

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

Responsible Director: Peter Panagakos

RECOMMENDATION

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
 - **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

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.*
5. *Consider and determine the outcome of the section 223 process on the proposal at the Ordinary Meeting of Council on a date and time to be fixed.*

INTRODUCTION

The purpose of this report is for Council to commence the statutory process in accordance with Section 190 of the Local Government Act 1989 to advertise its proposal to grant multiple leases to the following local Not for Profit organisations (please refer to attachment 1 for terms and conditions) for use of the following facilities:

- **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
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part 52-58 View Mount Road Wheelers Hill

BACKGROUND

Council currently owns over 35 sites used for the provision of Early Years services.

New Leases are required for 11 sites. Combined, these Kindergartens and Child Care Centres provide early year's education to approximately 500 children annually.

Kindergartens are predominantly funded through the DET and many kindergartens supplement their funding through enrolment fees and fundraising activities.

DISCUSSION

A separate Lease is proposed for each facility on the key terms and conditions as outlined in Attachment 1.

Prior to offering a new lease agreement, Council is required to comply with the requirements of section 190 of the Local Government Act 1989, which states that if a lease is to be:

- (a) for 1 year or more; and
 - (i) the rent for any period of the lease is \$50,000 or more a year; or
 - (ii) the current market rental value of the land is \$50,000 or more a year; or
- (b) for 10 years or more; or
- (c) a building or improving lease,

Council must, at least 4 weeks before the lease is made, publish a public notice of the proposed lease. A person has a right to make a submission under Section 223 of the Act on the proposed lease.

As the proposed lease is for a period of greater than 10 years, Council must publish a public notice of intention to enter into a lease and invite submissions. It is proposed to publish a notice of the proposed leases in a newspaper circulating in the municipality and on Council's website in early April 2021.

SOCIAL IMPLICATIONS

Kindergartens are an important step for children as they provide a happy environment to develop the building blocks which they will build on throughout their life.

Kindergarten programs are designed to improve children's development in

the following key areas: social skills, self-awareness and respect for others, emotional skills, language literacy and numeracy skills, a joy for learning, the ability to make new friends, and exposure to new ideas.

FINANCIAL IMPLICATIONS

In accordance with Council's Leasing and Licencing Policy, the annual rental for these facilities is \$1.00 per annum (plus GST).

The Lessee is responsible for minor repairs, Council manages programmed maintenance and renewal works associated with the building. The Lessee is responsible for the payment of utility charges.

CONCLUSION

New Leases ensure continuity of service provision to within the municipality which is key deliverable within Council's "A Healthy and Resilient Monash: Integrated Plan 2017-2021".

The use of a Council owned facility to deliver the service requires an appropriate occupancy agreement, which in this case will be a Lease.

Council is required to undertake public notification of its intention to grant Leases and consider any submissions before determining to enter into a Lease arrangement.

Attachment 1**Key terms and Conditions associated with the proposed Leases**

Commencement Date	1 July 2021
Permitted 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.
Term	5 years
Further Term	5 Years
Rental	\$1.00 per annum (plus GST)
Maintenance	The Lessee will be responsible for minor repairs and maintenance.
Outgoings	The Lessee will be responsible for all service charges at the site.