

## Re: Relocation of the College of Business and Economics to the Hobart CBD raises major issues that should concern the UTAS Council

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From: Robert Hogan (harveyr35@aol.com)

To: sm-chancellor@utas.edu.au

Cc: alison.watkins@utas.edu.au; natalie.brown@utas.edu.au; ashley.townsend@utas.edu.au; karina.groenewoud@utas.edu.au; sheree.vertigan@utas.edu.au; tara.howell@utas.edu.au; sarahjayne.hall@utas.edu.au; alicia.leis@utas.edu.au; peter.dawkins@utas.edu.au; james.groom@utas.edu.au; ariane.moore@utas.edu.au; maggie.walter@utas.edu.au; tania.price@utas.edu.au

Bcc: geoffrey.hills@gmail.com

Date: Wednesday 29 May 2024 at 08:34 pm AEST

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Dear Chancellor

As your email raises very serious issues, I am responding by letter, with supporting attachments.

I also attach a recent article from the *Australian Financial Review* that bears on these issues.

Regards

Robert

On Wednesday, 8 May 2024 at 06:04:05 pm AEST, Chancellor <sm-chancellor@utas.edu.au> wrote:

Dear Mr Hogan,

Thank you for your recent email regarding the location of the College of Business and Economics (COBE). There have been some questions and misconceptions about this matter, and I am happy to provide some clarification.

Firstly, it is important to note that University Council made the decision to move to a city-centric campus in the South at its 9 April meeting in 2019, a decision that was communicated broadly at the time. Within this context, however, safety during a pandemic was the key driver of the specific shift of COBE from Sandy Bay to the city.

Space in the city was leased in late 2020 to enable face-to-face teaching to resume in 2021. This was a time when Tasmania was managing its borders to keep COVID-19 out of the State. To reduce risks of outbreaks, everyone was operating under public health directions which restricted the number of people in enclosed areas depending on the size of the space. The University did not have sufficient suitable floorspace to bring students back on campus safely and so leased facilities in the city.

The University Council discussed the return to campus issue in its October meeting in 2020 (you will find it under the heading 'Return to Campus', item 4.3). The decision to lease additional space, and why it was necessary, was broadly communicated in November 2020 with all staff and student messages, a media release, and a story on our website.

For your information, I've attached a copy of the media release, and this link will take you to the [all-staff message](#), both of which were sent on 12 November 2020. You can find a story the [Mercury did at the time here](#), and this link will take you to [the story on our website](#).

These activities were part of a concerted effort by a large number of people at the University to safely navigate a return to campus for students in the context of the global pandemic.

With regards to how decisions are made at the University, including decision-making authority, you can find a range of information [on our website](#). As I know you are aware, the powers and functions of University Council are established under the *University of Tasmania Act 1992*. University Council ordinances then set out and regulate how the Act is given effect, including by delegating powers, responsibility, and decision-making authority. A decision about academic or organisational structure, such as the location of a school or college for

example, is one for the Vice-Chancellor, who is, according to clause 16 (2) of [the Act](#), the 'chief academic and executive officer of the University'. In line with clause 10 of *the Act*, Council delegates this responsibility to the Vice-Chancellor through the [University Council Ordinance](#). Section 6.2 (c) of this Ordinance states that as '*the chief academic and executive officer of the University, the Vice-Chancellor is accountable for managing the operation of the University, including managing the delivery of research, teaching and learning, to achieve strategic and operational objectives*'.

Council delegates powers and functions for operational matters including expenditure, appointing staff, and entering financial contracts such as leases or refurbishment works to various roles in the organisation through the [General Delegations Ordinance](#). The Ordinance establishes financial and risk settings for decisions at different levels, and when they need to be escalated, including to Council.

It is through these two pathways that the authority to make the decisions related to moving COBE into the city – so students could safely return to campus in 2021 – was passed from *The University of Tasmania Act* through Council to management. While I was not Chancellor in 2020, it is clear these matters were discussed with Council. As a Council, even where they do not require our formal approval, we are always interested in decisions with strategic implications and expect to understand how they were made and why.

On a final note, the University has been working to improve transparency and make governance and decision-making clear and understandable. To that end, the General Delegations Ordinance is now publicly accessible through our [website](#).

Thank you for your ongoing interest in this matter and I trust this information has been helpful.

Regards,  
Alison

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**From:** Robert Hogan <harveyr35@aol.com>  
**Sent:** Wednesday, April 24, 2024 4:30 PM  
**To:** Alison Watkins <alison.watkins@utas.edu.au>  
**Subject:** Relocation of the College of Business and Economics to the Hobart CBD raises major issues that should concern the UTAS Council

Dear Ms Watkins

I am writing to you in your capacity as a member of the UTAS Council to raise concerns about issues (including breaches of UTAS Council ordinances) relating to the relocation of the College of Business and Economics (COBE) from the Sandy Bay campus to the Hobart CBD.

I can find no record in the UTAS Council Minutes of Council delegating authority to the Vice Chancellor, or any other member of UTAS management, for:

1. the relocation of COBE to the Hobart CBD (a protracted process which occurred from approximately December 2020 to - at least - May 2023),
2. the leasing of premises at KPMG, Vodafone (and any other spaces) to accommodate COBE in the CBD, or

3. authorisation of what must have been very significant expenditure required for fit out in the KPMG and Vodafone buildings (and any other spaces involved) required to accommodate COBE.

The undertaking of these three actions without delegated authority from the UTAS Council is contrary to UTAS' standard practice.

- Perusal of UTAS Council Minutes for the period 2015 to 2023 indicates that it has been standard practice within the UTAS Council to formally delegate authority to the Vice Chancellor, or other members of UTAS management, even in respect of quite minor actions, which these three actions are definitely not.

The undertaking of these three actions also appears to contravene the *UTAS Council Ordinance* with respect to the following three subsections:

“4.1 Council has reserved powers and functions which include:

a) approving the mission and strategic direction of the University and the strategic plan and ensuring their relevance and currency over time [the relocation of an entire College to the Hobart CBD is surely a strategic matter]

....

c) approving the annual budget and oversight of University finances [very significant expenditure has been involved]

....

i) overseeing University management and academic and general performance” [the relocation of an entire College to the Hobart CBD would appear to warrant oversight of management and academic and general performance; some of the issues COBE now faces - as evident in UTAS Council Minutes - may be due to failures in UTAS Council oversight]

Source: [https://www.utas.edu.au/\\_data/assets/pdf\\_file/0017/1631114/University-Council-Ordinance-V1-25-Sep-20.pdf](https://www.utas.edu.au/_data/assets/pdf_file/0017/1631114/University-Council-Ordinance-V1-25-Sep-20.pdf)

My reading of UTAS Council Minutes suggests the undertaking of the three actions also contravenes the *General Delegations Ordinance*, however I am unable to verify this, as this document is only available to UTAS staff.

In addition, I am informed by various sources that COBE's move from “purpose-designed facilities” (see [Background](#)) in the Centenary Building at Sandy Bay to temporary and dispersed accommodation in the Hobart CBD has been highly unpopular with staff and students alike. I am also informed that physical attendance at lectures may be as low as 10% of students.

The question has to be asked why, and on what authority COBE, has been transferred into the CBD, particularly given the wasted expenditure involved and the unpopularity of the move.

As matters stand, it appears UTAS management unilaterally decided to move COBE to the CBD – and to continue with that move over a period of nearly three years - as part of an attempt to make relocation of UTAS' southern campus from Sandy Bay to the Hobart CBD a fait accompli, in the face of growing community and political unease.

- Completion of refurbishment of the Forestry Building is now timed for 2026, making UTAS management's actions appear even more pre-emptive, while adding substantially to the cost of needless temporary accommodation in the CBD.

I look forward to your comment on the matters raised in this email.

I am providing some important background material below.

Yours sincerely

Robert Hogan

Canberra

### **Background**

#### COBE's accommodation at Sandy Bay

##### *2015 UTAS Annual Report*

"The Southern Campus Revitalisation and Activation Project Phase 1 was completed successfully at Sandy Bay, with a series of consolidation moves supporting relocation of activities into the heart of the campus and allowing for relocation of the Tasmanian School of Business and Economics to new purpose-designed facilities in the Centenary Building. The new facilities include a Technology Enhanced Active Learning classroom and contemporary Harvard-style lecture theatres. Planning and conceptual work also commenced on a new, multi-purpose student lounge for Sandy Bay."

Source: [https://www.utas.edu.au/\\_data/assets/pdf\\_file/0006/735072/Annual-Report-2014-web-version-with-amended-Org-Chart-6-August-2015.pdf](https://www.utas.edu.au/_data/assets/pdf_file/0006/735072/Annual-Report-2014-web-version-with-amended-Org-Chart-6-August-2015.pdf), p27

##### *2016 UTAS Annual Report*

"A new, purpose-designed facility for the Tasmanian School of Business & Economics at Sandy Bay was delivered in March. Major refurbishment works to the Centenary Building delivered contemporary and modern teaching, learning, study and social spaces – recognised for their exceptional level of amenity and interconnectedness by users and a Master Builders Tasmania Award. A vibrant student lounge in the central campus, The Lounge, was completed and its success resulted in the commencement of planning and design work for complementary facilities across the Sandy Bay campus (Life Science and Law)"

Source: [https://www.utas.edu.au/\\_data/assets/pdf\\_file/0004/887278/Annual-Report-2015.pdf](https://www.utas.edu.au/_data/assets/pdf_file/0004/887278/Annual-Report-2015.pdf), p33

Previous emails with [redacted] [name redacted by me]

I have previously raised some of the issues in this email with [REDACTED]

My email thread with [REDACTED] is provided below.

[REDACTED] response seemed to imply that I would find some of the missing 'delegated authorities' in the UTAS Council Minutes for the period between 4 April 2022 and 24 February 2023, which I had recently requested under RTI.

I received a link to those Minutes with the initial decision on my RTI request on 27 February 2024. While heavily redacted, it is clear those Minutes include no material relevant to the COBE issue.

----- Forwarded message -----

**From:** Robert Hogan <[harveyr35@aol.com](mailto:harveyr35@aol.com)>

**To:** [REDACTED] >

**Sent:** Friday, 16 February 2024 at 04:29:11 pm AEDT

**Subject:** Re: Relocation of College of Business and Economics

Dear [REDACTED]

Thank you for your reply, but I am somewhat bemused by your implicit suggestion that the UTAS Council provided authorisation in the period between 4 April 2022 and 24 February 2023 for COBE's move to the Hobart CBD (and significant related expenditure), when UTAS management had commenced the move by December 2020 and the move had been underway for, at the least, 15 months.

- As you will know, I sought the UTAS Council minutes for the period between 4 April 2022 and 24 February 2023, through RTI, as minutes for the prior and later periods are already available.

For COBE's move to the CBD (and related expenditure) to have commenced before the UTAS Council provided appropriate authorisations and delegations - and then by, at the least, 15 months - would not only be contrary to previous practice by the UTAS Council, but would appear in clear and serious breach of the UTAS Council Ordinance applying in December 2020.

I look forward to reading the minutes for the period between 4 April 2022 and 24 February 2023.

Regards

Robert

On Wednesday, 14 February 2024 at 09:21:55 am AEDT, [REDACTED] > wrote:

Dear Mr Hogan

Thank you for your email and your patience in awaiting a response.

I understand that you have submitted a Right to Information request for access to Council minutes which cover the period where these decisions were considered by Council. I believe this will be finalised shortly.

In relation to your last question concerning students parking and busing from Sandy Bay Campus to the city, the University operates the Uni Hopper which is free and bus service accessed by many staff and students studying and working across our various campuses including the city. More information on the Uni Hopper is available to read [here](#) and some further and hopefully helpful references to access through the [University's Sustainable Transport Strategy](#).

Kind regards



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**From:** Robert Hogan <[harveyr35@aol.com](mailto:harveyr35@aol.com)>  
**Sent:** Wednesday, February 7, 2024 2:20 PM  
**To:** [REDACTED]  
**Subject:** Relocation of College of Business and Economics



I am hoping you can help me.

I can find no record in the UTAS Council Minutes of Council authorising:

- the relocation of the College of Business and Economic (COBE) to the Hobart CBD,
- leasing of premises at KPMG, Vodafone or other space that may have been leased to accommodate COBE, or
- authorisation of what must have been substantial expenditure required for fit out etc for COBE.

As this would be inconsistent with previous practice on the part of the Council, I assume either the relevant reference in the Minutes is redacted or I am just missing it.

Can you please direct me to the relevant page(s) of the UTAS Council Minutes.

I also understand that due to a lack of parking space, COBE students are parking at Sandy Bay and then bussing to the Hobart CBD. Do you know whether this is correct?

Regards

Robert Hogan

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Letter to Chancellor Watkins.pdf  
248.4kB



Attachment D - Letter to Chancellor Watkins - UTAS Council Minutes – 29 October 2020.pdf  
216.3kB



Attachment C - Letter to Chancellor Watkins.pdf  
67.2kB



Attachment B - Letter to Chancellor Watkins.pdf  
243.3kB



Attachment A - Letter to Chancellor Watkins.pdf  
438.4kB



AFR - Failure to rein in uni bosses.pdf  
1.1MB