

School Education Act 1999

Advance Determination Policy Direction 2015

Made by the Minister for Education under section 157C of the *School Education Act 1999*

1. Citation

This is the *Advance Determination Policy Direction 2015*.

2. Commencement

This Policy Direction applies to an advance determination application submitted on or after 2 February 2015 and remains in force until amended or repealed.

3. Definitions

adverse effect includes the following -

- a) a significant reduction in enrolments at any of the other schools in the proposed catchment area because of the implementation of a school planning proposal;
- b) a significant reduction in curriculum offerings, resources or staffing at any of the other schools in the proposed catchment area because of the implementation of a school planning proposal;
- c) the closure of any of the other schools in the proposed catchment area, or any identifiable part of it or them, because of the implementation of a school planning proposal;
- d) any other relevant detrimental impact;

catchment area means the geographic region from which a school draws, or is expected to draw, its students.

4. Considerations

In determining an application for an advance determination for a school planning proposal to establish a new school or to make a significant registration change to an existing school the Minister will take the following matters into account -

- (a) the extent to which and the manner in which the school planning proposal contributes to the diversity of schools and educational choices;
- (b) the likelihood that the implementation of the proposal will have an adverse effect on any existing school whose catchment area coincides with or overlaps the applicant's proposed catchment area;
- (c) the likelihood that the implementation of another school planning proposal for which an advance determination is currently in force will be adversely affected if the advance determination applied for is granted;
- (d) whether the school planning proposal is sustainable in light of existing and approved education provision in the proposed catchment area, the projected demographic change in that area, projected enrolments and local and other relevant family and community interests;
- (e) the nature and extent of community opinion about the proposal both in support of and in opposition to it, including expressions of interest in enrolment, if any;

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- (f) the likely impact of the proposal on State and Local government infrastructure, services and resources, if any;
- (g) the governing body's capacity to comply with relevant laws; and
- (h) the governing body's actual or prospective financial resources.

5. Consultation

(1) The Minister will consult as required by the *School Education Regulations 2000*, regulation 130, with respect to:

- (a) every school planning proposal for a new school; and
- (b) every school planning proposal for a significant registration change with the exception of a proposal to change the location of a registered school or a campus of a registered school which does not involve any change to the school's catchment area.

(2) The exception referred to in sub-clause (1)(b) does not apply to a change in respect of a registered school whose catchment area is the State of Western Australia or the Perth Metropolitan Area.

Note: Prospective applicants are advised that this Policy Direction is to be read in conjunction with the *School Education Act 1999* (particularly sections 156 - 158A and 168) and the *School Education Regulations 2000* (particularly regulations 129 and 130).

Dated this 10th day of March 2015.



Hon Peter Collier MLC
Minister for Education