

## Item 7.

### Lease Approval - Level 8 - 540 George Street Sydney

**File No: S098637**

#### Summary

This report seeks approval from Council for a new lease to the Queensland Institute of Higher Education Pty Ltd for Level 8, 540 George Street, Sydney.

540 George Street is occupied by Woolworths on the Lower Ground, Ground Floor, Level 1, and Level 2, with corporate offices on Level 3. Other tenancies are in place or proposed to be in place on Levels 4 to 9.

Essential Terms and Conditions are outlined in Confidential Attachment A.

Council approval is required to grant this lease. As this building is earmarked for future redevelopment, the City may give no less than 12 months' notice at any time from 31 December 2025 to terminate the lease if the land is required for redevelopment.

#### Recommendation

It is resolved that:

- (A) Council approve a lease to the Queensland Institute of Higher Education Pty Ltd for Level 8, 540 George Street, Sydney, in accordance with the essential lease terms and conditions contained within Confidential Attachment A to the subject report; and
- (B) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the terms of the lease, including in relation to the exercise of the option, in accordance with the essential lease terms and conditions contained within Confidential Attachment A to the subject report.

#### Attachments

**Attachment A.** Essential Lease Terms and Conditions (Confidential)

## Background

1. The City has a diverse commercial portfolio consisting of approximately 41 buildings and 305 tenancies comprising Offices, Retail, Industrial and Stratum (Air Space Bridges and Tunnels over and under Roads).
2. Some of the buildings owned by the City include the Queen Victoria Building, Customs House, Capitol Theatre, 540 George Street, 101 William Street and Town Hall House.
3. The income derived from the Commercial Portfolio is the City's second highest revenue source and provides a vital role in contributing to the financial sustainability of the Council, enabling the City to continue to support community based organisations, infrastructure projects and provide financial relief and assistance for small business recovery, impacted by Covid-19.
4. 540 George Street is occupied by Woolworths on the Lower Ground, Ground Floor, Level 1, and Level 2, with corporate offices on Level 3. There is a proposal in place for Levels 4 and 5 with IH Sydney Training Services Pty Ltd, Levels 6 and 7 are occupied by ILSC (Brisbane) Pty Ltd with a proposal for renewal in place. Level 9 is occupied by the Australian Technical and Management College (ATMC).
5. This lease proposal is an excellent result for the City, providing security of tenure and extinguishing the risk of vacancy.
6. Covid-19 has had an adverse impact on commercial rent and has seen a rise in vacancy rates, resulting in intense competition amongst landlords to try to retain and attract tenants during the Covid recovery phase.
7. It is essential that the City be able to operate competitively and effectively in the commercial property market during this time and be agile in its ability to grant lease approvals.

## Key Implications

### Strategic Alignment - Sustainable Sydney 2030

8. Sustainable Sydney 2030 is a vision for the sustainable development of the City to 2030 and beyond. It includes 10 strategic directions to guide the future of the City, as well as 10 targets against which to measure progress. This report is aligned with the following strategic directions and objectives:
  - (a) Direction 10 - Implementation through Effective Governance and Partnerships - specifically 10.5.1 Expand revenues from commercial operations, property portfolio and other income generating assets.

### Economic

9. Rawlinsons Corporate Property Pty Ltd valuers were engaged by the City to carry out an independent market rental valuation of the premises. The report compared recent leasing transactions in the area and the proposed rent is in line with market parameters.

### **Financial Implications**

10. The rental income from the new lease is significantly above the amount included in the draft 2022/23 Operating Budget on an amortised basis, as it was anticipated that it would take several months longer to lease due to current market conditions.

### **Relevant Legislation**

11. Local Government Act 1993 - Section 10A provides that Council may close to the Public so much of its' meeting as compromises the discussion that would if disclosed confer a commercial advantage on a person with whom the City is conducting (or proposes to conduct) business.
12. Attachment A to this subject report contains confidential commercial information which would if disclosed confer a commercial advantage on a person with whom the City is conducting (or proposes to conduct) business.
13. Discussion of the matter in an open meeting would on balance be contrary to the Public interest because it would compromise Councils' ability to negotiate fairly and commercially, to achieve the best outcome for its' ratepayers.

### **Options**

14. The City could wait, in an attempt to source an alternative lessee. This is not recommended as it may result in a long-term vacancy of the premises, impacting the income generated by the building.

### **KIM WOODBURY**

Chief Operating Officer

Matthew Woodroffe, Acting Executive Manager, Property Services