

# Blayney Shire Council



Expression of Interest

EOI 3/2016

Sale of Land or part thereof in Blayney  
Industrial Area

Closing date: Ongoing pending sale of all lots

## 1. Introduction

Council has available for sale land at the Blayney Industrial Area. Council is offering 9 sale lots or parts thereof for sale.

Council is open to consider offers for all lots or individual lots or part(s) thereof.

Expressions of Interest (EOI) will be open for a period of six weeks. This specification details how expressions of interest will be received and assessed, and how any negotiations after the closing date will be conducted.

The EOI is not a tender for the purposes of s.55 of the Local Government Act, 1993.

## 2. Property Description

### *Property Addresses*

Refer table 1 for details of property addresses

### *Descriptions:*

Refer table 1 for details of property descriptions

### *Location*

The properties are situated within the Blayney industrial estate within close proximity of the Mid-Western Highway and rail facilities.

### *Site Particulars*

Table 1 details approximate land area and is subject to survey.

**Table 1: Land for sale in Blayney Industrial Area**

| <b>Sale Lot Ref.</b> | <b>Title particulars</b>      | <b>Address</b>              | <b>Area</b>         | <b>Zoning</b> |
|----------------------|-------------------------------|-----------------------------|---------------------|---------------|
| <b>SL1</b>           | Lot 2 DP1082286               | 180 Marshalls Lane, Blayney | 3,205m <sup>2</sup> | IN1           |
| <b>SL2</b>           | Lot 1 / DP842577              | 8 Tollbar St, Blayney       | 2.09 ha             | IN1           |
| <b>SL3</b>           | Lot 202 / DP1196179           | 126 Marshalls Lane, Blayney | 3.38 ha             | IN1           |
| <b>SL4*</b>          | Lot 2 / DP881855              | 31 Gerty St, Blayney        | 9.16 ha             | IN1 / RU2     |
| <b>SL5</b>           | <b>Not available for sale</b> |                             |                     |               |
| <b>SL6</b>           | <b>Not available for sale</b> |                             |                     |               |
| <b>SL7**</b>         | Lot 1 / DP134341              | 31 Gerty St, Blayney        | 6.68 ha             | IN1 / RU2     |
| <b>SL8</b>           | <b>SOLD</b>                   |                             |                     |               |
| <b>SL9</b>           | <b>Not available for sale</b> |                             |                     |               |

\* Lots may require excise of land to accommodate existing Council services.

# Subdivision of land in progress.

### *Rates*

General rates and charges will apply to the lands upon transfer.

### *General*

The subject properties are accessible by roads detailed on the attached map. Interested parties are encouraged to review map and inspect properties to assess suitability of access. An aerial view of the properties and surrounds has been attached for information.

No encumbrances are held over the land for sale.

### **3. Zoning**

Zoning under the Blayney LEP 2012 may vary for each site and interested parties are encouraged to contact Council to confirm zoning, potential uses consistent with zone objectives and suitability of proposed development.

For reference zoning shown are as follows:

IN1 – General Industrial

RU2 – Rural Landscape

Interested parties are encouraged to meet with the General Manager and relevant staff regarding their proposal to discuss this Expression of Interest and suitability of land for development.

### **4. Future Development**

#### *4.1. Water Services*

The properties may have a metered water service. Council will be able to confirm existence of water service on proposed lot. Interested parties are encouraged to contact Central Tablelands Water to confirm costs associated with the connection if required.

#### *4.2. Sewerage*

There is **no** sewer connection on the properties. Interested parties are encouraged to contact Council to confirm costs associated with the connection and associated requirements.

#### *4.3. Kerbing*

The properties for sale do not have kerbing.

#### *4.4. Electricity & Phone Connection*

Connection to electricity and phone is the responsibility of the purchaser.

#### *4.5. Availability of services and infrastructure*

Interested parties are encouraged to undertake their own due diligence with regards to services and infrastructure.

Council may require payment of associated costs of works required in any Development consent.

## **5. General Conditions**

### *5.1. Submission of Expression of Interest*

5.1.1 Submit EOI only on the form provided. Include an address for service of notices for the purpose of this EOI and subsequent contact.

### *5.2. Lodgement*

5.2.1. Lodge EOI in a sealed envelope marked with:

**“EOI 3/2016 – Sale of Land or part thereof in Blayney Industrial Area”**

5.2.2. Lodge in the tender box at the Blayney Shire Council office:-

**91 Adelaide Street  
BLAYNEY NSW 2799**

Or post to:

**EOI 3/2016 – Sale of Land or part thereof in Blayney Industrial Area  
The General Manager  
Blayney Shire Council  
PO Box 62  
BLAYNEY NSW 2799**

5.2.3. By the date and time for closing of interest.

5.2.4. Fax or email will be accepted however an original must be furnished.

5.2.5. Any EOI not received before the specified closing time will not be considered unless there is satisfactory evidence provided that the EOI:

- a) Was delivered before the specified closing time; or
- b) Was either posted or dispatched by a recognised carrier providing direct delivery service to the Council office in sufficient time for delivery before the specified closing time under normal circumstances, but was still in the course of delivery by post or by the recognised carrier at the specified closing time due to circumstances outside the control of the interested party.

5.2.6. Offers received by telephone or verbal offers will not be considered.

**5.2.7. Expressions of interest will be accepted on an ongoing basis.**

5.2.8. By lodging an EOI you agree to enter into the standard terms of contract for Land purchase noting that both parties have the opportunity to negotiate further conditions of sale prior to execution of the contract.

### *5.3. Opening of Expressions of Interest*

5.3.1. EOI's will be opened after the Closing Time.

5.3.2. Any EOI received through the post before the specified closing time will be kept sealed until EOI opening time.

5.3.3. EOI's will not be opened publicly.

### *5.4. Clarifications and Variations*

5.4.1. The Council may issue to interested parties before the Closing Time:

- a) Additional information; and
- b) Information clarifying or correcting information previously provided, to assist them in preparing their offer.

5.4.2. If the Council issues information under clause 5.4.1, each party must take the information into account in the preparation of its Offer.

5.4.3. After Closing Time, the Council may (without limiting its options):

- a) Request clarification or further information from any Respondents; and
- b) Invite all Respondents to change their offers in response to an alteration to the Specification or any of the terms and conditions of the Contract; and
- c) Negotiate with one or more Respondents upon any aspect of their offer.

#### *5.5. Post EOI Negotiations*

5.5.1. If no conforming offers are received, Council may commence post EOI negotiations in accordance with its pre-determined strategy. This may involve negotiations with the highest Respondent or may involve inviting Respondents to consider increasing their offers for the property or properties. Post EOI negotiations will only be conducted for a duration of sixty days (60) days after the closing date. If the land remains unsold, it will be formally passed in and all Respondents will be advised.

The land may continue to be marketed for an appropriate or reasonable period of time as determined by the council.

#### *5.6. Informal Offers (Non-conforming EOI's)*

5.6.1. EOIs which do not comply with requirements of, or which contain provisions not required or allowed by the EOI documents, will be declared informal.

#### *5.7. Respondents to Inform*

5.7.1. The respondent is deemed to have:

- a) Examined the EOI documents, the site and its surroundings and other information made available.
- b) Examined information relevant to the risks, contingencies, and other circumstances having an effect on his offer and which is obtainable by the making of enquiries.
- c) An offer, once submitted, is irrevocable and prospective parties are advised that offers will remain open for acceptance by Council until the Acceptance Date, being sixty (60) days after the closing date of the EOI.

#### *5.8. Acceptance of EOI*

5.8.1. Council will by resolution at a meeting of Council determine an outcome of this EOI. An offer will not be deemed to have been accepted unless and until a Letter of Acceptance is handed to the Respondent or is sent by prepaid post to, or is left at, the address stated in the EOI form.

5.8.2. Council reserves the right to reject the lowest or any EOI or an otherwise conforming EOI.

#### *5.9. Future Rounds of Land Sales*

5.9.1 Future sale of unsold lots will be as determined by Council.

## **6. Conditions of Sale**

6.1. In addition to the standard terms of Contract for Land further terms may be negotiated at the time of sale. Further obligatory terms Council may wish to include are as follows:

- a) Any legal, survey, easement or subdivision costs associated with sale of land shall be undertaken at the expense of the purchaser;
- b) Any provision of infrastructure or service required in any Development Consent or at the request of the purchaser prior to finalisation of purchase shall be at the expense of the purchaser.

6.2. The parties must execute and deliver all documents and must do all things as are necessary for the complete performance of their respective obligations under the contract of sale.

6.3. The purchaser shall pay all costs of and incidental to the registration of the Transfer.

## **7. Obtaining Information**

7.1. No fee is payable for the supply of the Specification.

7.2. Any additional information required by a Respondent may be obtained from the contact person below:

Anton Franze  
Director Corporate Services  
Blayney Shire Council  
Phone: 6368 2104  
Mobile: 0417 671 286  
Email: [council@blayney.nsw.gov.au](mailto:council@blayney.nsw.gov.au)

7.3. Respondents must not direct requests for information to, or seek to discuss the Specification process with, any Councillor or officer of the Council other than the Contact person.

7.4. If the Council makes information available to a Respondent, the Council reserves the right to distribute the information to each Respondent who has been provided with a copy of the Specification.

7.5. Canvassing of elected members or council officers will automatically lead to disqualification.

7.6. A Respondent's offer will be deemed as an inducement or reward that could influence the actions of the person in relation to the Offer and will not be considered if the Respondent or anybody on its behalf offers or gives anything to:

- a) Any Councillor of the Council; or
- b) Any officer or agent of the Council.

## **8. Disclaimer**

8.1. This specification has been compiled by the Blayney Shire Council for the information of interested parties to assist them in deciding whether they are sufficiently interested in the properties offered for sale to proceed with further investigation. The information does not constitute all or any part of an offer or contract of sale, and is intended as a guide only.

8.2. The information contained in the specification has been prepared in good faith.

8.3. Interested parties should not rely on any material contained in the specification as a statement or representation of fact but should satisfy themselves as to its correctness by such independent investigation as they or their legal or financial advisers see fit.

8.4. The Blayney Shire Council provides this document on the condition that, subject to any statutory limitation to do so, the Blayney Shire Council disclaims liability under any cause of action including negligence for any loss arising from reliance upon this document.

### **9. Acceptance of Offer**

Blayney Shire Council is not obliged to accept an offer in the event proposals received are considered unsatisfactory.

### **10. Failure to Sell / Lease**

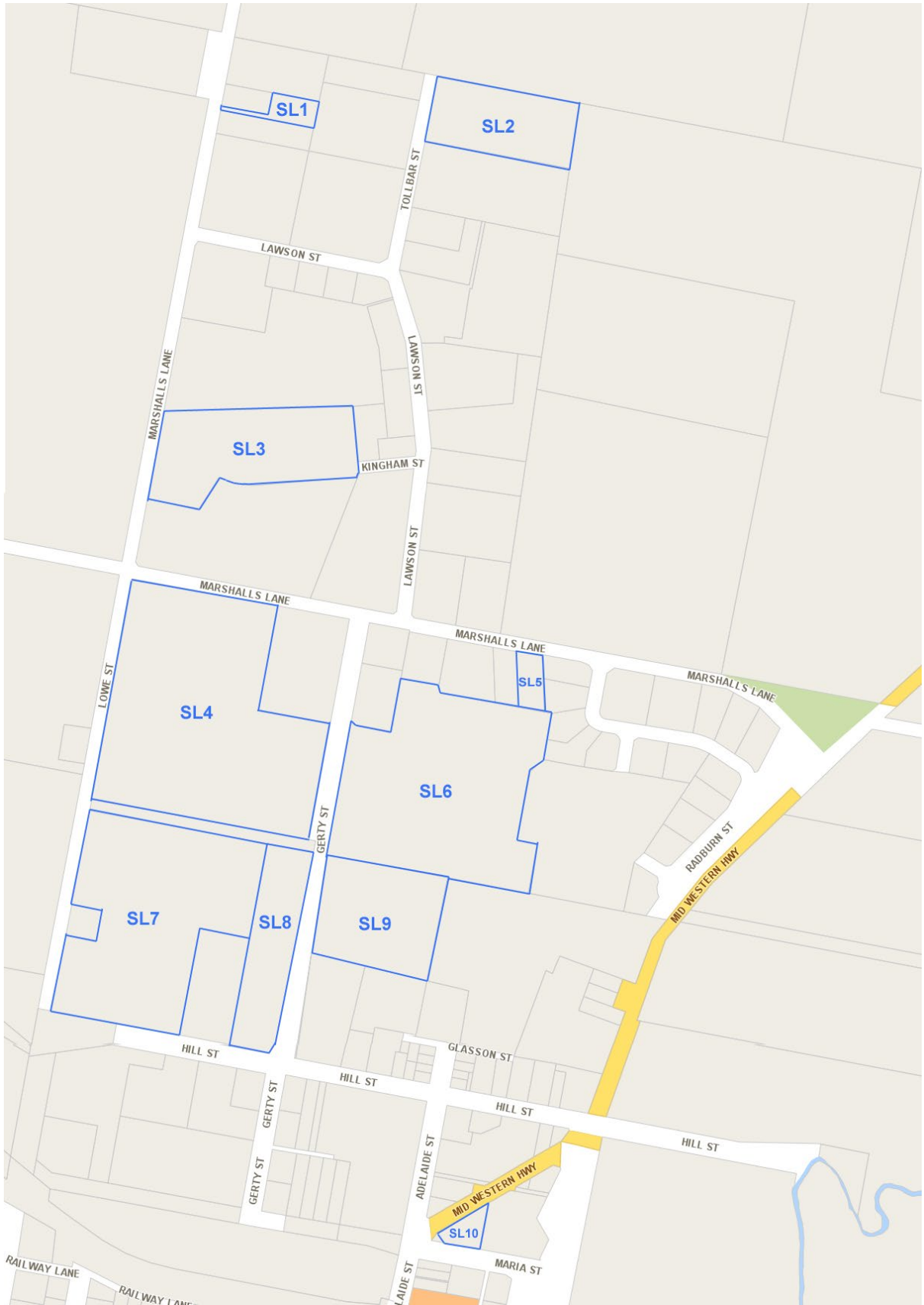
Blayney Shire Council reserves the right not to accept an EOI for the purchase of any of the proposed sale lots.

### **9. Confidential status of expressions of interest**

All expressions of interest in EOI process will be treated as strictly Confidential. No information on any proposals will be publicly released until such time as both parties agree to the release of this information.

### **Attachments:**

|                      | <b>Pages</b> |
|----------------------|--------------|
| Map                  | 1            |
| Aerial Imagery       | 1            |
| EOI Application Form | 1            |
| Deposited Plans      | 13           |









## EOI Application Form

EOI 3/2016

### Sale of Land or Part thereof in Industrial Area, Blayney

**COMPANY DETAILS:**

**Name of Respondent:** .....

**A.B.N.** .....

**Address:** .....

.....

**Telephone number:** .....

**e-mail address:** .....

hereby tender(s) an expression of interest for the below mentioned lot(s) in accordance with the Conditions outlined within this expression of interest document.

| Sale Lot Reference: | Title Particulars: | Price Offered: |
|---------------------|--------------------|----------------|
|                     |                    |                |
|                     |                    |                |
|                     |                    |                |
|                     |                    |                |
|                     |                    |                |

Respondent's Signature: .....

Signatory Name: .....

Witnessed By: .....

Witness Name: .....

DATED THIS .....DAY OF.....20....