



WEST WIMMERA SHIRE COUNCIL

PROPOSED SALE OF LAND

Lot 1 Plan of Subdivision 839354K

5464 Coleraine- Edenhope Road, Harrow

Volume 12288 Folio 516

EXPRESSION OF INTEREST DOCUMENTATION

1 INTRODUCTION

West Wimmera Shire Council (Council) has given public notice under section 114 of the *Local Government Act 2020* (LGA 2020) that it proposes to sell the land described below.

The land is approximately 3.065 ha in area and is described as:

Lot 1 Plan of Subdivision 839354K
5464 Coleraine- Edenhope Road, Harrow
The whole of the land contained in certificate of title Volume 12288 Folio 516

The land is shown outlined orange in the aerial photograph below.



The land currently has some clearings, including a fire break track, but is otherwise covered by native vegetation. Any proposed removal of this vegetation would be subject to the relevant planning and regulatory processes.

At its meeting on 18 August 2021, Council resolved that the land be offered for sale by an expression of interest (EOI) process.

2 THE SALE PROCESS

The proposed sale is being conducted in accordance with:

- a) the LGA 2020;
- b) the *Sale of Land Act 1962*;
- c) Local Government Victoria's *Best Practice Guideline for the Sale, Exchange or Transfer of Land*; and

d) Council's:

- Asset Disposal Policy; and
- Community Engagement Policy.

The closing date for EOI responses is 4:00pm on Friday 22 October 2021.

3 THE LAND

3.1 Location

Harrow is a small regional township located in Western Victoria approximately 350kms west of Melbourne. Harrow is located within the Shire of West Wimmera and has a population of approximately 200.

The land is located on the southern side of the sealed Coleraine-Edenhope Road, approximately 2.5km north of Harrow, amongst other treed and rural living/grazing allotments.

3.2 Title details

Lot 1 Plan of Subdivision 839354K, being the whole of the land contained in certificate of title Volume 12288 Folio 516.

3.3 Encumbrances

Powerline easement "E1" to Powercor Australia Limited.

3.4 Site access

The land has good access and is located on a bitumen road on the Coleraine-Edenhope Road.

3.5 Environmental Implications

The land currently has some clearings, including a fire break track, but is otherwise covered by native vegetation. Any proposed removal of this vegetation would be subject to the relevant planning and regulatory processes.

3.6 Zoning

The land is included within a Farming Zone (FZ) under the West Wimmera Planning Scheme. The land is also affected by a Bushfire Management Overlay (BMO) and an Environmental Significance Overlay (Schedule 2) (ESO2). Any prior existing use rights for residential uses have expired.

The land is affected by a Wildfire/Bushfire Management Overlay and is accordingly deemed to be at increased risk of being affected by wildfires/bushfires.

The ESO2 - associated with the property relates to the conservation of the red tail black cockatoo habitat. Vegetation on the site is protected and any proposals that impact on vegetation would be discouraged.

The minimum lot size in the Farming Zone is 80 hectares, therefore, the land cannot be further subdivided.

The purchase of the land is subject to any restrictions on its use or development under the *Planning and Environment Act 1987* and any planning scheme.

3.7 Outgoings

The Council rates and charges for 2021/22 are shown in *Table 1*.

	Amount \$
Rates	37.00
Municipal charge	157.00
Fire Services levy	116.00
Total	310.00

Table 1

4 THE EOI PROCESS

4.1 Procedure for Responses

Responses must:

- a) be submitted using this EOI documentation;
- b) include the completed Attachment;
- c) be marked “Expression of Interest – Sale of Land - 5464 Coleraine- Edenhope Road, Harrow”;
- d) be submitted via post or email to:
 - a. Ms Taryn Carter
West Wimmera Shire Council
PO Box 15
KANIVA VIC 3419; or
 - b. taryncarter@westwimmera.vic.gov.au

4.2 Closing date and time

Responses to the EOI close at 4:00 pm on Friday 22 October 2021. Late responses will not be considered.

4.3 Enquiries

Enquiries should be directed to Council’s Acting Director Corporate and Community Services, Vin McKay at:

- 13 99 72

4.4 The evaluation process

The responses to the EOI will be assessed by an evaluation panel.

Upon completion of its assessment of EOIs, Council reserves the right to:

- a) accept an offer contained in a response;
- b) negotiate with one or more respondent; or
- c) determine not to accept any offer for the land.

Council may, in its absolute discretion, consider responses which do not conform with this invitation.

In accordance with Council's *Community Engagement Policy*, any person, whether or not a respondent to the EOI, may make a submission on the proposal.

The Council will, at a formal meeting, consider the response received. Council's consideration of the responses is likely to be in a confidential section of the Council meeting.

The Council meeting at which a decision will be made is currently scheduled for 17 November 2021.

4.5 No canvassing

Respondents must not communicate with nor solicit information related to this EOI from:

- a) Councillors; or
- b) employees of the Council, with the exception of enquiries to the Acting Director of Corporate and Community Services in relation to the EOI process.

5 PROCESS FOR ACCEPTANCE OF RESPONSES

5.1 Terms of sale

If Council decides to accept a response to this EOI, the purchaser will be required to:

- a) execute a contract of sale prepared by Council's solicitors and pay a deposit of 10% of the purchase price, all within seven days of written notification of acceptance; and
- b) settle the purchase within 90 days of the day of sale.

The land is being sold with vacant possession.

5.2 Conflicts of interest

Respondents must declare to Council any direct or indirect conflict of interest that they have in respect of Council or this process.

5.3 Public statements

The respondent must not make any public statement in respect of this EOI process.

5.4 Disclaimer

The respondent acknowledges and agrees that Council:

- a) is not liable for any loss or damage to any respondent (or any third party) or responsible for any information supplied to a respondent in connection with its EOI;
- b) may not proceed with any EOI; and
- c) will not reimburse a respondent's costs.

ATTACHMENT

Respondent's name (note: it is essential that the correct name of the respondent (ie: the legal entity) be provided:	
<ul style="list-style-type: none">• full legal name; and	
<ul style="list-style-type: none">• trading name (if any).	
ACN	
ABN	
Contact name	
Contact title	
Address	
<ul style="list-style-type: none">• residential; and	
<ul style="list-style-type: none">• postal address (if different).	
Telephone – landline	
Telephone - mobile	
E-mail	
The respondent's offer to purchase the subject land is:	
<ul style="list-style-type: none">• (\$) in words plus any GST	
<ul style="list-style-type: none">• (\$) in figures plus any GST	

I hereby offer to purchase the subject land in accordance with conditions in this EOI and the Contract of Sale	<hr/>
	Full name
	<hr/>
	Signature
	<hr/>
	_____2021
	Date