



EXPRESSION OF INTEREST

E072/2020

for the

Lease of Part of Floor Space at Lot 3 DP1092556

known as the

Multi-Purpose Room

and within the

Tamworth Sports Dome

7-9 Jack Smyth Drive Hillvue NSW

For further information please contact:

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Closing Date: 4 February 2020

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A. REQUEST FOR EXPRESSION OF INTEREST

Council invites interested parties to lodge an expression of interest to lease Part Lot 3 DP1092556 being part of the Tamworth Sports Dome (Sports Dome), 7 – 9 Jack Smyth Drive Hillvue.

The Sports Dome is owned and managed by Tamworth Regional Council. Within the Sports Dome is a vacant multi-purpose space / room that has a commercial lease potential. Council seeks expressions of interest (EOI) for the lease of this area for a purpose or purposes that align with the principal purposes of the Sports Dome.

The Sports Dome was developed by Tamworth Regional Council as part of the Northern Inland Sporting Centre of Excellence to provide high performance sports, active recreation and healthy lifestyle and helps Council deliver aspects of the Community Strategic Plan by providing:

- high-quality sporting facilities to meet the diverse needs of the community;
- high-quality specialised sporting facilities to drive sporting excellence for the region and NSW; and
- safe environments to live, work and play and to improve the liveability of our region.

The Sports Dome provides an exceptional, modern and well equipped indoor sports facility. It provides the Tamworth community and broader region with a multi-purpose sports facility that can accommodate a wide range of sports and related activities.

The Sports Dome caters for local, state and national events, with both indoor and outdoor multi-purpose sporting courts.

The following facilities are contained within and adjacent to the Sports Dome but are not included for any exclusive use. These facilities are managed through the Sports Dome administration staff, on a hire / bookings arrangement:

- 7 indoor multi-purpose courts which comply with international standards;
- 18 outdoor netball courts (including 2 which can also be used for basketball);
- an adjacent IAAF / World Athletics accredited Athletics facility;
- an adjacent Regional standard Velodrome and cycling Criterium Track;
- 6 change rooms and amenity areas, treatment rooms and referee rooms;
- commercial café that services both indoor and outdoor areas (privately leased);
- shared car parking with 182 spaces with overflow areas available for major events;
- children's playground and outdoor seating area;
- two meeting rooms (available by appointment booking); and
- physiology and allied health services through Rural Fit Exercise Physiology (first floor leased space).

The expression of interest should include sufficient details to enable Council to fully understand the intended use and business to be conducted in the building.

The request for expressions of interest has been issued in the context of Council ensuring that the proposed use of the area is consistent with Council's vision for the development of the Tamworth region as a major and vibrant regional centre.

B. PROPOSAL

The areas within the Sports Dome for lease are as follows:

1. ground floor multi-purpose room – exclusive use – 132.65m² (11.77m x 11.27m) includes partitioned space of 17.5m²;
2. ground floor utility room – exclusive use – 28.5m² (4.95m x 5.75m) (potential to lease 1 and 2 together or separately); and
3. ground floor store room – exclusive use – 8.5m².

Potential lease will include: (non – exclusive)

1. shared amenities within Sports Dome;
2. access to shared lunch room / kitchen;
3. access to WiFi; and
4. large shared public foyer.

Other facilities:

1. areas are air-conditioned;
2. Sports Dome reception (limited support services); and
3. negotiable, but as a guide, up to two year lease term with possible option to extend for a further one year term.

Share of Outgoings:

1. Local Council rates and charges on a space occupied basis;
2. water, sewerage and drainage charges on a space occupied basis; and
3. electricity on a space occupied basis.

Rent Review:

Annual fixed percentage increase to be negotiated

Insurance Cover:

1. \$20 million Public Liability Insurance requirement

Additional Notes:

1. alarms and call costs associated with the leased area are the responsibility of the lessee;
2. cleaning of the leased area will be arranged by the lessor and charged by negotiation; and
3. data communication, if required will be charged to the lessee at a negotiated the rate.

The expression of interest form is attached at **APPENDIX A**.

Any expressions of interest should address the following issues in detail:

1. Identify the proposed use of the site and rental being offered.
2. Fully detail what commercial use is being proposed. Detailed concept plans are not required as part of expressing an interest in the lease of the site provided that the detail provided clearly describes the commercial use being proposed.
3. Detail how the proposed use will be consistent with existing and proposed surrounding development and use.
4. Detail how the use will be beneficial to the Tamworth regional community and provide better community outcomes being direct, indirect and ancillary.
5. Provide a proposed timeframe for commencement of the lease.
6. Provide details of the interested party(s), previous experience in carrying out a business and preferably provide examples of such businesses and references.
7. Provide details of the financial capacity of the party(s) providing the expression of interest to carry out the proposed business.
8. Provide details of the interested party's capacity and expertise to carry out the proposed business.

Before lodging an expression of interest, interested parties are invited to discuss their concepts and proposals, and seek additional information. Peter Watling, Strategic Sports and Recreation Co-ordinator, can be contacted on (02) 6767 5030, 0429 384 561 or trc@tamworth.nsw.gov.au.

C. CONDITIONS OF SUBMITTING AN EXPRESSION OF INTEREST

1. INTERPRETATION

In these “Conditions of Submitting an expression of interest” and elsewhere, except where the context requires otherwise:

“**Closing Date**” means the last date for the lodgement of an expression of interest being 11.00am AEDT on 4 February 2020

“**Council**” means Tamworth Regional Council and includes its authorised delegates;

“**Day**” means business day, that is not Saturday or Sunday or a public holiday for the Council’s employees;

“**Expression of Interest**” means lodgement of a detailed proposal or concept with respect to the proposed Lease of Part Lot 3 DP1092556 being part of Tamworth Sports Dome 7-9 Jack Smyth Drive Hillvue containing all requested information and documentation, with a view towards subsequently entering into negotiations with Council (refer to clause 4 of these Conditions);

“**Interested Party**” means the person or entity lodging an expression of interest;

“**Person**” includes an individual, a corporation or a body politic;

“**Expression of Interest document**” includes all of the following:

- (i) the request for expressions of interest document in its entirety including:
 - a) information for interested parties; and
 - b) conditions of submitting an expression of interest;
- (ii) expression of interest form submitted by interested party;
- (iii) the information supplied by interested parties; and
- (iv) any further written information supplied as an addendum to this request for expression of interest document.

In these conditions, unless the contrary intention appears, words importing a gender include any other gender and words in the singular include the plural and vice versa.

2. INTERESTED PARTY STATUS

It is Council’s practice to negotiate and contract only with persons having appropriate financial resources, insurances and legal status.

If the interested party is a Trust or a Trustee of a Trust, then a full copy of the trust deed may be requested by Council for inspection.

It is also Council’s practice to deal with entities that have an Australian Business Number (ABN) and are registered for GST.

3. INTERESTED PARTY TO INFORM ITSELF

The interested party shall bear all costs or expenses incurred by it in preparing and lodging an expression of interest. Council recommends that you obtain independent financial and legal advice regarding the expression of interest document. In addition, no costs, expenses, losses, damages, allowances or payments will be paid to the interested party as a result of you neglecting to have examined or obtaining appropriate professional advice and/or carrying out your own due diligence. The interested party should make itself familiar with:

- a) all parts of this expression of interest document;
- b) all information made available and/or all information obtainable in relation to the land by the making of reasonable enquiries;
- c) the site and its surroundings including the location of all existing public utility services and the availability of services (where relevant to the project);
- d) satisfied itself as to the correctness and sufficiency of its expression of interest.

4. EXPRESSION OF INTEREST

The lodgement of an expression of interest by an interested party in accordance with these "Conditions of Submitting an expression of interest" will constitute an offer to enter into negotiations with Council with a view towards exploring and developing a proposal that may subsequently be proposed to Council for formal approval for the proposed lease of Part Lot 3 DP1092556 being part of the Tamworth Sports Dome, 7-9 Jack Smyth Drive Hillvue.

The expression of interest lodged by an interested party will remain open for Council to consider and commence negotiations with an interested party until 180 days from the closing date.

5. GENERAL CONDITIONS OF CONTRACT

The general conditions of any subsequent lease (if any) will be developed by negotiation between the parties.

6. ACKNOWLEDGEMENT BY INTERESTED PARTY

The interested party acknowledges and agrees that:

- a) it does not rely upon any verbal agreement or other conduct whatsoever by or on behalf of Council amending these "Conditions of Submitting an expression of interest";
- b) Council will not be liable for any cost whatsoever incurred in preparing and submitting the expression of interest;
- c) none of those "Conditions of Submitting an Expression Of Interest" will be waived, discharged, varied, amended, modified or released except by written notification by Council;
- d) it shall be responsible for any interpretation, deduction and conclusion made from the information made available and accepts full responsibility for any such interpretation, deduction and conclusions;
- e) it does not rely in making its expression of interest upon any warranty or representation made by or on behalf of Council except as are expressly provided

in the expression of interest documents and has relied entirely upon its own enquiries, professional advice and inspections in respect of the land described as Part Lot 3 DP1092556 being part of the Tamworth Sports Dome, 7-9 Jack Smyth Drive Hillvue and the documents inspected.

7. CONFIDENTIALITY

Any information disclosed or obtained from either Council or the interested party about this expression of interest must be kept strictly confidential except in the situations where disclosure is:

- a) necessary in the process of assessing expressions of interest, or where Council discloses all or part to any of its advisers and consultants or where Council publishes in its business papers, details of the expression of interest as may be required and permitted by law;
- b) under compulsion of law or it is already public knowledge; or
- c) with the written consent of Council.

8. COLLUSIVE EXPRESSIONS OF INTEREST

Any participation in or condoning of a collusive activity by an interested party shall lead to the immediate disqualification of the interested party or of all interested parties involved. Any interested party involved may be barred from lodging an expression of interest or tender for any further contracts with Council. A collusive activity includes but is not limited to:

- a) any agreement as to who should be the successful interested party;
- b) any agreement for the payment of money or a reward or benefit for unsuccessful interested parties by the successful interested party;
- c) any agreement or collaboration of interested parties to fix prices, rates of payment or conditions of contract;
- d) the submission of a "cover expression of interest", being an expression of interest submitted as genuine but which has been deliberately prepared in order not to win the right to negotiate.

9. LEVIES AND TAXES

The interested party shall:

- a) provide its ABN and documented evidence of its registration for GST; and
- b) specify whether any price offered is inclusive or exclusive of GST (Goods and Services Tax).

10. SUBMISSION PROCEDURE

10.1. Requirements

An expression of interest must be in writing. It must contain the documents, information and details required including the expression of interest Form, filled out and properly signed. It must be lodged in the expression of interest Box using one of the methods described in this clause, on or prior to the Closing Date.

10.2 Expression of Interest Box Lodgement

The expression of interest shall be:

- a) posted to the address of the Council shown in the expression of interest document so that it is received not later than the closing date for expressions of interest; or
- b) placed in the expression of interest box located at the address of the Council shown in this document not later than the closing date; or
- c) emailed to trc@tamworth.nsw.gov.au

Note: Under no circumstances are expression of interest documents to be emailed to Council staff.

The expression of interest including all its parts must be placed and delivered in a sealed envelope **clearly displaying the expression of interest Number and the project title.**

Council will only consider a late expression of interest (received after the closing date) where the interested party is able to verify that the expression of interest document was posted or lodged at a post office or other recognised delivery agency in sufficient time to enable the document to have been received by Council before the closing date in the ordinary course of business.

10.3 Acceptance of Non-conforming Expressions of Interest

Council reserves the right to waive compliance with a formality requirement for making a submission at the sole discretion of Council.

11. OPENING OF EXPRESSIONS OF INTEREST

Council will not open expressions of interest until immediately after the closing date.

12. ASSESSMENT AND ACCEPTANCE

- a) Expressions of interest will be assessed on their merits.
- b) Once submitted, an expression of interest may be varied to provide further information by way of explanation or clarification or to correct a mistake or anomaly.
- c) Council reserves the right to contact an interested party to seek clarification and further information regarding any aspect of an expression of interest prior to making a decision.
- d) Council will advise the successful interested party and/or Interested Parties in writing by posting a notice seeking to enter into further discussions and negotiations with a view towards developing a proposal which may subsequently be submitted to Council for a decision.
- e) Council reserves the right to enter into discussions with more than one interested party and to discontinue negotiations with an interested party at any time.
- f) Council may request an interested party to make a presentation which explains their proposal for the use of the land.

- g) Council may not enter into any lease of the land as a result of the expression of interest process.

13. PRE – EXPRESSION OF INTEREST MEETING

A Council officer will be available to take interested parties on a site inspection of the building site by way of appointment at a time suitable to Council and the interested party.

14. ACCEPTANCE / REJECTION OF EXPRESSION OF INTEREST

Council has the right at its sole discretion to explore and to reject any expression of interest or may discontinue negotiations with an interested party after it has been requested to enter into negotiations.

15. LODGEMENT

An interested party may lodge more than one proposal or concept in response to this request for lodgement of an expression of interest.

D. INFORMATION FOR INTERESTED PARTIES REGARDING THE LAND AND IMPROVEMENTS

1. LAND USE

The land is currently used as a sporting facility.

2. LAND CLASSIFICATION AND ZONING

The land is zoned SP3 – Tourist refer **APPENDIX B**.

The general objectives of this zone are:

- to provide for a variety of tourist-oriented development and related uses; and
- to facilitate development that recognises the unique characteristics of the nationally and regionally significant tourist precincts that are the Australian Equine Livestock and Events Centre (AELEC) and the Tamworth Regional Racing Precincts.

3. STREETScape

An aerial view of the premises is attached at **APPENDIX C**.

4. FLOOR PLAN

A floor plan is attached at **APPENDIX D**.

5. OUTDOOR COURTS AND CAR PARK PLAN

A plan showing court layouts and car parking is attached at **APPENDIX E**.

Expression of Interest E072/2020
Lease of Multi-Purpose Room within the Tamworth Sports Dome

E. FURTHER INFORMATION AND INSPECTIONS

1. COMMUNICATIONS RELATING TO THIS EXPRESSION OF INTEREST INVITATION

The principal Council contact relating to this **expression of interest** process is:-

Peter Watling
Strategic Sports and Recreation Co-ordinator

Telephone: (02) 6767 5030 or 0429 384 561

Email: trc@tamworth.nsw.gov.au

2. SITE INSPECTIONS

Site inspections can be arranged by contacting Sally Hemmings on (02) 6767 5631 or s.hemmings@tamworth.nsw.gov.au

APPENDIX A

EXPRESSION OF INTEREST FORM

E072/2020

Lease of Part of Floor Space at Lot 3 DP1092556

known as the

Multi-Purpose Room

and within the

Tamworth Sports Dome

7-9 Jack Smyth Drive Hillvue NSW

OR

The Common Seal of)
.....	) Print Name of authorised person
was affixed by the Authority of the Board in the presence of:)
.....)
	) Signature
)
)
	) Position Held
)
)
	) Date
 c) Executed by authority under Power of attorney by:)
.....	) Print Name
)
for and on behalf of:)
.....	) Signature
)
)
	) Title
)
)
	) Date

SCHEDULE 1

EXPRESSION OF INTEREST MANDATORY INFORMATION

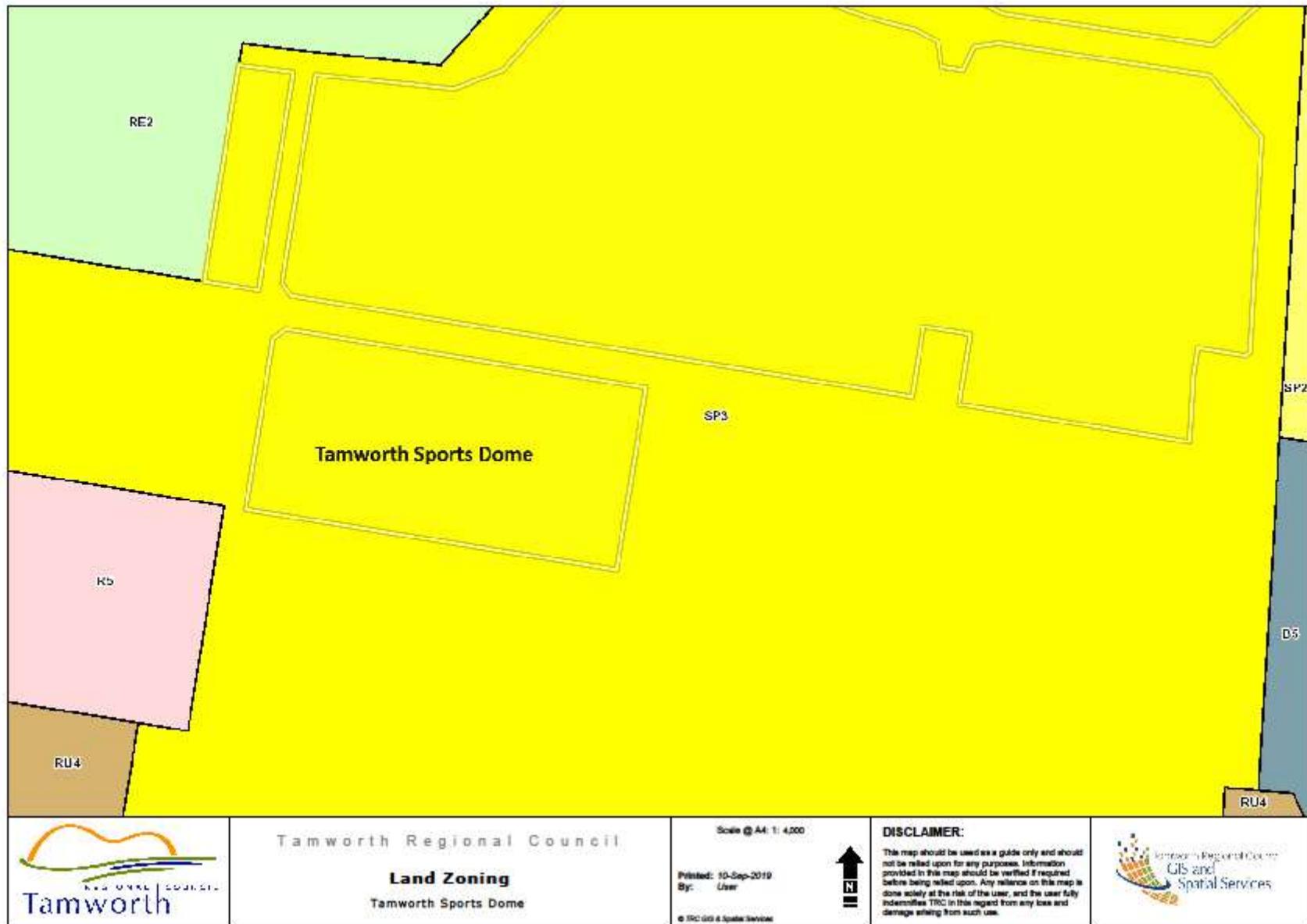
Please attach written responses to each of the following mandatory points.

1. Proposed rental excluding GST.
2. Proposed use of the site.
3. Approximate time-frame for commencement and completion of the lease.
4. Provide details of the interested party(s), previous experience in carrying out a business and preferably provide examples of such businesses and references.
5. Provide details of the financial capacity of the party(s) providing the expression of interest to carry out such a use.
6. Provide details of the interested party(s)'s capacity and expertise to carry out the proposed use.

APPENDIX B

LAND ZONING

E072/2020



APPENDIX C

AERIAL IMAGE

E072/2020

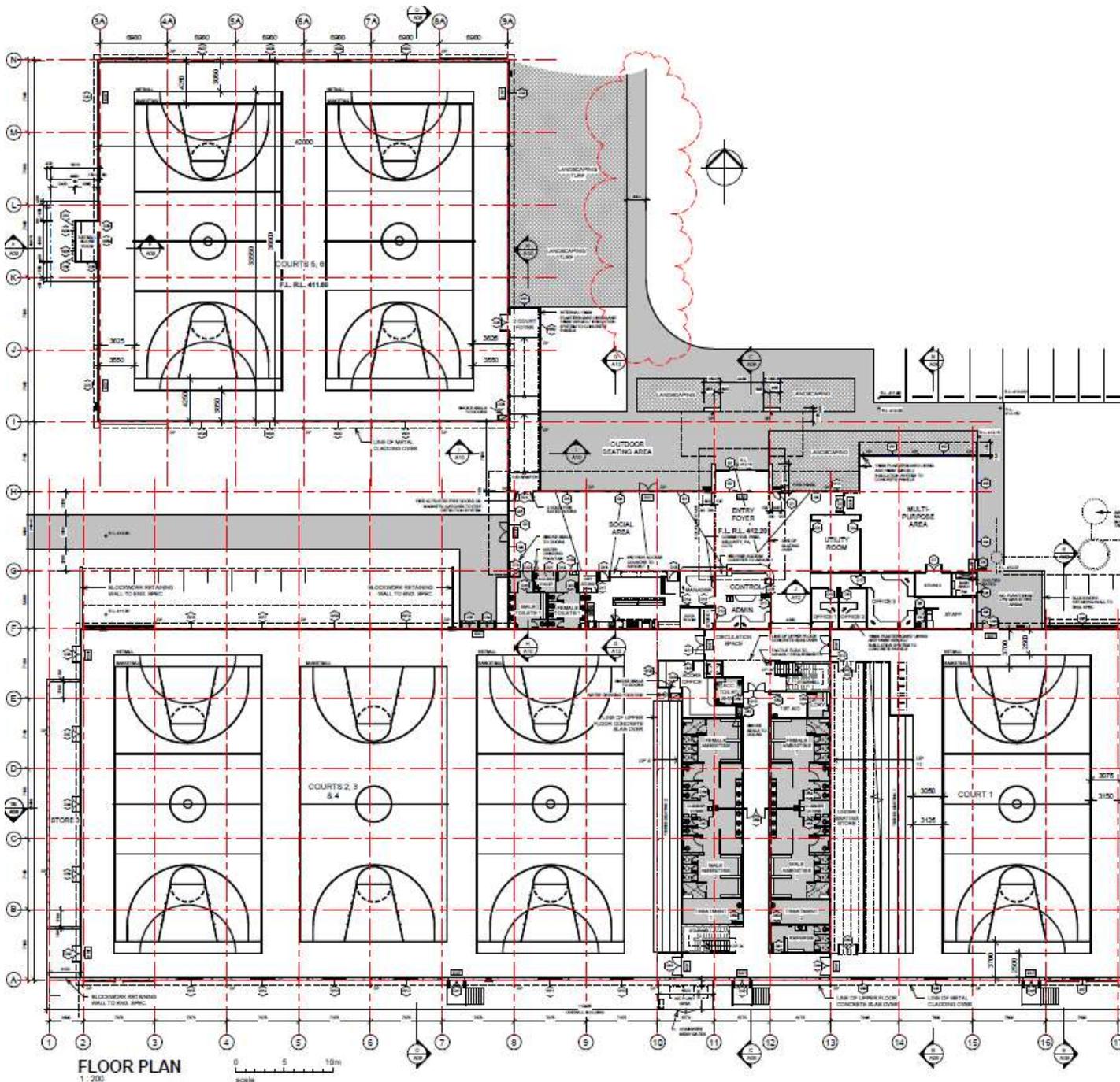


Aerial of Tamworth Sports Dome and adjacent Sports Facilities

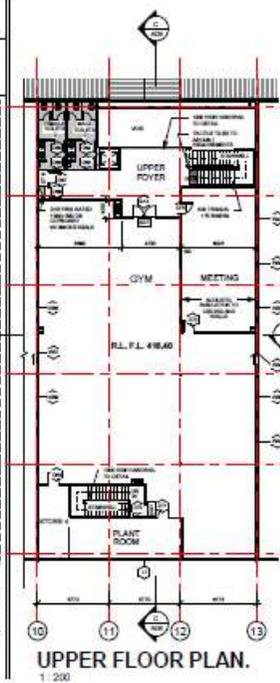
APPENDIX D

FLOOR PLAN

E072/2020



FLOOR PLAN
1:200



UPPER FLOOR PLAN.
1:200

REV C	18.12.10	SS
REV B	12.06.10	SS
REV A	07.08.10	SS
FOR CONSTRUCTION	11.03.10	SS
REV F	09.02.10	SS
REV E	05.02.10	SS
REV D	20.02.10	SS
REV C	15.02.10	SS
REV B	08.02.10	SS
REV A	23.12.09	SS
C.C.	14.12.09	SS
REV A	8.12.09	SS
PRELIMINARY	28.11.09	SS
ISSUE	DATE	BY

ICA CONSULTANT
Building and Environmental Health
 31 St Margarets St
 Canterbury, TN26 3AR
 Phone: 020 4993 1280
 Mobile: 0471 800114
 Email: info@buildingandenvironmental.co.uk

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Hydraulic Design Group
HDG
 4 Parkside Road
 Hantsley, Hantsley, Hantsley
 Phone: 020 888 8887
 Fax: 020 888 8887
 Email: info@hdg.co.uk

ELECTRICAL ENGINEER
SPECTRUM
 2 SPECTRUM SOLUTIONS
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 Hantsley, Hantsley, Hantsley
 Phone: 020 888 8887
 Fax: 020 888 8887
 Email: info@spectrum.co.uk

STRUCTURAL CIVIL ENGINEER
ECLIPSE
 12 The Terrace
 Canterbury, Canterbury, Canterbury
 Phone: 020 4448 0777
 Fax: 020 4448 0777
 Email: info@eclipse.co.uk

MECHANICAL ENGINEER
HINES
 CONSTRUCTORS
 10 The Terrace
 Canterbury, Canterbury, Canterbury
 Phone: 020 4448 0777
 Fax: 020 4448 0777
 Email: info@hines.co.uk

DESIGN ARCHITECT
Facility Design Group
 ARCHITECTS
 10 The Terrace
 Canterbury, Canterbury, Canterbury
 Phone: 020 4448 0777
 Fax: 020 4448 0777
 Email: info@fdg.co.uk

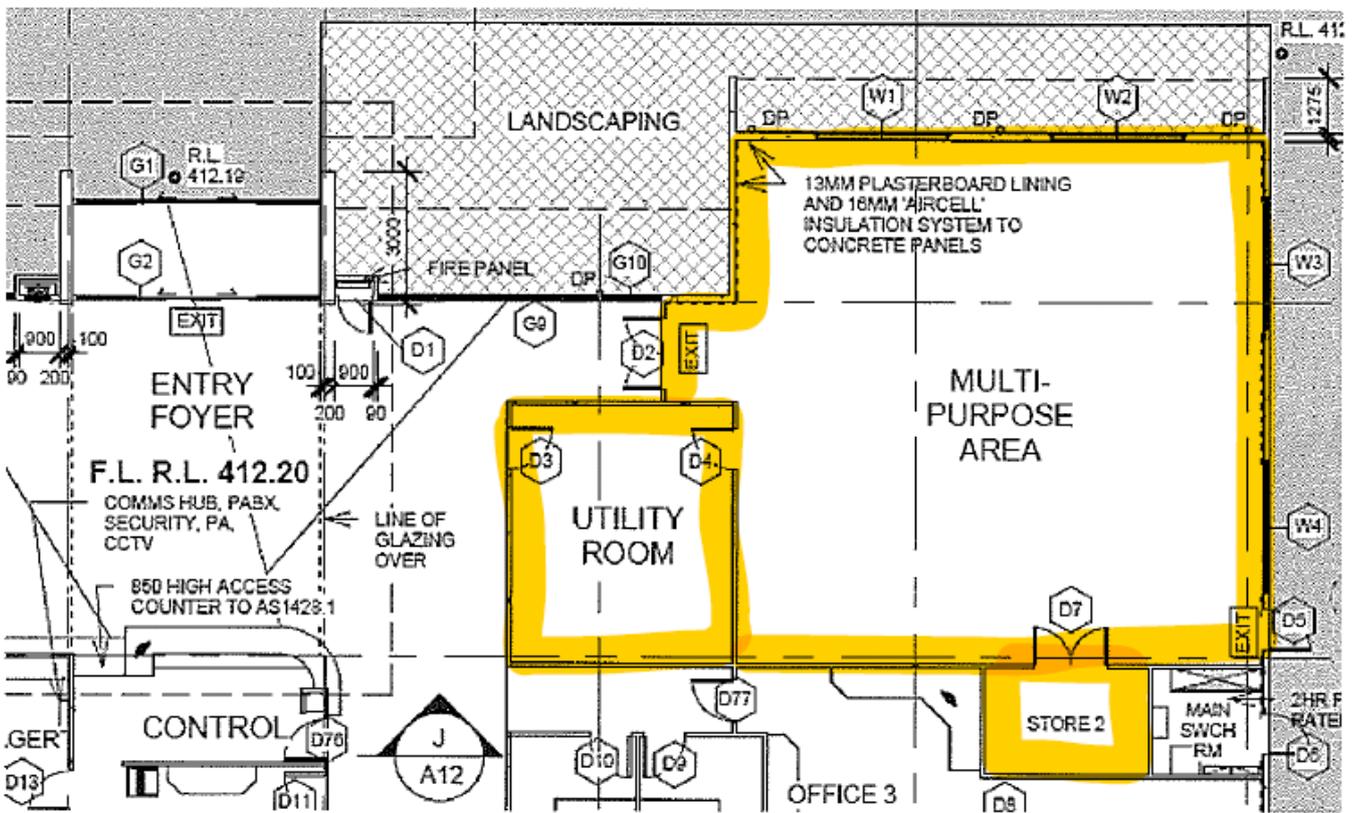
CLIENT
TAMWORTH REGIONAL COUNCIL

PROJECT NAME
TAMWORTH INDOOR SPORTS CENTRE

DRAWING TITLE
FLOOR PLANS

DATE	17.0.09	DRAWING NO.	A02
SCALE	1:200		
JOB NO.	W-149		

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APPENDIX E

OUTDOOR COURTS AND CAR PARKING

E072/2020

Ta worth

SPORTS DOME



Multi-purpose room

Ta  worth
REGIONAL COUNCIL

-  MAIN ENTRY
-  TOILETS
-  SAFETY
-  CAR PARK
-  OUTDOOR COURTS
-  INDOOR COURTS
-  SPORTS DOME BUILDING
-  BUS STOP
-  PLAY EQUIPMENT
-  RETAIL OFFICE