

Mr Thomas Alegounarias
Emailed to: section83review@nesa.nsw.edu.au

Our Reference F2017/00864

Contact Mark Crispin

Telephone

Email

19 February 2024

Dear Mr Alegounarias,

RE: Review of Section 83C of the Education Act 1990 (NSW)

Thank you for the opportunity for City of Parramatta Council to make a submission to the Review of Section 83C of the Education Act 1990 (NSW).

On 12th February 2024, Council resolved:

- (a) That Council authorise the Executive Director, City Planning and Design to lodge a submission on the NSW Government's Review of section 83C of the Education Act 1990 (NSW).
- (b) That the submission outline Council's concern that the regulation of nongovernment schools should not preclude the ability of any school to assist in providing potentially valuable community uses and wider community benefits on non-government school land, such as the Hunts Creek connection identified in Council's Parramatta Bike Plan 2024.

Council's Draft Parramatta Bike Plan 2024 identifies a longstanding community desire to connect the regionally significant Lake Parramatta and the Hunts Creek walking and cycling path network (highlighted in Figure 1 below).

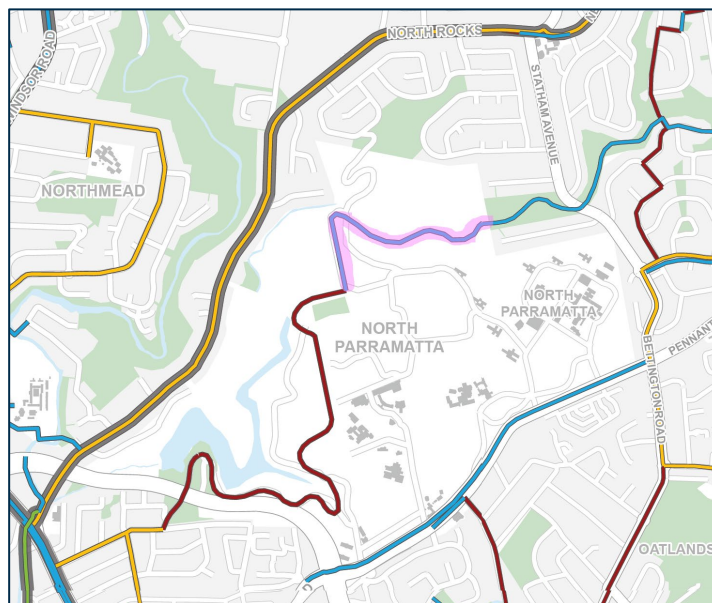


Figure 1: Location of proposed link (section in The King's School highlighted in pink)

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Currently, the community informally use Hunts Creek to walk or ride a bicycle through The Kings School land, however it is unregulated and at the users' own risk. In recent consultation of the Bike Plan, The King's School advised it supports formal access to the path in principle as it aligns with their desire to support community access, and this would also help regulate and manage the existing informal use.

Generally, when a landowner is supportive of public use of its land, Council negotiates a license or easement over the land to formalise this access. However, The King's School advised Council officers that Section 83C of the Education Act 1990 prevents formal access being provided as it is not core to the activities of the school. A connection along Hunts Creek would be of significant benefit to the community, providing a pleasant, shorter natural experience to the alternatives of North Rocks Road and Pennant Hills Road. Should community access be secured, Council could then investigate improving the existing informal path and managing ongoing maintenance. Likely community outcomes for this link would be increased active transport usage, travel time savings and improved mental and physical health.

Council requests consideration by the Government that non-government schools be allowed to open their grounds for the use of the community for open space and recreation needs.

Thank you for consulting with the community on potential improvements to how schools are regulated under S83C of the Act. Council has a strong interest in supporting the open space and recreational needs of the community as the City grows, and will be happy to answer any questions regarding this submission. Please contact myself or Mark Crispin, Senior Transport Planner with any queries.

Yours faithfully,

Jennifer Concato
Executive Director City Planning and Design