed facility improvements, and
- establish and strengthen networks and connections within the Logan community.

3. THE FACILITY

3.1. Property Information

Facility name:	Elliot Youth Centre
Address:	4 Ponderosa Street, Hillcrest QLD 4118
Size of proposed lease area:	927m ²
RPD:	Lot 902 on SL11322
Ownership:	Crown Reserve for Local Government (Community Service Centre)
Zone:	CF – Community Purposes

The areas which are subject to this EOI are shown on the aerial image below (red outline).



AERIAL VIEW IMAGE

3.2. Facility Improvements

The Facility currently comprises of the following -

- Office spaces (3-4)
- Main hall
- Non Commercial Kitchen
- Toilets and Shower
- Storage Shed
- Security System
- Concrete patio area (uncovered)

3.3. Planning Scheme

The Facility is located within the CF – Community Purpose Zone under the Logan Planning Scheme:

Zone:	CF – Community Purposes
Preferred Use:	Community use; educational establishment; club; or community care centre.

However, the surrounding area is zoned Low Density Residential – Suburban.

Zone:	LD Res - Suburban
Supported Use:	Community uses - means the use of premises for providing artistic, social or cultural facilities or community services to the public.

It is Council's expectation that the activities of the successful lessee will complement the surrounding residential area and contribute to creating a safe, comfortable, quiet residential environment.

Due to the neighbouring residential zoning, the following Hours of Operation conditions *may* apply to the Lessee:

- Amenity - Hours of Operation: Undertake activities associated with the operation of the use only between the hours of 7am and 6pm on Mondays to Sundays, unless stated otherwise.
- Servicing – Hours of Operation: Ensure loading, unloading and delivery activities associated with the operation of the use only occur between the hours of 7am and 6 pm on Mondays to Sundays.

For further information on the planning scheme limitations associated with this property, please see the information available on the Logan PD Hub <https://loganhub.com.au/dashboard>.

3.4. Neighbouring Facilities

- Flexible Living Ltd
- Logan West Community Artshare Alliance Inc.
- Logan West Meals on Wheels
- Logan West Aquatic Centre & Health Club

4. FACILITY VIEWING TIMES

If you are interested in inspecting the facility, please contact Council's Senior Leasing Officer to arrange a suitable time.

Leasing Officer: Leanne Whitton
Phone: Sports and Community Infrastructure Branch on **(07) 3412 5316**
Email: council@logan.qld.gov.au

5. LEASE CONDITIONS

5.1. Type of Tenure

The successful applicant will be required to enter into a standard Community Lease with Logan City Council. A copy of the standard Licence or Lease document is available upon request from Council's contact officer who is listed on the Expression of Interest Information Sheet.

5.2. Length of Tenure

The length of tenure offered is a maximum of two (2) years in accordance with Council's current policy entitled "*Licence or lease of Council owned or controlled land to Sporting, Recreational and Community Organisations*" (copy available upon request). Council may determine to offer a shorter introductory, starter term to a new or unproven lessee.

5.3. Current User Status

The facility is currently vacant.

5.4. Fees and Charges

The fees and charges for this facility will be in accordance with the following Council policies:

- Licence or lease of Council owned or controlled land to *Sporting, Recreational and Community Organisations* (Leasing Policy); and
- Remissions to *Sporting, Recreational and Community Organisations* (Remissions Policy)

The lease fee for this facility will be determined by the lease category most suited to the organisation.

In addition to the lease fee, the successful applicant will be responsible for payment of all outgoings including, but not limited to any fire levy charges, water, sewerage, trade waste, back flow, rubbish collection, electricity, telephone and internet, including other such services and operational expenses attached to those services.

Remissions to eligible lessees are provided in accordance with Council's Remissions Policy.

5.5. Compliance with Key Performance Indicators

The successful applicant must comply with the following Key Performance Indicators (KPI's) which form part of the standard lease document:

Statutory Compliance:

- a) Operation in strict accordance with approved governing body regulations.
- b) Operation in strict accordance with the associations' constitution, rules and by-laws.
- c) Operation in strict accordance with Council and other regulating body rules.

Facility Activation:

- a) Demonstrated evidence of activating the leased premises and engaging with local communities.
- b) Use of the leased premises by third party licensees in accordance with clause 3.7 of the lease.
- c) A demonstrated proactive approach to good neighbour principles by evidence of complaint and dispute resolution processes.

Organisational Development:

- a) Mandatory attendance at annual lessee briefings held by Council in July/August each year.
- b) Preparation and completion of the lessees 5 year club/organisation development plan in conjunction with Council officers.
- c) Compliance with the lessees 5 year club/organisation development plan.

Reporting:

- a) Submission of annual audited financial statements and certificates of currency for insurances.
- b) Submission of evidence that maintenance is carried out to an acceptable standard and complies with any relevant legislation.
- c) Submission to Council of an annual report detailing compliance with Key Performance Indicators.

Note: Additional lessee specific KPI's may be identified for the successful applicant based on the submissions received.

5.6. Maintenance and Asset Management Responsibilities

Lessee responsibilities include:

- a) connection of electricity in the name of the lessee and any such services required including telephone and internet.
- b) general maintenance and repairs, in accordance with Council's "Schedule of Maintenance Obligations" contained within the Lease document (copy available upon request).
- c) seeking external financial assistance for upgrades or extensions; and

- d) providing and installing furniture and fittings, with prior written approval from Council for all major fittings.

6. MANDATORY ELIGIBILITY CRITERIA

To be eligible for consideration for this Expression of Interest, applicants must:

1. be incorporated pursuant to the Associations Incorporation Act 1981 (Qld) or similar legislation, or otherwise be incorporated for a non-profit purpose (or provide evidence supporting the current undertaking to obtain same);
2. hold current Public Liability cover to the minimum value of \$20 million (or provide evidence supporting the current undertaking to obtain same); and
3. have no outstanding financial accountability, service delivery or performance issues for funding previously provided by Logan City Council or other sources.

7. EXPRESSION OF INTEREST

Expression of Interest must include the following information:

1. Completed and signed Application Form which addresses the Eligibility and Selection Criteria;
2. Copy of Certificate of Incorporation;
3. Insurance details including proof of payment of current public liability insurance to the minimum value of \$20 million;
4. Copy of most recent Financial Statement (audited if applicable);
5. Copy of latest Annual General Meeting (AGM) minutes;
6. Copy of Constitution (if applicable);
7. Copy of Strategic / Business / Development Plan (if applicable); and
8. Any other relevant information to support the application.

8. SELECTION CRITERIA

Applications will be assessed on the degree to which they meet the following selection criteria.

Applicants **must** complete the attached *Expression of Interest Application Form* providing responses to **all** selection criteria.

Please note that there are four (4) selection criteria and that the weighting assigned to each may vary. The higher the weighting the more important that selection criterion is in the assessment of applications.

In completing the application, applicants are encouraged to:

- a) address each criterion fully. Do not rely on references to information contained in other selection criteria responses;
- b) address each 'supporting evidence' dot point as these are used to assess the application; and
- c) refer to attachments that are summarised or quoted. However, do not use attachments as the whole response to a selection criteria.

SELECTION CRITERION 1

ACTIVE ORGANISATIONS: FACILITY MANAGEMENT (40%)

Demonstrated ability/capacity to manage and maintain the facility to a standard satisfactory to the Sports and Community Infrastructure Manager in accordance with standard Community Facility Licence or Lease terms and conditions.

Supporting evidence should demonstrate:

- a) Sound governance measures to assume all responsibilities for the management of the facility, including:
 - a list of current or previous experience in managing similar facilities (including how long you were there / reason for leaving / type of tenure held / maintenance responsibilities).
 - How you plan to carry out the maintenance responsibilities for the entire facility (building(s) and grounds); and
 - identification of the relevant Work Health and Safety policies/procedures your organisation should be adhering to.
- b) Financial viability and capacity, including:
 - a copy of your most recent financial returns (audited if applicable);
 - a proposed budget for this facility detailing:
 - i. anticipated income (e.g. *memberships*, fund raising, sponsorship); and
 - ii. anticipated expenditure (e.g. building maintenance, water, sewerage and garbage services, electricity, phone).
- c) A Strategic/Business/Development Plan which aligns with your organisations vision and goals. The development plan may be in the standard Logan City Council Organisation Planning Tool Kit available at <https://www.logan.qld.gov.au/community-leasing/club-development>

SELECTION CRITERION 2

ACTIVE ORGANISATIONS: WORKING COLLABORATIVELY (20%)

Demonstrated capacity to work collaboratively with community and other organisations to provide better outcomes for the Logan community and strengthen the facility's position as a valued community facility.

Supporting evidence should include:

- a) a letter of support from your organisations governing body (where applicable).
- b) specific examples of current / proposed working relationships and partnerships with other clubs, organisations, associations and agencies. Including letters of support detailing how they propose to work with your organisation if successful with this application.
- c) specific details of how your organisation plans to inform the local community about and promote the services you will be providing at the facility.

SELECTION CRITERION 3

ACTIVE PEOPLE: SUPPORTING AN ACTIVE COMMUNITY (20%)

Demonstrate how your organisation will deliver a range of programs and activities that respond to local community need.

Supporting evidence should include:

- a) A demonstrated ability to provide the community with a beneficial service to meet community needs.
- b) An outline demonstrating how your organisation's program/s and or service/s:
 - (i) respond to local needs; and
 - (ii) are not duplicating services already provided for within the local area
- c) An understanding of local level issues and how they impact on vulnerable people within the community.
- d) Knowledge of the local service system and demonstrated capacity to provide information, advice and referrals to secondary services.
- e) The ability to actively target vulnerable populations as part of a community strategy.

SELECTION CRITERION 4

ACTIVE SPACES: APPROPRIATE UTILISATION OF THE FACILITY (20%)

Demonstrated commitment to maximising the potential activation of the facility to create an active community hub.

Supporting evidence should demonstrate:

- a) how your organisation plans to activate and maximise use of the facility.
- b) details of how your operations will complement the surrounding residential area, in compliance with the Planning Scheme requirements as set out in part 3.2 of these Guidelines.
 - include details of proposed days and times of use;
 - address the issue of limited parking in a residential area;
- c) an ability to coordinate a timetable of a range of activities and services.
 - provide a proposed calendar of events.
- d) information relating to any proposed shared use of the facility (if applicable).

9. EVALUATION PROCESS

All applications received by the closing time and date will be assessed, and applicants notified of the outcome of their individual submissions. Late applications may be considered at the sole discretion of Council as detailed in the *Expression of Interest Conditions of Response*.

The EOI assessment panel will review all applications based on Mandatory Eligibility Criteria and response to the Selection Criteria. Council may (but is not required to) shortlist applicants who may then be invited to give a presentation to the panel.

The panel will then assess the applications and recommend the preferred applicant to the Lease Advisory Group for its final consideration and approval.

10. FEEDBACK

Council is happy to provide feedback on an application after conclusion of the Expression of Interest process. This may be arranged by contacting Council's contact officer who is listed on the Expression of Interest Information Sheet.

11. CONTACT DETAILS

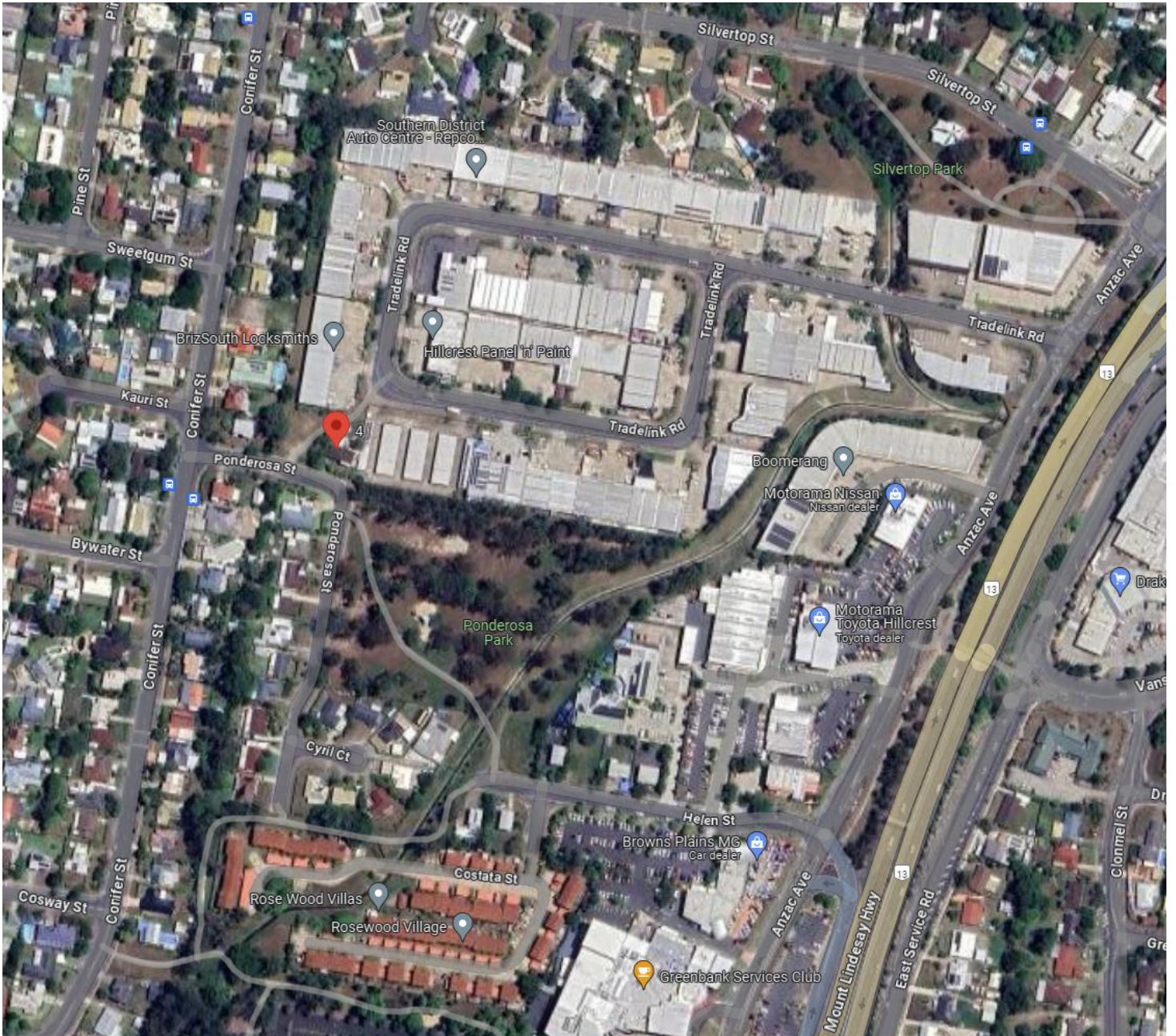
For further information regarding the Expression of Interest for the facility, please contact senior leasing officer, Leanne Whitton, from Council's Sports and Community Infrastructure Branch:

Phone: (07) 3412 5316

Email: council@logan.qld.gov.au

12. LOCATION MAP

Facility subject to Expression of Interest is indicated by the red outline in the below image.



13. FACILITY IMAGES

Front Entrance



Downstairs Hall



Storage Shed



Rear View



14. APPLICATION FORM

15 EXPRESSION OF INTEREST CONDITIONS FOR RESPONSE

15.1 Introduction

Council invites Expression of Interests for the lease of the Facility identified in the Expression of Interest Conditions Information Sheet.

15.2 Definitions

In this document:

“Applicant” means the organisation that has applied for tenure of the Facility pursuant to this Expression of Interest.

“Business Day” means a day which is not a Saturday, Sunday or public holiday in Queensland.

“Closing Date” means the time and date set out in the Expression of Interest Conditions Information Sheet.

“Confidential Information” means information supplied or made available by Council for which the Council claims confidentiality either implicitly or explicitly or information that is brought into existence by the Applicant in this Expression of Interest for the submission of the Expression of Interest, including (but without limiting the generality of this definition):

- a) the information in the Expression of Interest Documents;
- b) the Applicant’s Expression of Interest; and
- c) the specific information (if any) for which the Applicant claims confidentiality, and which is noted in Annexure A as confidential information attached to this Expression of Interest.

“Council” means Logan City Council.

“Facility” means the facility to be leased, as identified in the Expression of Interest Conditions Information Sheet annexed to these Expression of Interest Conditions.

“Personal Information” means information about an individual whose identity is apparent, or can reasonably be ascertained, from the information.

“Relevant Person” means the Applicant and all officers, employees, servants, or agents, consultants or professional advisors of the Applicant or any associate (as defined by the Corporations Act) of the Applicant to whom the Applicant discloses or proposes to disclose the Confidential Information.

“Expression of Interest Conditions” means the Expression of Interest Conditions for Responses at Section 15 of this document.

“Expression of Interest Conditions Information Sheet” means the Expression of Interest Conditions Information Sheet at Section 15.15 of this document.

“Expression of Interest Documents” means the documents listed in the Expression of Interest Conditions Information Sheet.

“Lease” means Council’s standard Community Lease to be entered into between Council and the successful Applicant for the Facility.

15.3 Expression of Interest Documents

All parts of the Expression of Interest Documents shall be read and construed together so that all parts are as far as possible consistent. Where the documents are inconsistent, the documents should be read and construed in the order of priority in which they are listed in the Expression of Interest Conditions Information Sheet.

15.4 Applicant to Fully Inform Itself

15.4.1 By lodging an Expression of Interest, the Applicant warrants to Council that it has:

- a) examined carefully and acquired actual knowledge of the contents of the Expression of Interest Documents and any other information made available by Council for the purpose of the Expression of Interest;
- b) examined all information relevant to the risks, contingencies and other circumstances having an effect on the Expression of Interest;
- c) examined all physical areas and facilities relevant to the Facility to be leased;
- d) informed itself of the nature of the obligations to be performed under the Lease;
- e) satisfied itself as to the correctness and sufficiency of its Expression of Interest for the performance of the obligations under the Lease; and
- f) not relied on information provided by Council or by any person for or on behalf of Council or represented to be provided for or on behalf of Council without independently verifying such information and independently satisfying itself of the adequacy, accuracy and correctness of such information.

15.5 Contents of Expression of Interest

15.5.1 Expression of Interests must:

- a) be submitted on a fully completed Expression of Interest Form;
- b) be duly executed by the Applicant;
- c) include all supporting documentation requested; and
- d) be received by the closing time and date as specified in the Expression of Interest Information Sheet.

15.5.2 An Expression of Interest may not be considered as conforming if:

- a) the Applicant has failed to supply any of the information required by this document;
- b) the Expression of Interest does not accord with the requirements of the Expression of Interest; or
- c) has been lodged on the basis of any condition or qualification.

15.5.3 Late applications to be considered at the sole discretion of Council.

- a) If an application is received after the official time of the closing advertisement date as specified in the Expression of Interest Information Sheet, it must be recorded as a late application with details of the time, date and method of delivery.

- b) The EOI evaluation committee is to be given all late applications and are to make a decision on whether or not to accept the late application and then document the reasons as to why the late application was accepted or rejected.
- c) A late application may only be considered if it is received within twenty-four (24) hours after the nominated or extended closing date of the EOI and the respondent has provided advice in relation to the factor/s for the cause of the delay.
- d) The decision based on accepting or rejecting a late application must be completed before the EOI evaluation committee is given access to the expression of interest documentation.

15.6 Lodgement of Expression of Interest

- 15.6.1 The Expression of Interest must be lodged in the form required by Council in the Expression of Interest Conditions Information Sheet.
- 15.6.2 No other method of lodging an Expression of Interest is acceptable.
- 15.6.3 Unless otherwise stated in the Expression of Interest Conditions Information Sheet, the Applicant need only supply one copy of the Expression of Interest.
- 15.6.4 Council may at any time before the Closing Date by notice in writing to all prospective Applicants extend the Closing Date.

15.7 Withdrawal of Expression of Interest

An Expression of Interest may be withdrawn by the Applicant at any time by notice in writing to Council.

15.8 Further Information

- 15.8.1 The Applicant must, if requested by Council:
 - a) provide further information in relation to the Expression of Interest or any aspect of the Applicant's capacity to perform under the Lease;
 - b) give a presentation at a time or place nominated by Council in relation to the Expression of Interest;
 - c) consent to and co-operate with a check or audit of the Applicant's financial status by an auditor or other person appointed by Council; and
 - d) allow Council or its agents to contact any referee nominated by the Applicant and authorise Council to obtain information about the Applicant from any third party whom Council reasonably considers may be able to provide information about the Applicant or which is pertinent to the Expression of Interest.
- 15.8.2 Council may prior to the Closing Date hold briefing and clarification sessions for prospective Applicants (whether separately or together) at times and venues to be advised by Council.
- 15.8.3 The Applicant must direct all requests for site inspections, additional information or other matters in writing to the contact person specified in the Expression of Interest Conditions Information Sheet.
- 15.8.4 Any information provided to the Applicant by or on behalf of Council is:
 - a) provided for the convenience of the Applicant only and unless expressly incorporated into the Lease or the Expression of Interest Documents, shall not form part of the Lease or the Expression of Interest Documents; and

- b) not warranted or held out by Council as accurate, correct or adequate.

15.9 Changes to Expression of Interest

- 15.9.1 At any time prior to the Closing Date, Council may issue additional or different information to Applicants, which shall be taken into account in preparation of the Expression of Interest.
- 15.9.2 After the Closing Date, Council may (without limitation to any other action that may be open to Council):
 - a) request clarification or further information about any Expression of Interest;
 - b) invite all Applicants to change their Expression of Interests in response to a change in Expression of Interest Documents in accordance with section 228(7) of the *Local Government Regulation 2012*; or
 - c) enter into post-offer negotiations with a preferred Applicant or a short list of Applicants.

15.10 Evaluation Criteria

- 15.10.1 Expression of Interests will be evaluated by Council having regard to the sound contracting principles set out in section 104 of the *Local Government Act 2009*.
- 15.10.2 The eligibility and selection criteria outlined in the Expression of Interest Application Form shall form the basis for the selection of the successful Applicant and the weightings stated shall apply to each of the criteria.
- 15.10.3 It is the Applicant's responsibility to ensure that their Expression of Interest addresses all the evaluation criteria.

15.11 Acceptance of Expression of Interest

- 15.11.1 Council shall not be bound to accept any Expression of Interest.
- 15.10.2 Council may accept any Expression of Interest in whole or in part.
- 15.11.3 Council shall not be obliged to consider any Expression of Interest which:
 - a) was not lodged in accordance with the requirements of this Expression of Interest Conditions by the Closing Date;
 - b) does not conform with the requirements of the Expression of Interest; or
 - c) requests changes or variations to Council's Mandatory Eligibility Criteria in the Application Form.

15.12 Formation of Contract

- 15.12.1 Notwithstanding that Council may advise the Applicant that its Expression of Interest has been successful, the Lease shall not be formed until it is duly executed by both parties.
- 15.12.2 The Applicant must be in a position to, and if requested by Council, execute the Lease within 30 days of receipt of notification that it is the successful Applicant.
- 15.12.3 If there is any discrepancy or inconsistency between the terms of the Lease in the Expression of Interest and the terms of any Lease forwarded to the Applicant by Council, or its authorised agents, Council's version of the Lease shall take precedence over the Applicant's version of the Lease.
- 15.12.4 Clause 15.11.3 does not apply to amendments agreed by the parties during the Expression of Interest process.

15.12.5 The Applicant, if it is successful, may not refuse to execute a Lease on the basis of any discrepancies or inconsistencies referred to in clause 15.11.3.

15.13 Right to Information and Disclosure of Information

15.13.1 The *Right to Information Act 2009* ("RTI Act") enables the public to access information held by the Logan City Council.

15.13.2 The RTI Act requires the Logan City Council as an agency to disclose information it holds upon a valid request for that information, unless the documents are exempt under the RTI Act, or upon taking into account various factors prescribed by the Act, disclosure is contrary to the public interest.

15.13.3 Information provided by Applicants to this Expression of Interest is potentially subject to disclosure to third parties pursuant to the RTI Act. Personal Information is excluded.

15.13.4 If an Applicant is concerned about potential disclosure of the information being provided in the Expression of Interest to a third party, the Applicant has the opportunity to mark the information as Confidential on Annexure A at the back of this Expression of Interest.

15.13.5 The Council cannot give an undertaking that information provided by the Applicant will be protected from disclosure under the RTI Act even if marked Confidential. However, it is evidence of the Applicant's concern on the information.

15.13.6 The Office of the Information Commissioner has a website at

15.14 Exclusion

Council shall not be responsible for or pay for any expenses or losses incurred by the Applicant in the preparation of the Expression of Interest, or in the event the Applicant is unsuccessful in the Expression of Interest process.

15.15 Expression of Interest Information Sheet

Brief description of the Facility to be Leased: (clause 15.2)	This community facility located at 4 Ponderosa Street, Hillcrest comprises of office spaces, board room, main hall, kitchen and storage.
Closing Date: (clause 15.2)	5pm Thursday 4 July 2024
Expression of Interest Documents: (clause 15.3)	Expression of Interest Guidelines Expression of Interest Application Form Expression of Interest Conditions for Response
Order of Priority (clause 15.3)	Per Expression of Interest Documents above
Expression of Interest Lodgement Times: (clause 15.6.1)	Applications OPEN 9am Monday 17 th June 2024 Applications CLOSE 4pm Thursday 4 th July 2024
Number of copies of Expression of Interests to be lodged: (clause 15.6.2)	One (1)
Format for any Expression of Interest material: (clause 15.6.1)	Delivering a hard copy to: Logan City Council Administration Building <ul style="list-style-type: none"> • 150 Wembley Road LOGAN CENTRAL QLD 4114 <p>Attention: Senior Leasing Officer Sports and Community Infrastructure</p> <p>OR</p> <ul style="list-style-type: none"> • E-mailing a copy to: council@logan.qld.gov.au
Name and contact details for contact person: (clause 15.8.3)	Sports and Community Infrastructure Leanne Whitton Ph: (07) 3412 5316
Evaluation criteria and weightings to be applied: (clause 15.10.2)	Refer to the Expression of Interest Documents.
Any additional information to be designated as "Confidential Information": (clause 15.13.4)	As required by the individual respondent to be noted on Annexure A