



# **Advance determination**

## **Application for advance determination to establish a new non-government school**

**Post the completed and signed application, including all required attachments, to**

Minister for Education  
10<sup>th</sup> Floor, Dumas House  
2 Havelock Street  
WEST PERTH WA 6000

## CONTEXT

Section 157A of the *School Education Act 1999* (the Act) provides for an application to be made to the Minister for Education for an advance determination about a school planning proposal.

**This application form is for advance determination regarding the establishment of a new non-government school.** It is based on the Minister for Education's Advanced Determination Policy Direction 2015 (Policy Direction) which is available via the following link:

<http://www.des.wa.gov.au/schooleducation/nongovernmentschools/info-ngs/Documents/Advanced%20Determination%20Policy%20Direction%202015.pdf>

An application for advance determination is to –

- be made in writing at least 18 months, or such shorter period as may be approved by the Minister, before it is intended to implement a school planning proposal; and
- be made in a form approved by the Minister.

An advance determination is required prior to establishment and applying for initial registration.

## MAKING AN APPLICATION

This document has been approved by the Minister for Education as the basis for making an application for advance determination. Part A addresses the date of establishment, applicant information and summary of the proposal. Part B requests information related to considerations listed in the Policy Direction 4 (a) – (h). These are the matters the Minister will take into account in determining an application for an advance determination.

Prior to making an application, applicants are advised to familiarise themselves with the Act, in particular, Part 4 Sections 156, 157A, 157B, 157C, 157, 158A, 158, *School Education Regulations 2000* (particularly regulations 129 and 130) and the Policy Direction.

Applications are to be made directly to the Minister for Education.

The Minister may, in writing, request the governing body to provide further information relevant to the application.

**Note:** As part of the assessment process, extracts from this application may be forwarded to key stakeholders that might be affected by the proposal. These may include:

- Department of Education;
- Association of Independent Schools of WA;
- Catholic Education Western Australia;
- Anglican Schools Commission;
- Seventh-day Adventist Schools WA;
- Swan Christian Education Association;
- Free Reformed School Association Inc;
- Uniting Church Schools; and
- individual schools in the defined catchment area.

## TIMING OF APPLICATION

To ensure timely consideration of a school planning proposal, **an application is to be submitted at least 18 months before it is intended to implement the proposal (establish the school)**. Should you intend to lodge an application less than 18 months before implementation of the proposal, you must seek, in writing, prior approval from the Minister.

The request in writing must:

- be made by the Chair of the governing body;
- indicate the date of the proposed establishment of the school;
- provide a brief summary of the proposal which includes proposed year levels, educational program and projected student numbers; and
- specify the reasons for seeking approval from the Minister to lodge an application less than 18 months before establishment of the school.

The Minister will notify the governing body in writing of his approval/non approval of the request.

# PART A – DATE OF ESTABLISHMENT, APPLICANT DETAILS AND SUMMARY OF PROPOSAL

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## 1. Establishment

### Date of Establishment

Please indicate the date you propose to establish a non-government school, which is the subject of this application:

Date: \_\_\_\_\_

**Note: applications submitted less than 18 months before proposed establishment will not be accepted without prior approval of the Minister (refer above “Timing of Application”).**

## 2. Applicant details

### Details of Governing Body

Governing body name			
ABN			
Chair of governing body			
Email address			
Telephone number/s			
Address			
Suburb		Postcode	

## 3. Primary contact person's details

Provide the contact details of the person best suited to respond to requests for further information.

Name			
Position title			
Email address			
Telephone number/s			
Address			
Suburb		Postcode	

## 4. Summary of proposal

### 4.1 Proposed school details

School name			
Address			
Suburb		Postcode	

#### 4.2 Proposed year levels

Please indicate in the tables below, the proposed year of commencement for each proposed year level:

##### *Early Childhood/Primary*

Year Level	Pre K	K	PP	1	2	3	4	5	6
Year Commencing									

##### *Secondary*

Year Level	7	8	9	10	11	12
Year Commencing						

#### 4.3 Mission statement

Provide a brief overview of the proposed school's mission and goals.

#### 4.4 Educational Programme

Provide a brief overview of the proposed educational philosophy and programme.

#### 4.5 Mode of delivery

Provide a brief overview of how the educational programme is intended to be delivered, i.e. face-to-face in a class-room setting, online, etc.

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## 5. Projected enrolments

### 5.1 Projected enrolments for the first five years of operation

	Year	PK	K	PP	1	2	3	4	5	6	7	8	9	10	11	12
First five years																

### 5.2 Anticipated maximum enrolment

Year	PK	K	PP	1	2	3	4	5	6	7	8	9	10	11	12

### 5.3 Anticipated number of boarders in the first five years of operation (if applicable)

	Year	PK	K	PP	1	2	3	4	5	6	7	8	9	10	11	12
First five years																

**5.4 Anticipated maximum number of boarders (if applicable)**

Year	PK	K	PP	1	2	3	4	5	6	7	8	9	10	11	12

**6. Catchment area**

**Catchment area means the geographic region from which a school is expected to draw its students.**

**To define the catchment area please provide:**

- 6.1 map(s) of the defined catchment area for the proposal;
- 6.2 information to support projected enrolments claimed in section 5, which might include:
  - expressions of interest (EOI) in enrolment received (include number of EOIs received and a list of suburbs from where applicants reside);
  - local statistical population growth forecasts;
  - findings of rigorous market research; and
- 6.3 any other relevant information.

## PART B – CONSIDERATIONS

### 7. Diversity of schools

#### The proposal will be considered in terms of:

- the extent to which and the manner in which it contributes to the diversity of schools and educational choices in the proposed catchment area.

To address this, attach relevant information on how the proposal will contribute to the

- 7.1 diversity of schools in the proposed catchment area;
- 7.2 educational choices in the proposed catchment area; and
- 7.3 any other relevant information.

### 8. Adverse effect

Adverse effect includes the following:

- (a) a significant reduction in enrolments at any of the other schools in the defined 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; or
- (d) any other relevant detrimental impact.

#### The proposal will be considered in terms of:

- 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 catchment area.

To address this consideration, attach

- 8.1 a list of schools currently operating in the defined catchment area;
- 8.2 comments on how many students are likely to relocate from existing schools in the defined catchment area;
- 8.3 comments on the likely potential for adverse effect(s) on existing schools;
- 8.4 evidence of consultation with existing schools likely to be affected by the proposal; and
- 8.5 any other relevant information.

## 9. Sustainability

### The proposal will be considered in terms of

- 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.

In most instances, the above consideration can be made in light of information provided in other parts of this application. However, if you would like to further support your application with additional relevant information, please attach this information as attachment 9.1.

## 10. Community opinion

### The proposal will be considered in terms of:

- community opinion about the proposal both in support of and in opposition to it, including expressions of interest in enrolment, if any.

To address this consideration, attach

- 10.1 findings of consultations with the community that have occurred;
- 10.2 summary of expressions of interest for enrolment received; and
- 10.3 any other relevant information.

## 11. Likely impact on State and Local Government Resources

### The proposal will be considered in terms of:

- The likely impact of the proposal on State and Local government infrastructure, services and resources.

Describe below the likely impact (if any) of the proposal on State and Local government infrastructure, services and resources. Examples could include, but not limited to, transport infrastructure or services, utilities and housing.

## 12. Compliance with relevant laws

The proposal will be considered in terms of:

- the governing body's capacity to comply with relevant laws.

Please describe the governing body's capacity to comply with relevant laws.

To support the claims made above, attach relevant information such as compliance with

- 12.1 curriculum requirements in Western Australia;
- 12.2 relevant legislation, including the *School Education Act 1999*, *School Education Regulations 2000*;
- 12.3 development requirements and approvals; and
- 12.4 any other relevant information.

## 13. Actual or prospective financial resources

The proposal will be considered in terms of:

- the governing body's actual or prospective financial resources.

Please describe the governing body's actual or prospective financial resources in relation to this proposal.

To support the claims made above, if required please attach

**Note: In some instances not all the information outlined below will be required. Please contact the Department of Education Services on 9441 1961 to discuss your particular circumstances.**

- 13.1 most recent audited financial statements and independent audit report;
- 13.2 unaudited management accounts for the most recent quarter;
- 13.3 financial projections in the form of Profit and Loss forecasts, Balance Sheet forecasts and Cash Flow forecasts for the **first five years of operation**;
- 13.4 a comprehensive statement indicating the basis of all assumptions used in the financial projections (9.1 above), in particular, the proposed student fee structure in comparison with other schools in the area, the proposed staffing levels and pay scales, the level of State and Australian Government funding anticipated and the financing arrangements that will be made to support the provision of the required level of facilities and resources for the proposed school; and
- 13.5 a statement by a qualified accountant (someone who has a degree qualification and membership of one of the major accounting bodies, i.e. Certified Practising Accountants Australia, Institute of Chartered Accountants or National Institute of Accountants) attesting to the financial viability of the proposal, including an assessment of liquidity, profitability, cash flow management, financing and other financial risk indicators.

## 14. Declaration and Certification

On behalf of \_\_\_\_\_ (Insert name of governing body),  
I seek an advance determination under section 157A of the School Education Act 1999.

I acknowledge that some of the information contained in this application may be referred to third parties, including the Non-government Schools Planning Advisory Panel and key stakeholders.

I acknowledge that the Minister may, in writing, request the governing body to provide such further information relevant to the application as the Minister requires. I also acknowledge that the Minister may refuse to consider this application if the governing body does not comply with a request for further information relevant to the application.

I certify that to the best of my knowledge and belief the information provided in this application is true and correct.

\_\_\_\_\_  
Signature – Chair of the governing body

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print name of Chair

## 15. Checklist of attachments

- |          |   |
|----------|---|
| <b>6</b> | <b>Catchment area</b>   |
| 6.1      | maps of the anticipated catchment area for the proposal;  |
| 6.2      | information to support the anticipated catchment area, which might include: <ul style="list-style-type: none"> <li>• expressions of interest (EOI) in enrolment received (include number of EOIs received, whether EOIs have been confirmed with a deposit and a list of suburbs from where the applicants reside);</li> <li>• local statistical population growth forecasts;</li> <li>• evidence of rigorous market research; etc., and</li> </ul> |
| 6.3      | any other relevant information.   |
| <b>7</b> | <b>Diversity of schools</b>   |
| 7.1      | diversity of schools in the proposed catchment area;  |
| 7.2      | educational choices in the proposed catchment area; and   |
| 7.3      | any other relevant information.   |

- |           |   |
|-----------|---|
| <b>8</b>  | <b>Adverse effect</b>   |
| 8.1       | a list of schools currently operating in the defined catchment area;  |
| 8.2       | comments on how many students are likely to relocate from existing schools in the defined catchment area;   |
| 8.3       | comments on the likely potential for adverse effect(s) on existing schools;   |
| 8.4       | evidence of consultation with existing schools likely to be affected by the proposal; and   |
| 8.5       | any other relevant information.   |
| <b>10</b> | <b>Community opinion</b>  |
| 10.1      | findings of consultations with the community that have occurred;  |
| 10.2      | summary of expressions of interest received; and  |
| 10.3      | any other relevant information.   |
| <b>12</b> | <b>Compliance with relevant laws</b>  |
| 12.1      | curriculum requirements in Western Australia;   |
| 12.2      | relevant legislation, including the School Education Act 1999, School Education Regulations 2000;   |
| 12.3      | development requirements and approvals; and   |
| 12.4      | any other relevant information.   |
| <b>13</b> | <b>Actual or prospective financial resources</b>  |
| 13.1      | most recent audited financial statements;   |
| 13.2      | unaudited management accounts for the most recent quarter;  |
| 13.3      | financial projections in the form of Profit and Loss forecasts, Balance Sheet forecasts and Cash Flow forecasts for the <b>first five years of operation</b> ;  |
| 13.4      | a comprehensive statement indicating the basis of all assumptions used in the financial projections (9.1 above), in particular, the proposed student fee structure in comparison with other schools in the area, the proposed staffing levels and pay scales, the level of State and Australian Government funding anticipated and the financing arrangements that will be made to support the provision of the required level of facilities and resources for the proposed school; and |
| 13.5      | a statement by a qualified accountant (someone who has a degree qualification and membership of one of the major accounting bodies, i.e. Certified Practising Accountants Australia, Institute of Chartered Accountants or National Institute of Accountants) attesting to the financial viability of the proposal, including an assessment of liquidity, profitability, cash flow management, financing and other financial risk indicators.   |

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