

## **8.1. MM01: Invitation to non-rateable educational institutions to voluntarily pay rates, and preparation of a policy to guide and regulate intensive “operational”/timetabled use of Council parks by private schools**

The North Sydney Local Government Area (LGA) is one of the densest education precincts in the country, with 21 primary and secondary schools and two universities within the 10.5km<sup>2</sup> boundary. We also have the least amount of public open space per person/km<sup>2</sup> of any LGA on the North Shore and less than that in the City of Sydney LGA.

Some of the single largest landowners in the LGA are private educational institutions including the Australian Catholic University (ACU), SCECGS Redlands, SCEGS Shore, Wenona, Monte Sant’Angelo Mercy College, Loreto Kirribilli, St Aloysius College, and Marist Catholic College. Student numbers are expanding rapidly. For example, in early 2025 a new private school, Reddam House North Shore, will commence operations from McLaren Street North Sydney with 1,500 students in the adaptive reuse of a Harry Seidler building without significant open space provision, and Shore School is currently seeking approval to modify the implementation of their Concept Approval (MP\_0150) to increase students by 450 and an additional 10 staff at Stage 1 (and prior to commencement of Stages 2 and 3 of the Concept Approval).

Marist Catholic College is currently constructing a new five-storey building to accommodate teaching facilities, an early learning centre, and an auditorium on the campus bound by Miller, Ridge, and Carlow Streets in North Sydney. Throughout the construction period, the school has been using the large level area of St Leonards Park directly opposite the school for “operational” or scheduled/timetabled playground style activities. Students, with supervising teachers in Hi-Vis vests, may be observed five days a week at recess and lunchtime periods. This intensification of the school’s use of St Leonards Park commenced without any notice to Council nor any arrangement in place to govern the use including consideration of public liability risk and the significant impacts on the park (e.g., the area has been compacted and turf has been denuded). Council has not been advised as to when this use will cease or whether Marist intends to rely on the public space for its operations indefinitely.

Late last year, Council’s CEO and I met with the Principal of Marist Catholic College to raise concerns about the impacts of their construction on local residents and the park. I have since received a report from North Sydney Boys’ High School that their fire drill (where they gather on St Leonards Park as part of emergency procedures) was disrupted when Marist Catholic College teachers advised them their temporary use for the drill conflicted with Marist’s use of the space. In addition, I have received many complaints from residents and workers who feel overwhelmed by the Marist Catholic College use of St Leonards Park and feel locked out of using the park at this location during weekdays.

More recently, senior students from Marist Catholic College have been using Ted Mack Civic Park during recess and lunchtime in large numbers, without teacher supervision, and their numbers appear to be growing. Speculatively, it would seem that the school is extending the use to this park in order to manage student need for space which has been constrained during the construction period.

These are just some examples of the growing student numbers and the use of public open space as part of the operational model of private schools – which can be easily distinguished from occasional use, or specific arrangements/bookings with Council, by schools for excursions, sports days etc. St Leonards Park seems to have literally become an extension of, or substitute for, the Marist Catholic College playground without any reference to Council.

This seems to be a growing trend - Marist Catholic College is not the only school using public open space in this way. Both St Aloysius at Bradfield Park and Loreto Kirribilli at Milsons Park have also attracted complaints from residents.

This, of course, is occurring at a time when our population is increasing, the demands on existing public open space for passive and active recreation is at an all-time high, and Council is seeking to undertake significant financial repair. We, as a community, must juggle these competing demands and look at every opportunity to increase Council's revenue as well as plan for and manage public open space equitably.

Since becoming Mayor, I have met with every school in the LGA and sought to foster a more inclusive relationship with Council and our community. We have discussed after-hours community use of facilities and have been thrilled to host student speakers and performers at civic and ceremonial events. There is a lot of good will that has been fostered with the broader school community, and with the Australian Catholic University.

Private schools own approximately 152,566m<sup>2</sup> in the LGA and if that were rated as a business it would result in additional rate revenue of over \$1 million.

In the 1970s, Council invited the Reserve Bank of Australia to voluntarily pay rates on its property in Kirribilli... and it did, and it still does. It is timely then to invite the large private educational institutions to voluntarily contribute, and to publicly honour any who choose to do so (whether by paying rates or by way of an in-kind contribution).

There is also an urgent need to address the current use of St Leonards and Ted Mack Civic Parks by Marist Catholic College, and to put in place a policy that applies to such use before the start of the 2025 school year.

**I therefore recommend:**

**1. THAT** Council notes:

- a) the North Sydney Local Government Area is one of the densest education precincts in the country, with 21 primary and secondary schools and two universities within the 10.5km<sup>2</sup> boundary;
- b) the ever-increasing demand for public open space within our local government area for use by residents, students, workers, and visitors, and that demand for public spaces will only continue to increase with current housing targets;
- c) the intensive, "operational" or scheduled/timetabled use of St Leonards Park and Ted Mack Civic Park by Marist Catholic College during the ongoing construction period on its campus as an alternative "playground" for recess and lunchtime recreation by students;

- d) there was no notice to, nor any agreement with, Council for the use of St Leonards and Ted Mack Parks in this regular, scheduled manner by Marist Catholic College;
- e) the imminent opening of the 1,500 student Reddam House North Shore Campus on McLaren Street North Sydney in January/February 2025, and that the campus has a lack of playground spaces and will likely rely on local parks for student recreation; and
- f) schools and other educational institutions are exempt from paying rates.

**2. THAT** Council invite private schools and the Australian Catholic University to voluntarily pay rates (or an equivalent in-kind contribution) on their property holdings within the North Sydney local government area to contribute to maintenance of Council assets including roads, footpaths, and open space.

**3. THAT** Council publish a “Roll of Honour” on Council’s website and social media platforms recording those educational institutions that voluntarily contribute.

**4. THAT** Council urgently prepare a policy to guide “operational” use of Council parks by private schools as extended playgrounds including consideration of Council’s public liability risk, costs of maintenance and repair, and the cumulative impacts of such use on Council parks including wear and tear and clashes with other users (residents, workers, visitors ,and other schools who do not use parks for scheduled playground activities), by the start of the 2025 school year.

**5. THAT** Council work with Marist Catholic College to manage their use of public open space.

**COUNCILLOR ZOË BAKER**  
**MAYOR**