

AGENDA

Meeting of the Strategic Planning Committee of Council

To be held at the
Civic Centre
511 Burwood Highway
Wantirna South
On
Monday 11 May 2020 at 7.00pm

NOVEL CORONAVIRUS (COVID-19) INFORMATION

Livestreaming of Council Meetings is now available at www.knox.vic.gov.au

We are urging people not to physically attend Council meetings, and to view the meeting from your home given concerns with COVID-19.



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Tony Doyle
Chief Executive Officer

1 Apologies and Requests for Leave of Absence

2 Declarations of Conflict of Interest

3 Confirmation of Minutes

Confirmation of Minutes of Strategic Planning Committee Meeting on Tuesday 14 April 2020

4 Considering and Ordering Upon Officers' Reports

4.1 Licence Agreement for Rowville Neighbourhood Learning Centre

SUMMARY: Team Leader Indoor Leisure Centres, Daniel Petracca

This report recommends the signing of the Licence Agreement between Knox City Council and the Rowville Neighbourhood Learning Centre for occupancy of the Rowville Community Centre, 40 Fulham Road, Rowville.

RECOMMENDATION

That Council:

- 1. Offer Rowville Neighbourhood Learning Centre a license to occupy the office area, Meeting Rooms 5, 6, 7, 8 and 9, and toilet amenities at the Rowville Community Centre generally in accordance with the Leasing and Licensing Policy and the terms of the Officers' report, and subject to the following:**
 - **An Annual licence fee of \$200.00 per annum (including GST), increasing annually by CPI.**
 - **The term of the Licence will be for five years commencing 1 June 2020.**
 - **The Annual License fee will be charged from 1 July 2020 in line with Council's resolution of 30 March 2020 to "Waive all Not-For Profit community organisation hire agreement, license and lease fees for the remainder of the 2019-20 Financial Year, with any advance pro-rata payments to be refunded", as part of its response to COVID-19 and Community Relief Package 1.**
- 2. Authorise the Chief Executive Officer to prepare and execute the Licence Agreement in accordance with the resolution above.**

1. INTRODUCTION

The Rowville Neighbourhood Learning Centre is an existing licensee of the Rowville Community Centre. The Rowville Neighbourhood Learning Centre commenced its occupancy at the Centre in 1995.

The Rowville Neighbourhood Learning Centre use the office area, Meeting Rooms 5, 6, 7, 8 and 9, and toilet amenities to provide opportunities for community involvement, social networking and lifelong learning opportunities.

The Rowville Neighbourhood Learning Centre currently has a Licence Agreement with Council, which ends on 31 May 2020. Accordingly, a new Licence Agreement has been prepared and this report is presented to Council in accordance with Council's Leasing and Licensing and Procurement Policy.

2. DISCUSSION

Council's Leasing and Licensing Policy sets out categories for classifying organisations entering into a Licence Agreement with Council.

The Rowville Neighbourhood Learning Centre is a not-for-profit organisation, which does not generate income significantly higher than operating costs and is categorised as a Community Group A in the Leasing and Licensing Policy.

The key principles in the licence agreement are:

Use of Premises

Use of the office area, Meeting Rooms 5, 6, 7, 8 and 9, and toilet amenities for the purposes of the Rowville Neighbourhood Learning Centre and any other ancillary purposes commensurate with its charter, statement of purpose and model rules.

Length of Licence Agreement

It is proposed that the Licence be for five years commencing 1 June 2020.

Licence Fee

The Licence fee for 2019-20 is \$200.00 per annum (including GST) as per Council's Fees and Charges. This fee will not be invoiced until 1 July 2020, in line with Council's previous resolution to waive not for profit community organisation licence fees for 2019/2020 financial year.

Licensee's Responsibilities

A summary of the responsibilities for the Rowville Neighbourhood Learning Centre are:

- As the Licensee will access the Licensed Area outside of its hours of operation from 7:30 am during school holiday periods to coordinate its School Holiday Program, it must ensure that the program is overseen by a representative that has delegated authority to act on behalf of the Licensee, and has been appropriately inducted into the Rowville Community Centre's operating procedures.
- If the Licensee conducts programming outside of its office hours, it must ensure that all programs are overseen by a tutor that has delegated authority to act on behalf of the Licensee, and has been appropriately inducted into the Rowville Neighbourhood Learning Centre's and the Rowville Community Centre's operating procedures. The Licensee must provide Council with records that demonstrate that all tutors have been appropriately inducted.
- The Licensee must operate in accordance with the "Programming Charter". The Programming Charter nominates Council's and the Rowville Neighbourhood Learning Centre's current programming priorities at the Rowville Community Centre. It allows for flexibility of programming and ensures no duplication of programming across the Rowville Community Centre and the Rowville Neighbourhood Learning Centre. Both parties will meet bi-annually to review programming priorities, ensuring an appropriate mix of activities, courses and programs are available for residents.

3. CONSULTATION

The Licence Agreement has been discussed with relevant Council officers. Representatives from the Rowville Neighbourhood Learning Centre have also been consulted during the preparation of this agreement.

4. ENVIRONMENTAL / AMENITY ISSUES

There are no environmental or amenity issues associated with this report.

5. FINANCIAL & ECONOMIC IMPLICATIONS

The Licence fee for 2019-20 is \$200.00 per annum (including GST) as per Council's adopted Fees and Charges. This fee will not be invoiced until 1 July 2020, in line with Council's previous resolution to waive not for profit community organisation licence fees, pro-rata for the period of April – June 2020 as part of the Stage 1 COVID-19 Community relief package.

6. SOCIAL IMPLICATIONS

The Rowville Neighbourhood Learning Centre serves the Knox and broader community by providing opportunities for community involvement, social networking and lifelong learning opportunities.

7. RELEVANCE TO KNOX COMMUNITY AND COUNCIL PLAN 2017-2021

Goal 5 - We have a strong regional economy, local employment and learning opportunities

Strategy 5.4 - Increase and strengthen local opportunities for lifelong learning, formal education pathways and skills development to improve economic capacity of the community

Goal 6 - We are healthy, happy and well

Strategy 6.2 - Support the community to enable positive physical and mental health

Goal 7 - We are inclusive, feel a sense of belonging and value our identity

Strategy 7.3 - Strengthen community connections

Goal 8 - We have confidence in decision making

Strategy 8.1 - Build, strengthen and promote good governance practices across government and community organisations

8. CONFLICT OF INTEREST

Under Section 80c of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

Author - Team Leader Indoor Leisure Centres, Daniel Petracca – In providing this advice as the Author, I have no disclosable interests in this report.

Officer Responsible – Director Community Services, Tanya Scicluna – In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

9. CONCLUSION

The Licence Agreement has been prepared in accordance with Council's Leasing and Licensing and Procurement Policy and allows Council to formalise the use of the Rowville Neighbourhood Learning Centre's use of the facility. It is recommended that the five year Licence Agreement between Council and the Rowville Neighbourhood Learning Centre for use of the office area,

Meeting Rooms 5, 6, 7, 8 and 9, and toilet amenities at the Rowville Community Centre, 40 Fulham Road, Rowville, be signed.

10. CONFIDENTIALITY

There are no items of a confidential nature in this report.

Report Prepared By: Team Leader Indoor Leisure Centres, Daniel Petracca

Report Authorised By: Director, Community Services, Tanya Scicluna

Attachments

Nil

4.2 Contract 2592 - Stamford Park Adventure Play Precinct

SUMMARY: Project Manager - Major Initiatives Unit, Melissa Sparrow

This report considers and recommends the appointment of a tenderer for the construction of Stamford Park Adventure Play Precinct, Rowville.

RECOMMENDATION

That Council:

- 1. accept the tender submitted by Warrandale Industries for the lump sum of \$2,153,129.77 (incl. GST) (\$1,957,390.70 ex. GST) for Contract 2592 – Stamford Park Adventure Play Precinct;**
- 2. authorise the Chief Executive Officer to formalise and sign contract documentation; and**
- 3. advise all tenderers accordingly.**

1. INTRODUCTION

This contract is for the construction of the Stamford Park Adventure Play Precinct package of works which form part of the overall Stamford Park Parklands. The Adventure Play Precinct is one of three packages of work developed in accordance with the Stamford Park Masterplan. This package of works will include bulk earthworks, wetland construction, paths, fitness equipment, adventure play/obstacle course equipment, picnic tables and planting.

In line with Council's Procurement Policy, it was determined to utilise a public tender process in accordance with the approved Procurement Plan.

This report considers and recommends the appointment of a tenderer to undertake the works.

2. DISCUSSION

2.1 Background

The Stamford Park Masterplan was updated and endorsed by Council in July 2014. This Masterplan has since informed the development and delivery of works for the precinct including the Stamford Park Homestead and gardens. A 6.35ha residential pad within Stamford Park was sold to provide funds for the development of the Homestead and Parklands.

The Stamford Park Parklands is 36.1ha in size with concept designs and estimates endorsed by Council in July 2017 (SPC meeting 10 July 2017).

For design purposes, works in the Parklands were separated into three packages:

1. Lake Precinct
2. Ephemeral Wetlands, and
3. Adventure Play Precinct.

For the past 18 months, Council officers have been working with Melbourne Water in the development of the Lake Precinct, as this requires modifications to the existing Melbourne Water wetlands. As this process has been taking considerably longer than desirable, it was decided to proceed with construction of the Adventure Play Precinct, as it was not reliant on Melbourne Water approvals.

Residents are moving into the adjacent residential estate and the homestead is now operating as a restaurant, leading to increased pressures to progress construction of the Parklands.

2.2 Tenders Received

Council advertised a public tender for this project on Saturday 15 February 2020, in accordance with Council's Procurement Policy and approved Procurement Plan.

The tender closed on 11 March 2020 with submissions received from:

1. Bitu-mill
2. Contek
3. Evergreen Civil
4. Landlinks
5. Warrandale Industries

2.3 Tender Evaluation Panel

The Tender Evaluation Panel consisted of suitably qualified panel members experienced in the evaluation and award of major capital works projects.

All members of the Panel also signed Conflict of Interest and Confidentiality Agreements.

2.4 Evaluation Criteria

The evaluation criteria assigned the following weightings in accordance with the approved Procurement Plan:

Price	40%
Experience and Capability	30%
Methodology and Works Program	30%

The tender also nominated the following mandatory criteria:

- Public Liability Insurance to a minimum value of \$20 million;
- Integrated Management System, implementation incorporating Quality, Environment and Safety; and
- Compliance to conditions of contract.

2.5 Tender Evaluation Results

After considering the tender submissions and seeking additional information for clarification on two who were shortlisted, the Evaluation Panel arrived at the following summary results:

1. Warrandale Industries
2. Contek
3. Evergreen Civil
Bitu-mill
Landlinks

Two of the tenders were non-conforming and eliminated from any further consideration.

The final evaluation matrix and detailed description of the evaluation process is included with the Confidential Procurement Report, appended to this report.

2.6 Preferred Tender

Warrandale Industries is the recommended tenderer. They have had extensive experience on similar types of projects, including many for local Councils. Referee checks undertaken were all very positive with particular reference to Warrandale staff's professionalism and quality of work.

3. CONSULTATION

Additional information was sought from the two shortlisted tenders and referee checks were undertaken as part of the tender evaluation process.

4. ENVIRONMENTAL/AMENITY ISSUES

Given the Stamford Park Parklands are largely situated within the Corhanwarrabul floodplain, a significant focus of the design is around integrated water management and hydraulic functionality.

The Adventure Play Precinct will provide additional wetlands and planting as well as recreational opportunities for visitors to be able to explore the space.

5. FINANCIAL & ECONOMIC IMPLICATIONS

The project cost and funding is summarised as follows:

Contract Lump Sum Price	\$1,957,390.70
Contingency (20%)	\$391,478.20
Project Management (3%)	\$57,000.00
TOTAL PROJECT COST (ex GST)	\$2,405,868.90

Delivery of the Adventure Play Precinct is funded through the Stamford Park Capital Works Program:

Budget	\$14,988,232.00
Expenditure & commitments	\$7,985,031.70
Funds available	\$ 7,003,200.30

There are therefore sufficient funds to deliver these works.

6. SOCIAL IMPLICATIONS

The development of Stamford Park addresses a significant need in Rowville and the surrounding community to provide public open space and recreation opportunities.

7. RELEVANCE TO KNOX COMMUNITY AND COUNCIL PLAN 2017-2021

Goal 1 - We value our natural and built environment

Strategy 1.1 - Protect and enhance our natural environment

Goal 6 - We are healthy, happy and well

Strategy 6.2 - Support the community to enable positive physical and mental health

8. CONFLICT OF INTEREST

Under section 80c of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

Author – Project Manager Major Initiatives, Melissa Sparrow - In providing this advice as the Author, I have no disclosable interests in this report.

Officer Responsible – Acting Director, Engineering & Infrastructure, Matthew Hanrahan - In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

9. CONCLUSION

The tender representing the best value for Council was presented by Warrandale Industries for the lump sum price of \$2,153,129.77 incl. GST (\$1,957,390.70 excluding GST).

10. CONFIDENTIALITY

This report contains items of a confidential nature, which has been circulated under separate cover.

Report Prepared By: Project Manager Major Initiatives – Melissa Sparrow

Report Authorised By: Acting Director, Engineering & Infrastructure – Matthew Hanrahan

Attachments

A confidential attachment has been circulated under separate cover

5 Motions for Which Notice has Previously Been Given

6 Supplementary Items

7 Urgent Business

7.1 Urgent Business

7.2 Call Up Items

8 Confidential Items