



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE COUNCIL

GENERAL PURPOSE STANDING COMMITTEE NO 1

REPORT
ON
INQUIRY INTO
THE PROPOSED CLOSURE OF SEAFORTH TAFE

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Chairman's Foreword

General Purpose Standing Committee No 1 has conducted an intensive inquiry into the sudden decision by the New South Wales Department of Education and Training, on 13 July 1999, to close Seaforth TAFE, where 1,880 students studied during 1999.

This decision was made without consulting teachers, students or the local community and caused an immediate outcry. The lack of consultation was a major factor in influencing the Legislative Council to refer the matter to General Purpose Standing Committee No 1 for inquiry and report.

The Committee considers consultation to be an essential part of ensuring governments meet the needs of communities. Consequently, the Committee considered the issue of consultation to be central to its inquiry. The Committee has noted there is a legislative requirement for community consultation in the event the government wishes to close a school, and therefore proposes that similar legislative provisions be put in place for TAFE establishments.

The Committee also considered in some detail the justifications the Department provided for the closure of Seaforth TAFE. While the Committee acknowledges the heavy Commonwealth and State pressures on TAFE budgets, the Committee was not convinced by the arguments put forward by the Department that significant savings would be made by closing Seaforth TAFE.

It has also become clear to the Committee, through its public hearings and from the many submissions it received, that Seaforth TAFE is a unique institution that is meeting the real needs of members of the Northern Beaches community, including those of mature-aged female students, disabled students, ethnic students and 'youth at risk'.

Consequently, the Committee has recommended that the decision to close Seaforth TAFE in December 1999 not be implemented, and that during 2000 the Northern Sydney Institute of TAFE review this decision.

I take this opportunity, on behalf of the Committee, to thank the many people who wrote to the Committee expressing their views about the decision to close Seaforth TAFE. In addition, the Committee expresses its appreciation for the individuals who appeared before it to give evidence. The Committee was particularly grateful for the cooperation it received from departmental officers.

I also thank my fellow Committee Members and the Committee Staff, A/Clerk Assistant Committees, David Blunt, Director Anna McNicol, Senior Project Officer, Rachel Simpson and Committee Officers Phaedra Parkins and Ashley Nguyen, for their valuable assistance in preparing this report.

The Rev Hon Fred Nile MLC

Chairman

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Committee Membership

The Hon Rev Fred Nile MLC (Chairman)	<i>Christian Democratic Party</i>
The Hon Tony Kelly MLC (Deputy Chairman)	<i>Australian Labor Party</i>
The Hon Patricia Forsythe MLC	<i>Liberal Party</i>
The Hon Doug Moppett MLC	<i>National Party</i>
The Hon Peter Primrose MLC	<i>Australian Labor Party</i>
The Hon Henry Tsang MLC	<i>Australian Labor Party</i>
The Hon Dr Peter Wong MLC	<i>Unity</i>

Committee Secretariat

Mr David Blunt	<i>A/Clerk Assistant, Committees</i>
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Ms Rachel Simpson	<i>Senior Project Officer</i>
Ms Phaedra Parkins	<i>Committee Officer</i>
Ms Ashley Nguyen	<i>Committee Officer</i>

Terms of reference¹

1. That General Purpose Standing Committee No. 1 inquire into and report on the proposed closure of Seaforth TAFE, and in particular:
 - a) the process by which the Department of Education and Training resolved to close the TAFE;
 - b) the social, financial and community impact on the Manly Warringah region; and
 - c) any other relevant issues with regard to the closure of Seaforth TAFE raised in submissions received by the Committee.
2. That the Committee report by Thursday, 9 December 1999.
3. That there be a moratorium on any moves to demolish the Seaforth TAFE buildings or tenders for its sale until after the Committee has reported.

¹ New South Wales Legislative Council *Minutes of the Proceedings*, 20 October 1999, No 14, p127-129. As amended by *Minutes of the Proceedings*, 17 November 1999, No 23, p230, and *Minutes of the Proceedings*, 30 November 1999, No 28, p298.

Recommendations

Recommendation 1

The Committee recommends that the *Technical and Further Education Act 1990* be amended to insert provisions similar to section 28 of the *Education Act 1990* in respect of the closure of TAFE establishments.

Recommendation 2

The Committee recommends that, irrespective of the final decision about Seaforth TAFE, the Department create a separate title for the land on which the heritage listed Balgowlah Community Library is located. The Standing Committee further recommends that the Government take all necessary steps to ensure the land and buildings are preserved for continued community use.

Recommendation 3

The Committee recommends that Northern Sydney Institute of TAFE evaluate disabled access at Brookvale, particularly access between Building M and other buildings, with a view to enabling students with a physical disability to move easily between those buildings.

Recommendation 4

The Committee recommends that Seaforth TAFE be recognised as a centre catering for 'youth at risk' amongst school-aged students and continue to offer CGE and HSC courses as appropriate. However, should the Department close Seaforth TAFE, alternative arrangements in a suitable location must be made for 'youth at risk'.

Recommendation 5

The Committee recommends that the Department undertake to provide both day and evening classes in an HSC program at Northern Beaches College of TAFE in 2000 and beyond. The Committee further recommends the Department undertake to advertise and promote this HSC program in 2000 to maximise enrolments.

Recommendation 6

The Committee recommends that the decision to close Seaforth TAFE in December 1999 not be implemented.

Recommendation 7

The Committee recommends that during 2000 the Northern Sydney Institute of TAFE review its decision to close Seaforth TAFE, in light of the findings of this report, and that the review include extensive community consultation.

1 Introduction

1.1 Referral of the inquiry

On 20 October 1999, the Legislative Council resolved that General Purpose Standing Committee No 1 inquire and report on the proposed closure of Seaforth TAFE, and in particular

- a) the process by which the Department of Education and Training resolved to close the TAFE,
- b) the social, financial and community impact on the Manly Warringah region, and
- c) any other relevant issues with regard to the closure of Seaforth TAFE raised in submissions received by the committee.²

The Committee was due to report on 25 November 1999. The House granted extensions on 17 and 30 November 1999, extending the reporting date until Thursday 9 December 1999.³

The resolution of the House on 20 October 1999 also included a moratorium on any moves to demolish the Seaforth TAFE buildings or tenders for its sale until after the Committee has reported.⁴

Concerns about the closure of Seaforth TAFE had been previously brought to the attention of the Committee by the Member for Manly, Mr David Barr MP. Mr Barr wrote to the Chairman on 1 October 1999 requesting the Committee to review the process by which the Department of Education and Training determined to close Seaforth TAFE.⁵

1.2 Conduct of the inquiry

The Committee met on 21 October 1999 to discuss the reference. At that meeting it was resolved to invite a number of individuals and organisations to make written submissions to the Committee addressing the terms of reference. The Committee also resolved to place advertisements calling for public submissions in the *Sydney Morning Herald*, *Daily Telegraph*, *Manly Daily* and *Mosman Daily* newspapers. Advertisements appeared in these publications over the period 28 October 1999 to 30 October 1999. The Committee received 240 written submissions, a list of which can be found at Appendix 1. The overwhelming majority of submissions received by the Committee were opposed to the closure of Seaforth TAFE and critical of the process that led to the decision to close the TAFE.

² New South Wales Legislative Council *Minutes of the Proceedings*, 20 October 1999, No 14, p127-129.

³ New South Wales Legislative Council *Minutes of the Proceedings*, 20 October 1999, No 14, p127-129. As amended by *Minutes of the Proceedings*, 17 November 1999, No 23, p230, and *Minutes of the Proceedings*, 30 November 1999, No 28, p298.

⁴ New South Wales Legislative Council *Minutes of the Proceedings*, 20 October 1999, No 14, p127-129.

⁵ Correspondence from Mr David Barr MP, Member for Manly, to the Rev Hon Fred Nile MLC, Chairman, dated 1 October 1999.

The Committee held four separate public hearings, three of which were located at Parliament House and one at the Balgowlah RSL Club, in close proximity to Seaforth TAFE. A total of fourteen witnesses gave evidence before the Committee, including representatives from the Department of Education and Training, the NSW Teachers Federation and the local community (refer to list of witnesses in Appendix2).

The Committee conducted site visits to the Brookvale and Seaforth TAFEs on 19 November 1999.

1.3 Seaforth TAFE

Seaforth College of TAFE began operation in 1964. Seaforth was the first technical college to be opened in the Manly-Warringah district, and catered for 1,357 students in the areas of trades, commerce, engineering, fashion and general studies.⁶ Since 1993 Seaforth TAFE has been a part of the Northern Beaches College of TAFE. Seaforth TAFE is located on the corner of Sydney and Frenchs Forest Roads, Seaforth, approximately 10 km north of the CBD.

In 1990, business studies, pre-vocational and fine arts courses were located at Balgowlah Boys High School, adjacent to Seaforth TAFE.⁷ This facility was closed at the end of 1998. In 1999 Seaforth TAFE offered courses in fine arts, business studies (including accounting, human resources, advertising, marketing, management, and property services) and general education (HSC and Year 10 equivalent).⁸

1.4 Structure of this report

Chapter two of this report examines the decision to close Seaforth TAFE. The extent of public consultation as a part of the Department's decision making process is discussed. A time line is provided to illustrate the decision making process. Chapter three considers economic arguments for the decision to close Seaforth TAFE. Chapters four to seven address major issues associated with the closure of Seaforth TAFE including: the facilities at Brookvale and Seaforth TAFEs; Seaforth TAFE enrolments; the proximity of the Seaforth and Brookvale sites; and the demand for certain courses at Seaforth TAFE.

⁶ *NSW Department of Technical Education 1964 Report*, cited in correspondence from Mr David Thomas, HSC Coordinator, Seaforth TAFE, to Senior Project Officer, dated 26 November 1999.

⁷ Evidence of Mr Kumarasamy Sivakumar, Department of Education and Training, 26 November 1999, p4.

⁸ www.tafensw.edu.au/where/index.htm

2 The decision to close Seaforth TAFE

The decision to close Seaforth TAFE was made as a result of a recommendation of the then-Director of the Northern Sydney Institute of TAFE, in July 1999.⁹ TAFE NSW is structured according to a 'collaborative independent model, whereby institutes have a high degree of independence'.¹⁰ This independence is necessary, in the Department's view, so that institutes are 'able to make decisions and respond to the needs of community members, students, government and industry'.¹¹ The decision to close Seaforth TAFE was an example of the Northern Sydney Institute of TAFE fulfilling this role.¹² Dr Terry Burke, Deputy Director-General (Operations), NSW Department of Education and Training, told the Committee:

Institute directors [are] being responsive and flexible, meeting local demands and at the same time having this extraordinary pressure in terms of finance and budget.¹³

The recommendation to close Seaforth TAFE was endorsed by the Department of Education and Training's Deputy Director-General (Operations), Deputy Director-General (Corporate Services), and Director General (who is also the Managing Director of TAFE NSW), and the Minister for Education.¹⁴

2.1 Time line for decision

The Department asserted in its submission and in its evidence before the Committee that the decision to close Seaforth TAFE was merely an acceleration of a process begun in 1993 with the formation of the Northern Beaches College of TAFE. The Department advised the Committee that:

The Institute has been progressively rationalising programs for the Northern Beaches and for the past seven years moving towards the closure of Seaforth.¹⁵

The Committee notes, however, that no documentary evidence was submitted during the course of the inquiry indicating these discussions had been advanced to a formal proposal.

⁹ Evidence of Dr Terry Burke, Deputy Director-General (Operations), Department of Education and Training, 12 November 1999, p13.

¹⁰ Evidence of Mr Bob Puffett, Assistant Director-General (TAFE), Department of Education and Training, 26 November 1999, p15.

¹¹ Evidence of Mr Puffett, Department of Education and Training, 26 November 1999, p15.

¹² Evidence of Mr Puffett, Department of Education and Training, 26 November 1999, p15.

¹³ Evidence of Dr Burke, Department of Education and Training, 12 November 1999, p19.

¹⁴ Correspondence from Dr Ken Boston, Managing Director of TAFE NSW and Director-General of Education and Training, to Director, dated 22 November 1999, Attachment 1.

¹⁵ Submission No 113, Department of Education and Training, p15.

In response to a question asked during a public hearing, Mr Kumarasamy Sivakumar, Acting Director, Northern Sydney Institute of TAFE, stated that:

It was certainly precipitated by the budget, the decision to close Seaforth TAFE at that time, and I use the word 'precipitated' advisedly, because in the course of events ultimately we would have closed Seaforth.¹⁶

The decision to close Seaforth was made 'sooner than we had expected and at that point with the

¹⁷

Submissions received by the Committee attest to confusion over the future of Seaforth TAFE due to mixed messages being released by the Department.¹⁸ A time line of decisions and public announcements is provided below.

Timeline

16 November 1998 Pam Peelgrane, Acting Director Northern Beaches College of TAFE, advises staff via e-mail that real estate courses will not continue at Seaforth TAFE in 1999.

18 November 1998 Kumarasamy Sivakumar, Deputy Director, Northern Sydney Institute of TAFE, states in the *Manly Daily* that 'there is no proposal for the closure of Seaforth. If the Government was planning to sell off Seaforth that would have to be three to five years in the planning so we could make alternative plans to accommodate students'.

27 November 1998 Northern Sydney Institute of TAFE advises real estate course will continue to be offered at Seaforth in 1999.

10 December 1998 Susan Holland, Director, Northern Sydney Institute of TAFE, advises staff via e-mail that 'Seaforth will continue to be a provider of quality vocational education and training as an integral part of the Institute in the 21st Century.'

22 June 1999 1999/2000 State Budget introduced into Parliament.

2 July 1999 *Appropriation Act 1999* passed by the Legislative Council.¹⁹

¹⁶ Evidence of Mr Sivakumar, Department of Education and Training, 26 November 1999, p21.

¹⁷ Evidence of Mr Sivakumar, Department of Education and Training, 26 November 1999, p21.

¹⁸ For example Submission No 14; Mr Henry Rastall; Submission No 51, Mr/s K Duysters; Submission No 71, Ms Theresa Holliday; Submission No 86, Mr Bruce McWhinney; and Submission No 105, Ms Patricia Cooke.

¹⁹ The *Appropriation Act 1999* was passed by the Legislative Assembly on 29 June 1999, passed by the Legislative Council on 2 July 1999 and assented to by the Governor on 7 July 1999. The Act commenced operation on 1 July 1999.

- 2 July 1999** Advice received by NSW Teachers Federation from Treasurer's Office stating 'no TAFE campus will close'.
- 13 July 1999** Recommendation by Susan Holland to close Seaforth TAFE is endorsed by the Minister for Education.
- 18 August 1999** Kumarasamy Sivakumar announces to teachers and staff that Seaforth TAFE will close at the end of 1999 with all art courses re-located to Meadowbank and Hornsby; HSC to North Sydney; business, some Japanese and General Certificate Education students to Brookvale.
- 8 September 1999** Kumarasamy Sivakumar announces Fine Arts Certificate course will be offered at Brookvale.
- 18 October 1999** Bob Puffett, Assistant Director-General (TAFE), Department of Education and Training, announces HSC will be offered at Brookvale in 2000, by means of flexible delivery.
- 20 October 1999** Legislative Council refers the inquiry into the proposed closure of Seaforth TAFE to General Purpose Standing Committee No 1.
- 5 November 1999** John Hawkless Consultants Pty Ltd provide economic appraisal relating to the closure of Seaforth TAFE to the Department of Education and Training, *Report of Economic Appraisal – Refurbishment of Northern Beaches – Brookvale Campus, North Sydney Institute of TAFE* (included as Part 3 of Submission No 113, Department of Education and Training).
- 8 November 1999** Northern Sydney Institute of TAFE advises that four core HSC subjects will be taught at Brookvale in 2000. Day classes only, no evening classes.
- 1 December 1999** Department of Education and Training informs General Purpose Standing Committee No 1 that 10 HSC subjects will be offered at Brookvale in 2000, five in the evening.

In evidence provided to the Committee at a public hearing held on 12 November 1999, Dr Burke challenged the significance that some people were assigning to the fact that the Department had made statements seven months before the NSW State Budget that Seaforth TAFE would not close. Dr Burke claimed those statements were accurate at the time they were made.²⁰ Mr Sivakumar also advised the Committee that at the time announcements were made that Seaforth would remain open there was no plan to close the TAFE. Mr Sivakumar stated:

History is replete with examples where people have spoken in all honesty and good faith.²¹

²⁰ Evidence of Dr Burke, Department of Education and Training, 12 November 1999, p17. The statement to which Dr Burke is referring is attributed to Mr Sivakumar in a report that appeared in the *Manly Daily* on 18 November 1998.

²¹ Evidence of Mr Sivakumar, Department of Education and Training, 26 November 1999, p27.

However, the Committee notes that these claims contradict other evidence the Department gave to the Committee, that the Institute had in fact been moving towards the closure of Seaforth TAFE since 1993.

The Committee also notes that as recently as 11 days before the Minister endorsed the decision to close Seaforth TAFE, NSW Teachers Federation officials received an assurance from the Office of the Treasurer that no TAFE campus would close.²² This assurance came 10 days after the Budget was introduced.

Finally, the Committee notes that the report of economic appraisal prepared for the Department by John Hawkless Consultants Pty Ltd is dated 5 November 1999. This report is the only economic appraisal furnished to the Committee by the Department justifying the decision to close Seaforth TAFE. The Committee notes that it was prepared after both the decision to close the TAFE was made, and the Committee's inquiry into the decision was announced. It would appear that this report was commissioned to provide justification to support the decision to close Seaforth TAFE. The Committee attached little importance to the conclusions of the report because of its retrospective nature.

The Committee concludes that the decision to close Seaforth TAFE was made in haste. The subsequent announcements to staff and students caused considerable confusion and uncertainty with regard to future planning, particularly in relation to the provision of HSC and Fine Arts courses. The Committee is of the view that a proper analysis of the decision prior to the announcement being made would have averted much of the dismay and anger felt by students, staff and the community that has been expressed to the Committee in submissions and evidence. Further, the Committee believes the Department should have been more open in its decision making process, and more forthright in regard to the reasons for the decision.

2.2 Government commitment 'no campus will close'

Throughout the course of the Committee's inquiry, there was considerable discussion about whether or not Seaforth TAFE is a 'campus' or a 'site'. The importance of this distinction derives from the facsimile sent to the NSW Teachers Federation by the Treasurer's Office, dated 2 July 1999, in which an assurance was given that 'No TAFE campus will close'.²³ The Committee notes that the fax followed a budget briefing at the Premier's Department attended by the NSW Teachers Federation, and as such appears to represent the position of the Office of the Treasurer after the State Budget (which contained significant cuts to TAFE NSW) was introduced.

The definitional issue was first raised during a Committee hearing on 12 November 1999. In response to questioning at that hearing, Dr Burke stated:

²² Correspondence from Mr Michael Coutts-Trotter, Chief of Staff, Office of the Treasurer, to Mr John Hennesy, General Secretary, NSW Teachers Federation, dated 2 July 1999, tendered as evidence by Ms Penny Carosi, NSW Teachers Federation, on 19 November 1999.

²³ Correspondence from Mr Michael Coutts-Trotter, Chief of Staff, Office of the Treasurer, to Mr John Hennesy, General Secretary, NSW Teachers Federation, dated 2 July 1999, tendered as evidence by Ms Penny Carosi, NSW Teachers Federation, on 19 November 1999.

Technically, Seaforth has not been a campus. Seaforth has been a building and in fact there are documents that indicate Seaforth was not a campus. I point out particularly because in documents like this, for example, which is the Northern Sydney's Annual Report for last year, it actually talks about the Northern Beaches Campus in which there are sites, certainly, Brookvale and Seaforth, but technically it was not indicated as a campus. I point that out because there is some confusion about that.²⁴

This statement is despite official Department correspondence referring to Seaforth as a campus.²⁵ Although called a campus in many official documents, Dr Burke continued in his evidence on 12 November 1999:

... officially Seaforth is not a campus. It might be generically called a campus.²⁶

The Department used as a justification for the decision to close Seaforth that it was not a campus, and that the closure was merely an acceleration of a policy already in place to consolidate the Seaforth and Brookvale sites, a process which began in 1993 with the creation of the Northern Beaches College of TAFE. This process is discussed in part 2.1 above.

In evidence before the Committee, a representative of the NSW Teachers Federation, Ms Lolita Barrett, stated in respect of the question whether or not Seaforth is a campus,

I tell you the reason that that are saying that [Seaforth is a site not a campus] is that the Federation received a fax from the Treasurer's Department...and the last dot point is that no campus will be closed. So what is happening is that TAFE is saying it is not a campus, it is a site.²⁷

The Committee notes that the relevant legislation, the *Technical and Further Education Commission Act 1990* does not refer to either a 'campus', 'site' or 'building' but instead to the common term 'TAFE establishment' which is defined to mean an institution providing technical and further education, being an institution established and maintained by the TAFE Commission.²⁸ In the Committee's view, an 'establishment' would not, for example, include temporary classrooms.

²⁴ Evidence of Dr Burke, Department of Education and Training, 12 November 1999, p5.

²⁵ For example: an e-mail from Susan Holland to staff dated 10 December 1998, in which she assures Seaforth TAFE staff that the 'Northern Beaches - Seaforth Campus' will continue to operate into the 21st century: copy provided to the Committee by way of Submission No 26, Save Seaforth TAFE Committee, p18; a briefing to the Minister for Education from the Department regarding strategies to meet reductions in budget allocations, endorsed by the Minister on 13 July 1999 which includes 'the proposed closure of Seaforth Campus of Northern Sydney Institute. This campus and a site in Southport, Queensland are the only planned campus closures': copy provided as an attachment to correspondence from Dr Boston, Department of Education and Training, to Director, dated 22 November 1999; a State Valuation Office valuation of 'Seaforth Campus', dated 15 October 1999: copy provided to the Committee by way of correspondence from Dr Burke, Department of Education and Training, to Director, dated 22 November 1999; and a site map of Seaforth TAFE provided to the Committee to assist in the site visit on 19 November 1999: copy provided to the Committee by way of correspondence from Mr Burkhardt, Department of Education and Training, to Senior Project Officer, dated 17 November 1999.

²⁶ Evidence of Dr Burke, Department of Education and Training, 12 November 1999, p14.

²⁷ Evidence of Ms Lolita Barrett, NSW Teachers Federation, 19 November 1999, p41.

²⁸ *Technical and Further Education Commission Act 1990*, section 3, definition of 'TAFE establishment'.

The Committee acknowledges possible confusion surrounding the use of the words 'campus', 'site' and 'building' in relation to Seaforth TAFE. However, regardless of the terminology used, the Committee is of the view that the decision to close Seaforth TAFE was a direct contradiction of the advice from the Office of the Treasurer dated 2 July 1999 that 'no TAFE campus will close'.

2.3 Consultation

It is a stated objective of TAFE NSW to 'plan their activity to enable them to meet government, industry, community and individual education and training needs'.²⁹ In evidence before the Committee, Dr Terry Burke stated that:

There is a general expectation that TAFE institutes would be sensitive to local community needs and would have a network of people with whom they discuss and organisations that they relate to... it is extraordinarily important that TAFE be sensitive to the shifts in industry requirements, needs of individuals and so on.³⁰

The Committee received a number of submissions that raised the issue of the almost total lack of community consultation prior to the decision being made to close Seaforth TAFE.³¹ From submissions received and evidence heard by the Committee it is clear that there was a lack of community consultation prior to the decision being taken. In evidence before the Committee, Mr Puffett stated that:

The decision was taken and there will be many months before this [closure of Seaforth TAFE] occurs. During that period of time there is certainly consultation after the decision.³²

Mr Sivakumar stated that in the normal course of events there is consultation prior to such a decision being taken, and 'rarely do we do it this way', that is consulting post-decision.³³ In reference to consultation after the decision, Ms Kim Whyte, the Seaforth TAFE Student Counsellor³⁴ stated

The only meeting that we [staff at Seaforth] have had since the closure about the closure and the impact and the planning has been the one with Siva Kumar which was called the day after we found out ... it was closed. There has been no other consultation as a group.³⁵

²⁹ NSW Technical and Further Education Commission *Annual Report, 1 July – 2 December 1997*, p14. This statement is part of the NSW TAFE Commission *Corporate Plan 1997-1999*.

³⁰ Evidence of Dr Burke, Department of Education and Training, 12 November 1999, p18.

³¹ For example Submission No 37, Ms Vicki Wilkes; Submission No 69, Ms Kaye Watson; Submission No 82, Mr Warren Welsh; Submission No 155, Ms Jillian Salz; and Submission No 173, Mr Sian Thomas (Australian Catholic University).

³² Evidence of Mr Puffett, Department of Education and Training, 26 November 1999, p27.

³³ Evidence of Mr Sivakumar, Department of Education and Training, 26 November 1999, p26.

³⁴ Ms Whyte has worked at the Seaforth TAFE since 1983.

³⁵ Evidence of Ms Kim Whyte, Student Counsellor, Seaforth TAFE, 12 November 1999, p69.

Ms Whyte was particularly concerned about the lack of information provided to her in her role as counsellor, as she had been providing information to students about their options for study in the coming year. Ms Whyte stated:

... I feel that I have misled lots of people over the last couple of months because people have come to see me and asked me what is going on and I have not known.³⁶

The Committee asked the Department officials to supply information about consultation that had occurred. In response, the Department supplied the Committee with a document titled 'Communication and Consultation Strategies About the Consolidation of TAFE Services on the Northern Beaches – 1999'. In this document, the only reference to consultation prior to the decision being made public stated:

The proposed closure of Seaforth site was discussed informally with the Institute Advisory Council members during proceedings of the August 1999 Council meeting.

Despite being requested to do so by the Committee, the Department was unable to furnish any records of such discussions. The Committee also notes that these discussions took place after the Minister endorsed the recommendation to close Seaforth TAFE. In evidence before the Committee, NSW Teachers Federation representative, Ms Lolita Barrett tabled a letter from Mr Craig Whitting, a member of the Northern Sydney Institute Council and the Institute Consultative Committee.³⁷ In reference to the letter Ms Barrett stated:

In this letter his reference is that the date of the last Northern Sydney Council meeting was Tuesday 3 August, ... and the date of the Northern Sydney Institute Consultative Committee was Thursday 5 August 1999. He has indicated to us that there has been no discussion about this proposed decision on any of these councils or the committee...and there has been no discussion since. They have not met.³⁸

2.3.1 Formal consultation procedures

The Committee notes there is a formal consultation process set out under Section 28 of the *Education Act 1990* which must take place prior to the closure of a government school (reproduced in Appendix 3). Under the provisions of this section, the Minister is to announce by 15 June each year those government schools it is proposed to close. No school can close until the end of the following year. Within 21 days of such an announcement, the Minister is to establish a School Closures Review Committee (SCRC) for each school affected by the proposal and write to the Principal and President of each schools' parents organisation. Each SCRC is to comprise the following members:

- An independent person appointed by the Minister (who will chair the committee);
- The Director-General of School Education;

³⁶ Evidence of Ms Whyte, Seaforth TAFE, 12 November 1999, p62.

³⁷ Correspondence from Mr Craig Whitting, to Mr Tony Griffin, Senior Head Teacher Accounting and Finance, dated 18 November 1999, tendered as evidence by Ms Barrett, NSW Teachers Federation, on 19 November 1999.

³⁸ Evidence of Ms Barrett, NSW Teachers Federation, 19 November 1999, p34.

- A nominee of the Local Government Association of New South Wales;
- A nominee of the Federal Parents' and Citizens Association;
- An Assistant Director-General of School Education, nominated by the Director-General;
- A nominee of the NSW Teachers Federation, and
- A nominee of the Minister.

In conducting reviews, SCRCs are to call for submissions and seek expert demographic and educational advice for both the present and future use of the school, and to seek and have regard to the views of teachers, local communities and parents of children attending the school. The SCRCs are also required under the legislation to meet with representatives of teachers, the local community and parents.

The Committee notes that Mr David Barr, MP, Member for Manly, in direct response to his concern about the closure of Seaforth TAFE, moved a notice of motion on 18 November 1999 in the Legislative Assembly:

That leave be given to bring in a bill for an Act to amend the Technical and Further Education Commission Act 1990 with respect to procedures for public consultation to be followed when closing a TAFE College.³⁹

Mr Barr's bill is called the Technical and Further Education Commission Amendment (Consultation Procedures) Bill. The provisions of the bill follow closely the provisions of section 28 of the *Education Act 1990*. Additional provisions relate to property and provide that the Minister can not approve the TAFE Commission's request to not sell, mortgage or in any other way alienate any part of its land as part of the closure of a TAFE establishment until the consultative procedure contained in the bill is finalised. The bill had not been introduced when the House rose on 2 December 1999.

The Committee Chairman, the Rev Hon Fred Nile MLC asked Parliamentary Counsel to draw up a similar bill to effect a consultation process by the Department prior to the closure of TAFE establishments. A copy of this draft bill is attached as Appendix 4.

The Committee concludes that the Department did not engage in any public consultation prior to taking the decision to close Seaforth TAFE. Any consultation undertaken by the Department, has occurred after the decision was made. Consequently, the Department did not adequately address the impact of the proposed closure on student needs, as identified by students. The Committee recognises that the present inquiry was initiated because of the anger and distress in the Northern Beaches area caused by the decision and the peremptory way it was made without any consultation with interested parties.

Recommendation 1

³⁹ New South Wales Legislative Assembly, *Notices of Motion and Orders of the Day*, 18 November 1999, No 23, p298.

The Committee recommends that the *Technical and Further Education Act 1990* be amended to insert provisions similar to section 28 of the *Education Act 1990* in respect of the closure of TAFE establishments.

3. Economic impetus for the decision

Based on the evidence presented, the Committee believes the critical justification advanced by the Department of Education and Training for the decision to close Seaforth TAFE is an economic one. The Department has advised the Committee that in light of an increasingly competitive Commonwealth funding situation and the State budget, the Northern Sydney Institute of TAFE made the decision to close Seaforth TAFE in order to save money. The Department also stated that although the decision was made in response to State budget cuts, it was Federal Government policies that precipitated the decision:

... this decision was foisted upon us and it was a decision that had to be made urgently in the light of the sorts of things that the Commonwealth Government had forced upon the State.⁴⁰

3.1 Australian National Training Authority (ANTA) Agreement

The first Australian National Training Authority (ANTA) Agreement was entered into by State and Territory Governments in 1992. The aim of the ANTA Agreement was 'to create the basis for a partnership between Governments, and with industry, in the development and refinement of a national vocational education and training system'.⁴¹ A revised ANTA Agreement was endorsed by the ANTA Ministerial Council in 1997 for the years 1998-2000. The Agreement, which was jointly developed by ministers for vocational education and training, sets down objectives for the vocational education and training system, and the roles and responsibilities of the ANTA Ministerial Council, State and Territory training authorities and the Commonwealth Department of Education, Training and Youth Affairs. Under the revised Agreement, the Commonwealth committed to maintaining funding of \$890.585m, in real terms, to States and Territories for the three years from 1998 with the proviso that the States and Territories maintain outputs and outcomes and achieve growth through efficiencies.⁴² Under the previous Agreement, States and Territories had received set level base funding as well as per capita growth-based funding. For New South Wales this equalled an approximately \$23 million increase each year for the period 1993 to 1997.⁴³ The growth funding was lost under the revised agreement.

3.1.1 Unit costs

In order to meet its planning and accountability requirements under the 1997 ANTA Agreement and secure Commonwealth Government funding, New South Wales agreed to achieve a growth in annual hours of curriculum of 1.29 percent, and to achieve a reduction in unit costs of 3.26 percent.⁴⁴ 'Unit cost' is measured as the dollar cost per hour of training each student. It is calculated by dividing

⁴⁰ Evidence of Dr Burke, NSW Department of Education and Training, 12 November 1999, p16.

⁴¹ Australian National Training Authority *Annual National Report 1998*, Volume 1: National Overview, p7.

⁴² Ibid.

⁴³ Submission No 113, Department of Education and Training, p5.

⁴⁴ Ibid, pp5-6.

recurrent expenditure by adjusted 'annual hours curriculum' (the total number of hours of training delivered in a year, calculated by multiplying the approved number of hours for a curriculum module by the number of modules delivered to the number of students in a traditional, supervised delivery setting).⁴⁵ 'Unit costs' include *all* expenditure and encompass money spent by TAFE on expenses other than those directly involved in providing education services to students (for example, money spent on head office expenses and the various layers of TAFE administration).⁴⁶

Table 1 shows that over the period 1997 to 98, New South Wales has experienced a 1.67 percent increase in unit costs. This does not compare favourably to other states and territories, which all demonstrated a reduction in unit costs, or to the Australian average which was reduced by 3.5 percent. Table 2 illustrates unit costs in Australian States and Territories. It shows that not only did NSW record the only increase in unit costs, the actual unit costs in NSW are significantly higher than in many states and also higher than the national average.

Table 1 – NSW unit costs 1997 and 1998

	Recurrent expenditure in 1998 prices (\$million)	Adjusted Annual Hours Curriculum (million)	Unit cost
1997	1,207.08	83.014	14.92
1998	1,233.41	83.013	15.17

Source: ANTA *Annual National Report 1998*, Volume 3: Vocational Education & Training Performance, p. 114.

Table 2 – Australian state and territory unit costs 1998

	NSW	VIC	QLD	SA	WA	TAS	NT	ACT	Aust
1998	15.2	10.3	13.3	13.5	13.6	16.5	28.0	16.8	13.4
% change from 1997	+1.6	-0.5	-9.7	-12.8	-11.4	-12.5	-1.9	-1.6	-3.5

Source: Submission No 113, Department of Education and Training, p. 6.

The Minister provided the Committee with a letter dated 18 November 1999, sent to him by the Federal Minister for Education, Training and Youth Affairs, the Hon Dr David Kemp MP, that discussed the relatively high unit costs in the New South Wales vocational education and training system. Dr Kemp wrote:

I estimate that, had New South Wales performed at the average level, at least an additional 30,000 student places would be available in 2000 over the number in 1997... unlike other States, New South Wales achieved no growth at all in AHC [annual hours curriculum] in 1998 and very little in 1999...

⁴⁵ Australian National Training Authority *Annual National Report 1998*, Volume 3: Vocational Education & Training Performance, p121.

⁴⁶ Centennial Consultancy, *Proposed Closure of Seaforth TAFE – commentary on submission by the Managing Director of TAFE NSW*, pp10-11, tendered as evidence by Mr David Barr MP, Member for Manly, on 19 November 1999.

It is of great concern to me that potential students in New South Wales have been denied training opportunities due to the relative inefficiency of the New South Wales system. The Director-General of your Department has admitted that New South Wales TAFE “is clearly inefficient in comparison with other states” in his statement of 1 November in the context for the proposed award for employees of your Department.⁴⁷

The Committee notes that there are a number of factors that may contribute to higher unit costs, including the provision of services to students born in a non-English-speaking country, indigenous students or students with a disability. The Committee notes that New South Wales has the highest proportion of students born in a non-English speaking country participating in vocational education and training, and a comparatively high proportion of indigenous students, for example: 2.65 percent compared to 0.9 percent in Victoria.⁴⁸ New South Wales also has a relatively dispersed population. The Committee recognises that the cost of delivering vocational education and training to rural and regional centres with a more dispersed population may be higher than in urban centres, where economies of scale can operate due to the concentration of students resulting in a higher student/teacher ratio (student/teacher ratios are a major influence on vocational education and training system costs). Accounting practices can also effect the calculation of unit costs. ANTA recognised that jurisdictions are in various cycle of asset accumulation and disposal which may affect unit costs. New South Wales, for example, estimated that the increase in unit costs between 1997 and 1998 would have been significantly smaller had these timing differences been taken into account – ANTA has resolved to consider this issue for future reporting.⁴⁹ The Commonwealth Grants Commission recognises that such factors may affect the cost of providing services (ie affect unit costs). Although ANTA uses the Commission’s findings when analysing differences in efficiency (unit costs) the figures contained in the *National Report* are not adjusted to account for the Commission’s findings.⁵⁰

One means by which unit costs can be brought down is by minimising administration costs and by maximising class sizes, thus achieving efficiencies in teaching. The Committee considers that the replication of administrative functions across the State’s 12 TAFE Institutes substantially impacts on unit costs. The New South Wales Government’s Council of the Cost of Government report on Vocational Education and Training showed a substantial increase of almost 28 percent in real expenditure in NSW TAFE over the period 1989-90 to 1994-95. Over the same period full time equivalent staff numbers rose by 17 percent.⁵¹ It has been suggested that these figures indicate that while costs have been increasing, much of the increase has gone into overheads rather than into service

⁴⁷ Correspondence from the Hon Dr David Kemp, MP, Federal Minister for Education, Training and Youth Affairs to the Hon John Aquilina, MP, NSW Minister for Education and Training, dated 18 November 1999, provided to the Committee by the Hon John Aquilina MP, as an attachment to correspondence sent to the Chairman dated 23 November 1999.

⁴⁸ Submission No 113, Department of Education and Training, p7.

⁴⁹ Centennial Consultancy, *Proposed Closure of Seaforth TAFE – commentary on submission by the Managing Director of TAFE NSW*, p11, tendered as evidence by Mr David Barr MP, Member for Manly, on 19 November 1999.

⁵⁰ Centennial Consultancy, *Proposed Closure of Seaforth TAFE – commentary on submission by the Managing Director of TAFE NSW*, p12, tendered as evidence by Mr David Barr MP, Member for Manly, on 19 November 1999.

⁵¹ Council on the Cost of Government, *Vocational Education and Training: Service Efforts and Achievements, 1997*, p26.

delivery.⁵² Voluntary redundancies are another example given by the Teachers Federation of a way in which institutes can achieve their cost-cutting targets. In the Sydney Institute of TAFE, for example, half to two thirds of the savings required will be achieved through voluntary redundancies.⁵³ In contrast, the Northern Sydney Institute of TAFE assured Seaforth TAFE staff that there would be no job losses, with most staff being relocated to Brookvale.⁵⁴

3.1.2 National Competition Policy

A new feature of the 1997 ANTA Agreement was the concept of 'user choice'. The aim of user choice, introduced from 1 January 1998, is to improve the responsiveness of training providers to the needs of their clients. Under user choice, employers and trainees can choose how and when training will be delivered, and, as more training packages become available, choose the content of that training. Public funding is directed towards the chosen providers of training.⁵⁵ Under this arrangement, TAFE is competing with private vocational education providers for funds. The Department asserts that an increase in funds allocated under user choice policies means an increase in the proportion of funds for which TAFE NSW must compete on the open market with other providers.⁵⁶ The Department stated that, under these policies, TAFE NSW has been forced to reduce prices charged to students in order to compete, and that 'around Australia, these policies have forced the reduction of services and rationalisation of facilities upon public providers'. It is in this climate, the Department emphasised, the decision to close Seaforth TAFE was made.⁵⁷

3.2 Impact of Commonwealth Government Policies

3.2.1 The Common Youth Allowance

The Department stated that the introduction of the Common Youth Allowance, phased in from 1 July 1998, has shifted costs of training and educating young people onto States and Territories.⁵⁸ The Common Youth Allowance is the income support payment for people aged 15 to 21 years (25 if in training). As such, it replaced Austudy, Youth Training Allowance, Newstart Allowance and Sickness Allowance. To qualify for youth allowance, a young person must satisfy the activity test by undertaking an 'approved activity'. Such activities are designed to improve a person's prospects of finding work and include job search, full time study, training, approved voluntary work or Work for the Dole programs.

⁵² Centennial Consultancy, *Proposed Closure of Seaforth TAFE – commentary on the submission by the managing director of TAFE NSW* 19 November 1999, pp7-8, tendered as evidence by Mr David Barr MP, Member for Manly, on 19 November 1999.

⁵³ Evidence of Ms Carosi, NSW Teachers Federation, 19 November 1999, p48.

⁵⁴ Submission No 113, Department of Education and Training, p23.

⁵⁵ Australian National Training Authority *Annual National Report 1998*, Volume 1: National Overview, p15.

⁵⁶ Submission No 113, Department of Education and Training, p8

⁵⁷ Submission No 113, Department of Education and Training, p8.

⁵⁸ Submission No 113, Department of Education and Training, p9.

The Commonwealth Government recognised that the new youth allowance will result in more young people staying at school, and in January 1998 provided additional funding to schools to meet the special needs of young people under 18 years returning to full time education. A similar provision was not made for TAFE's. TAFE NSW estimates that the additional cost of providing education and training for students commencing study as a consequence of the introduction of the youth allowance is approximately \$34 million per year.⁵⁹

3.2.2 Reduction in subsidies for taking on apprentices

The Department stated in its submission that the Commonwealth Government has also 'substantially reduced the subsidies for taking on apprentices' while at the same time recognising there is a serious shortage of apprentices in skilled trades and planning to increase apprenticeship numbers. As the principal provider of apprenticeships in NSW, the Department contends that TAFE will be adversely affected by this policy.⁶⁰

3.3 TAFE NSW Budget

The 1999-2000 NSW State Budget was handed down on 22 June 1999. The budget papers summarised the budget in the following manner:

The 1999-2000 NSW Budget provides for a substantial operating surplus while delivering improved services to the community and reducing the State's overall tax burden.⁶¹

The State's second largest financial commitment in 1999-2000 is to education education and training in 1999-2000 increased by \$90 million from the previous budget to \$6,641 million.⁶² However, State funding to TAFE NSW fell from \$1,235.5 million in 1998-99 to \$1,201.1 million in 1999-2000, a reduction of \$35.4 million. This reduction is despite an anticipated increase in equivalent full-time student numbers from 117,500 to 118,200.⁶³ The 1999-2000 Budget Papers state that 'the TAFE Budget takes into account reductions in Commonwealth growth funding and the need for greater efficiencies in an increasingly competitive training market'.⁶⁴ The Northern Sydney Institute of TAFE's portion of the reduced funding was \$2.925 million.⁶⁵ The Department stated that the decision to close Seaforth TAFE was made in direct response to this budget imperative; that if Seaforth

⁵⁹ Submission No 113, Department of Education and Training, p9.

⁶⁰ Submission No 113, Department of Education and Training, pp9-10.

⁶¹ NSW Treasury, *1999-2000 Budget Statement*, Budget Paper No 2, p1.

⁶² The Hon Michael Eagan, MLC, 1999-2000 Budget Speech, New South Wales Parliamentary Debates, 22 June 1999, p1067.

⁶³ *Budget Estimates 1999-2000, Budget Paper No 3, Volume 2*, Appendix A: Financial Information by Policy Area, pA-3.

⁶⁴ *Ibid*, p6-6.

⁶⁵ Submission No 113, Department of Education and Training, p11.

TAFE was to continue operation, 'we will not be meeting the growth through efficiency and will not be able to provide the growth that would provide access for other students'.⁶⁶

3.3.1 Strategies adopted by Northern Sydney Institute of TAFE in response to budget cuts

The Department's submission contained a list of strategies that have been adopted by the Northern Sydney Institute of TAFE, and endorsed by the Managing Director of TAFE NSW to achieve new budgetary targets:

1. the restructuring of management and administrative positions;
2. a voluntary redundancy program for Institute Managers and other selected staff;
3. rationalisation of low demand courses across the Institute; and
4. acceleration of the continuing planned movement of courses from the Seaforth site to the Brookvale site of the Northern Beaches College of TAFE.⁶⁷

In evidence before the Committee Mr Terry Piggott, Head Teacher, HSC at Seaforth, noted that:

Other TAFE institutes throughout NSW have had similar cuts, some greater, some lesser, yet none of them have seen fit to close an entire site.

They have maybe cut four, or five, or a percentage off a whole range of courses, maybe to focus on specific courses, but none of them has sold a public education site ...⁶⁸

3.4 Capital and Recurrent Operating Costs at Seaforth

The Department claimed that significant capital and recurrent cost savings would be made by the closure of Seaforth TAFE.

3.4.1 Capital Costs

The Department maintains that a capital cost of approximately \$400,000 would be necessary if Seaforth TAFE was to continue operating beyond 1999. The breakdown of this cost is as follows:

• Replacement of roof over administration and library	\$175,377
• Ventilation and exhaust repairs to Fine Arts area	\$175,375
• Other repairs such as concrete spalling and painting	\$50,000 ⁶⁹

⁶⁶ Evidence of Dr Burke, NSW Department of Education and Training, 12 November 1999, p33.

⁶⁷ Submission No 113, Department of Education and Training, p11.

⁶⁸ Evidence of Mr Terry Piggott, Head Teacher, HSC, Seaforth TAFE, 12 November 1999, p39.

⁶⁹ Submission No 113, Department of Education and Training, p22.

Replacement of roof

The Committee heard evidence from Mr Don Moller, who was the project architect appointed by the Government to supervise major refurbishment of Seaforth TAFE in 1984-85. In his evidence, Mr Moller described the roof as a metal deck roof and 'in good condition'. He continued:

There is nothing wrong with it [the roof]. If there was I would say so...I have looked a couple of times at the metal deck roof. It is not leaking now and I think there were some leaks because there is evidence of patching as tar. It is not rusty. You can guarantee on that metal deck roof there is at least 20 years. The cost of replacing it is about \$30 a square metre. They refer to 450 square meters at \$30 is about \$13,500.

Mr Moller stated that to replace the roof:

I think \$20,000 would cover it because you have to take away the old materials. I can not see it costing any more than that.⁷⁰

Mr Moller indicated that price included materials (BHP Colorbond) and labour, and would have a 20 year guarantee against leakage.⁷¹ A quote was provided to the Committee by the Save Seaforth TAFE Committee from a local tradesperson, Mr Robert McAllan, to remove existing roofing and replace it with 'new square ribbed tray aluminium roofing'. The details of the quote for \$23,745 are as follows:⁷²

- | | |
|--|----------|
| • Labour and replacement sheet roofing | \$22,050 |
| • 36 liniel meters of barge capping | \$395 |
| • 35 liniel meters of ridge capping | \$450 |
| • Clean up and remove all building rubbish from site | \$850 |

The Department suggested to the Committee that the present roof has a fundamental design fault – it is too large to be a flat roof, and that the box gutters are not adequate to prevent leakage. As a result, it would be necessary to replace the current roof with a pitched roof. In response to this suggestion, Mr Moller stated

If it [the roof] had any leaks, if comes from the metal deck being punctured, that is where you can see the tar that has been put on. There are adequate flashings and gutters and things like that. It was done right back in 1963 and it has served its job since then and I think they have had good value out of it.⁷³

In respect to the need for a pitched roof, in a further submission to the Committee, Mr Moller stated

⁷⁰ Evidence of Mr Don Moller, Architect, 19 November 1999, p52.

⁷¹ Evidence of Mr Moller, Architect, 19 November 1999, p54.

⁷² Quote from Robert McAllan, plumber, gas fitter, drainer, provided to Mr Jim Bannister, dated 22 November 1999, supplied to the Committee by Mr Bannister.

⁷³ Evidence of Mr Moller, Architect, 19 November 1999, p53.

A greater roof pitch than 1 deg. for the metaldeck roof over Administration area would serve no useful purpose and would be aesthetically wrong and out of place.

The Department provided the Committee with documents confirming their estimated cost of approximately \$175,000 to repair the roof. The Department's estimate is based on a total redesign of the roof, including running the roof in the opposite direction to the current North-South direction. The Department states that this option is 'the best option as it redesigns the roof, improves the slope and directs water away from the box gutters. Hence there would be no danger of water entering the building'.⁷⁴ The Committee notes that the Department's quote, provided by Taylor & Partners Quality Surveying is dated 11 October 1999, after the decision had been made to close Seaforth TAFE. Taylor & Partners estimated the cost of the repair to be \$122,000 to which the Department added 25 percent (\$18,900) for contingencies and unidentified work and 15 percent for Department of Public Works and Services (DPWS) fees (design and construction supervision), giving a total cost of \$175,377. The Committee further notes that an assessment by the DPWS in March 1997 'recommended that the entire metal deck and front entry awning be removed and replaced with a new metal deck roof with a slightly raised slope to minimise the extent of flashing and waterproofing problems that exist with the current roof pitch'.⁷⁵ Taylor & Partners estimated the cost of this option to be \$75,600. With the Department's 25 percent and 15 percent premiums the total cost of this option would be \$108,675.

The Committee concludes there is an irreconcilable difference in the estimates regarding the work necessary to ensure the roof is sound. Prices quoted to the Committee have ranged from \$23,000, to \$175,000. The Committee does not have the expertise to independently evaluate the various options, and must take as face value the official DPWS assessment of the roof, dated prior to the announcement to close Seaforth TAFE, in which it was recommended the roof be replaced and the pitch raised slightly. Based on Department figures, the cost of this work would be \$108,000. This represents a saving of \$66,702 over the \$175,000 cost claimed in the Department's submission.

Ventilation

A figure of \$175,375 to install ventilation and exhaust systems in the fine arts area was quoted in the Department's submission. The Chairperson of the Seaforth Campus OH&S Committee has stated in a letter dated 19 November 1999 that:

all complaints referable to Occupational Health and Safety that have come before the OH&S Committee have been properly dealt with eg new ventilation to the laboratories and roof repairs.⁷⁶

In July 1999 air conditioning was installed in the laboratory classrooms and ventilation installed in the chemical store room at Seaforth TAFE, at a cost of \$41,000. The Committee is not in a position to evaluate whether or not the ventilation work in the fine arts area. However, no other issues have been brought before the OH&S Committee in 1999 other than those described above, including no issues

⁷⁴ Correspondence from Dr Burke, Department of Education and Training, to Director, dated 1 December 1999.

⁷⁵ Correspondence from Mr Martyn Webb, Manager Property & Computer Services, Northern Sydney Institute of TAFE, to Mr Sivakumar, Deputy Director, Northern Sydney Institute of TAFE, dated 3 February 1997, provided to the Committee by Dr Burke, by way of correspondence to Director, 1 December 1999.

⁷⁶ Correspondence from Mr Peter Derwent, Chairperson, OH&S Committee – Seaforth Campus, to Mr Moller, Architect, dated 19 November 1999, tendered as evidence by Mr Moller on 19 November 1999.

with regard to ventilation in the fine arts area. In response to the Committee's concern that such a large amount was spent on ventilation in other rooms in at Seaforth just prior to the decision to close Seaforth TAFE, the Department noted that 'the system is modular and can be easily relocated'.⁷⁷ The Committee is of the view that there would be significant costs associated with the installation and removal of the ventilation equipment.

3.4.2 Recurrent Costs

The Department has indicated it expects to make a saving of approximately \$240,000 per year in recurrent costs as a result of the closure of Seaforth.⁷⁸ However, the Committee was not furnished with a detailed breakdown of the anticipated savings. In response to a question on notice the Department stated that weekly cost of providing security and care of the Seaforth site would be approximately \$500. However, it is not clear whether costs such as these are factored into the Department's initial calculations.

In their financial appraisal of the move, John Hawkless Consultants calculate a projected saving of \$193,000 per annum consequent upon the closure of Seaforth TAFE. This saving is based on annual operating costs at Seaforth in 1999/2000 of \$293,000 and \$100,000 in additional operating costs at Brookvale. This differs from the Department's figures by over \$50,000 per year.

Questions were raised regarding the cost of terminating contracts with suppliers and maintenance staff at Seaforth. In response, Mr Sivakumar stated that as most of the contractors were the same at Brookvale and Seaforth, their Brookvale contracts would increase to reflect the increase in students being transferred from Seaforth. Mr Sivakumar assured the Committee that the additional costs at Brookvale to take into account such matters had been factored into the calculations regarding savings in recurrent costs.

John Hawkless Consultants stated in its appraisal that:

Salary related expenditure is not expected to change significantly ... as it is anticipated that TAFE staff will be redeployed to other campuses. Hence, we have not quantified these costs [of additional staff going to Brookvale].⁷⁹

The Committee notes that this statement directly contradicts the assurance given by the Department that 'the majority [of Seaforth staff] will be relocated to the Brookvale site'.⁸⁰ In fact, the Department's own submission states that 'no staff will lose their positions in the Northern Sydney Institute and the majority will be located to the Brookvale site' and that 'the new arrangements will ensure that the

⁷⁷ Correspondence from Dr Burke, NSW Department of Education, to Senior Project Officer, dated 1 December 1999.

⁷⁸ Submission No 113, Department of Education and Training, p22.

⁷⁹ John Hawkless Consultants Pty Ltd, *Report of Economic Appraisal – Refurbishment of Northern Beaches – Brookvale Campus, North Sydney Institute of TAFE*, 5 November 1999, p17, included as Part 3 of Submission No 113, Department of Education and Training.

⁸⁰ Submission No 113, Department of Education and Training, p23.

current range of services from the Northern Sydney Institute will not be reduced', since 'the savings made [by closing Seaforth] will be used to provide improved services to the Northern Beaches'.⁸¹ It would appear from this statement that there will significant salary costs associated with the transfer of staff to Brookvale.

The Committee concludes that statements referring to recurrent cost savings by the Department are inconsistent. In the absence of a break down of the proposed \$240,000 savings the Committee is unable to evaluate whether these savings would actually eventuate. The Committee also notes the additional cost of relocating staff from Seaforth to Brookvale was not included in the consultant's calculations. The Committee therefore believes the net savings to the Northern Sydney Institute may in fact be significantly less than estimated by the Department's consultants.

The Department states that the closure of Seaforth TAFE constitutes 'a significant component of the
⁸² The Committee notes that savings of \$240,000 per year in maintenance and duplicated operating costs at Seaforth plus the one-off capital cost of \$400,000 are expected. Further, the cost of refurbishment and preparation of Brookvale TAFE to accommodate staff and students transferring from Seaforth TAFE in 2000 is \$1.6 million, a cost the Department claims the savings will pay for in five years. The Committee disputes the Department's estimate of savings of \$240,000 per year after five years, and notes that even if this figure was accepted the closure would not have a significant impact on the savings of \$2.925 million imposed on the Northern Sydney Institute of TAFE by the 1999-2000 budget. The Committee notes that the disputed savings of \$240,000 would at best represent only 8.2 percent of the Northern Sydney Institute's required savings and only 0.02 percent of TAFE's \$1,201.1 million 1999-2000 budget.

3.5 Valuation of Seaforth TAFE

Seaforth TAFE was given a preliminary valuation of between \$5 million and \$8 million by the State Valuation Office on 15 October 1999. The Committee notes that this valuation took place after the decision was taken to close Seaforth TAFE. The valuer noted in his valuation that 'it is considered that a high level of demand would be generated' by the site when put on the open market.⁸³ When a TAFE site is sold, TAFE realises 50 percent of the sale price (in comparison, when a school site is sold 100 percent of the proceeds are reinvested in the schools as part of the capital program).⁸⁴

The Department asserted in its evidence that no decision has been made regarding the disposal of the Seaforth TAFE site.⁸⁵ However, the Department's stated rationale for the decision to close Seaforth

⁸¹ Submission No 113, Department of Education and Training, p23.

⁸² Submission No 113, Department of Education and Training, p15.

⁸³ Correspondence from M Bishenden, Certified Practising Valuer, State Valuation Office, to Mr Steve Martyns, Manager, Property and Operations Services, Northern Sydney Institute of TAFE, dated 15 October 1999, copy provided to the Committee by Dr Burke, Department of Education and Training, by way of correspondence to Director, dated 22 November 1999.

⁸⁴ Evidence of Mr John Burkhardt, General Manager Properties, TAFE, NSW Department of Education and Training, 12 November 1999, p28.

⁸⁵ Evidence of Mr Burkhardt, NSW Department of Education and Training, 12 November 1999, p27.

TAFE noted 'income that might be gained from the future disposal of the Seaforth site.'⁸⁶ Further, the Hawkless document tendered by the Department in support of the decision to close Seaforth TAFE assumed the sale of the Seaforth property. It is clear to the Committee that the prospect of retaining part of the proceeds from the sale of the Seaforth TAFE site was an important factor in the decision to close Seaforth TAFE, despite assurances from the Department that it has no short-term plans to sell the site.

Contained within the boundaries of the Seaforth TAFE site is the Balgowlah Community Library. The library is housed in a heritage sandstone cottage built in 1893. The library is currently fenced off from the rest of the TAFE and is used and operated by Manly Council. It has been operating as the Balgowlah Community Library since 1943, staffed by local volunteers. In response to a question on notice the Minister confirmed that the valuation of Seaforth TAFE includes the land on which the Balgowlah Library stands.

Recommendation 2

The Committee recommends that, irrespective of the final decision about Seaforth TAFE, the Department create a separate title for the land on which the heritage listed Balgowlah Community Library is located. The Standing Committee further recommends that the Government take all necessary steps to ensure the land and buildings are preserved for continued community use.

⁸⁶ Submission No 113, Department of Education and Training, p23; p24.

4 Facilities at Seaforth and Brookvale TAFEs

4.1 Parking

Many submissions received by the Committee expressed concern about parking facilities at Brookvale.⁸⁷ Despite the lack of designated off-street parking for students at Seaforth and limited staff parking on-site, students did not indicate that parking is a problem at Seaforth TAFE. Kim Whyte, Student Counsellor at Seaforth TAFE stated in evidence before the Committee that parking has not been an issue for the people she has seen. Moreover, the parking that is available at Seaforth – on residential streets or around Seaforth shops for example, is well-lit and safe.⁸⁸ This is an important concern for women who attend evening classes and is addressed further in part 4.3 below. The John Hawkless Consulting report stated that ‘complaints from residents have occurred due to the resulting number of cars in the surrounding streets’. The Committee did not, however, receive any submissions from local residents near Seaforth TAFE complaining about parking.

The Department’s submission stated that Brookvale TAFE will have off-street parking for 370 cars by 2000. In the Department’s opinion this is considered ‘more than adequate’ for the 750 students who are expected to visit the Brookvale campus at any one time.⁸⁹ Submissions received by the Committee state that this represents an increase of only 30 parking spaces to accommodate the anticipated 1,200 students and staff from Seaforth.⁹⁰ Further, submissions received by the Committee state that parking is insufficient for the number of students currently studying at Brookvale, for example:

Up to 2 weeks ago [mid-November] it was impossible to get a park after 9.10am in the morning on the campus.⁹¹

The Department’s statement is also refuted by a study undertaken by Warringah Mall shopping centre, located opposite Brookvale TAFE, in which it states ‘approximately 80 available spaces are currently being taken by students at Northern Beaches TAFE’. In fact, Warringah Mall is currently considering installing paid parking after 3 hours, in part to dissuade TAFE students from parking there.⁹²

The Committee concludes that there will be insufficient parking to accommodate students transferring from Brookvale to Seaforth in 2000. Students will be forced to park at the adjacent Warringah Mall, which proposes to introduce paid parking for periods of three hours or longer. This will result in some students having to pay additional parking costs as a consequence of the relocation.

⁸⁷ For example Submission No 22, Miss Holmes; Submission No 30, Ms Marjorie Hunter; Submission No 75, Mr David Palmer; Submission No 126, Ms Marilla Burgess; and Submission No 171, Ms Kay Healey.

⁸⁸ Evidence from Ms Whyte, Seaforth TAFE, 12 November 1999, p63.

⁸⁹ Submission No 113, Department of Education and Training, p17.

⁹⁰ Submissions No 107 to 111.

⁹¹ Submission No 239, Annie Bull, Brookvale TAFE student.

⁹² Evidence from Cr Jean Hay, Mayor, Manly Council, 12 November 1999, p75.

4.2 Disabled Students

Disabled students expressed concern to the Committee that the Brookvale site is unsuitable for them and would preclude them from continuing their TAFE studies. The Department supplied the Committee with figures that showed the number of students with self-declared disabilities enrolled at Northern Beaches College of TAFE in 1999 was 357, of which only 55 (15 percent) were located at Seaforth. The Department also advised the Committee that the Northern Beaches College of TAFE Disabilities Services Centre is located at Brookvale and is staffed by disabilities consultants who give individual attention to students at both Seaforth and Brookvale. The Department stated that:

Brookvale campus has access to all buildings for disabled students including lifts and access ramps compliant with relevant standards. However the Institute recognises that some of the access ramps are of a length that may be tiring and has strategies in place to address this issue.⁹³

The Committee does not disagree with the Department's statement that all buildings are *separately* accessible by disabled students. However, the Committee notes that access *between* buildings presents a problem. A letter from Karen Healey, a TAFE consultant for students with a physical disability at Brookvale, to a disabled student, Tanya Lahey, stated:

Due to the steep slope of the campus, independent access between Buildings C or O, and Building M (canteen, library, campus association) is only achieved if a student drives between access points. In my view, the provision of powered wheelchairs or an attendant carer with a manual wheelchair user would pose a risk to safety.⁹⁴

A map of Brookvale TAFE is included in Appendix 5. Ms Lahey, who suffers from sciatic arthritis, is not permanently confined to a wheelchair, however she is unable to walk up hills or steep slopes at any time. In contrast to the situation at Brookvale, Ms Lahey stated in evidence in relation to Seaforth TAFE:

[Seaforth] is flat, level. I have never had to use a wheelchair on Seaforth premises because I get dropped off outside the lift, I can catch the lift wherever I want to go. If it is all flat I can hold onto things. It is catered to my situation.⁹⁵

Kim Whyte, Student Counsellor at Seaforth TAFE, summarised in evidence the advantages to disabled students of studying at Seaforth:

We have had six fairly severely disabled students at Seaforth Campus over the last couple of years, and that is severely disabled; in a wheelchair, with a carer a couple of them. Seaforth campus provides excellent access for students with disabilities. Once a student either drives into the college or is driven into the college they can independently move around that college without anybody else

⁹³ NSW Department of Education, 'Response to Statements by Interested Parties to General purpose Standing Committee's Inquiry into the Proposed Closure of Seaforth convened on 12th and 19th November, 1999', document tendered as evidence by Dr Burke, Department of Education and Training, 22 November 1999.

⁹⁴ Correspondence from Ms Karen Healey, TAFE consultant for students with disabilities, to Ms Tanya Lahey, dated 11 November 1999, tendered as evidence by Tanya Lahey, 19 November 1999.

⁹⁵ Evidence from Ms Tanya Lahey, Seaforth TAFE student, 19 November 1999, p25.

needing to wheel them or open doors for them or get them anywhere. For a disabled person, that is a very big issue. They want to independent...

At Seaforth we have a lift for disabled students, we have parking for disabled students, we have a toilet for disabled students. The canteen is easily accessible. There is nothing that cannot be accessed at that campus...

The difficulty with Brookvale campus is that it is a steep and sprawling site and students do need to drive up and then access coming in from the carpark where their classroom is, but there is no continuous path of access from one section of the college to another. So if somebody is up at the canteen, they cannot move unassisted if they are in a wheelchair down to the bottom section of the campus where the consultants for disabilities are located.⁹⁶

It is not only students who are reliant on wheelchairs who claim they will be affected by the move. The Committee received a submission from a student suffering from Chronic Fatigue Syndrome⁹⁷, and the following submission from a blind student at Seaforth TAFE:

I am a blind student currently attending classes at Seaforth TAFE. I am able to get to Seaforth TAFE independently, however if the college was to close and I had to travel to Brookvale Campus I would be dependent on someone to take me there and home again.

I am studying in the hope of gaining employment and feel I will be disadvantaged if the college closes.⁹⁸

The Committee concludes that despite the services offered to students with a disability by Brookvale TAFE, the physical environment at Brookvale campus may preclude some students with a disability from attending TAFE courses offered there.

Recommendation 3

The Committee recommends that Northern Sydney Institute of TAFE evaluate disabled access at Brookvale, particularly access between Building M and other buildings, with a view to enabling students with a physical disability to move easily between those buildings.

4.3 Seaforth TAFE Environment

Many of the submissions received by the Committee referred to Seaforth's 'small and friendly' environment. A typical submissions was received from Ms Rebecca Muller:

⁹⁶ Evidence from Ms Whyte, Seaforth TAFE, 12 November 1999, p63.

⁹⁷ Submission No 19, Julia Wilson, Seaforth TAFE student.

⁹⁸ Submission No 111, Gail Bourne, Seaforth TAFE student.

I have studied at both Brookvale and Seaforth TAFEs and the friendliness, the amenities and quality of education at Seaforth far surpasses that of Brookvale. Brookvale is bursting at the seams, the classes are too large, the parking is inadequate and it lacks the intimacy that the staff and teachers at Seaforth strive to achieve.⁹⁹

Ms Denise Aubin stated in her submission that the environment at Seaforth was instrumental in her return to study after 20 years:

The college ... is small and non-intimidating – important factors in giving me the confidence I needed after 20 years away from school. The environment has a community college atmosphere, it is supportive and safe; and consequently I had no personal security worries there.¹⁰⁰

It is clear that the positive, safe atmosphere at Seaforth TAFE has encouraged many mature age students to undertake study, particularly mothers with children who require retraining to re-enter the workforce.

4.3.1 Safety

Submissions received by the Committee indicate that personal security is a concern for a number of students who feel that Seaforth TAFE is safer than Brookvale, particularly at night time.¹⁰¹ In her evidence before the Committee Ms Whyte indicated that:

A lot of women with children choose Seaforth particularly because of the security at night...

At the Brookvale campus ... it is dark, it is an industrial area. When it is dark there is no-one there at night, it is closed. If you want to walk to your car at night you walk in a very dark area ...¹⁰²

The Committee accepts this is a perception by some students, but did not receive any evidence to indicate Seaforth TAFE is safer than Brookvale TAFE. As the Committee's focus was on Seaforth, the Committee did not take any evidence from Brookvale students on this subject.

4.3.2 Youth at risk

A particular group of people for whom it has been claimed Seaforth is a more appropriate campus than Brookvale are 'youth at risk'. George Andrew, coordinator of the Certificate in General Education (Year 10 equivalent) described youth at risk in a submission to the Committee:

Over 90% of our present [CGE] students can be categorised as youth at risk as they have been expelled from all the local high schools or are homeless and living in refuges. Some students are

⁹⁹ Submission No 25, Ms Rebecca Muller, Seaforth TAFE student.

¹⁰⁰ Submission No 18, Ms Denise Aubin. After completing her HSC at Seaforth TAFE in the mid-1980s, Ms Aubin studied a Bachelor of Science at Macquarie University and a Masters of Teaching (honours) at Sydney University.

¹⁰¹ For example Submission No 8, Ms Sally Anderson; Submission No 25, Ms Rebecca Muller; and Submission No 171, Ms Kay Healey.

¹⁰² Evidence from Ms Whyte, Seaforth TAFE, 12 November 1999, pp63.

referrals from Juvenile Justice due to involvements with the sale of drugs. These students bring with them a wide range of social problems stemming from family issues, lack of self-confidence, sense of failure and lack of maturity and social skills. Over the past years we have had a great deal of success with these students provided that we can nurture them through first term...

The success of our CGE rests mainly with the non-intimidating environment that Seaforth provides in that being a small campus there is a constant interaction with students when they are not in class, we have an excellent counselling service and because of the small nature of the college I can take or refer students to counsellors immediately thereby diffusing potential problems.¹⁰³

In a submission to the Committee, a CGE student, Brooke Cohen, stated:

... I am a 16 yr old girl and want to do my HSC...I left school to come to Seaforth TAFE because of all the good reports I had heard. I didn't like school because the teachers and rules made me hate the place. Since I've attended Seaforth my life has changed for the better. The teachers have the greatest respect for students and treat each student individually. The facilities are also terrific. The classrooms are well equipped and comfortable. There's a great library and access to computers and a great canteen where people can socialise. It is easier to get to Seaforth by public transport. Due to its small size and friendly environment I have felt motivated to study and complete the CGE course.

I now want to continue my education but this is only possible if Seaforth TAFE stays open.¹⁰⁴

The close proximity of Warringah Mall to Brookvale TAFE, where a lot of young people hang out, is of particular concern to Mr Andrew:

the proximity to Warringah Mall where a lot of 'youth at risk' hang out. My present students have commented that they would never come to classes if we were located next to the mall as all their friends hang out there. An even greater problem will be our students who are on drug charges and will find the proximity very distracting.¹⁰⁵

In response to concerns raised about the future of youth at risk, the Department stated that there were 1,902 students aged 15 to 19 years enrolled at Northern Beaches College of TAFE, 1,478 at Brookvale and 424 at Seaforth. Of the Brookvale students, 515 were involved in the Joint Secondary Schools TAFE Program.¹⁰⁶ The Committee notes that this number does not equate to the number of students who may be classified as 'youth at risk'. The Department contends that 'the suitability of the Brookvale campus for youth is demonstrated by the success of these students'.

The Committee notes the distinction drawn between Joint Secondary Schools TAFE Program students who attend TAFE one afternoon per week and 'youth at risk' students who are enrolled in CGE

¹⁰³ Submission No 13, George Andrew, SGE Coordinator, Seaforth TAFE.

¹⁰⁴ Submission No 44, Brooke Cohen, Seaforth TAFE student.

¹⁰⁵ Submission No 13, George Andrew, SGE Coordinator, Seaforth TAFE.

¹⁰⁶ NSW Department of Education, 'Response to Statements by Interested Parties to General purpose Standing Committee's Inquiry into the Proposed Closure of Seaforth convened on 12th and 19th November, 1999', document tendered as evidence by Dr Burke, 22 November 1999.

courses. The Department stated that the youth at risk CGE program at Seaforth was closed in October 1999 due to insufficient enrolments. There is some confusion regarding which CGE program is being referred to. Seaforth did run two CGE programmes in 1999 and one did close due to lack of numbers. The Department contends that this program was the one targeted at youth at risk, and the remaining CGE program at Seaforth is the normal CGE program open to all students. Information supplied by the Save Seaforth TAFE Committee does not appear to refute this statement. Fourteen students are, however, still enrolled at Seaforth in the CGE course which will continue until the end of 1999.

The Committee concludes that Seaforth TAFE is a more suitable environment for 'youth at risk' students. Its size and location away from Warringah Mall are instrumental in ensuring maximum attendance by the students and the best possible chance of completion of the CGE course.

Recommendation 4

The Committee recommends that Seaforth TAFE be recognised as a centre catering for 'youth at risk' amongst school-aged students and continue to offer CGE and HSC courses as appropriate. However, should the Department close Seaforth TAFE, alternative arrangements in a suitable location must be made for 'youth at risk'.

5 Enrolments at Brookvale and Seaforth

The Department asserts in its submission to the Committee that:

Maintaining Seaforth as a viable site within the Northern Beaches College has become increasingly difficult as a result of the decline in the region's TAFE enrolments.¹⁰⁷

And in fact that:

The main reason for this decision was that although Northern Sydney Institute of TAFE enrolments are increasing, enrolments at the Northern Beaches College (Brookvale and Seaforth sites) declined by 11.9 percent between 1996 and 1999 in actual student numbers and 13.7 percent in equivalent full-time students (EFTS).¹⁰⁸

There has been disagreement regarding the actual enrolments at Seaforth TAFE. For example figures used by Centennial Consultancy, engaged by Mr David Barr, MP, to analyse the Department's submission to the Committee, indicate enrolments at Seaforth were 1,697 in 1998 and 1,787 in 1999.¹⁰⁹ This represents an increase of 5.9 percent over the period. In a press statement released by Mr Puffett, dated 14 September 1999, it was stated that:

A slight increase in Fine Arts enrolments at Seaforth has been in 'personal enrichment' subjects which may be better serviced in the wide network of Adult and Community Education Colleges in the Manly-Warringah area.¹¹⁰

This statement was supported by Mr Sivakumar who referred to the increase in enrolments at Seaforth as a 'glitch' in evidence before the Committee on 26 November 1999.¹¹¹ However, the Committee also heard evidence on that day that TAFE would not stop offering any course for which there was a demonstrated demand. The assurance given to the Committee did not distinguish between 'personal enrichment' courses and other courses.¹¹²

¹⁰⁷ Submission No 113, Department of Education and Training, p2.

¹⁰⁸ Submission No 113, Department of Education and Training, p3.

¹⁰⁹ Centennial Consultancy, *Proposed Closure of Seaforth TAFE – commentary on the submission by the managing director of TAFE NSW* 19 November 1999, p. 14, tendered as evidence by Mr David Barr MP, Member for Manly, on 19 November 1999. The figures cited by Centennial Consultancy are claimed to be 'the Institute's own data'.

¹¹⁰ Press Statement, Department of Education and Training, 14 September 1999, included as part of Supplementary Submission No 26, Save Seaforth TAFE Committee, p30. Note that this Press Release did not carry a date – September 14 is the date on which it was faxed from the Department's Public Relations Directorate.

¹¹¹ Evidence of Mr Sivakumar, NSW Department of Education, 26 November 1999, p23.

¹¹² Evidence of Mr Sivakumar, NSW Department of Education, 26 November 1999, p7. Mr Sivakumar stated 'for the record' that 'no course provision in this institute has been cut back where there was a demand –

The Committee notes that Seaforth enrolments have in fact *increased* slightly in 1999 (1880 students) from 1998 (1863 students).¹¹³ In comparison, Brookvale enrolments have *fallen* during the same period, from 4950 in 1998 to 4747 in 1999.¹¹⁴ This is despite the relocation of Business Studies from Seaforth to Brookvale following the closure of Seaforth's Balgowlah Annexe. Ms Barrett from the NSW Teachers Federation explained in evidence before the Committee:

We believe the only valid enrolment comparison is between 1998 and 1999 because to examine earlier figures is completely misleading. Before 1998 Balgowlah Boys High was used as an annexe...Part of the previous rationalisation was to transfer students from the Annexe to Brookvale... whereas previously they would have been counted as Seaforth enrolment figures.¹¹⁵

The Committee does, however, acknowledge an overall trend of decline in student numbers at both Seaforth and Brookvale in recent years. In relation to the Department's statement regarding a decline of 11.9 percent in enrolments at Northern Beaches during the period 1996 to 1999, the Committee notes that Seaforth enrolments fell by 11.3 percent over the period (2119 in 1996 to 1880 in 1999) while Brookvale enrolments fell by 12.2 percent (5405 in 1996 to 4747 in 1999).

The Committee is persuaded that the Department decided to close Seaforth TAFE in light of overall falling enrolments and budgetary pressure, in order to boost the falling enrolments at Brookvale TAFE, making it a more economically viable part of the Northern Sydney Institute of TAFE. This interpretation of the role enrolments played in the decision to close Seaforth was supported by Mr Sivakumar who said in evidence:

We are looking at optimising the numbers at Brookvale campus and building the numbers up.¹¹⁶

The Committee has also considered the scope for future enrolments at Seaforth. The Department's consultants state that:

The Northern Beaches area has seen a significant drop in High School student numbers over the last 10 years. Some schools have seen a 50% drop in student numbers.¹¹⁷

The Committee does not dispute the figures for high school enrolments. Figures describing primary school enrolments over the past two years were also presented to the Committee. The figures, tabled by

¹¹³ Submission No 113, Department of Education and Training, p21 (graph 1). The Committee notes that these figures differ from those presented by Centennial Consultancy, engaged by David Barr, MP.

¹¹⁴ Submission No 113, Department of Education and Training, p21.

¹¹⁵ Evidence of Ms Lolita Barrett, NSW Teachers Federation, 19 November 1999, p38.

¹¹⁶ Evidence of Mr Sivakumar, NSW Department of Education, 26 November 1999, p23.

¹¹⁷ John Hawkless Consultants Pty Ltd, *Report of Economic Appraisal – Refurbishment of Northern Beaches – Brookvale Campus, North Sydney Institute of TAFE*, 5 November 1999, p13, included as Part 3 of Submission No 113, Department of Education and Training.

Mr David Barr MP, were supplied by the Department of Education.¹¹⁸ They show that total primary school enrolments increased from 3,185 in 1997 to 3,386 in 1999. This represents an increase of 6.3 percent over the period, and suggests that the long-term demand for TAFE in the Northern Beaches area may in fact increase.

The Committee notes that a review of the future of publicly funded secondary education is being undertaken by the Northern Beaches District Secondary Education Future Review Consultative Committee.¹¹⁹ The aim of the review, which was prompted by the downturn in student numbers, is to assist in maintaining public secondary education as a viable, strong and highly competitive force in the Northern Beaches district. One of the principles for change in secondary education in the district expressed in the Review Committee's discussion paper is to provide enhanced links with tertiary providers, particularly TAFE and universities. In its submission, the Teachers Federation stated that 'given that this committee has been formed and discussions are still taking place, the decision to close Seaforth Campus pre-empts the final recommendations of this committee'.¹²⁰ Before coming to a final conclusion regarding the scope for future enrolments at Seaforth TAFE, the Committee believes it would be beneficial to see the Review Committee's final report, due to be completed at the end of 1999.

¹¹⁸ Document tendered as evidence by Mr David Barr MP, Member for Manly, 19 November 1999, p10. Mr Barr confirmed that many students in the district go to private high schools after attending a local high school, which influences the statistics on high school enrolments (Evidence of Mr David Barr MP, 19 November 1999, pp12-13.)

¹¹⁹ The Committee comprises the District Superintendent, Northern Beaches, Principals of local high schools, a Northern Sydney Institute of TAFE representative, a Teachers Federation representative and a Parents and Citizens Association representative. Northern Beaches District Secondary Education Futures Review, *Consultative Paper*, August 1999, p1, tendered as evidence by Ms L Barrett, NSW Teachers Federation, 19 November 1999.

¹²⁰ Submission No 96, NSW Teachers Federation, p4.

6 Proximity of Brookvale and Seaforth sites

The Department stated in its submission that Seaforth and Brookvale TAFEs are located only 3.8km apart from each other. This is not disputed. However, the close proximity of the sites does not adequately address the following issues:

- Some courses will be discontinued at the Northern Beaches College of TAFE as a result of the Seaforth closure.
- Not all Seaforth students are willing and/or able to travel between Seaforth and Brookvale.
- The closure of Seaforth TAFE will have a detrimental impact on local businesses in the Seaforth area.

6.1 Discontinuation of courses

The Department has advised the Committee that photography and printmaking courses, currently offered at Seaforth as part of a Fine Arts Diploma, will not be offered at Brookvale TAFE, effecting 24 students.¹²¹ If Seaforth-based students wish to continue studies in these subjects, they will have to travel to either Hornsby or Meadowbank campuses. There is also conflicting evidence regarding the provision of HSC courses at Brookvale (The provision of fine arts and HSC courses is discussed in more detail in part 7 below).

As noted in the John Hawkless Consultants appraisal:

... alternative NSIT campus locations are somewhat distant from the Northern Beaches and, in particular, the northern beaches and northern peninsula are not well serviced by public transport to western destinations.¹²²

And further:

The most likely outcome from dispersing students and teaching staff among other campuses is the withdrawal from TAFE of the persons...¹²³

Students who wish to continue their studies in printmaking and photography will be required to travel to one of the other Northern Sydney Institute of TAFE's campuses, at Hornsby, Meadowbank or

¹²¹ Evidence of Mr Sivakumar, Department of Education and Training, 26 November 1999, p13.

¹²² John Hawkless Consultants Pty Ltd, *Report of Economic Appraisal – Refurbishment of Northern Beaches – Brookvale Campus, North Sydney Institute of TAFE*, 5 November 1999, p. 15, included as Part 3 of Submission No 113, Department of Education and Training.

¹²³ John Hawkless Consultants Pty Ltd, *Report of Economic Appraisal – Refurbishment of Northern Beaches – Brookvale Campus, North Sydney Institute of TAFE*, 5 November 1999, p. 15, included as Part 3 of Submission No 113, Department of Education and Training.

North Sydney. HSC students who wish to pursue face-to-face teaching in a broader range of subjects than those to be offered at Brookvale may also be effected in this way.

It was stressed in evidence that the Northern Beaches peninsular does not have a train service but relies on bus transport:

The Northern Beaches peninsular does not have any rail link. They are very isolated. People living in Bilgola Plateau, if they want to go to North Sydney ... they have to get two buses and they have to change at Neutral Bay and they have to get another bus. It is significant time, significant expense and I feel that the Northern Beaches, because of its isolation perhaps in some way warrants another campus because, you know, it is not easy to travel to Meadowbank from Bilgola Plateau or from Scotland Island or from Newport.¹²⁴

In submissions received by the Committee it is stated that, for a student to travel by public transport from the Northern Beaches to North Sydney TAFE it is necessary to catch a minimum of two buses: the first to Neutral Bay junction and the second to North Sydney Campus at Gore Hill.¹²⁵ For a student travelling to either Meadowbank TAFE or Hornsby TAFE, it will be necessary to catch a bus to a station (possibly North Sydney or Chatswood) and then a train to either Hornsby or Meadowbank. Not only will this significantly increase travel time to and from TAFE, it will also significantly increase the cost of travelling.¹²⁶

Students with school-aged children commented that the increased travelling time would preclude them from studying as it would not be possible to do so within school hours. If such a student did decide to travel to another campus, the cost of before or after school care would significantly add to their study costs.¹²⁷ It was noted that for evening students who finish TAFE at 10pm, the long trip home would be an even greater burden.¹²⁸ Female students expressed apprehension about catching buses and changing at Neutral Bay at that late hour.¹²⁹

Travel time will increase significantly for students living in the Northern Beaches area who are forced to study at North Sydney, Hornsby or Meadowbank TAFEs. The Committee concludes that this may preclude some students from further study at TAFE in their chosen course or subject.

¹²⁴ Evidence of Ms Whyte, Seaforth TAFE, 12 November 1999, p64.

¹²⁵ Submission No 39, Mr Douglas Schaafsma, Seaforth TAFE student.

¹²⁶ This issue was addressed in a number of submissions, for example Submission No 52, Mr Charles Arnot; 69, Ms Kaye Watson; Submission No 178, Ms April Adams; and Submission No 189, Ms Victoria Ross.

¹²⁷ For example Submission No 23, Ms Margaret Roberts; Submission No 43, Ms Katrin Wilmer; Submission No 99, Ms Bronwyn Marks; Submission No 112, Ms Michelle Woolven; and Submission No 189, Ms Victoria Ross.

¹²⁸ For example Submission No 10, Ms Rebecca Schopen; Submission No 39, Mr Douglas Schaafsma; Submission No 92, Mr Lewis Walker; and Submission No 95, Ms Kristine McCarroll.

¹²⁹ For example Submission No 12, Ms Bronwyn Layton & Mr Lindsay Wood; Submission No 44, Ms Brooke Cohen; Submission No 54, Ms Kim Whyte; Submission No 148, Ms Judy Bornstein; and Submission No 171, Ms Kay Healey.

6.2 Willingness and ability to travel to Brookvale

The Department advised the Committee that 51 percent of Seaforth students travel past Brookvale TAFE Campus on their way to Seaforth TAFE, and therefore, in the Department's view, for the majority of students Brookvale would be a more convenient study location.¹³⁰ The Committee has received evidence that for some students factors other than geographical convenience are instrumental when determining which TAFE to attend. A number of students have deliberately chosen courses because they were offered at Seaforth TAFE. Reasons for these decisions have been discussed in detail in part 4.4 above and include accessibility if the student was disabled or the feeling of safety at Seaforth TAFE for female students.

6.3 Impact on local small businesses

Small businesses located in Seaforth have indicated to the Committee that they rely on the business generated by students and staff of Seaforth TAFE. For these businesses, 3.8km is a very significant distance. It is unlikely that staff and students transferring to Brookvale will travel to Seaforth shopping centre, particularly given the close proximity of Warringah Mall to Brookvale TAFE.

An art shop proprietor, who commenced operation in 1997, stated:

When we entered into the lease of this store, we were attracted by the volume of business that would be generated by the Fine Arts Department of the Seaforth TAFE. To this day, the Seaforth TAFE still provides us with a great deal of business. Our business will definitely be negatively affected by the closure of Seaforth TAFE.¹³¹

The proprietors of Seaforth Seafoods are also concerned about the proposed closure of Seaforth TAFE:

The patronage from teachers and staff are an important component in the level of business activity in this area, from 9.00am to 9.00pm when classes finish. In an area already heavily disadvantaged by the recent traffic arrangements and loss of customer parking imposed by Manly Council, any further loss of business will create another source of difficulty caused by reduced custom and cash flow.¹³²

The Mayor of Manly Council, Cr Jean Hay, told the Committee that the Council was:

Looking at the moment of investing \$2 million in building a 60-place child care centre in Ross St which is only really a stone's throw away from Seaforth TAFE. Perhaps that may be something

¹³⁰ Evidence of Mr Puffett, Department of Education and Training, 26 November 1999, p25 referring to a document tendered as evidence by Dr Burke, Department of Education and Training on 22 November 1999.

¹³¹ Submission No 90, James and Deborah McKinlay, Art Smart.

¹³² Submission No 158, Dena Chambers and Adrian Bell, Seaforth Seafoods. The Committee also received a submission from the Seaforth Chamber of Commerce (No 130), the Seaforth Pharmacist (No 160); and the Seaforth Village Deli (No 159).

council will have to reconsider because obviously many mature age students with young children take advantage of using these facilities.¹³³

The Committee concludes that the closure of Seaforth TAFE will have a substantial detrimental effect on local businesses, and further, the Department did not take into consideration the effect on small businesses in Seaforth when the decision was made to close Seaforth TAFE. The Committee notes, however, that it is not the role of TAFE NSW to provide clientele for small businesses.

¹³³ Evidence of Cr Jean Hay, Mayor Manly Council, 12 November 1999, p77.

7 Demand for HSC and Fine Arts Courses

The Committee has established that the two areas of study that will be most affected by the decision to close Seaforth TAFE are the HSC and Fine Arts courses.

7.1 HSC

In 1999, approximately 160 students studied for the HSC at Seaforth TAFE.¹³⁴ Of these students, approximately one third attended day classes only, one third attended at least one evening class, and one third attended evening classes only.¹³⁵ Seaforth TAFE offered students a choice of 15 subjects, including a range of levels of English and maths, and the science subjects chemistry, biology and physics.

The initial decision to close Seaforth TAFE made no provision for the relocation of HSC students to Brookvale.¹³⁶ Under the initial proposal HSC students would have had to enrol at North Sydney TAFE. The Department provided information to the Committee indicating that a decision to offer the HSC at Brookvale was made on 27 September 1999, although no documentation was made available to the Committee regarding the decision making process. The Department stated 'the directive to the Acting Director [Mr Sivakumar] to ensure HSC was offered at Brookvale was verbal.'¹³⁷

At a meeting between Seaforth's Head Teacher, HSC, Mr Terry Piggott, and the Department's Assistant Director-General (TAFE), Mr Bob Puffett, on 18 October 1999, Mr Piggott was informed that the HSC would be offered at Brookvale by means of flexible delivery.¹³⁸ The Committee notes the *TAFE NSW Handbook 2000* states flexible delivery:

... allows a student to study a course at their own pace in a range of ways which cater for differences in learning styles, learning interests and needs, and differing opportunities and environments.¹³⁹

¹³⁴ There was disagreement among witnesses before the Committee regarding the actual number of students enrolled in HSC at Seaforth in 1999 – the Department stated there were 166 enrolled and 142 entered for the HSC in 1999, of whom 95 sat for HSC examinations: Document tendered as evidence by Dr Burke, Department of Education and Training on 22 November 1999: 'Response to Statements by Interested Parties to the General Purpose Standing Committee's Inquiry into the Proposed Closure of Seaforth TAFE convened on 12th and 19th November, 1999.'; Mr Piggott in evidence before the Committee stated there were 154 enrolments in 1999: Evidence of Mr Piggott, Seaforth TAFE, 12 November 1999, p42.

¹³⁵ Correspondence from Mr Piggott, Seaforth TAFE, received 22 November 1999.

¹³⁶ Evidence of Mr Piggott, Seaforth TAFE, 12 November 1999, pp40-41.

¹³⁷ Correspondence from Dr Burke, Department of Education, dated 1 December 1999.

¹³⁸ Evidence of Mr Piggott, Seaforth TAFE, 12 November 1999, p41.

¹³⁹ *TAFE NSW Handbook 2000*, p79.

The *TAFE NSW Annual Report 1 July – 2 December 1997* provides a number of examples of flexible delivery, including video, teleconferencing, satellite, the Internet and self-paced learning packages.¹⁴⁰

On 9 November 1999 it was announced in the *Manly Daily* that HSC studies were to be reinstated. Following calls to the Department, Ms Susan Hartigan, responsible for Institute-wide provision of HSC, spoke to Seaforth staff and furnished them with details of the proposed HSC.¹⁴¹ In evidence before the Committee on 12 November 1999, Mr Terry Piggott advised the Committee of his understanding of the HSC to be offered at Brookvale in 2000:

Basically with this new provision they are going to offer four core subjects... As a maximum, we have been instructed ... that we are going to have four hours face-to-face teaching in those four subjects, English, maths, computing studies and modern history.¹⁴²

The Committee notes that Seaforth TAFE has three fully equipped science laboratories. This enables Seaforth TAFE to offer a full range of science subjects – chemistry, physics and biology – to HSC students. There was disagreement amongst witnesses regarding the level of usage of these science laboratories. The Department contended that the:

... science laboratories are largely utilised as general purpose classrooms because of the lack of demand for laboratory facilities.¹⁴³

The Save Seaforth TAFE Committee advised the Committee that:

HSC science classes occupy laboratories for 24 hours per week plus CGE science 4 hours per week and CEW 2 hours per week. This totals 30 hours of science classes in laboratories per week ie average 6 hours per day.¹⁴⁴

The Save Seaforth TAFE Committee further contended that:

... science laboratories are used as general purpose classrooms when not used by science classes, because there are NO other classrooms available ie college is full to bursting.¹⁴⁵

In response, the Department indicated:

The information provided to the Committee relating to accommodation usage at Seaforth was derived from an actual report of room usage.¹⁴⁶

¹⁴⁰ TAFE NSW *Annual Report 1 July – 2 December 1997*, p15.

¹⁴¹ Evidence of Mr Piggott, Seaforth TAFE, 12 November 1999, p41.

¹⁴² Evidence of Mr Piggott, Seaforth TAFE, 12 November 1999, p43.

¹⁴³ Document tendered as evidence by Dr Burke, Department of Education and Training on 22 November 1999: 'Response to Statements by Interested Parties to the General Purpose Standing Committee's Inquiry into the Proposed Closure of Seaforth TAFE convened on 12th and 19th November, 1999.', p2.

¹⁴⁴ Correspondence from Save Seaforth TAFE Committee, to Chairman, dated 25 November 1999, p2.

¹⁴⁵ Correspondence from Save Seaforth TAFE Committee, to Chairman, dated 25 November 1999, p2.

The Department further stated that:

... very few students have done science subjects in the past at Seaforth.¹⁴⁷

In response, the Save Seaforth TAFE Committee asserted that:

... currently 50% of Seaforth HSC students do at least one science subject, many do two ...¹⁴⁸

The Department advised the Committee that at Seaforth TAFE in 1999, there were two day and one evening biology classes, with a total enrolment of 51 students.¹⁴⁹ In addition, both the Department and the Save Seaforth TAFE Committee agreed there was one evening physics class with 18 enrolments.¹⁵⁰ The Department stated that the physics class was a composite class comprising North Sydney and Seaforth students,¹⁵¹ however the Save Seaforth TAFE Committee replied that the physics students all came from the Northern Beaches area.¹⁵²

The Committee also notes there was disagreement about the number of HSC chemistry students at Seaforth TAFE, with the Department originally contending there was only one chemistry class with 20 students¹⁵³ and the Save Seaforth TAFE Committee responding that there was also an evening class

¹⁴⁶ Correspondence from Dr Burke, Department of Education and Training, to Director, dated 1 December 1999: Attachment: 'Response to the submission by the Save Seaforth TAFE Committee, 25th November, "Reply refuting Dr Burke's Evidence of Monday 22 November, 1999 in response to Statements by Interested Parties to the General Purpose Standing Committee's Inquiry into the Proposed Closure of Seaforth TAFE convened on 12th and 19th November, 1999"', p2.

¹⁴⁷ Document tendered as evidence by Dr Burke, Department of Education and Training on 22 November 1999: 'Response to Statements by Interested Parties to the General Purpose Standing Committee's Inquiry into the Proposed Closure of Seaforth TAFE convened on 12th and 19th November, 1999.', p2.

¹⁴⁸ Correspondence from Save Seaforth TAFE Committee, to Chairman, dated 25 November 1999, p2.

¹⁴⁹ Document tendered as evidence by Dr Burke, Department of Education and Training on 22 November 1999: 'Response to Statements by Interested Parties to the General Purpose Standing Committee's Inquiry into the Proposed Closure of Seaforth TAFE convened on 12th and 19th November, 1999.'

¹⁵⁰ Correspondence from Dr Burke, Department of Education and Training, to Director, dated 1 December 1999: Attachment: 'Response to the submission by the Save Seaforth TAFE Committee, 25th November, "Reply refuting Dr Burke's Evidence of Monday 22 November, 1999 in response to Statements by Interested Parties to the General Purpose Standing Committee's Inquiry into the Proposed Closure of Seaforth TAFE convened on 12th and 19th November, 1999"'; Correspondence from Save Seaforth TAFE Committee, to Chairman, dated 25 November 1999.

¹⁵¹ Document tendered as evidence by Dr Burke, Department of Education and Training on 22 November 1999: 'Response to Statements by Interested Parties to the General Purpose Standing Committee's Inquiry into the Proposed Closure of Seaforth TAFE convened on 12th and 19th November, 1999.'

¹⁵² Correspondence from Save Seaforth TAFE Committee, to Chairman, dated 25 November 1999.

¹⁵³ Document tendered as evidence by Dr Burke, Department of Education and Training on 22 November 1999: 'Response to Statements by Interested Parties to the General Purpose Standing Committee's Inquiry into the Proposed Closure of Seaforth TAFE convened on 12th and 19th November, 1999.'

with 16 students enrolled.¹⁵⁴ The Committee was provided with subsequent information from the Department which stated:

The original information provided by the Institute with regard to the number of classes running for the HSC Chemistry subject was incorrect. However, it should be noted that the total number of students enrolled to attempt the HSC 2 Unit Chemistry in 1999 as of February 1999 was 30 not 36 as claimed. The total number of students attending classes in June 1999 was 20 and in September there were less than 15.¹⁵⁵

The Committee notes that Brookvale TAFE does not have science laboratories. Students who wish to study science subjects will have to go to local high schools to do laboratory work, a necessary component of these courses. Students who are enrolled in the full-time HSC will find it difficult to travel to local high schools because of time pressures. The Department has not indicated whether or not provision has been made to utilise local high school science laboratories in the evening, despite a commitment to offering physics, biology and chemistry in the evening. These difficulties could discourage students from choosing science subjects at Brookvale.

With reference to the HSC to be offered at Brookvale in 2000, Mr Sivakumar stated in evidence before the Committee that:

In the year 2000 we will be offering the Higher School Certificate at the Brookvale College. The main core subjects will be offered subject to demand. Clearly, if I have four students wanting to do physics, or to do 3-unit mathematics, or whatever, as we have done now, we will advise those students to work with us at the North Sydney facility. We are doing that now.¹⁵⁶

Prior to 1 December 1999, no provision had been made at Brookvale for evening HSC classes – those students (over 100 in 1999) who wished to take an evening class would need to go to North Sydney. The Committee considers an enrolment of 107 students to be sufficient ‘demand’ to justify an evening HSC program. However, in correspondence dated 1 December 1999, Dr Burke advised the Committee that the following HSC subjects will be offered at Brookvale ‘as normal study programs’ in 2000:

- English 2 Unit General – Day and Evening
- Maths 2 Unit – Day
- Maths in Society – Day
- Modern History – Day
- Business Studies – Evening
- General Studies – Day
- Computing Studies – Day

¹⁵⁴ Correspondence from Save Seaforth TAFE Committee, to Chairman, dated 25 November 1999.

¹⁵⁵ Correspondence from Dr Burke, Department of Education and Training, to Director, dated 1 December 1999: Attachment: ‘Response to the submission by the Save Seaforth TAFE Committee, 25th November, “Reply refuting Dr Burke’s Evidence of Monday 22 November, 1999 in response to Statements by Interested Parties to the General Purpose Standing Committee’s Inquiry into the Proposed Closure of Seaforth TAFE convened on 12th and 19th November, 1999”, p2.

¹⁵⁶ Evidence of Mr Sivakumar, Department of Education and Training, 26 November 1999, p14.

- Biology – Day and Evening
- Chemistry – Day and Evening
- Physics – Day and Evening

The Department stated that ‘the decision to offer these programs in either Day or Evening in 2000 is based on previous student demand patterns. However additional offerings may be provided including 3 Unit Maths if there is sufficient demand’.¹⁵⁷ The Committee is pleased to note the recent announcements regarding availability of HSC subjects at Brookvale, and views this as a positive response by the Department to concerns of the community. However, the fact the decision was made at this late stage is indicative of the poor planning associated with the decision to close Seaforth TAFE.

The Committee notes that the Department’s latest HSC offering still falls short of the 15 subjects offered by Seaforth TAFE in 1999.

The Committee notes that the decision to offer HSC at Brookvale was made three months after the initial decision to close Seaforth TAFE was announced, when there were no plans to offer HSC at Brookvale. The Committee is concerned that advertising and information material regarding HSC study options at the Northern Beaches College of TAFE in 2000 may not refer to the HSC being offered at Brookvale. This is particularly relevant in light of an enrolment cut-off date of 7 January for TAFE HSC courses.¹⁵⁸ If there has been little or no information circulated about HSC offerings at Brookvale, fewer students are likely to apply to study the HSC at the Northern Beaches College of TAFE in 2000. This may in turn be used by the Department to justify cutting course offerings in 2001 because of ‘lack of demand’.

Recommendation 5

The Committee recommends that the Department undertake to provide both day and evening classes in an HSC program at Northern Beaches College of TAFE in 2000 and beyond. The Committee further recommends the Department undertake to advertise and promote this HSC program in 2000 to maximise enrolments.

¹⁵⁷ Correspondence from Dr Burke, Department of Education and Training, to Director, dated 1 December 1999. Attachment: ‘Response to the submission by the Save Seaforth TAFE Committee, 25th November, “Reply refuting Dr Burke’s Evidence of Monday 22 November, 1999 in response to Statements by Interested Parties to the General Purpose Standing Committee’s Inquiry into the Proposed Closure of Seaforth TAFE convened on 12th and 19th November, 1999”’, p1.

¹⁵⁸ <http://www.tafensw.edu.au/sitemap/index.htm>. On this page, with the title ‘Matriculation’, the words ‘Applications close on January 7, 2000’ are written in red.

7.2 Fine Arts

The initial decision to close Seaforth TAFE also made no provision for fine arts students to transfer to Brookvale. In a submission to the Committee the careers adviser at Davidson High School stated:

It seems that Seaforth TAFE has been targeted because it offers a large range of Fine Arts courses and these are not perceived to be as 'worthy' as Business, IT, and technical courses. It will be dangerous if our education system only offers 'job ticket' courses and, in any case, many students use a background in Fine Arts to move into 'Applied' Arts – such as Graphic Design, Interior Design, Fashion and Jewellery and other forms of visual communication.¹⁵⁹

Subsequent announcements by the Department have indicated that the only Fine Arts students who will not be accommodated at Brookvale in 2000 are those who are majoring in photography and printmaking, estimated by the Department to total 24.¹⁶⁰ These students will have to travel to Meadowbank or Hornsby. These figures were not disputed by other witnesses.

Mr John Burkhardt, Group General Manager, Properties, NSW Department of Education, outlined the renovations being undertaken at Brookvale campus in anticipation of increased numbers of students following the decision to close Seaforth TAFE. A new course in digital art is to be offered, partly in order to compensate students transferring from Seaforth TAFE for the loss of photography and printmaking:

We are also looking at two other buildings that exist on site and in those buildings the integrated fine arts centre will be created. There will be provisions for painting, drawing, and the introduction of the high grade computer centre lab for digital art which is an ever expanding area within both fine arts and the graphic and design area generally. There will also be renovations to another building to house sculpture.¹⁶¹

In July 1999 a report was prepared by Mr Ric Moore, Head of Studies, ITAM for the Executive of the Northern Beaches College of TAFE titled *Fine Arts & Ceramics Educational Review*. This report was prepared in consultation with head teachers in fine arts disciplines, teacher representatives and educational support staff representatives. The report contained a number of recommended outcomes. Outcome 4 states:

Given the run down and cramped facilities available to the Fine Arts section at Seaforth there needs to be a determination of the long term viability of continuing to offer courses at that venue.¹⁶²

In a separate attachment to the report, options for fine arts at the Northern Beaches College of TAFE were discussed in more detail:

¹⁵⁹ Submission No 36, D McNaughtan, Careers Adviser, Davidson High School.

¹⁶⁰ Evidence of Mr Sivakumar, Department of Education and Training, 26 November 1999, p13.

¹⁶¹ Evidence of Mr Burkhardt, NSW Department of Education, 12 November 1999, p23.

¹⁶² Fine Arts and Ceramics Educational Review, *A Report to the Executive of Northern Sydney Institute*, July 1999, p. 1, correspondence from Dr T Burke, Department of Education and Training, 1 July 1999.

This [relocation to Brookvale] must be seriously planned and critically developed. In the past, facilities, which have special requirements, have often been patched together from standard classrooms and not purpose built or properly adapted. Printmaking and Computing at Seaforth is a case in point. It is foolish to suggest that low enrolments in an area are a reason for not developing it when it is the poor quality of the facility that resulted in the lowering enrolments in the first place.¹⁶³

The report continued by highlighting the advantages of a move to Brookvale:

- A single profile for Arts and Media in the Northern Beaches;
- Marketing a suite of courses at one location;
- A synergy of course offerings that allows movement between areas;
- Networking of staff and section management;
- Increased potential for commercial courses;
- Potential for new course areas for example product design and specialist design areas such as fashion, jewellery and interior design, and
- Cohesion of areas of digital art and the Internet.¹⁶⁴

Given the apparent extensive consultation that took place in relation to the *Fine Arts & Ceramics Educational Review*, the Committee concludes that, had proper planning occurred, fine arts teachers at Seaforth TAFE would not have been adverse to relocating to Brookvale. The Committee therefore concludes that the impact of the decision to close Seaforth TAFE on fine arts courses offered at the Northern Beaches College of TAFE will be minimal. The Committee does however note the apparent ad-hoc nature of the decision making process, reflected in the conflicting messages sent to fine arts students enrolled at Seaforth TAFE since July 1999, and the consequent confusion and angst this appears to have caused.

¹⁶³ Matthew Tome, *Planning for the future of Seaforth Fine Arts*, June 1999, pp1-2, copy attached to correspondence from Dr Burke, Department of Education and Training, to Director, dated 1 December 1999.

¹⁶⁴ Matthew Tome, *Planning for the future of Seaforth Fine Arts*, June 1999, p2, copy attached to correspondence from Dr Burke, Department of Education and Training, to Director, dated 1 December 1999.

8 Conclusion

The Committee concludes that the decision to close Seaforth TAFE was made in haste and poorly thought out. The Committee has been provided with no evidence that a cost-benefit analysis or analysis of the effect on students, staff and the local community was made prior to the decision being made. In fact, the only detailed analysis appears to have been that made by John Hawkless Consultants Pty Ltd, who were engaged by the Department after the Committee's inquiry was announced. The fact that the decision was not to take effect for six months meant that there was adequate time for the Department to engage in consultation prior to the decision being finalised.

The Committee believes the decision to close Seaforth TAFE contradicted an assurance from the Treasurer's Office to the NSW Teachers Federation dated 2 July 1999 that 'no TAFE campus will close'. It also contradicted statements by senior TAFE and departmental figures during 1998 that '21st century'.

The Committee recognises the Commonwealth (through ANTA) has directed state governments to find efficiencies in their public vocational education and training systems, in order to fund the growth in places and this has placed great strain on the overall New South Wales TAFE budget.

The Committee concludes that the decision to close Seaforth TAFE was made as a result of consequent State budget cuts of \$35 million. The Northern Sydney Institute of TAFE was required to find savings of \$2.925 million, and for this reason decided to close Seaforth TAFE and consolidate at Brookvale and other Northern Sydney Institute of TAFE campuses. However, the Committee believes that savings will not be significant unless the Seaforth site is sold, which the Committee believes to be the only real economic benefit for the Northern Sydney Institute of TAFE.

The Committee finds that the local Seaforth community is opposed to the closure. It will have a detrimental effect on local businesses in the Seaforth area. The closure of Seaforth TAFE will also seriously disadvantage certain groups of students, including youth at risk, disabled students and mature age female students.

These findings lead the Committee to the conclusion that the decision to close Seaforth TAFE should not be implemented. It may be possible to rationalise course provision at Brookvale and Seaforth to make best use of facilities of each campus. For example, Fine Arts courses could be consolidated at Brookvale, and HSC and CGE teaching located at Seaforth where there are suitable laboratories for teaching science. In addition, business studies could also be consolidated at Seaforth.

Recommendation 6

The Committee recommends that the decision to close Seaforth TAFE in December 1999 not be implemented.

Recommendation 7

The Committee recommends that during 2000 the Northern Sydney Institute of TAFE review its decision to close Seaforth TAFE, in light of the findings of this report, and that the review include extensive community consultation.

Statement of Dissent by

The Hon Peter Primrose MLC

The Hon Tony Kelly MLC

The Hon Henry Tsang MLC

THE DECISION TO RELOCATE COURSES FROM SEAFORTH TO BROOKVALE AND OTHER SITES

The Majority Committee Report downplays the impact of Commonwealth Government funding cuts on the decision to relocate courses to Brookvale and other sites. There was minimal consideration of the Commonwealth and statewide policy frameworks, the nature of industry demand, achieving flexibility and competitiveness in training delivery, and meeting Australian National Training Authority (ANTA) *Growth Through Efficiencies* targets.

It is clear that Commonwealth Government policy, particularly in relation to funding, has impacted on the NSW state budget and required adjustments to TAFE Institute budgets.

The Commonwealth Government has ceased allocating growth funds for public provision, yet requires the states to provide more places. The Commonwealth (through ANTA) has directed that state governments must find efficiencies in their public vocational education and training systems in order to fund the growth in places.

Budget adjustments made by the State Government were a direct result of successive Commonwealth funding cuts and the requirements under the 1998 ANTA Agreement to achieve growth through efficiencies. NSW spends more on TAFE than any other state, with a budget for 1999-2000 totalling \$1.192 billion. Demand for TAFE continues to grow, and student numbers have risen from 411,000 in 1995 to 445,000 this year.

The Commonwealth has threatened further cuts to funding for TAFE NSW, unless it meets ANTA efficiency targets. This requires NSW to look at the most efficient and effective way of delivering VET to the greatest number of students in order to secure the long-term future of TAFE NSW, (see attached letter, dated 2 November 1999, from the Federal Minister for Education, Training and Youth Affairs, Dr David Kemp). This letter ignores the fact that we live in a society, not just an economy.

Within TAFE NSW, these efficiencies include the improvement of management systems, increases in average class sizes, reduction of attrition rates, improvement of module and course completion rates, and rationalisation of facilities. It is clear from the documents tendered on behalf of the NSW Department of Education and Training that the recommendation to relocate courses from Seaforth to Brookvale and other sites was one of the strategies that the Director of the Northern Sydney Institute of TAFE employed to achieve the target for delivery of student contact hours while finding efficiencies.

Recommendation

The House condemns the continuing Commonwealth Government funding cuts imposed on publicly provided education and training in NSW. The House calls on the Commonwealth Government to reinstate Growth Funds as part of the new Australian National Training Authority Agreement.



The Hon. Dr David Kemp MP
Minister for Education, Training and Youth Affairs

The Hon John Aquilina MP
Minister for Education and Training
GPO Box 33
SYDNEY NSW 2001

18 NOV 1999

Dear Minister

I am writing to you about New South Wales' performance on 'growth through efficiencies' under the Australian National Training Authority (ANTA) Agreement. I had intended to raise the matter with you at the ANTA Ministerial Council meeting on 12 November 1999 but you were unable to attend.

ANTA's report to the Ministerial Council shows that New South Wales:

- delivered no growth in Annual Hours Curriculum (AHC) in 1998 over 1997 and became less efficient, with increased unit costs of 1.6%, over that period;
- plans to deliver a 0.5% increase in AHC and a 0.5% efficiency improvement in 1999 over 1997; and
- plans a total increase of 1.3% in AHC and a 3.2% efficiency improvement in 2000 over 1997.

While I welcome the slight improvement planned for 2000, New South Wales' performance will remain poor when compared with the planned national average of a 6.9% gain in efficiency over the life of the ANTA Agreement.

I estimate that, had New South Wales performed at the average level, at least an additional 30,000 student places would be available in 2000 over the number in 1997. I note also that, unlike other States, New South Wales achieved no growth at all in AHC in 1998 and very little in 1999 which means that the small growth that NSW is planning to provide in 2000 will be available for only one of the three years of the Agreement.

It is of great concern to me that potential students in New South Wales have been denied training opportunities due to the relative inefficiency of the New South Wales system. The Director-General of your Department has admitted that New South Wales TAFE 'is clearly inefficient in comparison with other states' in his statement of 1 November on the context for the proposed award for employees of your Department.

The Commonwealth will, of course, be looking closely at the performance of New South Wales when considering the arrangements to apply on expiry of the current ANTA Agreement at the end of 2000.

Yours sincerely

DAVID KEMP

Appendix 1 – Submissions Received

No 1	BRAITHWAITE, Ms Bernadette
No 2	COSKERIE, Mr Wal
No 3	RASTALL, Ms Zoe
No 4	ILBERY, Ms Katherine
No 5	LIFELINE MANLY WARRINGAH PITTWATER INC (Ms Irene Moore)
No 6	GRIFFIN, Ms Carole
No 7	KELLY, Ms Susan
No 8	ANDERSON, Ms Sally
No 9	SCHMIDT, Mr Peter
No 10	SCHOPEN, Ms Rebecca
No 11	BOURNE, Ms Gail
No 12	LAYTON, Ms Bronwyn & WOOD, Mr Lindsay
No 13	ANDREW, Mr George
No 14	RASTALL, Mr Henry
No 15	REED, Mr John
No 16	KEIPERT, Mr Ray
No 17	MCSHANE, Ms Tryphena
No 18	AUBIN, Ms Denise
No 19	WILSON, Ms Julia
No 20	COLLINS, Ms Ann
No 21	ROEBUCK, Ms Catherine
No 22	HOLMES, Miss
No 23	ROBERTS, Ms Margaret
No 24	HICKEY, Ms Michelle & OTHERS
No 25	MULLER, Ms Rebecca

GENERAL PURPOSE STANDING COMMITTEE NO 1

- No 26 SAVE SEAFORTH TAFE CAMPUS COMMITTEE (Jim Bannister & Tony Griffin)
- No 27 RAMANGKUNA, Ms Vili
- No 28 LINKLATER, Ms Andria
- No 29 WESTWOOD, Dr Christine
- No 30 WILSON Ms/Mr RJ
- No 31 HUNTER, Ms Marjorie
- No 32 BALL, Ms Patricia
- No 33 SCHWEINSBERG, Ms Rhonda
- No 34 CLARKE, Ms Victoria
- No 35 HODGSON, Ms Nicky
- No 36 DAVIDSON HIGH SCHOOL (Ms/Mr D A McCaught)
- No 37 WILKES, Ms Vicki
- No 38 TINDALL, Ms Lorraine
- No 39 SCHAAFSMA, Mr Douglas
- No 40 FEEMIA, Ms Angela
- No 41 ANONYMOUS
- No 42 SCHULTZ, Mrs K D
- No 43 WILMER, Ms Katrin
- No 44 COHEN, Ms Brooke
- No 45 ANONYMOUS, Mr Adam
- No 46 LANGLEY, Ms Merelyn
- No 47 MANN, Mr Nicolass
- No 48 BARLOW, Ms Lisa
- No 49 KEANE, Mr Jonathan
- No 50 DUYSTERS, Ms/Mr K
- No 51 CURTIS, Mr Michael
- No 52 ARNOT, Mr Charles

No 53	HUXTABLE, Ms/Mr J
No 54	WHYTE, Ms Kim
No 55	KENTUCK, Ms Jacqueline
No 56	DAVIDSON, Ms Maxine
No 57	ELLIOTT, Ms Alexandra
No 58	FLYNN, Ms/Mr Pat
No 59	HERMANN, Ms Barbara
No 60	JUNY, Ms Marianne
No 61	ROBB, Mr/Ms Linden
No 62	WANG, Mr/Ms Daiying
No 63	ZHOU-FEI, Mr/Ms
No 64	WAGLAND, Mr Stuart
No 65	ANONYMOUS
No 66	DEAVIN, Mr Richard
No 67	CHICHMIR, Mr Joseph
No 68	STAIN, Mr Barry
No 69	WATSON, Ms Kaye
No 70	BARRENJOEY HIGH SCHOOL (Mr Robert Tebble)
No 71	HOLLIDAY, Ms Theresa
No 72	JONES, Ms Margurite
No 73	ST FAITHS ANGLICAN CHURCH (Rev Stephen Gibson)
No 74	LAHEY, Ms Tanya
No 75	PALMER, Mr David
No 76	JOHNSON, Ms Anne
No 77	MACDONALD, Dr Peter
No 78	CHOAT, Ms Jodie
No 79	MOLLER, Mr D G

GENERAL PURPOSE STANDING COMMITTEE NO 1

No 80	DAVIDSON, Ms Fiona
No 81	KINGSTON, Dr Jane
No 82	WELSH, Mr Warren
No 83	PUDAN, Ms Pamela & BULLFORD, Mr John
No 84	MCCMAHON, Mr Rowan
No 85	ANONYMOUS
No 86	MCWHINNEY, Mr Bruce
No 87	BARR, Mr David, MP
No 88	GRINDELL, Ms Judith
No 89	SEAFORTH PRECINCT COMMUNITY FORUM (Mr Lindsey Clinton)
No 90	ART SMART ART SUPPLES (Mr James McInlay)
No 91	PALMER, Mr John
No 92	WALKER, Mr Lewis
No 93	MANLY COUNCIL (Mr Wayne Collins)
No 94	TURNER, Ms/Mr B K
No 95	MCCARROLL, Ms Kristine
No 96	NSW TEACHERS' FEDERATION (Mr John Hennessy)
No 97	THE BURDEKIN ASSOCIATION (Ms Marilyn Griffin)
No 98	HALL, Mr John
No 99	MARKS, Ms Bronwyn
No 100	LAWRENCE, Mr Alan & Mrs Lena
No 101	WEDDELL, Mr Grahame
No 102	MARUSIC, Mr Mark
No 103	FUNNELL, Mr Brian, ISLES, Ms Judith, & GOLOVONOFF, Ms Lyn
No 104	HALES, H & I
No 105	COOKE, Ms Patricia
No 106	VICKERS, Mr Nick

No 107	DOLLER, Mr/Ms M
No 108	WHYTE, Mr/Ms K
No 109	HADRAY, Mr/Ms D
No 110	WEBB, Lady C
No 111	FAVALARO, Ms Jane
No 112	WOOLVEN, Ms Michelle
No 113	NSW DEPARTMENT OF EDUCATION & TRAINING (Dr Ken Boston)
No 114	PARKER, Ms Belinda
No 115	DOUGLAS, Ms Carole
No 116	HOLLAND, Ms Alison
No 117	CAMPBELL, Ms Gwen
No 118	HARRISON, Mrs Susanne
No 119	CALLAGHAN, Mr Michael
No 120	FUDGE, Ms Helen
No 121	BURGESS, Mr J & Mrs M
No 122	BURGESS, Ms Judith
No 123	HARNETT, Mr Michael
No 124	HAMILTON, Ms Beth
No 125	O'NEILL, Dr G & Ms J
No 126	BURGESS, Ms Marilla
No 127	CORDIA, Mr Robert
No 128	WILSON, Mr/Ms R
No 129	ANONYMOUS, Ms Rosey
No 130	SEAFORTH CHAMBER OF COMMERCE (B Polain)
No 131	DOYLE, Ms Cherry
No 132	PAGE, Mrs C
No 133	CURTHOYS, Mr Geoff

GENERAL PURPOSE STANDING COMMITTEE NO 1

No 134	HULBERT, Mr Denis
No 135	CASIMIR, Mrs Christabel
No 136	GRAHAM, Miss Pattie
No 137	PRINT COUNCIL OF AUSTRALIA (Ms Naomi Florence)
No 138	MAY, Ms Lisa
No 139	DRAGE, Mr David
No 140	McMAHON, Ms Marie
No 141	CHARLES HEWITT GALLERY
No 142	MUIR, Ms Sabina
No 143	DONALDSON, Mr Mark
No 144	IZON, Ms Meredith
No 145	BORG, Mr Christopher
No 146	GORDON, Ms Marcia
No 147	HIRST, Mr Geoff
No 148	BORNSTEIN, Ms Judy
No 149	BEGG Family
No 150	ATKINSON, Miss Elvira
No 151	CARTER, Mr Terry
No 152	BRUCE, Ms Jill
No 153	ORANGE REGIONAL ART GALLERY (Mr Alan Sisley)
No 154	KAMAL, Mr/Ms Samia
No 155	SALZ, Ms Jillian
No 156	ROBSON, Mrs D
No 157	TOME, Mr Matthew
No 158	SEAFORTH SEAFOODS (Ms Dena Chambers & Mr Adrian Bell)
No 159	SEAFORTH VILLAGE DELI (Ms Anthea Thomson)
No 160	CROOKS, Mr Michael

No 161	ART SMART (Mrs Debra McKinlay)
No 162	WILSON, Ms Julia
No 163	ANONYMOUS
No 164	COX, Ms Theresa
No 165	TAFE TEACHER ASSOCIATION COUNCIL (Mr Tony Griffin)
No 166	SUTTON, Ms Jozy
No 167	WILSON, Ms Faye
No 168	MANLY ART GALLERY & MUSEUM (Ms Samantha Tunbridge)
No 169	GIBSON, Mr Robin & WATTERS, Mr Stuart
No 170	DEAVIN, Mr James
No 171	HEALEY, Ms Kay
No 172	CAMILLERI, Ms Lyn
No 173	AUSTRALIAN CATHOLIC UNIVERSITY (Mr Sian Thomas)
No 174	LACY, Ms Kirsten
No 175	ALPHA HOUSE ARTISTS CO-OPERATIVE (Ms Paola Talbert)
No 176	DONE ART & DESIGN (Mr Ken Done)
No 177	AUSTEN, Mr Graham
No 178	ADAMS, Ms April
No 179	COX, Ms Dorothy
No 180	HAMEY, Ms Kathleen
No 181	WONG, Ms Eve
No 182	CHARLTON, Mrs Jessie
No 183	BACCHINI, Ms Verena
No 184	WILSON, Mrs Gwen
No 185	LANGLEY, Mr Warren
No 186	BOLTON, Mrs Shirley
No 187	LEVITUS, Mr Geoff

GENERAL PURPOSE STANDING COMMITTEE NO 1

No 188	HEDSTROM, Mr Newton
No 189	ROSS, Ms Victoria
No 190	PARDNER, Mr George
No 191	JULLIAN, Ms Betty
No 192	CLOZIER, Ms Lindy
No 193	LEGG GALLERY (Ms Zoe Legge)
No 194	WAGGA WAGGA REGIONAL ART GALLERY (Ms Louise Doyle)
No 195	PATA, Mr Daniel & Mrs Anne
No 196	BROWN, Mr Ian
No 197	TIN SHEDS GALLERY (Ms Jan Fieldsend)
No 198	ARMSTRONG, Ms Karina
No 199	RAY, Ms Margaret
No 200	VON BETOUCH GALLERIES (Ms Anne von Bertouch)
No 201	CHIDLEY, Ms Maria-Elena
No 202	STEWART, Ms Michelle
No 203	GRAHAM, Mr/Ms
No 204	MASON, Ms June
No 205	MATTHEWS, Ms Nadene
No 206	FISHER, Ms Margaret
No 207	CRAGEN, Ms Claire
No 208	COOPER, Mr/Ms S
No 209	McGREGOR, Ms Alice
No 210	JAMES, Ms Christine
No 211	ZAHALKA, Ms Anne
No 212	UNIVERSITY OF SYDNEY, Faculty of Architecture (Prof Fergus Fricke)
No 213	SCOTT, Mrs R
No 214	RAFFIN, Mr Peter & Mrs Jane

No 215	MACKENZIE, Ms Laraine
No 216	BERENDES, Mrs Kim
No 217	PULMAN, Ms Felicity
No 218	MICHELL, Ms Elizabeth
No 219	TUCKSON, Ms Margaret
No 220	BUTT, Mr/Ms Y
No 221	PEARCE, Mr/Ms K
No 222	THEOBALD, Ms Kathryn
No 223	MEAGHER, Ms Maria
No 224	WILSON, Mr Gavin
No 225	REILLY, Mrs Joanne
No 226	HESS, Ms Lynette
No 227	CHRISTTENSEN, Mrs Cherry
No 228	LEE, Mr David & Ms Pamela
No 229	DRIVER, Ms Enid
No 230	MATHAMS, Mr Gordon & Mrs Estelle
No 231	BURGESS, Ms Jenni
No 232	LANHAM, Mr Ray
No 233	PULLINGER, Mr/Ms B
No 234	GALLERY 460 (Mr Norman Glenn)
No 235	LIE, Mr Harvey & Mrs Heather
No 236	BOON, Ms Elizabeth
No 237	RICHARD, Mr Steve
No 238	CASWELL, Ms Geraldine
No. 239	BULL, Ms Annie
No. 240	CONFIDENTIAL

Appendix 2 – Witnesses

DATE OF APPEARANCE	NAME, POSITION & ORGANISATION REPRESENTING
12 November 1999	Dr Terry Burke Deputy Director General (Operations), TAFE NSW Department of Education and Training
	Mr John Burkhardt General Manager Properties, TAFE NSW Department of Education and Training
	Ms Leslie Loble Director, Vocational Education and Training Policy, TAFE NSW Department of Education and Training
	Mr Brian Syms Director of Studies, Northern Beaches College (currently relieving Deputy Director, Northern Sydney Institute of TAFE) Department of Education and Training
	Mr Terry Piggott Head Teacher, HSC, Seaforth College of TAFE
	Mr Jim Bannister Save Seaforth TAFE Committee, Seaforth College of TAFE
	Ms Kim Whyte Student Counsellor, Seaforth College of TAFE
19 November 1999	Cr Jean Hay Mayor, Manly Council
	Mr David Barr, MP Member for Manly
	Cr Julie Sutton Warringah Council
	Ms Tanya Lahey Student, Seaforth College of TAFE
	Ms Lolita Barrett TAFE Organiser, NSW Teachers Federation
Ms Penny Carosi TAFE Organiser, NSW Teachers Federation	

DATE OF APPEARANCE	NAME, POSITION & ORGANISATION REPRESENTING
	Mr Don Moller Architect
22 November 1999	Dr Terry Burke Deputy Director General (Operations), TAFE NSW Department of Education and Training
26 November 1999	Dr Terry Burke Deputy Director General (Operations), TAFE NSW Department of Education and Training
	Mr Bob Puffett Assistant Director General, TAFE NSW Department of Education and Training
	Mr Kumarasamy Sivakumar Relieving Director, Northern Sydney Institute of TAFE Department of Education and Training

Appendix 3 – *Education Act 1990, section 28*

28 Closure of government schools

- (1) The Minister may close a government school, but only in accordance with this section.
- (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.
- (3) Within 21 days of any such announcement, the Minister is to establish a School Closures Review Committee and notify in writing the Principal and President of the legally constituted parents organisation of each school concerned of that decision.
- (4) The School Closures Review Committee is to review and make recommendations to the Minister concerning the closure of a school if the majority of the parents of the children attending the school have, within 21 days of an announcement under subsection (2), submitted a request in writing to the Minister that a review of its closure be undertaken.
- (5) The School Closures Review Committee is to comprise:
 - (a) an independent person appointed by the Minister, who is to chair the Committee,
 - (b) the Director-General of School Education or nominee of that Director-General,
 - (c) a nominee of the Local Government Association of New South Wales,
 - (d) a nominee of the Federation of Parents' and Citizens Associations,
 - (e) an Assistant Director-General of School Education nominated by the Director-General,
 - (f) a nominee of the New South Wales Teachers Federation, and
 - (g) a nominee of the Minister.
- (6) In conducting a review, the Committee:
 - (a) is to call for submissions and seek expert demographic and educational advice for both the present and future use of the school, and
 - (b) is to seek out and have regard to the views of teachers, local communities and parents of the children attending the schools whose proposed closure is being reviewed, and

- (c) is required to meet with representatives of those teachers, local communities and parents.
- (7) In making any recommendations concerning the closure of a school, the Committee is to have regard primarily to the educational needs of the local community concerned and of the State.
- (8) The Committee is to report to the Minister by 30 September of the year in which it is established.
- (9) If the Minister does not accept any recommendation of the Committee, the Minister is to make public within 21 days the reasons for the decision.
- (10) The procedure outlined in this section for the closure of a school does not apply:
 - (a) in the case of a one-teacher school, or
 - (b) if the majority of the parents of children attending the school approve of the closure, or
 - (c) if the Minister is satisfied that there are exceptional or emergency circumstances which require an earlier closure of the school.

Appendix 4 – Chairman’s Draft Bill

draft

Introduced by the Hon Reverend F J Nile MLC

[Draft]

New South Wales

Technical and Further Education Commission Amendment (Closure of TAFE Establishments) Bill 1999

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The object of this Bill is to amend the *Technical and Further Education Commission Act 1990* so as to require consultation and review before any TAFE establishment is closed.

Outline of provisions

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on the date of assent.

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Technical and Further Education Commission Amendment (Closure of TAFE Establishments) Bill 1999

Explanatory note

Clause 3 is a formal provision giving effect to the amendments to the *Technical and Further Education Commission Act 1990* set out in Schedule 1.

Schedule 1 Amendments

Schedule 1 [1] specifically empowers the TAFE Commission to close a TAFE establishment, but only in accordance with the procedure set out in proposed Part 3A.

Schedule 1 [2] inserts proposed Part 3A (Closure of TAFE establishments). That Part includes the following proposed sections:

Proposed section 8A prevents the TAFE Commission from closing a TAFE establishment except in accordance with the proposed Part.

Proposed section 8B provides that the TAFE Commission may commence the procedure for closing a TAFE establishment by giving notice of the proposed closure and establishing a TAFE Establishment Closure Review Committee.

Proposed section 8C lists the people and bodies who must be given written notice of the proposed closure of any TAFE establishment and provides for public notice to be given by way of newspaper advertisements.

Proposed section 8D provides for the TAFE Commission to establish a TAFE Establishment Closure Review Committee within 28 days of announcing any proposal to close a TAFE establishment. The proposed section also provides for the composition of the Committee, which is to be chaired by an independent person appointed by the TAFE Commission.

Proposed section 8E requires a TAFE Establishment Closure Review Committee to conduct a review of a proposed closure and provides for that review to include public consultation.

Proposed section 8F provides for a TAFE Establishment Closure Review Committee to make recommendations to the TAFE Commission. The section also provides that the Committee must not make its recommendations less than 18 months after being established.

Proposed section 8G requires the TAFE Commission to wait for the recommendation of the TAFE Establishment Closure Review Committee before making a final decision regarding the closure of a TAFE establishment and requires the TAFE Commission to make public the reasons for any decision that departs from those recommendations.

Explanatory note page 2

draft

Technical and Further Education Commission Amendment (Closure of TAFE Establishments) Bill 1999

Explanatory note

Proposed section 8H limits the application of the proposed Part. The proposed Part does not apply if the majority of students attending the TAFE establishment approve of the proposed closure or if the Board of the TAFE Commission is satisfied that there are exceptional or emergency circumstances that require an earlier closure of the TAFE establishment.

Schedule 1 [3] applies the amendments made by the proposed Act to a closure that is under way.

Explanatory note page 3

draft

Introduced by the Hon Reverend F J Nile MLC

[Draft]

New South Wales

Technical and Further Education Commission Amendment (Closure of TAFE Establishments) Bill 1999

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2 Commencement	2
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1 Amendments	3

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New South Wales

Technical and Further Education Commission Amendment (Closure of TAFE Establishments) Bill 1999

No 1999

A Bill for

An Act to amend the *Technical and Further Education Commission Act 1990* so as to require consultation and review before any TAFE establishment is closed; and for other purposes.

draft

Technical and Further Education Commission Amendment (Closure of TAFE Establishments) Bill 1999

The Legislature of New South Wales enacts:

- | | | |
|----------|---|---------|
| 1 | Name of Act | |
| | This Act is the <i>Technical and Further Education Commission Amendment (Closure of TAFE Establishments) Act 1999</i> . | 3
4 |
| 2 | Commencement | 5 |
| | This Act commences on the date of assent. | 6 |
| 3 | Amendment of Technical and Further Education Commission Act 1990 No 18 | 7
8 |
| | The <i>Technical and Further Education Commission Act 1990</i> is amended as set out in Schedule 1. | 9
10 |

draft

Technical and Further Education Commission Amendment (Closure of TAFE Establishments) Bill 1999

Schedule 1 Amendments

(Section 3)

[1] Section 7 Miscellaneous functions

Insert after section 7 (1) (a):

- (a1) close any TAFE establishment, but only in accordance with Part 3A (if that Part applies), and

[2] Part 3A

Insert after section 8:

Part 3A Closure of TAFE establishments

8A Closure of TAFE establishments must be in accordance with this Part

- (1) The TAFE Commission must not close any TAFE establishment except in accordance with this Part.
- (2) For the purposes of this Act, a TAFE establishment is closed when it ceases to provide technical and further education.

8B Commencement of procedure to close a TAFE establishment

The TAFE Commission may, if it proposes to close a TAFE establishment, commence the procedure set out in this Part by:

- (a) giving notice of the proposal, in accordance with section 8C, to each person or body, and in each type of newspaper, referred to in that section, and
- (b) establishing a TAFE Establishment Closure Review Committee in accordance with section 8D.

8C Notice of proposal to close a TAFE establishment

- (1) Written notice of a proposal to close a TAFE establishment must be given to:

Page 3

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Technical and Further Education Commission Amendment (Closure of TAFE Establishments) Bill 1999

- | | | |
|-----------|--|----------------------|
| (a) | the Executive Officer of the TAFE establishment concerned, and | 2 |
| (b) | the student representative body of the TAFE establishment, | 3
4 |
| (c) | the NSW Teachers Federation, and | 5 |
| (d) | the Public Service Association of NSW, and | 6 |
| (e) | the Federation of Parents and Citizens' Association of NSW. | 7
8 |
| (2) | Notice of such a proposal must also be published in: | 9 |
| (a) | at least one local newspaper circulating generally in the area in which the TAFE establishment is located, and | 10
11 |
| (b) | at least one newspaper circulating throughout the State. | 12 |
| 8D | TAFE Establishment Closure Review Committee | 13 |
| (1) | The TAFE Commission must establish a TAFE Establishment Closure Review Committee within 28 days after giving public notice under section 8C (2) (a) of any proposal to close a TAFE establishment. | 14
15
16
17 |
| (2) | A TAFE Establishment Closure Review Committee is to comprise: | 18
19 |
| (a) | an independent person appointed by the TAFE Commission, who is to chair the Committee, and | 20
21 |
| (b) | the Managing Director or a nominee of the Managing Director, and | 22
23 |
| (c) | a nominee of the Local Government Association of New South Wales, and | 24
25 |
| (d) | a nominee of the student representative body of the TAFE establishment, and | 26
27 |
| (e) | a nominee of the New South Wales Teachers Federation, and | 28
29 |
| (f) | a nominee of the TAFE Commission. | 30 |
| (3) | The procedure of a TAFE Establishment Closure Review Committee is to be as determined by the Minister. | 31
32 |
| (4) | If the TAFE Commission proposes to close more than one TAFE Commission, a separate TAFE Establishment Closure | 33
34 |

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Technical and Further Education Commission Amendment (Closure of TAFE Establishments) Bill 1999

	Review Committee is to be established in relation to each TAFE establishment that is proposed to be closed.	1 2
8E	Conduct of review of proposed closure	3
	(1) A TAFE Establishment Closure Review Committee must review the proposal to close the TAFE establishment to which it relates.	4 5 6
	(2) In conducting a review in relation to a TAFE establishment, the Committee:	8
	(a) is to call for submissions and seek expert demographic and educational advice for both the present and future use of the TAFE establishment, and	9 10
	(b) is to seek and have regard to the views of local communities, teachers of the TAFE establishment and students attending the TAFE establishment, and	12 13 14
	(c) is required to meet with representatives of those local communities, teachers and students.	15 16
	(3) In making any recommendations concerning the closure of the TAFE establishment, the Committee is to have regard primarily to the educational needs of the local community concerned and of the State.	17 18 19 20
8F	Recommendations of TAFE Establishment Closure Review Committee	21 22
	(1) A TAFE Establishment Closure Review Committee is to make recommendations to the TAFE Commission concerning the closure of the TAFE establishment to which the Committee relates.	23 24 25 26
	(2) Such recommendations must be made no earlier than 18 months after the Committee is established.	27 28
8G	TAFE Commission must not act until Committee makes recommendation	29 30
	(1) The TAFE Commission must not close a TAFE Commission until the TAFE Establishment Closure Review Committee that relates to that closure has made its recommendations under section 8F.	31 32 33 34

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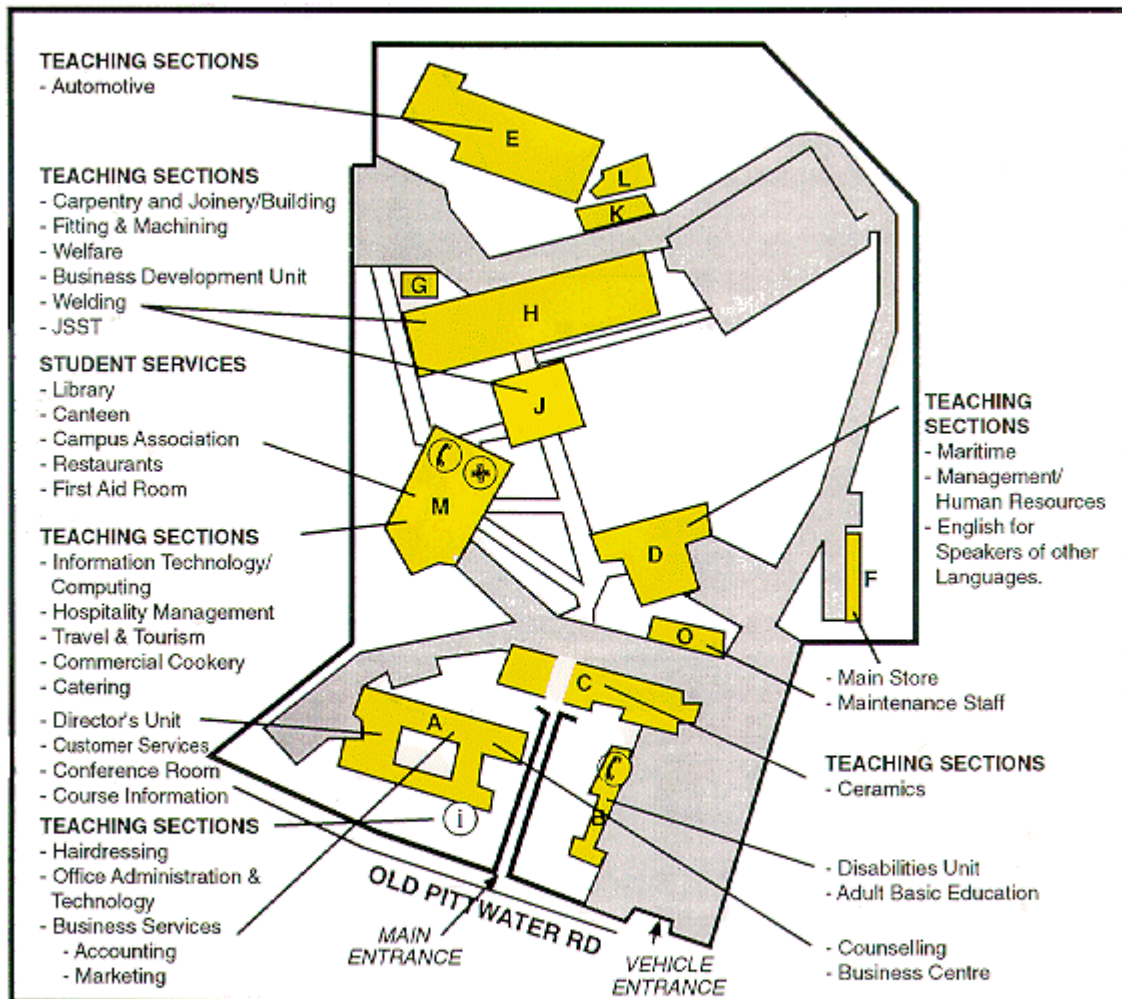
Technical and Further Education Commission Amendment (Closure of TAFE Establishments) Bill 1999

(2) If the TAFE Commission decides not to accept any recommendation of the TAFE Establishment Closure Review Committee, the TAFE Commission must make public the reasons for its decision.	1 2 3 4
8H Application of this Part	5
The procedure set out in this Part does not apply to the closure of a TAFE establishment if:	6 7
(a) the TAFE Commission Board is satisfied that there are exceptional or emergency circumstances that require an earlier closure of the TAFE establishment, or	8 9 10
(b) a majority of the students attending a particular TAFE establishment have, either before or after the making of an announcement under this Part, expressed their consent to the closure by writing (either individually or collectively) to the Minister or the TAFE Commission.	12 13 14 15
[3] Schedule 4 Savings, transitional and other provisions	16
Insert after clause 10:	
Part 4 Provisions consequent on enactment of amendments	18 19
11 Provision consequent on enactment of Technical and Further Education Commission Amendment (Closure of TAFE Establishments) Act 1999	20 21 22
(1) The amendments made by the amending Act extend to any proposed closure of a TAFE establishment that was under consideration immediately before the date of assent to the amending Act.	23 24 25 26
(2) After the date of assent to the amending Act no TAFE establishment is to be closed otherwise than in accordance with the provisions of Part 3A (if they apply).	27 28 29
(3) In this clause, <i>amending Act</i> means the <i>Technical and Further Education Commission Amendment (Closure of TAFE Establishments) Act 1999</i> .	30 31 32

Appendix 5 – Map of Brookvale TAFE Campus

NORTHERN SYDNEY INSTITUTE OF TAFE NORTHERN BEACHES **BROOKVALE**

154 OLD PITTWATER ROAD
BROOKVALE NSW 2100
PHONE: 9941 5200 FAX: 9941 5220



the Right Choice

Proceedings of the Committee

Note: At the time the Committee was conducting this inquiry, it was also inquiring into other unrelated matters. Those parts of the Minutes of the Meetings of the Committee which concern the other matters have been deleted from the Minutes appearing below.

Minutes No. 9

Thursday 21 October 1999
At Parliament House at 6.40pm

1. Members Present

Revd Nile (Chair)
Ms Forsythe
Mr Johnson (substitute)
Mr Kelly
Mr Moppett
Mr Primrose

Mr Samios (participating)

2. Apologies

Dr Wong

3. Confirmation of Minutes

Resolved, on motion of Ms Forsythe, that the minutes of meetings number 1 to 8 be confirmed.

4. Correspondence

The Chair tabled four items of correspondence received:

Letter from David Barr MP, Member for Manly, dated 1 October 1999, relating to the closure of Seaforth TAFE.

Letter from David Barr MP, Member for Manly, dated 21 October 1999, relating to the closure of Seaforth TAFE.

* * * *

6. Seaforth TAFE Inquiry

The Chairman tabled the following reference from the House:

1. That General Purpose Standing Committee No. 1 inquire into and report on the proposed closure of Seaforth TAFE, and in particular:
 - (a) the process by which the Department of Education and Training resolved to close the TAFE,
 - (b) the social, financial and community impact on the Manly Warringah region, and
 - (c) any other relevant issues with regard to the closure of Seaforth TAFE raised in submissions received by the Committee.
2. That the Committee report by Thursday, 25 November 1999.
3. That there be a moratorium on any moves to demolish the Seaforth TAFE buildings or tenders for its sale until after the Committee has reported.

The Committee deliberated.

Resolved, on the motion of Ms Forsythe, that the Committee Director prepare and place advertisements calling for submissions in relation to the inquiry in the *Sydney Morning Herald*, *Daily Telegraph*, *Manly Daily* and *Mosman Daily*, and that the advertised closing date for submissions be 10 November 1999.

Resolved, on motion of Ms Forsythe, that 12 November 1999 and 15 November 1999 be reserved for hearings and site visits.

Resolved, on motion of Mr Primrose, that the Chair write to the Minister and relevant organisations informing them of the inquiry and inviting submissions.

7. Adjournment

The meeting adjourned at 7.35pm until 9.30am on 29 October 1999.

Anna McNicol
Clerk to the Committee

Minutes No. 10

Friday 29 October 1999
At Parliament House at 11.00am

1. Members Present

Revd Nile (in the Chair)
Ms Forsythe
Mr Johnson (Tsang)
Mr Kelly
Mr Moppett
Mr Primrose
Mr Ryan (Forsythe)
Mr Tsang
Dr Wong

2. Apologies

Nil

3. Confirmation of Minutes

Resolved, on motion of Mr Moppett, that the minutes of meeting number 9 be confirmed.

* * * *

6. Seaforth TAFE Inquiry

The Committee deliberated.

Resolved, on motion of Mr Moppett, that the Seaforth TAFE inquiry hearing scheduled for Monday 15 November 1999 be deferred until Friday 19 November 1999.

7. Adjournment

The meeting adjourned at 1.00pm until 5.00pm on 8 November 1999.

Anna McNicol
Director

Minutes No. 11

Monday 8 November 1999
At Parliament House at 4.30pm

1. Members Present

Revd Nile (in the Chair)
Ms Forsythe
Mr Johnson (Tsang)
Mr Kelly
Mr Moppett
Mr Primrose
Dr Wong

Mr Lynn (participating)

2. Apologies

Nil

3. Confirmation of Minutes

Resolved, on motion of Ms Forsythe, that the minutes of meeting number 10 be confirmed.

* * * *

4. Correspondence

The Chair tabled nine items of correspondence received:

* * * *

Facsimile from Mr Ken Boston, Managing Director of TAFE NSW and Director-General of the Department of Education and Training, to Director, dated 5 November 1999, requesting an extension of time until 17 November 1999 to lodge a submission in relation to the Seaforth TAFE inquiry.

The Committee deliberated.

Resolved, on the motion of Ms Forsythe, that the Committee grant an extension of time to lodge a submission in relation to the Committee's inquiry into the proposed closure of Seaforth TAFE to Mr Boston, Managing Director, TAFE NSW, until 17 November 1999, on the proviso that Mr Boston provide the Committee with an interim submission prior to the hearing on 12 November 1999.

6. Adjournment

The meeting adjourned at 6.40pm until a time when all Members are available to attend during the afternoon of Wednesday, 10 November 1999.

Anna McNicol
Director

Minutes No. 12

Wednesday 10 November 1999
At Parliament House at 3.30pm

1. Members Present

Revd Nile (in the Chair)
Ms Forsythe
Mr Johnson (Tsang)
Mr Kelly
Mr Moppett
Dr Wong

2. Apologies

Mr Primrose

3. Confirmation of Minutes

Resolved, on motion of Dr Wong, that the minutes of meeting number 11 be confirmed.

* * * *

6. Adjournment

The meeting adjourned at 4.03pm until 10am on Friday, 12 November 1999.

Anna McNicol
Director

Minutes No. 13

Friday 12 November 1999
At Parliament House at 10.00am

1. Members Present

Revd Nile (in the Chair)
Ms Forsythe
Mr Tsang
Mr Kelly
Mr Moppett
Mr Primrose
Dr Wong

2. Apologies

Nil

3. Confirmation of Minutes

Resolved, on motion of Mrs Forsythe, that the minutes of meeting number 12 be confirmed.

4. Tabled Documents**4.1 Submissions**

The Chair tabled submissions no 1 to no 113 in relation to the Seaforth TAFE inquiry, as listed in attachment 1.

Resolved, on the motion of Ms Forsythe, that pursuant to the provisions of section 4 of the *Parliamentary Papers (Supplementary Provisions) Act 1975* and the authority of Standing Order 252, the Committee authorises the Committee Director to publish submissions no 1 to no 113.

4.2 Correspondence

The Chair tabled seven items of correspondence received:

Letter from the Hon John Aquilina MP, Minister for Education and Training, to Director, dated 5 November 1999, advising his intention not to make a submission in relation to the Seaforth TAFE inquiry.

Letter from Mr David Barr MP, Member for Manly, to Director, dated 8 November 1999, providing names of suggested witnesses for the Seaforth TAFE inquiry and suggested lines of questioning.

Letter from Mr Sivakumar Kumarasamy, Acting Director, Northern Institute of TAFE, to Director, dated 8 November 1999, advising his intention not to make a submission in relation to the Seaforth TAFE inquiry.

Letter from Mr David Barr MP, Member for Manly, to Chairman, dated 10 November 1999, requesting to appear before the Committee as a witness in relation to the Seaforth TAFE inquiry.

Letter from Dr Ken Boston, Managing Director of TAFE NSW and Director-General of Education and Training, to Director, dated 11 November 1999, attaching a copy of the Department's submission for the Seaforth TAFE inquiry and requesting the approval of the Committee to permit the Department to distribute the submission after 12 November 1999.

Letter from the Hon Patricia Forsythe MLC, to Chairman, dated 11 November 1999, requesting that Mr Dan Moller be invited to appear before the Committee as a witness in relation to the Seaforth TAFE inquiry.

Letter from the Hon John Aquilina MP, Minister for Education and Training, to Chairman, dated 11 November 1999, providing information about the availability of departmental officers to appear before the Committee as witnesses in relation to the Seaforth TAFE inquiry on 12 November 1999.

5. Seaforth TAFE Reference

The media and the public were admitted.

Dr Terry Burke, Deputy Director-General (Operations), Mr John Burkhardt, General Manager Properties, Ms Leslie Loble, Director, Vocational Education and Training Policy, and Mr Brian Syms, Director of Studies, Northern Beaches College (currently relieving Deputy Director, Northern Sydney Institute of TAFE), all of TAFE NSW, were admitted and sworn.

The witnesses answered questions by Members of the Committee.

Dr Wong tabled six documents.

Evidence concluded and the witnesses withdrew.

Mr Terry Piggott, Head Teacher, HSC, Seaforth TAFE, was admitted and sworn.

Mr Piggott answered questions by Members of the Committee.

Mr Piggott tendered two documents to support his evidence.

Resolved, on motion of Mr Primrose, that the Committee accept the documents.

Evidence concluded and the witness withdrew.

The media and the public withdrew.

The Committee deliberated.

Resolved, on motion of Ms Forsythe, that pursuant to the provisions of section 4 of the *Parliamentary Papers (Supplementary Provisions) Act 1975* and the authority of Standing Order 252, the Committee authorises the Committee Director to publish the documents accepted by the Committee during today's hearing and the transcript of evidence of today's hearing.

The Committee deliberated.

Resolved, on motion of Mr Kelly, that Mr David Barr MP, Member for Manly, be invited to give evidence to the Committee in relation to its Seaforth TAFE inquiry at the Committee hearing on 19 November 1999.

Resolved, on motion of Mr Moppett, that Mr Don Moller, be invited to give evidence to the Committee in relation to its Seaforth TAFE inquiry at the Committee hearing on 19 November 1999.

Resolved, on motion of Mr Primrose, that the Committee conduct visits of inspection at the Brookvale and Seaforth TAFE sites on the morning of 19 November 1999, in the company of departmental officials.

The media and the public were admitted.

Mr Jim Bannister, Representative of the Save Seaforth TAFE Committee, was admitted and sworn.

Mr Bannister answered questions by Members of the Committee.

Evidence concluded and the witness withdrew.

Ms Kim Whyte, Student Counsellor, Seaforth TAFE and Representative of the Save Seaforth TAFE Committee, was admitted and sworn.

Ms Whyte answered questions by Members of the Committee.

Evidence concluded and the witness withdrew.

Cr Jean Hay, Mayor, Manly Council, was admitted and sworn.

Cr Hay answered questions by Members of the Committee.

Evidence concluded and the witness withdrew.

The media and the public withdrew.

The Committee deliberated.

Resolved, on motion of Dr Wong, that Mr Sivakumar Kumarasamy, Acting Director, Northern Institute of TAFE, and Mr Bob Puffett, Assistant Director-General, TAFE New South Wales, be requested to attend to give evidence to the Committee in relation to its Seaforth TAFE inquiry as the first witness at its next scheduled hearing after 19 November 1999.

Resolved, on motion of Mr Primrose, that the Committee write to the Hon Virginia Chadwick, advising her of the terms of reference for the Seaforth TAFE inquiry, drawing her attention to the relevant section of the TAFE NSW submission, and asking her if she wishes to make a submission to the Committee in relation to the inquiry.

Resolved, on motion of Ms Forsythe that representatives of Warringah Council, the NSW Teachers Federation and the student body at Seaforth TAFE, be invited to give evidence to the Committee in relation to its Seaforth TAFE inquiry at the Committee hearing on 19 November 1999.

Resolved, on motion of Ms Forsythe, that the Committee hold an additional hearing in relation to the Seaforth TAFE inquiry from 3pm to 5pm on Monday, 22 November 1999.

Resolved, on motion of Mr Primrose, that representatives from the Manly Chamber of Commerce be invited to attend to give evidence to the Committee in relation to its Seaforth TAFE inquiry at the Committee hearing on 22 November 1999, and if they decline, Mr Bruce Polaine, be invited in their place.

Resolved, on motion of Mr Kelly, that Dr Terry Burke, Deputy Director-General (Operations), be requested to attend to give evidence to the Committee in relation to its Seaforth TAFE inquiry at the Committee hearing on 22 November 1999.

Resolved, on motion of Ms Forsythe, that the Chairman seek an extension from the House for the reporting date for the inquiry into the proposed closure of Seaforth TAFE, until 2 December 1999.

* * * *

7. Adjournment

The meeting adjourned at 5.00pm until 10am on Monday, 15 November 1999.

Anna McNicol
Director

Minutes No. 15

Wednesday 17 November 1999
At Parliament House at 10.20pm

1. Members Present

Revd Nile (in the Chair)
Ms Forsythe
Mr Johnson (Tsang)
Mr Kelly
Mr Moppett
Mr Primrose
Dr Wong

2. Apologies

Nil

3. Confirmation of Minutes

Resolved, on motion of Mr Moppett, that the minutes of meetings number 13 and 14 be confirmed.

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7. Seaforth TAFE Reference

Resolved, on motion of Ms Forsythe, that pursuant to the provisions of section 4 of the *Parliamentary Papers (Supplementary Provisions) Act 1975* and the authority of Standing Order 252, the Committee authorises the Committee Director to publish the uncorrected transcript of evidence given at the hearing held on 12 November 1999.

8. Adjournment

The meeting adjourned at 11.00pm until Friday, 19 November 1999 at 1.30pm.

Anna McNicol
Director

Minutes No. 16

Friday 19 November 1999

At Balgowlah RSL Club, Seaforth at 1.30pm

1. Members Present

Revd Nile (in the Chair)
Ms Forsythe
Dr Wong

2. Apologies

Mr Kelly
Mr Moppett
Mr Primrose
Mr Tsang

3. Confirmation of Minutes

Resolved, on motion of Ms Forsythe, that the minutes of meeting number 15 be confirmed.

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5. Seaforth TAFE Hearing

The media and the public were admitted.

Mr David Barr MP, Member for Manly, was admitted.

Mr Barr answered questions by Members of the Committee.

Mr Barr tendered nine documents to support his evidence.

Resolved, on motion of Ms Forsythe, that the Committee accept the documents.

Evidence concluded and the witness withdrew.

Councillor Julie Sutton, of the Warringah Council, was admitted and sworn.

Cr Sutton answered questions by Members of the Committee.

Cr Sutton tendered seven submissions from various individuals and organisations relating to the inquiry's terms of reference.

Resolved, on motion of Ms Forsythe, that the Committee accept the documents.

Evidence concluded and the witness withdrew.

Ms Tanya Lahey, Student, was admitted and sworn.

Ms Lahey answered questions by Members of the Committee.

Ms Lahey tendered 16 documents and one folder of written material to support her evidence.

Resolved, on motion of Ms Forsythe, that the Committee accept the documents.

Evidence concluded and the witness withdrew.

Ms Lolita Barrett and Ms Penny Carosi, both TAFE Organisers of the NSW Teacher's Federation, were admitted and sworn.

Mr Barrett and Ms Carosi answered questions by Members of the Committee.

Ms Barrett tendered four documents to support her evidence.

Resolved, on motion of Ms Forsythe, that the Committee accept the documents.

Ms Carosi tendered one document to support her evidence.

Resolved, on motion of Ms Forsythe, that the Committee accept the document.

Resolved, on motion of Ms Forsythe, that the Committee grant the NSW Teacher's Federation until 5pm on Monday 22 November 1999 to provide the Committee with written commentary about the submission provided to the Committee by the Department of Education and Training.

Evidence concluded and the witnesses withdrew.

Mr Don Moller, Architect, was admitted and sworn.

Mr Moller answered questions by Members of the Committee.

Mr Moller tendered five documents to support his evidence.

Resolved, on motion of Ms Forsythe, that the Committee accept the documents.

Evidence concluded and the witness withdrew.

The media and the public withdrew.

Resolved, on motion of Ms Forsythe, that pursuant to the provisions of section 4 of the *Parliamentary Papers (Supplementary Provisions) Act 1975* and the authority of Standing Order 252, the Committee authorises the Committee Director to publish the transcript of evidence of today's hearing and all documents accepted during today's hearing.

6. Adjournment

The meeting adjourned at 5.10pm until Monday, 22 November 1999 at 3.00pm.

Anna McNicol
Director

Minutes No. 17

Monday 22 November 1999
At Parliament House, at 3.00pm

1. Members Present

Revd Nile (in the Chair)
Ms Forsythe
Mr Kelly
Mr Moppett
Mr Primrose
Mr Tsang
Dr Wong

2. Apologies

Nil

3. Confirmation of Minutes

Resolved, on motion of Ms Forsythe, that the minutes of meeting number 16 be confirmed.

4. Correspondence

The Chair tabled eight items of correspondence received:

Letter from the Hon John Aquilina MP, Minister for Education and Training, to Chairman, dated 19 November 1999, advising the availability of departmental officers to attend the Committee hearing on Monday 22 November 1999 and concerns about timeframes for officers to make corrections to transcripts and respond to questions placed on notice.

Letter from the Hon John Aquilina MP, Minister for Education and Training, to Chairman, dated 19 November 1999, providing a response to a question placed on notice by the Hon Patricia Forsythe MLC.

Letter from Mr Don Moller, Architect, to Director, dated 20 November 1999, providing information about costs for roof repairs at Seaforth TAFE.

Letter from Mr Robert McAllan, Plumber, to Mr Jim Bannister, (copy provided to Committee by Mr Bannister), dated 22 November 1999, providing quote for roof repairs at Seaforth TAFE.

Facsimile from Mr Jim Bannister, to Director, received 22 November 1999, attaching information relating to a Freedom of Information Request for documents relating to the proposed closure of Seaforth TAFE.

Answer from Mr Terry Piggott, Head Teacher – HSC, Seaforth TAFE, received 22 November 1999, to question placed on notice at the Committee hearing held on 12 November 1999.

Letter from Mr John Hennessy, General Secretary, NSW Teachers Federation, to Chairman, dated 22 November 1999, providing a response to the Department of Education and Training's submission to the Committee relating to the Seaforth TAFE inquiry.

Letter from Dr Ken Boston, Managing Director of TAFE NSW and Director-General of Education and Training, to Director, dated 22 November 1999, providing copies of documents requested at the Committee hearing held on 12 November 1999.

5. Seaforth TAFE Hearing

The media and the public were admitted.

Dr Terry Burke, Deputy Director-General (Operations), TAFE NSW, was admitted on former oath.

Dr Burke answered questions by Members of the Committee.

Dr Wong tabled four documents.

Dr Burke tendered two documents to support his evidence.

Resolved, on motion of Ms Forsythe, that the Committee accept the documents.

Evidence concluded and the witness withdrew.

The media and the public withdrew.

Resolved, on motion of Ms Forsythe, that pursuant to the provisions of section 4 of the *Parliamentary Papers (Supplementary Provisions) Act 1975* and the authority of Standing Order 252, the Committee authorises the Committee Director to publish:

- the transcript of evidence of today's hearing
- all documents accepted during today's hearing, and
- the correspondence from Dr Ken Boston, Managing Director of TAFE NSW and Director-General of Education and Training, to the Committee Director, dated 22 November 1999, providing information requested by the Committee at its hearing on 12 November 1999.

The Committee deliberated.

Resolved, on motion of Mr Primrose, that Mr Bob Puffett, Assistant Director-General, TAFE New South Wales and Mr Sivakumar Kumarasamy, A/Director, Northern Institute of TAFE, be requested to appear before the Committee on Friday 26 November 1999, from 10am to 12 noon, to answer questions of the Committee in relation to the Seaforth TAFE inquiry.

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7. Adjournment

The meeting adjourned at 4.30pm until Monday, 22 November 1999 at 5.00pm.

Anna McNicol
Director

Minutes No. 20

Friday 26 November 1999
At Parliament House, at 10.00am

1. Members Present

Revd Nile (in the Chair)
Ms Forsythe
Mr Kelly
Mr Moppett
Mr Primrose
Mr Tsang
Dr Wong

2. Apologies

Nil

3. Confirmation of Minutes

Resolved, on motion of Ms Forsythe, that the minutes of meetings number 17, 18 and 19 be confirmed.

4. Correspondence

The Chair tabled four items of correspondence received:

Letter from the Hon John Aquilina MP, Minister for Education and Training, to Chairman, undated (received fax 23 November 1999 and original letter 24 November 1999) relating to the availability of departmental officers to attend the Committee hearing on 26 November 1999.

Facsimile from the Save Seaforth TAFE Committee, to Chairman, dated 23 November 1999, providing information about the Youth at Risk C.G.E. class at Seaforth TAFE.

Facsimile from the Save Seaforth TAFE Committee, to Chairman, dated 25 November 1999, providing information relating to evidence given by Dr Terry Burke at the hearing held on 22 November 1999.

Facsimile from the Hon Virginia Chadwick, to Director, dated 25 November 1999, responding the Committee's invitation to provide a submission in relation to the Seaforth TAFE inquiry.

5. Seaforth TAFE Hearing

The media and the public were admitted.

Dr Terry Burke, Deputy Director General (Operations), TAFE NSW, was admitted under former oath. Mr Bob Puffett, Assistant Director General (TAFE) and Mr Sivakumar

Kumarasamy, Acting Director, Northern Sydney Institute of TAFE, both of TAFE NSW were admitted and sworn.

The witnesses answered questions by Members of the Committee.

Mr Tsang tabled a document.

Dr Burke tendered two documents to support his evidence.

Resolved, on motion of Mr Kelly, to accept the documents.

Evidence concluded and the witnesses withdrew.

The media and the public withdrew.

The Committee deliberated.

Resolved, on motion of Mr Moppett, that pursuant to the provisions of section 4 of the *Parliamentary Papers (Supplementary Provisions) Act 1975* and the authority of Standing Order 252, the Committee authorises the Committee Director to publish the transcript of evidence of today's hearing.

Resolved, on motion of Mr Primrose that a copy of the quote from Robert McAllan to fix the roof at Seaforth TAFE, provided to the Committee by Mr Jim Bannister, and a copy of correspondence sent by the Save Seaforth TAFE Committee, to the Chairman, dated 25 November 1999, relating to evidence provided to the Committee by Dr Burke on 22 November 1999, be sent to Dr Burke for comment.

6. Adjournment

The meeting adjourned at 12.10.pm until Wednesday, 1 December 1999 at 1.00pm.

Anna McNicol
Director

Minutes No. 22

Tuesday 30 November 1999
At Parliament House, at 10.00am

1. Members Present

Revd Nile (in the Chair)
Ms Forsythe
Mr Johnson (Tsang)
Mr Kelly
Mr Lynn (Moppett)
Mr Primrose
Dr Wong

2. Apologies

Nil

3. Confirmation of Minutes

Resolved, on motion of Mrs Forsythe, that the minutes of meetings number 20 and 21 be confirmed.

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5. Adjournment

The meeting adjourned at 11.00am until Tuesday, 30 November 1999 at 1.15pm.

Anna McNicol
Director

Minutes No. 23

Wednesday 1 December 1999
At Parliament House, at 10.00am

1. Members Present

Revd Nile (in the Chair)
Ms Forsythe
Mr Johnson (Tsang)
Mr Kelly
Mr Lynn (Moppett)
Mr Primrose
Dr Wong

2. Apologies

Nil

3. Confirmation of Minutes

Resolved, on motion of Mr Lynn, that the minutes of meeting number 22 be confirmed.

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6. Seaforth TAFE Inquiry

Resolved, on motion of Mr Primrose, that the Committee meet from 11am to 4.30pm on Monday, 6 December 1999, to deliberate on the Chairman's draft report relating to the Seaforth TAFE inquiry.

7. Adjournment

The meeting adjourned at 3.45pm until Monday, 8 December 1999 at 11.00am.

Anna McNicol
Director

Minutes No. 24

Monday 6 December 1999
At Parliament House, at 11.00am

1. Members Present

Revd Nile (in the Chair)
Mrs Forsythe
Mr Kelly
Mr Moppett
Mr Primrose
Mr Tsang
Dr Wong

2. Apologies

Nil.

3. Confirmation of minutes

Resolved, on motion of Mrs Forsythe, that the minutes of meeting number 23 be confirmed.

4. Tabled Documents**4.1 Submissions**

The Chair tabled submissions no 114 to 240 in relation to the Seaforth TAFE inquiry, as listed in attachment 1.

4.2 Correspondence

The Chair tabled twenty items of correspondence received:

Facsimile from Mr David Barr MP, Member for Manly, to Director, dated 3 November 1999, providing a list of possible witnesses for the Seaforth TAFE inquiry.

Facsimile from Dr Ken Boston, Managing Director of TAFE NSW and Director General of Education and Training, to Director, dated 5 November 1999, requesting an extension of time until 17 November 1999 to provide a submission in relation to the Seaforth TAFE inquiry.

Letter from Mr John Burkhardt, General Manager of Properties, Department of Education and Training, to Senior Project Officer, dated 17 November 1999, providing details of proposed site visits.

Memo from Didier Silarsah, Office of the Hon Henry Tsang MLC, to Committee Officer, dated 18 November 1999, giving Mr Tsang's apologies for the meeting to be held on 19 November 1999.

Letter from Mr Don Moller, to Director, dated 20 November 1999, providing information relating to the Seaforth TAFE inquiry.

Letter from Denis Smith, General Manger, Warringah Council, to Chairman, dated 22 November 1999, providing a copy of the *Warringah Mall Management and Carparking Report*.

Letter from Dr Terry Burke, Deputy Director-General (Operations), Department of Education and Training, to Director, dated 22 November 1999, advising he had made an error of fact at the hearing on 12 November 1999.

Letter from Ms Tanya Lahey, to Director, dated 24 November 1999, providing information relating to the Seaforth TAFE inquiry.

Letter from Ms Lolita Barratt, TAFE Organiser, NSW Teachers Federation, dated 25 November 1999, providing response to question placed on notice at the hearing on 19 November 1999.

Facsimile from Save Seaforth TAFE Committee, dated 25 November 1999, relating to Seaforth TAFE inquiry.

Facsimile from Mr David Thomas, to Senior Project Officer, dated 26 November 1999, providing information about the history of Seaforth TAFE.

Letter from Dr Terry Burke, Deputy Director-General, Operations, Department of Education and Training, to Director, dated 29 November 1999, providing corrected transcripts of 22 and 26 November 1999, and requesting additional time to respond to questions placed on notice.

Facsimile from Mr Jim Bannister, Save Seaforth TAFE Committee, to Chairman, dated 30 November 1999, relating to the Seaforth TAFE inquiry.

Letter from Dr Terry Burke, Deputy Director-General, Operations, Department of Education and Training, to Director, dated 1 December 1999, providing responses to questions placed on notice.

Facsimile from Dr Terry Burke, Deputy Director-General, Operations, Department of Education and Training, to Senior Project Officer, dated 1 December 1999, providing information relating to ventilation at Seaforth TAFE.

Facsimile from Mr Jim Bannister, Save Seaforth TAFE Committee, to Chairman, dated 1 December 1999, advising of resolution passed by the NSW Teachers Federation.

Facsimile from Save Seaforth TAFE Committee, to Chairman, dated 2 December 1999, relating to evidence given before the Committee by officers of the Department of Education and Training.

Facsimile from Save Seaforth TAFE Committee, to Chairman, dated 2 December 1999, relating to arrangements for the closure of Seaforth TAFE.

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5. **Seaforth TAFE Inquiry**

The Chairman submitted his draft report entitled “Report on Inquiry into the Proposed Closure of Seaforth TAFE”, which having been circulated to each Member of the Committee, was accepted as being read.

The Committee proceeded to consider the draft report.

Resolved, on motion of Mr Primrose, that in line with the manner in which the terms of reference for the inquiry are framed, where the report makes reference to the Seaforth TAFE establishment, the words “Seaforth TAFE” be used.

Resolved, on motion of Mr Moppett, that the sentence “The Committee notes, however, that no documentary evidence was submitted during the course of the inquiry indicating these discussions had been advanced to a formal proposal.” be inserted at the end of the first paragraph in section 2.1 of the draft report.

Resolved, on motion of Mr Moppett, that the sentence “It is difficult to assign the report too much credence given its retrospective nature.” be replaced by “The Committee attached little importance to the conclusions of the report because of its retrospective nature.” at the end of the second last paragraph in section 2.1 of the draft report.

Resolved, on motion of Mr Tsang, that the sentence “In the Committee’s view, an ‘establishment’ would not, for example, include temporary classrooms.” be inserted at the end of the second last paragraph in section 2.2 of the draft report.

Resolved, on motion of Mr Moppett, that the sentence “In fact the Committee notes that the reason for the present inquiry is the anger and distress in the local Seaforth area caused by the lack of consultation associated with the decision to close Seaforth TAFE.” be replaced by “The Committee recognises that the present inquiry was initiated because of the anger and distress in the Northern Beaches area caused by the decision and the peremptory way it was made without any consultation with interested parties.” at the end of the last paragraph in section 2.3.1 of the draft report.

Resolved, on motion of Mrs Forsythe, that the Committee agree to the first recommendation in the draft report.

Resolved, on motion of Mr Moppett, that the words “an irreconcilable difference in the estimates” replace the words “a difference in opinion” in the first sentence of the last paragraph under the heading “Replacement of roof” in section 3.4.1 of the draft report.

Resolved, on motion of Mr Moppett, that the words “must take at face value” replace the words “hence relies on” in the second sentence of the the last paragraph under the heading “Replacement of roof” in section 3.4.1 of the draft report.

Resolved, on motion of Mr Moppett, that the words “In light of the Department not breaking down the proposed \$240,000 savings and the fact that” be replaced by the sentence “In the absence of a break down of the proposed \$240,000 savings the Committee is unable to evaluate whether these savings would actually eventuate.” in the second last paragraph of section 3.4.2 of the draft report.

Resolved, on motion of Mr Kelly that the words “the additional cost of relocating staff from Seaforth to Brookvale were not included in the calculations” be replaced by the sentence “The additional cost of relocating staff from Seaforth to Brookvale was not included in the consultant’s calculations.” in the second last paragraph of section 3.4.2 of the draft report.

Resolved, on the motion of Mr Moppett that the words “the Committee believes the net savings to the Northern Sydney Institute will in fact be significantly less than estimated by the Department’s consultants.” be replaced by the sentence “The Committee believes the net savings to the Northern Sydney Institute may in fact be significantly less than estimated by the Department’s consultants.” in the second last paragraph of section 3.4.2 of the draft report.

Resolved, on motion of Mr Moppett, that the sentences “A saving of \$240,000 per year after five years (a figure the Committee disputes) will not, in the Committee’s view, substantially impact on the \$2.925 million savings the Northern Sydney Institute of TAFE required of the Northern Sydney Institute of TAFE under the 1999-2000 budget. The Committee notes that the claimed \$240,000 saving represents only 8.2 per cent of the Northern Sydney Institute’s required savings and only 0.02 per cent of TAFE’s \$1,201.1 million 1999-2000 budget.” be replaced by the sentences “The Committee disputes the Department’s estimate of savings of \$240,000 per year after five years, and notes that even if this figure was accepted the closure would not have a significant impact on the savings of \$2.925 million imposed on the Northern Sydney Institute of TAFE by the 1999-2000 budget. The Committee notes that the disputed savings of \$240,000 would at best represent only 8.2 percent of the Northern Sydney Institute’s required savings and only 0.02 percent of TAFE’s \$1,201.1 million 1999-2000 budget.” in the last paragraph of section 3.4.2 of the draft report.

Resolved, on motion of Mr Mopett, that the word “for” be replaced by the words “of retaining part of the proceeds from the” in the last sentence of section 3.5 of the draft report.

Resolved, on motion of Mr Tsang, that recommendation 2 of the draft report be amended by deleting the words “, and places a caveat on that title preventing its future sale” from the end of the sentence and replacing them with a new sentence “The Standing Committee further recommends that the Government take all necessary steps to ensure the land and buildings are preserved for continued community use.”

Resolved, on motion of Mrs Forsythe, that the Committee agree to the third recommendation in the draft report.

Resolved, on motion of Mr Primrose, that the sentence “The Committee accepts this is a perception by some students, but did not receive any evidence to indicate Seaforth TAFE is safer than Brookvale TAFE.” be added to the end of the last paragraph of section 4.3.1 of the draft report.

Resolved, on motion of Mr Kelly, that the sentence “As the Committee’s focus was on Seaforth, the Committee did not take any evidence from Brookvale students on this subject.” be added to the end of the amended last paragraph of section 4.3.1 of the draft report.

Resolved, on motion of Mr Moppett, that recommendation 4 of the draft report be amended by the replacement of the words “remain a centre for ‘youth at risk’, catering for school-aged students and offering” by the words “be recognised as a centre catering for ‘youth at risk’ amongst school-aged students and continue to offer”.

Resolved, on motion of Mr Moppett, that the last paragraph of section 6.1 of the draft report, which states “The Committee concludes that, for students living in the Northern Beaches area who are forced to study at North Sydney, Hornsby or Meadowbank travel time will increase significantly. This may preclude some students from further study at TAFE in their chosen course or subject.” be replaced with “Travel time will increase significantly for students living in the Northern Beaches area who are forced to study at North Sydney, Hornsby or Meadowbank TAFEs. The Committee concludes that this may preclude some students from further study at TAFE in their chosen course or subject.”

Resolved, on motion of Mr Primrose, that the sentence “The Committee notes, however, that it is not the role of TAFE NSW to provide clientele for small businesses.” be added to the end of the last paragraph in section 6.3 of the draft report.

Resolved, on motion of Mr Primrose, that the sentence “Flexible delivery involves minimal face-to-face teaching, relying instead on correspondence school-type notes.” be replaced with a more comprehensive description of what constitutes flexible delivery.

Resolved, on motion of Mr Primrose, that sentence “In response, the Department indicated: “The information provided to the Committee relating to accommodation usage at Seaforth was derived from an actual report of room usage.”” be inserted in section 7.1 of the draft report.

Resolved, on motion of Mr Primrose, that the sentence “The Committee was provided with subsequent information from the Department which stated: “The original information provided by the Institute with regard to the number of classes running for the HSC Chemistry subject was incorrect. However, it should be noted that the total number of students enrolled to attempt the HSC 2 Unit Chemistry in 1999 as of February 1999 was 30 not 36 as claimed. The total number of students attending classes in June 1999 was 20 and in September there were less than 15.”” be inserted in section 7.1 of the draft report.

Resolved, on motion of Mr Moppett, that recommendation 5 of the draft report be amended by replacing the words “a commitment by the Department to both day and evening provision of” by the words “the Department undertake to provide both day and evening classes in”.

Resolved, on motion of Mr Primrose, that the sentence “The Committee recognises the Commonwealth (through ANTA) has directed state governments to find efficiencies in their public vocational education and training systems, in order to fund the growth in places and this has placed great strain on the overall New South Wales TAFE budget.” be inserted into section 8 of the draft report.

Resolved, on motion of Mr Moppett, that the words "Evidence to the Committee indicates the decision" be replaced by the words "The Committee concludes that the decision to close Seaforth TAFE" in the third paragraph of section 8 of the draft report.

Resolved, on motion of Mr Kelly, that the word "consequent" be inserted between "as a result of" and "State budget cuts" in the third paragraph of section 8 of the draft report.

Resolved, on motion of Dr Wong, that the words "will be minimal unless the Seaforth site is sold, which the Committee believes to be the real economic issue" be replaced by the words "will not be significant unless the Seaforth site is sold, which the Committee believes to be the only real economic benefit" in the third paragraph of section 8 of the draft report.

Resolved, on motion of Mr Moppett, that the words "be reversed" be replaced by "not be implemented" in the first sentence of the last paragraph of section 8 of the draft report.

Resolved, on motion of Mr Moppett, that recommendation 6 of the draft report be amended by replacing the words "be reversed" with the words "in December 1999 not be implemented".

Resolved, on motion of Mr Kelly, that a seventh recommendation be added immediately after recommendation 6: "The Committee recommends that during 2000 the Northern Sydney Institute of TAFE review its decision to close Seaforth TAFE, in light of the findings of this report, and that the review include extensive community consultation."

Resolved, on motion of Dr Wong, that the report, as amended, be the report of the Committee.

Resolved, on motion of Dr Wong, that the transcripts of evidence, submissions, documents received and correspondence received (apart from confidential documents) be tabled with the report and made public.

Resolved, on motion of Mr Primrose, that any dissenting statement(s) relating to the report be provided to the Committee Director no later than 10.30am on Tuesday 7 December 1999.

6. Adjournment

The meeting adjourned at 3.45pm *sine die*.

Anna McNicol
Director