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From: Emerson, Marc
Sent: Tuesday, 7 May 2013 4:05 PM
To: Violante, Victor
Subject: FW: MIN12/785 At-Taqwa Islamic School (2)
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[REDACTED]

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Proposed new non-government schools



**ACT Council of
Parents & Citizens
Associations**

The parent voice on public education

ACT Council of Parents & Citizens Associations is the representative body
for Parent & Citizen associations in the ACT.

Council represent over 60,000 parents in 85 ACT public schools.

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1. Introduction: Establishment of new non-government schools

The ACT Council of Parents & Citizens Associations (Council) has several concerns over the applications of three proposed non-government schools being considered for in-principle approval by the Education and Training Directorate (ETD).

Of the three proposed new schools, two are for new campuses of existing schools and one is for a new Islamic school in north Canberra. Brindabella Christian College is looking to open a new campus in Charnwood that would initially cater for K-4 and in time expand to a K-12 school with 650 students in total. Canberra Christian College is seeking to build a new Campus in Molonglo initially for K-6 students, expanding in time to K-12 with an eventual enrolment projection of 813 students. A new Islamic school, At Taqwa, is being proposed for either Grace of Forde with an aim to serve up to 880 K-10 students.

The *Education Act 2004* (ACT) (the Act) sets out the conditions for approval of proposed new schools and campuses in Section 84. The Act requires the Minister to consider both the impact on the ongoing viability of existing schools in the area and the community demand for the proposed schools. Council has concerns over whether the proposed schools meet the requirements set out in this section.

2. Viability of existing schools

The Minister is required to consider whether a new campus would undermine the viability of existing schools, under s 84(2)(a) of the *Education Act 2004* (ACT).

2.1 Brindabella Christian College

Many of the public schools surrounding the proposed new campus for Brindabella Christian College currently have vacant positions. For example, Charnwood-Dunlop Primary School located a few streets away from the proposed new campus has an enrolment of 285 students but a capacity for around 450 students, excluding pre-school enrolments.

Beyond Charnwood-Dunlop Primary School, a number of other schools in the proposed catchment area also have additional capacity potential for students. Latham Primary School, for example, has 253 students enrolled with capacity for 325, whilst Macgregor Primary School has 358 students enrolled with capacity for 580. This underutilisation of resources in the region is not limited to primary schools. Kingsford-Smith Secondary School currently has 376 students with capacity for 500 and the Melba Copland Secondary School's college campus has 277 enrolments with capacity for 879 enrolments.

Brindabella Christian College has proposed a large catchment area in North-West Belconnen. Council's concern is that students in these regions will be drawn away from already struggling schools and that the Government may use the resulting lower enrolment numbers to justify closing down schools in the region as was the case in 2006.

2.2 Canberra Christian School

Planning for the Molonglo Valley is currently underway and as such there are no existing schools for which to assess the possible impact.

Additionally, the Government has not made clear the extent of proposed public schools in the region. Council feels that the potential for development of public schools would be compromised by introducing such a large non-government school into the region at this early stage.

Finally, in the Weston Creek area located in close proximity to the Molonglo Valley, the Government closed down and amalgamated a number of schools under its *Towards 2020: Renewing Our Schools* process. Council is concerned that the addition of such a large school to this area could have a detrimental effect on existing public schools in the Weston Creek area.

2.3 At Taqwa Islamic School¹

The location for the proposed new Islamic school has not been finalised. However, it appears that it would be built either in Crace or Forde. Council has serious concerns if it is to be built close to the Belconnen region due to the under capacity of the public schools in that region, and the same potential impact on those schools as previously outlined for the Brindabella Christian College campus.

3. Community demand for new schools

The Minister is required to consider whether there is the demand for an additional campus under s 84(2)(b) of the *Education Act 2004* (ACT).

3.1 Brindabella Christian College

Council questions whether demand for a new campus truly exists in the community both within and around the proposed new site. Under *Towards 2020: Renewing Our Schools* published in 2006, the ACT Government closed several schools in this region due to low enrolments. Council does not believe that there has been a significant increase in the student population within this region. As noted above, numerous schools surrounding the proposed new campus are not at full capacity suggesting that there has not been a population increase that would require the establishment of additional schools.

Council believes that in the application for in-principle approval there is limited evidence of community demand for a new school of this nature. It is Council's understanding that specific evidence has come from letters of support from Christian Schools Australia,

¹As At Taqwa would be a new school the relevant legislative provision would be s 84(1)(a) of the *Education Act 2004* (ACT) however there is little difference between the application of this section and section 84(2)(a) set out above.

Canberra Christian Life Centre, Northpointe (Baptist Church), Brindabella Christian College P&F, Vicki Dunne MLA and two parents who would enrol their children in the school. More generalised statements with regard to alleged increasing demand for private schools in the ACT and a 'ground swelling' of support have also been provided; however, these are not of a specific nature and, are therefore unable to be corroborated, Council believes such statements should not be counted as evidence for community demand. Council feels that the evidence of community support is not substantial enough to warrant the construction of a new campus given the likely detrimental effects it would have on existing public schools.

There are currently seven non-government schools in the Belconnen region with three located in the area around where the new campus is proposed. As such Council questions whether such demand truly exists for such a large non-government school in the region. Additionally, a large Catholic school, catering for over 1,000 students, has previously been granted in-principle approval for the Gungahlin region and Council would query whether this school does not already meet any additional demand in the region.

If the ETD is of the opinion that the demand does exist due to an increase in the student population, then the demand must be analysed for the type of school needed. An increase in demand due to increases in population should be justification for the consideration of the development of new public schools in the first instance. Council considers it a dangerous precedent for the Government to establish non-government schools first in a new development particularly for reasons of equity in access to affordable education.

3.2 Canberra Christian School

As with the proposed new campus for the Brindabella Christian College in Charnwood, Council has some concerns over the new Molonglo campus for the Canberra Christian School. Council understands that the only evidence of community demand is letters of support from various organisations such as Christian Schools Australia, Adventist Schools Australia, Adventist Schools (greater Sydney) and from four members of the community. Like the proposed new campus for Brindabella Christian College, Council feels such demand is vastly inadequate to justify the proposed school and in particular the proposed size.

Council is also concerned by the proposed intake of the school's students with the application stating that 80% of students will come from outside the Seventh Day Adventist community. Council feels that this indicates that there is not a significant demand amongst the Seventh Day Adventist community to justify building such a large school and that evidence of community support from bodies such as Adventist Schools Australia and Adventist Schools (greater Sydney) should be considered with this in mind.

Additionally, no evidence has been provided of wide community consultation and in Council's view the application does not deal adequately with the question of from where students might be drawn. For these reasons, Council feels that until the needs and demands of the community are properly known, in-principle support for such a large non-government school should be withheld.

3.3 At Taqwa Islamic School²

Council understands that the application for in-principle approval contains expressions of support from families which could make up a cohort of approximately 180 students. The application says that such support was gained at community meetings but provides no further evidence. Therefore Council would suggest that in-principle support be withheld until a location for the school is determined and evidence of extensive community support from within the region can be obtained.

4. Additional concerns

4.1 Provision of child care in the ACT

Council is also concerned by a trend occurring in the ACT highlighted by the Canberra Christian School's submission. In the submission, the Canberra Christian School argued that by attaching an early learning centre to their school, they would be able to guarantee that their kindergarten would be full the following year. Council questions why the Government has not been responsive to the need for childcare in this location, noting that by the same logic offered by the proposed school, the demand for public schooling could also be determined by the filling of childcare places in a public centre.

4.2 Funding model for new campuses

It is also of great concern to Council that two of the applications are seeking to establish a second campus of an existing school, rather than a new school, so that they can take advantage of an already established favoured level of government support. Under the Howard Government's funding model, schools were given a guarantee that their funding per student would be maintained at previous levels had the model determined the school to be eligible for less funding. This commitment was reiterated by the current Federal Government following the Gonski review. Such commitments have resulted in Brindabella Christian College being over funded by approximately \$1.4 million in 2011 and Canberra Christian School by \$10,000, a number reflective of the small size of the school. The funding maintenance guarantee applies to new campuses, though not new schools, meaning that there is a clear economic advantage to opening a new campus rather than a new school despite geographic and size differences in the campuses. This takes important money away from public education and has the result of entrenching an unfair distribution of resources.

²As At Taqwa would be a new school the relevant legislative provision would be s 84(1)(b) of the *Education Act 2004* (ACT); however there is little difference between the application of this section and section 84(2)(b) set out above.

4.3 Consultation process

Council was also concerned over the consultation process. Whilst Council appreciates the extensions granted by ETD, Council believes that such extensions would not have been necessary had ETD made the consultation process clear from the start. Council office staff had difficulty locating information about the consultation on ETDs website. Council feels it would be appropriate to have such community consultations located in a prominent area of the website. Due to the short consultation time and the inability to take copies of the applications with us Council was not able to properly verify some of the claims made in the application, and was unable to properly assess the impact on schools. Therefore, Council would recommend ETD review the consultation process with an aim of increasing transparency and notifying potential stakeholders of the existence of such consultations directly.

5. Conclusion & Recommendations

Due to the likely effect of new campuses on existing schools in the various areas, and the lack of evidence-based demand from within the surrounding communities, Council would encourage the Minister to withhold in-principle approval until such a time as genuine demand for the additional campuses exist and the effects of the campuses will not be detrimental to the viability local schools. With regard to the proposed At Taqwa school, Council would encourage the Minister to withhold approval until it can be established that the school has broad community support and until the proposed location for the school has been determined so its impact on surrounding schools can be properly assessed.

Submission on Applications for New Private Schools in the ACT

Save Our Schools

April 2012

<http://www.saveourschools.com.au>

Recommendations

Save Our Schools recommends that the Minister for Education not give in-principle approval for:

1. The proposed new campus of Brindabella Christian College in Charnwood because it did not provide concrete evidence of potential enrolments and because it would have a significant impact on existing schools in North-West Belconnen, particularly Charnwood PS.
2. The proposed new campus of the Canberra Christian School in Molonglo because it did not provide concrete evidence of potential enrolments and because school infrastructure planning in the region is at an early stage.
3. The proposed new Islamic School if it is to be located in Belconnen because it would have a significant impact on existing schools in the region.

1. The applications

This submission responds to three new applications for private schools in Canberra. Two are for new campuses of existing schools - Brindabella Christian College and Canberra Christian School – and one is for a new school - At Taqwa Islamic School.

Brindabella Christian College

Brindabella Christian College is located in Lyneham and is seeking in-principle approval to open a new campus in Charnwood on the site of the old Charnwood HS. Initially, the campus will be a K-4 school associated with the Early Learning Centre and pre-school which opened on the site this year. The K-4 school is due to open on 28 January 2014. Eventually it will be a K-12 campus. The college will apply separately for in-principle approval for extension to other year levels.

The planned enrolment for the K-12 school at Charnwood is 650 students. The initial K-4 enrolment in 2014 is planned to be 75 and expanding to 194 in 2018. Extension to Year 6 will include an additional 50 students.

Canberra Christian School

Canberra Christian School is located in Mawson and is seeking in-principle approval for a new campus in Molonglo because there is not enough land at Mawson to expand. The suburb in Molonglo where the school is to be located is not stated. Initially, it will be a K-6 school to open on 30 January 2015. It is planned for the school to expand to a K-12 school.

The K-6 campus is planned for 480 students. Years 7-8 are planned to open in 2017 with 270 students. The planned enrolment for the K-12 school is 813 students by 2028.

At Taqwa Islamic School

The new Islamic School is proposed to be located in Gungahlin or Belconnen. It will be operated by Canberra Muslim Youth in partnership with the Islamic Society of Belconnen. Initially it will be a K-4 school, but will expand to Year 10 by 2017. The proposed opening date is 6 February 2014.

The K-4 school will have 65 students on opening. It is proposed that the school will expand to approximately 880 students by 2022.

2. Requirements for in-principle approval

Under the ACT Education Act, in deciding whether to give in-principle approval for a new school or a campus of a new school, the Minister must have regard to:

- Whether it would undermine the viability of other existing schools; and
- The demand for the school/campus including the level of registration of interest shown by the community.

These are the only criteria that the Minister must have regard to. There are no criteria about providing additional choice, diversity of schools, serving particular religious beliefs or any other matter.

The application form for in-principal approval requires supporting documentation on several matters. In particular, it requires documentation on evidence of community demand and information to assess impact on existing schools.

Evidence of community support includes:

- Detail of the interest shown by the community for the campus/school and the method used to obtain this evidence;
- Analysis of the community support in terms of the need for the development of the proposal;
- Letters of support from community leaders, community organisations, church or religious affiliation; and
- Information on the current schools and year levels of identified prospective children.

Information is also required on consultation about the proposed school/campus. It should include a list of government, community and stakeholder consultation undertaken and a description of planned consultation. It should also include a list of issues arising from consultation, differentiating those issues already addressed and by what means from those to be addressed.

Applicants are required to provide enrolment projections and population trends for a ten-year period. They should:

- Detail the main catchment areas by district and analyse school aged children for each catchment district;
- Analyse the target enrolment audience by district and the anticipated percentage seeking enrolment; and
- Analyse the projected enrolment for each year level including peak capacity and long term capacity of the campus.

3. Evidence of community demand

Brindabella Christian College

Little evidence is provided by the College to support its claims about community demand for a new campus in Belconnen. The only evidence provided is letters of support from Christian Schools Australia, Vicki Dunne MLA, Canberra Christian Life Centre, Northpointe (Baptist Church), Brindabella Christian College P&F and 2 parents who would enrol their children in the school. There is no detail of the interest shown by the community or evidence about prospective students. No waiting list of potential students is provided. There is no discussion of what existing schools prospective students might come from. It only cites growth in private school enrolments in Canberra as evidence of demand.

The application states that it has consulted by community meetings, P&F meetings, and enrolment interviews. It says there is a "ground swell of support" but no evidence is provided of this support. Details are not provided of the number of meetings or the number of people involved.

The College will likely to be dependent on its Early Learning Centre and pre-school to provide the basis of its enrolments. However, the licensed capacity of the Early Learning Centre is only 67 places and separate figures for pre-school enrolments in 2012 are not provided. This will not be sufficient to sustain a K-4 or K-6 school of a viable size.

Canberra Christian School

Little evidence is provided by the school to support its claims about community demand for a new campus in Belconnen. No waiting list of potential students is provided. The only evidence of community demand is letters of support from Christian Schools Australia, Adventist Schools Australia, Adventist Schools (Greater Sydney) and 2 parents with children enrolled at the Mawson campus and two past students. There is no detail of the interest

shown by the community or evidence about prospective students. There is no discussion of what existing schools prospective students might come from. Also, no evidence is provided about community consultation.

At Taqwa Islamic School

The application includes expressions of support from families with approximately 180 children. Names and addresses are supplied. It says that the support was gained at community meetings. Letters of support from religious, community or other organisations are not provided. The application states that Muslim organisations have been consulted. It also nominates schools in the Belconnen/Gungahlin area that children will come from.

The expressions of support from families suggest that the school has reasonable prospects of achieving a K-6 school of similar size to the other Islamic school in Weston.

4. Impact on existing schools

Brindabella Christian College

The location of a new school in Charnwood will have a significant impact on existing schools in the area. In all likelihood, it will draw off enrolments from existing schools in Charnwood and the broader North-West Belconnen region. Schools in the region have sufficient capacity to cater for the projected enrolments of Brindabella Christian College.

The proposed location of Brindabella College in the former Charnwood High School is within several hundred metres of two existing primary schools – St Thomas Aquinas (a Catholic systemic school) and Charnwood PS (a government school). At present, Charnwood PS has 285 enrolments (excluding pre-school enrolments) with a school capacity of 450 (excluding pre-school capacity). Its capacity utilisation is only 63%. St Thomas Aquinas is not oversubscribed.

In 2006, Charnwood PS was proposed for partial closure by the ACT Government because it had only 170 enrolments. Flynn PS, which was just over a kilometre away from the proposed location of Brindabella College, was closed in 2006 because it had only 179 enrolments. In both cases, excess capacity in the region was given as one of the reasons by the ACT Government for these two schools being considered for closure. It is likely that Charnwood PS could face the same threat again if it loses enrolments to the new private school.

Charnwood is one of the most disadvantaged suburbs in Canberra according to the Social Overview of the ACT published by the Department of Chief Minister and Cabinet (<http://www.cmd.act.gov.au/policystrategic/actstats/demographicprojects>). It has the highest proportion of low income families in the region. While it is not expected that all prospective enrolments at Brindabella College will come from Charnwood PS, it is likely that at least some of those families who can afford a private education will leave Charnwood for the new school.

The establishment of a new primary school campus is also likely to impact on other schools in the region and could affect their viability if the ACT Government continues to use excess capacity and low enrolments as reasons to close schools. According to Brindabella College's application, students are likely to come from suburbs in the North-West Belconnen region (and elsewhere), and so draw enrolments from existing schools.

If the ACT Government continues to use excess capacity as a criterion to consider the future viability of schools, other schools in the region could come under threat if the application of Brindabella College is approved. There are nearly 2,000 excess places in the North-West Belconnen area and average capacity utilisation is only 69% [see Attachment table]. There are 899 excess places in government primary schools and average capacity utilisation is 78%.

There are already seven private schools in Belconnen that offer a Christian education for primary school students, including three in the North-West Belconnen region.

Projected population growth in Belconnen is not sufficient to expect that schools in the region will operate at close to capacity in the future. The projected population growth to 2021 in the Belconnen regions is very low – 0.3% per annum compared to the ACT average of 1.4% according to the ACT Districts and Suburbs Population Projections published on the Chief Minister and Cabinet website (<http://www.cmd.act.gov.au/policystrategic/actstats/projections/suburbs>).

It should be noted that the previous Minister for Education, Andrew Barr, closed schools in 2006 because of excess capacity in North-West Belconnen. He rejected an application for a new campus of a school in West Belconnen in 2008 for the same reason, stating that it could undermine the viability of existing schools in the Belconnen region. There has been little change in capacity utilisation in primary schools in the region since this decision.

A new private school in the region would represent a reversal of ACT Government policy. It would mean the replacement of a government school (Flynn PS) by a private school.

Canberra Christian School

There are no existing schools in the Molonglo Valley, so it is not possible to assess the likely impact of approving the Canberra Christian School campus. Planning for the Molonglo Valley is still underway and only two suburbs are being developed as part of Stage 1.

The Molonglo and North Weston structure plan states that at least five government schools are planned for the region [p.9]. It does not state how many private schools are planned. The Coombs and Wright suburbs comprise Stage 1 of the plan and these suburbs are currently being developed. The Coombs and Wright Concept Plan provides for a school in each suburb. It states that a primary school is planned for Coombs [p.5], but does not state the level of school planned for Wright. Stage 2 of the development is currently being planned according to the ACTPLA website and plans for future schools do not appear to be available as yet.

The two schools planned for Coombs and Wright should be government primary schools. There are four private schools nearby – two in Holder and two in Weston. There is only one government school in the region, which is in Duffy. Two other public schools (Rivett PS and Weston PS) were closed in the area as part of the Towards 2020 plan. Duffy PS is operating at capacity; its capacity is 375 students and has 367 enrolled in 2012 so it will not be able to take overflow from Coombs and Wright of children from families wishing to choose a government school.

It would be entirely premature to give in-principle approval for the initial stage of a large K-12 private school in the Molonglo Valley region before school infrastructure planning has been completed. Indeed, it is difficult to conceive that a site could be allocated to Canberra Christian School in time for it to open in 2015 given the current stage of planning for the

region. Therefore, in-principle approval for the new campus of Canberra Christian School should not be given.

At Taqwa Islamic School

If the Islamic School is to be located in Belconnen, similar impact considerations apply as in the case of Brindabella Christian College. There is significant excess capacity in the region which could cater for the projected enrolments of the proposed primary school.

If the Islamic School is located in Gungahlin the impact on existing government and private schools would be much lower. Government and private schools in the region are all close to or over designed capacity. Over-capacity in government schools is being catered for with portable classrooms until peak enrolments decline. It is noted that the projected population growth for Gungahlin for 2009 to 2021 is high at 4.9% per annum.

5. Conclusions and recommendations

Neither Brindabella Christian College nor Canberra Christian School have provided concrete evidence of community support to meet their projected enrolments as required by the application form. In contrast, At Taqwa Islamic School provided an extensive list of families indicating expressions of interest in the proposed new school.

The opening of a new campus of Brindabella Christian College in Charnwood would have a significant impact on the continued viability of government schools in the North-West Belconnen region, particularly Charnwood PS, if the ACT Government continues to use excess capacity and low enrolments as reasons to close schools. Charnwood was listed for possible closure in 2006 but since then it has been able to increase its enrolments and capacity utilisation, due largely to population increases in the Charnwood-Dunlop area. There is already one existing private school in Charnwood and six others in Belconnen. If further government schools were to close as a result of Brindabella College opening, the choices of families in one of the most disadvantaged suburbs in Canberra would be significantly reduced.

The 2012 ACT school census brought the welcome news that ACT government school enrolments were increasing and, for the first time, drawing students away from the private sector. The new Minister for Education, Chris Burke, was rightly proud of this achievement, saying "the results were a win for government schools" (*Canberra Times* 16 April, p. 2). It is unlikely that opening a private school within a few hundred metres of an existing government school and within kilometres of a government school closed only a few years earlier would see continued wins in future years.

A similar impact on existing schools could be expected if the proposed Islamic School was opened in the Belconnen region. However, the impact is likely to be considerably less if it opens in Gungahlin where schools are close to or over capacity and where the projected population growth is high.

There are no existing schools in the Molonglo Valley, so it is impossible to assess the likely impact of the Canberra Christian School campus. Planning for the Molonglo Valley is still underway and only two suburbs are being developed as part of Stage 1. It would be entirely premature to give in-principle approval for the initial stage of a large K-12 private school in the Molonglo Valley region before school infrastructure planning has been completed.

Therefore, Save Our Schools recommends that the Minister for Education not give in-principle approval for:

1. The proposed new campus of Brindabella Christian College in Charnwood because it did not provide concrete evidence of potential enrolments and because it would have a significant impact on existing schools in North-West Belconnen, particularly Charnwood PS.
2. The proposed new campus of the Canberra Christian School in Molonglo because it did not provide concrete evidence of potential enrolments and because school infrastructure planning in the region is at an early stage.
3. The proposed new Islamic School if it is to be located in Belconnen because it would have a significant impact on existing schools in the region.

Attachment

Enrolments and school capacity in North-West Belconnen

	Enrolments		Change 2006-2012		Capacity 2012	Excess Places 2012	Capacity Utilisation 2012 %
	2006	2012	No.	%			
Primary Schools							
Charnwood-							
Dunlop	170	285	115	68	450	165	63
Evatt	240	294	54	23	450	156	65
Florey	377	359	-18	-5	500	141	72
Flynn	179	0	-179		0		
Fraser	331	353	22	7	350	-3	101
Higgins	191	0	-191		0		
Holt	184	0	-184		0		
Kingsford-Smith	0	582	582		600	18	97
Latham	206	253	47	23	325	72	78
Macgregor	317	358	41	13	588	230	61
Miles Franklin	380	384	4	1	384	0	100
Mt. Rogers	154	280	126	82	400	120	70
<i>Total</i>	<i>2729</i>	<i>3148</i>	<i>419</i>	<i>15</i>	<i>4047</i>	<i>899</i>	<i>78</i>
Secondary Schools							
Kingsford-Smith	0	376	376		500	124	75
Melba	582	480	-102	-18	779	299	62
Copland College	450	277	-173	-38	879	602	32
<i>Total</i>	<i>1032</i>	<i>1133</i>	<i>101</i>	<i>10</i>	<i>2158</i>	<i>1025</i>	<i>53</i>
All Schools	3761	4281	520	14	6205	1924	69

Sources:

Enrolments: ACT School Census, 2006 & 2012

School capacity: Towards 2020 – Renewing Our Schools

Notes:

1. The schools included as part of north-west Belconnen are those listed in Towards 2020. Since then Flynn, Higgins and Holt primary schools have closed, Kingsford-Smith School has opened and Melba HS and Copeland College have merged but remain on two sites.
2. Enrolment figures exclude pre-school enrolments because the latter are not included in the capacity figures except for Kingsford-Smith School.
3. Capacity figures are assumed to be the same as in 2006 for all schools except Kingsford-Smith School and Macgregor PS.
4. Kingsford-Smith School capacity is estimated at 1100 as stated on the school website. The primary and secondary capacities are estimates.
5. An increase in capacity at Macgregor PS is expected to be completed this year according to the ACT Government. See <http://www.hansard.act.gov.au/hansard/2011/week07/3122.htm>



AEU – ACT BRANCH SUBMISSION ON APPLICATIONS FOR NEW PRIVATE SCHOOLS IN THE ACT

The Australian Education Union – ACT Branch (AEU) welcomes the opportunity to provide a submission on applications for new private schools in the ACT.

The AEU is the peak professional and industrial organisation for over 3,300 principals, teachers and school support staff in ACT public schools and TAFE. This membership represents the vast majority of principals and teachers and an increasing membership base of Preschool assistants, Learning Support Assistants, Indigenous Education Workers/Officers, Youth Workers and other education workers who support students in public schools.

Requirements for in-principle approval

The AEU understands that matters relating to providing additional choice, diversity of schools, and the perceived need to serve particular religious beliefs are not to be taken into consideration by the Minister when assessing applications for new private schools.

Under the ACT Education Act, the Minister must consider only:

1. Whether a proposed new school would undermine the viability of existing schools; and
2. The demand for the school/campus including the level of registration of interest shown by the community.

Evidence of community demand

Canberra Christian School

The application includes little evidence of community demand for a new Molonglo campus. **No expressions of interest from prospective students/families are provided.** The only evidence provided is in the form of supportive letters from Christian Schools Australia, Adventist Schools Australia, Adventist Schools Greater Sydney, three parents of students enrolled at the existing campus and a former student. No evidence is provided regarding community consultation and there is no mention of what existing schools prospective students may come from.

Brindabella Christian College

The application includes little evidence of community demand for a new Belconnen campus. **Only two expressions of interest from prospective students/families are provided.** The only other evidence provided is in the form of supportive letters from Vicki Dunne MLA, Christian Schools Australia, Canberra Christian Life Centre, Northpointe Baptist Church and Brindabella Christian College Parents and Friends Association. No evidence is provided regarding community consultation and there is no mention of what existing schools prospective students may come from.

The application refers to a "groundswell of support", yet no detail is provided as to the number of meetings held or indeed attendance figures from these meetings. Evidence of community demand is tenuous at best.

At Taqwa Islamic School

Names and addresses are listed for 168 students whose parents have expressed an interest in the proposed school. No letters of support are provided from the religious organisations or community groups who are said to support the application.

Impact on existing schools

Canberra Christian School

There are no existing schools in the new region of Molonglo, so it is impossible to assess the likely impact of approving the additional Canberra Christian School campus. Planning for Molonglo is still being conducted and only two suburbs are being developed as part of Stage 1.

The Molonglo and North Weston structure plan states that at least five government schools are planned for the region (p.9). It does not state how many private schools are planned. The Coombs and Wright suburbs comprise Stage 1 of the plan and these suburbs are currently being developed. The Coombs and Wright Concept Plan provides for a school in each suburb. It states that a primary school is planned for Coombs (p.5), but does not state the level of school planned for Wright. Stage 2 of the development is currently being planned and plans for future schools do not appear to be available as yet. There are too many unknowns regarding potential school provision in this new area of Canberra.

The AEU contends that the two schools planned for Coombs and Wright should be government primary schools. There are four private schools nearby – two in Holder and two in Weston. There is only one government school in the region, which is in Duffy Primary School. Two other public schools (Rivett PS and Weston PS) were closed in the area as part of the *Towards 2020* plan. There are more private schools than public schools in Weston Creek and this is a situation that is unique in Australia and a highly questionable one.

It would be entirely premature to give in-principle approval for the initial stage of a large K-12 private school in the Molonglo Valley region before school infrastructure planning has been completed.

Brindabella Christian College

The location of a new school in Charnwood will have a significant impact on existing schools in the area. In all likelihood, it will draw off enrolments from existing schools in Charnwood and the broader North-West Belconnen region. Schools in the region have sufficient capacity to cater for the projected enrolments of Brindabella Christian College.

The proposed location of Brindabella Christian College in the former Charnwood High School is within several hundred metres of two existing primary schools – St Thomas Aquinas (a Catholic systemic school) and Charnwood Primary School (a government school). At present, Charnwood PS has 285 enrolments (excluding pre-school enrolments) with a school capacity of 450 (excluding pre-school capacity). Its capacity utilisation is only 63%. St Thomas Aquinas is not oversubscribed.

In 2006, Charnwood PS was proposed for partial closure by the ACT Government because it had only 170 enrolments. Flynn PS, which was just over a kilometre away from the proposed location of Brindabella College, was closed in 2006 because it had only 179 enrolments. In both cases, **excess capacity in the region** was given as one of the reasons by the ACT Government for these two schools being considered for closure. It is likely that Charnwood PS could face the same threat again if it loses enrolments to the new private school.

According to Brindabella Christian College's application, students are likely to come from suburbs in the North-West Belconnen region, and so draw enrolments from existing schools.

Save Our Schools has pointed out that projected population growth in Belconnen is insufficient to expect that schools in the region will operate at close to capacity in the future. The projected population growth to 2021 in the Belconnen regions is very low – 0.3% per annum compared to the ACT average of 1.4% according to the ACT Districts and Suburbs Population Projections published on the Chief Minister and Cabinet website (<http://www.cmd.act.gov.au/policystrategic/actstats/projections/suburbs>).

The group also points out that the previous Minister for Education, Andrew Barr, closed schools in 2006 because of excess capacity in North-West Belconnen. He rejected an application for a new campus of a school in West Belconnen in 2008 for the same reason, stating that it could undermine the viability of existing schools in the Belconnen region. There has been little change in capacity utilisation in primary schools in the region since this decision. A new private school in the region would

represent a reversal of ACT Government policy. It would mean the replacement of a government school (Flynn Primary School) by a private school.

At Taqwa Islamic School

There is little difference between the potential impact on school enrolments in Belconnen of the At Taqwa School and that of the Brindabella Christian College, as outlined above. In fact, the application makes plain that 116 students (Years K-4) would in 2014 leave surrounding public schools in the region to attend the proposed school. There is significant excess capacity in the region which could cater for the projected enrolments of the proposed primary school. A new school is clearly not needed.

If the At Taqwa School is to be located in Gungahlin, the impact on existing government and private schools would be much lower. Government and private schools in the region are all close to or over designed capacity. Over-capacity in government schools is being catered for with portable classrooms until peak enrolments decline. It is noted that the projected population growth for Gungahlin for 2009 to 2021 is high at 4.9% per annum. This is a very different situation to Belconnen.

Further comments

The 2012 ACT school census uncovered the fact that ACT government school enrolments were increasing and, for the first time, drawing students away from private schools. Minister for Education Chris Bourke rightly identified that "the results were a win for government schools" (*Canberra Times*, 16 April, p.2). Surely the opening of a private school, Brindabella Christian College, within a few hundred metres of an existing government school and within kilometres of a government school closed only a few years earlier would represent a serious loss for government schools.

A similar impact on existing schools could be expected if the proposed Islamic School was opened in the Belconnen region. A Gungahlin opening is less contentious, in the view of the AEU.

Planning for school infrastructure in Molonglo is in its infancy and in-principle approval for a large Christian school in the region would be premature.

Recommendations

That in-principle approval not be given for:

1. The proposed new campus of the Canberra Christian School in Molonglo because it did not provide concrete evidence of potential enrolments and because school infrastructure planning in the region is at an early stage.
2. The proposed new campus of Brindabella Christian College in Charnwood because it did not provide adequate or convincing evidence of potential enrolments and because it would have a significant impact on existing schools in North-West Belconnen, particularly Charnwood Primary School.
3. The proposed new At Taqwa School if it is to be located in Belconnen because it would have a significant impact on existing schools in North-West Belconnen.

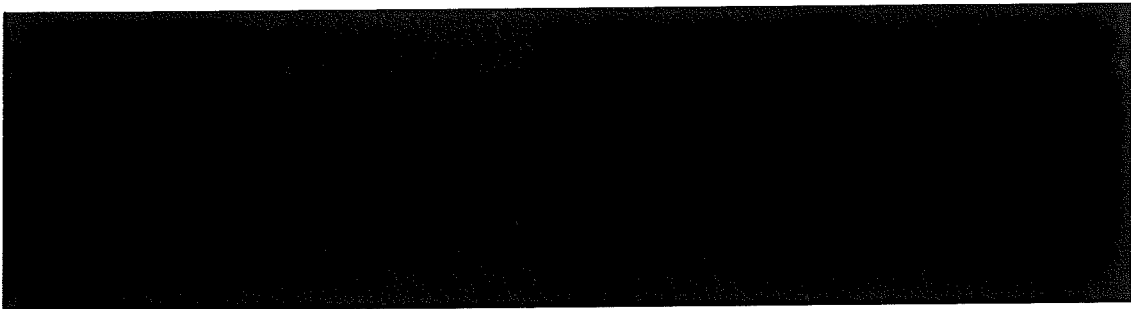
Mrs Lynda Tooth,
The Manager
Non-government Education
ACT Department of Education and Training
PO Box 158
CANBERRA ACT 2601.

20 January 2012.

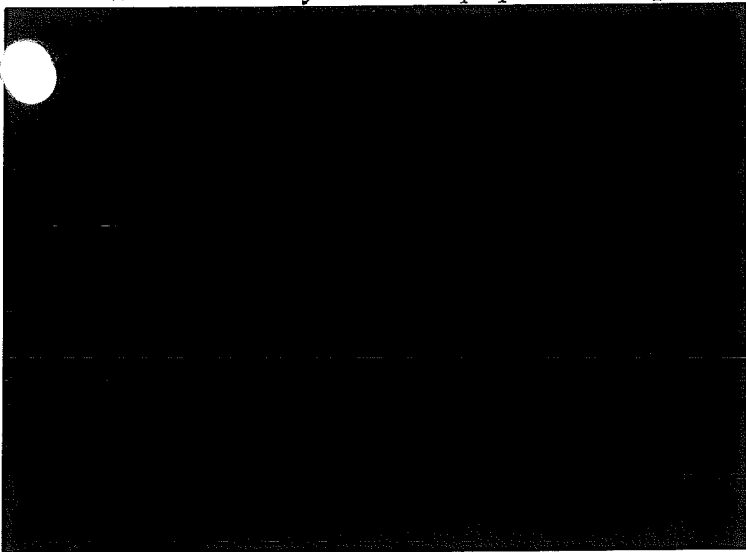
Dear Mrs Tooth,

Re: Letter in Support of Al Taqwa Islamic School Application

I am writing this letter to offer my support for the Islamic Society's application for a license to establish an Islamic school in North Canberra.



It will be a privilege for me to be part of this initiative, support it wholeheartedly and to help spread its impact across the ACT for years to come.



Emerson, Marc

From: Groves, Ellen
Sent: Tuesday, 7 May 2013 3:58 PM
To: Emerson, Marc
Subject: attached
Attachments: MIN223 FINAL.PDF; Ministers Brief.docx

Follow Up Flag: Follow up
Flag Status: Flagged

Attached.

Regards

Ellen

Date due Executive Director
 Date to Senior Executive (DDG/DG) for signature
 Date Due (Min's Office)

25/03/2013
 27/03/2013
 29/03/2013

**SELF GENERATED - COMMUNITY INTEREST IN
 IN-PRINCIPLE APPROVAL DECISIONS FOR
 NON-GOVERNMENT SCHOOLS**

Record Barcode



OFFICIAL DEPARTMENT FILE
 REFERENCE:

**Responsibility Area: INFORMATION COMMUNICATIONS & GOVERNANCE
 BRANCH**

ACTIONS REQUIRED

RESPONSE

Reply for Signature of: Nil

Response Type: Nil

NOTES:

BRIEF

Brief - Addressed to: Minister

- Issues Yes
- Meeting No Officer to Attend? No
- Variance brief No
- External Relations No
- Dot Points: Coordinated Response Prepared by MCR No
- Q and A Sheet No
- Media Release No
- Minister Agenda Item Brief No
- Protocol Brief No
- Protocol - Attachments - Background No
- Protocol - Attachments - Order of Ceremonies No
- Protocol - Attachments - Invited Guest List No
- Protocol - Attachments - School Background No
- Protocol - Attachments - Speech No
- Protocol - Attachments - Media Release No
- Protocol - Attachments - Media Alert No
- Protocol - Attachments - Media Q and A No
- Protocol - Attachments - Thank You Letter No
- Protocol - Attachments - Map No
- Appointment Package No

Your MCR Officer is:



**MINISTERIAL AND COMMONWEALTH RELATIONS
TRACKING SHEET**

TRIM number: *MINS/223*

Title *s/g*-COMMUNITY INTEREST IN IN-PRINCIPLE APPROVAL DECISIONS

Please list the names of the officers who have prepared and/or cleared the brief/response. Each box in the check list should be marked with either Yes (Y) or No (N).

All briefs should be forwarded to relevant Policy Advisors in each Division for the assessment of the financial implication in the brief. Policy Advisors to arrange clearance with the Finance section when required.

Final date to Director: [to be completed by Director's EA]	<i>25/3/13</i>
Date due to Senior Executive: [to be completed by Director's EA]	<i>27/3/13</i>
Date due in Minister's office: [to be completed by Director's EA]	<i>29/3/13</i>
Official Department file reference: [to be completed by line area]	<i>2013/04476</i>

CHECK LIST (Y/N)

Action Officer	Date Received	Format	Issues	Grammar Spelling	Figures	Date Cleared	Initial
Lynda Tooth						<i>25/3/13</i>	<i>LT</i>
<i>Joanne Carrierson</i>	<i>25/3/13</i>						
<i>(Tooth)</i>	<i>28/3</i>		<i>further research added</i>			<i>27/3</i>	<i>LT</i>
<i>Joanne Carrierson</i>	<i>27/3</i>					<i>27/3</i>	<i>JL</i>
<i>DDG</i>	<i>27/3</i>					<i>2/4</i>	<i>R</i>
<i>MINS OFF</i>	<i>5/4/13</i>					<i>11/4/13</i>	<i>ko</i>



ACT
Government

Education and Training

131

BRIEF

Ref:

SELF GENERATED - COMMUNITY INTEREST IN IN-PRINCIPLE APPROVAL DECISIONS FOR NON-GOVERNMENT SCHOOLS

To: Minister for Education and Training

From: Deputy Director-General, Education and Training Directorate

Director: Joanne Garrisson

Branch: Information, Communications and Governance

Recommendation

That you:

Note the information contained in this brief

Joy Burch MLA

Joy Burch 9, 4, 13
NOTED/PLEASE DISCUSS

Action Officer: Joanne Garrisson

Branch: Information, Communications and Governance

Extension: 57661

Critical date and reason

Nil.

Purpose

To provide information about the community interest identified in previously determined in-principle approval processes relating to ACT non-government schools.

Background

The *Education Act 2004* (the Act) details in-principle approval as the first stage in the development of a new non-government school or additional campus to an existing non-government school.

In-principle approval process

The process for in-principle approvals required the submission of an application accompanied by supporting documentation which addresses the criteria for in-principle approval:

- the effect the proposal would have on the viability of other existing schools
- the community demand for the proposal.

The community is notified of the application through a notice in the *Canberra Times Community Noticeboard* and the Directorate's website and invited to inspect and/or comment on the application.

Under section 84 of the Act, in deciding on an application for in-principle approval the Minister for Education and Training must have regard to or consider:

- any written comments made following the publication of the aforementioned notice of application
- whether the proposal would undermine the viability of other existing schools
- the demand for the proposal.

Inspection of reasons for approval

Under section 84 of the Act the Minister's reasons relating to giving or refusing to give in-principle approval for a proposed registration may be inspected by a member of the public.

2012 approvals

During 2012 you approved three independent school applications for in-principle approval:

1. Canberra Christian School for a kindergarten to year 6 campus
2. Brindabella Christian College for a kindergarten to year 4 campus
3. Canberra Muslim Youth for a new kindergarten to year 4 school

Issues

During 2013, three community groups inspected the notices recording your reasons for approving the above listed schools. These groups were:

1. Australian Education Union - ACT Branch
2. Save our Schools
3. ACT Parents and Citizens Council.

Mr Trevor Cobbold of *Save our Schools* also asked the view the reasons for refusing the 2007 application by North Canberra Christian Education Association for in-principle approval to develop an additional campus for kindergarten - year 6 in west Belconnen for Emmaus Christian School.

During the inspection of the notices, both the Australian Education Union and Save our Schools indicated that they were concerned that Brindabella Christian College had been approved on the site of a former ACT public school.

School closures

In May 2006, the ACT Government announced a school reform proposal called *Towards 2020: Renewing our Schools*. The proposal, which was based on a regional (rather than a neighbourhood) approach to the delivery of public education in the ACT, included a range of reforms to public education in the ACT including:

- school closures
- school reconfigurations
- incorporation of preschools into primary school structures
- significant upgrades to remaining schools
- construction of new schools
- improvements to information and communication technology systems.

Following the closure of school sites, school assets were transferred to the then Department of Territory and Municipal Services for either retention for community use or demolition and/or disposal.

Emmaus Christian School application - refused 2008

In determining the application for an additional campus for Emmaus Christian School the then Minister for Education and Training, refused this application because:

- there was no evidence to support the anticipated levels of enrolment
- the demand for schooling places in Belconnen could be met by existing schools
- the proposed school could undermine the viability of existing schools in the Belconnen region, in particular the new preschool - year 10 West Belconnen School. (It is noted that West Belconnen School is now known as Kingsford Smith School.)

The Minister's notice of refusal for the application also stated that 'current ACT government policy is not to permit non-government schools to lease premises of public schools that have been closed'. This decision was made in the light of the *Toward 2020* school closures.

Brindabella Christian College application - approved 2012

In 2012 you approved Brindabella Christian College's application for in-principle approval to develop an additional campus on the site of the former Charnwood High School.

The Charnwood High School site now houses the Canberra Christian Life Centre and associated ministry and community activities. The Canberra Christian Life Centre worked with Brindabella Christian College to establish a 12 month to 4 year old Early Learning Centre on the site prior to the application for an additional campus.

As part of the community consultation for the Brindabella Christian College's application, Australian Education Union submitted that Brindabella Christian College's recent application for should not be approved because the proposed site was the site of the former Charnwood High School, and use of this site by a non-government school would be a reversal of ACT Government policy.

It is noted Charnwood High School was not closed, as part of the *Towards 2020* reform, rather it was amalgamated, with the support of its board, with Ginninderra High School in 1995 to form Ginninderra District High School. Ginninderra District High School was subsequently closed in 2005, to allow for the building of Kingsford Smith School on its site.

Australian Education Union

Mr Glenn Fowler of the Australian Education Union has recently written to the Chief Minister requesting that the in-principle approval processes determined in 2012 be re-opened.

The Act does not provide for the re-opening of in-principle approval processes once determined.

Consultation

Nil.

Financial

Nil.

Media

The media may be interested in the current ACT Government's policy regarding the use of closed ACT public school sites.



Leanne Cover
Deputy Director-General
3 April 2013

Emerson, Marc

From: Vivienne Pearce [REDACTED]
Sent: Wednesday, 17 April 2013 11:15 PM
To: Emerson, Marc
Cc: Hugh. BOULTER
Subject: Letters relevant to our meeting tomorrow 11am, 18.4.12
Attachments: Letter to Minister Burch improving school approval processes April 13 v 4.doc; Letter to Minister J Burch re extra funds for canteen work 10 Apr.doc

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Marc

So that you have some background to tomorrow's meeting, please find attached the letters sent to Minister Burch last week.

See you tomorrow.

Vivienne Pearce
President ACT P&C Council

[REDACTED]



ACT Council of Parents & Citizens Associations
The parent voice on public education

Ms Joy Burch MLA
Minister for Education
ACT Legislative Assembly
London Circuit
Canberra ACT 2600

12 April 2013

Dear Minister,

Following on from discussions we have had at recent meetings, I would like to re emphasise our concerns about what appear to be the failures of the planning and approval processes for new non-Government schools in the ACT. I am particularly surprised that in our meeting with yourself, Marc Emerson and Ms Diane Joseph on 4 March 2013, we were not advised when we raised concerns with the applications for new schools that you had already given in principle approval for proposed registration of the schools under discussion.

As you are aware, Council raised concerns over the application for new private schools in the ACT, in our submission of May 2012 (which is attached to this letter).

From our understanding of the situation, even at a basic level there seems to have been a number of failures in the planning and approval process, which Council would urge you to review as a matter of some urgency. These include:

- Access to information seemed highly restricted on a number of levels, and not free for external review, which is not typical of important issues such as these;
- The lack of any response (formal or otherwise) by the planning/approving authority to a significant range of public submissions on new school applications;
- Logically, this then calls into question the apparent level of transparency in the application/approval process, if true community and stakeholder engagement was the intention;
- Finally, once the decision had been made, there appears to have been a lack of appropriate (formal) public announcement of each of the approvals which at best account seems to have been overlooked. In future, you might consider formal advice of approvals to those having made submissions plus notices in the Canberra Times.

Given the significant profile of these applications and consequent decision, it is our opinion that this was a failed process and would not meet normal community expectations in terms of appropriate community consultation and stakeholder engagement to the extent that the decision may even be open to appeal on a range of points.

We highlight that we are expressing our concerns in writing to you in the first instance so that a constructive dialogue can take place, and in an endeavor to work collaboratively. Your speedy response to the issues raised above and in our submission would be greatly appreciated in order to facilitate further conversation and process improvements.

Yours sincerely,



Vivienne Pearce
President

Proposed new non-government schools



ACT Council of Parents & Citizens Associations

The parent voice on public education

ACT Council of Parents & Citizens Associations is the representative body
for Parent & Citizen associations in the ACT.

Council represent over 60,000 parents in 85 ACT public schools.

ACT Council of Parents & Citizens Associations | ABN: 53 870 517 949
Po Box 4741 Higgins ACT 2615 | Tel: 02 62415759 | Email: contact@actparents.org.au
Web: www.actparents.org.au

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1. Introduction: Establishment of new non-government schools

The ACT Council of Parents & Citizens Associations (Council) has several concerns over the applications of three proposed non-government schools being considered for in-principle approval by the Education and Training Directorate (ETD).

Of the three proposed new schools, two are for new campuses of existing schools and one is for a new Islamic school in north Canberra. Brindabella Christian College is looking to open a new campus in Charnwood that would initially cater for K-4 and in time expand to a K-12 school with 650 students in total. Canberra Christian College is seeking to build a new Campus in Molonglo initially for K-6 students, expanding in time to K-12 with an eventual enrolment projection of 813 students. A new Islamic school, At Taqwa, is being proposed for either Crace or Forde with an aim to serve up to 880 K-10 students.

The *Education Act 2004* (ACT) (the Act) sets out the conditions for approval of proposed new schools and campuses in Section 84. The Act requires the Minister to consider both the impact on the ongoing viability of existing schools in the area and the community demand for the proposed schools. Council has concerns over whether the proposed schools meet the requirements set out in this section.

2. Viability of existing schools

The Minister is required to consider whether a new campus would undermine the viability of existing schools, under s 84(2)(a) of the *Education Act 2004* (ACT).

2.1 Brindabella Christian College

Many of the public schools surrounding the proposed new campus for Brindabella Christian College currently have vacant positions. For example, Charnwood-Dunlop Primary School located a few streets away from the proposed new campus has an enrolment of 285 students but a capacity for around 450 students, excluding pre-school enrolments.

Beyond Charnwood-Dunlop Primary School, a number of other schools in the proposed catchment area also have additional capacity potential for students. Latham Primary School, for example, has 253 students enrolled with capacity for 325, whilst Macgregor Primary School has 358 students enrolled with capacity for 580. This underutilisation of resources in the region is not limited to primary schools. Kingsford-Smith Secondary School currently has 376 students with capacity for 500 and the Melba Copland Secondary School's college campus has 277 enrolments with capacity for 879 enrolments.

Brindabella Christian College has proposed a large catchment area in North-West Belconnen. Council's concern is that students in these regions will be drawn away from already struggling schools and that the Government may use the resulting lower enrolment numbers to justify closing down schools in the region as was the case in 2006.

2.2 Canberra Christian School

Planning for the Molonglo Valley is currently underway and as such there are no existing schools for which to assess the possible impact.

Additionally, the Government has not made clear the extent of proposed public schools in the region. Council feels that the potential for development of public schools would be compromised by introducing such a large non-government school into the region at this early stage.

Finally, in the Weston Creek area located in close proximity to the Molonglo Valley, the Government closed down and amalgamated a number of schools under its *Towards 2020: Renewing Our Schools* process. Council is concerned that the addition of such a large school to this area could have a detrimental effect on existing public schools in the Weston Creek area.

2.3 At Taqwa Islamic School¹

The location for the proposed new Islamic school has not been finalised. However, it appears that it would be built either in Grace or Forde. Council has serious concerns if it is to be built close to the Belconnen region due to the under capacity of the public schools in that region, and the same potential impact on those schools as previously outlined for the Brindabella Christian College campus.

3. Community demand for new schools

The Minister is required to consider whether there is the demand for an additional campus under s 84(2)(b) of the *Education Act 2004* (ACT).

3.1 Brindabella Christian College

Council questions whether demand for a new campus truly exists in the community both within and around the proposed new site. Under *Towards 2020: Renewing Our Schools* published in 2006, the ACT Government closed several schools in this region due to low enrolments. Council does not believe that there has been a significant increase in the student population within this region. As noted above, numerous schools surrounding the proposed new campus are not at full capacity suggesting that there has not been a population increase that would require the establishment of additional schools.

Council believes that in the application for in-principle approval there is limited evidence of community demand for a new school of this nature. It is Council's understanding that specific evidence has come from letters of support from Christian Schools Australia, Canberra Christian Life Centre, Northpointe (Baptist Church), Brindabella Christian College

¹As At Taqwa would be a new school the relevant legislative provision would be s 84(1)(a) of the *Education Act 2004* (ACT) however there is little difference between the application of this section and section 84(2)(a) set out above.

P&F, Vicki Dunne MLA and two parents who would enrol their children in the school. More generalised statements with regard to alleged increasing demand for private schools in the ACT and a 'ground swelling' of support have also been provided; however, these are not of a specific nature and, are therefore unable to be corroborated, Council believes such statements should not be counted as evidence for community demand. Council feels that the evidence of community support is not substantial enough to warrant the construction of a new campus given the likely detrimental effects it would have on existing public schools.

There are currently seven non-government schools in the Belconnen region with three located in the area around where the new campus is proposed. As such Council questions whether such demand truly exists for such a large non-government school in the region. Additionally, a large Catholic school, catering for over 1,000 students, has previously been granted in-principle approval for the Gungahlin region and Council would query whether this school does not already meet any additional demand in the region.

If the ETD is of the opinion that the demand does exist due to an increase in the student population, then the demand must be analysed for the type of school needed. An increase in demand due to increases in population should be justification for the consideration of the development of new public schools in the first instance. Council considers it a dangerous precedent for the Government to establish non-government schools first in a new development particularly for reasons of equity in access to affordable education.

3.2 Canberra Christian School

As with the proposed new campus for the Brindabella Christian College in Charnwood, Council has some concerns over the new Molonglo campus for the Canberra Christian School. Council understands that the only evidence of community demand is letters of support from various organisations such as Christian Schools Australia, Adventist Schools Australia, Adventist Schools (greater Sydney) and from four members of the community. Like the proposed new campus for Brindabella Christian College, Council feels such demand is vastly inadequate to justify the proposed school and in particular the proposed size.

Council is also concerned by the proposed intake of the school's students with the application stating that 80% of students will come from outside the Seventh Day Adventist community. Council feels that this indicates that there is not a significant demand amongst the Seventh Day Adventist community to justify building such a large school and that evidence of community support from bodies such as Adventist Schools Australia and Adventist Schools (greater Sydney) should be considered with this in mind.

Additionally, no evidence has been provided of wide community consultation and in Council's view the application does not deal adequately with the question of from where students might be drawn. For these reasons, Council feels that until the needs and demands of the community are properly known, in-principle support for such a large non-government school should be withheld.

3.3 At Taqwa Islamic School²

Council understands that the application for in-principle approval contains expressions of support from families which could make up a cohort of approximately 180 students. The application says that such support was gained at community meetings but provides no further evidence. Therefore Council would suggest that in-principle support be withheld until a location for the school is determined and evidence of extensive community support from within the region can be obtained.

4. Additional concerns

4.1 Provision of child care in the ACT

Council is also concerned by a trend occurring in the ACT highlighted by the Canberra Christian School's submission. In the submission, the Canberra Christian School argued that by attaching an early learning centre to their school, they would be able to guarantee that their kindergarten would be full the following year. Council questions why the Government has not been responsive to the need for childcare in this location, noting that by the same logic offered by the proposed school, the demand for public schooling could also be determined by the filling of childcare places in a public centre.

4.2 Funding model for new campuses

It is also of great concern to Council that two of the applications are seeking to establish a second campus of an existing school, rather than a new school, so that they can take advantage of an already established favoured level of government support. Under the Howard Government's funding model, schools were given a guarantee that their funding per student would be maintained at previous levels had the model determined the school to be eligible for less funding. This commitment was reiterated by the current Federal Government following the Gonski review. Such commitments have resulted in Brindabella Christian College being over funded by approximately \$1.4 million in 2011 and Canberra Christian School by \$10,000, a number reflective of the small size of the school. The funding maintenance guarantee applies to new campuses, though not new schools, meaning that there is a clear economic advantage to opening a new campus rather than a new school despite geographic and size differences in the campuses. This takes important money away from public education and has the result of entrenching an unfair distribution of resources.

²As At Taqwa would be a new school the relevant legislative provision would be s 84(1)(b) of the *Education Act 2004* (ACT); however there is little difference between the application of this section and section 84(2)(b) set out above.

4.3 Consultation process

Council was also concerned over the consultation process. Whilst Council appreciates the extensions granted by ETD, Council believes that such extensions would not have been necessary had ETD made the consultation process clear from the start. Council office staff had difficulty locating information about the consultation on ETDs website. Council feels it would be appropriate to have such community consultations located in a prominent area of the website. Due to the short consultation time and the inability to take copies of the applications with us Council was not able to properly verify some of the claims made in the application, and was unable to properly assess the impact on schools. Therefore, Council would recommend ETD review the consultation process with an aim of increasing transparency and notifying potential stakeholders of the existence of such consultations directly.

5. Conclusion & Recommendations

Due to the likely effect of new campuses on existing schools in the various areas, and the lack of evidence-based demand from within the surrounding communities, Council would encourage the Minister to withhold in-principle approval until such a time as genuine demand for the additional campuses exist and the effects of the campuses will not be detrimental to the viability local schools. With regard to the proposed At Taqwa school, Council would encourage the Minister to withhold approval until it can be established that the school has broad community support and until the proposed location for the school has been determined so its impact on surrounding schools can be properly assessed.

Document outside scope

Emerson, Marc

From: Emerson, Marc
Sent: Wednesday, 13 March 2013 1:59 PM
To: 'Glenn Fowler'
Cc: Tardif, Phillip
Subject: RE: Private schools approval

Follow Up Flag: Follow up
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Dear Glenn.

In answer to your questions, I am advised that.

- o A public notice of the application is published in the Community Notices section of the *Canberra Times*. The notice invites written comments on the proposal. Written comments close at least 60 days after the day the notice is published.
- o Advice of the application and call for comment is also made on the Directorate's website.
- o Copies of applications are available for inspection by members of the public at the offices of the Education and Training Directorate.
- o To enhance stakeholder engagement with this process, the Directorate will also provide a copy of applications on request.
- o The Directorate provides the Minister with a copy of all written comments received from stakeholders.
- o After considering the application and having regard to any comments received, the effect of the proposal on existing schools and the demand for the proposal, the Minister makes a decision on the application.
- o From 2013, results of the application processes will be listed on the Directorate's website. This is a new initiative to enhance transparency of the process.
- o Members of the public may request to inspect the Ministers reasons for a decision but the Directorate has no records of any requests during the period 2010-13.

If you require any more information about the operation of the process I'm happy to try and arrange a brief for you from the Directorate.

Tha. .

Marc

Marc Emerson | Adviser - Education and Training
Office of Minister Joy Burch MLA
Member for Brindabella
ACT Minister for Education and Training | ACT Minister for Disability, Children and Young People | ACT Minister for Multicultural Affairs | ACT Minister for Women | ACT Minister for Gaming and Racing | ACT Minister for Arts |
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From: Glenn Fowler [<mailto:GFowler@aeuact.asn.au>]
Sent: Tuesday, 12 March 2013 5:00 PM
To: Emerson, Marc
Subject: Private schools approval

Hi Marc

Hoping you can call me as soon as possible to clarify the decision that has apparently been made and the process that has occurred.

The advice I've received is that under section 84 of the Education Act, the Minister must give written notice of any approval or refusal to approve an application for in-principle approval of registration of a new school, a new campus of an existing school or a new level of schooling of an existing school. The notice must state the Minister's reasons for giving or refusing approval. The Director-General must make a copy of the notice and the reasons available for public inspection.

At this stage I still have little to no idea what has happened, which is rather frustrating considering the level of interest the AEU has shown in this matter for many months now.

Cheers

Glenn Fowler

Secretary

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Question Time Brief

Subject: New Non-government Schools - Processes for applications and approvals

Issue/Question:

- Under section 83 of the *Education Act 2004* (the *Act*) in-principle approval is required for the:
 - commencement of a new non-government
 - development of additional year levels or an additional campus for an existing non-government school.
- Applications since 2011
 - Islamic School of Canberra for expansion to year 12 at the site in Weston
 - Canberra Christian School for a kindergarten to year 6 campus, eventually expanding to year 12 in the Molonglo development area
 - Brindabella Christian School for a kindergarten to year 4 campus, eventually expanding to year 12 on the previous site of Charnwood High School
 - Canberra Muslim Youth for a new kindergarten to year 4 school, eventually expanding to year 10 in Gungahlin or West Belconnen
 - Good Shepherd Primary School for an additional secondary campus, John Paul College (years 7-8) eventually expanding to year 12
 - Good Shepherd Primary School's secondary campus, John Paul College, for additional education levels (years 9- 10).
- Outcomes
 - Islamic School of Canberra - withdrawn by the school
 - Canberra Christian School additional campus - approved 2012 to commence 2015
 - Brindabella Christian School additional campus - approved 2012 to commence 2014
 - At-Taqwa School (Canberra Muslim Youth) - approved 2012 to commence 2014
 - Good Shepherd Primary School for an additional secondary campus, John Paul College (years 7-8) - approved 2012 for development in Nichols (previously approved for development in East Gungahlin)

- Good Shepherd Primary School's secondary campus, John Paul College, for additional education levels (years 9- 10) - application in progress - comments close 12 April 2013.
- Process
 - A public notice of the application is published in the Community Notices section of the *Canberra Times*. The notice invites written comments on the proposal. Written comments close at least 60 days after the day the notice is published.
 - Advice of the application and call for comment is also made on the Directorate's website.
 - Copies of applications are available for inspection by members of the public at the offices of the Education and Training Directorate.
 - To enhance stakeholder engagement with this process, the Directorate will also provide a copy of applications on request.
 - The Directorate provides the Minister with a copy of all written comments received from stakeholders.
 - As required under the *Education Act 2004*, the Minister also considers:
 - whether the provision of the development would undermine the viability of other existing schools;
 - the demand for the development, including the level of registration of interest shown by the community for the proposal.
 - After considering the application and having regard to any comments received, the effect of the proposal on existing schools and the demand for the proposal, the Minister makes a decision on the application.
 - From 2013, results of the application processes will be listed on the Directorate's website. This is a new initiative to enhance transparency of the process.
 - Members of the public may request to inspect the Ministers reasons for a decision but the Directorate has no records of any requests during the period 2010-13.