



Shire of Denmark

# TENDER

LEASE OF PORTION OF LOT 300  
Cnr South Coast Highway and Denmark – Mt Barker Road,  
Denmark

## TENDER 4 of 2012/2013

Shire Of Denmark	
1-1 JUL 2013 1TD13729	
EPH	
COUNCILLORS	TEW.4-12/13
CEO	<input checked="" type="checkbox"/>
DIR of FINANCE	
DIR of PLANNING	
DIR of INFRASTRUCTURE	
DIR of COMMUNITY	
OTHER	

**Request for Tender:** Lease of a portion (up to 7,640 square metres) of Lot 300 (known as Pig Pen area), corner of South Coast Highway and Denmark – Mount Barker Road, Denmark.

**Closing Date:** 4:00 PM WST – 11 July 2013

**Lodgement Details:** By post to:  
  
Chief Executive Officer  
Shire of Denmark  
PO Box 183  
DENMARK WA 6333

**Lodged in the tender box at the address provided:** or in person:  
  
Shire of Denmark  
953 South Coast Highway  
DENMARK WA 6333

*(Tenders are not accepted by Fax or E-mail)*

**Enquiries:** Dale Stewart  
Chief Executive Officer  
Phone: (08) 9848 0300  
Email: [enquiries@denmark.wa.gov.au](mailto:enquiries@denmark.wa.gov.au)

Tenders are invited from interested persons / companies seeking to lease up to 7,640 square metres of land at the Shire of Denmark Saleyard complex. Located on this land is an open sided metal shed of approximately 300 sq metres in area and a separate small brick toilet facility. The Saleyard complex is located on the corner of South Coast Highway and the Denmark – Mt Barker Road with vehicular access from the Denmark – Mt Barker Road.

## **CONDITIONS OF TENDER**

### **1. Nature of Proposal**

Council proposes to lease an area of up to 7,640 square metres (refer to the attached map) of land on the lot and is the location identified as the “pig pen” area within that reserve. Situated within that area is a large open sided steel shed construction of an approximate size of 30 metres x 10 metres with concrete floor and a separate small brick toilet facility which may be utilized as is / where is and not subject to Councils maintenance.

### **2. Rental and Term of Lease**

A rent of approximately \$28,650 pa (plus GST), based on an indicative \$3.75m<sup>2</sup> has been provided to Council as the current market rental valuation for the proposed lease site. Council will endeavour to obtain an optimal rent return however may consider an offering greater or lesser than this amount. The accepted rental amount will then apply to the lease area through to 31 December 2015.

The term of the lease will be for the period to 31 December 2015 and any extension or renewal cannot be offered or considered until other considerations as to the future of the lot is resolved. A tender for a lesser period may also be considered.

### **3. Contents of Tender**

The Tender submitted is to contain the following information:

- 3.1 The full Company trading name, including ACN (if applicable) or Christian and surname(s), and a telephone contact of the Tenderer;
- 3.2 A residential or postal address for the service of any notices necessary or required to be served or which may be served on or given to the Tenderer in connection with his tender;
- 3.3 The proposed use / activity intended for the site.

### **4. Tenderer to Inform Himself Fully**

- 4.1 The Tenderer is required to acquaint him/herself with all the conditions relating to the proposal and to be familiar with the site, its location and suitability of it for the proposed use / activity.
- 4.2 If a Tenderer has any doubt as to the meaning of any part of these conditions, he/she shall when submitting the tender, include a statement of the interpretation upon which the tender relies and on which his/her tender has been submitted.



- 4.3 A copy of the proposed draft lease for the site is attached and would relate to the land.

## 5. Lodgement of Tenders

Tenders shall be submitted in a sealed envelope endorsed “**Tender No. 4 of 2012/2013 – Lease**” and lodged in the tender box at the Administration Office, South Coast Highway, Denmark or posted to PO Box 183, Denmark WA 6333 to be received no later than 4.00pm on Thursday, 11 July 2013.

6. **Tenders received** by email, facsimile or other electronic means, will not be accepted.

## 7. Acceptance of Tenders

- 7.1 The Shire of Denmark shall not be bound to accept any tender.
- 7.2 The successful tenderer will be advised in writing within 14 days of Council’s acceptance of the tender. It would be proposed for the lease to commence from the First (1<sup>st</sup>) day of September 2013, subject to the formal approval of the Council.
- 7.3 The acceptance of the tender will be subject to the successful tenderer completing an appropriate planning Development Application (DA) within 21 days of being requested to so do, for the proposed use / activity on the lease site and this DA being approved by the Shire of Denmark prior to the Lease document signing.

## 8. Competitive Tendering Requirements

It is advised that Council will not be submitting an “in house” tender.

## 9. Site Works

Council will not undertake site works other than to ensure stored items currently situated at the site, are removed or relocated to outside the proposed lease area.

## 10. Tender Selection Criteria

When submitting tenders for the proposed lease, **tenderers are required to address the following criteria** by providing relevant details and information for each item.

Each of the following criteria will be assessed and a decision determined based upon the information provided;

**a) Use / Activity Proposed for the Site** **50%**

Approximately half of the lot is currently under lease from which Denmark Haulage and Denmark Earthmoving Contractors operate and any proposed use / activity on the proposed lease area shall not be a cause of conflict to those Lessees and similarly their business activities shall not be a cause of

conflict to the tenderers proposal. Council seeks to ensure that the optimum and most appropriate use or activity occurs on the proposed lease area and the tenderer should provide as much information as necessary to ensure Council fully understands his/her proposal and the benefits economic, environmental and/or social which will occur for the community of Denmark.

**b) Lease Period** **10%**

Tenderers are to provide confirmation of agreement for the lease period being to 31 December 2015 or the tenderer may seek a lease period of a lesser term which shall be supported by a reason for seeking that shorter lease period.

**c) Rent Consideration** **30%**

Council has been provided with a market rental for the site from a licensed valuer, this being approximately \$28,650 pa (plus GST), based on an indicative \$3.75m<sup>2</sup>, and seeks to obtain an optimal rent return for the letting of the site. This sum is offered as a guide to tenderers and Council may consider and accept an offer of an amount greater or lesser than this amount.

**d) Conditions of Tender (if any)** **10%**

Council will assess the relativity of any conditions requested by the tenderer.

**11. Additional Compatible Leases**

Council may consider approving multiple compatible leases for the site if the successful tenderer(s) advise that they do not require all of the available land. Should that be the case please indicate the amount of land that you would like to lease and the location of that proposed leased area.

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**Appendices**

Appendix 1 – Draft Lease including Map



**COMPLETE AND RETURN THIS PAGE WITH YOUR TENDER**

**FORM OF TENDER**

The undersigned hereby submits his tender in accordance with all conditions of this document as follows:

I offer to lease the area of up to a maximum of 7,640 square metres, known as the "pig pen", on portion of Lot 300, corner of South Coast Highway and the Denmark – Mount Barker Road, for the period to 31 December 2015 (or for the lesser period to \_\_\_\_\_) for the following use / purposes;

(please attached additional information if required)

NA

at an annual rent of \$ — per square metre pa (plus GST) or \$ 11,000.00 pa (plus GST) for 7,640 m<sup>2</sup>, and in accord with a proposed Lease document which I acknowledge having received and read and which may be further amended by mutual agreement.

If the amount of leased land is less than 7,640 square metres, please indicate on a plan the area of land and estimated square metres you would seek to lease.

**Conditions of Offer**

If you wish to state any conditions on your offer you are free to do so noting this may be considered against your tender when comparing to other tenderer(s).

Ken Burke Denmark Earthmoving  
Name of Tenderer

832 South Coast Hwy  
Denmark WA 6333  
Address

Address

Phone: 9848 2777 Mobile: 0417 482 777 Email denmarkearthmoving@bigpond.com

Signature

Ken Burke Director  
Name & Position – if this form is signed on behalf of a company (please print)

Name & Position – if this form is signed on behalf of a company (please print)

11/07/13  
Date

Date

**COMPLETE AND RETURN THIS PAGE WITH YOUR TENDER**

## TENDER CHECKLIST

Tenderers should ensure that all the requested information is provided as part of their submission. Failure to provide all the requested information may result in a submission being rejected.

	Information	Tick When Completed
◆	ONE complete copy of your entire submission has been included.	<input checked="" type="checkbox"/> Yes
◆	The Tender Form is completed and signed.	<input checked="" type="checkbox"/> Yes
	<u>All</u> information in the Tenderers offer has been provided	<input checked="" type="checkbox"/> Yes