

EXPRESSIONS OF INTEREST

Title

Woollamia Industrial Estate – 1 & 5 Mussel Court Huskisson

Reference

Trim #75158E

Closing Date

12 March 2024

Closing Time

4.00pm AEDT

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1. Introduction

Shoalhaven City Council (Council) invites interested parties to submit an Expression of Interest (EOI) for one of the below listed properties in the Woollamia Industrial Estate (Mussel Crt) in accordance with this Invitation to Submit an EOI.

Council has developed the Industrial Estates with the primary aim of assisting the development of an employment generating industrial activity upon the property. Allotments will be offered to successful parties at market valuation and not through a competitive public auction.

To be successful in purchasing one of these properties you will be required to complete the Selection Criteria below. These properties are to generate employment and to further expand/develop existing businesses or bring new businesses into the Shoalhaven.

The Sale Contract will have a Buy Back Provision that requires the purchaser to lodge a DA in accordance with the Sale Contract and zoning of the property and to have the building to Occupancy Certificate stage within 3 years of completion. A caveat will be lodged on title on completion of the contract to ensure the compliance of this clause and to stop 'land banking'. Prior to completion a restriction on use will be registered on title to the property restricting development on any part of the land for industrial units the sole purpose of which is storage (the restriction).

2. Property: Woollamia Industrial Estate – 1 & 5 Mussel Crt Huskisson

Property No.1 Details:

Address – 1 Mussel Court Huskisson (Lot 20 DP 1265789)

Area – 4,318.60m²

Zoning – Business – E4 – General Industrial

Property No.2 Details:

Address – 5 Mussel Court Huskisson (Lot 21 DP 1265789)

Area – 2,906.60m²

Zoning – Business – E4 – General Industrial

The above two allotments are ready for sale with all services provided and plan of subdivision registered.

Copy of Subdivision Plan DP 1265789 below.



3. Conditions which govern the submission of an EOI

An interested party who submits an EOI acknowledges that it has relied solely on the results of its own investigations and enquiries regarding the property.

An EOI submitted by an interested party or any communications between Council's officers and an interested party will not be considered to be an offer capable of acceptance or the acceptance of an offer so as to constitute a binding contract or other commercial arrangement as Council does not intend to be bound until formal agreements have been signed.

Neither Council, its solicitors or Council's officers are liable for any loss or damage suffered or incurred by an interested party arising out of:

- a) The content of this invitation
- b) Errors or omissions in this invitation or any other information given to an interested party.
- c) Property being withdrawn from the market at any time.
- d) Council choosing to negotiate with another party including a party that has not submitted an EOI.
- e) Council or Council's officers not informing an interested party of the outcome of its submission.

Any costs or expenses incurred by an interested party in preparing and lodging an EOI, whether successful or not, and in conducting any enquiries or investigations in relation to the property before or after the lodgement of an EOI must be paid by the interested party and neither Council, Council's solicitors nor Council's officers will be liable to reimburse any of the costs to the interested party.

There will be no binding agreement until each party has executed and exchanged contracts. This invitation to submit an EOI does not constitute an offer.

4. Confidentiality

All information disclosed or obtained by an interested party in relation to the property must be kept confidential by the interested party unless:

- a) The disclosure is specifically authorised in writing by the vendor; or
- b) The disclosure is made in good faith to an independent consultant retained by an interested party for the purpose of assessing whether the party should submit an EOI, and strictly on the basis that the information is confidential.

All submissions by an interested party will be treated as confidential and will not be disclosed except to officers of Council, Council's solicitor, and other professional advisors of Council.

Each interested party agrees to indemnify the vendor and must keep the vendor indemnified against all damages, losses, costs and liabilities claimed, suffered or incurred as a consequence of any breach of this clause by the interested party or its employees, consultants or other persons its responsible. In consideration of the vendor agreeing to receive each EOI, this clause will continue to bind each interested party, even if its EOI is not successful.

5. Purchasers Information

Please provide the following information to register your interest to purchase either one of the two allotments for sale being 1 Mussel Crt, Lot 20 DP 1265789 or 5 Mussel Crt, Lot 21 DP 1265789 Huskisson.

Please note if the interested party is an entity, this submission **must** be signed by at least one Director.

Purchaser / Entity:ABN/ACN:

Contact Person: Phone:

Signature: Date:

Owner/s / Director/s Name/s:

Owner/s / Director/s Signature/s

Registered Address:

Phone: Email:

Solicitor's Name: Firm Name:

Phone: Email:

Address:

Postal Address:

6. Indicate Preferred Allotment

Lot # DP 1265789	Area	Street Address	Number lots in preference
Lot 20	4,318.60m ²	1 Mussel Crt Huskisson	
Lot 21	2,906.60m ²	5 Mussel Crt Huskisson	

7. Key Criteria

All Key Criteria must be completed in order for Council to accept the EOI. – Please provide as much information as possible. If not enough space provided, please attach a separate page with the relevant Criteria number.

#	Weighting %	Key Criteria	Answers
1	25	Future impact on the local economy & environment.	
2	25	In developing this site, what would be the number of additional employees this would create for your existing/new business?	
3	20	<p>Purpose for which land is sought – Extend your business or bring a new business to the area?</p> <p>Type of Business – Explain what your business is and what it will provide to the community.</p> <p>If building industrial units – Explain type of industrial units and what they will provide to the community.</p>	
4	10	Number of local business/trades utilised during construction.	
5	20	Timeframe for commencement of development.	

8. Procedures for lodging an Expressions of Interest (EOI)

The EOI must be lodged by completing Sections 6, 7 & 8 of this EOI ensuring that all the Key Criteria in section 8 is completed to enable acceptance of the EOI by the methods listed below, **no later than 4:00pm, Tuesday, 12 March 2024.**

All EOI submissions MUST have the Trim #75158E recorded in the subject or in the address.

- a) Via Email: council@shoalhaven.nsw.gov.au and mark Attention: Julie Venturini, Strategic Property, City Futures.
- b) Via Office: Nowra Administration Centre, Bridge Road, Nowra and mark Attention: Julie Venturini, Strategic Property, City Futures.

Please Note: If an EOI is submitted in person, the document must be in a sealed envelope marked "Expression of Interest – Woollamia Industrial Estate – Mussel Crt Huskisson, Attention: Julie Venturini, Strategic Property, City Futures.

Following the closing of the EOI period, Council in conjunction with Council's officers and Council's solicitor will consider all applications submitted and may:

- a) Negotiate with one or more of the interested parties.
- b) Require the successful interested party to execute a Contract for Sale.
- c) Select a list of interested parties to participate in a tender or second round process.

Council is not obliged to:

- a) Negotiate with any interested party; or
- b) Enter into any commercial agreements or sell the property.

Council will inform all interested parties who have submitted an EOI of the status of their submission. Council may reconsider and negotiate the terms of any EOI at any time prior to entering a binding contract.