



WHITEHORSE
CITY COUNCIL

Whitehorse City Council

AGENDA

Council Meeting

on

Monday 28 March 2022

at 7:00pm

Members: Cr Liu (Mayor), Cr Massoud (Deputy Mayor), Cr Barker, Cr Carr, Cr Cutts, Cr Davenport, Cr Lane, Cr McNeill, Cr Munroe, Cr Skilbeck, Cr Stennett

Mr Simon McMillan, Chief Executive Officer

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AGENDA

1 PRAYER

1a Prayer for Council

We give thanks, O God, for the Men and Women of the past whose generous devotion to the common good has been the making of our City.

Grant that our own generation may build worthily on the foundations they have laid.

Direct our minds that all we plan and determine, is for the wellbeing of our City.

Amen.

1b Aboriginal Reconciliation Statement

“Whitehorse City Council acknowledges the Wurundjeri Woi-wurrung people of the Kulin Nation as the traditional owners of the land we are meeting on and we pay our respects to their Elders past, present and emerging and Aboriginal and Torres Strait Islanders from communities who may be present today.”

2 WELCOME

3 APOLOGIES

4 DISCLOSURE OF CONFLICT OF INTERESTS

5 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

Minutes of the Council Meeting 15 March 2022

RECOMMENDATION

That the minutes of the Council Meeting 15 March 2022 having been circulated now be confirmed.

6 PUBLIC PRESENTATIONS

7 PETITIONS AND JOINT LETTERS

8 PUBLIC QUESTION TIME

9 NOTICES OF MOTION

10 URGENT BUSINESS

11 COUNCIL REPORTS

11.1 Whitehorse Youth Representative Committee (WYRC) 2021 Annual Report

Community Services
Jules Piccinin
FILE NUMBER:
ATTACHMENT

Introduction: Tony Johnson, Manager Health and Family Services

Presenters:

External: Whitehorse Youth Representative Committee Volunteers:

- Noor Ayaz
- Christina Yu
- Jessica Chung

Internal: Julian Piccinin, Youth Services Team Leader
Jacqueline Piper, Youth Participation Officer

SUMMARY

The Whitehorse Youth Representative Committee plays an important role in representing the interests of young people in the municipality. This report provides a summary of the outcomes and achievements of the 2021 Whitehorse Youth Representative Committee.

RECOMMENDATION

That Council acknowledge the work of the 2021 Whitehorse Youth Representative Committee and endorse the Committee's initial action plan for 2022.

KEY MATTERS

The WYRC consisted of 12 young people in 2021 who delivered a diverse range of activities, events and projects. They also took part in various training and skill development opportunities. Council's Youth Participation Officer coordinated the committee with support from Council's School Focused Youth Services Officer. The cost of the activities undertaken by the WYRC is incorporated within Council's Youth Services annual budget.

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STRATEGIC ALIGNMENT

The WYRC aligns with the following strategic priorities of the Council Plan

3.1.4: Continue to support, promote and celebrate volunteer programs to encourage people of all ages, abilities and diverse backgrounds to participate in opportunities.

- By providing an inclusive opportunity for young people to get involved in their community.

6.2.2: Support opportunities for young people to be involved in decision making.

- *By creating an opportunity for young people to be directly involved in decision making, consultation and be consulted about issues that concern them and their peers.*

The WYRC also aligns with these themes of the Whitehorse Community Vision Whitehorse Community Vision.

Theme 1: Diverse and Inclusive Community.

- By providing an inclusive opportunity for young people to get involved in their community.

Theme 4: Employment, Education and Skill Development.

- Providing an opportunity for young people to develop their skills and gain valuable experience.

Theme 6: Whitehorse is an Empowered and Collaborative Community.

- The WYRC empowers young people to collaborate with other members and areas of the community.

Theme 7: Health and Wellbeing. Community engagement and social inclusion support the wellbeing of the young people involved.

- The WYRC is an opportunity for the committee to ensure the wellbeing needs of young people are included.

Policy

The role of the Whitehorse Youth Representative Committee is consistent with strategies contained in the Whitehorse Municipal Youth Plan 2014 - 2018. Such strategies focus on youth advocacy and leadership development. The WYRC works in collaboration with the Youth Services Team and Council as a whole to ensure the goals and actions of the Youth Plan are implemented successfully. The WYRC is also involved in the current consultation process of the development of the new Municipal Youth Plan.

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BACKGROUND

The Whitehorse Youth Representative Committee (WYRC) was established in 2002 to provide a formal link between young people and Whitehorse City Council. The key objectives of the Committee are to develop a positive profile of young people in the community, consult with the broader youth population, report to Council on the aspirations of young people and to assist in the creation of new opportunities for young people to be involved in their community.

There are a number of important benefits for young people to be involved in the WYRC. These include a greater understanding of local government, the development of leadership and project management skills and a greater connection with their local community.

WYRC representatives are selected through a nomination process that is promoted to schools, youth service providers and clubs via various promotional strategies. Due consideration is given to the selection process to ensure a diversity of gender, age, background and life experiences of young people. If deemed appropriate young people can remain on the Committee for a maximum 2 year period.

The WYRC consisted of 12 young people in 2021 who delivered a diverse range of activities, events and projects. They also took part in various training and skill development opportunities. Council's Youth Participation Officer coordinated the committee with support from Council's School Focused Youth Services Officer.

The WYRC events and activities in 2021 included the following:

Induction and training:

- The 2021 induction was held online due to the pandemic restrictions. Members received their induction manuals, developed their group agreement, got to know each other, learnt about the WYRC, and brainstormed ideas for their events.
- The WYRC had their first meeting face to face and met with Mayor of the day Andrew Munroe and Frank Perrone (Youth Services Team Leader). The WYRC learned how the committee's work fits into the broader context within Youth Services at Whitehorse City Council and how it benefited young people across Whitehorse. They took a tour through the Civic Centre and Council Chambers with Cr Andrew Munroe to understand the role of the Council, the service it provides to the community, and how their role as volunteers serve the Council and local community.
- Committee members completed training covering leadership, advocacy, marketing, promotion, social media, event management, disability awareness, communication and community engagement strategies.

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- Committee members completed First Aid training to develop skills in the case of injuries, accident or an emergency.

Events and activities:

- Young Person of the Month Award: The WYRC reviewed and endorsed each young person nominated for the award which recognises and celebrates the efforts and achievements of young people in Whitehorse.
- Whitehorse News Youth articles: WYRC members undertook the role of writing articles for Council's publication Whitehorse News that included stories on the following issues: international students and their struggles during COVID-19, the importance of staying digitally connected during lockdown, social media and its impact on self-esteem and information regarding getting a job.
- Whitehorse Youth Issues Survey: The WYRC began developing the Whitehorse Youth Issues Survey to consult young people about the four areas of international students, healthy relationships, the LGBTIQ+ community and social media & body image. The technical side of the survey is under development. The WYRC would like the survey to be open throughout 2022 and continue with updated areas of consultation annually. The survey will act as a tool to engage the community and the data as a guide for the areas of focus of future committees.
- Newkind Social Justice Conference: A member of the WYRC attended the Newkind conference and reported to the rest of the committee. The key theme of the conference was intersectionality and it provided an opportunity for the attendees to explore, discuss, and reflect how they can promote, empower, and create positive, impactful social change. As a result, the WYRC will focus some of their energies in the coming 12 months to consider and where possible address: intergenerational cultural transference, unconscious bias towards race and gender, intersectionality, mental health and climate change.
- The WYRC is proposing to form an Environmental Sustainability Youth Action group that could work in collaboration and received guidance from the Whitehorse Sustainability team. The establishment of this group will encourage young people to develop their understanding on local and global issues, communication and public speaking skills, leadership skills, greater knowledge on council operations, and create an environment to foster their passion to tackle climate change.
- Reach the Peak – WYRC Youth Summit: This event was held online due to COVID-19 restrictions and involved a series of workshops held over 2 weeks. The event provided young people the opportunity to participate in a series of interactive and engaging workshops that shed light upon important issues facing young members of our community. The themes for this year's summit were Health and Wellbeing, Diversity and

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Inclusion, and the issues focused on included education, international students, youth activism, relationships and body image.

- Municipal Youth Plan consultation: Youth Services staff consulted with the WYRC about how best to engage with young people for the upcoming Municipal Youth Plan consultation. This information has greatly assisted council officers developing the youth consultation plan. The WYRC be heavily involved in the consultation process to help ensure young voices are heard.
- Social Media and Body Image report: The WYRC had planned to consult with young people and organizations to create a report about the issue of social media and body image and deliver a presentation to council. Due to the lockdowns and difficulties encountered with the pandemic, this body of work will be handed to the 2022 committee to continue. The report and work done so far is outlined in the WYRC 2021 Annual Report.

For further information on the events, initiatives and activities undertaken by the committee, please refer to the WYRC 2021 Annual Report (attached to this report).

WYRC 2022 INITIAL ACTION PLAN

Recruitment for the 2022 WYRC has been successful with 12 members appointed. The newly recruited committee has participated in an induction program looking at the role of the committee within Council. At this stage, the activities the committee will consider undertaking / implementing in 2022 include:

- Advocate for the best interests of young people.
- Organise and implement the Whitehorse Municipal Youth Forum and/or community workshops on issues pertinent to young people
- To specifically address key issues impacting young people such as body image, mental health, employment/ career, violence, healthy lifestyles and safety. The WYRC will report back to Council on how the identified issues were specifically addressed.
- To be involved in the consultation process in the development of the next iteration the Early Years and Youth Strategy.

The Youth Services Team is encouraged that the 2022 WYRC members, like their predecessors, will make an active and positive contribution to the community in Whitehorse. The members are appreciative that Council sponsors opportunities that advance their development as young leaders in the community.

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Council's Youth Services Team, particularly the Youth Participation Officer will continue to support the 2022 WYRC and will work towards developing and implementing the Committee's plans and aspirations.

SUPPORTING REPORT DETAILS

Legislative and Risk Implications

There are no legal or risk implications arising from the recommendation contained in this report.

Equity, Inclusion, and Human Rights Considerations

In developing this report to Council, the subject matter has been considered in accordance with the requirements of the *Charter of Human Rights and Responsibilities Act 2006*.

The WYRC enhances several human rights. Including Section 14: The right to freedom of thought, conscience, religion and belief. Young people are empowered to reflect on, develop and express their thoughts, ideas and beliefs. Section 15: The right to freedom of expression. Members are given the opportunity to amplify the voices of local young people including themselves. Section 16: The right to peaceful assembly and freedom of association. The committee is an opportunity for young people to meet and address issues that are important to themselves and their community. 18: The right to take part in public life. The WYRC is a great opportunity for young people to get involved in public life.

Community Engagement

The Whitehorse Youth Representative Committee with the assistance the Youth Services team adopt consultative processes in the planning and facilitation of activities for young people and in the investigation of issues pertinent of the lives to young people in the community.

Financial and Resource Implications

The cost of the activities undertaken by the WYRC is incorporated within Council's Youth Services annual budget.

Innovation and Continuous Improvement

There are no Innovation and Continuous Improvement matters arising from the recommendation contained in this report.

Collaboration

The WYRC collaborates with the Youth Services Team and various departments within Council as well as other young people in the community, key stakeholders and other youth volunteers.

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Discussion and Options

We hope that Council will acknowledge the work of the 2021 Whitehorse Youth Representative Committee and endorse the Committee's initial action plan for 2022.

Conflict of Interest

Council officers involved in the preparation of this report have no conflict of interest in this matter.

Conclusion

The WYRC is a brilliant group of inspiring young leaders from the community. The program is a great initiative to empower young people to make a difference and be the voice for young people in the community. The committee gain valuable experience, learn leaderships skills and an appreciation of the role that Council plays.

The 2022 committee has been recruited and is beginning their journey with the support of the Youth Services team and in particular our Youth Participation Officer Jaqueline Piper.

ATTACHMENT

- 1 WYRC Annual Report 2021

11.2 Whitehorse Kindergarten Infrastructure Service Plan (KISP)

Community Services
Tony Johnson
ATTACHMENT

SUMMARY

The purpose of this report is to inform Council of the Victorian Government's policy reform to fund a second year of kindergarten for all Victorian Children and its implications on the capacity of the existing kindergarten infrastructure in the municipality into the future.

The report seeks endorsement of the Whitehorse Kindergarten Infrastructure Service Plan (KISP) which has been developed in partnership with the State Government at their request, using their data, assumptions and template.

RECOMMENDATION

That Council:

1. Endorse the Whitehorse Kindergarten Infrastructure Service Plan (KISP) and authorises the Chief Executive Officer to sign the KISP on behalf of Council.
 2. Receive a comprehensive report on the status of Council owned or managed kindergarten infrastructure in response to the reform later in 2022.
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KEY MATTERS

The state government has reformed its Kindergarten policy and funding model to provide an additional (or second) year of 15 hours per week of funded kindergarten for all Victorian children prior to their entry to primary school.

- The reform commences in Whitehorse from 2022 with funding to eligible providers for the provision of 3 year old kindergarten for 5 hours per week transitioning up to 15 hours per week by 2029. 4 year old kindergarten is already funded for 15 hours per week.
 - The reform will place demand pressures on the 81 facilities providing kindergarten services to the Whitehorse community. More than 25% of these facilities are on Council owned or controlled land.
 - Two projects have been commissioned to consider the projected impact of the reform on kindergarten infrastructure in Whitehorse with both projects reaching similar conclusions. There will likely be unmet demand in parts of the municipality between 2025 and 2029.
 - One of the research papers was conducted by ASR Research and focussed on Council's kindergarten assets and assessment of fit for purpose. This report will be the subject of a future Council report as it requires consideration of the maintenance and renewal of Council's substantial early years asset base and is likely to identify several sites surplus to Council needs.
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- The second report, the Kindergarten Infrastructure Service Plan was undertaken by the State Government in partnership with Council and is the primary subject of this report.

STRATEGIC ALIGNMENT

Whitehorse 2040 Community Vision:

- Whitehorse is a resilient community where everyone belongs.
- We are active citizens who value our natural environment, history and diversity.
- We embrace sustainability and innovation.
- We are dynamic. We learn, grow and thrive.

Council Plan 2021-2025:

- Strategic Direction 2: A thriving Local Economy; Business, Employment, Education and Skill Development
- Strategy 2.1.6: Support young people with education, employment and training pathways
- Strategy 2.3.1: Partner with the education sector to engage, promote and advocate for improved learning and educational opportunities for individuals and local businesses.
- Strategic Direction 4: Our Built Environment; Movement , and Public Places
- Strategy 4.1.1: Plan, build, renew and maintain community assets and facilities to meet current and future service needs in an environmentally, financially and socially sustainable way.
- Strategy 4.2.3: Maximise the usage of Council and Community facilities to improve community access opportunities.
- Strategy 4.3.1: Work with community organisations to promote and encourage social connections and support community participation for isolated members of the community.
- Strategic Direction 7: Health and Wellbeing
- Strategy 7.1.1: Provide accessible services and program.

Policy

Council has no specific policy in relation to the provision of state funded kindergarten programs in the municipality. However, Council has resolved its policy position on two related matters concerning the provision of kindergarten services.

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Kindergarten Leases and Maintenance Responsibilities (2021)

Council resolved to move all 21 sessional kindergarten facilities on Council land onto a common land and building lease to ensure a more equitable approach to managing the maintenance standards of all of these facilities.

Continued Provision of the Whitehorse Early Learning Service 2019

Council resolved to close the Wattle Park Children's Services Centre and to continue to manage the operations of the remaining three Whitehorse Early Learning Services centres which provide integrated kindergarten services.

BACKGROUND

Kindergarten programs operate throughout Victoria in order to provide children with a sound play based educational experience in the year prior to attending primary school. Early childhood development experts agree that the development of a child is greatly enriched by the quality of his/her preschool experience. Kindergarten programs also enrich communities through social connections and engagement with the service.

At an operational level, kindergarten programs are funded by the State Government, which provides operational funds based on a per capita grant and parent fees, which make up any shortfall in operating budgets. The funding enables every Victorian child to access 15 hours of kindergarten per week (for 40 weeks of the year) in the year prior to their entry into primary school.

The State Government is also responsible for the establishment, regulation and monitoring of 4 year old kindergarten services.

Up until 2022, 3 year old kindergarten programs in Whitehorse and most other municipalities did not attract State Government funding. Participation in 3 three year old kindergarten programs therefore relied on a user pays system and typically involved children accessing 3-6 hours of service per week. The cost of accessing 3 year old kindergarten services has been relatively expensive for most families and it is estimated that only 50% of 3 year old children in Whitehorse participated in a formal 3 year old kindergarten program.

Traditionally, local government involvement with kindergarten services has been through the provision of either land or both land and buildings for community managed services. However, a number of Councils are also involved in direct service delivery.

There are a total of 81 state funded 4 year old kindergarten programs in Whitehorse operating through a variety of management models including: community committee of management, church based services, independent schools, and integrated within Council, private and community-managed long day care centres.

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Of the 81 kindergarten services, 32 are defined as sessional programs. Of these, Council owns the buildings and/or land of 21 services. All these properties are subject to a lease arrangement between Council and each kindergarten committee of management (all of which are voluntary incorporated associations) or an Early Years Manager (Not for profit organisation) for a peppercorn rental¹.

62% (1,150) of four year old children attending funded kindergarten services in Whitehorse use a sessional kindergarten service. The remaining 38% (700) attend funded kindergarten at one of the 49 integrated long day care facilities. While no studies have been undertaken to ascertain the basis for the higher preference for sessional kindergarten places, anecdotal evidence suggests a number of factors are likely to be at play:

- Higher cost of attending integrated child care centre places.
- Perception of quality differences in education provided.
- Local convenience.
- Governance structure of services (parent managed sessional kindergartens as opposed to corporate based management structures)
- Stronger associations between sessional kindergarten centres and preferred primary schools.
- Stronger community feel of sessional kindergartens, i.e. arriving and leaving at the same time generates informal opportunities for connections amongst families.

Council also provides direct financial support to the Whitehorse Pre School Association (WPSA) which manages a Central Enrolment and Registration Scheme for 31 sessional kindergarten programs. The WPSA received about \$30,000 from Council in 2020/21 through the Community Grants Program.

State Government 3 year old Kindergarten Reform

In late 2019, the State Government announced a new policy to fund 15 hours of kindergarten (per week) for all Victorian three-year-old children. The key principle of this reform is that children's learning, health and behaviour (and indeed their later life) will benefit from an expanded quality kindergarten experience. The government is investing \$5B into the program over the 10 year implementation phase which includes \$1.8B in kindergarten infrastructure.

¹ Eight of these facilities recently moved to an Early Years Management agreement with YMCA who now operate the kindergarten services and is the leasee of these facilities)

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In Whitehorse, government funding for 5 hours per week (40 weeks per year) of 3-year-old kindergarten will commence in 2022 with a staged transition to 15 hours per week funding by 2029. There is no certainty, at this stage, on how the staging of the transition from 5 hours to 15 hours will occur and whether it will be uniform across services, as it is up to the individual service providers to negotiate with the State Government on their plans.

The State Government's policy has logistical and cost implications for many kindergarten service providers, including Local Government. In Whitehorse, the government's policy is expected to double demand for funded kindergarten places by 2029.

Kindergarten Infrastructure Service Plan

As part of the reform, the Department of Education and Training (DET) implemented a state wide strategy to develop a Kindergarten Infrastructure Service Plan (KISP) for each Local Government Area. These plans are being progressively endorsed by each LGA to facilitate funding opportunities in the coming years.

As municipal planner, Council has a role in monitoring the availability and accessibility of funded kindergarten places for children in the local community. In 2020/21, Council received a grant from DET to undertake strategic work in relation to the impact of the roll out of 3 year old kindergarten in the City of Whitehorse and the capacity to meet the demand of the new program.

The State Government intends that the KISP will be a mutually agreed document which, once signed by each party, will be publicly available on Council and the DET websites. It provides Council and third party private and not for profit providers with indicative information which may be used at their own discretion to assist in the planning for expansion of existing services, establishment of new services and investment in new and existing facilities. It will also identify where there is an oversupply in funded places which may also influence the market and assist asset owners, such as Council, to determine the future need for particular facilities.

KISP Structure and Assumptions

The Whitehorse KISP (attached) follows a template developed by the DET using their data and includes standard commentary which indicates that it has been developed in partnership between DET and the relevant Council.

The Whitehorse KISP is a theoretical forecast model which projects kindergarten demand based on assumptions around population forecast, service uptake and number of licensed kindergarten places at existing service locations to estimate current available supply.

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It uses DET's theoretical roll out of incremental increases from five hours in 2022, then year-on-year increases to 7.5, 9, 10, 11, 12, 13, 14 hours and then finally moving to 15 hours in 2029. However, it is up to each service provider to determine how they move from 5 to 15 hours over the roll-out period. Factors that influence how a planned roll-out would proceed include workforce availability, business viability, year to year service enrolment, demand, and community and family preference.

The plan maps supply and demand but does not go so far as assessing how any unmet or over supply outcomes will be managed. The ASR report being the subject of a future Council report provides that further analysis and recommendations.

KISP Estimates for Unmet Demand for Kindergarten Places in Whitehorse

For planning purposes the municipality has been broken up into 'sectors'. Over the period of the State Government's kindergarten reform implementation (2022 - 2029) there are five sectors of the municipality where there is potential projected unmet demand for sessional kindergarten. That is the population forecast of 3 and 4 year old children exceed the anticipated market supply of kindergarten places. Using DET assumptions of incremental roll-out of funded 3 year old kindergarten from 5 hours in 2022 to 15 hours by 2029, unmet demand is identified to become an issue in:

North East Sector (Nunawading & Mitcham)

In 2025/26 unmet demand is projected at 23 places rising to 165 places in 2029 (equivalent to 3 small or 2 large kindergarten rooms).

North West Sector (Box Hill, Box Hill North, Mont Albert and Mont Albert North)

In 2025/26 unmet demand is projected at 30 places rising to 146 places in 2029 (equivalent to 3 small or 2 large kindergarten rooms).

South West Sector (Surrey Hills, Box Hill South and Burwood)

In 2025/26 unmet demand is projected at 33 places rising to 111 places in 2029 (equivalent to 2 small or 2 large kindergarten rooms).

South East Sector (Vermont & Vermont South)

In 2026 unmet demand is projected at 40 places rising to 62 places in 2029 (equivalent to 1 large kindergarten room)

South Sector (Blackburn South, Forest Hills and East Burwood)

In 2026/7 unmet demand is projected at 15 places rising to 46 places in 2029 (equivalent to 1 small kindergarten room).

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SUPPORTING REPORT DETAILS

Legislative & Risk Implications

As the KISP has been developed using State Government DET data sets, assumptions and Victorian Futures population projections, and there has been little opportunity to overlay local knowledge to the findings; there is potential that the findings of the report are inaccurate.

For example the population projections being based on 2016 ABS Census results and extrapolated out do not take into consideration the actual experience in Whitehorse with reducing birth notifications (17% decrease since 2016) and would not have anticipated the potential impact of COVID-19 on migration and birth rates.

It will be important to undertake rigorous local data modelling and community and stakeholder consultation prior to any decisions being made about future asset development or renewal.

Equity, Inclusion, and Human Rights Considerations

In developing this report to Council, the subject matter has been considered in accordance with the requirements of the *Charter of Human Rights and Responsibilities Act 2006*.

It is considered that the subject matter does not raise any human rights issues or other issues relating to equity, gender, diversity and child safe standards.

Community Engagement

No community engagement was required for this report.

Financial & Resource Implications

There are no financial or resource implications resulting from this report. A detailed analysis on the likely investment required by Council in the maintenance and or development of new infrastructure related to the findings of the KISP and the ASR report will be detailed in a future report.

Innovation and Continuous Improvement

The subject of this report is the implementation of State Government reform using an approach and template document prepared by them to guide the development of the KISP therefore there has been little opportunity for innovation in preparing the recommendation.

Collaboration

Discussions with senior officers from the State Government's Department of Education and Training as well as representatives from the Whitehorse Preschool Association have been undertaken in the preparation of this report.

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Internally, Council officers from Health & Family Services, Project Delivery and Assets, Property and Leasing, Community Engagement & Development and Finance & Corporate Performance Departments have contributed to the development of this report.

Conflict of Interest

The *Local Government Act 2020* requires members of Council staff and persons engaged under contract to provide advice to Council, to disclose any direct or indirect interest in a matter to which the advice relates.

Council officers involved in the preparation of this report have no conflict of interest in this matter.

Conclusion

This report has outlined the implications of the Victorian Government's kindergarten policy reform including the funding of a second year of kindergarten for all Victorian Children and the impact on the capacity of existing kindergarten infrastructure in Whitehorse.

The report recommends that Council approve the Whitehorse Kindergarten Infrastructure Service Plan (KISP) and authorise the Chief Executive Officer to sign the KISP on behalf of Council. It will then be submitted to DET for signing and will be placed on the DET and Council website.

Signing the Whitehorse KISP is not an indication Council has the service nor infrastructure capacity to meet the future unmet demand driven by the Victorian State Government reform or that it has the responsibility to ensure other service providers who lease Council facilities undertake change management to meet the reform. The KISP will also be reviewed in 2024 enabling improvement on data analysis such as consideration of COVID-19 impacts, monitoring of birth notification trends and updated Australian Bureau of Statistics Census data.

The change management required should be addressed directly by the State Government through conditions of funding and approval mechanisms with service providers. However Council Officers will seek to advance lease conditions where possible to ensure tenants maximise service delivery and reduce the need for new or expanded kindergarten infrastructure.

ATTACHMENT

- 1 Whitehorse Kindergarten KISP DRAFT

**11.3 Tender Evaluation (Contract 30351) Sportlink Multipurpose
Sports Facility Redevelopment**

Major Projects
Siobhan Belmore

SUMMARY

The Sportlink Multipurpose Sports Facility Redevelopment project was tendered on 30 November 2021 and tenders closed on 31 January 2022. Five tenderers attended the site information session and three competitive submissions were received. Following a detailed analysis of the tender submissions it became evident that all tenders received were higher than the pre-tender estimate.

A subsequent value management exercise has not resulted in any significant savings as the alternatives suggested do not meet the design intent or the required function and quality. The steel structure and cladding which forms the major cost of the project has been value managed many times pre tender.

Volatility in the current construction industry due to COVID-19 has affected the supply chain of key materials such steel, timber, cladding and concrete including creating shortages in skill and labour. These factors have all contributed to an unprecedented increase in escalation.

RECOMMENDATION

That Council:

1. Accept the tender and sign the formal contract document for Contract 30351 for the Sportlink Multipurpose Sports Facility Redevelopment received from Lloyd Group Pty Ltd (ABN 96 069 674 479), of 1/484 Graham Street, Port Melbourne VIC 3207, trading as Lloyd Group, for the tendered amount of \$7,694,484 including GST; and
2. Notes that additional budget allocation will be required in 2022/23 to provide for the 10% contingency allocation for the Sportlink Multipurpose Sports Facility Redevelopment which could be funded from forecast savings in other projects to be identified during 2022/23.

KEY MATTERS

The construction industry is volatile in the current COVID environment. Costs are changing at a rapid rate and are difficult to predict at this time. The industry is experiencing supply chain bottlenecks, labour, skill and material shortages, high freight costs and congestion. This has put pressure on tender prices and also the amount of price risk that tenderers are prepared to bear.

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The risk of cost increases was well known to the design team for the Sportlink project. The design was prepared and costed by quantity surveyors. Due to the escalating cost environment, the design was refined a number of times to ensure the pre-tender estimate had a 'buffer' amount of \$500,000 to allow for unforeseen escalation costs. Unfortunately, this cost risk mitigation measure has proven to be insufficient.

The Sportlink redevelopment new outdoor roof structure is made of steel and it is the predominant structural element of the works. The quantity surveyor has reviewed all tender submissions, provided a quantitative report and concluded steelwork was the main reason for the cost escalation.

The tender received from Lloyd Group Pty Ltd, while over budget once the 10% contingency is applied, provides the best outcome for Council in delivering the benefits of this project to the users of the facility.

Policy

The tender, tender evaluation and appointment of the successful contractor and the contract administration is governed by Council's Procurement Policy.

Background

The Tender Evaluation Panel (TEP) assessed each tenderer. Lloyd Group Pty Ltd was assessed as having the highest overall score. Being the tenderer with the lowest price and also obtaining the highest score for the qualitative evaluation criteria, Lloyd Group was invited for an interview.

Lloyd Group was assessed on project program, impacts of material and labour supply in the present market conditions, company resources, OHS and work strategies for working within an operational building. Lloyd Group displayed good experience and capability of handling the project to the required expectations. All tender departures in the Lloyd Group's tender have now been resolved and a Best and Final Offer (BAFO) process was also completed, resulting in a final tender price being submitted. The project team, quantity surveyor and architect have been involved in the evaluation process.

Lloyd Group's financial viability has been assessed as part of the evaluation process with acceptable results. Referee checks on the Lloyd Group have also been completed.

Legislative and Risk Implications

The tender has been conducted in accordance with the Procurement Policy. A project risk register has been developed to manage risks.

11.4
(cont)

Consultation

Councils Procurement team have been consulted extensively to ensure that the procurement is compliant with the Procurement Policy.

Collaboration

A summary report on the project's community consultation feedback is available to the community via the Whitehorse Your Say page.

Whitehorse Netball Association has been engaged throughout the project including a briefing prior to the community consultation going live. The Whitehorse Netball Association endorsed the final drawings before tender. Community consultation outcomes letter was sent to residents on 13 December 2021.

Councils Procurement team have been consulted extensively to ensure that the procurement is compliant with the Procurement Policy.

Financial and Resource Implications

The tender price was analysed by the quantity surveyor, design consultant and project team. All tender submissions were over the construction budget. Overall project expenditure exceeds the budget allocation of \$8.07m by \$543,583 when a construction contingency is included.

The contract is a Lump Sum Contract

	Budget	Expenditure
Capital Works Funding Account No. 10 Y603 6708	\$6,570,000	
Federal Government Funding	\$1,500,000	
Total Budget	\$8,070,000	
Preferred tenderer's lump sum offer (including GST)		\$7,694,484
Less GST		-\$699,499
Net cost to Council		\$6,994,985
Plus Contingencies		\$699,499
Plus Professional Fees		\$545,441
Plus Project Management Fee		\$321,927
Plus Authorities Fees		\$23,100
Plus other expenses (Arborist, hydrant tests, wind test, financial reports)		\$28,631
Total Expenditure		\$8,613,583

Budget shortfall \$543,583 excluding GST.

It is not recommended that the construction contingency be reduced, however if a lower contingency were to be allocated, this project could be awarded within the allocated budget of \$8.07M.

11.4
(cont)

If the recommendation to accept the tender from Lloyd Group Pty Ltd without a reduced contingency is approved by Council, additional budget allocation will be required in 2022/23 to provide for the contingency allocation which could be funded from forecast savings in other projects to be identified during 2022/23

Discussion and Options

Value management exercises post tender have not resulted in any significant savings with the alternatives provided not meeting the design intent or the required, function and quality. The steel structure and cladding which forms the major cost of the project has been value managed many times pre tender. All tenderers have stated that the price put forward in the tenders is their best and final offer.

Discussions with the quantity surveyors reveal that delaying the project and re-tendering at a later time is not guaranteed to result in a lower cost outcome. Delaying will result in users of the facility not receiving the benefits of the project until a later time.

The program of works has been carefully planned over the next nine months to minimise the impacts on the operations of Sportlink. A range of works are planned over the next round of school holidays while many of the junior programs are not operating.

This project has been 'on the books' for a number of years. A federal grant allocation has been provided to the project and a delay, given the upcoming federal election, may impact on the availability of the grant funds.

Conflict of Interest

The Local Government Act 2020 requires members of Council staff, and persons engaged under contract to provide advice to Council, to disclose any direct or indirect interest in a matter to which the advice relates.

Council officers involved in the preparation of this report have no conflict of interest in this matter.

Conclusion

It is recommended that Council accepts the tender from Lloyd Group Pty Ltd and fund the budget shortfall of \$543,583 in the 2022/23 financial year, considering the inability to further value manage this project, with a lower cost outcome not guaranteed in the future, risks of losing the federal grant and delivering the community benefits associated with this project in the shortest possible time,.

11.4
(cont)

11.4 Records of Informal Meetings of Councillors

RECOMMENDATION

That the record of Informal Meetings of Councillors be received and noted.

Budget FY22/23 6.03.22..930am-4.30pm		
Matter/s Discussed	Councillors Present	Officers Present
	Cr Liu (Mayor & Chair) Cr Massoud (Deputy Mayor) Cr Carr Cr Barker Cr Cutts Cr Davenport Cr Lane Cr McNeill Cr Munroe Cr Skilbeck Cr Stennett	S McMillan J Green T Johnson(AEMT) S Cann S White S Sullivan C Clarke N Brown C Bolitho N Jones
Disclosures of Conflict of Interest	None disclosed	
Councillor /Officer attendance following disclosure	None disclosed	
Councillor Briefing 15.03.22 6:30-6.50pm		
Matter/s Discussed:	Councillors Present	Officers Present
<ul style="list-style-type: none"> Public Question Time 	Cr Liu (Mayor & Chair) Cr Massoud (Deputy Mayor) Cr Barker Cr Davenport Cr Lane Cr McNeill Cr Munroe Cr Skilbeck Cr Stennett Apologies: Cr Carr Cr Cutts	S McMillan J Green L Letic S Cann S White V Ferlaino J Samy P Moore
Disclosures of Conflict of Interest	None disclosed	
Councillor /Officer attendance following disclosure	None disclosed	

11.4
(cont)

Councillor Briefing 21.03.22 6:33pm-9.12pm		
Matter/s Discussed	Councillors Present	Officers Present
<ul style="list-style-type: none"> • Sportlink Multipurpose Facility redevelopment – Interim Budget Advice • Affordable Housing Policy Review • Gambling Policy Review • Aqualinks Childcare Operations Review • Monthly Finance update • Food and green Waste Bin Fee • Draft Agenda 28 March 2022 	<ul style="list-style-type: none"> Cr Liu (Mayor & Chair) Cr Massoud (Deputy Mayor) Cr Carr Cr Barker Cr Cutts Cr Davenport Cr Lane Cr McNeill Cr Munroe Cr Skilbeck Cr Stennett 	<ul style="list-style-type: none"> S McMillan J Green T Johnson (ADCS) S Cann S White A Ghastine (AEMT) C Bolitho V Ferlaino N Jones
Disclosures of Conflict of Interest	None disclosed	
Councillor /Officer attendance following disclosure	None disclosed	

12 COUNCILLOR DELEGATE AND CONFERENCE/SEMINAR REPORTS

12.1 Reports by Delegates

(NB: Reports only from Councillors appointed by Council as delegates to community organisations/committees/groups)

RECOMMENDATION

That the reports from delegates be received and noted.

12.2 Reports on Conferences/Seminars Attendance

RECOMMENDATION

That the record of reports on conferences/seminars attendance be received and noted.

13 CONFIDENTIAL REPORTS

Nil

14 CLOSE MEETING