

Joint Development and Shared Use Facilities with Department of Education

Policy Owner: Community Facilities
Contact Person: Manager Community Facilities
Date of Approval: 12 July 2022 (CP01-07/22)

POLICY STATEMENT

The intent of the policy is to ensure both parties work collaboratively to ensure efficient and effective use of physical and financial resources and consideration of social planning issues to promote opportunities for the community in the use of joint facilities.

POLICY OBJECTIVE

To provide a framework for the promotion and implementation of the principles and protocols for Joint Development and Shared Use Facilities between the Department of Education (DOE) and the City of Wanneroo (City).

SCOPE

The policy applies to the City and the DOE as it relates to the collaborative planning, development and use of shared facilities within the City.

IMPLICATIONS (FINANCIAL, HUMAN RESOURCES)

Oversight of the policy falls within existing resource and staffing structures. Financial commitments are to be considered by Council as part of Annual Budget considerations.

IMPLEMENTATIONFramework

The framework governing the development of shared use agreements between the DOE and the City consists of Policy, Protocols and Principles, Memorandum of Understanding (MOU) and Licence Agreements.

Policy

The policy document formalises the overarching framework to guide the development, implementation and ongoing management of shared use agreements between the City and the DOE.

Protocols and Principles

The Protocols and Principles have been developed as a set of guidelines and processes to allow shared use to be progressed in the most appropriate and collaborative manner for all stakeholders involved.

Memorandum of Understanding (MOU)

The MOU is an agreement between the Minister for Education, the Mayor and Chief Executive Officer (CEO) of the City. The MOU defines the roles and responsibilities of both organisations in relation to shared use facilities. The MOU is applicable to all joint arrangement licence agreements.

Shared Use Licence

Shared use agreements are a non-exclusive licence agreement between the City and the DOE outlining the roles and responsibilities of each party for the shared use of the designated facility area including the day to day operations maintenance expectations and the conditions for the use of the area. Each shared use agreement is specific to the individual school site and (for Crown land) requires the approval of the Minister for Lands.

ROLES AND RESPONSIBILITIES

The Manager Community Facilities will work with staff from Property Services, Parks and Conservation Management, Legal Services, Planning Services and appropriate DOE representatives from Strategic Asset Planning and Facilities Program Delivery to ensure all processes are conducted in a professional and efficient manner.

DISPUTE RESOLUTION

All disputes in regard to this policy will be referred to the Manager Community Facilities in the first instance. In the event that an agreement cannot be reached, the matter will be submitted to the Director Community and Place for a ruling.

EVALUATION AND REVIEW PROVISIONS

The policy will be evaluated and reviewed every two years, in consultation with internal and external stakeholders who are parties to, or affected by the agreement.

The associated Protocol and MOU can be updated independent of the policy if agreed to by both the City and DOE.

DEFINITIONS

<i>DEFINITIONS: Any definitions listed in the following table apply to this document only.</i>	
Shared Use	More than one party using another party's facilities.
Public Open Space	An active playing field for structured sporting activities accessible to all members of the community and maintained by the City.
Recreational and Community Facilities	Includes playfields, hard-courts, and indoor and outdoor recreational amenities, community health and multipurpose spaces for general community use.

RELEVANT POLICIES/MANAGEMENT PROCEDURES/DOCUMENTS OR DELEGATIONS

City of Wanneroo and Minister for Education Licence Agreement for the Shared Use of Facilities for Sporting and Recreational Purposes

REFERENCES

- City of Wanneroo Protocol For Considering Co-location Of School Sites With Public Open Space
- Memorandum of Understanding between the City of Wanneroo and the Department of Education

RESPONSIBILITY FOR IMPLEMENTATION

Manager Community Facilities

Version	Next Review	Record No:
	May 2006	558158 / 887475
1 May 2006 - CD10-10/06	March 2011	10/19821
8 March 2011 - CD02-03/11	March 2013	11/28579
9 May 2017 – CE02-05/17	May 2019	16/417996
12 July 2022 (CP01-07/22)	July 2025	16/417996V2