

Community Use of Schools Facilities

Project Deeds and Licences for Joint Use Proposal for Deed and Licence

The community user, in consultation with the principal as representative of the school community, will need to provide information to Asset Management Directorate. This factsheet provides guidance on information that may be required.

Proposal for Deed and Licence

A proposal is required by Asset Management Directorate (AMD) in order to inform discussions, negotiations and assist in drafting a Project Deed and Licence for Joint Use.

The community user will need to draft the proposal and seek approval from the principal.

The proposal should provide sufficient information and details. Proposals may vary depending on the size and type of development. Your proposal should include:

1. Confirmation of Consultation with the Principal

The principal should seek agreement to the proposal from the school community, for example, the P&C Association.

AMD will need to confirm that the principal, as the representative of the school community, has been consulted and has approved the proposal.

2. Executive Summary

This is to provide a one-paragraph summary of the proposed development and joint use.

3. The Community User

Detailed information about the community user is required, such as:

- a. vision, mission and strategy
- b. structure
- c. constitution (if a company or association)
- d. management structure

- e. financial appraisal and feasibility analysis of the Project
- f. financial structure of the proposal, including total capital costs and annual operating costs
- g. financial ability of the community user to adequately fund the proposal
- h. bank guarantees
- i. insurances and indemnities
- j. rescission.

4. The School

Detailed information should be provided as to the relationship between the community user and the school and the current status of the facilities at the school. This may include:

- a. why this school
- b. existing relationship with the school
- c. existing agreements
- d. proposed area to be used
- e. site access requirements
 - site security
 - stormwater and drainage
 - utilities – water, sewerage, power, communications etc
- f. existing buildings or facilities required to be used at the school.

5. Statutory Approvals Required

The community user will need to provide information on Council/regulatory requirements for the particular development, such as planning and building approval applications.

6. Facilities to be constructed or used

Detail is required of any proposed new facility that is to be constructed on the school site or how any existing facilities are to be used. The information needed will depend on the type of facility to be constructed or used. As an example, the following information is generally needed:

- a. Overall surface land or building area required in square metres
- b. Facilities to be constructed and/or used including:
 - Layout plans to scale and in a legible format
 - Where appropriate section plans
- c. Access to car parking and other ancillary infrastructure required, such as water, electrical or other school facilities.

7. Facility Operations

Community users will need to provide information on how the facilities will operate, including:

- a. hours of access
- b. school usage
- c. 3rd party users
- d. proposed sub lessors
- e. maintenance, cleaning and repairs
- f. safety and security
 - facility segregation
 - video surveillance
 - security guards
 - first aid
 - insurance
- g. general public access to school grounds
- h. adherence to the Code of Conduct.

The community user should make reference to the department's policies and procedures which may provide guidance. Further information may be sought from Asset Management Directorate.

8. Child Protection and Welfare

The community user will need to address child protection issues in the proposal, such as:

- a. Working With Children Checks
- b. Compliance with Child Protection (Working With Children) Act 2012.

9. Proposal Benefits

The community user should provide information as to how the proposal will benefit the:

- a. community user
- b. school
- c. department
- d. local council
- e. local community.

10. Proposal Risks

The community user should provide detailed information on the types and likelihood of risks. For example:

- a. finance
- b. regulatory approvals
- c. building and construction
- d. operations.

11. Proposed Agreement

The community user will need to provide details as to the type of agreement and suggested provisions within the agreement. This will provide AMD with a starting point for negotiations. Information required includes:

- a. type of agreement
- b. terms and conditions
- c. security deposits
- d. annual rent
- e. payment options
- f. accounting standards.

12. Proposed Development Timeframe and Milestones

The community user will need to provide a proposed timeline for construction and the use of the facility as well as general day-to-day hours of operation.

13. Miscellaneous Information

The community user should provide further information such as:

- a. annual reporting and monitoring
- b. communication protocol with school during construction and operations
- c. establishment and maintenance of a Development Control Group
- d. establishment and maintenance of an Operations Control Group
- e. dispute resolution process.

What the Department is responsible for in determining the joint use proposal?

Where approval from the Department is required, the Department will endeavour to:

- a. Assess your proposal in accordance with relevant department policies
- b. Appropriately liaise with you, the applicant, in relation to any matters that arise during the assessment of your development application.

What do I need to do to obtain a Joint Use Agreement?

It is your responsibility to ensure the following are submitted with your proposal before it can be accepted and assessed:

- a. a completed proposal;
- b. any relevant drawings to a suitable and legible scale.

The community user may be required to provide further technical information to support the proposal. Lack of suitable information may delay the decision of Asset Management Directorate on whether or not to continue with the proposal.

Failure to provide requested information could result in non-acceptance of the joint use proposal by Asset Management Directorate.

For more information contact:

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