



Parliament of Tasmania
Legislative Council Select Committee
Inquiry into the Provisions of the University of Tasmania Act
1992

Save UTAS Campus Inc. Submission
(Amended Version)

Table of contents

Part 1: Introduction 2

Part 2: Background to the inquiry..... 2

Part 3: Legislative background to the inquiry..... 3

Part 4: Constitution, functions and powers..... 6

Part 5: Executive and fiscal accountability and decision-making 10

Part 6: Academic freedom and decision-making..... 12

Part 7: Recommendations 13

Appendices 15

PART 1: INTRODUCTION

Save UTAS Campus Inc. (SUC) was formed in 2021 to oppose the plan of the University of Tasmania (UTAS) to abandon the campus at Sandy Bay; a site they were gifted by the Tasmanian Government and the people of Tasmania in 1951. The group comprises members of the Hobart community, academics, business operators and current UTAS students. As a group we have expressed our concern about the lack of proper consultation with the people of Hobart and have been strongly advocating for an inquiry into the actions of UTAS before they proceed with this wasteful plan.

The focus of our campaign has been for UTAS to stay on the Sandy Bay campus, for UTAS to stop the plan to relocate in its entirety into the CBD and to stop plans to build a 2700 dwelling micro-suburb on the Sandy Bay campus.

The announcement by the Legislative Council of an inquiry into the provisions of the University of Tasmania Act 1992 (the 1992 Act) was welcomed by the SUC committee and supporters.

PART 2: BACKGROUND TO THE INQUIRY

UTAS says that consultation about southern transformation (relocation) began with staff and the community in March 2019.¹ The following month, in April 2019, the UTAS Council resolved to relocate the university from Sandy Bay to the Hobart CBD. The UTAS Council has refused our requests for release of the business case upon which it made this decision. This would show the extent to which alternatives were considered and the depth of analysis involved.

The decision to relocate had significant implications for the university, the CBD and for the people of greater Hobart. Despite this, the decision was not preceded by any rigorous analysis or comparison of options nor any genuine community engagement process to see what the impact on the community would be and whether the community supported relocation.

In 2021 UTAS released its Sandy Bay Masterplan which revealed that the intention was to entirely abandon Sandy Bay, with the campus to be developed into a micro-suburb of apartment blocks comprising 2700 apartments. UTAS was able to do this because the 1992 Act contains no requirement, unlike Acts governing some other Australian universities, to seek community approval, through the responsible Minister.

In late 2021 UTAS lodged with the Hobart City Council (HCC) a development application for the partial closure of Melville Street to create a 'parklet' as part of its relocation to the CBD. Strong CBD trader opposition led the Vice Chancellor to announce in December 2021 that the application would be withdrawn.

In December 2021 UTAS also lodged with the HCC an application for the rezoning of the Sandy Bay campus from higher education to a permit for development of a micro-suburb. The HCC wrote to UTAS with a request for them to address 155 queries and the application has never proceeded further.

During 2022 it became apparent that the UTAS plan to move entirely to the CBD could not be realised and the university facilities would in fact need to straddle both the CBD and the Sandy Bay campus. It had always been UTAS's intention that sports facilities would remain at Sandy Bay and that students would need to travel there to access them. In 2022 UTAS revealed that some staff and student parking would also have to stay at Sandy Bay, and they would be bussed between Sandy Bay to the CBD. UTAS then revealed that some

¹ UTAS Legislative Council Briefing Paper, 10 March 2022, p.12 (Appendix 11)

important faculty collections, essential to study and research, were immovable and would therefore have to remain at Sandy Bay .

In March 2022 HCC councillors passed a resolution calling on UTAS to conduct a community consultation process about its entire relocation proposal, that process to be in accordance with the HCC's own protocol for community consultation. UTAS has not undertaken such consultation despite further requests from the HCC.

In August 2022 UTAS announced that its rezoning application would be paused and that it would form a community consultation panel, which would not be permitted to discuss the relocation plan, and that it would bring forward the transfer of students from Sandy Bay to the CBD, accommodating them in rented CBD premises. UTAS had already been conducting some classes in the CBD in rented office space instead of available facilities at the Sandy Bay campus.

In parallel with these developments, it emerged that there were serious difficulties in the relationship between UTAS management and staff, particularly academic staff, with UTAS' management style described in an ABC TV report as 'brutal'. A majority of academic staff in the Law School, including the highly regarded Dean, resigned and an online UTAS staff survey had to be closed down prematurely by management because of strong criticism of UTAS management.

These developments have made the Legislative Council's inquiry into the 1992 Act and the Act's fitness for purpose very timely.

PART 3: LEGISLATIVE BACKGROUND TO THE 1992 ACT

*This bill does not set out to regulate in detail every aspect of the administration of the University of Tasmania. That would be a major mistake. There is considerable dynamism in the Australian higher education scene. Universities are expected to find an increasing share of their budget from non-government sources, and to be much more entrepreneurial than before. In order to compete in this rapidly changing scene, the University Council will need a degree of flexibility in marshalling its resources to respond to new challenges. **The bill provides the university with that flexibility but also ensures its basic accountability to the Government and the people of Tasmania, particularly through a significant government, parliamentary and community representation on the council of the university.***

John Beswick, Minister for Education, *University of Tasmania Bill 1992*, second reading speech

Under the *Higher Education (Amalgamation) Act 1990* (the Amalgamation Act), a special UTAS Council was established to oversee the amalgamation of UTAS, the Tasmanian State Institute of Technology and the Australian Maritime College.² In accordance with the Amalgamation Act, the Council provided a report to the Government on the future constitution and governance of UTAS. This report formed the basis of drafting instructions for the 1992 Act.

The UTAS Council proposed two major initiatives that would increase its future operational 'flexibility', which were carried into the 1992 Act:

² In the event, the Australian Maritime College did not form part of the amalgamated entity.

- The provision of an explicit power for UTAS to acquire, hold and dispose of property – section 7(1)(a) of the 1992 Act: and
- Removal of the provision against alienation of the land at the Sandy Bay site vested in UTAS by the *Tasmanian University Act 1951* (the 1951 Act).

As a great public institution, and as indicated by Minister Beswick’s words above, it was important for the Government and Parliament that the increased ‘flexibility’ provided to the UTAS Council be matched by an appropriate level of accountability. The UTAS Council constituted by the 1992 Act, on commencement in 1993, comprised 24 members, with the House of Assembly and the Legislative Council each electing one member. It also included two members appointed by the Minister for Education, one of whom in 1993 was the head of the Department of Education. As well as providing for direct accountability, this 24-member UTAS Council also provided for a diversity of views and experience.

However, a series of amendments to the Act between 2001 and 2012 radically altered the composition of the UTAS Council. Particularly notable are the reduction in academic, student and alumni representation from 11 out of 24 members (46%) under the 1992 Act, as passed, down to three out of 14 members (21%) under the 2012 amendment, and the increase in Council appointed/elected members from six (25%), counting the Chancellor and Vice-Chancellor, under the 1992 Act, up to eight (57%) under the 2012 amendment. At the same time, while academic staff, graduates, students and professional staff directly elected 12 out of 24 members (50%) under the original 1992 Act, under the 2012 amendment this figure was reduced to 2 out of 14 (15%). The direct link to the Parliament was removed by an amendment to the 1992 Act in 2001, while the appointment of senior staff from within the Department of Education has been sporadic. The table at Appendix 1 sets out details of the changes in the UTAS Council’s composition since 1992.

The second reading speeches and parliamentary debate over the amendments to the composition of the UTAS Council indicate that there were good reasons for some of the changes in composition which were broadly in line with national reform initiatives (not themselves beyond criticism). However, it is undeniable that the changes in the composition of the UTAS Council have decreased the focus on the core business of the University – education – while increasing the focus on business management. Several issues raised in this submission are, at least in part, attributable to this change in focus.

At the same time, the changes in the composition of the UTAS Council have created the potential for the Council to self-replicate (through the appointment of people with outlooks/skills like the people they replaced) and the institutionalisation of group think, particularly as most Council appointees have served for long-terms. This risk may have been offset to some extent if, when this series of amendments changing the Council’s composition were passed, accountability requirements had been increased in other areas. They were not.

The 1992 Act as originally passed had the following (sole) requirement for reporting:

12-(1) The Council is, within 6 months after the end of each financial year, to–

- (a) present to the Governor an annual report of the proceedings of the University during that financial year; and
- (b) furnish a copy of the report to the Minister.

(2) The report is to contain a full account of the income and expenditure of the University for the financial year to which it relates.

(3) The Minister is to cause a copy of the report to be laid before both Houses of Parliament within the first 10 sitting days of each House after the report is received by the Minister.

While, with the changes to the UTAS Council's composition, it might have been expected that requirements for regular reporting to government (say quarterly or half-yearly) may have been instituted, this did not occur. Moreover, the annual reporting requirements in the 1992 Act were not, in any way, strengthened through the series of amendments. As can be noted, there is little by way of prescription in the 1992 Act regarding the contents of the annual report. The reporting deadline is also unduly generous, meaning that the report can be tabled in Parliament as late as September, based on recent sitting dates, nine months after completion of UTAS' financial year. Other Universities in Australia have more stringent annual reporting requirements in respect of content and reporting deadlines.

Even in respect of the minimal reporting requirement set in 1992, UTAS has had a waning commitment to transparency and accountability. The annual reports have had an increasing amount of marketing content and a decreasing amount of reporting text. The 2010 Annual Report had approximately 44 pages of text and tables, whereas the 2021 report had only 19 pages and reads more like a marketing document or brochure.

UTAS's waning commitment to transparency and accountability has also been apparent in its management of its obligations under the *Right to Information Act 2009*. As a public institution it should be modelling best practice behaviour.

Of course, the most obvious and significant area of risk in the 1992 Act, particularly with the subsequent changes to the UTAS Council's composition, was the removal of the restraint of alienation of the Sandy Bay site in the 1951 Act. With hindsight, the 1992 Act, as commenced, should, at least, have included a requirement that UTAS have formal approval from government when considering significant lease or sale transactions at the Sandy Bay site, in line with legislative requirements for a number of other universities. However, from anecdotal evidence, it appears that such transactions were not contemplated by the Parliament in 1992.³ Certainly, there was no consideration of the matter in debate, as might have been expected if this was envisaged. The series of amendments that fundamentally changed the composition of the UTAS Council should, however, have brought this matter to the fore and it might be reckoned a serious error of omission by the Parliament that there was no debate on this matter.

The result of the failure to explicitly provide for a reasonable standard of accountability and oversight is that successive governments have been able to abrogate responsibility for critical engagement and decision-making in areas that should rightfully be the preserve of the Government and the Parliament, on behalf of the people. Taken together with the failure to put any sort of check on alienation of the Sandy Bay site by UTAS, this has meant that an issue of major public policy significance for Tasmania is now being managed by the UTAS Council in accordance with its own narrow self-interest.

It is now clear from the public record that the hierarchy of the UTAS Council were intent on a move to the Hobart CBD by 2016 (with the logical corollary always being to exploit the capital value of the Sandy Bay site, with UTAS's current proposal being to establish a micro-suburb on the Sandy Bay site). The ambition for UTAS to move to the Hobart CBD was articulated by Vice-Chancellor Rathjen in *The Mercury* in 2017 and

³ This includes a personal communication from the Hon Dr Julian Amos, who participated in debates on the 1992 Act. Dr Amos indicated that the removal of the restraint on alienation was likely in contemplation of private engagement and that the idea of the entire Sandy Bay site being sold would not have been contemplated, "and if presented as an option would have been vigorously opposed."

would have been well known to the Government by 2018, particularly as Jenny Gale, the Secretary of the Department of Premier and Cabinet, was appointed to the UTAS Council on 1 January 2018.

UTAS should have brought the proposed move formally to the attention of the Government, the Parliament and the community in 2016 or 2017. Full public consultation should have been undertaken at that time. Neither occurred.

The 1992 Act, as amended allowed, if not enabled, this situation. It stands in need of urgent repair or replacement for this, and other reasons examined in this submission.

PART 4: CONSTITUTION, FUNCTIONS AND POWERS

1. Relationship with the Tasmanian community

Unlike the forty or so other universities in Australia, UTAS has a unique status as the only university in Tasmania, a proud creation of the Tasmanian community. No other state or territory has a single university.

The university recognises this unique role which is well-expressed by the university's own Statement of Values⁴ (see Appendix 2).

"We are a Tasmanian institution. We work in a unique setting and actively partner with the communities in which we live, in support of a healthy, civil and sustainable society. At the same time, we are outwardly focussed and part of a global community, engaging with the rest of Australia and the world."

The feelings are reciprocated. The Tasmanian community has been generous in the provision of land and funding contributions. The university is the statutory creation of the Tasmanian Parliament which controls its governance, accountability and powers.

Tasmanians have historically been proud of 'their' university, lauding its achievements, encouraging their children to attend, and enthusiastically partnering with it in a long record of successful activities.

Despite its Statement of Values, the university's decision-making and management processes in relation to its proposal to relocate from Sandy Bay has demonstrated it does not consider itself bound by an obligation to take the interests of the community into account or to be straightforward and honest with the public.

UTAS's indifference to the community is most starkly shown by:

- its refusal to conduct a community consultation process on the relocation proposal, as requested by the HCC (see below)
- the stated determination of UTAS to continue with its relocation plan whatever the outcome of a public plebiscite conducted by the HCC.⁵

To rectify this, the 1992 Act should be amended to include an obligation that UTAS act in a way which is consistent with it being a 'Tasmanian institution', 'in a unique setting', and 'actively partnering with the communities in which we live'. Specifically, the 1992 Act should require that in its conduct and decision-making UTAS will always recognise that as a Tasmanian institution with a unique role it will always act in a way which is consistent with the best interests of Tasmanians and with honesty and transparency.

⁴ UTAS Statement of Values: www.utas.edu.au/data/assets/pdf_file/0012/231150/SoV-Poster.pdf

⁵ The Mercury, 4 August 2022: Elector poll result moot (Appendix 3)

a. Examples of the refusal to take into account the best interests of Tasmanians include:

i. The refusal by UTAS to conduct a community consultation process as requested by the HCC.

On 15 March 2022, the HCC resolved to ask UTAS to conduct a genuine Community Consultation process on its relocation proposal, that process to be in accordance with the HCC's consultation protocol. This protocol requires development of a community engagement pathway, the provision to the community of all relevant information and an openness to consider compromise and alternative options.

The HCC wrote to the Vice Chancellor on 23 March 2022 formally making this request and asking to be advised of 'the forward consultation plans'. The Vice Chancellor did not respond and on 19 May 2022 the Lord Mayor wrote to him again requesting an indication as to when the HCC might expect to hear about the consultation plans.

In June and July 2022, the Vice Chancellor made announcements of community consultation, confirming that their purpose was 'so the community understands exactly what's happening and when each step will take place'. He said in a press conference, widely reported on television news, that there was 'no chance' that this committee would change his intention that UTAS would relocate from Sandy Bay to the CBD.

Correspondence from the Lord Mayor to Save UTAS Campus Inc. (SUC) on 30 July 2022 indicates that, at the date of this submission, UTAS continues to refuse to conduct the requested Community Consultation process.

Given that both the redevelopment of the Sandy Bay campus and the development of replacement infrastructure in the Hobart CBD will all be within the municipality of Hobart it is extraordinary that UTAS refuses the request by the HCC councillors, who directly represent many of the people affected, to conduct a genuine consultation process which is open to compromise .

ii. Refusal by UTAS to provide information to the community

SUC wrote to UTAS on 12 May 2022 seeking information, all of which should have been readily available to UTAS, in relation to some fundamental concerns held by academics and the wider community. No useful response has ever been provided.⁶

iii. Right to Information refusals

As background on RTI matters, we draw the Committee's particular attention to the Ombudsman's decision of 24 February 2022 in the case of Alexandra Humphries (ABC) and UTAS.⁷ On the more general issue of transparency and accountability, we cite the many articles and letters on this matter that have appeared in *The Mercury*, including particularly those published by Greg Barns in 2022.⁸

Over the period 21 March – 20 April 2022, one of our supporters, Robert Hogan, lodged four Right to Information (RTI) applications with UTAS, seeking to ascertain what evidence UTAS had

⁶ Letter from SUC Chair, Professor Pam Sharpe, to UTAS Chancellor, Alison Watkins AM (Appendix 4)

⁷ www.ombudsman.tas.gov.au/_data/assets/pdf_file/0006/651894/R2202-032-Humphries-and-UTAS-Final-Decision.pdf

⁸ Greg Barns' articles printed in *The Mercury* (Appendix 14)

for its proposed move to the Hobart CBD, and to understand the chronology and workings of UTAS's decision-making process. His experience, consistent with that of other RTI applicants to UTAS, was that UTAS took a highly defensive approach, demonstrating little if any commitment to transparency and informing public debate. In two cases, UTAS unilaterally rewrote the terms of Mr Hogan's applications - which is not provided for under the *Right to Information Act 2009* (the RTI Act) - and yet still provided limited information in response. In three cases, including one where it had already provided limited information, UTAS refused Mr Hogan's application under section 12(3)(c) of the RTI Act, on the basis that it had decided prior to the lodgement of the applications, to shortly provide 'information' (so described) within 12 months.

In fact, section 12(3)(c) of the RTI Act requires that UTAS had made decisions prior to the lodgement of each of the three applications to 'release the information that is the subject of the application'. Mr Hogan lodged a fifth RTI application on 5 May 2022, seeking evidence of such prior decisions. UTAS has provided none. UTAS has also not released the information sought by Mr Hogan. Mr Hogan has been through internal review procedures with UTAS, which were unsatisfactory, and has recently lodged three applications for external review of UTAS decisions with the Ombudsman (effectively covering all five of his applications). He has sought priority consideration of his applications in the public interest.

Mr Hogan is making his own submission to the Committee and would be happy to talk to the Committee about his submission and his experience dealing with UTAS on RTI applications.

iv. Secret committee with Hobart City Council

The university participated for years in a secret committee with representatives of the HCC to plan the relocation to the CBD. The HCC has resolved to make public all minutes of that committee and to request UTAS to consent to that release. UTAS initially refused.

v. Additional information required to complete this submission

In order to fully understand UTAS's relocation proposal and to prepare this submission to your inquiry, over the last few months SUC has sought fundamental information from UTAS of a nature which should be readily available to UTAS and to the community. UTAS has refused to provide this information, but we understand that you may be able to request it during the inquiry. We ask that you do so and that when the information becomes available to the inquiry it is provided to SUC so that we may address it in a supplementary submission before completion of the inquiry's report.⁹ It would be ironic if an inquiry dealing with, amongst other things, criticism of inappropriate secrecy by an important public institution did not have the benefit of fully informed submissions because the institution maintained its policy of secrecy even to the inquiry and its contributors.

b. Examples of the failure to be honest in communications with the public:

- i. UTAS has spent large sums of money in advertising and promotional material outlining the reasons behind its relocation proposal. Cassy O'Connor MHA and Senator Peter Whish-Wilson of the Greens wrote to the Vice Chancellor on 21 April 2022 pointing out that many claims made publicly by UTAS were contradicted by UTAS's own research.¹⁰

⁹ Letter from SUC Vice Chair, Michael Foster to Rob Valentine (Appendix 5)

¹⁰ Letter from Cassy O'Connor and Peter Whish-Wilson to UTAS Vice Chancellor, Rufus Black (Appendix 6)

- ii. The rezoning application contains no provision for UTAS staff/student parking or the housing of immovable departmental collections, essential to research, such as the geology and engineering collections. UTAS acknowledges that provision for these at the Sandy Bay Campus after relocation will have to be provided but they do not feature on the plan submitted to the HCC. This results in a misleading presentation of the rezoning proposal.
- iii. Urban geographer and transport economist, Bob Cotgrove, has written several opinion pieces published in the Mercury pointing out various misleading claims by UTAS.
- iv. We have commissioned architectural analysis of UTAS Sandy Bay Masterplan, this shows that UTAS intends 90 building up to 8 storeys high of which about 70 will be apartment blocks. To facilitate this, significant areas of natural vegetation and established trees will be removed. UTAS has never provided the community with an accurate and readable representation of this and only by engaging an architect would it be possible for a member of the public to have any true comprehension for what UTAS plans for the Sandy Bay campus.

2. Ambiguity in Powers and Functions

Sections 6 and 7 of the 1992 Act are silent as to whether UTAS has the power to undertake the role of 'Master Developer' of real estate, the term adopted in his press statements by the Vice Chancellor, particularly on the scale envisaged by UTAS where the university would be landlord to 2700 homes and an extensive range of other commercial tenancies. Whether the 1992 Act presently permits that is a matter which may have to be determined by the Supreme Court .

However, we submit if the 1992 Act contained a provision, consistent with other universities, that Ministerial approval was necessary (see Part 5 of this submission) for the alienation of land then it is likely that public interest issues would be managed appropriately by the Minister making it unlikely that there would ever need to be any legal challenge based on the interpretation of Powers.

3. The Council's perception of its role

As a group we have had direct communications, including face-to-face meetings, with the UTAS Chancellor. This has been revealing. The Chancellor says she sees the UTAS Council as akin to a company board, entitled to make its own decisions and not accountable to the community. Of course, company directors are accountable to shareholders whereas there are none for UTAS other than, notionally but without any actual control, the Tasmanian community.

Consistent with her view:

- The Chancellor refuses our request to be able to speak to individual members of the UTAS Council and regards them all as bound by the strict confidentiality that applies to company directors.
- The Chancellor refuses to disclose what information, research and options were considered by the UTAS Council in April 2019 when the relocation decision was made.
- UTAS says that it is not inappropriate or unethical for UTAS to expend large sums of money (estimated to be hundreds of thousands of dollars) on a PR campaign to oppose community concerns about its relocation proposal or to offer selective information in its advertising
- UTAS says it is entitled to ignore the HCC request for broad and genuine public consultation on its entire relocation plan.

This view of the UTAS Council's role explains its approach to both decision-making and implementation in relation to its proposal to relocate. In the view of the UTAS Council it is a decision for the Council alone and Council has no obligation to the Tasmanian community to seek a social licence nor even to disclose the information upon which the decision was based.

PART 5: EXECUTIVE AND FISCAL ACCOUNTABILITY AND DECISION-MAKING

1. Ministerial approval of land alienation

As it is common for universities to operate on land gifted by the community, it is common for the statutes which create universities to contain a requirement that the alienation of land be approved by the responsible Minister.

Examples include:

- Under the University of South Australia Act 1990 (s6) that university cannot alienate or lease land for more than 21 years except with the approval of the Governor.
- Under the University of Melbourne Act 2009 (s37) that university cannot alienate or lease land for longer than 21 years without the approval of the Minister
- Under the University of Sydney Act 1989 (s18(2A)) that university cannot alienate land acquired from the State at nominal or less than market value without approval of the Minister.
- Under the University of Western Australia Act 1911 (s15) the university is not permitted to lease land for longer than 21 years without approval of the Minister.

These legislatures considered it inappropriate that their university should not have an uncontrolled right to alienate (including by long lease) land received from the community by government grant. When the 1992 Act was passed the previous restraint on alienation was removed. This was based on an accountability regime which, as noted above, has been degraded over time, allowing UTAS to find itself in the extraordinary position of being able to alienate its entire campus without community approval or government oversight. The current UTAS relocation plan anticipates the alienation of the entire Sandy Bay campus through the sale or long leasehold interests to the public.

The importance of having Ministerial control is much greater in Tasmania because UTAS is Tasmania's only university and consistent with that unique position it claims, according to its Statement of Values, that 'We are a Tasmanian institution. We work in a unique setting and actively partner with the communities in which we live, in support of a healthy, civil and sustainable society'. Its decision-making process in relation to relocation demonstrates that it does not consider that it needs community approval and can commercially develop and market the Sandy Bay campus even against strong community and academic opposition.

If it is to be a Tasmanian institution, created by and for Tasmanians, then partnering with the community means obtaining a social licence for a major change such as the alienation of a campus and this would be most easily achieved by requiring, in line with other universities, Ministerial approval for land alienation. The responsible Minister could be expected to adopt an approval process consistent with the nature of the land disposition, that is an abbreviated process for disposal of a small piece of land no longer of use but a comprehensive public review of a proposal as significant as the alienation of an entire campus.

2. Ministerial approval of a corporate plan

UTAS has many of the characteristics of a government business enterprise (GBE) created by the public for public good using public funding. In a real sense the community is the shareholder and ultimately the enterprise is responsible, through government, to the community.

In Tasmania, GBEs like Hydro Tasmania are subject to the Government Business Enterprise Act 1995 which requires (s39) the GBE to provide to the responsible Minister and the Treasurer an annual 'corporate plan' for approval.

The University of Western Australia Act (s41) makes the university subject to the Financial Management Act 2006 and as a result it is required (s42) to submit to the Treasurer for approval an annual 'draft resource agreement' setting out the services and cost of services any other matters required by the Treasurer for the next financial year. This provides an opportunity for government to be aware of that university's plans.

By contrast UTAS is not subject to any similar requirement and it's accountability is limited to providing a retrospective annual financial report which may, of course, reveal irreversible action taken by UTAS long after the event.

Thus, although UTAS is a public institution operating on land gifted to it for higher education, created for the benefit of the Tasmanian community, and reliant on public funding, it is not in any effective way required to obtain approval for its plans from any level of government before it proceeds, no matter how significant the consequences of the plans might be.

3. Poor governance structure

The poor governance structure of UTAS is demonstrated by its poor decision-making process and implementation of its relocation plan:

- As shown in its Legislative Council Briefing paper there was one month between commencement of staff and community consultation and final decision to relocate by the UTAS Council
- The UTAS Council is indifferent to staff opinion, see attached NTEU survey¹¹
- The UTAS Council is indifferent to the views of CBD traders¹²
- The UTAS Council is indifferent to community views¹³
- The UTAS Council does not feel any obligation to develop or articulate a clear rationale for relocation.^{14 15}

Even in its briefing paper to the Legislative Council, UTAS offered no clear and persuasive rationale. In March 2022 the UTAS Vice Chancellor and UTAS Council member, Professor Natalie Brown briefed Legislative Council of Tasmanian representatives on their intended outcomes for relocation.¹⁶ The six outcomes it wanted are:

¹¹ NTEU 2019 – Survey of members: southern campus move (Appendix 7)

¹² Articles about CBD trader anger printed in The Mercury (Appendix 8)

¹³ Articles from Greg Barns printed in The Mercury (Appendix 14)

¹⁴ Bruce Scott article printed in The Mercury (Appendix 15)

¹⁵ Correspondence from the SUC Chair to the UTAS Chancellor (Appendix 17)

¹⁶ UTAS six key outcomes of relocation (Appendix 12)

- a. **Improved access to higher education for more young Tasmanians.** However, UTAS has not produced any substantive research to support this claim.
- b. **Stimulate small business in quiet parts of Hobart's CBD.** That small business is seen by UTAS as a responsibility of UTAS demonstrates a failure of the 1992 Act to require the university to focus on the delivery of higher education.
- c. **Invest \$550 million into the Hobart economy.** UTAS has never explained why this investment into the Hobart economy could not be more efficiently achieved by the enhancement of existing facilities at the Sandy Bay campus
- d. **A world leading model of sustainability and help green the city.** This is a strange rationale given the intention to construct 90 buildings at Sandy Bay destroying parkland, bushland and trees and demolishing existing buildings.
- e. **Sandy Bay campus becomes a sustainable village.** That construction of a housing estate is seen by UTAS as a key outcome demonstrates the failure of the 1992 Act to require UTAS to focus on the delivery of quality higher education.
- f. **Green spaces and sporting facilities will be retained.** This is not a rationale but simply an observation.

UTAS has publicly explained part of its rationale for relocation is that in 2019 it calculated the cost of works necessary to refurbish the Sandy Bay campus if it was to remain home to the university would be \$570 million. This claim is not supported by any research at all but has been often repeated as a rationale.

In summary, it is impossible not to conclude that the UTAS Council felt no obligation to have a clear rationale or that it made its decision without one. Either way the 1992 Act needs amendment to eliminate the possibility of this happening again.

PART 6: ACADEMIC FREEDOM AND DECISION-MAKING

The failure of UTAS to support academic staff and to effectively involve them in decision-making has created a toxic work environment and culture which has led to the loss of key staff and reputational damage which may be permanent or at least take many years to recover.

The starkest example of this toxicity is the Law School which has lost most of its academic staff including the internationally renowned Dean, Tim McCormick. Once amongst the top 10 law schools in Australia its reputation may never be restored. Respected academics report to SUC that UTAS's management style has had significant impact of employees mental health.¹⁷

Distinguished Emeritus Professors and senior academics have reported to us a management style which is indifferent to the academic needs of faculties which have in the past enjoyed high international reputations. Almost without exception these academics refuse to be publicly identified for fear that their departments, and their undergraduate and research students, will suffer. Senior academics report that management has made it clear that opposition to relocation will not be tolerated. An ABC TV investigative report confirmed

¹⁷ UTAS Law School exodus printed in The Mercury (Appendix 16)

that it had contacted about 20 staff members who described a brutal management style but only one was prepared to be identified.¹⁸

UTAS makes widespread use of confidentiality agreements, sometimes obtained in exchange for enhanced payments to departing staff.

In contradiction of its Freedom of Expression policy it has pursued disciplinary proceedings against senior staff for making criticisms of the Vice Chancellor.¹⁹

A recent online staff survey was closed prematurely by UTAS management in the face of strident criticism of management style.²⁰

It is clear UTAS management has persisted with its relocation plan despite strong opposition from staff including a union survey that indicated only 16% of staff were in support.²¹

UTAS's hostile approach to academic staff has a range of consequences including difficulty in recruiting and retaining staff and loss of reputation, all of which is extremely important in attracting enrolments.

UTAS's Academic Senate is ineffective, it is too large and unwieldy and has no currently identifiable purpose. The UTAS Council is seen by staff as secretive, remote and uncontactable, and entirely dominated by senior management, and their Council appointees, given that Council appoints most of its own members. These are the features of the poor governance which have led directly to the poor decision-making about relocation, implementation processes and the difficulties between management and academic staff.

PART 7: OUR RECOMMENDATIONS FOR AMENDMENTS TO THE 1992 ACT

We recommend as follows:

- a. That the Functions and Powers in the 1992 Act be amended to require UTAS to consider the interests of the Tasmanian community, academic staff, non-academic staff and students.
- b. That the UTAS Council be restructured to match the 1992 structure so that academic, community and government voices are strongly and robustly represented and there is no domination by management and its appointees.
- c. That consistent with its unique status as the creation of the Tasmanian community and the only university in Tasmania, that the UTAS Council have an obligation to be transparent in its deliberations except in exceptional circumstances and to publish its minutes (appropriately redacted) after each Council meeting.
- d. That the 1992 Act include a provision like other universities requiring Ministerial approval for the sale or long lease of land.
- e. That the 1992 Act include an obligation for the UTAS Council to provide an annual plan for Ministerial approval.
- f. That the UTAS Council have an obligation to publish financial statements on a quarterly basis.

¹⁸ ABC News report on low staff morale at UTAS (Appendix 9)

¹⁹ ABC News report on staff member under investigation (Appendix 10)

²⁰ The Mercury, online feedback opportunity shut down prematurely (Appendix 13)

²¹ NTEU survey report (Appendix 7)

- g. That the 1992 Act be amended to require UTAS to exhibit best practice in relation to RTI requests and the provision of information to the community including the media.
- h. That the 1992 Act be amended to require all entities related to UTAS to comply with the obligations proposed in these recommendations.
- i. That members of the UTAS Council and UTAS have an obligation to act ethically towards the Tasmanian community, never making misleading or selective statements where that might lead to a misleading impression of the relevant facts.

APPENDICES

Appendix 1: Constituency of the UTAS Council – 1992 to present

Legislation/Amendment (Am)	1992 Act	2001 Am	2004 Am	2012 Am
Commencement	Jan-1993	Sep-2001	Jan-2005	Jan-2013
<u>Ex-Officio</u>				
Chancellor - elected	1	1	1	1
Vice Chancellor - appointed	1	1	1	1
Chair of the Academic Senate	1	1	1	1
Alumni Chair		1		
Alumni Deputy Chair		1		
<u>Others</u>				
Elected by Legislative Council	1			
Elected by House of Assembly	1			
Appointed by the Minister	2	3	4	2
Appointed jointly the Council and Minister	2			
Appointed by the Council	2	3	4	up to 6
Possible appointment by Council of an additional person with international experience		0-1	0-1	
Appointed by the Visitor (Governor)	1			
Elected by academic staff	5	3	3	1
Elected by graduates	3			
Elected by general staff	2	1		
Elected by professional staff			1	1
Elected by students	2	2		
Student(s) appointed by Council after consultation with relevant student associations			2	minimum 1
Total	24	17-18	17-18	10-14

Notes: Councillors appointed jointly by the UTAS Council and Minister have been counted as Council appointed in the text. While Council positions were not always fully filled, they were generally filled in accordance with the numbers in the Table. Since 2012 there have generally been six (non-student; non-Vice Chancellor) Council appointees on the Council. Since 2012 there has only been one student appointee. Since the 2004 amendment, there has been a requirement for the Minister and Council to consult on appointments (s8(5)(b) of the 1992 Act).

Appendix 2: University of Tasmania Statement of Values

UTAS STATEMENT OF VALUES

Our values rest on a thousand year tradition of higher education and enduring foundations of shared purpose. We are a university: a diverse community that becomes more than the sum of its parts in its dedication to the stewardship of learning and knowledge, academic freedom, excellence and integrity. We continually evolve and transform to meet the challenges and opportunities that face us.

We are a Tasmanian institution. We work in a unique setting and actively partner with the communities in which we live, in support of a healthy, civil and sustainable society. At the same time, we are outwardly focused and a part of a global community, engaging with the rest of Australia and the world.

We subscribe to the fundamental values of honesty, integrity, responsibility, trust and trustworthiness, respect and self-respect, and fairness and justice that act as the basis for collective principled action.

To guide the way we work together to achieve our UTAS Vision and Mission, and building on the contributions of all who came before us, we bring these values to life by our individual and collective commitment to:



CREATING AND SERVING SHARED PURPOSE

We value the creation, expansion and dissemination of knowledge, and the promotion of continual learning. We are on a common journey to unlock and develop potential, foster talent and contribute to the life and work of our students, staff, alumni and wider society.



NURTURING A VITAL & SUSTAINABLE COMMUNITY

We value the care, connection and energy that come from a community of many levels and dimensions. Keeping our community strong supports each of us to find our place, do excellent work and extend our capabilities. We enable and participate in authentic conversations that allow us to be agents of change and transformation.



FOCUSING ON OPPORTUNITY

We value the creative possibilities that arise when people with skills, talents and innovative ideas come together and give each other the confidence to focus on opportunity.



WORKING FROM THE STRENGTH DIVERSITY BRINGS

We value diversity and the strength, resilience and creativity that it brings. We harness its gifts. In supporting the contribution and well-being of all, we create a welcoming, caring and inclusive environment.



COLLABORATING IN WAYS THAT HELP US BE THE BEST WE CAN BE

We value a community that supports each of us to collaborate and to be the best we can be, flourishing both individually and collectively. Being supported to question and reflect gives us the freedom to challenge ourselves and each other. It reminds us that listening to, engaging with and involving others are vital for our success.

We lead by example, supporting each other to act with integrity, be accountable, and consistently live our values every day.

For further information please visit:
www.utas.edu.au/ourvalues



Vice-chancellor says vote will not change mind over UTAS move

Elector poll result moot

JUDY AUGUSTINE

THE result of an elector poll on whether Hobart voters support the University of Tasmania's campus move from Sandy Bay to the CBD will not influence a change of mind on the move, UTAS vice-chancellor Rufus Black says.

On Wednesday, Professor Black urged community members who wanted a say on the move to sign up for an 80-person consultation panel, as

expressions of interest close on Sunday.

Prof Black (right) has previously said the feedback that comes from the panel will not be enough to change the course of the move.

"Part of it is answering questions and solving problems together," he said.

"People have clearly raised concerns about parking,



they've raised concerns about transport, they've raised concerns about retail, they're all things if we work together we should be able to create solutions that improve Hobart."

Save UTAS Campus chair Pam Sharpe was offered a place on the panel but declined.

"I've refused to go on the panel because the vice-chancellor has already given us the result," Professor Sharpe said.

"All the panel can do is refine the project, they can't save the campus, it's not going to achieve that."

Prof Black said her feedback would have been welcomed.

"We would have valued her voice very much, that's why we offered her an invitation," he said.

Prof Black said he looked forward to another form of feedback, the result of the elector poll after local government elections.

The poll will be sent out with voting packs and is not compulsory.

Prof Black said the poll would not be enough to cancel the move.

"It won't influence a change of mind on the move but it'll tell us very clearly what kind of things we need to be attending to, to make sure the move actually works," he said.

"They are, of course, only one part of Greater Hobart, Greater Hobart's four times

bigger than the centre of the city, we're interested in everybody's view."

Prof Sharpe said: "That's incredibly arrogant."

"We've no idea what the outcome of the poll will be, but if there's a large number of people in the community who don't want the move, they'd have to rethink."

"I think it will be like a big festering sore, it would be huge resentment against the university."

Council's call on climate

JUDY AUGUSTINE

THE Derwent Valley Council is the latest local government authority to take a stance on climate change and declare a climate emergency, with councillors calling for immediate action.

The climate emergency was declared at the council meeting last week and now the council will conduct a greenhouse gas audit on its operations, develop a climate



Michelle Dracoulis

emergency page on the council website and write to state and federal parliamentarians.

"In declaring a climate emergency, council recognises the significant risk that climate change poses to our community and environment," Derwent Valley Mayor Michelle Dracoulis said.

"We join 112 other councils across Australia that have declared a climate emergency and are taking proactive steps to implement a climate emergency response."



BLAIR RICHARDS

A PUSH is on to establish a new union for University of Tasmania students feeling left out of the Sandy Bay city relocation saga and debate around online versus on-campus learning.

Third-year economics student Josh

currently going around the campus talking to people, putting up posters," Mr Stagg said.

"It's very difficult to have a voice amid the university's restructure. We have found that even though we are on-campus students for the most part, all of our lectures have been

weeks and that is our only interaction with our peers and professors. It's pretty bad. I've personally applied for postgraduate interstate because there's no difference to me studying distance at another university."

Mr Stagg said the established Tasmanian University Students

best possible student experience.

"The student voice is critical to helping us achieve this. We have a strong partnership with the Tasmanian University Student Association and have done for a very long time," Ms Taylor said.

"While we haven't been directly

Appendix 4: SUC letter to Chancellor, 12 May 2022



Save UTAS Campus
saveutascampus@gmail.com
www.saveutascampus.com

Ms Alison Watkins AM
Chancellor
University of Tasmania

12 May 2022

Dear Ms Watkins

I am chair of Save UTAS Campus Inc., a group which is opposed to the relocation of the university from its Sandy Bay campus.

At the well-attended public meeting facilitated by the Hobart City Council on Wednesday, 11 May 2022 the persons assembled passed the following motion:

That this public meeting calls upon the University of Tasmania to suspend all action in relation to its proposed relocation from its Sandy Bay campus until the proposal has been subject to a public inquiry as to its merits.

You may not be aware that on Tuesday, 15 March 2022, the Hobart City Council resolved to ask the university to undertake a specific public consultation process in relation to the proposed relocation. It also resolved to have its staff prepare reports on the likely impact of relocation on a range of matters including parking, traffic congestion, CBD trading and public amenity. These reports relate to fundamental matters concerning the proposed relocation.

Last week a motion was foreshadowed in the Legislative Council to establish a parliamentary inquiry into the university including the accountability of academic, fiscal and executive decision-making, and also into academic freedom. This inquiry will inevitably address the process which led to the University Council's 2019 decision to relocate and the merits of it, the subsequent steps taken by the university, and the views of staff. We note that the Vice Chancellor has indicated the university will cooperate with the inquiry.

The outcome of these processes may well determine whether the relocation proceeds and if it does, then in what form. In our view, and that of the community as expressed at the meeting and widely elsewhere, it is inappropriate to further expend university funds while the project is under review.

We request that you confirm no further steps will be taken by the university in relation to relocation until the requested consultation has taken place, the HCC reports are available, and the parliamentary inquiry is complete. This would require the university to suspend the work of its own staff, its consultants and the

Hobart City Council on rezoning, and also to suspend all work in relation to the redevelopment of the Forestry Building including planning and TASCAT processes and the work of consultants.

A few weeks ago, I provided to Mr David Clerk and Mr Phil Leerson some specific requests. A copy of these requests are enclosed. I understood the university would respond, but nothing has been forthcoming. I would be grateful if you would make inquiries as to when a response is likely to be received.

Yours sincerely

A handwritten signature in cursive script that reads "Pam Sharpe".

Pam Sharpe
Chairperson Save UTAS Campus

Specific requests to David Clerk and Phil Leerson:

1. Will UTAS provide to the community transparency, as requested by Andrew Wilkie MHR and other parliamentarians and HCC councillors, in relation to both the history of the relocation decision-making process and the detailed proposals for relocation in every respect?
2. Because staff, particularly academic staff, consistently say that their perception is that UTAS has made it clear that expressions of opposition to relocation will be viewed negatively by UTAS management, will UTAS commit to reassuring staff that expressing a view about relocation and the reasons for that view will not have any adverse consequences for either individual members of staff or their departments?
3. The HCC has passed a motion requesting UTAS to undertake a public consultation process. Please outline the steps that UTAS proposes, confirm that the result of that process will be made public, confirm that no further steps will be taken to implement relocation until that consultation has taken place and confirm that UTAS will make a genuine commitment to take account of the consultation result, including modifying or terminating the relocation project if appropriate.
4. Will UTAS commit to immediately providing to each member of staff the detailed plans, as those plans exist now, for relocation of their department including staff, students, infrastructure and all departmental operations, and to thereafter continuously disclose to them those plans as they may change or develop in the future?
5. Please provide the following information:
 - a. the relocation business case that was considered by UTAS Council and all materials provided to Council which addressed alternatives to relocation
 - b. all research and data supporting the claim by UTAS that relocation will generate a net increase in enrolments
 - c. copies of all condition assessments of Sandy Bay infrastructure and costings of any necessary refurbishment
 - d. the detailed plans, or such plans as may exist, for each proposed UTAS CBD building with costings
 - e. the current plans or options for the Sandy Bay sports grounds and associated facilities
 - f. the detailed plans of transport and parking arrangements for students and staff between CBD buildings and Sandy Bay sports grounds
 - g. the detailed plans for transportation and parking for students and staff who will park at Sandy Bay and travel to the relocated university in the CBD
 - h. the detailed plans for parking of students and staff using CBD buildings
 - i. copies of all reports in relation to the impact on public traffic and parking of the relocation of UTAS to the CBD
 - j. copies of all reports in relation to the impact on public traffic and parking of the redevelopment of Sandy Bay in the manner proposed by UTAS
 - k. copies of all surveys and consultation by UTAS with its own staff and/or students in relation to the proposed relocation
 - l. data on the number of staff who have been the subject of serious misconduct proceedings over the last 5 years

-
- m. details for the last 5 years of the number of staff, separated into existing and former, who have been party to non-disclosure agreements and/or payment for non-disclosure agreements (details of each to be provided separately)
 - n. the details of the form of ownership and management intended for the various types of buildings on a redeveloped Sandy Bay site and the documents that have been prepared in relation to that including any options that may be under consideration
 - o. all documents relating to estimates of completed market value of all buildings and infrastructure proposed for the redeveloped Sandy Bay site
 - p. details of all expenditure on the acquisition, maintenance and refurbishment of CBD buildings in the period from 1 January 2009 to date and the detailed source of funding for that expenditure.
6. Specify the nature and location of each collection (e.g. geology, engineering) presently located at the Sandy Bay site and provide a copy of the detailed plan for the location and accessibility of that collection after relocation.

Appendix 5: SUC Vice Chair letter to Rob Valentine



Save UTAS Campus
saveutascampus@gmail.com
www.saveutascampus.com

Mr Robert Valentine MLC
Independent Member for Hobart
Legislative Council of Tasmania
Parliament House
HOBART TAS 7000

25 July 2022

Dear Mr Valentine,

RE: Legislative Council committee inquiring into the Provisions of the University of Tasmania Act

I am deputy chair of SaveUTASCampus Inc., a community group which intends to make a detailed and comprehensive representation to the select committee inquiring into the University of Tasmania Act 1992 (the Act).

To enable us to prepare our representation we need information from the University as set out in the attached list. Over the last two months we have approached the University, both through its senior management and the Chancellor directly, but the information and documentation has not been provided. We have undertaken *Right to Information* processes in relation to some of the information requested but the University has been largely uncooperative .

We request that the select committee take such steps as it can to obtain the requested information and documentation from the University and make it available to us in sufficient time to enable us to properly prepare our representation by the deadline of 29 August 2022.

Our requests numbered (a) to (p) in the attached document are relevant to the preparation of our submission that the Act in its present form is not resulting in accountable and sound executive and fiscal decision-making, that the good faith provision in the Act is ineffective in its current terms, and that the Act should require the University Council to take into account the interests of staff, students and the Tasmanian community. We will submit that the decision-making process and the management by the University of its relocation proposal demonstrate the need for a different set of statutory functions and powers, for a provision requiring Ministerial approval of the sale of land, and for a provision, common in similar entities, requiring the University to submit an annual plan for Ministerial approval .

Our requests numbered (r) to (t) in the attached document are relevant to the preparation of our submission that the Act in its present form is not promoting academic freedom, independence and autonomy.

Yours faithfully

A handwritten signature in black ink, appearing to read "Michael Foster".

Michael Foster
Deputy Chair
SaveUTASCampus Inc.

Enc.

Appendix 6: Letter from Cassy O'Connor and Peter Whish-Wilson to UTAS Vice Chancellor, Rufus Black



Cassy O'Connor MP
Tasmanian Greens Leader
Member for Clark

Thursday, 21 April 2022

Rufus Black
Vice-Chancellor and President
University of Tasmania
Via: Vice.Chancellor@utas.edu.au

Dear Professor Black,

We trust this finds you well.

As you know, there is considerable community concern about the University of Tasmania's proposed move from the Sandy Bay campus into nipaluna/Hobart.

We write to you on behalf of the Greens, and numerous Tasmanians who have contacted us directly with concerns about this plan, in the hope of having some outstanding questions we have answered, and obtain further details that will allow us to engage with our constituents in an informed way.

We ask these clarifying questions in good faith. We recognise there are many potential positives with the transition to the city, including greater accessibility to higher education for Tasmanian students, a rejuvenated CBD, and an increased investment in, and space for, affordable housing.

Parking in the CBD

In response to concerns over car parking, the University's 'Southern transformation' FAQ page states –

"By making the campus more accessible by bus, ferry, bike and foot, we will decrease the number of car trips by staff and students... And we will provide smart parking options on our new campus."

We are concerned these claims may be somewhat misleading. While it is true that car trips are projected to decrease overall, the UTAS-commissioned traffic modelling by *GHD Pty Ltd* and *RED Sustainability Consultants* predicts a daily increase in parking demand in the city of between 700-1300 parking spaces.

The report also notes –

"It is understood that the amount of parking supplied as part of any UTAS CBD development will be significantly restricted"; and

"Students in particular would be expected to seek free, or low cost, parking options, which may result in an increase in parking demand spilling further into the inner suburbs and residential areas around the CBD".

We urge UTAS to update this section of the FAQ to provide a more accurate and fair response to the issue of parking. We also seek clarification about how the significantly increased city parking demand will be managed by UTAS.

Traffic impacts

We have similar concerns regarding UTAS statements made in relation to traffic impacts. The FAQ page claims –

"It found that, on almost every road in and around Hobart, the traffic will be better."

In fact, the GHD report found that, in five scenarios, traffic would be worse on 3 out of 7 roads, and better on 4 out of 7. In the other scenario it was a 3/3 even split. It is not factual for UTAS to claim that traffic would be better on 'almost every road'.

On the roads that were modelled to have increased traffic, the report noted –

"Given existing volumes on these roads are already approaching capacity at peak times, the potential implications of this could be significant."

The FAQ also claims the University's staff and student travel behaviour surveys *"consistently demonstrate the shift away from car use"*.

The survey shows that, in 2021, 44.2% of students in the south travelled by car. This number was 44.7% in 2013. Similarly, staff car travel has decreased from 71.5% to 67.8% in this period.

It is also worth noting that, despite a minor decrease in car use, single-occupancy car use has increased in the same period, and the reduced activity is from car-pooling. This is not necessarily a beneficial outcome in terms of traffic or emissions' reduction.

We suggest that UTAS updates this section of the FAQ to provide a more accurate and fair response to the traffic management question. We also request an update on the progress of the next stage of traffic modelling.

Student accessibility

In a recent statement, you have stated the move to the city is principally about improving access to education. You observe in this statement that the move will "immediately

eliminate the dreaded "double bus" for most students". You also observe that education rates are higher in South Hobart/Fern Tree than Gagebrook.

According to the University's travel behaviour surveys, only 4% of student journeys involve more than one public transport trip. We also note that South Hobart/Fern Tree residents are also required to catch two buses to reach Sandy Bay.

Has the university collected any evidence to suggest this issue poses a significant barrier to students?

We also note that data from the travel behaviour surveys, and the traffic modelling report, suggests the Sandy Bay campus may have a higher proportion of students residing in the Northern suburbs and Eastern shore than the current Hobart campus.

The survey also found that 58% of Hobart campus students lived in the Hobart local government area, and half of these lived in inner Hobart or adjacent suburbs. This was higher than the Sandy Bay campus.

In fact, several of the scenarios in the traffic modelling report projected student movement towards the inner suburbs of Hobart.

This information raises some doubts over the suggestion that a move to a Hobart campus would improve enrolments from suburbs further from the inner city. Does UTAS have any evidence to support this?

Student cost of living

Somewhat related to student accessibility is the cost of living. Data provided in the traffic modelling report shows that 88% of international students and 40% of domestic students attending the Sandy Bay campus chose to live near the campus. Indeed, as discussed above, some scenarios in this report project movement of students towards the inner city if the relocation occurs.

The inner city, and adjacent suburbs, have higher rents than Sandy Bay and its adjacent suburbs. This is also the case for the student accommodation provided by UTAS – which is itself outside of the price-range for many domestic students. Has the University assessed the impacts of this move on the cost of living for students?

Consultation

We have serious concerns regarding the consultation UTAS has undertaken on the relocation, particularly following a survey of staff which confirmed a consistent view that no opportunity for genuine input into decisions has been provided, and the view that decisions have been made prior to consultation taking place.

We have also been unable to find any compilation of student views on this issue. Has UTAS provided opportunity for students to express their views on the relocation, and if so are you able to provide a summary of that feedback?

The UTAS FAQ page notes that UTAS has –

“Conducted hundreds of briefings, information sessions and presentations for students, staff, community members and business. Thousands of people have responded to our surveys, submitted written feedback or questions, been part of focus groups or invited us to engage with them at community meetings.”

We note that briefings, information sessions and presentations do not constitute consultation, as they are the provision of information not the gathering of information.

As we understand it, the only engagement that UTAS had prior to the 2019 decision was the “Southern Future exhibition room”, which as far as we are aware did not provide opportunity for opinions to be collected and assessed prior to the decision being issued.

Has UTAS provided opportunity for staff, students or the wider community to express their opinion on whether or not the relocation plan should go ahead either before, or after, the decision was made in 2019? If so, is there any compilation of these views than can be made available?

TLRI Offices

We understand there is no office space allocated in the plan for the new Hobart Campus for the Tasmanian Law Reform Institute (TLRI).

The work of the TLRI is invaluable to legislators in both Houses of Tasmania’s Parliament. The lack of office space for this important institute would no doubt be detrimental to their capacity to continue to produce high quality work that often underpins significant legal reform. We ask you to provide an assurance that the TLRI will continue to have an independent, dedicated office space in the new city facilities.

Thank you for taking the time to consider these matters, we look forward to your response. Senator Whish-Wilson would also appreciate the opportunity to meet with you to discuss these matters in the not-too-distant future.

Kind regards,



Cassy O'Connor MP
Greens Leader and Member for Clark



Senator Peter Whish-Wilson
Greens Senator for lutruwita/Tasmania

Appendix 7: NTEU Survey 2019 – Southern Campus Move

NTEU Survey of Members- Southern Campus Move

Report for Prof Rufus Black, Vice-Chancellor, University of Tasmania

22 March 2019

Background

The NTEU surveyed our southern-based members to gauge their opinions on the proposed relocation of UTAS operations into Hobart vs redevelopment of the Sandy Bay campus.

The take-up was very good (48% response) indicating the importance of the issue to our members.

Respondents were asked to indicate their degree of support for the City-Centric or the Distributed options (in the same terms as presented in the UTAS displays and materials). They were also asked where they were currently based and invited to provide further comment.

Results

Asked to choose between the City-Centric and the Distributed model, the outcome was stark (75% Distributed; 16% City-Centric; 9% Undecided/Indifferent).

For staff working at Sandy Bay (who comprised ¾ of the responses), the preference was slightly more skewed (81% Distributed; 12% City-Centric; 7% Undecided/Indifferent).

For the smaller number of staff working other than at Sandy Bay, the numbers were closer, but not too much (56% Distributed; 28% City-Centric; 17% Undecided/Indifferent).

The open-ended comments provided by members were illuminating. The responses were measured against the statement "*The City-Centric model is preferred over the Distributed model*", > 70% of respondents did not favour the City-Centric model, while < 10% were positively disposed to the City-Centric approach (see Graph 1).

The comments were categorised against 13 emergent themes (detailed description of themes in Table 1). In order of decreasing frequency, the 7 most common themes were:

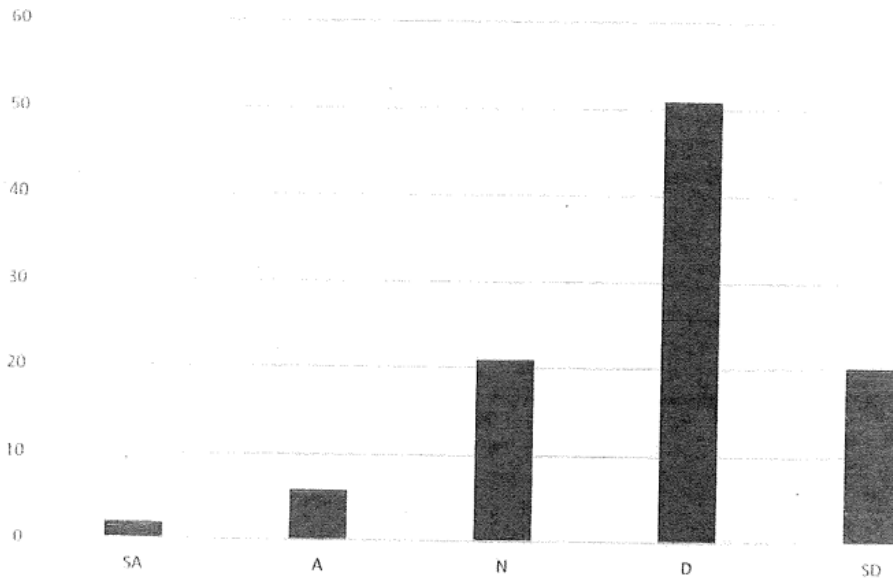
1. Traffic congestion (vehicle and pedestrian) plus public transport inadequate
2. Parking in city – availability and cost
3. Concerns about buildings - open plan fears; new buildings may not be fit-for-purpose; a series of office blocks doesn't make a campus
4. Identity of Sandy Bay campus will be lost
5. Loss of green space
6. Staff and students will operate in a set of silos
7. The consultation process was not genuine

Only 4% of the comments expressed support for the City-Centric model, although 7% of the comments acknowledged that many buildings at Sandy Bay need redevelopment.

Graph 1

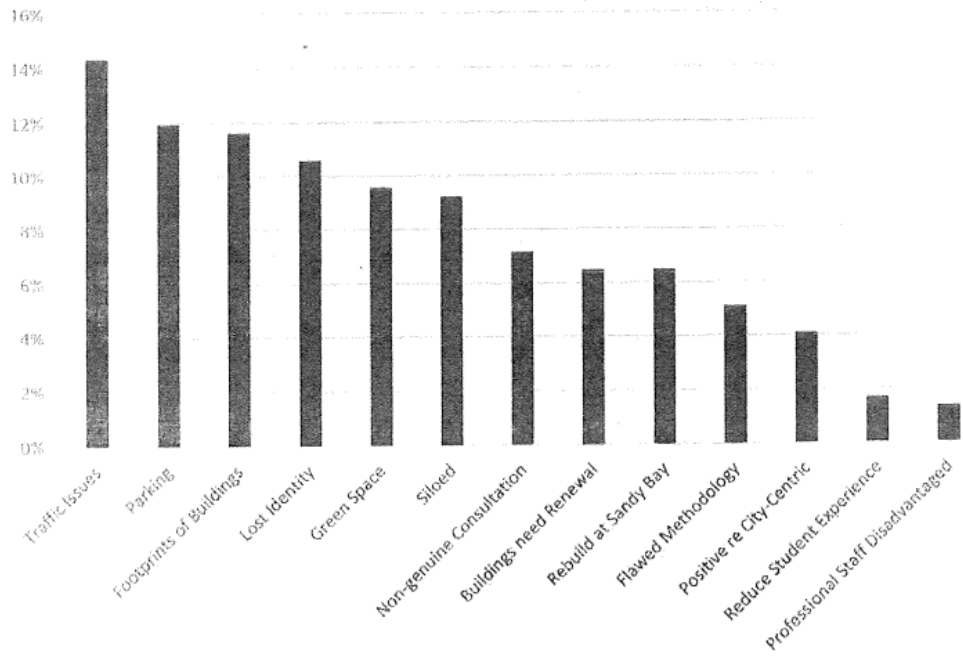
(SA - Strongly Agree; A - Agree; N - Neutral; D - Disagree; SD - Strongly Disagree)

The City-Centric model is preferred over the Distributed model



Graph 2

Percentage



1	Parking; cost, lack of availability in CBD
2	Exacerbation of traffic congestion, inadequate public transport system, disagreement that City-Centric model (CCM) would lead to increase use of public transport; city pedestrian congestion.
3	Outcome is pre-determined, consultative process is not genuine.
4	Siloed from other staff and students; students siloed from each other.
5	Flawed methodology used in reports; biased.
6	Sandy Bay Campus has an identity and a sense of place; CCM will lose 'essence' of a University
7	Sandy Bay Campus has abundant and/or quality green space; green space will be limited/non-existent in CCM
8	Concerns with physical footprint of CCM; open plan concerns; concerns new-builds won't be fit-for-purpose; CCM will a series of office blocks and not a campus; disagreement that locating buildings near each other will create precinct.
9	Agreement that facilities do need to be improved and updated
10	Disagreement that new builds are more cost effective; concerns that process has already wasted significant time and resources; Sandy Bay buildings have been deliberately run-down over previous years; new builds aren't environmentally friendly.
11	Concern for locations of professional staff units; CCM will detrimentally impact the link between professional staff/professional units and Colleges/academic units.
12	CCM will overall reduce the student experience.
13	Positive comments on CCM.

Comments

The following are a selection of comments made in the survey:

- *The impact on traffic and parking may well be disastrous!*
- *As someone who lives beyond the reach of public transport, parking will remain a major issue for me.*
- *Is the city going to build any more multistore carparks? Where are they going to build them? I think it is wishful thinking to expect staff to stop driving and catch the bus or buy a bike.*
- *Commute is longer as the city has become more congested. A city-centric model may work in other cities, however the public transport infrastructure in Tasmania is insufficient to enable this model in Hobart.*
- *Who decided we no longer need above Churchill Ave? If we are a university then all such serious matters ought be discussed/voted on by/with academic staff. If we are a corporate body and no longer a university then please keep going as you are - but don't expect the community to be impressed long-term. This conversion ought have begun 2 years ago, and secret-squirrel decisions like this (above Churchill) are disingenuous and make one wonder seriously about the authenticity of this current process.*
- *I found the presentation to be biased in favour of moving to the city. When I looked at the source documents, they seemed to be working to a brief favouring the city option, and then to compound this, information presented in the studio theatre/online seems to have been "cherry picked" from those documents in favour of the city option.*
- *Working in the city is a great experience.*
- *The presented data was biased and seemed totally at odds with all the place-based rhetoric.*
- *Getting rid of the Sandy Bay Campus is basically finishes with the fell of a university where people from different faculties mix and meet. The city Centric will never give that feel, it will basically destroy the feel of a University.*
- *Further fragmentation of the campus...is to the determinant of the University. It loses its focus.*
- *[A city-centric model will] enhance a silo between colleges.*
- *I am so disappointed that we have no choice and yet university management continues to act as through we do.*

- *I get the feeling from the presentations I've heard that management is strongly biased towards the City option and perhaps is just going through the motions asking people's opinions. I think we would end up with the City option regardless of what people really want.*
- *Building has clearly been allowed to run down for years. The uni has wasted so much money in recent times which could have been used to repair the campus. I think closing sandy bay is the WORST decision I've experienced at UTAS in the last 15 years.*
- *Students keep telling us that if we move into the city then there is less reason to come to this university.*
- *Personally I love our green campus near the bush.*
- *An overly fragmented university will lose its sense of identity and prevent students from different disciplines interesting and leaning from one another.*
- *[when visiting Sandy Bay Campus] I often sat at Lazenby's and was amazed and impressed at the student interactions there. This is something our MSP students do not get.*
- *I am not completely against working in the city but I am worried about the lack of green spaces in city campuses.*
- *This campus [Sandy Bay] has history, is aesthetically pleasing. It is perfect and UTAS should not be moved into the city to create further traffic issues.*
- *It is better to keep and update the Sandy Bay Campus, there is excellent public transport, and it has an important sense of place.*
- *I do not appreciate being told that the management is completely open to a genuinely open discussion about the future of campus locations, when it is not. I feel insulted that the management can make us believe that.*
- *We have a beautiful campus at Sandy Bay, a city-based campus would be a complete loss.*
- *I would argue that having a central meeting place – eg a cafe or bar or dining space (Lazenbys the uni staff club or the ref/bar) is much more likely to create a sense of community. But that is still not collaboration.*
- *If the bus services could be fixed, why is the public transport to Sandy Bay not better?*
- *There is also the environmental impact of selling off the vast amount of natural habitat on the sandy bay campus above cFriday, 22 March 2019hurchill ave.*
- *The obvious point is this – the buildings on SB were built in the 60s to 80s. They are at the end of the first life – to abandon them and just rebuild something else somewhere else is the height of environmental wastefulness.*
- *The research commissioned showed that students overwhelmingly want to stay on the Sandy Bay campus – they just want the buildings to be better and for the online services (MyLO help services etc) to be adequate. There is no enthusiasm for a city uni in the commissioned report. Why has this not been reported? I personally feel great despair about this decision and the way it is being made. I am not a fan of fake consultations*
- *I'm against the move into the CBD precinct. There are a range of reasons. One is the attractiveness and symbolism of a campus-centred institution. The campus [Sandy Bay] itself has rich symbolic resonances for these students, and this should not be underestimated.*
- *Students overwhelmingly have expressed their desire to retain the Sandy Bay campus. It is better for mutual enrichment for all faculties and centres to be co-located.*
- *Retain the Sandy Bay campus, refurbish or build new as needed, and gradually as opportunity arises bring those elements already dispersed back.*
- *We don't need to move into a jungle of concrete to do better work. Provide staff with nice workplace facilities at Sandy Bay taking advantage of the natural bush setting and nearby water views.*
- *How are the building going to be redesigned to facilitate a healthy working NON-OPEN plan environment?*
- *The idea of a move into the city is based on a 'thought bubble' of the last VC. I can think of no university that would choose to move in the city when it has a campus this good.*
- *While it is obvious that the University is being driven by financial gain for a City-Centred model (funds from sale of sandy bay properties + potential State/Commonwealth funds for city deal)- the distributed model is clearly integral to a place-based university (the feedback from cascading conversations). Disregarding this feedback by pushing for city centre model will highlight to all the 'fake' nature of University consultation processes. The city deal is not in the best interests of students, staff or Hobartians – it is very good for University bank balances and corporatised higher education.*

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NEWS 05

CBD claims rile council

We're being pressured over UTAS, say traders

KENJI SATO

HOBART City Council has hit back at accusations it is "pressuring" shopkeepers out of the inner city to make way for the University of Tasmania.

The complaints were made at Monday's council meeting by Confederation of Greater Hobart Business chairwoman Louise Bloomfield.

Ms Bloomfield said she and other business owners had been told by council staff that if they didn't like UTAS mov-

ing next to them, they could always relocate.

She also said many shopkeepers faced the implicit pressure of "financial ruin" if they did not reallocate their businesses.

"I ask that the Hobart City Council please provide the ratepayers of Hobart an explanation of how it is that small business owners can be treated with such utter contempt," she said.

"Why is it that traders' contributions are considered less worthy than a near-billion-dollar entity like UTAS?"

"Why are traders being pressured to move at all?"

Lord Mayor Anna Reynolds hit back at the suggestion that council was pressuring businesses to leave the CBD.

Ms Reynolds said council had to balance the needs of students, shoppers, tourists, workers, businesses, and healthcare staff needing to access the inner city.

"There is no doubt that the city is undergoing a significant period of growth and transition, and with this there will be change," she said.

"The council cannot, and will not, dictate what small businesses should do and where they should or could conduct business from."

CWA Hobart's Johanna Warren said the group feared being squeezed out of its Elizabeth St address because of the lack of parking caused by UTAS.

She said many of their customers, donors and volunteers had stopped turning up because of how difficult it was to find a spot.

"With these new parklets out here we have seen a decline, particularly in our elderly long-term customers," she said.

"It's all well and good to have people come once every six months, but we used to have them coming every week."

"They don't come because the city is so unwelcoming if you drive a car now."

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NEWS 05

UTAS halts park plans

Traders express relief but vow to keep up the fight

JUDY AUGUSTINE

BUSINESS operators in Hobart are not letting their guard down after a University of Tasmania development application for a small park on Melville St was put on hold.

Under the proposal, a lane of traffic on Melville St would be closed to make way for the green spaces.

The plans were part of the UTAS campus relocation from Sandy Bay to the Hobart CBD.

The development application was set to go before the Hobart City Council planning committee on Monday.

But last week business owners voiced anger at the proposal, claiming it would result in fewer parking spots in the

area and subsequently affect their trade.

The university has now paused the application to do further consultation, admitting there was opposition.

"We embarked on this project because there was strong support for this sort of amenity in the city," University of Tasmania vice-chancellor Rufus Black said.

"As plans developed, that translated into support for the parklet and the chance to test this approach - but there is clearly opposition, so we need to pause."

"It has become clear that we need to have a deeper conversation with the community."

Property owner Denis McLoughlin, who spearheaded the fight against the proposal, said business owners wouldn't feel safe until the development application was completely withdrawn.

"Melville St is still under threat," Mr McLoughlin said.

"I believe they will have another go. It needs to be completely withdrawn and the business owners of Hobart need to be promised that they will never try and steal our street again, or anybody else's."

Mr McLoughlin said the community would be prepared when the issue arose again.

"We will form a group so when the spruikers from UTAS try again, this time we'll all know about it and we will be able to have the right information for everybody," he said.

"Our businesses cannot afford to lose on-street parking."

Country Women's Association gift shop manager Johanna Warren said she was relieved to hear the DA had been put on pause.

"Isn't it wonderful?" she said. "It would've been nicer to hear it had been withdrawn."

Like Mr McLoughlin, Ms Warren also did not think the issue was over.

"It sounds like they will, it would be disappointing if they do," she said.

Ms Warren said there were other options UTAS could consider.

"Sandy Bay's got plenty of greenery, is it really necessary to move?" she said.

"There's so many off-street areas for people to sit that are always empty, why do we need to take off more street parking?"

Professor Black said the university would "work to ensure its plans aligned with the City of Hobart's new precinct plan".

"We are committed to enhancing what makes Hobart special by making very sustainable, human-scaled buildings that make that higher education more accessible to more people and enhance the vibrancy and life of the city," Professor Black said.

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An artist's impression of the proposed parklet.

'Take over' riles traders

Park plan alarm sparks UTAS talks

JUDY AUGUSTINE

MORE Hobart business owners have spoken about their concerns over plans for a new parklet on Melville St, with one claiming he had already been hit by what he felt was a takeover of the city by the University of Tasmania.

The owner of McCann's Model World, Shane Bastick, said he had been forced to move his business when UTAS bought the building he was in.

"It was January 2018, and my landlord came to me and said he'd been offered a massive amount for his property and he had to sell," Mr Bastick said.

"We left the day they took ownership because we didn't want to be pushed out."

The store has been operating since 1979, initially located inside McCann's Music, before moving next door in 1991.

Mr Bastick took ownership in 2008 and said that he wouldn't have moved if he wasn't forced to.

"We found out quite early it was going to be a walkway so we knew we weren't going to be able to stay," he said.

Now he's worried about the impact of proposed new parkland by UTAS on his business.

"The CBD, that's for administration, medical, retail – it doesn't stand for a glorified high school with parklands around everywhere," he said.

Mr Bastick said he feared



Shane Bastick, of McCann's Model World.

the university was "taking over" the CBD.

"We're against this push to buy more of the town," he said.

"The uni are telling the council what they want and the council are saying 'How high do you want us to jump?'"

Sheepskin and Opal World manager Allyca Williams said she only found out about the Melville St parklet plan on Friday from other operators.

"I think it's a terrible idea. It's going to stop people from coming to our store," she said.

"It will affect all businesses along this street."

Knife Shop co-owner Michael Robinson believed the plan would be "disastrous" for the city.

"Our main concern is the blocking off of Melville St. The blocking of that road will increase traffic on Brisbane St," he said.

Mr Robinson said he was also concerned about the ac-

cessibility of his business to customers and delivery trucks. And like Mr Bastick, he was also worried about the university "taking over" the city.

"They just seem to be buying up real estate left, right and centre," Mr Robinson said.

A UTAS spokesman said a representative spoke to owners on Wednesday.

"The university has engaged with traders and other stakeholders in the Midtown precinct over the period that proposals were being developed for an inner-city campus," the spokesman said.

"When we became aware of specific trader concerns about the parklet on Melville St, we committed to engage further.

"Our goal is to develop a university campus which supports the city – including small business and retail – and builds upon the qualities people find so special about it now."

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UTAS parklet development for Melville St draws ire of shop Traders see red over uni plan to green city heart

JUDY AUGUSTINE

BUSINESS owners are frustrated by plans for a small park on Melville St, and fear it will reduce trade.

A group of more than 30 business owners and operators is against the proposal, the development application for which is now open for representations.

The DA lodged by the University of Tasmania involves closing one lane of traffic to make way for the parklet and includes planters, street furniture, power and lighting.

The university hopes to introduce more green space to the CBD (inset) as part of its masterplan to move its campus from Sandy Bay to the city.

CBD property owner Denis McLoughlin said many feared the parklet would come at the expense of on-street parking.

"They're taking 18 carparks out of Melville St," Mr McLoughlin said.

"This will have a flow-on effect for every shop in the CBD."



He said apart from one shop owner, few knew about the plan.

"Everybody in every shop we've been to hadn't heard about it, hadn't been consulted and are not happy they're going to lose their important street lane," he said.

Mr McLoughlin believed there was a plan to reduce the number of cars in the CBD.

"They're on an agenda to get rid of cars out of the city, but cars are people," he said.

A parklet was installed on Elizabeth St at Midtown, but Mr McLoughlin had doubts about the benefits.

"That's cost the local businesses here six on-street carparks," he said.

"They're great for the night-time eateries but all day they sit empty, they're usually only used by smokers.

Country Women's Association gift shop manager Johanna Warren said parklets on Elizabeth St had already caused problems.

"We've already noticed a decline in the city since the dining decks have been installed," Ms Warren said.

"We just don't see the people we used to see on a regular basis. We've got one lovely couple that have been coming to us for 50-odd years and they've stopped because they just cannot get a park outside."

Ms Warren predicted more spontaneous shoppers would be less inclined to pop in.

Ms Warren feared for the future of the business.

"The Country Women's Association gift shop has been here for 79 years," she said.

"If this goes ahead we don't think we'll last."

Grant McCarthy, owner of Elizabeth St store Easy Sew, said many customers who visited the store needed to be able to easily access their vehicles.

"We've got a demographic of customers that fall into the middle-aged, elderly category," Mr McCarthy said.

"They find it harder to walk distances carrying things.

He said a key part of the business was sewing machine maintenance and repair, and that the machines were too heavy to carry for longer distances.

Mr McCarthy was disappointed in the consultation process.

"I've actually had a university rep come in here and he basically said we're putting a park at the end, it'll be up the road, and that was it," he said.

He was concerned the university would install more parklets in the future.

"When we read a bit further in the proposal, they're replicating it further on this street (Melville Street, outside Easy Sew) down the track as well," Mr McCarthy said.

A spokeswoman for the City of Hobart said representations can be made until November 23.

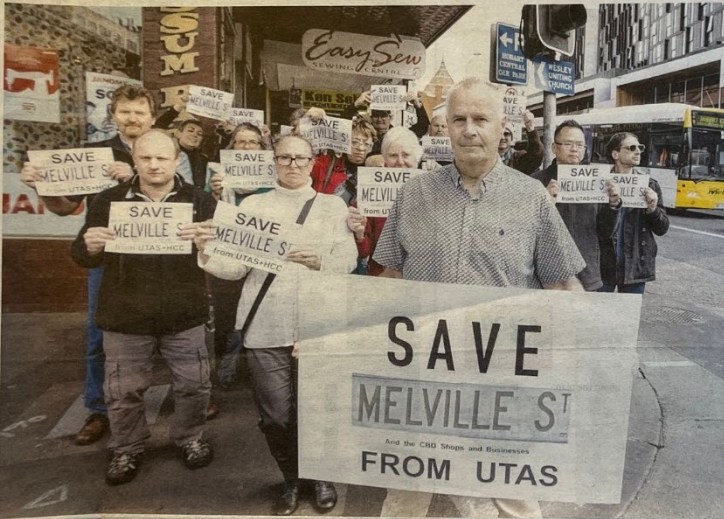
A UTAS spokesman said it had consulted a range of people on the proposal. "We've consulted publicly on the temporary parklet proposal with a range of stakeholders including mid-town traders, immediate neighbours and nearby emergency services," he said.

"The concept is for a temporary, reversible project that aims to deliver some of what people told us they wanted in the city - more greenery, activation and street furniture.

"We understand and respect that people might have reservations and we will be looking to speak with concerned traders in coming days."

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owners who fear lost parking will hurt business



Denis McLoughlin (front) and fellow CBD traders, at Ezy Sew on Melville St. Shop owners are angry at UTAS plans for the street. Picture: Eddie Safarik

Criminal age lift concern

TASMANIA'S decision not to raise the minimum age of criminal responsibility to 14 was a missed opportunity to keep kids out of the justice system, the state's Children's Commissioner says.

Attorney-General Elise Archer has said Tasmania would join other states in a plan to increase the minimum age of criminal responsibility from 10 years to 12 years.

Only the ACT is legislating for the age of 14.

No children aged between 10 to 12 years in Tasmania have received a sentence of detention in the past five years and only two young people aged 13 have received a sentence of detention, Ms Archer said.

Commissioner for Children and Young People Leanne McLean said keeping kids out of the justice system should be the top priority of lawmakers.

"Based on Tasmania police data from 2019-2020, raising the age to 14 would have kept around 187 Tasmanian children out of the criminal justice system," Ms McLean said.

"The earlier a child becomes involved in the criminal justice system, the more likely they are to become entrenched in that system," Greens MP Rosalie Woodruff said the decision was "indefensible".



UTAS splashes out in PR blitz as staff, students paint picture of low morale

By investigative reporter Emily Baker and Megan Oliver

Posted Tue 26 Apr 2022 at 5:17am, updated Tue 26 Apr 2022 at 7:16am

The University of Tasmania has gone on a charm offensive, splashing out on full-page newspaper advertisements, collaborations with an Australian influencer, and sponsored posts on social media.

But despite the institution's push to paint itself as "people-centred", academic staff and students spanning multiple disciplines have painted a picture of low morale and mutual distrust.

The ABC has spoken to about 20 people connected to UTAS, more than a dozen of whom were current or former academics.

All but one of the academics did so on the condition of anonymity, either because they were subject to a non-disclosure or non-disparagement agreement, or because they feared reprisal.

"The university is a brutal place to work and the staff who stay are terrified," one former staff member said.

Another said: "The voice of scholars has been completely sidelined, if not silenced altogether."

Much of the recent public conversation on UTAS has focused on its plans to move its campus from the Hobart suburb of Sandy Bay into the CBD, then convert current buildings into accommodation, sporting facilities and a tourism precinct.

The university said this would help ensure its financial viability and improve access to higher education, particularly for people in Hobart's northern suburbs.

Former Hobart mayor and controversial Liberal MP Sue Hickey has been hired by the university to meet with people concerned about the move, with the change also promoted through regular newspaper advertisements and posts on Facebook.

Critics fear the university has lost focus on its core mission — to teach — and argue the leafy Sandy Bay campus provides UTAS with a point of difference from mainland institutions.

Key points:

- One former UTAS staff member said it was a "brutal place to work and the staff who stay are terrified"
- Former philosophy head Jeff Malpas is among those who believe the focus should be on saving UTAS itself, and said morale was low
- Vice-chancellor Rufus Black said the university was piloting "a new employee survey approach"

Bright red signs have sprung up around Hobart emblazoned with SAVE UTAS CAMPUS promoting a campaign by the same name led by former history academic Pam Sharpe.

UTAS morale 'at absolute lowest ebb'

Former philosophy head Jeff Malpas is among those who believe the focus should be on saving UTAS itself.

He met with UTAS vice-chancellor Rufus Black last year to discuss his concerns about what he described as "the complete disenfranchisement of academic staff in decision-making" and "an endemic culture of managerial bullying across the institution".

"I thought the morale of the institution was at its absolute lowest ebb," Professor Malpas said.

"[There seemed] a complete disconnect between rhetorical claims and the actual actions of the university."

Some issues have spilled into the open.

Earlier this year, the ABC reported UTAS was investigating academic Vadim Kamenetsky for "serious misconduct" over comments he made on Facebook related to Professor Black and the planned campus move.

In March, student newspaper Togatus published an open letter from law students detailing their concerns on course structure and staffing.

"One of the core advantages of attending a university is having an expert contextualise and explain certain areas of knowledge," the letter said in part.

"You know, be taught by someone."

UTAS vice-chancellor Rufus Black said the university was focused on offering "excellent, accessible and contemporary legal education".

"Senior members of university staff are meeting regularly with law students and have set up additional feedback processes — we are listening and responding as we work to improve the educational experience in law," he said.

About 15 academic teaching staff are believed to have left the university's law faculty since 2020. According to Tasmania University Law Society president Fletcher Clarke, two have walked this semester alone.

"It seems to be when issues are raised that they just simply don't get dealt with," Mr Clarke said.

"They are dismissed, and sometimes when people try to raise them further, it has negative consequences for academic staff. So it puts them in a bind."

Fears law degree has been 'gutted'

Kevin Toman moved from interstate to study at UTAS, attracted by the hands-on nature of its law offerings. He said he would no longer advise others to do the same.

"Those [practical] areas of degrees have been largely gutted over the past year," he said. "If I was a student applying now from interstate there's no way I'd be applying to UTAS with the state of the current law degree."

His peer Lucy Milne said she would switch universities if she were not in her fourth year of study.

"There's such a lack of communication between what we're meant to be learning and what they're teaching," she said.

"My personal experience, I have a unit coordinator for two units and she's never practised."

Within the Tasmanian Institute of Agricultural Sciences (TIA), a joint venture of the University of Tasmania and the state government, there is discontent at the decision to shift its headquarters to Launceston — a plan the university has been accused of making without consultation

The university's argument the move would bring the Bachelor of Agricultural Science closer to the bulk of students has been internally disputed, and there is concern about disconnecting TIA from other science disciplines.

Professor Black said 41 academic and professional positions had been "identified for relocation" over the next two years.

"There will be positions for all staff should they choose to relocate; there will be tailored career assistance for those who choose not to relocate to help them secure an alternative position," he said.

"Over time, we expect to increase the TIA workforce."

'Academic leadership has been hollowed out'

National Tertiary Education Union state secretary Pat McConville said morale was "pretty low" across UTAS and academics felt unheard.

"I think there is a feeling from staff that the vice-chancellor is really imposing a top-down model way of running the university," he said.

"Academic leadership has been hollowed out or sidelined. Change is really a constant across colleges and professional services across UTAS, and I think with that change staff don't really feel like their views are being taken into consideration."

The ABC asked for an interview with Professor Black or another UTAS representative but was instead sent short statements in response to a series of questions.

Professor Black said academics were involved in decision-making through the legislated Academic Senate and representatives on the University Council, with broader staff regularly consulted through forums, meetings and surveys.

Asked for the most recent results of staff surveys on morale, Professor Black said the university was piloting "a new employee survey approach".

"The last two years have been hard," he said.

"We began the work together of delivering on our strategy to create a university that was more people-centric, that was more responsive to the needs of Tasmania and that was more focused on creating opportunities for Tasmanian and interstate students.

"COVID-19 has added an incredibly complex layer of challenge on top of all our efforts ... we are focused on evolving in ways that allow us to better support Tasmania and Tasmanians and will continue to support our people as we do so."

Only about 20 confidential clauses had been implemented over a 12-month period, Professor Black said.

Professor Malpas does not believe much has changed since his meeting with Professor Black last year.

"Most staff are fearful of speaking out, most staff feel that they are bullied in various ways," he said.

"What you have is an institution where people are no longer willing to speak their mind, and in which the institution does not want them to speak their mind."

Appendix 10: ABC News report on staff member under investigation

8/28/22, 3:22 PM

University of Tasmania academic Vadim Kamenetsky under investigation for criticising the institution on Facebook - ABC News

ABC NEWS

University of Tasmania academic Vadim Kamenetsky under investigation for criticising the institution on Facebook

By investigative reporter Emily Baker

Posted Thu 17 Mar 2022 at 5:15am, updated Thu 17 Mar 2022 at 3:54pm

A celebrated University of Tasmania academic is under investigation for "serious misconduct" after criticising the institution's planned campus move on social media.

Professor Vadim Kamenetsky, who is in Russia caring for his elderly mother, was notified late last year that comments he made on the Save UTAS Campus Facebook page were considered a potential breach of his employment agreement.

The group is campaigning against the university's plan to move its southern campus from the Hobart suburb of Sandy Bay into the city's CBD and redevelop the existing site.

UTAS has alleged Professor Kamenetsky posted confidential information and made "disparaging comments" about the university and some staff, including:

"We are witnessing the destruction of UTAS and its people. And prospective development of the (Sandy Bay) campus is just a part of this process."

"When there's a person, there's a problem. When there's no person, there's no problem." (Josef Stalin) Rufus Black thinks alike about the current staff at UTAS."

On the latter comment, UTAS accused Professor Kamenetsky of comparing Professor Black to the Soviet dictator.

It alleged the comments came after he had been vocal about wanting for a redundancy, and said he had published research without displaying a UTAS affiliation.

Key points:

- The professor is accused of posting "disparaging comments" about Tasmania's university and some staff in a forum critical of the planned move of campus
- Staff have been reminded of confidentiality provisions in their employment agreements as a control against "anti-university community sentiment"
- UTAS said there was "no widespread use of non-disclosure agreements" when staff leave

In his formal response to the university's claims, Professor Kamenetsky denied the allegations, and said the "confidential" information he shared to the Save UTAS Campus Facebook page was also published in the university's publicly available annual reports or in mass emails to all staff.

Professor Kamenetsky reminded UTAS that English is his second language.

"I made my comments under mitigating circumstances, which include two years of mental depression, stress from everyday carer's duties, and the effects of COVID-19 (twice contracted) on my nervous system," Professor Kamenetsky said.

He pointed to the university's own definition of academic freedom, which includes the right for staff to express their opinions on their employer.

"Also consider that over 1,100 members of that Facebook group, including other UTAS staff, have expressed their opinion without being persecuted, so why am I being specifically targeted?"

Professor Kamenetsky has been a researcher at the University of Tasmania since 1992 and a New Star Professor in Earth Science since 2010.

He said the allegations came against a backdrop of other workplace bullying, which he said he believed was an attempt to force him out of the institution.

Professor Kamenetsky has been locked out of the UTAS intranet since late last year and accused of travelling overseas and working without permission, despite internal HR systems showing his application for carer's leave to look after his mother in Moscow was approved last year.

His son Dmitri wrote to Professor Black in June 2020 to appeal for support.

"These events have driven him to clinical depression and an attempted suicide," Dmitri Kamenetsky wrote.

"This has placed a huge strain on my entire family who are all connected to the university ... this is no way to treat a man who has done so much for the university."

A university spokesman said: "While we cannot comment on confidential staff matters, we are strong supporters of free speech at the University of Tasmania.

"We welcome discussion and debate about ideas — this is central to how universities operate — but we are concerned about personal attacks against our people."

Confidential documents obtained by the ABC show UTAS fears negative public sentiment could impede its plans for the Sandy Bay site.

The university wants to convert the existing campus to include 2,700 homes, a tourism precinct and new sporting facilities.

A risk register, dated February 2021, notes staff have been reminded of confidentiality provisions in their employment agreements as a control against "anti-university community sentiment".

Nelson independent MLC Meg Webb has asked questions of the state government on the university's use of non-disclosure agreements in the Legislative Council.

"UTAS is an important institution in this state, and it is in the public interest for there to be a high level of transparency and accountability when it comes to its operations and activities," Ms Webb said.

"Many constituents are raising questions with me, including on the reported use of NDAs for staff resigning or taking redundancies from UTAS.

"If this practice has become standard, it would be unfortunate if it were to create a sense of suppressed freedom of public discussion in relation to the university."

In a statement, a UTAS spokesperson said there was "no widespread use of non-disclosure agreements when staff leave the university".

"The university will occasionally use NDAs, for example where they are used to protect intellectual property."

Appendix 11: UTAS Legislative Council Briefing Paper, p.12

Our masterplan for the CBD campus plans were developed through wide ranging community consultation which continues



The process of consultation commenced in 2019

- Staff and community consultation about Southern Transformation March 2019
23 workshops with academic and professional staff, Over 1100 staff and students attending an active installation room and over 400 survey responses and direct feedback from staff and students
- Appreciative Enquiry Summit with 120 people – November 2019
- CoH and UTAS Steering Group Committee Meetings
- Community and Expert Reference Groups



The Preliminary Urban Design Framework (UDF) was released in May 2021

- Consultation spaces opened at Sandy Bay and City sites for community, staff and students
- The "web" based UDF has had over 8,000 views
- Wide ranging face to face consultation with special interest groups



Design of Forestry, Domain Landscaping etc

- Working with local residents association on designs
- Working with local traders for their input into design and amenities that support their businesses and the city
- Working with the City of Hobart to integrate the University's presence into their Precincts Plan, and the wider Hobart Metro Plan

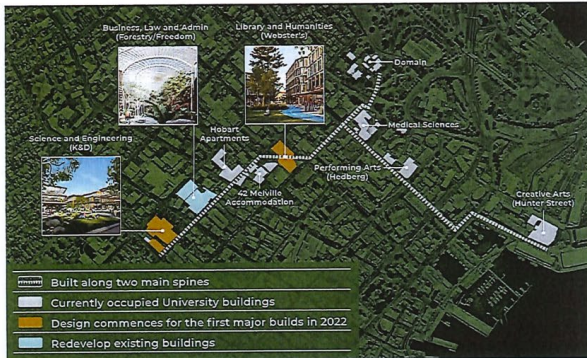
Appendix 12: UTAS six key outcomes of relocation

The University of Tasmania's move to Hobart CBD is about providing more young Tasmanians with the opportunity to get a university qualification

*43.5% of people living in Inner Hobart have a university degree. When it comes to most areas outside of inner Hobart, this drops to below 10%.

The current campus at Sandy Bay is not fit-for-purpose, requires significant rebuilding and is **difficult to access** for many people.

The new, **purpose-built city campus** will provide students with improved access from across Tasmania, and an improved student experience.



*Source: Australian Bureau of Statistics/Statistics Area 3/Inner Hobart

Six key outcomes from the CBD move:

1. It will improve access to higher education for more young Tasmanians
2. It will stimulate small business and quiet parts of Hobart's CBD
3. It will invest \$550 million into the Hobart economy
4. It will create a world-leading model of sustainability and help green the city
5. The repurposed Sandy Bay campus will be a sustainable village that contributes to solving Tasmania's housing challenges, will provide upgraded sporting facilities, green spaces, preserved natural environments to protect ecosystems, education and research precincts plus vastly upgraded infrastructure
6. The green spaces and sporting facilities at Sandy Bay campus will be retained, protected and enhanced

'Low morale' as UTAS staff go online to vent

ROB INGLIS

THE University of Tasmania has been hit with a barrage of negative feedback after launching a staff survey, with numerous anonymous employees lamenting the "low morale" at the institution.

It has prompted vice-chancellor Rufus Black to insist he is "very committed" to listening to staff concerns and ensuring they are addressed.

Ahead of a series of "staff sessions" to be held across the state next month, UTAS set up an online message board on Wednesday that allowed workers to raise issues without identifying themselves.

The majority of the more than 100 responses posted to the board – seen by the Mercury – took a negative view of the university's overall leadership and direction.

UTAS employs about 5800 people in Tasmania and Sydney. It is not the only university that has been beset by staff unrest amid the Covid-19 pandemic, as hiring freezes and job cuts continue to bite across the tertiary sector.

In an email to staff on Wednesday, Professor Black wrote that the board would be open for a week. However, it is



Rufus Black at the university's city student accommodation.

Picture: Nikki Davis-Jones

understood to have been closed to further comments after only two days, following an inquiry by the Mercury about the negative feedback.

In answer to the message board question, 'Of the current issues at the university, what is most important to you?', eight people mentioned low staff morale.

"Staff morale [at UTAS] is the lowest in 10 years, pretty much every academic colleague I talk to looks for a way out, every top-down initiative seems to make things worse ... nothing that is done seems to counteract this trend but everything ... makes things worse," one response on the board read.

Another person wrote:

"Staff morale is so low. It seems like no one wants to be here anymore."

This response generated a thread of replies from other staff members, with one saying, "Who else buys a lotto ticket in the hope they win and can leave?"

Other UTAS employees raised concerns about the pro-

posed relocation of the Sandy Bay campus into the Hobart CBD, excessive teaching workloads and burnout, and the decline of student numbers on campus.

There were several positive comments posted to the message board as well, including one praising UTAS for providing a safe workplace, and another expressing gratitude to the vice-chancellor "who inspires us to be brave and CHANGE for the better".

National Tertiary Education Union industrial officer Emma Gill said the feedback on the board was reflective of a broader sentiment among UTAS staff.

"Closing down that discussion board is typical of what people see happening in the institution around debate and critical discussions," Ms Gill said. "It just gets shut down."

Prof Black said he was looking forward to responding to the "open and frank feedback" staff had provided through the board.

"I also want to acknowledge the extraordinary work people across the university do every day to sustain a great university that Tasmania can be proud of," he said.

robert.inglis@news.com.au

FIGHTING FOR FREEDOM OF SPEECH

GREG BARNES

REMEMBER freedom of speech? That fundamental right we are all meant to enjoy? One would have thought that of all places a university would be serious about robust, vigorous and even edgy speech, because universities are meant to be sanctuaries of debate, discussion and even personal battles over ideas and concepts.

Not at the University of Tasmania it seems. Last week the ABC's Emily Baker revealed the university, which is headed by Rufus Black, the former head of a residential college at Melbourne University, is investigating academic Vadim Kamenetsky for making "disparaging comments".

This vague and dangerous allegation also applies to another comment allegedly made by Kamenetsky, "We are witnessing the destruction of UTAS and its people. And prospective development of the [Sandy Bay] campus is just a part of this process", he is alleged to have written.

Mind you, many share his sentiment.

That an employee of a university is being hunted down for allegedly making these remarks is frightening.

But it is symptomatic of a mentality which says we will not allow dissent.

It also makes a mockery of Black's marketing spin in recent days about "we hear you" on the already botched attempt to market the campus into downtown Hobart.

As the ABC reported, Meg Webb, the independent upper house MP for Nelson which covers the university, says Tasmania's only tertiary institution is using nondisclosure agreements to prevent those taking redundancies from criticising their former employer. Ms Webb is right to raise the issue because this columnist has seen examples of such clauses and let's just say they are so broad that even the merest chiding of the university in public could see a person sued for breach of agreement.

But even more disturbing is the fact that, as the ABC has reported, a university "risk register, dated February 2021, notes staff have been reminded of confidentiality provisions in their employment agreements as a control against 'antiuniversity community sentiment'".

This is all very alarming and it is good that finally the University of Tasmania is being scrutinised by the media and politicians.

It is a government-funded institution and subject to an Act of the Tasmanian parliament.

We need whistleblowers and courageous individuals to stand up and to tell us whether what has been revealed in the ABC report and by Ms Webb is the cultural norm in this important educational provider. Gag clauses and other forms of restraints on freedom of speech are dangerous because while they can protect individuals who would rather the world did not know about allegations or findings made against

them so that they can get on with their lives, in the hands of employers they are a potent weapon to close down debate on sensitive topics.

It is obvious, given the university's "risk register" is not only using gag clauses for those it makes redundant or sacks, but also for current employees. In the context of a highly controversial and, if letters to the editor in this newspaper are anything to go by, overwhelmingly unpopular move by the university to turn itself into a property developer and move downtown while creating yet another third-rate suburban development, preventing staff from speaking out against this major push is a breach of fundamental human rights. That is, the right of individuals whose livelihood depends on them having a say in their workplace, to have their lips taped and hands tied behind their back so there is only one view, that of the spin from the vice-chancellor and his minions.

It ought to be the case that those in charge of institutions such as universities ought be able to take personal criticism and even harsh lambasting from opponents. So long as the statement is not defamatory, of course. But it appears glass jaws have been fitted on to the faces of too many who run organisations these days.

To return to the Kamenetsky case, the university's spin doctor told the ABC that it welcomed dissent and criticism – so why the gag clauses? And the unnamed spokesman said, "We welcome discussion and debate about ideas – this is central to how universities operate – but we are concerned about personal attacks against our people". "Personal attacks"?

In other words you can make beige statements but do not dare to criticise the vice-chancellor or any other staff personally. And will the university take action against individuals who support its move into the downtown but who have labelled opponents as "disgruntled"? We live in an age where freedom of speech and thought is under threat. One hopes there is a fightback against this authoritarian trend. We should be supporting Professor Kamenetsky. We should support university staff who speak out against their employer. And, above all, we should resolutely oppose weapons and threats which are aimed at those with courage to swim against the tide.

Hobart barrister Greg Barns is a human rights lawyer who has advised state and federal Liberal governments

UTAS reputation cops a battering

Greg Barns

LAST Thursday, the Mercury featured a full-page advertisement signed by a number of prominent alumni of the University of Tasmania pleading with this island's only non-TAFE tertiary institution to abandon its proposal to flog its Sandy Bay campus and move into buildings dotted around the city.

This advertisement, in the form of an "Open Letter to the Premier", was not the only bad news the university's management and council got last week.

The ABC reported that the university was not an employer that valued its academic staff. In a report published last Monday, university staff spoke on the condition of anonymity because they were either too scared of reprisals or because they were bound by the university's favourite gagging technique, the nondisparagement clause.

The ABC observed that "despite the institution's push to paint itself as 'peoplecentred', academic staff and students spanning multiple disciplines have painted a picture of low morale and mutual distrust".

But that was just last week.

Meanwhile across Hobart one sees "Save UTAS" signs in gardens and nailed to front fences. There are regular negative stories about the university's ill-fated move into the down-town area, with the Vice-Chancellor Rufus Black and his minions failing to cut through with their "reasons" for the move, no matter how much they spend on PR or how many opinion pieces they write.

Then there is the Law School, a vital piece of infrastructure for the legal industry in Tasmania because it churns out trained workers for this sector.

So bad have things become that Chief Justice Alan Blow had to lead a delegation to meet Professor Black and others and plead for them to get their ship in order.

Meanwhile, staff have left and the law students' society, not known for political activism, is bravely calling out the rapid decline in quality of the place that is meant to be skilling them for their future.

On Friday, law students' president Fletcher Clarke, writing in the Mercury's Talking Point section, said; "Any concerns raised are dismissed, while possible solutions are ignored. Staff are not allowed to speak out, and students fear reprisal for raising their concerns."

If the University of Tasmania was a public or private company with shareholders, then it's London to a brick that the "CEO" Prof Black and the Law School Dean Michael Stuckey, the "line manager", would be under real pressure from the board and shareholders to turn the place around.

But who is holding this institution, which is a major employer and a critical part of the social and economic capital of this island, to account for what is happening to its reputation? It should be the Tasmanian and federal governments and the Tasmanian parliament.

The former two because they hand over taxpayer funds to this institution, and the latter because the university is governed by an act of Parliament.

Currently there is little evidence that this trio is doing anything to force the university to explain itself, though Meg Webb, an independent Legislative Councillor, has raised issues.

It is the media that is reporting the mess that seems to be developing at this university.

Name one other taxpayer-funded public authority or institution in Tasmania that is less scrutinised than the University of Tasmania. The answer is none. No doubt some will say that the university's management is having a hard time because people don't like change, and the Sandy Bay to city move was always controversial.

There are always some who fall into that category, but that does not explain the media coverage and the searing critiques from university luminaries such as philosopher Jeff Malpas and transport economist Bob Cotgrove, or historian Pam Sharpe.

It also fails to recognise those who signed the letter to the Premier, which included John Livermore, the former head of the School of Economics, Stephen Gumley, a Rhodes scholar and highly successful entrepreneur, and a leading medical academic, Professor John Burgess.

In the world of universities, these days reputation matters.

Students do not have to attend the University of Tasmania because there are many excellent alternatives for them to choose from in this nation.

The risk for the management of this island's university is that the damage to the "brand" is so pronounced that students will vote with their feet and enrol elsewhere. Anecdotally, one can say the Law School crisis is the subject of conversation these days in Melbourne and Sydney.

It is not enough to say "let the university sort itself out".

The Rockliff government and the Tasmanian parliament must demand accountability and answers. The new University of Tasmania Chancellor, Alison Watkins, must be hands-on, and if it means removing senior management and replacing them with others then so be it.

Hobart barrister Greg Barns is a human rights lawyer who has advised state and federal Liberal governments.

It's been a big week in politics

Greg Barns

HAS there been a busier week for the Tasmanian parliament than the one that has just passed? In the space of three days there has been agreement to increase the number of MPs by 10 in the House of Assembly, a state budget that was, as is usual for governments in Tasmania in recent years, bereft of serious economic reform, the appalling Workplace Protest Bill where Labor's David O'Byrne stood against his colleagues who shamefully agreed to shepherd it through, and the excellent work of independent MLC Meg Webb in finally putting the University of Tasmania under some scrutiny.

Premier Jeremy Rockliff's decision to recognise the failed experiment of 25 MPs, which has meant there is no effective check on executive government, shows a commitment to strengthening democracy.

A well-functioning parliament is one where ministers are on top of their portfolios and likewise shadow ministers. At present the workload of ministers in Tasmania is absurdly high, and this led to the bureaucracy running the show.

But while Mr Rockliff was committing his government to enhancing accountable government, at the same time he — joined by the supine ALP — passed the workplace protest laws, with Labor promising to amend it in the Legislative Council.

Opposing it would be what an opposition committed to fundamental rights would do.

This is fetish legislation. An earlier incarnation was struck down by the High Court, but the Liberal Party is obsessed by it.

There is simply no policy justification for curtailing freedom of movement and speech in such a draconian way. The only Labor MP with any courage on the issue was the sadly erstwhile leader David O'Byrne.

Mr O'Byrne abstained from voting on the Bill. He rightly observed that: "The role of the parliament is to balance workers' safety and the right to protest. I feel that this legislation does not get that balance right and therefore I am unable to vote for it unamended."

Then there is the budget.

Once again there was zero commitment to much-needed tax reform, asset sales or reducing the size of government departments.

As the eminent economist Saul Eslake has pointed out in his review of this big-spending budget: "Tasmania's total nonfinancial public sector net debt, ie including that of GBEs such as Hydro Tasmania and TasNetworks, is projected to rise from \$3.8bn at June 30 this year (equivalent to just under 10 per cent of GSP) to \$10.2bn (equivalent to about 23.25 per cent of forecast GDP) by June 30, 2026. This will likely be higher than for any other state or territory except Victoria and the Northern Territory."

Alarming as Mr Eslake observes: “One consequence of this increase in debt is that interest expense is expected to more than quadruple, from \$47m in 2021-22 to \$206m by 2025-26, or from 0.6 per cent of total revenue in 2021-22 to 2.4 per cent by 2025-26. This in turn means that the combined cost of debt service payments and defined benefit superannuation costs will reach 6.3 per cent of cash receipts in 2025-26 — exceeding the government’s fiscal strategy limit of 6 per cent. In response, the budget papers state that ‘the government will take action as required to achieve all the strategic actions over the medium term’ and will ‘rebuild the fiscal buffers to provide the budget flexibility to respond to future shocks in a measured way over time, which does not impact on the provision of essential government services’. There was no indication anywhere else in the budget papers as to what such ‘action’ might entail, or when it might be taken.”

You should be very concerned because the Liberal governments since 2014 have shown no interest in hard fiscal decisions.

The most promising development in last week’s busy parliamentary sitting was the work of Meg Webb, who has been campaigning for the multi-billion-dollar funded University of Tasmania to be made accountable to the parliament. The University of Tasmania is governed by an Act of parliament but it feels no need to report to it. Given the serious controversy over its ill-fated plans to move the campus downtown and make money on turning the Sandy Bay campus into a middleclass enclave, it is high time this institution was forced to answer questions in the parliamentary forum.

The Legislative Council can’t stop that folly, but it can put this institution on notice that accountability and transparency are important.

As the economist John Lawrence observed on these pages in November 2020, the university “retains its anachronistic status as a law unto itself”. Mr Lawrence wrote: “It’s not answerable to anyone. It merely has to tell the government each year what it has received and spent.

Little wonder it was able to serve up such a disgracefully brief report into its perilous state.”

A week is a long time in politics, said former British prime minister Harold Wilson.

Sometimes that is a good thing.

Hobart barrister Greg Barns is a human rights lawyer who has advised state and federal Liberal governments.

Students, staff must force change

UTAS staff and students who oppose the relocation should let the administrators know they are deeply unhappy about the move to the city and won't be silenced.

GREG BARNES

THE University of Tasmania is dysfunctional and its brand damaged. There are reports of high levels of staff dissatisfaction, strong resistance to the proposed move by the university to the city, and now student concern over the move to teach more courses online. It does not appear the university administration is handling these issues adeptly, to say the least. Surely it is time for students and staff to force change?

It is students and staff who are the victims of the university's dysfunction. It is their interests that are being undermined by a university administration which appears hell bent of pursuing an online learning model and, of course, a deeply unpopular property development strategy which involves developing a petit bourgeois suburb in Sandy Bay while decamping to the downtown.

There has been a consistent stream of negative news about the University of Tasmania over the past three years.

We know that the university uses gag clauses and other mechanisms to silence dissent. As John Livermore, a former head of a department at the university wrote on these pages on July 30, "It seems incredible that UTAS requires staff to sign nondisclosure agreements to prevent those seeking redundancies from criticising their former employer". In addition, as from February 2021, staff have been reminded of confidentiality clauses in their employment agreements to protect against "antiuniversity community sentiment". Or as former philosophy head Professor Jeff Malpas said earlier this year: "What you have is an institution where people are no longer willing to speak their mind, and in which the institution does not want them to speak their mind."

We also know that the university has no interest in changing its mind on a move into Hobart's city in circumstances where it clearly has no social licence to do so.

Despite the extraordinary negativity of the community towards this folly, vicechancellor Rufus Black's response is to establish, perhaps on the advice from his PR consultants (how much are they being paid one wonders?) or maybe via his lieutenants in the university administration, an 80-person community panel.

No doubt this ruse is designed to show that the university is listening to the community, that it does really care what you think, so long as you go along with the flogging off of the Sandy Bay campus and the move into the downtown. Apparently this "phase of external consultation will run through until the end of the year. The community panel will meet regularly, with their sessions to be independently facilitated and publicly reported".

Who are these independent facilitators? Who chooses them? Who decides who will be on the panel? If more than 80 people have thrown their hats into the ring to be on the panel, who and by what criteria are the 80 chosen? And let's face it, this panel is simply window dressing. It's not really consultation

because if it was the university would allow for debate about the move per se. No, this is simply a tick-the-box exercise so Prof Black and his colleagues can say, hand on heart, 'we consulted the community'. Corporations undertake these sorts of consultations regularly if they are running a controversial project where there is much community dissent.

But it's not just the move issue which is damaging this educational institution. It is the insistence, again despite large-scale dissent, on moving to teaching online, with the balance between that form of education and face-to-face teaching favouring the former.

This issue is driving students to agitate. On August 4, the Mercury reported on plans by some students for a students' union that actually fights for them. Third-year economics student Josh Stagg is one of those pushing for a structured voice for students.

Mr Stagg told the Mercury: "My peers and I just find it very difficult to have a voice amid the university's restructure. We have found that even though we are oncampus students for the most part, all of our lectures have been moved online. There's no quality control sometimes they are recordings from previous years."

His own experience is telling. Mr Stagg says: "For third-year students we have one three-hour workshop every three weeks and that is our only interaction with our peers and professors. It's pretty bad. I've personally applied for postgraduate interstate because there's no difference to me studying distance at another university."

The only way to get serious reform in the university is for there to be strength in numbers. Staff and students need to fight back. They need the administrators to know no longer will they put up with what is dished out by those who run the place.

Mr Stagg has had enough and has the courage of his convictions. Staff who oppose the move from Sandy Bay should join with the broader community and let the university know that they are deeply unhappy about the move and will not be silenced.

The only way to achieve real change in institutions is to take risks in opposing those who hold the power. This university is no exception to that rule.

Hobart barrister Greg Barns, SC, is a human rights lawyer who has advised federal and state Liberal governments.

How could a true uni be created from UTAS bits scattered around the CBD?

UTAS needs to come clean on its plans, only then can all concerned decide whether this is best for Hobart's future, says

Bruce Scott

MUCH is being written about the University of Tasmania these days – its purpose, its location, its future.

As I approach my 99th birthday, I may be the only person alive who knows about its history to assist in reflecting about its future.

I started my studies at its old Domain site during the war. It was a small university with limited facilities and finances.

Despite this, it was a proper university, with good rapport between teachers and students, and opportunity for students in a range of disciplines to interact and debate, and there were lively discussions between them. I remember because I was vicepresident of the Student Representative Council.

The Domain site was clearly too small, particularly after the war with returning veterans.

Fortunately, another site became available when the rifle range at Sandy Bay was no longer needed by the military and it was vested in the university for educational purposes.

It would take time for buildings to be constructed on the new site, and science departments were impatient to move to vacated army huts that were already available.

This solved the immediate problem for their larger classes, but it had the disadvantage that the coherent university structure was temporarily lost with science no longer at the Domain.

Coherence was regained when all the other buildings were constructed during the 1950s and 1960s. The library was there, as were the laboratories, greenhouses, refectories, administrative buildings, sporting facilities and, later, a Great Hall.

Importantly, there was a fine Student Union building where students of different backgrounds could meet, interact and debate, and form clubs and societies.

Academics had a proper role in the structure of the university through the departments, faculties and the Professorial Board.

Administrators were there to promote and support the teachers, researchers and scholars who gave the university its reputation in the community and around the world. UTAS became a fine university in an enviable location not far from the CBD.

Much has happened to the university since it moved to Sandy Bay. It has grown enormously and new disciplines have been included in it. The lure of money allowed it to offer basic qualifications to wealthy overseas students.

Disciplines such as medicine have left the campus, so future medicos gained professional training but were sadly deprived of the benefits of mixing with other students.

Despite all this, the essential concept of a true university has remained intact in the Sandy Bay campus.

Or did so until moves were made to close the campus and move it to the CBD.

If this were to happen, the challenge for the University of Tasmania is how it could preserve the features of a true university in the components scattered around the city.

UTAS has given out only the vaguest idea of how it would do this, but already there are concerning hints.

Where are the lecture theatres where senior teachers can inspire young minds for discussion and debate? Where are the areas for students to meet and interact? Where can academics meet to plan joint activities? Is it proposed that students must study mostly online in isolation at home? How could all the science disciplines and the engineering faculty be crammed into the old K&D building? Where will staff and students park their vehicles? So just what is proposed for UTAS in the CBD? It does not help to be shown, in full-page advertisements, a fanciful depiction of the K&D carpark replaced by many large buildings surrounding the busy Murray St, which is repurposed as a narrow roadway in use by a single bicycle. It gives the impression that the planners are not facing up to the reality of what is actually required. UTAS has lots of well-paid administrative staff who have plenty of time to do some detailed and serious planning.

If such a plan exists that shows precisely how the landscape of Hobart would be changed, and how a true university could be created from UTAS bits scattered around the CBD, let them come clean and put it on the table. Only then could politicians, city councillors and the general public, peruse it and decide whether this is actually wanted for the City of Hobart or whether it is better to stay at the Sandy Bay site.

Dr Bruce Scott has a close association with UTAS, both as a student, and as a member of the teaching staff for 43 years. He is also the former Dean of the Faculty of Science.

29/4/22

School not conducive to learning

UTAS law school is facing an academic exodus, writes Fletcher Clarke

A CRISIS has developed at the University of Tasmania's law school.

The law school is facing an unprecedented departure of academics due to the university's unreasonable working conditions.

The teaching and learning environment has been deteriorating over the past 12 months. As a result, learning outcomes have been severely impacted, as have the mental health and wellbeing of staff and students.

Fifteen staff have left the law school since the end of 2020. Two academics have already left this year, with more likely to resign by the end of 2022. Staff are overworked and unappreciated. For many academics, their teaching time has almost doubled in 2022. This is creating a significant loss of subject matter experts, which are required to teach core units that are necessary for admission to legal practice.

It was only five years ago that the law school was ranked 61st in global law school rankings. This is an incredible feat for a relatively small law school. However, the faculty's standing has suffered nationally and internationally to the extent it is now struggling to attract new talent. Of the five positions advertised last year only two have been filled.

A new teaching model imposed on the law school has only made matters worse. Lectures have been limited to one hour per subject per week.

Students are forced to teach themselves whole areas of law with no additional support. Despite significant opposition to this new model, no changes have been made.

It is clear that one hour of lectures per week is not sufficient to cover content for core units. These concerns continue to fall on deaf ears.

The law school has also seen a drastic loss in autonomy and funding since it merged with arts and education to form the College of Arts, Law and Education in 2017. Many of the promises made in the lead-up to the merger have been broken. Since then, the law school's teaching has been undermined.

It is increasingly becoming clear that this situation is not unique to the law school. Across the university there has been a concerted effort to cut costs and increase staff workloads.

Any concerns raised are dismissed, while possible solutions are ignored. Staff are not allowed to speak out and students fear reprisal for raising their concerns.

What is the result of these issues? There will be poorly trained lawyers in Tasmania

However, it is not too late for action. We have given you the solutions: change staff workload allocations, create a culture where staff want to stay, implement greater teaching and learning resources and allow widespread flexibility in the new teaching model.

On the current trajectory the existence of Tasmania's only law school is under serious threat.

It is time for the university to act. Otherwise, there may not be a law school in five years.

Fletcher Clarke is the president of the studentrun Tasmania University Law Society

Appendix 17: Correspondence between SUC and UTAS Chancellor



Ms Alison Watkins AM
Chancellor
University of Tasmania

3 June 2022

Dear Ms Watkins

About two months ago I provided to Mr Clerk and Mr Leerson a list of specific requests for commitments, information and documentation in relation to the relocation proposal and the relocation decision-making process. I understood that the university would respond but it did not. In my letter of 12 May 2022 (copy enclosed) I repeated my request. Still nothing has been forthcoming.

The university is a public institution, funded by the public and operating in Sandy Bay on land gifted by the public. The information and documentation sought relates to fundamental planning and decision-making aspects of the proposed relocation. The information and documentation are of great public interest, should exist, and ought to be readily available to the university. I request that you have university management make available immediately as much as does exist and if there are documents or information which does not yet exist then I seek your indication as to when each will be available.

I have copied this letter to other members of the University Council for their information.

Yours sincerely

A handwritten signature in cursive script that reads 'Pam Sharpe'.

Professor Pam Sharpe
Chairperson Save UTAS Campus

cc. University Council members
Enc.

Ms Alison Watkins AM
Chancellor
University of Tasmania
HOBART TAS 7000

6 July 2022

Dear Ms Watkins

Your letter of 5 July 2022 is largely unresponsive to the matters that I raised in the correspondence to which you refer.

The university is presently the subject of widespread community and staff criticism, particularly in relation to the relocation proposal and the management of that project:

- a. The Legislative Council has established a select committee, with the support of the government and the opposition, to inquire into matters such as governance, management and accountability. This inquiry will inevitably address the decision-making process, the management, and the implications for the future of the university, of the current relocation plans.
- b. The Hobart City Council has asked the university to conduct a Community Engagement process in line with its protocol. The protocol requires 'provision of in-depth material' and relevant 'research', a 'consultation plan' including the necessary 'resources' and 'steps', and an 'openness to modify plans based on broad feedback and the presentation of tangible options for compromise'. So far as we know the university has not acceded to this request.
- c. A majority of HCC councillors have now, in writing to us, committed to the propositions that completion of the Community Engagement process and the Legislative Council inquiry should 'precede the referral of any Sandy Bay rezoning application to the Tasmanian Planning Commission' and that 'UTAS should pause its relocation plan until the Legislative Council and Community Engagement processes are complete'.
- d. Your own staff survey last month disclosed strong staff concerns about relocation and the management of the project. The university will now, I understand, undertake a further process of staff consultation which the Vice Chancellor has indicated will be genuine, and because it will be genuine it follows that that process may result in the university modifying its operations and plans, including relocation.

Our correspondence to you raised the following key matters to which you have not responded:

- a. Does the university intend to comply with the HCC request for a Community Engagement process conducted in accordance with the HCC protocol? If it does, then we seek an opportunity to work with you on the 'consultation plan' to ensure that all relevant information is to hand and that all stakeholders are represented.
- b. Will the university provide the specific information and documentation that we requested on 12 May 2022? We are at a loss to understand why you would not simply and promptly address each aspect of the request. Apart from the fundamental principle of transparency (as emphasised by Andrew Wilkie MHR and others who have made public statements about relocation) the material would in any event be required as part of the Community Engagement process and the LegCo inquiry. The information to which you refer as having been provided by Mr David Clerk does not in any way address the specific requests that we made.
- c. Will the university pause the relocation process until the Legislative Council and the Community Engagement process are complete, being mindful that the outcome may result in modification, possibly significantly, of the current relocation plan?
- d. Will you facilitate a meeting, as requested and in the spirit promoted in your Statement of Values, between representatives of SaveUTASCampus Inc. and the University Council to discuss the way forward?

It may be that a meeting with your senior staff, including Mr Clerk, could be useful at some stage but consideration of that and of the agenda for such a meeting can await your response to the matters raised in our correspondence and which remain outstanding.

We look forward to hearing from you.

Yours sincerely



Professor Pam Sharpe
Chairperson Save UTAS Campus Inc.