

Looking after the Community
Report to the Ordinary Meeting of Council held on Monday 16 October 2017

CO1 – Memorandum of Understanding with NSW Education

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Memorandum of Understanding with NSW Education

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TRIM 9867

EXECUTIVE SUMMARY

- The purpose of this report is to advise of a proposal to enter into a Memorandum of Understanding with NSW Education as a basis for ongoing cooperation regarding joint use of facilities and land.
- This report recommends that Council enters into a Memorandum of Understanding with NSW Education.

REPORT

BACKGROUND

As the NSW population continues to grow, there is ongoing pressure for access to quality community infrastructure to meet increasing recreational, social and community needs. Senior Council staff have recently held discussions with representatives of NSW Education regarding the potential for Joint Use Projects relating to educational facilities.

The concept of “joint use” is where new or upgraded facilities, whether or not on school land, are jointly shared between the school and another organisation (e.g. a local Council). The benefits of joint use can be:

- More efficient use of assets
- Reduced costs due to sharing arrangements
- Higher quality assets
- Better relationships between schools and their communities.

The aim of the MOU is to form a non-binding partnership between Council and NSW Education to investigate opportunities for joint use projects. These projects would then be progressed through the framework of legally binding Joint Use Project Agreements (JUPAs).

EXAMPLES OF JOINT USE PROJECTS

These two examples are taken from NSW Education’s “*Joint Use of School Facilities and Land Policy Guidelines*”.

- A Council and the department jointly invest in a new synthetic oval, flood lighting and change rooms on school grounds. The oval is leased to Council with exclusive after-hours access but is used by the school on a cost-neutral basis.

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- The department builds a new school on a smaller site and instead of buying additional land, the department provides community facilities on Council land, such as a high standard playing field and larger sized hall which are operated by the Council and used by the community when not in use by the school.

Note that a JUPA is not needed when there is no significant investment in land or capital required to enable shared use of school facilities (e.g. local community groups using a school hall in the evening). For these kinds of arrangements the existing NSW Education policy “*Community Use of School Facilities*” applies.

THE MOU COMMITMENTS

There are a number of steps in working towards the implementation of any JUPA and entering into the MOU is part of Phase 1 of the process.

Although the MOU is non-binding, it commits Council to:

- Work collaboratively with NSW Education in accordance with the framework outlined in the MOU and contained in the Department’s “*Joint Use of School Facilities and Land Policy Guidelines*”.
- Establish a Joint Use Project Advisory Group which consists of key Council staff and department representatives.
- Pursue the development of JUPAs via this Advisory Group.

OTHER NSW COUNCILS

The MOU and its associated arrangements is a standardised approach being used by NSW Education in partnership with a number of NSW Councils. The following Councils, for example, have either signed an MOU, or are in the process of seeking Council resolutions to do so:

- Fairfield City Council
- Ku-ring-gai Council
- The Hills Council
- City of Sydney Council
- Yass Valley Council.

FINANCIAL IMPLICATIONS

Entering into the MOU has no direct financial implications. The MOU is a non-binding agreement of good faith. Specific joint use projects arising from this MOU which may be pursued in the future could however have financial implications for Council. Any such projects would need to be considered on a case by case basis at the appropriate time and reported to Council.

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There will be staff resourcing implications associated with attendance and management of the JUPA Advisory Group and project feasibility investigations and other tasks will be required. This work is however strategically important and can be accommodated within Council's current staff resource capabilities.

CONCLUSION

Wollondilly Shire faces current and future challenges regarding the provision of education facilities, community facilities and recreation facilities. It is therefore important to pursue approaches which will assist to create better access to these types of facilities. Working in partnership with the State Government to explore opportunities for Joint Use Projects is particularly relevant in the context of future population growth and the development of a new town at Wilton.

ATTACHMENT

1. Joint Use Project Agreement – Memorandum of Understanding – Wollondilly Shire Council (to be provided under separate cover)

RECOMMENDATION

That Council enters into a Memorandum of Understanding with NSW Education as a basis for ongoing cooperation regarding joint use of facilities and land.