

8 ADVOCACY AND COMMUNITY SERVICES

8.1 NOTICE OF INTENTION TO LEASE THE EARLY LEARNING CENTRE AT NEWBRIDGE BOULEVARD, WALLAN EAST (WALLAN FAMILY AND CHILDREN'S CENTRE)

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Attachments: Nil

1. EXECUTIVE SUMMARY

- 1.1 Mitchell Shire Council is currently constructing a relocatable modular building on a new site in the Newbridge Estate in Wallan East to provide the Wallan East Family and Children Centre. The site will include sessional kindergarten and maternal and child health services.
- 1.2 For all new early year's sites across the municipality, Mitchell Shire Council seeks to engage in partnership with suitably skilled and qualified early years providers to undertake the kindergarten service provision at these sites. Through an Expression of Interest (EOI) process Kids First Australia were the successful applicant to take on the new Wallan East service site. This report is seeking Council's approval to enter into a lease agreement with Kids First Australia to provide sessional kindergarten at the new Wallan East Family and Children's Centre.
- 1.3 It is recommended that Mitchell Shire Council grant a lease to Kids First Australia for a period up to four years plus two-months (indicative) to 31 December 2024.

RECOMMENDATION

THAT Council:

1. Note that the legislative processes required under section 190, section 82A and section 223 of the Local Government Act 1989 (s115 of the Local Government Act 2020) have been completed in relation to the proposal to enter into a lease agreement with Kids First Australia for the occupation and operation of the early learning rooms, meeting room and outdoor play area at the Council owned property to be located at Newbridge Boulevard, Wallan East and that no public submissions have been received in response to the Public Notice.
2. Authorise the Chief Executive Officer to sign the lease with Kids First Australia for the occupation and operation of the early learning rooms, meeting room and outdoor play area at the Wallan East Family and Children's Centre, Newbridge Boulevard, Wallan East for a term of four years plus two months to 31 December 2024 (indicative), with an annual lease fee of Year 1 \$500, Year 2 \$6,000, Year 3 \$9,000 and Year 4 \$14,000 (indicative), subject to the land being transferred into Council's ownership and the construction of the facility achieving practical completion including the issuing of an Occupancy Permit.

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2. BACKGROUND

- 2.1 Mitchell Shire Council is focused on ensuring the timely provision of required services and infrastructure in order to maintain the liveability of our communities.
- 2.2 Mitchell Shire more recently has entered into partnership with suitably qualified and experienced not-for-profit service providers to operate all new kindergarten sites across the shire. There are a number of surrounding Councils that outsource their kindergarten service provision including City of Whittlesea, Murrindindi Shire and Melton Council. Other local government areas such as Hume City Council and Macedon Ranges continue to directly operate all of their early years' service provision.
- 2.3 The Wallan East Family and Children's Centre (the Centre) is designed to bring forward the delivery of crucial early years social infrastructure in Wallan East, to address the immediate disconnection and growth requirements.
- 2.4 Mitchell Shire Council received funding through the Victorian State Government Growing Suburbs Fund to deliver a model of kindergarten and maternal and child health services in a modular relocatable building on a new site in the Newbridge Estate in Wallan East.
- 2.5 The Centre will include three fit for purpose early education and care rooms (licensed capacity for 33 students per room), an office space, meeting room, two kitchens, foyer, toilet facilities and outside play areas with the purpose of providing three and four year old kindergarten programs and other activities to benefit the local community. Mitchell Shire Council will provide Maternal and Child Health Services in two designated rooms with a waiting area at the Centre.
- 2.6 An independent valuer has valued the lease at \$61,000 when kindergarten sessions are running in two kindergarten rooms (initially) and \$91,000 when increased capacity requires kindergarten running in three rooms.
- 2.7 An EOI was advertised for the operation of the kindergarten services at the site and Kids First Australia were successful in their submission based on their experience and capability, their existing relationship with Mitchell Shire through the operation of the Seymour Family and Children's Centre and through their expertise in working with vulnerable children and families.

3. POLICY AND LEGISLATIVE IMPLICATIONS

- 3.1 The support for Kids First Australia to establish operations in Wallan East under a lease for the four-year plus two-month term from November 2020

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to 31 December 2024 (indicative) is consistent with the following Mitchell Shire Council strategic Council plans, frameworks and procedures:

- Council Plan 2017-2021
- Municipal Public Health and Wellbeing Plan 2017-2021
- The Life Stages Strategy
- Social Justice Framework 2017 – 2021

3.2 The lease process is consistent with Section 190, Section 82A and Section 223 of the Local Government Act 1989 (S115 of the Local Government Act 2020).

4. CHARTER OF HUMAN RIGHTS IMPLICATIONS

4.1 The rights protected in the *Charter of Human Rights and Responsibilities Act 2006* were considered in preparing this report and it's determined that the subject matter does not raise any human rights issues.

5. CHILDREN AND YOUNG PEOPLE IMPLICATIONS

5.1 Kindergarten is an essential service for pre-school aged children in Mitchell Shire. Provision of a lease to the successful applicant will enable quality kindergarten access for children and families in the growing Wallan East community.

6. ISSUES AND DISCUSSION

6.1 An Expression of Interest (EOI) for a kindergarten provider was advertised in April 2020 and four submissions were received. A comprehensive evaluation process was undertaken, including interviews with three of the four submitters.

6.2 The four organisations that submitted an EOI were Kids First Australia, YMCA Whittlesea, TRY Australia and One Tree Community Services.

6.3 Kids First Australia was found to be most capable, demonstrating experience in the delivery of high quality, accredited, culturally relevant and innovative early childhood education and care services. Kids First Australia proved a strong track record of good governance, responsive and relevant service delivery and effective collaboration with a diversity of stakeholders

6.4 Kids First Australia's vision is 'all children and young people thrive in resilient, strong and safe families and communities. Have LMOKids First Australia (Incorporated as Children's Protection Society Inc) are a registered not-for-profit organisation.

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- 6.5 Kids First Australia has an integrated service model which offers holistic care and education to enable children to develop safe and strong caregiving relationships with their educators, and to assist children and their parents in developing the wider skills they need to support strong, healthy families. The model blends high-quality teaching and learning and integrated support services that are 'wrapped around' children and families to address the child's identified developmental needs, reduce the impacts and risks of adverse, traumatic events and family functioning.
- 6.6 Kids First Australia is currently successfully providing kindergarten services, and managing, the Seymour Family and Children's Centre which incorporates the Our Place model.
- 6.7 Public notice notifying the intention to enter into a lease for the new premises at Newbridge Boulevard, in the Newbridge Estate, Wallan East a term of 4 years (being from 3 November 2020 until 31 December 2024) was advertised in the North Central Review on 7 July 2020 and no submissions were received in response to this Public Notice.
- 6.8 The lease will be granted once Mitchell Shire Council has ownership of the land and the facility is completed. There is a possibility this may be later than the expected early November date due to delays in the transfer of land title to Mitchell Shire Council. If this is the case, the length of the lease will reduce accordingly, with the 31 December 2024 remaining as the end date to the lease.

7. SUSTAINABILITY IMPLICATIONS (SOCIAL AND ENVIRONMENTAL)

- 7.1 The kindergarten service to be offered by Kids First Australia will be an important education service for the Wallan East community and, should a lease not be granted for provision of kindergarten, there will continue to be a variety of adverse social impacts, both for the children, their families and the wider community.
- 7.2 There are no known environmental sustainability implications of the Centre.

8. RISK IMPLICATIONS

Risk Ranking is determined using [ROHS201-G1- Corporate Risk Matrix](#). Risk is identified as Low, Medium, High or Very High.

Risk	Risk Ranking	Proposed Treatments	Within Existing Resources?
Land title for the land at 52 Newbridge Boulevard not issued, preventing facility from being completed by expected completion date in November.	Medium	Lease period will be delayed until land is transferred into Councils ownership and construction of the facility reaches practical completion including the	Yes

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Risk	Risk Ranking	Proposed Treatments	Within Existing Resources?
		issuing of an Occupancy Permit.	
Lease not issued – Wallan East Family and Children's Centre and there is no kindergarten provided in Wallan East.	Medium	Agree to new lease agreement to Kids First Australia	Yes
Lease not issued – possible community dissatisfaction.	Medium	Agree to new lease agreement to Kids First Australia	Yes
New lease not issued – may not find another tenant for newly constructed building	Low	Agree to new lease agreement to Kids First Australia	Yes
New lease not issued – general condition deterioration of early learning rooms, meeting room and outdoor play areas while empty.	Low	Council would need to keep the building clean and maintain the outdoor play area during any time the building was vacant.	Yes – Council would have to cover 100% of costs rather than 30-40%

9. COMMUNICATION PLAN

- 9.1 Staff will work with Kids First Australia to develop a communications plan to inform the Wallan East community about the kindergarten programs for 2021.

10. NEXT STEPS

- 10.1 A lease will be signed with Kids First Australia once Mitchell Shire Council has ownership of the land and the facility is completed.

11. CONSULTATION

- 11.1 As outlined in the issues and discussion section above, community consultation has occurred in accordance with the requirements under the *Local Government Act 1989*.

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- 11.2 Submissions were invited, and submitters were able to appear before a meeting of the Community Questions and Hearings Committee.
- 11.3 Consultation with the community regarding the opening of a kindergarten in Wallan East was also held in February 2020 in partnership with the Our Lady of the Way Primary School located across the road from the new early years facility.

12. FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

- 12.1 Once the lease has been signed, Council will receive rental income over a four-year plus two-month term from November 2020 to 31 December 2024 (indicative) and the annual lease fee of Year 1 \$500, Year 2 \$6,000, Year 3 \$9,000 and Year 4 \$14,000 (incorporating the additional 2 months indicative).
- 12.2 Kids First Australia will contribute 60% of the total costs of the following services at the facility: water, electricity, security, waste removal and sanitary services. Council will absorb the remaining 40% of costs for these services, in recognition that Maternal and Child Health (Council) will also be operating at the facility. At the time that a third kindergarten room is required by Kids First Australia for kindergarten sessions, these percentages will change signifying a 70% cost for Kids First Australia and 30% for Council.
- 12.3 Kids First Australia will cover the cost of cleaning the Early Learning Rooms.
- 12.4 Council is accountable for standard Lessor maintenance responsibilities such as structural repairs, replacement of installations such as heating and cooling units and Essential Safety Measures.
- 12.5 The processes required to be undertaken under the *Local Government Act 1989* and *Local Government Act 2020*, liaising with Kids First Australia and the lease documentation and execution can be carried out within existing staff resources.

13. OFFICER DECLARATION OF CONFLICT OF INTEREST

- 13.1 No officers involved in the preparation of this report have any direct or indirect interest in this matter.

14. CONCLUSION

- 14.1 The signing of a lease with Kids First Australia for the occupation and operation of the early learning rooms, meeting room and outdoor play area at the Wallan East Family and Children's Centre, Newbridge Boulevard, Wallan East for a term of up to four years plus two months to 31 December 2024 (indicative) would provide timely provision of kindergarten services to the growing Wallan East community.