



**Request for tender**

**Creative Land Trust feasibility study**

**The Committee for Sydney  
Level 8, 23 O'Connell Street  
Sydney NSW 2000  
ABN: 30 332 296 773**

[www.sydney.org.au](http://www.sydney.org.au)

**Key dates**

- **Tender opens** : Friday, 6 December, 2024
- **Information session**: 2pm, Thursday, 12 December, 2024 (for registered parties)
- **Tender submissions close**: Sunday, 20 January, 2025 (no extensions will be granted)
- **Lodgement**: [committee@sydney.org.au](mailto:committee@sydney.org.au)

**About the Committee for Sydney:**

The Committee for Sydney is the city's urban policy think tank and an approved research institute. We are advocates for the whole of Sydney, researching and developing solutions to the most important problems we face. Our goal is to help Sydney be the best it can be, for all.

Create NSW and City of Sydney asked the Committee for Sydney to assess the feasibility of a 'creative land trust' for Greater Sydney, and if considered feasible, to establish the new entity.

**Project background:**

- The lack of affordable and available creative production space in Sydney is leading to a loss of creative workers in Sydney.
- The creative industries have specific space needs, and they occupy spaces that are becoming less common in urbanised global cities – spaces like warehouses, studios and rehearsal rooms, where there is space to make mess and noise.
- Our city has seen a dramatic reduction in creative workspace, as much of the building stock previously occupied by light industry has been rezoned and redeveloped for housing.
- A significant strategic intervention by government and the private sector is required to address the issue at scale.
- Global capital cities have found success by implementing creative land trust (CLT) models that own and manage space in perpetuity for creative and cultural use, including Austin, San Francisco, Toronto, and London. The City of Sydney and the NSW Government have both closely examined the potential of these models for Sydney.
- Put simply, a CLT is an asset-holding property entity, independent of government, dedicated to owning and managing affordable creative space in perpetuity.
- The purpose of establishing a CLT would be to support a step change in the provision of affordable creative workspace across Sydney, building the foundation for a thriving creative culture. Over time, the entity would be expected to expand its scale of impact, providing an increasing amount of affordable space for creative work in Sydney.
- The City of Sydney and the NSW Government have partnered to fund the Committee for Sydney to lead a study to assess the feasibility of a Creative Land Trust in Sydney.
- If viability is demonstrated, both the NSW Government and the City are prepared to make suitable property transfers to the entity.

**Key terms:**

- "Creative land trust", "CLT" or the "entity" are working terms and do not represent or imply a legal entity such as a fixed trust or community land trust.
- "Project group" is the oversight group for the project comprising representatives from the Committee for Sydney, Create NSW and the City of Sydney.
- "Advisory reference group" is a group of experts to advise on the feasibility study, to be recruited via an EOI conducted by the Committee for Sydney.

**Project description:**

The Committee for Sydney is seeking a consultant or a consortium of consultants to deliver a rigorous study that examines the feasibility of establishing a 'creative land trust' for Greater Sydney.

The aim of the feasibility study is to:

- assess whether it is feasible to establish a not-for-profit entity to own and manage land and/or property dedicated to affordable creative workspace in metropolitan Sydney and the City of Sydney local government area
- identify the resources and processes required to establish this entity, including appropriate funders, financiers, assets and operational partners
- develop a viable business model for the entity, to a stage where stakeholders can be given the confidence to opt in, having the assurance that their requirements will be satisfied (including financial modelling).

Expectations/assumptions of the creative land trust entity:

- an independent not-for-profit entity with charitable trust concession that will operate independently of market and government cycles
- dedicated to securing land and/or property for creative use, with a focus on affordable creative production spaces
- delivering spaces that provide affordability and long-term/permanent security of tenure for creative practitioners
- a Sydney-wide remit, securing space in both the City of Sydney local government area and across Greater Metropolitan Sydney
- a fit-for-purpose business model with flexibility to adapt and change in the future and eventually be self-sustaining
- a scalable and/or replicable model, with potential to expand operations outside of metropolitan Sydney over time
- can be established within 2 years or less.

### **Strategic feasibility study:**

The purpose of this project is to identify a feasible operating model for a CLT in Sydney. This will require the undertaking of a strategic feasibility study to identify a preferred model for the entity's long-term operational sustainability, underpinned by robust analysis and modelling. This will include:

- a feasible financial model
- an appropriate operational structure to ensure long-term operational sustainability
- a legally sound organisation.

The Committee for Sydney proposes the study be structured in three key stages. Because the concept of a CLT model is new to Australia, there are likely to be aspects not specifically identified in this brief that may be worth considering. Applicants are encouraged to suggest improved or alternative approaches to deliver on the aims of the study.

#### **Stage 1: Scoping**

- Rapid analysis of existing CLT or other entity structures, including but not limited to:
  - ownership and governance structures
  - legal and tax structures
  - funding and financing streams
  - property acquisition sources
  - operational approaches

- Identification of 3-4 potential models appropriate for Sydney

### **Stage 2: CLT model appraisal**

- Develop assessment criteria to help ascertain requirements and suitability of potential models, in collaboration with the Committee for Sydney and key stakeholders. This will include, but not be limited to:
  - viability and likelihood of attracting funding and financing
  - viability and likelihood of property acquisition pathways
  - financial sustainability (including both capex and opex considerations)
  - legal compliance
  - operational longevity
  - affordability
  - fitness-for-purpose of property types
  - risk profile
  - scalability / replicability of model.
- Assess and determine preferred model, or the identification of a novel model of CLT, through application of the multi-criteria assessment or cost-benefit analysis style appraisal of model options.

### **Stage 3: Preferred model development**

- Develop preferred model that includes, but is not limited to:
  - ownership and governance
  - legal and tax structure
  - options for funding and financing
  - options for property acquisition sources
  - operational approach.
- Prepare strategic business case / business plan, underpinned by modelling, to allow third parties to draw their own conclusions on the viability of the project.
- Presentations to Project Group and Advisory Reference Group on final model.

### **Outcomes and deliverables:**

The outcomes of this project need to clarify feasibility and viability of a creative land trust model, and enable the Committee for Sydney, Create NSW and the City of Sydney to make a decision as to whether to progress with the establishment of a creative land trust.

Should feasibility be demonstrated, the deliverables need to enable the project to secure private sector buy-in, private investment, and give confidence to both the City of Sydney and Create NSW to proceed with a property transfer.

Expected deliverables include:

- comprehensive report communicating the process and results of the strategic feasibility study
- a business case / business model for the recommended feasible model.

It is expected that the deliverables from the study will address:

- recommended entity structure, governance, legal and management model
- recommended business operating model and financial structure
- recommended pathway/s for financing and property acquisition

- recommended initial objectives and focus area/s (i.e. locations/properties, particular space typologies, particular types of creative practice, particular targets or goals to be met within a particular timeframe)
- steps and resources required for the immediate establishment of an entity, including start-up capital, preferred milestones for transfer of assets and payment of funds to an entity
- recommendations for NSW legislative, regulatory or policy reform options to facilitate the successful establishment and operation of a CLT
- recommendations for the replicability / scalability of the model.

### **Engagement and reporting:**

The successful applicant will be expected to regularly engage with key project stakeholders, including:

- the Committee for Sydney will coordinate engagement with the Project Group (including managing opportunities for input, queries, advice and feedback with government) and with the Advisory Reference Group (including briefings as the project develops)
- Advisory Reference Group. The Committee for Sydney will recruit via EOI a group of suitably qualified people (property, philanthropy, finance, law, culture) who will form an advisory cohort available for consultation as the project develops. It is the expectation that this group will have a key responsibility as advocates for the project and in building certainty around viability of the model
- Legal expertise - a legal firm has been appointed to provide legal expertise to the project, with consultation and reporting to be managed as agreed with Committee for Sydney.

### **Supporting resources:**

The successful applicant will have access to:

- CLT background research and case studies, with access to key people as required
- legal support from legal firm engaged separately
- local and state government policy, regulatory and legislative support via Project Group
- information and data from a 'creative space affordability study' which should help underpin the financial model (currently underway)
- some information on parameters / features of potential properties (pending government's ability to share details).

### **Exclusions:**

Applicants should exclude the following from their scope of work:

- research and exploration of different types of CLT models. It is expected respondents can build on briefing resources provided.
- research and identification of potential properties for the CLT; however, identification of the types of properties and/or property features that would be suitable for the CLT is desirable. The City of Sydney and Create NSW are conducting audits of government property portfolios to identify potential properties that could be transferred to the entity. The successful applicant will be expected to provide information to help pinpoint preferred types and features of properties.
- project management coordination with the Project Group and Advisory Reference Group to be managed by Committee for Sydney.
- legal expertise (as mentioned above).

**Indicative timeframe for feasibility study**

Friday, 6 December, 2024 – Sunday, 19 January, 2025	Tender open
Thursday, 12 December, 2024 – 2pm	Information session for registered parties
Monday, 20 January, 2025 – Wednesday, 29 January, 2025	Review of proposals and tender selection  NB. Applicants should be available for requests for further information, a potential pitch presentation, team meeting and if required tender refinement  Tender selection: Committee for Sydney will notify registered parties of outcome
Monday, 10 February, 2025 – Friday, 30 May, 2025	Feasibility study underway with agreed milestone reporting
12-14 February, 2025	Project kick off meeting with successful team – timing as agreed
Monday, 10 March, 2025	Stage 1 deliverable – indicative timing  Progress report/briefing as required with Project Group and Advisory Reference Group
Monday, 7 April, 2025	Stage 2 deliverable – indicative timing  Progress report/briefing as required with Project Group and Advisory Reference Group
Friday, 30 May, 2025	Stage 3 deliverable and draft report – indicative timing  Progress report/briefing as required with Project Group and Advisory Reference Group
June - July	Final report and presentations as agreed

**Proposed budget:**

This study has been allocated a budget with an upper limit of \$200,000 ex GST.

**Tender response:**

The Committee for Sydney welcomes responses to this open tender from a range of applicants, including teams or multidisciplinary consortiums of expert consultants led by a head contractor. Responses must include, and are limited to, the following.

- Demonstration of understanding of the intention of a CLT model (max. 4 pages)
- Proposed methodology to deliver the study that reflects the proposed study approach or provides an alternative approach (max. 10 pages)
- Outline of project team who will work on this project, including CVs and relevant experience (max. 10 pages)
- How this team would work with Committee for Sydney staff and the Advisory Reference Group to deliver the project (max. 2 pages)
- Up to five examples of work you have done that demonstrate capability to deliver this project (max. 5 pages)
- Confirmation of ability to meet the estimated timeline for delivery, including project leads' time commitment as percentage of FTE.
- Budget breakdown and total cost to deliver the project.

Submissions will be assessed against the following criteria:

- demonstrated grasp of the expectations of the brief
- proposed method
- demonstrated experience
- cost and value for money.

#### **FAQ:**

#### **Questions about the tender / feasibility study**

Written questions will be accepted up to 72 hours before the tender closes. The Committee for Sydney will endeavour to respond in writing within 24 hours. All questions and responses will be shared with all registered parties.

Questions should be emailed to [committee@sydney.org.au](mailto:committee@sydney.org.au) (verbal questions will not be accepted)

#### **Intellectual property**

All intellectual property rights, moral rights and curatorial freedom (including a perpetual, worldwide, non-exclusive, transferrable, irrevocable and royalty-free licence) are given to the Committee for Sydney, City of Sydney and Create NSW to use all materials created for this study. All project materials are to be provided to the Committee for Sydney through and at the conclusion of the project.

#### **Submission deadline**

To ensure the project progresses as required, no extensions will be granted.

#### **Contact details**

Matt Levinson, Head of Corporate Affairs, Committee for Sydney: [matt@sydney.org.au](mailto:matt@sydney.org.au)