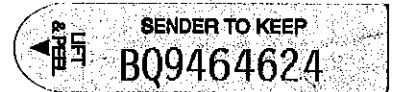




14 May 2010

Non-State Schools
Accreditation Board

FILE COPY



Ms Kathryn Tully
Chair
Maridahdi Early Childhood Community
PO Box 4742
TOOWOOMBA EAST QLD 4350

Dear Ms Tully

Re: Information Notice to Maridahdi Early Childhood Community — application to include site at South Street, Toowoomba, in attributes of accreditation of Maridahdi Early Childhood Community School

I refer to the application to the Non-State Schools Accreditation Board, under the *Education (Accreditation of Non-State Schools) Act 2001*, by Maridaydi Early Childhood Community, to include the site at 1 South Street, Toowoomba, in the attributes of accreditation of Maridahdi Early Childhood Community School.

The Board has decided, pursuant to section 52 of the Act, to refuse to grant the application. The Board made this decision on 30 April 2010.

I enclose an *Information Notice* about this decision, in accordance with section 52(5) of the Act.

Yours sincerely

Emeritus Professor S Vianne (Vi) McLean AM
Chairperson

Enc

INFORMATION NOTICE

Non-State Schools Accreditation Board (the "Board")

Education (Accreditation of Non-State Schools) Act 2001 (the "Act")

Section 52

-
- Issued to:** Maridahdi Early Childhood Community (the "applicant")
- Name of school:** Maridahdi Early Childhood Community School (the "school")
- Date of issue:** 14 May 2010
- The decision:** On 30 April 2010, the Board decided to refuse to grant the application to include the site at 1 South Street, Toowoomba, in the attributes of accreditation of the school.
- Material considered by Board:** The Board considered the following material:
- A. the application (and all accompanying documents) lodged by the applicant on 29 July 2009; and
 - B. information provided by the applicant on 14 August 2009, 9 September 2009, 30 September 2009, 23 October 2009, 16 November 2009, 24 February 2010, 22 February 2010, 29 March 2010, and 6 April 2010, and
 - C. the Minister's letter dated 10 February 2010 approving eligibility for Government funding for the proposed South Street site.
- Reasons for decision:**
1. The Board is not satisfied that the school will comply with the following accreditation criteria prescribed under the *Education (Accreditation of Non-State Schools) Regulation 2001* (the "Regulation") after the change in attribute to include the site at South Street is effected:
 - (a) land and buildings (Regulation, section 12, refers); and
 - (b) educational facilities and materials (Regulation, section 13, refers).
 2. The Board has made this determination on the following basis:
 - (a) the applicant's proposed commencement date for the new site is 12 July 2010;
 - (b) having regard to the information provided in the application and provided subsequently by the applicant in support of the application, the applicant has not satisfied the Board that:
 - (i) the school will comply with relevant land use legislation and building legislation in relation to the South Street site by the stated commencement date; and
 - (ii) the school will have the education facilities and materials necessary for the effective delivery of the school's educational program at the South Street site by the stated commencement date.
- Right of review:** The applicant has a right to apply to the Minister for Education and Training for a review of the Board's decision to refuse grant the application.
- The application for review must be made within 28 days after this

Information Notice is given to the applicant.

The application for review must be in writing and state fully the grounds of the application.

Under section 103 of the Act, after reviewing the original decision the Minister may either:

- (i) refer the matter to which the decision relates back to the Board for further consideration, subject to any directions decided by the Minister; or
- (ii) decline to refer the matter to which the decision relates back to the Board for further consideration.

Sections 101, 102 and 103 of the Act give more information about the way in which the Board's decision is reviewed if an application for review is lodged.

The Minister's postal address is:

The Honourable G Wilson MP
Minister for Education and Training
PO Box 15033
CITY EAST QLD 4002.

The applicant must serve a copy of the application for review on the Board.

The Board's postal address is:

Emeritus Professor Sandra Vianne McLean AM
Chairperson
Non-State Schools Accreditation Board
PO Box 15347
CITY EAST QLD 4002.

END

Maridahdi Early Childhood Community School – Electronic Resolution

Date: 30 April 2010

Applicant: Maridahdi Early Childhood Community

FILE COPY

Application:

The application is to include the site at 1 South Street, Toowoomba, in the attributes of accreditation for the school with a student-intake day of 12 July 2010, and to include this site in the eligibility for Government funding approvals.

Final decision date: 30 April 2010

Resolution from Professor Vi McLean on 29 April 2010

Maridahdi Early Childhood Community School application for change of accreditation attribute:

In view of the failure of Maridahdi Early Childhood Community to obtain land use consent to operate a school at the proposed site, I recommend that the Board:

- (a) decide that, after the change in attribute is effected, the school will not comply with the land and buildings accreditation criterion and the criterion related to educational facilities by the applicant's proposed commencement date. [Act, s 52(3)];
- (b) refuse the application to include 1 South Street, Toowoomba, in the attributes of accreditation for the school [Act, s 52(1)]; and
- (c) issue an information notice about the decision to refuse the application [Act, s 52(5)].

Members' Response:

Sandra McLean [s.47(3)(b) - Contrary to Public Interest] Thursday, 29 April 2010 10:45 AM
I support the resolution.

Victor Callan [v.callan@business.uq.edu.au] Thursday, 29 April 2010 12:57 PM
I approve the resolution.

Bill Lane [wb.lane@qut.edu.au] Friday, 30 April 2010 10:38 AM
I approve the resolution.

Two points:

1. In light of Mike's concern (that we frequently approve where no formal planning approval has yet been received) I think it is important to distinguish this one - what appears to make it quite different is the level of public concern and opposition to the proposal - this make it difficult to predict that it probably will receive approval - ie in the context of s.52 and on the evidence in front of us, we we could not be 'reasonably satisfied' that it will.
2. Perhaps not necessary now - but for next time - I would like to see a slightly different wording of the resolution, having regard to the wording of s.52. I would prefer the resolution to say "that the Board is not satisfied that after the change in attribute is effected, the school will comply with ...etc"

Darryl Briskey [s.47(3)(b) - Contrary to Public Interest] Thursday, 29 April 2010 10:32 AM
I approve the resolution.

BRAZIER, Anna Thursday, 29 April 2010 10:32 AM
I approve the resolution

David Robertson [DRobertson@aisq.qld.edu.au] Thursday, 29 April 2010 1:47 PM
For these reasons, I do not support the motion.

I am unsure as to why accreditation is being denied because land use consent has not been received from the Toowoomba Regional Council. (I am assuming that all other accreditation criteria have been ticked-off).

The Board has in the past granted accreditation in cases where land use consent has not been received.

If the Board is now going to require land use consent prior to granting provisional accreditation, then I am concerned that there will be a significant increase in the number of applications being refused on the basis of the nine months provision. I don't believe that this is the intention of the legislation.

It is my view that provisional accreditation should be granted and then it is a matter for the school to resolve the land use consent issue within the required timeframe applying to provisional accreditation. Clearly, if the school does not get the required land use consent, the provisional accreditation would be surrendered.

Mike Byrne: mikeb@qcec.catholic.edu.au Thursday, 29 April 2010 5:05 PM
... if forced to make a decision at this time I would favour conditional approval.

I am on the road during this week and have found it difficult to get my head around the issues again and would have appreciated the opportunity to discuss the issue with the Board. My own position is that it is a matter for the Council to consider zoning approval for the school based on their processes. I don't believe that it is the role of the Board to presume what decision the Council might make and on that basis refuse approval.

I am aware that over recent years the Board has made several decisions to grant approval subject to Council approval at a later date. I think we put ourselves in a difficult position as a Board if we now decide to refuse this application. I recognise that the Board does have a number of concerns about the site e.g. proximity to toilets and supervision. I believe these matters can be resolved by the Board with further negotiation and discussion.

Again, I would dearly like to discuss this with Board members but if forced to make a decision at this time I would favour conditional approval.

I am in Toowoomba at the moment and do have a full-day Commission meeting tomorrow but I would be happy to excuse myself from the meeting should you wish to discuss this with me further. In case you don't have it my mobile No. is s.47(3)(b) - Contrary to F

FILE COPY

From: BELFIORE, Teresa [Teresa.BELFIORE@deta.qld.gov.au]
Sent: Thursday, 29 April 2010 10:19 AM
To: Sandra McLean; v.callan@business.uq.edu.au; Bill Lane;
s.47(3)(b) - Contrary to Public Interest; BRAZIER, Anna; drobertson@aisq.qld.edu.au;
mikeb@qcec.catholic.edu.au
Subject: Urgent NSSAB resolution for consideration from Professor McLean

Board members: I would appreciate receiving as soon as possible, but no later than 1 p.m. on Friday, 30 April 2010, your response to my resolution in connection with the application to include the site at 1 South Street, Toowoomba, in the attributes of accreditation for Maridahdi Early Childhood Community School.

Background to resolution

Applicant: Maridahdi Early Childhood Community

Application:

The application is to include the site at 1 South Street, Toowoomba, in the attributes of accreditation for the school with a student-intake day of 12 July 2010, and to include this site in the eligibility for Government funding approvals.
Final decision date: 30 April 2010

Key actions to date:

At 1 April 2010 meeting, the Board resolved that it would deal with the next phase of the Board's consideration of the application by utilising the "notice of resolution" mechanisms under section 123(6) of the Act.

The Board received a letter (dated 10 February 2010, received 11 February 2010) from the Minister approving eligibility for government funding for the South Street site.

The Board wrote to Maridahdi Early Childhood Community on 6 August 2009, requesting documents demonstrating that Maridahdi Early Childhood Community will own the site or will obtain a legal right to occupy the site for the purposes of a school.

The Board received a letter (dated 29 March 2010, received 31 March 2010) from Maridahdi Early Childhood Community advising that the Public Notification period will end on 23 April 2010, and it was still awaiting land use consent.

As at 29 April 2010, Maridahdi Early Childhood Community has not provided evidence that it has obtained land use consent from Toowoomba Regional Council.

Resolution

Maridahdi Early Childhood Community School application for change of accreditation attribute:

In view of the failure of Maridahdi Early Childhood Community to obtain land use consent to operate a school at the proposed site, I recommend that the Board:

(a) decide that, after the change in attribute is effected, the school will not comply with the land and buildings accreditation criterion and the criterion related to educational facilities by the applicant's proposed commencement date. [Act, s 52(3)];

(b) refuse the application to include 1 South Street, Toowoomba, in the attributes of accreditation for the school [Act, s 52(1)]; and

(c) issue an information notice about the decision to refuse the application [Act, s 52(5)].

In your response please state whether you:

- (a) approve the resolution;
- (b) do not approve the resolution; or
- (c) abstain.

Yours sincerely

Emeritus Professor S Vianne (Vi) McLean AM Chairperson

Sent on Professor McLean's behalf by:

Teresa Belfiore

Business Support Officer (Accreditation) Non-State Schools
Accreditation Board Secretariat

Ph: 3235 4661

Fax: 3237 0004

<mailto:teresa.belfiore@deta.qld.gov.au>

Released under the
RTI Act by NSSAB

From: Darryl Briskey s.47(3)(b) - Contrary to Public Interest

Sent: Thursday, 29 April 2010 10:32 AM

To: BELFIORE, Teresa; 'Sandra McLean'; v.callan@business.uq.edu.au; wb.lane@qut.edu.au; BRAZIER, Anna; drobertson@aisq.qld.edu.au; mikeb@qcec.catholic.edu.au

Subject: RE: Urgent NSSAB resolution for consideration from Professor McLean Board Members

I approve the resolution.

Kind Regards

Darryl

Darryl Briskey

s.47(3)(b) - Contrary to Public Interest

NOTICE - This email and any attachments are confidential and only for the use of the addressee. If you have received this email in error, you are strictly prohibited from reading, using, forwarding, printing, copying or dealing in any way whatsoever with it or any information it contains, and are requested to reply immediately by email to the sender and to destroy all copies and delete it from your system.

-----Original Message-----

From: BELFIORE, Teresa [mailto:Teresa.BELFIORE@deta.qld.gov.au]

Sent: Thursday, 29 April 2010 10:20 AM

To: Sandra McLean; v.callan@business.uq.edu.au; wb.lane@qut.edu.au; BRAZIER, Anna; drobertson@aisq.qld.edu.au; mikeb@qcec.catholic.edu.au

Subject: Urgent NSSAB resolution for consideration from Professor McLean

s.47(3)(b) - Contrary to Public Interest

Board members: I would appreciate receiving as soon as possible, but no later than 1 p.m. on Friday, 30 April 2010, your response to my resolution in connection with the application to include the site at 1 South Street, Toowoomba, in the attributes of accreditation for Maridahdi Early Childhood Community School.

Background to resolution

Applicant: Maridahdi Early Childhood Community

Application:

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Final decision date: 30 April 2010

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land use consent.

As at 29 April 2010, Maridahdi Early Childhood Community has not provided evidence that it has obtained land use consent from Toowoomba Regional Council.

Resolution

Maridahdi Early Childhood Community School application for change of accreditation attribute:

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(a) decide that, after the change in attribute is effected, the school will not comply with the land and buildings accreditation criterion and the criterion related to educational facilities by the applicant's proposed commencement date. [Act, s 52(3)];

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In your response please state whether you:

- (a) approve the resolution;
- (b) do not approve the resolution; or
- (c) abstain.

Yours sincerely

Emeritus Professor S Vianne (Vi) McLean AM
Chairperson

Teresa Belfiore
Business Support Officer (Accreditation)
Non-State Schools Accreditation Board Secretariat
Ph: 3235 4661
Fax: 3237 0004
mailto:teresa.belfiore@deta.qld.gov.au

Released under the
RTI Act by NSSAB

From: BRAZIER, Anna
Sent: Thursday, 29 April 2010 10:32 AM
To: BELFIORE, Teresa; 'Sandra McLean'; 'v.callan@business.uq.edu.au';
'wb.lane@qut.edu.au'; s.47(3)(b) - Contrary to Public Interest
'drobertson@aisq.qld.edu.au'; 'mikeb@qcec.catholic.edu.au'
Subject: RE: Urgent NSSAB resolution for consideration from Professor McLean
Attachments: Picture (Metafile)
Vi

I approve the resolution

Anna

Anna Brazier | Director, Teaching and Learning
Department of Education and Training
T (07) 323 70793

From: BELFIORE, Teresa
Sent: Thursday, April 29, 2010 10:20 AM
To: 'Sandra McLean'; 'v.callan@business.uq.edu.au'; 'wb.lane@qut.edu.au'; s.47(3)(b) - Contrary to Public Interest
'drobertson@aisq.qld.edu.au'; 'mikeb@qcec.catholic.edu.au'
Subject: Urgent NSSAB resolution for consideration from Professor McLean

Board members: I would appreciate receiving as soon as possible, but no later than 1 p.m. on **Friday, 30 April 2010**, your response to my resolution in connection with the application to include the site at 1 South Street, Toowoomba, in the attributes of accreditation for **Maridahdi Early Childhood Community School**.

Background to resolution

Applicant: Maridahdi Early Childhood Community

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As at 29 April 2010, Maridahdi Early Childhood Community has not provided evidence that it has obtained land use consent from Toowoomba Regional Council.

Resolution

Maridahdi Early Childhood Community School application for change of accreditation attribute:

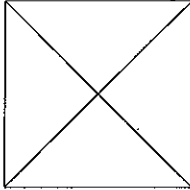
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- (b) refuse the application to include 1 South Street, Toowoomba, in the attributes of accreditation for the school [Act, s 52(1)]; and
- (c) issue an information notice about the decision to refuse the application [Act, s 52(5)].

In your response please state whether you:

- (a) approve the resolution;
- (b) do not approve the resolution; or
- (c) abstain.

Yours sincerely



Emeritus Professor S Vianne (Vi) McLean AM
Chairperson

Teresa Belfiore
Business Support Officer (Accreditation)
Non-State Schools Accreditation Board Secretariat
Ph: 3235 4661
Fax: 3237 0004
mailto:teresa.belfiore@deta.qld.gov.au

From: Sandra McLean s.47(3)(b) - Contrary to Public Interest
Sent: Thursday, 29 April 2010 10:45 AM
To: BELFIORE, Teresa
Subject: Re: Urgent NSSAB resolution for consideration from Professor McLean
 Thanks Teresa. Since I'm recommending it, clearly I support the resolution.
 Vi

On Thu, Apr 29, 2010 at 10:19 AM, BELFIORE, Teresa <Teresa.BELFIORE@deta.qld.gov.au> wrote:

Board members: I would appreciate receiving as soon as possible, but no later than 1 p.m. on Friday, 30 April 2010, your response to my resolution in connection with the application to include the site at 1 South Street, Toowoomba, in the attributes of accreditation for Maridahdi Early Childhood Community School.

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Resolution

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In your response please state whether you:

- (a) approve the resolution;
- (b) do not approve the resolution; or
- (c) abstain.

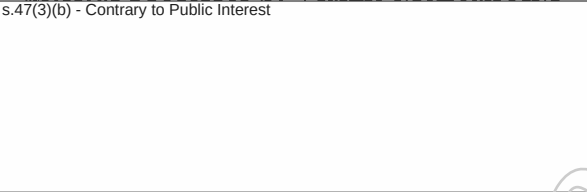
Yours sincerely

Emeritus Professor S Vianne (Vi) McLean AM
Chairperson

Teresa Belfiore
Business Support Officer (Accreditation)
Non-State Schools Accreditation Board Secretariat
Ph: 3235 4661
Fax: 3237 0004
<mailto:teresa.belfiore@deta.qld.gov.au>

--
Emeritus Professor S. Vianne McLean AM

s.47(3)(b) - Contrary to Public Interest



Released under the
RTI Act by NSSAB

From: Victor Callan [v.callan@business.uq.edu.au]

Sent: Thursday, 29 April 2010 12:57 PM

To: BELFIORE, Teresa; wb.lane@qut.edu.au; drobertson@aisq.qld.edu.au; mikeb@qcec.catholic.edu.au

Subject: RE: Urgent, NSSAB resolution for consideration from Professor McLean RE-SENT

Dear Board Members,

I approve the resolution.

Victor

Victor J Callan PhD FASSA FAIM FAICD

Professor and Cluster Leader

UQ Business School

Colin Clark Building

The University of Queensland.

Queensland. Australia 4072

Tel. 61 7 33659009

<http://business.uq.edu.au/display/teach/Victor+Callan>

From: BELFIORE, Teresa [mailto:Teresa.BELFIORE@deta.qld.gov.au]

Sent: Thu 29/04/2010 11:47 AM

To: Victor Callan; wb.lane@qut.edu.au; drobertson@aisq.qld.edu.au; mikeb@qcec.catholic.edu.au

Subject: Urgent, NSSAB resolution for consideration from Professor McLean RE-SENT

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Resolution

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(c) issue an information notice about the decision to refuse the application [Act, s 52(5)].

In your response please state whether you:

- (a) approve the resolution;
- (b) do not approve the resolution; or
- (c) abstain.

Yc ☐ sincerely

Emeritus Professor S Vianne (Vi) McLean AM
Chairperson

Sent on Professor McLean's behalf by:

Teresa Belfiore
Business Support Officer (Accreditation)
Non-State Schools Accreditation Board Secretariat
Ph: 3235 4661
Fax: 3237 0004
<mailto:teresa.belfiore@deta.qld.gov.au>

Released under the
RTI Act by NSSAB

D Robertson members vote.txt

From: David Robertson [DRobertson@aisq.qld.edu.au]
Sent: Thursday, 29 April 2010 1:47 PM
To: BELFIORE, Teresa; Sandra McLean; v.callan@business.uq.edu.au;
wb.lane@qut.edu.au; s.47(3)(b) - Contrary to Public Interest BRAZIER, Anna;
mikeb@qcec.catholic.edu.au
Subject: RE: Urgent NSSAB resolution for consideration from Professor
McLean

Dear Vi

I am unsure as to why accreditation is being denied because land use consent has not been received from the Toowoomba Regional Council. (I am assuming that all other accreditation criteria have been ticked-off).

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It is my view that provisional accreditation should be granted and then it is a matter for the school to resolve the land use consent issue within the required timeframe applying to provisional accreditation. Clearly, if the school does not get the required land use consent, the provisional accreditation would be surrendered.

For these reasons, I do not support the motion.

Regards

David Robertson
Executive Director

96 Warren Street Spring Hill QLD 4000
PO Box 957 SPRING HILL QLD 4004
Email: drobertson@aisq.qld.edu.au
Website: www.aisq.qld.edu.au
Phone: (07) 3228 1515 Fax: (07) 3228 1575

-----Original Message-----

From: BELFIORE, Teresa [mailto:Teresa.BELFIORE@deta.qld.gov.au]
Sent: Thursday, 29 April 2010 10:20 AM
To: Sandra McLean; v.callan@business.uq.edu.au; wb.lane@qut.edu.au;
s.47(3)(b) - Contrary to Public Interest; Anna Brazier; David Robertson;
mikeb@qcec.catholic.edu.au
Subject: Urgent NSSAB resolution for consideration from Professor McLean

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Background to resolution

Applicant: Maridahdi Early Childhood Community

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Page 1

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As at 29 April 2010, Maridahdi Early Childhood Community has not provided evidence that it has obtained land use consent from Toowoomba Regional Council.

Resolution

Maridahdi Early Childhood Community School application for change of accreditation attribute:

In view of the failure of Maridahdi Early Childhood Community to obtain land use consent to operate a school at the proposed site, I recommend that the Board:

(a) decide that, after the change in attribute is effected, the school will not comply with the land and buildings accreditation criterion and the criterion related to educational facilities by the applicant's proposed commencement date. [Act, s 52(3)];

(b) refuse the application to include 1 South Street, Toowoomba, in the attributes of accreditation for the school [Act, s 52(1)]; and

(c) issue an information notice about the decision to refuse the application [Act, s 52(5)].

In your response please state whether you:

- (a) approve the resolution;
- (b) do not approve the resolution; or
- (c) abstain.

Yours sincerely

Emeritus Professor S Vianne (Vi) McLean AM
Chairperson

Teresa Belfiore
Business Support Officer (Accreditation)
Non-State Schools Accreditation Board Secretariat
Ph: 3235 4661
Fax: 3237 0004
mailto:teresa.belfiore@det.qld.gov.au

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D Robertson members vote.txt
The Association on +61 7 3228 1515 and destroy the original message.

Any views expressed in this message are those of the individual sender, except where the sender specifically states them to be the views of The Association of Independent Schools of Queensland Inc and is authorised to make this statement.

Released under the
RTI Act by NSSAB

M Byrne members vote.txt

From: Kathy Fyson [kathyf@qcec.catholic.edu.au] on behalf of Mike Byrne
[mikeb@qcec.catholic.edu.au]
Sent: Thursday, 29 April 2010 5:05 PM
To: BELFIORE, Teresa; v.callan@business.uq.edu.au; wb.lane@qut.edu.au;
David Robertson
Cc: mikeb@qcec.catholic.edu.au
Subject: RE: Urgent, NSSAB resolution for consideration from Professor
McLean RE-SENT

Dear Vi

I am on the road during this week and have found it difficult to get my head around the issues again and would have appreciated the opportunity to discuss the issue with the Board. My own position is that it is a matter for the Council to consider zoning approval for the school based on their processes. I don't believe that it is the role of the Board to presume what decision the Council might make and on that basis refuse approval.

I am aware that over recent years the Board has made several decisions to grant approval subject to Council approval at a later date. I think we put ourselves in a difficult position as a Board if we now decide to refuse this application. I recognise that the Board does have a number of concerns about the site e.g. proximity to toilets and supervision. I believe these matters can be resolved by the Board with further negotiation and discussion.

Again, I would dearly like to discuss this with Board members but if forced to make a decision at this time I would favour conditional approval.

I am in Toowoomba at the moment and do have a full-day Commission meeting tomorrow but I would be happy to excuse myself from the meeting should you wish to discuss this with me further. In case you don't have it my mobile No. is

s.47(3)(b) - Contrary to Public

Kind Regards

Mike Byrne
Executive Director
Queensland Catholic Education Commission
143 Edward Street, BRISBANE Q 4000
GPO Box 2441, BRISBANE Q 4001
Ph: + 61 7 3336 9312
Fax: +61 7 3336 9305
Mob: 0417 704 597
Email: director@qcec.catholic.edu.au

-----Original Message-----

From: BELFIORE, Teresa [mailto:Teresa.BELFIORE@deta.qld.gov.au]
Sent: Thursday, 29 April 2010 11:47 AM
To: v.callan@business.uq.edu.au; wb.lane@qut.edu.au; David Robertson; Mike Byrne
Subject: Urgent, NSSAB resolution for consideration from Professor McLean
RE-SENT

Board members: I would appreciate receiving as soon as possible, but no later than 1 p.m. on Friday, 30 April 2010, your response to my resolution in connection with the application to include the site at 1 South Street, Toowoomba, in the attributes of accreditation for Maridahdi Early Childhood Community School.

Background to resolution

Applicant: Maridahdi Early Childhood Community

Application:

The application is to include the site at 1 South Street, Toowoomba, in the attributes of accreditation for the school with a student-intake day of 12 July 2010, and to include this site in the eligibility for Government funding approvals.

Final decision date: 30 April 2010

Key actions to date:

At 1 April 2010 meeting, the Board resolved that it would deal with the next phase of the Board's consideration of the application by utilising the "notice of resolution" mechanisms under section 123(6) of the Act.

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Maridahdi Early Childhood Community School application for change of accreditation attribute:

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(a) decide that, after the change in attribute is effected, the school will not comply with the land and buildings accreditation criterion and the criterion related to educational facilities by the applicant's proposed commencement date. [Act, s 52(3)];

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In your response please state whether you:

- (a) approve the resolution;
- (b) do not approve the resolution; or
- (c) abstain.

Yours sincerely

Emeritus Professor S Vianne (Vi) McLean AM Chairperson

Sent on Professor McLean's behalf by:

Teresa Belfiore

Business Support Officer (Accreditation) Non-State Schools Accreditation Board Secretariat

Ph: 3235 4661

Fax: 3237 0004

mailto:teresa.belfiore@det.qld.gov.au

W Lane members vote.txt

From: Bill Lane [wb.lane@qut.edu.au]
Sent: Friday, 30 April 2010 10:38 AM
To: BELFIORE, Teresa; Sandra McLean; v.callan@business.uq.edu.au;
s.47(3)(b) - Contrary to Public Interest BRAZIER, Anna; drobertson@aisq.qld.edu.au;
mikeb@qcec.catholic.edu.au
Cc: Bill Lane
Subject: RE: Urgent NSSAB resolution for consideration from Professor McLean

To NSSAB,

I approve the resolution.

Two points:

1. In light of Mike's concern (that we frequently approve where no formal planning approval has yet been received) I think it is important to distinguish this one - what appears to make it quite different is the level of public concern and opposition to the proposal - this make it difficult to predict that it probably will receive approval - ie in the context of s.52 and on the evidence in front of us, we we could not be 'reasonably satisfied' that it will.
2. Perhaps not necessary now - but for next time - I would like to see a slightly different wording of the resolution, having regard to the wording of s.52. I would prefer the resolution to say "that the Board is not satisfied that after the change in attribute is effected, the school will comply with ...etc"

Bill

Bill Lane
Clayton Utz Professor of Public Law
Faculty of Law
QUT
GPO Box 2434
Brisbane Qld. 4001
Phone: (07) 3864 2004
Cricos No.002133

From: BELFIORE, Teresa [Teresa.BELFIORE@deta.qld.gov.au]
Sent: Thursday, 29 April 2010 10:19 AM
To: Sandra McLean; v.callan@business.uq.edu.au; Bill Lane;
s.47(3)(b) - Contrary to Public Interest BRAZIER, Anna; drobertson@aisq.qld.edu.au;
mikeb@qcec.catholic.edu.au
Subject: Urgent NSSAB resolution for consideration from Professor McLean

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W Lane members vote.txt

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Emeritus Professor S Vianne (Vi) McLean AM Chairperson

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