

**16.3 COUNCIL LAND SALE**

**Responsible officer: Tony Secomb, Manager Corporate Services**

- Attachments:**
1. Expression of Interest Application - Mark Pye
  2. Expression of Interest Application - Rebecca Porker
  3. Expression of Interest Application- Blank

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<b>Section under the Act</b>	The grounds on which part of the Council or Committee may be closed to the public are listed in Section 90(2) & (3) of the <i>Local Government Act 1999</i> .
<b>Sub-clause and Reason:</b>	(d)(i) - commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party.

**Executive Summary**

This report presents to Council the Expression of Interest applications received in relation to the sale of Council’s vacant land at allotment 574, section 96, Oval Terrace, Lameroo.

It is recommended that Council postpones the decision to accept, reject or negotiate a better offer for the sale of the subject land until it is known whether this land is required by Council for the development of executive staff housing.

<p><b>RECOMMENDATION</b> That Council</p> <ol style="list-style-type: none"> <li>1. notes the contents of this report and the expressions of interest received in relation to the potential sale of Council’s vacant land at allotment 574, section 96, Oval Terrace, Lameroo; and</li> <li>2. postpones the decision to accept, reject or negotiate a better offer for the sale of allotment 574, section 96, Oval Terrace, Lameroo until it is known whether this land is required by Council for the development of executive staff housing.</li> </ol>
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**MOVED COUNCILLOR REBECCA BOSELEY  
SECONDED COUNCILLOR JEFFREY NICKOLLS**

That Council

1. notes the contents of this report and the expressions of interest received in relation to the potential sale of Council’s vacant land at allotment 574, section 96, Oval Terrace, Lameroo; and
2. postpones the decision to accept, reject or negotiate a better offer for the sale of allotment 574, section 96, Oval Terrace, Lameroo until it is known whether this land is required by Council for the development of executive staff housing.

**The Deputy Mayor with approval of two-thirds of the members present suspended the meeting procedures pursuant to regulation 20(1) of the Local Government (Procedures at Meetings) Regulations 2013, for a period of 10 minutes to facilitate informal discussion in relation to Council land sale at 9.29pm**

**Meeting procedures resumed at 9.34pm**

**CARRIED.**

**Background**

Council received a letter in February 2020 from a rate payer enquiring about purchasing a portion of council land on Oval Terrace, Lameroo.

Subsequently a report was presented to the April 2020 council meeting, at which council approved the sale of the vacant allotment by way of request for expression of interest (REOI), in accordance with councils "Disposal of Land Asset policy" with a reserve sale price set at \$20,500.

The timing for the expressions of Interest process was scheduled as follows;

Step	Details	Date
Call for EOI	Advertised on the Council website and in selected newspapers.	Wednesday 19 August, Wednesday 16 September and Wednesday 7 October 2020
Site Inspection for Registrants	Roadside/site inspection available at any time/day or with Council representative on business days by appointment.	
EOI Registrations Close	Lodgement of EOI	5pm Friday 9 October 2020
EOI Acknowledgement & Evaluation	Email / letter sent to registrants acknowledging receipt of EOI. EOI responses evaluated against criteria.	Week commencing Monday 11 October 2020
EOI Assessment	Council report regarding EOI's to be tabled at the October Council meeting for decision.	Wednesday 21 October 2020
EOI Registrants Informed	Registrants informed of outcomes of assessments	Friday 23 October 2020 (indicative)

**Context**

From the REOI process two (2) applications (attachments 1 and 2) were received and are summarised in the table below;

**Evaluation Table - Oval Terrace, Lameroo**

Applicant	Proposed Purchase Price (ex gst)	Any Conditions	Future Plan/s for Land	Develop within 12 Months Y/N	Settlement Terms
Mark Pye	\$15,500	Council to allow clearance of trees on block	Residential House	Y	Approval for tree removal and development application acceptance.

Rebecca Porker (Option 1)	\$6,000	1. Requesting period of up to 5 years to develop. 2. Driveway kerb entrance installed	Residential House	N	Nil
Rebecca Porker (Option 2)	\$9,091	1. Requesting period of up to 5 years to develop. 2. Council to remove trees 3. Driveway kerb entrance installed	Residential House	N	Nil

It is estimated the cost for council to remove the trees on the land would be between \$6,000-\$8,000.

**Policy and statutory implications**

The Local Government Act 1999 is relevant to this matter.

The Disposal of land assets policy, Internal control policy and Public consultation policy are relevant to this matter.

**Issues**

All submissions received are well below the reserve price. However there is opportunity to negotiate with one or both applicants to achieve a satisfactory result.

Council should also have due regard for the detail presented in the Executive Staff Housing report earlier in this agenda and any resolution made in relation to that matter.

The REOI document, (attachment 3), particularly *Section 8 Council Rights* provides Council with the ability to take a range of actions such as negotiate with one or more applicant or accept or reject offers. It is considered appropriate for Council to consider the following options;

**Option 1**

Review both applications in accordance with section 8 of the REOI, and negotiate with both applicants to achieve a sale price at, or closer to, the reserve and accept the highest sale price offered, with the trees to be removed at applicants cost, and enter into a contract for sale.

**Option 2**

Review both applications in accordance with section 8 of the REOI, and negotiate with both applicants to achieve a sale price at, or closer to, the reserve and accept the highest sale price offered, with the trees to be removed at councils cost, and enter into a contract for sale.

**Option 3**

Review the application by Mark Pye (the highest offer) and negotiate the sale price to \$20,500 plus gst being the reserve set by council, with the trees to be removed at councils cost, and enter into a contract for sale.

**Option 4**

Review the application made by Mark Pye and negotiate the sale price to \$20,500 plus gst, being the reserve set by council, with the trees to be removed at applicants cost, and enter into a contract for sale.

**Option 5**

Accept the application as received by Mark Pye and enter into a contract for sale.

**Option 6**

Reject both applications. This is ultimately the preferred option if Council decides to establish executive staff housing on the subject land.

**Alternate options**

Council should decide to postpone the decision to accept, reject or negotiate a better offer if it wants to retain this land for future executive staff housing or the potential for future executive staff housing. This is the preferred option given the recommendation to Council in the Executive staff housing report in this agenda.

**Financial implications**

Selling the land will result in Council receiving a sum for sale, reduce the annual maintenance costs and increased annual rates income. If Council chose to build a new executive staff house in the future, after selling this land, it would need to fund the purchase and/or development of land elsewhere.

**Work Health and Safety and Risk implications**

There are no work, health and safety implications associated with this matter. A key risk is that the sale of this land would deny Council the future opportunity to use the land for its own purposes such as for executive staff housing.

**Consultation**

Nil.

**SECTION D – EOI RETURN SCHEDULES**

Registrants must complete all parts of EOI.

**Part 1 - Registrant - Expression of Interest Form**

**Purchase of Council Land – Oval Terrace, Lameroo**



**Registrant details**

Registrant name	Mark Pye	ABN	
Postal address	11771 Mallee Highway Lameroo		
<b>Registrants representative (Authorised contact details)</b>			
Registrants representative name	Renee Pye		
Email	reneepy@zerella.com.au	Mobile	0400766093
Other relevant information			

**Acknowledgement and declaration**

I/We acknowledge that, by submitting this proposal, I/we accept and acknowledge that we are bound by the terms and conditions stated in the invitation.

I/We also declare that the information detailed in this form is true and accurate to the best of my/our knowledge.

Signature of authorised person(s)		Signature of authorised person(s)	
Name of signatory	Muhammad Nashed	Name of signatory	Renee Pye
Date	09-10-2020	Date	09/10/2020

**Part 2 - Detail of purchase price for the property including conditions of purchase and any inclusions or exclusions. (amounts to be quoted Ex GST)**

Proposed purchase price (Ex GST)	\$15,500
Conditions of purchase (If no conditions marks as N/A (Not Applicable))	Council needs to allow clearance of trees on the block
Details of any Inclusions or exclusions as part of the purchase (If no conditions marks as N/A (Not Applicable))	N/A

**Part 3 - What is your proposed future plans for the Land?**

Please detail your future plans for the Land	We plan to put a house on this block as soon as possible and a family will be living in this house.
Will you develop the land within 12 months of purchase?	Yes

**Part 4 - If your EOI is acceptable to Council are there any specific contract / settlement terms required to be included or excluded in the contract of sale documentation.**

i.e. settlement period, sale subject to finance, inclusion or exclusion of environmental risk, sale subject to development application acceptance, unconditional purchase etc.

<p>Please specify any contract / settlement term requirements to be include or excluded in the contract of sale documentation.</p>	<p>Approval for tree removal and development application acceptance.</p>
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*CONFIDENTIAL*

SECTION D – EOI RETURN SCHEDULES

Registrants must complete all parts of EOI.

Part 1 - Registrant - Expression of Interest Form

Purchase of Council Land – Oval Terrace, Lameroo

**Registrant details**

Registrant name	Rebecca Parker	ABN	N/A
Postal address	14 Needs RD		
	Lameroo 5302 S.A.		
<b>Registrants representative (Authorised contact details)</b>			
Registrants representative name			
Email	por.kajbec85@gmail.com	Mobile	0423832086
Other relevant information			

**Acknowledgement and declaration**

I/We acknowledge that, by submitting this proposal, I/we accept and acknowledge that we are bound by the terms and conditions stated in the invitation.

I/We also declare that the information detailed in this form is true and accurate to the best of my/our knowledge.

Signature of authorised person(s)		Signature of authorised person(s)	
Name of signatory	Rebecca Parker	Name of signatory	
Date	9 / 10 / 20	Date	



**Part 2 - Detail of purchase price for the property including conditions of purchase and any inclusions or exclusions. (amounts to be quoted Ex GST)**

(+10% GST)

Proposed purchase price (Ex GST)	\$ 6000: no trees removed by council \$ 9,091 + 10% GST if trees removed
Conditions of purchase (if no conditions marks as N/A (Not Applicable))	Conditions of Purchase for request are: Sale subject to Development of Vacant Block, period of up to 5 years after sale. Council would organise tree removal of scrub on block. Drive way Keyp Entrance to be installed.
Details of any Inclusions or exclusions as part of the purchase (if no conditions marks as N/A (Not Applicable))	Not Applicable

**Part 3 - What is your proposed future plans for the Land?**

Please detail your future plans for the Land	Future plans for this Block are Residential.
Will you develop the land within 12 months of purchase?	Yes developing the block within 12 months of purchase is definitely the aim. definitely

**Part 4** - If your EOI is acceptable to Council are there any specific contract / settlement terms required to be included or excluded in the contract of sale documentation.

i.e. settlement period, sale subject to finance, inclusion or exclusion of environmental risk, sale subject to development application acceptance, unconditional purchase etc.

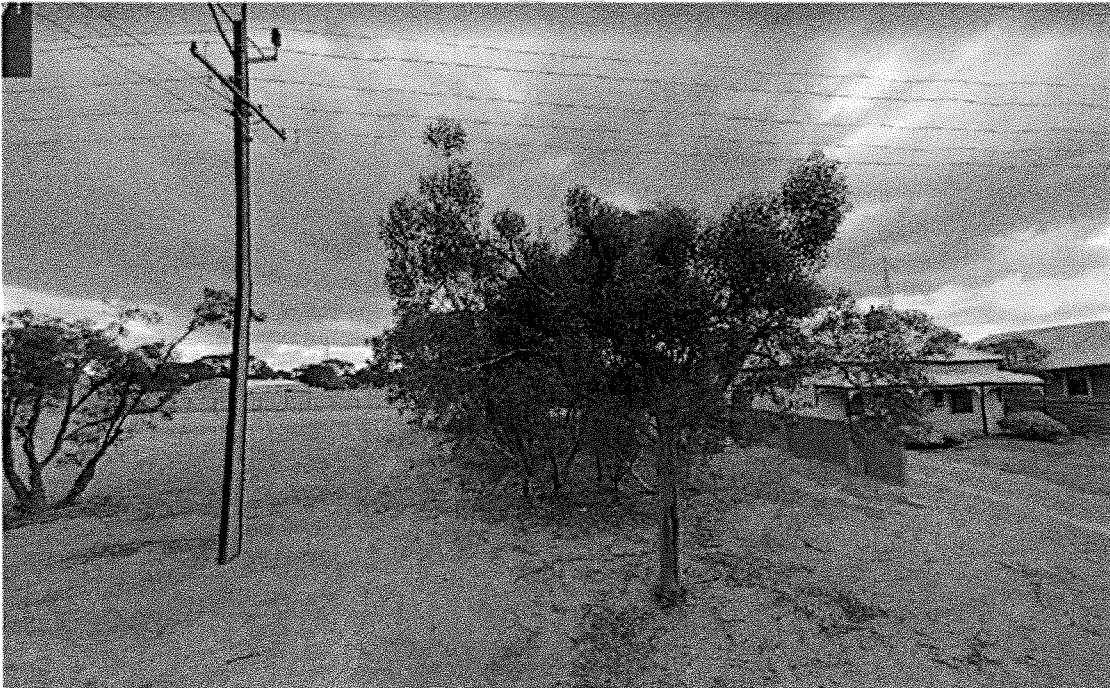
<p>Please specify any contract / settlement term requirements to be include or excluded in the contract of sale documentation.</p>	<p>CONFIDENTIAL</p>
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**Request for Expressions of Interest (REOI)**

**Purchase of Council Land –  
Vacant allotment  
Allotment 574, Section 96 Oval Terrace,  
Lameroo**

**EOI Closing Date:  
5.00 pm Friday 9 October 2020**



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**SECTION A – BACKGROUND AND GENERAL INFORMATION**

**1. INVITATION FOR EXPRESSIONS OF INTEREST**

Southern Mallee District Council (**Council**) invites Expressions of Interest (**EOI**) from Registrants for the purchase of the vacant allotment 574, section 96, Oval Terrace, Lameroo.

**2. BACKGROUND**

**2.1 Property Details**

Council has freehold ownership of the land located at allotment 574, section 96, Oval Terrace, Lameroo (**Land**).

The Land is formally described as –

- Allotment 574, section 96, Oval Terrace, Lameroo, being comprised in Certificate of Title Volume 5533 Folio 343;

The title is attached at Section E – Certificates of Title.



## SECTION B – CONDITIONS OF REQUEST FOR EXPRESSIONS OF INTEREST PROCESS

## 3. LODGEMENT OF EXPRESSION OF INTEREST

## 3.1 Request for Expressions of Interest (REOI)

The Council seeks Expressions of Interest from Registrants for the purchase of the Land, which are further described in the REOI Documents.

## 3.2 REOI Documents

The REOI Documents are comprised of:

- 3.2.1 this REOI;
- 3.2.2 the Information Package (Section C); and
- 3.2.3 the Expression of Interest Return Schedules (Section D).
- 3.2.4 Certificate of Title (Section E)

## 3.3 Eligible Registrants

This REOI is open to any organisation or person who registers its interest and details with the Council and thereby obtains a copy of the REOI Documents. Each party obtaining the REOI Documents (either in hard or soft copy) will be required to register their name and contact details at the time of issue of the documents.

## 3.4 Lodgment of Expressions of Interest

3.4.1 Expressions of Interest must be lodged prior to 5pm Friday 9 October 2020 (the **Closing Date**)

3.4.2 Expressions of Interest can be lodged electronically with the nominated contact person Nyree Hayes, Corporate Services Officer- Rates at [nyree.hayes@southernmallee.sa.gov.au](mailto:nyree.hayes@southernmallee.sa.gov.au) and marked **CONFIDENTIAL** and be addressed as follows:

*CONFIDENTIAL – CSO-Rates  
Southern Mallee District Council  
Expression of Interest for Purchase of Council land – Oval Terrace, Lameroo*

3.4.3 Expressions of Interest can be lodged at either Council Office or by mail, (*Facsimile transmissions will not be accepted*) and be addressed as follows;

*CONFIDENTIAL – CSO-Rates  
Southern Mallee District Council  
PO Box 49  
PINNAROO SA 5304*

3.4.4 Expressions of Interest emailed must be:

- in Word, Excel or Pdf file formats
- clearly titled REOI - Purchase of Council land – Oval Terrace, Lameroo
- uploaded as a single electronic file. Maximum acceptable size is twenty (20) megabytes.

- 3.4.5 Registrants warrant that they have taken all reasonable steps to ensure that their Expressions of Interest are free of viruses or any other matter which would cause harm to the Council's website or systems.
- 3.4.6 Registrants acknowledge that it is their sole responsibility to ensure that sufficient time has been allowed for Expression of Interest lodgement, including time that may be required for any problem analysis and resolution prior to the Closing Date.
- 3.4.7 If Registrants have any problem uploading their Expression of Interest, they must contact the Nominated Contact Person prior to the Closing Date. Any failure to do so will result in the Expression of Interest being a Non-Conforming Expression of Interest.
- 3.4.8 An Expression of Interest is deemed to have been lodged by the Registrant when the Expression of Interest has been acknowledged by Council.

**3.5 Late Expressions of Interest**

Expressions of Interest received after the Closing Date **WILL NOT** be considered or accepted.

**3.6 Extension of time for the submission of Expressions of Interest**

- 3.6.1 Council may, in its absolute discretion, no less than two business days before the Closing Date, extend the Closing Date by notice in writing to the Registrants.
- 3.6.2 A Registrant may request the Council to extend the Closing Date for the submission of an Expression of Interest by written application to the Nominated Contact Person. Any such requests must be received by the Nominated Contact Person at least five Business Days prior to the Closing Date and must provide sufficient reasons to support the request.

**3.7 Expression of Interest validity period**

- 3.7.1 All Expressions of Interest will remain valid for a period of not less than three months after the Closing Date.
- 3.7.2 Once submitted, a Registrant cannot withdraw its Expression of Interest without the prior consent of the Council, unless the Expression of Interest is withdrawn in writing before the Closing Date.

**3.8 Provision of information**

All commercial, technical and other written information supplied to the Registrants must not be used for purposes other than the preparation of an Expression of Interest under this REOI.

**3.9 Proposed Expression of Interest Process & Timing**

It is intended that this REOI represents phase 1 of the proposed process by which the Council will consider the sale of the land. The Council may proceed to identifying short listed Registrants for participation in a subsequent select tender phase.

The proposed timing for the Expressions of Interest Process is as follows:

Step	Details	Date
Call for EOI	Advertised on the Council website and in selected newspapers.	Wednesday 19 August, Wednesday 16 September and Wednesday 7 October 2020
Site Inspection for Registrants	Roadside/site inspection available at any time/day or with Council representative on business days by appointment.	
EOI Registrations Close	Lodgment of EOI	5pm Friday 9 October 2020
EOI Acknowledgement & Evaluation	Email / letter sent to registrants acknowledging receipt of EOI. EOI responses evaluated against criteria.	Week commencing Monday 11 October 2020
EOI Assessment	Council report regarding EOI's to be tabled at the August Council meeting for decision.	Wednesday 21 October 2020 (indicative)
EOI Registrants Informed	Registrants informed of outcomes of assessments	Friday 23 October 2020 (indicative)

**4. COMMUNICATION BETWEEN PARTIES**

**4.1 Enquiries or requests for information or clarification**

- 4.1.1 Any enquiries or requests for information or clarification regarding this REOI or the REOI Documents must be made in writing and addressed to the Nominated Contact Person.
- 4.1.2 The Nominated Contact Person is;  
Nyree Hayes  
Corporate Services Officer- Rates  
Phone 08 8576 3002  
Email [nyree.hayes@southernmallee.sa.gov.au](mailto:nyree.hayes@southernmallee.sa.gov.au)
- 4.1.3 The Nominated Contact Person may (but is not obligated to) respond to a Registrant's enquiries or requests for information or clarification.
- 4.1.4 If the Council provides any information to a Registrant by way of clarification, then the Council reserves the right to provide that information to other Registrants.
- 4.1.5 No statement made by the Nominated Contact Person, or any other representative of the Council should be construed as modifying this REOI or any of the REOI Documents, unless confirmed in writing by the Nominated Contact Person.

**4.2 Registrant's contact person**

Registrants are required to nominate a person to be the authorised contact person and supply an address for the service of any notices for the purpose of this REOI (**Registrant's Representative**). All communication with the Registrant will be via the Registrant's Representative.



**4.3 Site inspections**

Roadside/site inspections of the land for registrants is available at any time or with Council representative on business days by appointment.

**4.4 Registrant not to solicit the Council and its employees**

The Registrant and its representatives must not interfere or attempt to interview or to discuss its Expression of Interest with Councillors or employees of the Council, other than the Nominated Contact Person. The Council reserves the right to reject any Expression of Interest submitted by a Registrant which contravenes this clause.

**4.5 Discrepancies and omissions**

Should a Registrant find discrepancies errors and/or omissions in the REOI Documents or should there be any doubt as to their meaning, the Registrant should notify the Nominated Contact Person immediately.

**5. EXPRESSION OF INTEREST PREPARATION****5.1 Registrants to be informed**

Each Registrant should, prior to submitting its Expression of Interest, become acquainted with the property, and undertake all the necessary investigations and examinations.

**5.2 Conflict of interest**

Registrants must inform Council of any circumstances or relationships which will constitute a conflict or potential conflict of interest if the Registrant is successful. If any conflict or potential conflict exists, the Registrant must advise how it proposes to address this.

**5.3 Ombudsman Act**

Registrants should be aware that the Ombudsman Act 1972 (SA) has been amended so that the definition of 'administrative act' under that Act includes an act done in the performance of functions under a contract with a Council. That Act also includes powers enabling the Ombudsman to investigate matters in the public interest. The Registrant must ensure compliance with all obligations arising under that or any other legislation.

**5.4 Freedom of Information**

The Freedom of Information Act 1991 (SA) (FOI Act) gives members of the public rights to access documents of the Council. The FOI Act promotes openness in governance and accountability of government agencies and to achieve these objects confers on members of the public a legally enforceable right to be given access to documents, including contracts, held by the Council subject but not limited to such restrictions as are consistent with the public interest, commercial in confidence and/or the preservation of personal privacy in respect of those from whom information is collected and held by the Council and other public authorities.

**5.5 ICAC**

Registrants acknowledge that if they enter into a contract with the Council they will be considered to be public officers for the purposes of the Independent Commissioner Against Corruption Act, 2012 (SA) (ICAC Act) and will be obliged to comply with the ICAC Act and the Directions and Guidelines issued pursuant to the ICAC Act.

### 5.6 Collusion

The Registrant must not collude with any other Registrants or potential Registrants.

## 6. REOI DOCUMENTS

### 6.1 Conforming Expressions of Interest

A Conforming Expression of Interest is an Expression of Interest which meets all the requirements set out in this REOI and the REOI Documents. Failure to respond to or meet any of the requirements set out in this REOI and the REOI Documents will result in the Expression of Interest being deemed a Non-Conforming Expression of Interest.

### 6.2 Non-Conforming Expressions of Interest

The Council is not required to, but may at its sole discretion, consider an incomplete, informal or a Non-Conforming Expression of Interest.

### 6.3 Content of Expressions of Interest

6.3.1 Registrants are required to complete the Expression of Interest Response Schedules and submit them to the Council.

6.3.2 Registrants can also supply any other additional information or documents. The Council may have reference to such additional information or documents in evaluating the Expressions of Interest.

6.3.3 Any prices quoted by Registrants in their Expression of Interest are:

6.3.3.1 to be in Australian dollars;

6.3.3.2 to be exclusive of GST; and

6.3.3.3 (if subject to rise and fall), to provide full details of how the rise and fall applies and the method of determining the price.

6.3.4 If a Registrant proposes to purchase the Land on a basis different to that envisaged by the REOI Documents (whether for reasons of innovation, efficiency or otherwise) that proposal should be fully documented and justified with the Expression of Interest. The Council does not warrant that any discussion with the Council's Nominated Contact Person prior to the Closing Date in relation to such a proposal will be taken into account in evaluating the Expressions of Interest.

## 7. ACKNOWLEDGEMENT BY REGISTRANTS

Each Registrant acknowledges that the Council:

7.1 Makes no representations and offers no undertakings in issuing this REOI or the REOI Documents;

7.2 Is not bound to proceed to a tender or select tender process or to execute a contract with any party in respect of the property;

7.3 May require one or more Registrants (but is not obliged to require all) to supply further information and/or attend a conference or interview;

7.4 May require one or more Registrants (but is not obliged to require all) to make presentation(s);

- 7.5 May undertake 'due diligence' checks on any Registrant, including, but not limited to, verifying references and/or referees, and undertaking company searches and credit checks;
- 7.6 Will not be responsible for any costs or expenses incurred by the Registrant arising in any way from the preparation and submission of its Expression of Interest;
- 7.7 Accepts no responsibility for a Registrant misunderstanding or failing to respond correctly to this REOI;
- 7.8 Will not be liable for or pay any expenses or losses incurred by any party whether in the preparation of an Expression of Interest or prior to the signing of any Contract or otherwise;
- 7.9 Will not be bound by any verbal advice given or information furnished by any member, officer or agent of the Council in respect of the REOI Documents or this REOI but will be bound only by written advice or information furnished by the Nominated Contact person.

## 8. COUNCIL'S RIGHTS

The Council reserves the right to:

- 8.1 Amend, vary, supplement or terminate this REOI at any time;
- 8.2 Accept or reject any Expression of Interest, including the highest price Expression of Interest;
- 8.3 Negotiate with any registrant on all or any part of the supplied REOI;
- 8.4 Vary the timing and process referred to in clause 3.8;
- 8.5 Postpone or abandon this REOI;
- 8.6 Add or remove any Registrant;
- 8.7 Accept or reject any Expressions of Interest whether or not they are Conforming Expressions of Interest;
- 8.8 Accept all or part of any Expression of Interest;
- 8.9 Negotiate or not negotiate with one or more Registrants;
- 8.10 Discontinue negotiations with any Registrant; and
- 8.11 Include the Registrants' names in Council reports and make them public.

## 9. EXPRESSION OF INTEREST EVALUATION

### 9.1 Criteria

In assessing this Expressions of Interest, the Council will have regard to, but not necessarily be limited to, the following criteria (not listed in any order of priority):

- 9.1.1 Price for the purchase of the Land including conditions of purchase and any conditions to be attached to the purchase;
- 9.1.2 Any proposed future plans for the whole of the Land

#### 9.2 Use of REOI Documents

The Council may use, retain and copy any information contained in the Expressions of Interest for the evaluation of submissions including any subsequent processes and for the finalisation of the sale of the Land.

### 10. ACCEPTANCE OF EXPRESSION OF INTEREST

- 10.1 The Council reserves the right to negotiate different terms and conditions for the sale of the Land with any one or more Registrants (each a **Preferred Registrant**).
- 10.2 Council and the Preferred Registrant may (if required) enter into negotiations for the award and execution of a sale contract. No obligations will exist between the Council and the Preferred Registrant until the parties have executed a Contract of Sale.

### 11. UNSUCCESSFUL EXPRESSIONS OF INTEREST

Unsuccessful Registrants must, if required by the Council, return the REOI Documents to the Council, once they have been advised that their Expression of Interest is unsuccessful.

### 12. NO LEGAL REQUIREMENT

The issue of this REOI or any response to it does not commit, obligate or otherwise create a legal obligation on the Council to sell the property to the Registrants.

### 13. DEFINITIONS

In this REOI, a reference to the following terms is defined as follows;

**Business Day** means a day that is not a Saturday, Sunday or public holiday in South Australia.

**Closing Date** means the time and date specified in clause 3, or such later time and date as may be notified in writing to Registrants by the Council.

**Conforming Expression of Interest** means an Expression of Interest described in clause 6.1.

**Expression of Interest** means an Expression of Interest submitted by a Registrant pursuant to this REOI.

**Expression of Interest Process** means the process for calling, receiving, evaluating and awarding of Registrant (s) set out in clause 3.8 of this REOI.

**Expression of Interest Return Schedules** are the forms attached to Section D of this REOI.

**Nominated Contact Person** means the person named in clause 4.1.

**Non-Conforming Expression of Interest** means an Expression of Interest does not meet the requirements set out in this REOI and/or the REOI Documents.

**Registrant** has the meaning given to it in clause 3.3.

**REOI** means this Request for Expression of Interest set out in the REOI Documents.

**REOI Documents** means the documents specified in clause 3.2.

SECTION C – INFORMATION PACKAGE

Property Details

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Council has freehold ownership of the land located at Allotment 574, section 96, Oval Terrace, Lameroo (**Land**).

The Land is formally described as – Allotment 574, section 96, Oval Terrace, Lameroo, being comprised in Certificate of Title Volume 5533 Folio 343. Details of the land are shown below.



**SECTION D – EOI RETURN SCHEDULES**

Registrants must complete all parts of EOI.

**Part 1 - Registrant - Expression of Interest Form**

Purchase of Council Land – Oval Terrace, Lameroo

**Registrant details**

<b>Registrant name</b>		<b>ABN</b>	
<b>Postal address</b>			
<b>Registrants representative (Authorised contact details)</b>			
<b>Registrants representative name</b>			
<b>Email</b>		<b>Mobile</b>	
<b>Other relevant information</b>			

**Acknowledgement and declaration**

I/We acknowledge that, by submitting this proposal, I/we accept and acknowledge that we are bound by the terms and conditions stated in the invitation.

I/We also declare that the information detailed in this form is true and accurate to the best of my/our knowledge.

<b>Signature of authorised person(s)</b>		<b>Signature of authorised person(s)</b>	
<b>Name of signatory</b>		<b>Name of signatory</b>	
<b>Date</b>		<b>Date</b>	

**Part 2** - Detail of purchase price for the property including conditions of purchase and any inclusions or exclusions. (amounts to be quoted Ex GST)

<p><b>Proposed purchase price (Ex GST)</b></p>	
<p><b>Conditions of purchase (if no conditions marks as N/A (Not Applicable))</b></p>	
<p><b>Details of any Inclusions or exclusions as part of the purchase (if no conditions marks as N/A (Not Applicable))</b></p>	

**Part 3** - What is your proposed future plans for the Land?

<p><b>Please detail your future plans for the Land</b></p>	
<p><b>Will you develop the land within 12 months of purchase?</b></p>	

**Part 4** - If your EOI is acceptable to Council are there any specific contract / settlement terms required to be included or excluded in the contract of sale documentation.

i.e. settlement period, sale subject to finance, inclusion or exclusion of environmental risk, sale subject to development application acceptance, unconditional purchase etc.

<p><b>Please specify any contract / settlement term requirements to be include or excluded in the contract of sale documentation.</b></p>	<p><i>CONFIDENTIAL</i></p>
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SECTION E – CERTIFICATES OF TITLE

CONFIDENTIAL



Product Register Search (CT 5533/343)  
 Date/Time 01/07/2020 01:55PM  
 Customer Reference  
 Order ID 20200701008010

REAL PROPERTY ACT, 1988



The Registrar-General certifies that this Title Register Search displays the records maintained in the Register Book and other notations at the time of searching.



## Certificate of Title - Volume 5533 Folio 343

Parent Title(s) CT 4318/806  
 Creating Dealing(s) CONVERTED TITLE  
 Title Issued 11/05/1998 Edition 1 Edition Issued 11/05/1998

### Estate Type

FEE SIMPLE

### Registered Proprietor

SOUTHERN MALLEE DISTRICT COUNCIL  
 OF PO BOX 49 PINNAROO SA 5304

### Description of Land

ALLOTMENT 574 FILED PLAN 208950  
 IN THE AREA NAMED LAMEROO  
 HUNDRED OF BEWS

### Easements

NIL

### Schedule of Dealings

NIL

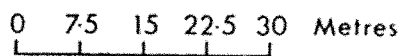
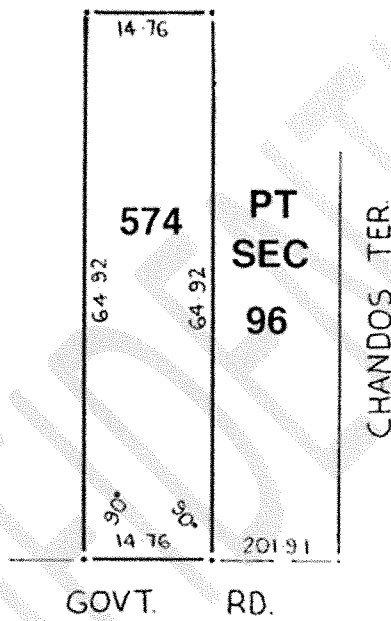
### Notations

Dealings Affecting Title NIL  
 Priority Notices NIL  
 Notations on Plan NIL  
 Registrar-General's Notes NIL  
 Administrative Interests NIL



Product Register Search (CT5533/343)  
 Date/Time 01/07/2020 01:55PM  
 Customer Reference  
 Order ID 20200701008010

THIS PLAN IS SCANNED FOR CERTIFICATE OF TITLE 4318/806



NOTE: SUBJECT TO ALL LAWFULLY EXISTING PLANS OF DIVISION

