

MARKET RENT ASSESSMENT OF

POLE SIGNAGE SITE FOOTPRINT



LOCATED AT

PART LOT 104 DP1119488
CNR BAYSHORE DRIVE AND EWINGSDALE ROAD
BYRON BAY NSW 2481

19 September 2018

File No: LIS-371736

TAYLOR BYRNE LISMORE

210 Keen Street PO Box 123, Lismore NSW 2480

ph 02 6621 7333fax 07 3840 3099email lismore@taylorbyrne.com.au

www.taylorbyrne.com.au

Office Locations Brisbane (Head Office)

Adelaide | Albury Wodonga | Bathurst | Bundaberg | Cairns | Coffs Harbour | Emerald Gladstone | Grafton | Gold Coast | Hervey Bay | Inverell | Kingaroy | Lismore | Mackay Newcastle | Orange | Port Macquarie | Rockhampton | Roma | Sunshine Coast | Sydney Tamworth | Taree | Toowoomba | Townsville



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• Letter of Instruction



1 EXECUTIVE SUMMARY

This valuation is based on certain conditions and contains a number of qualifications. Do not rely on this executive summary alone. This executive summary should be read in conjunction with and subject to our complete Valuation Report.

1.1 Subject Property Part Lot 104 DP1119488

Cnr Bayshore Drive and Ewingsdale Road

Byron Bay NSW 2481

1.2 Instructions In this matter we have been instructed by Mr Jeremy Holmes,

on behalf of Ganra Pty Limited (the lessee), to assess the Market Rent of the pole signage site footprint described herein in accordance with terms and conditions of the

current lease agreement for Rent Review Purposes.

1.3 Prepared For Ganra Pty Limited

PO Box 2150

Byron Bay NSW 2481

This valuation has been prepared in accordance with the Practice Standards of the Australian Property Institute for Commercial Valuations and the IVSC Valuation Standard.

1.4 Client Reference Ganra Pty Limited lease from Byron Shire Council

1.5 Registered Owner The Council of the Shire of Byron

1.6 Brief Description We have been instructed to assess the ground rent of Council

owned land with an area of 42.5m² located at the corner of Bayshore Drive and Ewingsdale Road, approximately 3km west of the Byron Bay town centre and at the main entry to the Byron Arts and Industrial Estate. Our report has been undertaken to assess the market rent payable for the area of land upon which is utilised as an advertising sign board. The

sign board structure is the ownership of the lessee.

We have been unable to find any directly comparable rent evidence of sites within the Byron Shire and the evidence used is considered the best guide to assessing market rent.



1.7 Date of Inspection

19 September 2018

1.8 Date of Valuation

19 September 2018

1.9 Critical Conditions

Our assessment of market rent has been provided based upon the following critical conditions and assumptions:-

- We have not been provided with an accurate survey for the site and accordingly assessment of signage area is as per measurements taken onsite, which are approximate only.
- The Lessee has advised that there have been no more recent approvals sought than Development Application No. 92/205 and that the currency of this agreement is still valid which forms a critical condition of this assessment.
- It is noted that the existing signage appears to be in excess
 of the 4m² regulation imposed under the approval. It is a
 critical condition of this assessment that only the approved
 structure be in place.
- It is critical assumption of this assessment that the advertising on the board be limited to that of the client's business and not further leased for commercial profit.

1.10 Valuation

Subject to the stipulations and conditions contained within the body of this report, it is our opinion that the Market Rent Assessment of the pole signage site footprint on a market rent basis, as at 19 September 2018 is:

\$5,000 per annum

(Five Thousand Dollars)

Excluding GST

VALUER

Richard Green, AAPI Certified Practising Valuer

TAYLOR BYRNE



2 INTRODUCTION

2.1 Instructions

In this matter we have been instructed by Mr Jeremy Holmes, on behalf of Ganra Pty Limited (the lessee), to assess the Market Rent of the pole signage site footprint described herein in accordance with terms and conditions of the current lease agreement for Rent Review Purposes.

2.2 Definition of Market Rent

The Australian Property Institute defines Market Rent as the estimated amount for which an interest in real property should be leased on the valuation date between a willing lessor and a willing lessee on appropriate lease terms in an arm's length transaction, after proper marketing and where the parties had each acted knowledgeably, prudently and without compulsion.

2.3 Date of Inspection

19 September 2018

2.4 Date of Valuation

19 September 2018

2.5 Basis of Valuation

This valuation is made conditional upon the following:

- 1. That the property complies with all statutory requirements with respect to health, building, town planning, and fire safety regulations, and that all appropriate approvals have been obtained from the relevant authorities.
- 2. That a detailed structural survey would not reveal defects other than the maintenance items referred to in the body of this report.
- 3. That the improvements are sited within the title boundaries and without encroachment by adjoining properties.
- 4. That a comprehensive test of soils on the land would not reveal contamination of any kind which could affect the utility of the property.
- 5. That there are no orders of compulsory acquisition for the whole or part of the property currently issued by any Government Authority.

We recommend you make your own enquiries in regards to the above conditions. Should any issues arise, this report should be returned to the valuer for comment. We reserve the right to review and or amend our report if necessary, at that time.



2.6 Qualifications and Disclaimers

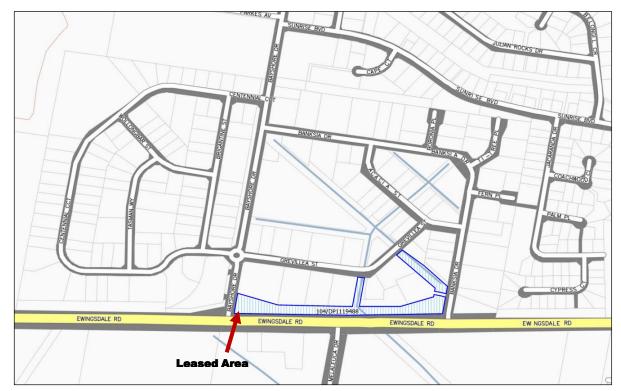
- (i) This valuation has been prepared on specific instructions from Mr Jeremy Holmes, on behalf of Ganra Pty Limited (the lessee), for Rent Review Purposes. The report is not to be relied upon by any other person, or for any other purpose. We accept no liability to third parties, nor do we contemplate that this report will be relied upon by third parties. Any parties who may seek to rely on this report must seek the specific written consent of the valuer. We reserve the right to withhold our consent or to review the contents of this report in the event that our consent is sought. In any event this valuation cannot be assigned if the valuation is older than 90 days.
- (ii) We state that this report is for the use only of Ganra Pty Limited. The report is to be used for no other purpose, and no responsibility is accepted to any third party for the whole or part of its contents and annexures. No responsibility will be accepted for photocopied signatures.
- (iii) This valuation cannot be relied upon for mortgage security purposes.
- (iv) This valuation is current as at the date of valuation only. The value assessed herein may change significantly and unexpectedly over a relatively short period (including as a result of general market movements or factors specific to the particular property). We do not accept liability for losses arising from such subsequent changes in value. Without limiting the generality of the above comment, we do not assume any responsibility or accept any liability where this valuation is relied upon after the expiration of three (3) months from the date of the valuation, or such earlier date if you become aware of any factors that have any effect on the valuation.
- (v) Buildings, including houses, built prior to 2004 may contain asbestos related products. Taylor Byrne is not expert in detection, remediation or disposal of asbestos or contamination of any kind. It is recommended that advice be sought from experts in that field should that issue affect your reliance on this valuation. The Professional Indemnity Insurance Policy for Taylor Byrne does not cover losses arising from any asbestos issues.
- (vi) We advise we do not have a pecuniary or other interest that would conflict with the proper valuation of the property.
- (vii) Taylor Byrne provides no warranty for claims arising out of, based upon directly or indirectly resulting from or in consequence of, or in any way involving the depreciation, failure to appreciate, or loss of any investments and/or property for investment purposes when such depreciation, failure to appreciate or loss is a result of normal or abnormal fluctuations in any financial, stock or commodity, or other markets which are outside the influence or control of the valuer.
- (viii) This valuation has been based on the condition of the structural improvements and the property in general as at the date of inspection. If the property has to be sold in circumstances where its condition has deteriorated and/or essential fixtures/fittings have been removed there is likely to be a significant fall in value compared to the current assessment. Under these circumstances neither the valuer nor Taylor Byrne will be responsible for any reduction in value.



- (ix) Unless stated as otherwise in this report we advise that we have not searched or been provided with a copy of the current Title or Registered Plans and that any dimensions or land areas quoted in this report have been obtained from third party information sources and whilst every endeavour has been made to verify such information we accept no responsibility for inaccuracy of any information provided and relied upon.
- (x) The instructing party acknowledges its responsibility for full disclosure of all relevant information and undertakes to provide all relevant documents in its possession that may have an effect on the service to be provided. This valuation is based upon information reasonably available to the valuer as at the date of issue in accordance with usual valuation practices.
- (xi) Taylor Byrne does not undertake or commission site surveys, nor has a site survey been provided to us. Our valuation assumes that there are no encroachments by or on to the subject property. The nominated parties who are relying on this report should seek their own advice in this regard from a registered surveyor. Should any encroachments be found this valuation should not be relied upon without consulting Taylor Byrne to assess any effect on the valuation.

2.7 Certification

The parent parcel on which the pole signage site footprint is located has been identified by reference to the current Title Search listed in Section 3 and cross referenced against the Cadastral Map reproduced below:-



Cadastral Map of Parent Parcel (Source: http://mapping.eac.com.au)



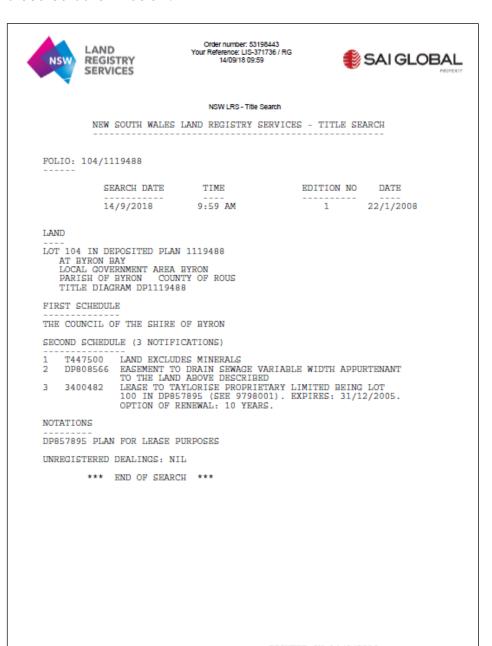
3 PROPERTY SEARCH DETAILS

3.1 Real Property Description

An Estate in Fee Simple in the County of Rous, Parish of Byron, being part Lot 104 in Deposited Plan 1119488.

Current Title Reference: Part Folio 104/1119488.

A copy of the current Title Search for the parent parcel on which the pole signage site footprint is located is shown below.



PRINTED ON 14/9/2018

^{*} Any entries preceded by an asterisk do not appear on the current edition of the Certificate of Title. Warning: the information appearing under notations has not been formally recorded in the Register.



3.2 Registered Owner

The Council of the Shire of Byron

3.3 Easements and Encumbrances

Details of easements and encumbrances are shown on the Title above.

There are 3 registered notations within the Second Schedule of the Title Search, as follows:

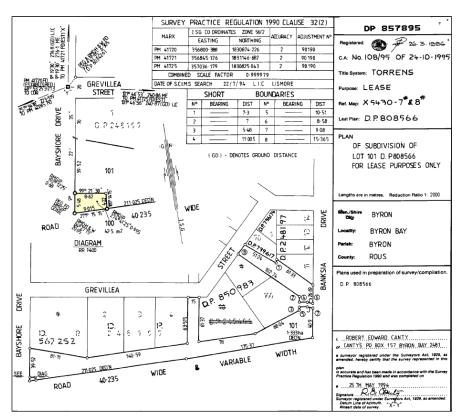
- 1. T447500 Land excludes minerals.
- 2. DP808566 Easement to drain sewage variable width appurtenant to the land described.
- 3. Lease to Taylorise Proprietary Limited being Lot 100 in DP857895 (see 9798001). Expires: 31/12/2005. Option of Renewal: 10 years.

A further notation is stated on the Title regarding DP857895 - Plan for Lease Purposes. This identifies the 42.5m² that forms the subject of the lease being reviewed in this analysis.

These do not appear to burden the lease area.

3.4 Leased Area

42.5m²



Extract of DP857895 – Plan for Lease Purposes



3.5 Local Authority

Byron Shire Council

3.6 Town Planning

Within the Town Planning Scheme for Byron Shire Council, the parent parcel is designated "IN2 Light Industrial" under the Byron Local Environmental Plan 2014.



+ IN2 - Light Industrial : (pub. 2014-05-30)

IN2

Extract of Land Zoning Mapping of Parent Parcel (Source: https://www.planningportal.nsw.gov.au)

The current use is subject to a Development Approval with details in Section 3.7.

We have searched the publicly available records for the relevant zoning and/or designation for the information noted above. We advise however, that a formal search with the appropriate Local Authority has not been carried out or obtained.

The valuation is made on the basis that all appropriate and necessary town planning and building approvals and/or certifications are in place.

3.7 Development Approvals

Development Application No. 92/205 has been supplied by the Lessee and is attached as Annexure 3. It details that under the Byron Shire Council Environmental Planning and Assessment Act 1979, the Development and Sign Licence Application has been determined by granting of Development Consent and issue of a Sign Licence subject to conditions:

- Sign to be maintained;
- Face area of sign limited to 4m². Document records the particulars of the advertising structure as 2.4m x 1.8m being a pole sign 4.32m².
- Agreement from Council required for lease of the land which the sign is located at an annual fee.
- Licence expires 31 December 1994.
- Relates to land on corner of Bayshore Drive and Ewingsdale Road (Lot 101 DP808566).
- Document stamped by Byron Shire Council 14 December 1990.



The Lessee has advised that there has been no more recent approvals sought and that the currency of this agreement is still valid which forms a critical condition of this assessment.

It is noted that the existing signage appears to be in excess of the 4m² regulation imposed under the approval. It is a critical condition of this assessment that only the approved structure be in place.

There are two main planning documents that regulate the use of signs / advertising board which are:

- State Environmental Planning Policy 64 Advertising and Signage
- Transport Corridor Outdoor Advertising and Signage Guidelines.

It is noted that Condition 14 of SEPP 64 indicates approvals under the SEPP have a time span of 15 years.

3.8 Site Value

The Land and Property Information unimproved land value for the parent parcel of approximately 1.299ha in area, for local authority rating and land tax purposes, is \$830,000 and is effective from 1 July 2017.

Site values are assessed under the Valuation of Land Act 1916 and are subject to periodic review. Variations to site value may impact on property outgoings and the value of the property. Our valuation is based on information available and relevant at the date of valuation.



3.9 Contamination Factors

A search of the New South Wales Environmental Protection Agency (EPA) has been undertaken.

The subject land is not listed on the Contaminated Land Record of Notices.

Search res	sults		
Your search for:	Matched 8 notices relating to 6 sites. Search Again Refine Search		
Suburb	Address	Site Name	Notices related to this site
BANGALOW	Ashton STREET	Dip 4057 Bangalow Saleyards	1 current
BYRON BAY	Corner Beachcomber Drive and Cooper STREET	Dip 4207 Byron Bay	1 current
FEDERAL	3-6 Federal DRIVE	Federal General Store	2 former
MAIN ARM	Upper Main Arm ROAD	Dip 5393 Tooland	1 current
MULLUMBIMBY	Left Bank ROAD	Dip 4944 Mooyabil	1 former
SUFFOLK PARK	Cnr Broken Head Road & Beech DRIVE	Suffolk Park dip site	2 former
Page 1 of 1			
			14 September 2018

Contamination Search (Source: https://apps.epa.nsw.gov.au)

No indication of contamination was apparent during inspection. However, the reader should be aware that this valuation has been prepared without the benefit of appropriate tests or expert advice and presupposes that no contamination exists that would adversely affect market value.

The client acknowledges and recognises that the valuer is not an expert in identifying environmental hazards and compliance requirements affecting properties. The valuer has endeavoured to identify all matters of environmental concern and the effect they might have on the value of the property. However, the valuer will not be held liable nor responsible for his/her failure to identify all such matters of environmental concern and the impact which any environmental related issue has on the property and its value including loss arising from site contamination; or the non-compliance with environmental laws; or cost associated with the clean up of the property to which an environmental hazard has been recognised, including action by the Environmental Protection Agency to recover clean up costs pursuant to the relevant Environmental Protection Act.

3.10 Environmental Factors

We advise that we have not undertaken a formal search to confirm whether or not the property is subject to flooding, or has previously been flooded. We recommend you undertake your own enquiries in this regard. Should any issues arise this report should be referred back to the valuer for comment and or amendment.

3.11 Heritage Implications

None apparent.



4 PHYSICAL SITE DETAILS

4.1 Situation and Locality

The parent parcel is located towards the western periphery of the established internationally renowned coastal township of Byron Bay on the Far North Coast of NSW, approximately 68km south of the NSW/QLD border and within 45km of the Regional Centre of Lismore.

More specifically the leased area is situated on the corner of Bayshore Drive and Ewingsdale Road, at the main entry of the Byron Arts and Industrial Estate, approximately 3km west of the Byron Bay township.

The surrounding development comprises industrial buildings, consisting of both strata and conventional style, with the substantial BP Ozigo development located opposite and the Bunnings complex in close proximity also.

Byron Bay is a popular tourist destination with mix of shopping and restaurant facilities, private and public schooling, new public hospital, a mix of accommodation facilities and well known beaches. The main commercial area, located approximately 3k east of the property, is focussed primarily on the intersection of Jonson and Lawson Street.



Locality Map of Parent Parcel (Source: https://maps.six.nsw.gov.au)



Regional Map

(Source: https://maps.six.nsw.gov.au)



4.2 **Roads and Access**

Access is considered easy and direct via bitumen sealed road Ewingsdale Road and Bayshore Drive.



Bayshore Drive, looking south to intersection with Ewingsdale Road



Intersection, looking west along Ewingsdale Road

4.3 **Services and Amenities**

Electricity is connected to the signage board from nearby power pole located to the kerb of Bayshore Drive.



Power connection to signage





Power box/meter on post



4.4 Land Description

The site which is subject to the lease is level in contour, which affords excellent exposure from passing traffic utilising Ewingsdale Road.

The leased area contains the following dimensions:

Northern boundary: 8.62m Southern boundary: 9.015m Eastern boundary: 4.22m Western boundary: 5.48m



Aerial View of Leased Area – boundaries are approximately only (Source: https://www.google.com.au/maps)



5 IMPROVEMENTS

5.1 General Description

Improvements to the leased area comprise multiple signage boards situated on a dual post structure, ground flood lighting connected to electricity and landscaping. These are the property of the Lessee who advised they recently spent approximately \$14,000 in February 2018 upgrading the structure. During these upgrades the structure was not amended however additional signs were added.



Signage board

5.2 Structural Survey / Pest & Termite Infestation

This report is not a structural survey and is not intended as such.

We have carried out an inspection of exposed and readily accessible areas of the improvements. However, the valuer is not a building construction or structural expert and is therefore unable to certify the structural soundness of the improvements. Readers of this report should make their own enquiries.

The inspection did not reveal any obvious past or present termite infestations within reasonably accessible areas. The client acknowledges that we are not pest inspectors or experts in this field. The absence of pests can only be determined by an expert. If you have any concerns, we recommend you seek independent advices. Our report should be returned for comment and/or amendment at that time.

5.3 Utility Services

We advise that we have not tested any of the services. Should any utility concerns become apparent, this report should be returned to the valuer for comment and/or amendment at that time.



6 INCOME ANALYSIS

6.1 Tenancy Overview

The ground lease being the subject of this analysis expired 1 July 2016 with the current occupation on a month-month 'Hold Over' basis. We have been advised by Jeremy Holmes of North Byron Beach Resort that a new agreement is being negotiated with Byron Council on a term of 5 years with a further 3 x 5 year options. A copy of the expired lease is attached.

6.1.1 Original Lease

Lease Summary

Lessor: Byron Shire Council

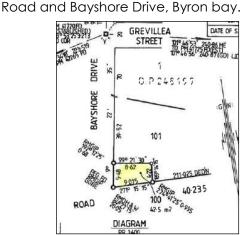
Lessee: Ganra Pty Limited

Permitted Use: Advertising Billboard in accordance with development consent

issued in accordance with development application No.92/205 from Byron Shire Council. Refer Section 3.7 for details on the

Approval

Demised Premises: Part of Lot 104 DP1119488 located on the corner of Ewingsdale



Term: 5 years

Commencement Date: 1 July 2011

Expiry Date: 30 June 2016

Options None applicable

Commencing Rent: \$2,000 pa ex GST



conclusion of the lease.

Lease Summary Passing Rent: The Lessee provided evidence that they paid \$203.62 for July 2018 month which would demonstrate an annual cost of \$2,443,44. This reflects an increase from the \$202.81 paid per month for the year prior. This would which would demonstrate an annual cost of \$2,433.72. Rent Reviews: Increased by Consumer Price Index (all groups) for Australia published for the quarter immediately preceding the annual invoice date. **Outgoings Basis** Lessee to produce evidence of currency of insurance which is at their cost (public liability insurance). There is no reference in the document however the Lessee advised they paid electricity, land tax, maintenance of the sign and landscaping. Comments: Rent paid annually.

> On conclusion of the term the holdover will be on a monthmonth basis.

Lessee responsible for gaining approvals for use of premises. The billboard is to be removed from the site by the Lessee at

It is specifically noted in Condition 17.2 of the lease document that:

The Lessee must, at its cost, obtain and comply with any approval, condition, plan of management or law required or implied by any government, municipal or any other authority and the Local Government Act 1993 (NSW) or an other Act for the use of the leased premises by the Lessee.

Therefore, it is the Lessee's responsibility that it has up to date approval for the use of the land for its current use as an advertising billboard.

6.1.2 Lease Synopsis

As the original lease was for a single term with no options it does not provide any detail on how the rent determination is to be conducted on completion of the term other than if on a 'Holding Over' the tenure will be on a month to month basis.



6.1.3 New Lease

The terms of the new lease have not been finalised however a term of 20 years has been discussed. For the purposes of this assessment it is the assumption the term will be in the form of a 5 year lease with 3×5 year options (5+5+5+5 year agreement).

6.2 Outgoings

This assessment is on the basis that the Lessee pays outgoings.

6.3 Rent Evidence



Tenant:

Address:

Bangalow Road

Ballina NSW

Land Area:

Advertising Sign Leased Only

Commencement Date:

Monthly

Term:

Hold over lease

Rent:

\$121.69 pa ex GST

Comment:

This lease is for an advertising sign only. It is positioned fronting Ballina Road and is approximately 4m² of signage.

Lessee is the Ballina Homestead Motel which is located at 95 Cherry Street, Ballina.

Lessor is the Ballina Council.

No formal lease agreement in place with occupancy on a holder over style month to month arrangement.

CPI rent reviews on the anniversary of every year.

Source: Ballina Council advised the billboard was leased at \$133.86 pa including GST.

Rationale:

Located to an inferior position with less exposure being to a lower order road type. Similar size and type of signage. Overall considered inferior.





Tenant: Bayshore Developments Pty Ltd

Address: Corner Bayshore Drive and

Wallum Place

Byron Bay NSW

Land Area: Advertising Sign Leased Only

Commencement Date: 1 July 2017

Term: 5 years

Rent: \$800 pa ex GST

Comment:

This lease is for an advertising sign only. It is positioned straddling the footpath on the corner of Bayshore Drive and Wallum Place.

The Lessee is the developer of the adjoining 'Habitat' development who utilises the sign for advertising.

Lessor is the Byron Shire Council.

CPI rent reviews on the anniversary of every year.

Source: Details were advised by the Lessee.

Rationale:

Located to an inferior position with less exposure being to a lower order road type. An inferior 'sign only' lease. Overall would be considered inferior on a \$/pa basis.





Tenant: Various

Address: Byron Bay Rotary Board

Banksia Drive

Byron Bay NSW

Land Area: Advertising Sign Leased Only

Commencement Date: Late 2018

Term: 2 years

Rent: \$9,000 ex GST

Comment:

A new billboard is proposed that will include a solar powered flood lit sign with 4 wings of signage and landscaped surrounds.

Lessor is the Byron Bay Rotary Club who have signed a long-term arrangement with Shogun Signs to manage the advertising.

Rates are advertised at \$640 per year (400mmx300mm) to \$1,400 per year (600mmx900mm). Terms advertised being 1 or 2 years.

It was advised that a full panel (wing) advertisement had been signed at a rate of between \$8,000 to \$10,000 pa ex GST. The Lessee was a local company.

Source: Signboard Advertising company.

Rationale:

Located to an inferior position with less exposure as sited to an inside position just off Ewingsdale Road at the entry to the industrial estate.



It is noted that there were several other similar billboard advertising structures along Ewingsdale Road however no information was readily available regarding rates charged.





6.4 Comparison of Rents and Rationale

Overall there is limited evidence of comparable leases of small parcels of land that have approval to be utilised for the use of an advertising sign. The subject sign has frontage to Ewingsdale Road and Bayshore Drive which provides for high quality exposure. The land is approved for a single $4m^2$ sign which is the limitation considered within this assessment. It is noted that the land currently houses more advertising than that approved. It was further advised that the advertising on the sign was to be limited to businesses associated with the Lessee and not for further commercial advertising to generate an income.

Overall with a high degree of professional judgement it would be considered that a market rent would be \$5,000 pa ex GST.



7 VALUATION CONSIDERATIONS

7.1 Assessment Process

The appropriate methods of assessment are by direct comparison with rent evidence.

7.2 Conclusions and Application of Evidence

This valuation is based on the critical assumption that the appropriate approvals / licence is in place to utilise the property for its existing use as an advertising sign. This must comply with current legislation including the 'State Environmental Planning Policy 64 – Advertising and Signage', the 'Transport Corridor Outdoor Advertising and Signage Guidelines' and the Byron Council Town Plan.

The Byron Council area is reportedly a specifically difficult area in which to gain approvals for advertising signs. This factor coupled with the position of the land having frontage to a major intersection on the main road into Byron Bay from the north as well as the entry into the 'Arts and Industrial' estate would increase the appeal of the property. It is however noted this assessment is on the basis that the lessee is limited to advertising their own businesses and not generate income out of advertising for income generation.



8 VALUATION

Subject to the stipulations and conditions contained within the body of this report, it is our opinion that the Market Rent Assessment of the pole signage site footprint as at 19 September 2018 is:

\$5,000 per annum

(Five Thousand Dollars)

Excluding GST

VALUER

Richard Green, AAPI Certified Practising Valuer

TAYLOR BYRNE