

1.8 EARLY YEARS - PROPOSED MULTIPLE LEASES TO LOCAL INDEPENDENT SERVICE PROVIDERS

Responsible Committee: Section 223 Committee of Council

RECOMMENDATION:

That Council:

1. *Receives this report from the Committee established by Council pursuant to Section 223 of the Local Government Act 1989 (S.223 Committee) to hear and consider any submissions received to Council's public notice in respect of the proposal to lease the following Council sites to Local Independent Service Providers to deliver Early Year's Services.*

Columbia Park Early Learning Centre Inc. - Columbia Park Early Learning Centre, 28a Columbia Drive, Wheelers Hill

Syndal Pre-School Association Inc. - Syndal Preschool, 2 Matthew Street Glen Waverley

Ashwood Children's Centre Incorporated - Ashwood Children's Centre, 4-8 Yooralla Street Ashwood

Hughesdale Kindergarten Incorporated - Hughesdale Kindergarten, 10 Freda Street Hughesdale

Jells Park Preschool Association Inc. - Jells Park Preschool, 37-39 Petronella Avenue Wheelers Hill

Highvale Pre-School Association Inc. - Highvale Pre-School, 56-58 Campbell Street Glen Waverley

Waverley Meadows Preschool Association Inc. - Waverley Meadows Preschool, 6 Farnham Avenue Wheelers Hill

Pinewood Pre-School Centre Inc. - Pinewood Pre School, 13 Pinewood Drive Mount Waverley

Brandon Park Children's Centre Inc. - Brandon Park Children's Centre, 649-659 Ferntree Gully Road Glen Waverley

Appletree Hill Pre-School Association Inc. - Appletree Hill Pre School, 37 Shepherd Road Glen Waverley

Brentwood Pre-School Association Inc. - Brentwood PreSchool, part 52-58 View Mount Road Wheelers Hill

2. *Notes the S.223 Committee met on Tuesday 6 July 2021 to hear and consider submissions received in respect of the proposal.*
 - (a) *Further notes that no submissions were received in respect of the proposal.*

3. *Accepts the Committee's recommendation to lease land to the following Local Independent Service Providers at the following Council owned sites:*

Columbia Park Early Learning Centre Inc. - Columbia Park Early Learning Centre, 28a Columbia Drive, Wheelers Hill

Syndal Pre-School Association Inc. - Syndal Preschool, 2 Matthew Street Glen Waverley

Ashwood Children's Centre Incorporated - Ashwood Children's Centre, 4-8 Yooralla Street Ashwood

Hughesdale Kindergarten Incorporated - Hughesdale Kindergarten, 10 Freda Street Hughesdale

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Highvale Pre-School Association Inc. - Highvale Pre-School, 56-58 Campbell Street Glen Waverley

Waverley Meadows Preschool Association Inc. - Waverley Meadows Preschool, 6 Farnham Avenue Wheelers Hill

Pinewood Pre-School Centre Inc. - Pinewood Pre School, 13 Pinewood Drive Mount Waverley

Brandon Park Children's Centre Inc. - Brandon Park Children's Centre, 649-659 Ferntree Gully Road Glen Waverley

Appletree Hill Pre-School Association Inc. - Appletree Hill Pre School, 37 Shepherd Road Glen Waverley

Brentwood Pre-School Association Inc. - Brentwood PreSchool, part 52-58 View Mount Road Wheelers Hill

4. *Having complied with its obligations under S.223 of the Local Government Act 1989, directs the Chief Executive Officer or her delegate to progress the finalisation of the lease documents.*
5. *Authorises the Chief Executive Officer or her delegate, on behalf of Council, to sign all documentation required to effect the leases to the various Local Independent Service Providers as mentioned in point 3 above.*

INTRODUCTION

This report considers the outcome of the public notification process pursuant to s.223 of the Local Government Act 1989 (Act) for the leases to Local Independent Service Providers for Early Year's Services at the following sites:

- Columbia Park Early Learning Centre Inc.** - Columbia Park Early Learning Centre, 28a Columbia Drive, Wheelers Hill
- Syndal Pre-School Association Inc.** - Syndal Preschool, 2 Matthew Street Glen Waverley
- Ashwood Children's Centre Incorporated** - Ashwood Children's Centre, 4-8 Yooralla Street Ashwood
- Hughesdale Kindergarten Incorporated** - Hughesdale Kindergarten, 10 Freda Street Hughesdale
- Jells Park Preschool Association Inc.** - Jells Park Preschool, 37-39 Petronella Avenue Wheelers Hill
- Highvale Pre-School Association Inc.** - Highvale Pre-School, 56-58 Campbell Street Glen Waverley
- Waverley Meadows Preschool Association Inc.** - Waverley Meadows Preschool, 6 Farnham Avenue Wheelers Hill
- Pinewood Pre-School Centre Inc.** - Pinewood Pre School, 13 Pinewood Drive Mount Waverley
- Brandon Park Children's Centre Inc.** - Brandon Park Children's Centre, 649-659 Ferntree Gully Road Glen Waverley
- Appletree Hill Pre-School Association Inc.** - Appletree Hill Pre School, 37 Shepherd Road Glen Waverley
- Brentwood Pre-School Association Inc.** - Brentwood Pre-School, part 52-58 View Mount Road Wheelers Hill

BACKGROUND

At the Ordinary Council meeting on 30 March 2021, Council considered a report on a Proposal to Lease multiple leases to Local Independent Service Providers to deliver Early Year's Services in multiple Council owned sites.

After considering the report, Council resolved as follows:

That Council:

1. *Negotiates leases with the following local Not For Profit organisations to deliver Early Year's Services at the facilities located at the following Council owned sites:*

- Columbia Park Early Learning Centre Inc.** - Columbia Park Early Learning Centre, 28a Columbia Drive, Wheelers Hill
- Syndal Pre-School Association Inc.** - Syndal Preschool, 2 Matthew Street Glen Waverley

- Ashwood Children's Centre Incorporated** - Ashwood Children's

Centre, 4-8 Yooralla Street Ashwood
Hughesdale Kindergarten Incorporated - Hughesdale Kindergarten,
 10 Freda Street Hughesdale
Jells Park Preschool Association Inc. - Jells Park Preschool, 37-39
 Petronella Avenue Wheelers Hill
Highvale Pre-School Association Inc. - Highvale Pre-School, 56-58
 Campbell Street Glen Waverley
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Pinewood Pre-School Centre Inc. - Pinewood Pre School, 13
 Pinewood Drive Mount Waverley
Brandon Park Children's Centre Inc. - Brandon Park Children's
 Centre, 649-659 Ferntree Gully Road Glen Waverley
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 37 Shepherd Road Glen Waverley
Brentwood Pre-School Association Inc. - Brentwood Pre-School, part
 52-58 View Mount Road Wheelers Hill

Incorporating the following terms and conditions:

Rent: \$1.00 per annum (plus GST)

Term: 5 Years

Further Term: 5 Years

Use: For the purposes associated with the activities of a kindergarten including three and four year old kindergarten programs, playgroups, activity programs for young children and other activities such as kindergarten meetings and fundraising functions.

("the Proposal")

2. *Give public notice of the proposal in accordance with Section 190 of the Local Government Act 1989, in a newspaper and on Council's website from 7 April 2021 and invite submissions on the proposal.*
3. *Authorises Council's Chief Executive Officer or her delegate to undertake the administrative procedures necessary to enable Council to carry out its functions under section 223 of the Act in respect of the proposal ('Appointed Officer').*
4. *Appoint a Committee of Council comprising of all Councillors to hear any submitters requesting to be heard and consider any submissions received under section 223 of the Act at a time and place to be fixed.*
6. *Consider and determine the outcome of the section 223 process on the proposal at a scheduled Meeting of Council on a date and time to be fixed.*
- 7.

DISCUSSION**Public Notification**

In accordance with points 3 and 4 of the above-mentioned Council resolution, a public notice advising of Council's intention to enter into leases with the Local Independent Service Providers was published in "The Age" and on Council's website, calling for submissions on the proposal.

Public Response

There were no enquiries, and no written submissions received during this public notification period.

S.223 Committee Meeting

The S.223 Committee met at 6:00pm on 6 July 2021 to consider the outcome of the above public notification process. The S.223 Committee was to be constituted by all Councillors. Councillors Paul Klisaris and Shane McCluskey submitted apologies as they were unable to attend the meeting. Cr Tina Samardzija was absent from the meeting, having disclosed a conflict of interest in this item.

The agenda for the S.223 Committee was to consider all written submissions received and make a recommendation to Council on the proposed leases. There were no speakers or written submissions.

The outcome of the S.223 Committee was as follows:

To recommend, that Council:

1. Proceed with the intention to lease land to the following Local Independent Service Providers at the following sites:

Columbia Park Early Learning Centre Inc. - Columbia Park Early Learning Centre, 28a Columbia Drive, Wheelers Hill

Syndal Pre-School Association Inc. - Syndal Preschool, 2 Matthew Street Glen Waverley

Ashwood Children's Centre Incorporated - Ashwood Children's Centre, 4-8 Yooralla Street Ashwood

Hughesdale Kindergarten Incorporated - Hughesdale Kindergarten, 10 Freda Street Hughesdale

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part 52-58 View Mount Road Wheelers Hill

POLICY IMPLICATIONS

Early Years' Service providers are an integral element in the continued provision of kindergarten services within the municipality which is key deliverable within Council's "A Healthy and Resilient Monash: Integrated Plan 2017-2021".

CONSULTATION

As referred to above, the public notification process of the Intention to Lease land to Local Independent Service Providers for the provision of Early Year's Services has been completed in accordance with the Section 223 of the Local Government Act 1989 and no submissions were received.

FINANCIAL IMPLICATIONS

The Lessee will be responsible for the payment of utility charges.

CONCLUSION

It is recommended that Council accepts the Committee of Council's recommendation to proceed with the intention to lease land to the Local Independent Service Providers at the above-mentioned sites.