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28 August 2026

Ms Joanna Blake
Manager Legislation Reform
Department for Education
31 Flinders St
ADELAIDE SA 5000

Emailed: edlawreform@sa.gov.au

Dear Ms Blake

Draft Education and Children's Services (Miscellaneous) Amendment Bill 2026

LGA South Australia (LGA) received an email from the Minister for Education, Training and Skills on 10 August 2026 regarding the proposed amendments to the *Education and Children's Services Act 2019* to implement the Government's Keeping Kids Off Screens commitment made at the 2026 State election.

LGA Policy

LGA has worked with our member councils to adopt policy positions, based on robust research and evidence recognising their roles and identifying how local government can be an important partner in government.

Policy statement 3.3 – Community Assets (Operation)

Local government acknowledges providing assets such as libraries, community centres and recreational facilities (community assets) creates focal points for social cohesion, and shall continue to provide financial and in-kind contributions to maintenance and improvement of these assets, notwithstanding the significant financial responsibilities of federal and state governments.

Policy statement 3.3.4 – Educational Collaboration

Local government supports the establishment of joint use facilities with educational institutions and shall identify and implement collaborative arrangements where appropriate to achieve cost savings and improvement of services.

LGA Submission

LGA's submission addresses the three reform elements: Keeping Kids Off Screens, Making OSHC Work for Families, and Removing Universal Materials and Services Charges.

Keeping Kids Off Screens

LGA members strongly support the proposed requirement to amend the legislation so that discretion is removed and a government school **must** make land, buildings and facilities available for sport, recreation and community use outside school hours, as well as the requirement for new public schools to be planned and designed with future community use in mind.

Members consider this a positive reform that aligns with the principle of maximising the value of publicly funded assets and strengthening the role of schools as community hubs. The proposal has the potential to:

- increase access to facilities for sporting clubs, community groups and service providers;
- help address capacity constraints where demand for community facilities exceeds available supply;
- reduce pressure on council-owned facilities in some locations;
- support stronger collaboration between schools and local government in the planning and delivery of community infrastructure; and
- provide benefits in regional areas where access to recreation and community infrastructure can be limited.

Additional benefits include creating greater opportunities for councils, youth services, sporting organisations and community providers to deliver locally based programs that are accessible to young people. This can help strengthen community partnerships, build social cohesion and support positive youth engagement outcomes.

LGA also encourages consideration of opportunities to leverage publicly funded private school facilities for broader community benefit where appropriate.

The explanatory paper notes that "it is intended that the Ministerial guidelines will set out circumstances in which it would not be appropriate to make school facilities available and things that may need to be considered in making facilities available." Further, "Principals will continue to be responsible for decisions about the use of school facilities in line with the new legislative requirement and the guidelines".

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LGA recommends that the following considerations are made when designing the Minister's guidelines.

Governance, Administration and Operational clarity

Members strongly support the intent of the reforms but call for greater clarity regarding the administration and management of community access arrangements.

LGA would welcome a commitment to making school spaces more available to the community, but not through arrangements that leave Councils responsible for custodianship, risk management, maintenance, inspection, testing, or asset renewal for assets that are primarily used for the Minister's education portfolio.

Councils are not the only tier of government that provide open space for taxpayers and ratepayers.

The new provision (clause 36) should not be interpreted as explicitly requiring a licence, joint use agreement, or any arrangement that shifts risk back to Council (or other community organisations). Rather, it should allow the Minister to determine the appropriate conditions for use.

In practice, these arrangements can create an unintended cost shift to Council (for example, where a Council is encouraged to take up a 'shared use' arrangement over a Minister's primary school infrastructure).

Additionally, it is suggested that the proposed Ministerial guidelines should consider responsibility for:

- bookings and access requests from differing organisations;
- key management and security arrangements;
- fee setting and fee collection;
- maintenance and operational costs;
- access to appropriate amenities (i.e. toilets, kitchens, storage);
- waste management and cleaning responsibilities; and
- dispute resolution where competing demands for facilities arise.

Many community organisations rely on simple, consistent and transparent booking processes when accessing public facilities. Members therefore support **the development of a clear statewide framework or centralised system for managing community access**, rather than leaving responsibility solely with individual schools and principals.

Resourcing and Administrative burden

Members highlighted that successful community access arrangements require ongoing administration and operational support. Consideration should be given to the workload implications for schools, particularly in relation to facility management, bookings, supervision, maintenance and compliance requirements.

LGA recommends assessing whether additional resources, funding or support mechanisms will be required to ensure community access objectives can be delivered effectively without creating unintended pressures on school staff or school budgets.

Long-term Partnerships and positive youth outcomes

Councils' experience in youth development and community services demonstrates that the strongest outcomes are achieved through ongoing partnerships and sustained engagement rather than one-off activities.

School facilities provide a valuable opportunity to support long-term collaborative arrangements between councils, schools and community organisations and these partnerships can facilitate:

- after-hours youth programs;
- sport and recreation activities;
- mentoring and leadership programs;
- outreach services;
- STEM and learning initiatives; and
- other structured engagement opportunities.

Members consider this to be strongly aligned with the intent of the proposed amendments to increase opportunities for young people to be active, connected and engaged outside school hours.

Future School Design should enable community use

Members strongly support the proposal for new government schools to be planned and designed with community use in mind from the outset.

To maximise the effectiveness of these arrangements, consideration should be given to:

- separate community access points;
- dedicated amenities for community users;
- security zoning and access controls;

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- spaces capable of operating independently from the remainder of the school;
- adequate parking provision; and
- traffic management requirements.

Embedding these features during the design phase will improve accessibility, reduce operational complexity and make community use arrangements more practical to manage over the long term.

Community resilience and Emergency management

Members noted that community access to school facilities has broader implications beyond recreation and organised activities.

Schools can play an important role in emergency management and community resilience by functioning as:

- disaster relief centres;
- bushfire refuge locations;
- cooling centres during extreme heat events; and
- places of community support during emergencies.

The role of schools as community resilience assets should be recognised when developing future community access arrangements.

Local amenity and Infrastructure considerations

Expanded after-hours use of school facilities may create implications for surrounding communities and local government infrastructure.

Councils identified the need to consider:

- traffic management;
- parking demand;
- noise impacts;
- public safety considerations; and
- potential impacts on local amenity.

Appropriate planning and consultation processes will be important to ensure increased community access delivers positive outcomes while managing any unintended impacts on neighbouring residents.

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Building on existing successful models

Several members noted that many public school facilities are already successfully used by sporting clubs and community groups outside school hours. Examples include the use of school ovals, courts and gymnasiums through established shared-use arrangements.

These examples demonstrate that community access can operate effectively where governance, access and management arrangements are clearly defined. The proposed reforms should build on these successful existing models while addressing any remaining barriers to access.

Making Outside School Hours Care (OSHC) work for families

LGA understands that councils are generally supportive of measures that improve access to high-quality OSHC services, particularly where existing service models are not viable. Improved access to childcare and OSHC can support families, workforce participation and community wellbeing.

LGA recommends that the State Government strengthen support for high-quality OSHC services, particularly where current service models are unviable, to ensure equitable access for families and deliver broader economic and social benefits through increased workforce participation and improved community wellbeing.

Removing universal materials and services charges

LGA supports the objective of easing cost-of-living pressures on South Australian families by removing general materials and services charges.

However, LGA does not anticipate any significant direct implications for local government from this reform element.

Conclusion

Of the proposed reforms, the community access provisions are of greatest relevance to local government, recognising the significant social, recreational, youth development and community infrastructure benefits that increased access to school facilities could deliver.

LGA supports the intent of the proposed amendments, provided implementation of the reforms does not create additional financial burdens for councils or other organisations through the transfer of costs from the Department for Education.

However, successful implementation will require clear governance arrangements, adequate resourcing, consistent statewide processes, and practical facility design considerations to ensure community access can be delivered efficiently, safely and sustainably.

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LGA looks forward to ongoing collaboration with the State Government on these matters.

Yours sincerely

A handwritten signature in black ink, appearing to be 'VM', written in a cursive style.

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