

EVIDENCE TAKEN BEFORE

GENERAL PURPOSE STANDING COMMITTEE NO. 1

INQUIRY INTO THE PROPOSED CLOSURE OF SEAFORTH TAFE

At Sydney on Monday, 22 November 1999

The Committee met at 3.00 p.m.

PRESENT

Reverend the Hon. F. J. Nile (Chairman)

The Hon. Patricia Forsythe
The Hon. A. B. Kelly
The Hon. P. T. Primrose

The Hon. H. S. Tsang
The Hon. Dr P. Wong

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TERRY BURKE, Deputy Director-General (Operations) TAFE, New South Wales, on former oath:

CHAIR: Do you wish to make any opening statement or any further comments?

Dr BURKE: I would like to make some comments, Mr Chairman, at the end, if that is possible. Is that permissible?

CHAIR: Yes. Will we need the opportunity to ask questions after you make that statement? Do you think that would be necessary?

Dr BURKE: I do not think so. I will actually table what I am going to say. I am quite happy to make it earlier if you wanted to ask questions.

CHAIR: It would not be proper, probably, to finish up with just your statement at the very end. We will have to allow a few minutes for members to ask questions if they wish. We can continue until 4.30 if members wish to keep asking questions. We will proceed with questions.

Mrs FORSYTHE: Dr Burke, if I can begin, we understood today that Mr Puffett was to come with you. We now understand that he is overseas. Are you able to shed some light on when he went overseas and for how long he is away?

Dr BURKE: He was away for two weeks and he returned at the weekend. He is back today, but he is involved in discussions with the Teachers Federation this afternoon.

Mrs FORSYTHE: Was that something that would not have been known by the department on Friday? We were given clear advice that he was to be available this afternoon. The last thing we would normally do is subpoena witnesses, but he was considered an important witness.

Dr BURKE: I think we gave advice back, or the Minister gave advice back, to the Chairman that he would not be available today.

CHAIR: The advice we had from the Minister's office was that he would be available, apparently. I personally have not had any advice to the contrary. No, we had written advice at five o'clock on Friday that he would not be available today. At four o'clock there was verbal advice he would be available; at five o'clock there was written advice he would not be available. That came to the Committee.

Mrs FORSYTHE: If I could now just move on to some of the information that has come out of talking to other witnesses and also going back through the evidence, one of the things that we were advised about when we visited Seaforth on Friday was the

installation of airconditioning in some of the science laboratories in July of this year. Can you indicate how much that would have cost?

Dr BURKE: No.

Mrs FORSYTHE: You are not aware of that?

Dr BURKE: I would have to take that on notice because I do not know the answer to it.

Mrs FORSYTHE: You may have to take it on notice. If you refer back to the information in part supplied by Mr Burkhardt when he was here, on page 25 of the transcript of 12 November there is some information in between the questioning by Mr Primrose of Mr Burkhardt about the costs to do the urgent capital works upgrade. It is described as \$400,000 for the roof. My question is: if the decision was taken in July to do an upgrade of the airconditioning, why were the current serious nature of the roof problems not considered when money was spent on the building in July?

Dr BURKE: I am sorry, I am not in a position to answer detailed questions about properties matters because Mr Burkhardt is the person who knows most about that, and I am sorry I do not have that detail.

Dr WONG: That being the case, I would like Mr Burkhardt to table a quote to the Committee, please, on that matter.

Dr BURKE: Would he table a quote?

Dr WONG: A quote, yes.

Dr BURKE: In regard to the airconditioning?

Dr WONG: No, in regard to both. How much was spent. It is not the quote. What was done and the quote for \$400,000 to fix up the roof?

Dr BURKE: With respect, I do not think there was a quote for \$400,000. I think Mr Burkhardt indicated it was not \$400,000.

Dr WONG: What figure did he indicate?

Dr BURKE: I think he talked about \$175,000, just from memory. I do not have Hansard with me. It was \$175,000, as I recall.

CHAIR: Could we put it on notice that we would like some documentation supporting the estimated cost of repairing the roof?

Dr BURKE: Yes.

CHAIR: The other question relates to the airconditioning. After viewing it when we were there on Friday, the question in our mind was why was so much money spent on airconditioning - some, we understand, thousands of dollars - in only June or July when they were planning to close it down? There seems to be something a bit odd in the planning.

Dr BURKE: I presume that I will get these requests recorded in writing, because I am not sure that whether I should be recording this or not.

CHAIR: The first request is the documentation supporting the cost of the roof repair; the second one: what did it cost for the airconditioning and the date of the installation?

Dr WONG: My next question is, Dr Burke, when the Committee went to Seaforth TAFE last Friday we were given by your department a map of Seaforth which, the Chairman mentioned, clearly said "Seaforth campus", if you would like to look at it.

Dr BURKE: Yes, I have seen that.

Dr WONG: I would also like to table on the record a letter from a person called Warwick Goodsir, dated 21 February 1994, subject "Amalgamation Northern Beaches College of TAFE". On the next page he mentions that the college is made up of three sites - Balgowlah campus, Brookvale campus and Seaforth campus.

CHAIR: You seek leave to table those two documents?

Dr WONG: Yes.

(Documents tabled)

Dr WONG: The next question to you, Dr Burke, is: would you like to recognise now that Seaforth is a campus?

Dr BURKE: No. I think that I canvassed this quite extensively the last time. The point that I was making was that it was part of the Northern Beaches campus. I did acknowledge last time, and I acknowledge now, that it is often used in some of the terminology.

Dr WONG: You say it can be used?

Dr BURKE: I said that it has been used. What I was endeavouring to do, and I do not think necessarily very successfully, was trying to point out that it is part of Northern Beaches campus.

Dr WONG: We have no problem with that so long as you recognise that in itself it is also a campus mentioned in numerous correspondence, letters and booklets. I have no problem with you saying that Seaforth campus also operates on the northern beaches. I accept that. I also want to raise for your attention that numerous publications, including a map, mention Seaforth campus.

Dr BURKE: And I have accepted that. It is there. But I wonder if I could just reiterate what I am saying. That is why I was asked to table at the last hearing a copy of the annual report, which indicated the campuses in Northern Sydney Institute, and Seaforth is not listed as a campus. Northern Beaches is listed as a campus, with Seaforth in brackets after it. That was the point I was trying to make.

Dr WONG: That part of the document, I accept that, but overall I would like to emphasise the impression we had. I would therefore like to table the next letter then, Mr Chair. It is a letter from the Hon. Michael Egan to Mr John Hennessy dated 2 July 1999, a total of two pages, which mentions particularly the advice of Michael Egan on page 2 that no TAFE campus will close. I table that document too, please.

(Letter tabled)

Dr WONG: Dr Burke, now, are you aware of the letter from Mr Michael Egan's staff?

Dr BURKE: I have never seen that letter, no.

Dr WONG: Obviously in between that letter of 2 July 1999 and some time in mid-August 1999 something dramatic happened. What was the reason suddenly from the reassurance from the ministerial staff, from Susan Holland, from Siva Kumar, that Seaforth would not be closed suddenly in mid-August it was announced that it will be closed? Can you explain to the Committee why?

Dr BURKE: I think I did explain to the Committee last time that we had budget imperatives that required that each institute director do some reconsideration of their planning and their budgetary arrangements, and a recommendation was made that Seaforth TAFE close. The date would have been after that letter had been sent that it was approved by the managing director.

Dr WONG: Can you tell the Committee approximately what time this decision was made?

Dr BURKE: 15 July.

Dr WONG: On 15 July the decision was made. And who made the decision?

Dr BURKE: I am sorry, 12 July.

Dr WONG: On 12 July the decision was made. So that was about 10 days exactly after the Hon. Michael Egan issued a statement in writing that Seaforth TAFE would not close. Did anybody consult the Treasurer on this matter?

Dr BURKE: No, not to my knowledge.

Dr WONG: And when did the Minister make such a decision?

Dr BURKE: I indicated last time that the managing director made the decision.

Dr WONG: The Minister had to approve it. When did the Minister approve it?

Dr BURKE: The Minister, as I said before, noted the decision and he did not intervene. The managing director made the decision.

Dr WONG: So that was on 12 July 1999?

Dr BURKE: That's right.

CHAIR: I am just checking. We have received a briefing document that was given to the Minister from the department asking for his approval. That has been submitted to the Committee. It was signed by the Minister on 13 July 1999. We have that document now.

Mrs FORSYTHE: When this decision was made public, as I understand it, it was clear from the initial reports in the *Manly Daily* and soon afterwards that there was to be no HSC offered on the northern beaches. Is that correct?

Dr BURKE: I heard that said at the last meeting, and I have heard that said before, but I am not in a position to say whether that is correct or not because I do not know.

Mrs FORSYTHE: Are you aware that a decision has been taken since then to change the initial decision in relation to the HSC?

Dr BURKE: Well, if that initial information is correct, then certainly a decision was made to change it, because the HSC will be offered.

Mrs FORSYTHE: How would people find out about that - students, teachers?

Dr BURKE: I presume in the usual way.

Mrs FORSYTHE: What would the usual way be?

Dr BURKE: Through information booklets and materials.

Mrs FORSYTHE: The Head Teacher HSC studies at Seaforth was one of our witnesses. He indicated to us that he read about the proposal to introduce an abridged form of the HSC at Brookvale via the *Manly Daily*.

Dr BURKE: Well, I think that it is incorrect to say it is an abridged form of the HSC.

Mrs FORSYTHE: Offering four core subjects at Brookvale.

Dr BURKE: No, I think what it says is that the core subjects that are presently offered will certainly be offered at Brookvale and other subjects will be dependent upon demand, so it is not correct to say it is an abridged version at all. Basically, if the demand is there, then a similar HSC will be offered as has been offered at Seaforth.

Mrs FORSYTHE: What would be the enrolment time for students wanting to enrol for the HSC next year?

Dr BURKE: I am not sure of the exact dates, but I presume between now and the end of the year.

Mrs FORSYTHE: How will students find out about what is on offer if it is a question of demand? Is it normal for a college to wait to see what people want to do?

WITNESS: Yes, it is, because if you have one student who wishes to do a subject, you might not offer that subject, but the same applies in schools. It is not possible to offer every subject that is available in the HSC.

Mrs FORSYTHE: Therefore, at this stage the information being provided to students and presumably staff is that there will be an HSC offered at Brookvale?

Mr BURKE: That is my understanding.

Mrs FORSYTHE: But you cannot clarify whether that is different information to that which was made available in August when closure of the TAFE became public?

Mr BURKE: That is what I have been told and I can only take your word and other people's word for that, but I am not aware of that. It was always my understanding that the HSC would be offered. I am sorry, I will repeat what I said. It was my understanding, because apparently I am doubted by some people in the gallery, that the HSC would be offered. If some people gave different information that might have been the case at the time, but it was not my understanding.

Mrs FORSYTHE: It certainly may be of some assistance if we could have provided to this Committee, some paper trail, some indication of when various decisions have been taken in relation to the HSC. I have to say that the evidence currently available

to the Committee would suggest the decision has been taken on the run and basically been reported to the Committee via the *Manly Daily*. I would like to see some paper trail, some indication of various dates upon which decisions have been taken. It is one of the fundamental questions around this closure as to what is happening with the HSC and what will happen with the HSC. So I will put that on notice.

Dr WONG: Mr Chair, I think I did raise and it has been accepted previously, I asked for all correspondence between Susan Holland and Siva Kumar, between Susan Holland and the TAFE department, and between Siva Kumar and the TAFE department. I asked previously that that correspondence all be tabled.

Mr BURKE: That was not my understanding. My understanding was you asked for an indication of where the decision originated. These are my words, not necessarily quite the way it was said in the transcript, that where did the decision originate and I indicated that it was recommended by the institute director. You asked whether there was something that indicated that, and I said yes there was, but I was not aware that you had asked for all correspondence.

Dr WONG: Now that Dr Burke was not aware of it, I will take full responsibility and therefore now I request again that all correspondence between Dr Susan Holland and the TAFE, between Susan Holland and Siva Kumar, between Siva Kumar and Susan Holland and between Siva Kumar and the TAFE be tabled.

CHAIR: So that is put on notice to go back to the department.

Dr WONG: Yes, a paper trail.

Mr BURKE: I presume we are talking about correspondence in regard to Seaforth?

CHAIR: Yes, in regard to Seaforth's closure.

Dr WONG: And the amalgamation of the Northern Beaches campus.

CHAIR: Would you just clarify the amalgamation.

Dr WONG: There would have to be also a report on the amalgamation of the Brookvale and Seaforth campuses as well, I want all that correspondence to be tabled. I put that on notice.

CHAIR: The clerk has advised me if you could write out exactly what you want so there is no doubt.

Dr WONG: Yes, I will write it afterwards if that is all right with you, Mr Chair. Dr Burke, do you give an unconditional undertaking that the full HSC and art courses will be provided at Brookvale?

Mr BURKE: No, I will not give a full undertaking because, as I said before, it is not possible to provide every subject and nor was it possible, and I am talking about the HSC at this stage, at Seaforth. It depends upon demand. The second part of your question was?

Dr WONG: That is what it was. So, can I interpret that what you are trying to say is that there will not be a full HSC course at Brookvale?

Mr BURKE: It depends upon what you mean by a full HSC course.

Dr WONG: Including science, biology, chemistry, physics, and laboratory facilities?

Mr BURKE: It depends upon the demand, and there will not be laboratory facilities at Brookvale.

Dr WONG: In case there is a demand for physics, chemistry and biology, will you guarantee that such courses will be available?

Mr BURKE: No, it depends upon the number of people.

Dr WONG: Dr Burke, have you seen a letter from a student, Tanya Lahey?

Mr BURKE: I am not sure to which letter you are referring.

Dr WONG: You may not like to reply now.

CHAIR: For the purposes of the Hansard, we need to clarify who sent the letter.

Dr WONG: Letter to Tanya Lahey from Karen Healey, consultant for students with a physical disability dated 11 November, 1999, in which it was clearly stated that the Brookvale campus is not able to accommodate people with a disability such as Tanya.

Mr BURKE: Well, frankly, I am not prepared to examine the letter right now and make any comment. I am happy to provide some response back but I am not really in a position to analyse what is being said about a person's disabilities, so I am happy to take that on notice.

CHAIR: Dr Burke is taking that letter on notice for a response to the Committee.

Dr WONG: In view that it was stated by many witnesses that there will be a problem with youth at risk because of the difficulty or unwillingness to go to Brookvale, in view of the statements by teachers that about one in four students of non-English speaking background were not able for one reason or another to go to Brookvale, in view of witnesses who told the Committee that many female students fear to go to Brookvale campus at night and in view of other factors affecting underprivileged people, would you still say that Brookvale is a better proposition for these people I mentioned?

Mr BURKE: Well, if I take, using your term, the youth at risk and we take the number of students between 15 and 19 years of age on the Northern Beaches campus, and I am happy to put these figures in a document to you in a moment, but in 1999 there were 424 at Seaforth and 1,478 at Brookvale. Of the students at Brookvale, 515 were high school students involved in joint school secondary TAFE programs. I think that when you see the large number that are at Brookvale, it is hard to sustain that sort of argument.

The second thing I point out is that it is my understanding that the certificate of general education program for youth at risk at Seaforth started in April this year, a program for 36 weeks, but the course closed in October this year due to the lack of students, except that three students did choose to continue on at Brookvale. In regard to non-English speaking background students, I point out to you that only 26 per cent of students who enrolled as non-English background students in the Northern Beaches campus in 1999, that is 299, were at Seaforth but there were 1,159 at Brookvale.

I would also point out to you that the service centre for migrant students, English for speakers of other languages, English for vocational purposes and English for further study programs for the Northern Beaches college is located at Brookvale. I would also point out to you that last Friday night at the quality awards ceremony for staff for 1999, and that is for staff right across all TAFE institutions in the State, one of the quality awards, in this case for non-English speaking background programs, was awarded to the staff at Brookvale. I think on all those scores that is fairly substantial information.

I think there was a comment about people with disabilities. There were 357 students who identify as having disabilities and of those only 55 were at Seaforth, 15 per cent, so you have large numbers on the Brookvale site.

Dr WONG: Mr Chair, I would like to table a letter from Mr Moller, the charter architect who was a witness last Friday, also a quote from a Mr Robert McAllan dated 22 November, 1999, giving a quote for removing of the roof and replace with a new roof for a total quotation, material and labour, of \$23,745.

Maybe I should pass that to you, Dr Burke. In view that we have an architect's opinion of a qualified plumber who will replace the roof for \$23,000, and if this information were correct, would you now accept that the quote of either \$400,000 or \$175,000 is a gross exaggeration?

Mr BURKE: No, I will not accept that at all because this here is strongly disputed by the Department of Public Works and I have said to you that we will table the quote if you do not already have it and it is just not accepted. I think the quote that is often made of \$400,000 in regard to the roof, generally the figure of \$400,000 was bandied around but at the last hearing it was indicated to you that it was \$175,000 for the roof and frankly we do not accept and we are obliged, of course, to accept public works expertise in this regard, so I do not accept it.

Dr WONG: Mr Chair, could I therefore ask Dr Burke to table the quote from a professional person, either an architect or a qualified roof tiler or plumber dated before the announcement of the closure of Seaforth campus? I want a quote from either an architect or a professional plumber or roof tiler on the quote of \$175,000 dated prior to the announcement of the closure of Seaforth campus, not afterwards.

CHAIR: We might need to get you to write that down again so we know exactly what you want. All you are moving is that the department provide that material to the Committee. We note that you ask members of the Committee to be provided with that. We would like you to put it in writing so the department is clear about what you want.

Mrs FORSYTHE: Referring back to the evidence given to the Committee on 12 November, there was an exchange between you and Mr Tsang about when the decision started to be made to wind down Seaforth. There is a clear implication that the process began under the Hon. Virginia Chadwick which means it has to be pre 1995. The material provided to the Committee today included a briefing to the Minister and attachment B, the Northern Sydney Institute of TAFE proposed areas for rationalisation of provision. I note that it says that consolidation of the two campuses has been an ongoing process over the last three years. That would suggest to me that the decision to consolidate the two campuses has been a decision of only the last three years.

Mr BURKE: Well, I think in this document we provided for you on the last occasion we did indicate there was activity before that.

Mr KELLY: Warwick Goodsir, was he the director at that stage of Seaforth in 1993 but he relocated to Brookvale. That is when it started.

Mrs FORSYTHE: I am merely inquiring as to why the briefing note for the benefit presumably of the Minister seems to suggest that it was in fact only the last three years if what you are trying to tell the Committee is that it was pre 1995. In fact I think you said 1993.

Mr BURKE: I did. If in fact you take what was said last time, it depends how - that is what Susan Holland wrote there, certainly but I am suggesting it really goes back further than that. I pointed out in 1993 a college management plan was developed to promote the integration of both sites. Fashion courses closed at Seaforth and consolidated

to Brookvale in 1993. In 1994 the Brookvale and Seaforth Campus Association student body was amalgamated. So there is a whole range of things.

Mrs FORSYTHE: Do I take it that the author of attachment B is Susan Holland?

Mr BURKE: Yes.

Mrs FORSYTHE: On page 2 of that attachment it lists the benefits of closing Seaforth campus and includes better customer service and access to a wide range of student support service, such as the modern library, cafeteria, et cetera, at Brookvale campus. For whom is that seen as a benefit?

Mr BURKE: I would think it was a benefit in the main to students.

Mrs FORSYTHE: Why are not students therefore jumping up and down telling us how excited they are to move to Brookvale?

Mr BURKE: I think there are lots of students at Brookvale who will tell you that it is a better facility.

Mrs FORSYTHE: I am not doubting that, but I am asking about the students at Seaforth.

Mr BURKE: I am also reminded that in this document we point out that the fine arts people thought there would be benefits in going to Brookvale, too, at one stage.

Mrs FORSYTHE: Would you accept that there is considerable anger among the students at Seaforth?

Mr BURKE: I think whenever there is a change, some people are unhappy about the change and there would certainly be students who have a great affection for Seaforth and I can understand that, but I think that there is compelling evidence to suggest that Brookvale is a better site for students.

Mrs FORSYTHE: Even students with a disability?

Mr BURKE: My understanding from the disabilities experts is that the facilities at Brookvale, even though it is an uneven site, it is a better site in terms of access than Seaforth. Now that might be disputed by some people, but that is what I have been told.

CHAIR: Just to clarify something, you said attachment B was drafted or written by Mrs Holland?

Mr BURKE: Yes.

CHAIR: There is no reference to her name on any documents.

Mr BURKE: Attachment B is a section out of a larger document.

CHAIR: It is not attachment B to this document?

Mr BURKE: No. I think if you look at the covering note from the managing director it indicates that attachment B is part of a larger document that had a whole range of details that we have not included.

The first two or three pages and then there is where she would sign at the bottom of the third page.

CHAIR: Her name does not appear on attachment B anywhere.

Dr BURKE: No, because it was an attachment to a larger document.

CHAIR: Just a question which is really a policy question. In the Education Act 1990 the section is headed "28 Closure of Government Schools". I know that Seaforth TAFE campus is different from a high school and a primary school but it still is a government educational institution. As you would know, in that policy it lays down a number of steps that must be taken, obviously to maintain good relationships with the community and to assist the staff of the school and so on, step by step through the process. It states in 28(2):

The Minister is to announce by 15 June in each year the schools that the Minister proposes to close. Any such schools are not to be closed until the end of the following year.

Effectively, that is an 18-month countdown for the benefit of the community, even if, as occurred in Seaforth TAFE, there were internal departmental documents referring to a winding-down approach. Do you feel in view of the principle behind this particular section, the closure of government schools, that TAFE has any obligation in closing down Seaforth TAFE campus to follow through some similar consultation with the community over an 18-month period from the date of the closure being announced?

Dr BURKE: I think, in hindsight, that certainly would be of benefit. I think there were, as I indicated at the last hearing, budgetary and time constraints here. I guess what I was endeavouring to emphasise on the last occasion was that, over time, there has been a centralisation - I think that was the term that people preferred last time - on the Brookvale site, and I guess it did not come as a surprise to some people but I guess it did come as a surprise to others, and that is why, perhaps, if there had been more time consultation would have been an important aspect.

CHAIR: So you feel that this approach to government schools, even though it is retrospective for Seaforth as you have made the announcement, could be included within the TAFE structure as well, that this principle should be part of legislation?

Dr BURKE: I would like to consider that because one of the things that I think is a little different between TAFE and schools is that TAFE has an extraordinary task in terms of being flexible and responsive. I think it has to be able to move a lot smarter than schools need to move and there is a lot more stability in terms of the curriculum offering in schools than there is in TAFE because of the industry demands and so on, so whilst you are asking me whether the same could apply, I think there are differences, and that would have to be considered.

CHAIR: It would still be hard to argue, though, that even for budgetary restraints you would close down an entire campus within 18 months. Has that happened anywhere else in New South Wales? You might have closed down courses and reorganised TAFE programs but actually exited, evacuated a property?

Dr BURKE: It has happened in the past, yes, but I am not really in a position to spell out in detail which ones.

Mrs FORSYTHE: Dr Burke, you do have in front of you the submission which has been given to the department today which includes the briefing note to the Minister?

Dr BURKE: I do.

Mrs FORSYTHE: Could you just turn to page 2 of the briefing note? Would you like to read the first sentence or would you like me to read it on to the record?

Dr BURKE: I know it has "campus" there.

Mrs FORSYTHE: Yes:

The proposed closure of Seaforth campus of Northern Sydney Institute. This campus and Southport, Queensland, are the only planned campus closures.

Is that correct?

Dr BURKE: I understand what you are saying and I thought that my point last time was to indicate that the official term is Northern Beaches Campus, of which Seaforth and Brookvale is part, but I accept that it has been used generically and with capital Cs on a number of occasions.

Mrs FORSYTHE: Effectively, in the context of the Treasurer's advice dated 2 July, it represents a broken promise.

Dr BURKE: No, I do not accept that.

Mrs FORSYTHE: Or a commitment unfulfilled.

Dr BURKE: Because as of 2 July that was not going to happen.

Mrs FORSYTHE: One of the things that is not contained in any of this material is a full analysis, an economic analysis, of the other options that were available to the institute or, indeed, to the department. You recall we were given some other options that were available. Were they subject to a cost benefit analysis?

Dr BURKE: I am not sure to what you are referring when you say "we were given some other options".

Mrs FORSYTHE: I will have to refer back to the initial material that we were given. That might take a little time. If another member would like to ask a question, I will come back to you in a moment.

Dr WONG: Dr Burke, will you promise that no more TAFEs will be closed in the foreseeable future?

Dr BURKE: Dr Wong, I do not have that power, one way or the other.

Dr WONG: That is very good. You should be a lawyer. Let me ask it another way. Are there any intentions, discussions, decisions likely to be made in the next 12 months or six months on the closure of any TAFE.

CHAIR: Recommendations.

Dr WONG: Thank you, Chair, recommendations?

Dr BURKE: I am not aware of any recommendations to this point. That is not to say that there will not be movement of courses from one site to another and so on, as happens all the time in TAFE, but I am not aware of any recommendations in that line.

Dr WONG: But you would say, so far as you are aware, or the department is aware, that none will be closed in the near future?

Dr BURKE: That's right, not that I am aware of.

Dr WONG: I am interested to know that when the Hon. Patricia Forsythe asked you a question why was it on 2 July Michael Egan promised no campus would be closed, on 15 July it was decided to be closed? You talk as though there was no breach of promise, yet on 2 July it was not decided to close. Can we trust you?

Dr BURKE: You can trust me, Dr Wong.

Dr WONG: Based on your information, things can change in 10 days and you tell us that that is not a breach of promise. Do you really want us to trust you? Can you ask all behind me to trust you?

Dr BURKE: I have already said, I think, you can trust me. The fact is that I have already pointed out there were budgetary imperatives and so on and decisions were made between 2 July and 13 July.

Dr WONG: I know, but you also say there was not a breach of promise. That being the case, any government, any Minister can make a decision today not to close anything but in 10 days time change around and say there was no breach of promise. In 10 days time you can tell the public, you can tell the people of New South Wales.

Mr TSANG: Should that question not be referred to the Treasurer rather than to the director-general?

Dr WONG: The Hon. Henry Tsang, you can address to the Chair, through the Chair, and not interrupt.

Mr TSANG: Chair, should not the question be directed to the Treasurer rather than directed to Dr Burke?

Dr WONG: Reverend Nile is chairing the meeting, not you, thank you.

CHAIR: I am just trying to clarify what you are asking. You are asking Dr Burke to comment on the difference between the Treasurer making a statement or the Treasurer's office?

Dr WONG: No, I am asking for his comment, Mr Chair. He has told the Hon. Patricia Forsythe there was no breach of promise because something has changed in 10 days time and, therefore, the Minister has not breached his promise. It was a comment volunteered by himself, not forced upon him. He volunteered that information. I am questioning his integrity.

CHAIR: Dr Bourke's integrity?

Dr WONG: Yes.

Dr BURKE: Quite frankly, I do not know why you are questioning my integrity. I have said to you that the letter written by the Treasurer, as I understand it, was written on 2 July. The decision was taken to close Seaforth TAFE on 13 July. The Treasurer would not have been aware of that on 2 July, so I am not quite sure, Dr Wong, what you are trying to say about my integrity.

Dr WONG: He may or may not be aware of it but he has breached a promise.

Dr BURKE: And what are we talking about in terms of my integrity?

Dr WONG: Because you are trying to tell people in the audience here someone in your position will support a total change of attitude, a total change of policy, in 11 days and call that not a breach of promise. I am questioning that.

Dr BURKE: I am saying that I was supportive of the closure of Seaforth TAFE.

Dr WONG: The same way we questioned you after seeing numerous documents yet you still deny that Seaforth is a campus. Again I am questioning your integrity.

Dr BURKE: Dr Wong, I know you were very concerned about my comment about campuses last time. I think I have explained that on a number of occasions. For the sake of repeating it once more, Northern Beaches is the campus of which Seaforth is a part.

Dr WONG: And, Dr Burke, where is Mr Siva Kumar?

Dr BURKE: He is on leave at the moment. He applied for leave because, as I understand it, a close relation, a person who had been his, I think, foster mother - I am not sure if that is the term he uses - died last week, and he is on leave at the moment.

Dr WONG: When will Mr Siva Kumar come back?

Mr BURKE: As I understand he probably will be back on Wednesday, but I cannot be sure of that.

Dr WONG: Would you suggest or agree that Mr Siva Kumar meet the Committee when he comes back?

Mr BURKE: Will I agree that he meets the Committee when he comes back?

Dr WONG: Will you suggest to him, recommend to him, impress upon him?

Mr BURKE: Well, I see no reason why he would not, but frankly, that is not my prerogative.

CHAIR: In view of having an accurate record of today, I think you have started to talk about Mr Egan's letter. I think you made a sentence like that based on Dr Wong's questions. There is no such letter from Mr Egan. It is a minute from his office on his fax. It may have misled you that we actually have a letter. It is a fax. We will give you a copy of it. It was tabled at the meeting on Friday, a fax from Mr Egan's office. It is signed by a Michael but it appears that Michael is another member of Mr Egan's staff. It is a fax from Mr Egan's office in which it is said there will be no closures of campuses.

Mr BURKE: I understood Dr Wong to say it was a letter from the Treasurer. I had not seen that and I still have not seen it, so I assumed it was correct.

CHAIR: It is just that the Hansard will have shown that it was a letter from Mr Egan. There is no such letter and it may mislead people. I realised you were getting a different interpretation from Dr Wong's comments.

Mr BURKE: I was.

Dr WONG: Dr Burke, also would you suggest, recommending or impressing upon Mr Puffett to attend the Committee's hearing?

Mr BURKE: Look, if Mr Puffett and Mr Siva Kumar are available, I am sure they will come.

CHAIR: Could I clarify something else, Dr Burke. We took a lot of evidence on Friday. It was presented to us very strongly by witnesses, and this is an important question from your point of view because you have been saying the dramatic change to close Seaforth campus was a budget restraint, as though it were forced on you.

Mr BURKE: That is right.

CHAIR: The evidence given on Friday was that it proposed the major financial imperative for the closure of the Seaforth campus of TAFE comes from State budget cuts of \$35 million, not from Commonwealth funding constraints. We seem to get the impression from the evidence that it is really the Federal Government's cuts that have affected Seaforth campus and we are having trouble seeing how those two things actually link together. I know we did have a representative from your department specialising in Commonwealth grants but the grants were really dealing with growth and not directly related to the budget cut in the TAFE budget. Could you clarify that?

Mr BURKE: Just in simple terms, there is an expectation that there will be growth, but it is not funded. If we do not have growth we do not get our base amount from the Commonwealth. So it does impact upon the State budget and it basically means that we do not get the base amount as a starting point if you do not have growth. Therefore, it is a requirement that you fund the growth. You do not have the money for the growth because the Commonwealth does not provide it. If you do not get it from somewhere you do not get the base amount. But I think Leslie Loble did explain that in some detail and maybe reference to the transcript will explain that. If there is further information we could in fact provide you with additional information.

CHAIR: You do not feel the urgency came about because of the State Government's budget cut in TAFE?

Mr BURKE: It was definitely linked to the Commonwealth's growth through efficiencies policy.

Mrs FORSYTHE: I would like to come back to the briefing note to the Minister for clarification. One of the items in here says approximately 1,123 voluntary redundancies are proposed. That is quite a different figure to the figure in the State budget. Can you explain the discrepancy?

Mr BURKE: Not all those will be accepted. They are basically offers. People were asked to indicate an expression of interest. Then there would be a number distributed but they would not necessarily be all accepted.

Mrs FORSYTHE: That is a briefing note endorsed by you on 12 July. At that point, how many people at Seaforth had been offered redundancies?

Mr BURKE: I do not know. I could not answer that.

Mrs FORSYTHE: Also in the briefing note it refers to, apart from the offer of voluntary redundancies across all institutes, two major areas of impact on the budget. One is the closure of Seaforth campus. Where I have some difficulty in following the process is that this seems to be a major decision to impact on the broader budget. That is how it is defined in here. It says one of the two major areas of impact on the budget and it says the closure of Seaforth campus.

In the estimates committee the Minister said that local needs would determine local decisions, and in all of the information we have been given, it has always been put to us that it was a decision made by Susan Holland, her recommendation. What I am trying to understand is how a local decision has got such a major impact on the broader budget.

Mr BURKE: Well, it was a local decision and the recommendation was made by the institute director. One of the things we have endeavoured to do in recent times is ensure that institute directors have a reasonable amount of space in order to be flexible and responsive and to be responsive to industry requirements and so on. This was one aspect. Certainly when you take the 11 institutes there was a whole range of things happening across the State. So this is one. Are you asking why this one might be pinpointed for this particular document?

Mrs FORSYTHE: Yes.

Mr BURKE: I guess because whenever these sorts of things happen, some concerns are expressed by some people and the Minister needed to be alerted to that. You need to read it in conjunction with the second document.

Mrs FORSYTHE: And to what extent would the closure of Seaforth TAFE impact on the unit costs of the entire TAFE budget?

Mr BURKE: I would not have that figure in terms of entire TAFE budget, but certainly in a moment I want to table another document which indicates the ASCH cost at Seaforth in comparison to other parts of northern Sydney. I think you will see the ASCH cost is dearer at Seaforth.

Mrs FORSYTHE: And what is that?

Mr BURKE: Student contact hours cost which is the way that ANTA compares costs.

Mrs FORSYTHE: I will ask the question again even though you have said you cannot answer it. To what extent does the closure of Seaforth TAFE alter the overall unit costs for TAFE in New South Wales which is one of the rationale for this whole thing about the ANTA budget?

Mr BURKE: Of course, but I think we pointed out that I am not sure to what extent it has an impact on the total unit cost but we are talking about a small - in fact I said the smallest site in the metropolitan area and you are talking about a TAFE enrolment in excess of 400,000. We are talking about an enrolment that is quite small in relationship to the total cost. I am not sure even if I did have the figures it would be particularly significant because we are talking about a large enrolment.

Mrs FORSYTHE: Normally when you look at State budget requirements, heads of departments are having briefings with Ministers now for next year or certainly Ministers with Treasury for next year. What was the period of time over which budget decisions had to be taken in relation to TAFE? How long did Susan Holland have, for example, to make some decisions that led her to propose that Seaforth be closed?

Mr BURKE: Well, it certainly did not start this time last year at all, but it would have been just a couple of - perhaps six weeks.

Mrs FORSYTHE: Only over a period of about six weeks?

Mr BURKE: That is right.

Mrs FORSYTHE: So to what extent was the northern institute able to do a proper cost benefit analysis on all of the options that might have been available?

Mr BURKE: Well, there were not very many options available to it. I should say that in the first place. A lot of the options are associated with the things we have already discussed, about voluntary redundancies, about a shift in meeting industry demand, about voluntary redundancies that would allow that flexibility to occur. There were aspects in relationship to class sizes, aspects in relationship to class support, but there were not many options in terms of the sorts of things we are talking about in regard to Seaforth.

Mrs FORSYTHE: Has the decision around redundancies, in part, been based on subject demand?

Dr BURKE: Yes.

Mrs FORSYTHE: Popularity of subject?

Dr BURKE: Yes.

Mrs FORSYTHE: But you cannot at this stage indicate to me where, prior to 12 July, any staff at Seaforth had been offered redundancies?

Dr BURKE: No, I really can't. I doubt that they were offered before that.

Mrs FORSYTHE: I might just put that on notice.

Dr BURKE: Sure.

CHAIR: Just to clarify something, Dr Burke, in attachment B, "Proposed Areas of Rationalisation of Position", I am not sure whether you said that Mrs Holland had recommended the closure of Seaforth and that this attachment B is the recommendation?

Dr BURKE: Yes.

CHAIR: Is that how you interpret that?

Dr BURKE: Yes.

CHAIR: It is strange the way it is worded because it sounds as if - I am reading into it - that in addition to course rationalisation it is proposed to rationalise, consolidate, et cetera. And then it goes on, "In line with current budget requirements it is now proposed to fast track." It sounds like she is commenting on something rather than recommending, as if it has been proposed to her.

Dr BURKE: No, it was not proposed to her at all.

CHAIR: "Therefore I recommend the closure the Seaforth campus". At the end of it she does exactly the opposite. On page 2 she gives the benefits of closing Seaforth campus, but then she gives the risks of closing Seaforth campus as if this was a matter for consideration, as though this is not a solid document saying, "As director I recommend the closure of Seaforth campus". It does not seem to read to me like that at all.

Dr BURKE: The covering document indicates a whole range of things that she proposed. This was the attachment to that which gave some sort of reasoning to that.

CHAIR: There is a stronger recommendation in the attachment?

Dr BURKE: Yes.

CHAIR: In attachment A?

Dr BURKE: In an earlier document. When I say "in an earlier document", it is all part of the one document, but it might have been on the first two or three pages. The reason I had suggested that be excluded was that it contained a whole lot of additional information which was not in relationship to Seaforth.

CHAIR: In what would be attachment A there is a strong recommendation from Mrs Holland to close Seaforth campus, amongst many other things?

Dr BURKE: I am not saying it is attachment A. I think it is the cover sheet.

CHAIR: Could that be provided to us?

Dr BURKE: I am just not sure how we handle it.

CHAIR: Or could you edit it? Could you give us the parts referring to Seaforth campus in it?

Dr BURKE: Yes, we can do that.

CHAIR: One other general question, and this might be the \$64,000 question. It seems that there is a great deal of anguish, obviously, about the closure of Seaforth particularly for students and students with disability, who believe they will not be able to continue their courses at Brookvale because of the steepness of the site, and that has been confirmed in the advice given by the person responsible for disability assessment of the site.

Would you be prepared to consider extending the operation of Seaforth campus for a period of, say, up to three years, to allow the students who have enrolled, in good faith - they believed the department; they saw the advertising; they have enrolled - to actually complete their course at Seaforth campus, particularly those who cannot, for disability reasons and other reasons move to Brookvale?

Dr BURKE: Look, that is not within my prerogative to be able to state that, but I think that my understanding is that on the enrolment form, that is the enrolment form for all TAFE students across the State, it does indicate that people might have to move site, and it should not be taken as a given that they will not be.

In regard to the person with disability, I did want to table the document that came from the Human Rights and Equal Opportunity Commission in regard to the appeal by Ms Tanya Lahey, and I thought that information should be made available to the Committee.

CHAIR: She was a witness on Friday and may have tabled that with us, but, just to make it clear, I think it would be best if we take your document as well.

Mrs FORSYTHE: That might have been material that she said came forward a day later.

CHAIR: Yes, it came a day later?

Dr BURKE: We would have to dispute that too.

(Document tabled)

Dr WONG: I believe on the proposed closure of Seaforth campus obviously you have done an economic feasibility study before you decided to recommend it to the Minister to be closed?

Dr BURKE: Not a formal one, no. It was done within the planning area of Northern Sydney Institute.

Dr WONG: So there was no formal financial or economic study on the closure of Seaforth campus before the department decided to close it?

Dr BURKE: It depends on what you mean by formal. Are you saying from an outside consultant?

Dr WONG: Yes.

Dr BURKE: Well, there was not, but nor would we expect to have outside consultants involved in those things.

Dr WONG: Not even closing of the TAFE?

Dr BURKE: No, not necessarily.

Dr WONG: I just quickly want to give the Committee a note. The report of appraisal that was done by John Hawkless Consultants Pty Limited dated 5 November 1999, was, I suggest, done back to front. The appraisal was done after the announcement was made.

Dr BURKE: I think that question was asked of Mr Burkhardt on the last occasion and he gave you the reason for that.

Dr WONG: I have no further questions.

CHAIR: I know obviously under the Government procedures Mr Aquilina did approve this recommendation on 13 July, but we know there had been some cases as there was in the portable classroom that the Department of Education decided to move and it was moved and there was such an outcry from the community that the Minister intervened to have it returned. I suppose it is subjective to say as to whether Mr Aquilina when he recommended this, fully understood the impact of that closure on the community.

Mr BURKE: Well, as I said to you on the last occasion, there were quite a number of discussions with the Minister about the situation.

CHAIR: Preceding the signing of this document?

Mr BURKE: Yes.

CHAIR: So he is fully conversant with the impact?

Mr BURKE: I think the Minister's view would be that there were a whole lot of things that had to be considered in regard to the closure of Seaforth, but in terms of the benefits and the benefits to the vast majority of students, it was seen to be in the best interests of northern Sydney for it to occur.

CHAIR: We had best get your statement from you. Some members of the Committee were advised we were going to finish at four and they have made other appointments.

Mr BURKE: I just wanted to make a statement in regard to a number of things that have been said.

CHAIR: This is a statement in writing, so we had better get a motion to incorporate that. Do you want that incorporated?

Mr BURKE: Yes. These are a series of brief responses to some of the things that were said at the first day of hearing. They were not taken from the transcript, but they were taken generally from the people who were there taking notes on our behalf. I think the first one relates to the comments that Dr Wong has already raised today about youth at risk.

I want to emphasise to you that there were 1,902 students in the age bracket from 15 to 19 years enrolled at Northern Beaches college and of those only 424 at Seaforth and almost 1,500 at Brookvale. Of those, 515 were high school students involved in joint school TAFE programs. There was a claim made that Brookvale was not the most appropriate site for students like that. I think the figures speak for themselves. There are certainly 1,500 students who have found it quite satisfactory.

The second claim made was that Warringah Mall is too close to Brookvale and unsuitable for students to be near. We have done some checking with the Northern Beaches police intelligence who indicated that there had been very few incidents of crime involving youth gangs and drugs at the complex. So I think it was a generalisation. The next claim, and I think we have perhaps covered it already, was about the higher school certificate and the core subjects. I think I have already covered that, that certainly the core subjects offered in 1999 at Seaforth will be offered again at Brookvale but additional subjects will be offered, depending upon demand.

In terms of the number of students at Seaforth, it was claimed there were 154 students. In fact 142 students entered for the higher school certificate but the number fell away to 95 students who actually sat the higher school certificate. I think the claim was made by one of the witnesses at the last hearing that only 1.2 classrooms were made available. That is true, there were 1.2 dedicated classrooms, and that is the way the planning occurs but then additional access to classrooms is made available depending upon enrolments. So it is not quite correct to say there were just 1.2 classrooms.

The comment was made that access to science laboratories on school sites would be inappropriate. That happens in other parts of the State where students have access to science laboratories on school sites. I point out that the science laboratories at Seaforth are not used as science laboratories for most of the time. They are used as general classrooms because of the lack of demand. There was only one composite North Sydney and Seaforth physics group in the evening, just 18 students this year. There were insufficient student numbers to form a day physics class. There was only one chemistry HSC group of 20 students studying at Seaforth and two day and one evening biology groups, 51 students. Those classrooms are largely utilised as general classrooms.

I have already spoken about students with disabilities and students from non-English speaking backgrounds. There are far larger numbers of students with disabilities already on the Brookvale site, so in relationship to your earlier comments, Mr Chairman, there are 302 students already on the Brookvale site with disabilities and only 55 at Seaforth. That is 15 per cent of the students identifying with disabilities. I have already pointed out, too, that the number of non-English speaking background students enrolled at the Northern Beaches college in 1999, was 1,159 of which only 299 were located at Seaforth.

I have pointed out that the specialist units are on the Brookvale site. I also pointed out there was an award to the Brookvale people only on Friday night. There was a claim made that Seaforth is the most efficient spender of tax payer's dollars in New South Wales, and I point out the table which is the ASCH amount which compares with the actual amount of costs at Seaforth in comparison with Meadowbank, North Sydney and Hornsby in accounting, business management and fine arts. In fact Seaforth is a far more expensive site than the other sites.

I would also point out to you in terms of the way ANTA measures building usage, by using the ANTA formula, they see the Seaforth building as only 34 per cent efficient in terms of usage. I would also point out to you in terms of the claim made by one witness that the rooms at Seaforth are used to capacity at all times during the day and evening, we have done an audit of that. Whilst room usage at Seaforth varies, general purpose classrooms are used typically 30 to 35 hours over a 65 hour week, being 46 per cent to 54 per cent of available time, that is 8.30 am to 9.30 pm. The average usage of the special fine arts room over the same period is 26 hours, which is only 40 per cent available time.

Student travel, an analysis of the home address given by enrolled students at Seaforth has been completed. I think this is quite telling in terms of those people who claim that travel is a burden; 51 per cent, 934 of enrolled students travel past the Brookvale campus. These students live either at Brookvale or at one of the beach suburbs north of Brookvale; 21 per cent or 384 of enrolled students live at a location that is arguably easier to travel to Brookvale than Seaforth. Thus, we can say that 72 per cent of students should find Brookvale more convenient in terms of travel.

There was a claim made that students enrolled in good faith with the expectation that they would complete their course on site. I point out something I mentioned earlier, that on the back of the enrolment form it says, "TAFE New South Wales endeavours to provide courses and subjects in accordance with details contained on this enrolment form. However, TAFE New South Wales reserves the right to run or withdraw any course, hold a course at a college campus other than that advertised, alter the times or dates for the whole or any part of the course. If any of these course changes become necessary, you will be advised, where possible, of the changes and alternative arrangements which will be made available for you to complete your course". Item 7 was in relationship to the document that I have already tabled.

The only other thing I wanted to add was I think it is very clear that the decision to close Seaforth TAFE was a decision that was foisted upon us by the Commonwealth budgetary situation and particularly about growth through efficiencies. It is our view that the decision makes sound, economic sense. It is in the best interests of the vast majority of students and teachers and we believe it is in the best interests of that part of Sydney.

CHAIR: Thank you for that.

Mr KELLY: I understand we were told about the unique situation in fine arts and that could be the reason for the slightly higher cost there. The question I want to ask about is businessman management. Why is it so inefficient there?

Mr BURKE: I am not able to answer that but I could find out for you.

CHAIR: Thank you very much for your attendance, Dr Burke.

(The witness withdrew)

Inquiry into the proposed closure of Seaforth TAFE

(The Committee adjourned at 4.20 p.m.)