

Dr Grant Davies
Ombudsman
Ombudsman Tasmania
By email: ombudsman@ombudsman.tas.gov.au

Complaint of Possible Maladministration under the *Ombudsman Act 1978*: Premier Rockliff and DPAC 's conduct in relation to the *University of Tasmania (Protection of Land) Bill 2024*, Right to Information and UTAS' STEM Proposal

1. Introduction

I make this complaint as a former Commonwealth Public Servant with 30 years' experience, including 19 years as a Senior Executive. I administered the Commonwealth's multi-billion-dollar land transport infrastructure program for five years (reviewing many business cases) and had extensive experience as a regulator and in governance issues, including handling of Freedom of Information requests.

My complaint concerns possible maladministration by Premier Rockliff (including his office) and the Department of Premier and Cabinet (DPAC), in relation to: the development of the radical rezoning/sale amendments (Section 7 and Schedule 2) of the *University of Tasmania (Protection of Land) Bill 2024* that were tabled on second reading of the Bill in the House of Assembly on 28 November 2024; the closely related UTAS STEM proposal; and the handling of my Right to Information (RTI) applications about these matters.

Specific elements of my complaint are:

- **Supplanting of portfolio Ministers by Premier Rockliff (and his office) without transparent accountability in relation to the *University of Tasmania (Protection of Land) Bill 2024*.**
- **Delays, obstruction, inadequate record-keeping and/or deliberate non-disclosure of records by DPAC in relation to Right to Information applications.**
- **Misuse, or incompetent handling, of DPAC's coordination role that undermined the transparency objects of the *Right to Information Act 2009* and obscured the true chain of responsibility for the rezoning/sale amendments to the *University of Tasmania (Protection of Land) Bill 2024*.**
- **Gross administrative failures, negligence, lack of quality control and lack of coordination by Premier Rockliff and DPAC relating to UTAS' STEM proposal, which in its final form - as**

UTAS' STEM Precinct Detailed Business Case (2025) - was submitted to the Commonwealth with "the full support of the Tasmanian Government".

These elements are detailed in **Section 4** below.

I have major concerns about both a lack of probity and integrity by the Government and what appears a tendency to reflexive secrecy. DPAC's handling of my RTI applications should be of major concern to all Tasmanians, particularly given the current emphasis on improving transparency in Tasmania and the central role the Premier and DPAC must play in this.

I am also concerned that maladministration has 'cost' two years of wasted time, during which UTAS could have been upgrading and revitalising STEM facilities at Sandy Bay, instead of allowing them to degrade.

I will be making further submissions to the RTI section in your office in relation to the external review of my RTI applications to DPAC (**R2504-004**) and Minister Ogilvie (**R2504-020**) under the *Right to Information Act 2009*.

I would welcome the opportunity to speak to this submission and to provide additional explanation and detail.

As a matter of public interest, I will be circulating this complaint widely, but in so doing will redact the paragraph that I have marked as confidential on page 9.

2. Background

2(a) The *University of Tasmania (Protection of Land) Bill 2024*

On 27 February 2024, during the Tasmanian election campaign, the State Liberal Government made an election commitment that it would:

*"amend the *University of Tasmania Act 1992* [UTAS Act] to require that the land at Sandy Bay currently held by the University of Tasmania cannot be sold except with the explicit support of both Houses of the Parliament."*

Subsequently the Government clarified that this commitment would also extend to the leasing of land by UTAS at Sandy Bay.

On 20 June 2024, the Government introduced the *University of Tasmania (Protection of Land) Bill 2024* (the UTAS Land Bill) in the House of Assembly, in fulfilment of its election commitment (having decided separate legislation was a more practical option than amendment to the UTAS Act).

On the second reading of the UTAS Land Bill on 28 November 2024, the Government moved radical amendments (Section 7 and Schedule 2) to the Bill, which would have the effect of rezoning UTAS land above Churchill Avenue to allow sale of that land, without the conduct of normal rezoning processes. The amended Bill passed the House of Assembly on that same day but lapsed before it could be considered in the Legislative Council, when Parliament was prorogued for conduct of a state election in 2025.

Following re-election of the Government (in minority), it reintroduced the Bill, with the rezoning/sale amendments still included, on 25 September 2025, now with the title the *University of*

Tasmania (Protection of Land) Bill 2025. The Bill was considered and passed in the House of Assembly on 3 December 2025.

The Bill was introduced in the Legislative Council on 4 December 2025 and is currently on the Notice Paper for its second reading.

2(b) The rezoning/sale amendments and the subversion of due process

The clear intent behind the UTAS Land Bill, when it was introduced to the House of Assembly on 20 June 2024, was that any and all proposals for sale or long-term leasing of land by UTAS at UTAS' Sandy Bay campus should be subject to agreement by both chambers of Parliament, and that UTAS would provide supporting documentation (the Clause Notes for the Bill still states that UTAS must provide "a draft disposal motion containing specified information").¹

Indeed, even after it had become known that the Government was contemplating amendments to the UTAS Land Bill, in a media interview on 7 November 2024, Minister Ogilvie stated:

"...what I have said is I want to see the full business case of what the proposal is. And my view is that business case ought to come through Parliament. So that's our position." (my bolding)²

However, on 18 November 2024, some four months before UTAS provided a STEM business case to the Government, Cabinet approved rezoning/sale amendments to the UTAS Land Bill (Attachment 1)³.

As noted previously, the amended Bill was tabled in the House of Assembly on 28 November 2024 and passed by the major parties acting in concert.

Not only did the Government do UTAS' work for it, by embodying UTAS' proposal for rezoning/sale of land above Churchill Avenue in legislative form, but it completely cast aside due process, including notably:

- UTAS did not provide the business case foreshadowed by Minister Ogilvie on 7 November. Instead, Vice-Chancellor (VC) Black provided a three-page letter to Minister Ogilvie (and even then, only on 25 November 2024, a week after Cabinet had approved the amendments, and after the amendments had already been circulated to MPs).⁴
 - This letter foreshadowed provision of a business case by the first quarter of 2025 and a deed poll in which UTAS would undertake to hypothecate revenue from sale of land above Churchill Avenue to works on the Sandy Bay campus below Churchill Avenue.

¹ https://www.parliament.tas.gov.au/_data/assets/pdf_file/0030/97464/CLAUSE-NOTES-University-of-Tasmania-Protection-of-Land-Bill-2025.PDF, Clause 4

² *Mornings Tasmania* with Leon Compton, ABC; Transcript at: <https://www.abc.net.au/listen/programs/hobart-mornings/madeleine-ogilvie-on-utas-plan-to-stay-in-sandy-bay/104572170>; audio at: <https://www.abc.net.au/listen/programs/hobart-mornings/madeleine-ogilvie-on-utas-plan-to-stay-in-sandy-bay/104572170>; see also Attachment 1.

³ The Paxon Group's report on a draft of the business case is dated 11 February 2025. The UTAS Council Minutes of 28 February 2025 indicates the business case was still being finalised at that time. However, Cabinet made its decision to support the rezoning/sale amendments to the UTAS Land Bill on 18 November 2024, which seems both totally premature and unjustifiable. See date entries at Attachment 1.

⁴ A copy of the letter is provided in Attachment 1.

- While the business case did finally emerge, it was far too late to have practical impact (see Section 2(c) below). **It also did not contain a business case for rezoning/sale of campus land above Churchill Avenue per se (for instance, it lacked a benefit-cost analysis for rezoning/sale of that land, which would involve relocation/removal of major STEM facilities).**
- To my knowledge, a deed poll has still not been provided in the public domain and has not been obtained through RTI.
- The Government overrode the City of Hobart Mount Nelson and Sandy Bay neighbourhood planning process.
- The Government overrode other normal elements of the land planning and rezoning process, which is governed by legislation.
- The Government thereby removed the opportunity for community involvement and input and the opportunity for review by the courts (claims that the normal opportunities for input and review would exist after rezoning, while containing a kernel of truth, were misleading).
- The Government even failed at that time to update the Clause Notes to take account of the amendments, while the amendments included maps that were ‘rough’ at best.

2(c) UTAS’ STEM Precinct Detailed Business Case⁵

Assumptions

The rezoning/sale amendments to the UTAS Land Bill were predicated on a number of flawed or questionable assumptions, as set out in VC Black’s three-page letter to Minister Ogilvie, including that:

- UTAS could develop a new STEM precinct at Sandy Bay for \$500 million;
- The bulk of the funding would need to be provided by the Commonwealth;
- Commonwealth funding would need be leveraged by UTAS/State funding provided by sale of campus land (above Churchill Avenue); and
- Work would need to commence in 12 to 18 months – that is by April 2026 (a timeline first mentioned by VC Black in a media release on 6 November 2025).⁶

These assumptions were and are totally unsound, especially as they were crystallised in UTAS’ *STEM Precinct Detailed Business Case*, which was submitted to the Commonwealth Government on 26 March 2025 (hereafter referred to as UTAS’ **SPDBC-2025**).

⁵ Copy at: <https://www.utas.edu.au/about/campuses/southern-transformation/building-our-hobart-university-presence-since-2007>

⁶ These assumptions are in VC Black’s letter to Minister Ogilvie of 25 November 2024; see [Attachment 1](#). However, Black had mentioned the timeline in a media release of 6 November 2024, stating: “This is an urgent priority for the State because unless we get started in the next 12 to 18 months, Tasmania won’t have new STEM facilities until well into the 2030s, putting us decades behind the rest of the country.”. see: <https://www.utas.edu.au/about/news-and-stories/articles/2024/university-of-tasmanias-future-direction-for-its-hobart-campus>

Timing of submission of the business case and eligibility for funding

UTAS commenced working on plans for a 'new' STEM in March 2024, in response to the Government's election commitment (see [Attachment 1](#)).

From the outset, UTAS (VC Black) had its mind set on a figure of \$500 million being required - whatever the actual needs of the project - and understood that most of the funding would need to be obtained from the Commonwealth Government.⁷

However, a shift in Commonwealth Government funding of large-scale infrastructure to focus on land transport infrastructure had been announced on 14 November 2023.⁸ Some, at least, within UTAS appeared to understand that, consequently, UTAS' best hope of obtaining significant funding from the Commonwealth was through an election commitment in the 2025 Federal election process, as election campaigns frequently see normal program funding rules and criteria set aside. For instance, in a contract with former Premier Will Hodgman, of 12 March 2024, UTAS set as a milestone requirement:

"STEM proposal ready for submission to the Federal Government by the end of 2024 and prior to the Federal Election, May 2025."⁹

Moreover, on 9 May 2024, VC Black wrote to Catherine King, the Commonwealth Minister for Infrastructure, seeking guidance on Commonwealth funding programs available to fund UTAS' STEM plans. Ms King's response referred only to programs with limited funding capacity and certainly nothing that could make a material contribution to a \$500 million project.

- There is no indication in documents that I have obtained under RTI that this correspondence was ever passed on to the State Government.
- A copy of both letters is provided in [Attachment 1](#), which reproduces, or provides links to, key documents relating to the UTAS Land Bill and UTAS' STEM plans obtained through RTI or from other sources.¹⁰

For reasons that remain unclear, the end of 2024 deadline was not met. The *SPDBC-2025* was not submitted to the Commonwealth Government (and Opposition?) until 26 March 2025, when the Federal election campaign was well underway. Neither the Commonwealth Government nor the Opposition made an election commitment to UTAS' STEM project in the election campaign (nor did the Commonwealth Government make a commitment in the December 2025 Mid-Year Economic and Fiscal outlook).

A significant Commonwealth funding contribution to UTAS' STEM project ever eventuating is most unlikely and certainly not in time for the commencement of work by April 2026, which VC Black had stated as necessary. Any (very) slim hope of Commonwealth funding was further undermined by the poor quality of UTAS' *SPDBC-2025* submitted to the Commonwealth Government on 26 March 2025.

⁷ [VC Black's cynical \\$500 million STEM con job - The UTAS Papers](#) and [Attachment 1](#)

⁸ [infrastructure-policy-statement-20231114.pdf](#); see also <https://www.infrastructure.gov.au/department/media/news/government-responds-independent-strategic-review-infrastructure-investment-program>

⁹ See my blog post on the Hodgman contract at: <https://theutaspapers.com/rti-documents-raise-major-issues-on-utas-hodgman-contracts/> Copies of key documents are also provided in [Attachment 1](#).

¹⁰ On the letters, see also: <https://theutaspapers.com/ogilvies-santa-claus-strategy-for-funding-stem-at-sandy-bay/>

Content of UTAS' *SPDBC-2025*

Cost estimate

On the cost issue, as noted, the \$500 million figure was a top-down figure imposed on UTAS' STEM project from the time UTAS first started talking about it in public. As a cost estimate for the project outlined in UTAS' *SPDBC-2025* it was unrealistic and becomes more so with each passing day. As quantity surveying consultant Slattery, which prepared the \$501.5 million cost used in the *SPDBC-2025*, stated:

“This cost plan is based on preliminary information and therefore should be regarded as indicative only of the possible order of cost. All components of the cost plan will require confirmation once further documentation is available. **Refer to the accompanying letter for details of basis of cost plan and exclusions from above costs.**”¹¹ (my bolding)

It should also be noted that Slattery's cost estimate was provided in a one-page appendix to the *SPDBC-2025*. As a cost estimate for a project on this scale, this is a very superficial document and it might reasonably have been expected that the letter referred to in bolding above provided more detail, including contingency and cost escalation assumptions and sensitivity analysis, although such work might normally have been done by a business adviser but was not. **Minister Ogilvie has now stated that no such letter exists (see Section 4(d) below).**

I have also seen no indication in RTI documents or elsewhere that the likely substantial impact of having to compete with the Macquarie Point stadium for scarce construction resources has been taken into account in the cost estimates by Slattery, Deloitte (who prepared the body of the *SPDBC-2025* for UTAS), UTAS or anyone in government.

Funding contributions

There are three main elements to the funding regime presented in the Business Case – that cost sharing between the Commonwealth and Tasmania would be an 80%-20% split, that the State Government would provide the State's 20% share and that this would be funded by the value of the land above Churchill Avenue. All three elements are questionable or wrong.

In its 14 November 2023 policy statement, the Commonwealth stated a clear preference that cost sharing between the Commonwealth and State would be a 50%-50% split for land transport infrastructure projects. This was largely given effect in the Federation Funding Agreement for Land Transport 2024-2029, which was signed by the Tasmanian Treasurer.¹² There has been concern within the State Government that the 50%-50% funding split for land transport infrastructure could be extended by the Commonwealth to infrastructure more generally.¹³ While the Commonwealth will always have flexibility to contribute more than 50% to a project, if it so decides, the assumption that the Commonwealth would ever have provided 80% to the *SPDBC-2025* was highly optimistic. A 50%-50% split would have required the State to contribute \$250 million to a \$500 million project.

As well as assuming that the Tasmania would only make a 20% contribution to UTAS' STEM project, the *SPDFC-2025* also assumed that this would be paid by the State Government, for example:

¹¹ https://www.utas.edu.au/_data/assets/pdf_file/0009/1900557/University-of-Tasmania-STEM-Business-Case.pdf, Appendix B (pdf page 117)

¹² [20240821_LTIP_FFAS_1.pdf](#); also see [State and territory taxpayers set to bankroll more major infrastructure projects under secretive deal - ABC News](#)

¹³ [Infrastructure building 80:20 deal will connect communities | Premier of Tasmania](#)

“Recognising the significant benefit that the UTAS STEM Precinct will provide to a broader range of stakeholders beyond UTAS, a government funding request is required to deliver the Precinct and realise these benefits. The initial funding envelope for \$50 million to complete Stage 1 works, and the proposed Australian Government funding request of \$401.5 million over seven years represents the total capital cost to deliver the new Sandy Bay STEM precinct **less a proposed \$100 million land sale or transfer to the Tasmanian Government**, subject to Tasmanian Parliamentary approval for rezoning.”¹⁴ (my bolding)

The State Government has repeatedly ruled out making any contribution, including in the two debates on the UTAS Land Bill in the House of Assembly, and as recently as 18 March 2026, Minister Ogilvie responded to a question by Meg Webb MLC on this matter:

“The Tasmanian Government has not committed any funds towards the UTAS' STEM business case, nor has it committed to purchasing the land above Churchill Avenue.”¹⁵

Moreover, when State Minister for Infrastructure Kerry Vincent submitted UTAS' *SPDBC-2025* to Minister King on 26 March 2025, with “the full support of the Tasmanian Government”, he made no commitment of State funding to the project as a whole, or to the initial \$50 million then being sought.¹⁶ From my experience, the Commonwealth would certainly have expected a State funding commitment of some kind.

The \$100 million land value

On the value of the land earmarked for rezoning/sale being \$100 million, the only documentary support for this so far is in UTAS' *SPDBC-2025*, where it is stated:

“Preliminary land valuation estimates this land to be worth approximately \$100 million...”¹⁷

However, there is no support for this claim elsewhere in the body of the *SPDBC-2025* or in its appendices as might reasonably have been expected. Nor is there any support in any of the 1710 pages of documents that I have obtained through RTI. A valuation undertaken for UTAS in 2018, suggested a value of \$35 million at that time may have been reasonable. A valuation of \$100 million in March 2025, or now, seems fanciful and should require much greater substantiation and transparency than has so far been provided.¹⁸

¹⁴ https://www.utas.edu.au/_data/assets/pdf_file/0009/1900557/University-of-Tasmania-STEM-Business-Case.pdf, page 7. See also pages 72 and 79.

¹⁵ <https://megwebb.com.au/question-answer-university-of-tasmania-stem-business-case/>

¹⁶ https://www.utas.edu.au/_data/assets/pdf_file/0004/1810336/Letter-from-the-Minister-for-Infrastructure-to-Minister-King-UTAS-STEM.pdf

¹⁷ https://www.utas.edu.au/_data/assets/pdf_file/0009/1900557/University-of-Tasmania-STEM-Business-Case.pdf, page 77

¹⁸ The most recent land valuation on the public record is that appended to UTAS' *Southern Future Business Case* of 2019, being a valuation done by North at:

https://www.utas.edu.au/_data/assets/pdf_file/0004/1664770/Appendix-10-Sandy-Bay-Land-Realisation-Business-Case,-June-2018.pdf The land values of the areas designated for rezoning in the UTAS Land Bill are approximately equivalent to those for super lots 5 (\$28.2 million), 6 (\$3.9 million) and roughly one-third of 7 (c\$3.4 million), and the excised area (say \$2.2 million). This makes a total of \$38 million and an allowance for the enabling works mentioned by North would reduce that to \$35 million. While some allowance might be made for increases in land value, there are indications that much of the land designated for rezoning in the amendments to the UTAS Land Bill may not be attractive to developers.

In short:

- With no funding contributions obtained, UTAS' STEM project is unviable;
- It is significantly undercosted; and
- Given that no funding has been obtained, the requirement for work to commence would exceed VC Black's 12-18 months' timeframe (April 2026).

A practical option is required now, and the best option might be along the lines of immediately commencing an affordable 10-year \$200 million revitalisation program at the Sandy Bay campus, with STEM prioritised, including the extensive STEM facilities above Churchill Avenue.

Viewed from this perspective, the rezoning/sale amendments to the UTAS Land Bill not only lack any justification, but they would also foreclose on UTAS' best option and have been and are counterproductive in encouraging time wasting when work could be underway, allowing key STEM facilities to further degrade.

This is not hindsight. I have written extensively in the last two years on flaws in UTAS' STEM plans, the unlikelihood of significant Commonwealth funding, and UTAS' failure to submit a business base in time for the Federal election campaign – its only real hope of securing significant Commonwealth funding.¹⁹

3. Right to Information (RTI)

3(a) My RTI applications

In December 2024, I submitted a total of seven RTI applications aimed at exploring two main issues:

- (1) How, when and why the radical rezoning/sale amendments to the UTAS Land Bill came about; and
- (2) UTAS' planning for a new STEM precinct, and the extent of Government involvement in this.

My seven RTI applications were comprised as follows.

On 4 December 2024, I submitted six RTI applications to the following:

- Premier Rockliff;
- DPAC;
- Minister Palmer, as Minister for Education;
- the Department for Education, Children and Young People (DECYP);
- Minister Ogilvie (via the Department of State Growth; DSG) in her capacities as the Minister responsible for the UTAS Land Bill in the House of Assembly and the Minister for STEM; and
- the Department of Treasury and Finance (Treasury).

¹⁹ <https://theutaspapers.com/rti-documents-raise-major-issues-on-utas-hodgman-contracts/>;
<https://theutaspapers.com/ogilvies-santa-claus-strategy-for-funding-stem-at-sandy-bay/>;
<https://theutaspapers.com/rti-documents-raise-major-issues-on-utas-hodgman-contracts/>

On 20 December 2024, I submitted an RTI application to UTAS.

There was intentional overlap in the applications as I wished to ensure nothing fell between the gaps – a problem that I had experienced with previous RTI applications to UTAS and government agencies.

3(b) Issues with responses/decisions in chronological order

(As my focus in this complaint is Premier Rockliff, DPAC and Minister Ogilvie (who had ministerial oversight of the rezoning/sale amendments within DPAC – see entry for 5 May 2025 below), I have broadly outlined my dealings with Minister Palmer, DECYP, Treasury and UTAS in [Attachment 2](#). I note that some of my dealings with those parties, particularly UTAS, were difficult. However, they did provide some 1330 pages of documentation, although the 853 pages received from UTAS being poorly ordered and presented many issues.)

I have had to deal with numerous issues relating to my RTI applications to Premier Rockliff, DPAC and Minister Ogilvie, including unreasonable and unjustifiable delays in the acceptance of my applications and extensive delays in processing, amounting - I believe - to willful obstruction:

- On 31 January 2025, I was advised by Gemma Smith, an RTI officer in DPAC, that she had held a meeting with representatives of UTAS, DSG and DECYP that day. Ms Smith advised that:

“At that meeting, we discussed what information had been discovered between our public authorities/Ministers and which entities’ functions the subject matter of the material related most to in order to determine which entity should take the lead on assessing and providing a decision on that information.”
- On 4 February 2025, based on agreement with Ms Smith that DPAC would cover elements of my RTI application to Premier Rockliff in my application to DPAC, and that the two applications would likely yield similar results, I was persuaded to withdraw my application to Premier Rockliff. In light of subsequent developments, and the realisation of the major role in the rezoning/sale amendments played by Premier Rockliff and his office, I regret this decision (see Section 4(b) below).
- On 5 February 2025, **two months after submission**, DPAC accepted my RTI application and undertook to provide a response by 28 February 2025.
- [REDACTED]
- On 21 March 2025, I also received a decision from DSG, in response to my application to Minister Ogilvie, **but not on her behalf**. This decision attached a document schedule and 31 pages of documents.
- On 2 April 2025, given the protracted delays at every stage with DPAC, and following discussion with the Ombudsman’s office, I submitted a request for external review to the Ombudsman,

under Section 46(1) of the RTI Act (**R2504-004**). The Ombudsman’s office directed DPAC to provide a response by 5 May 2025.

- On 5 May 2025, I was (incorrectly) advised by DSG that:

“Minister Ogilvie’s involvement in the Bill was minimal, she merely took carriage when it needed to proceed through the House of Assembly. Minister Ogilvie was supported by DPAC when progressing the amendment Bill.”²⁰
- On 7 May, as DPAC had not responded to me, the Ombudsman’s office followed up with them again.
- On 17 May 2025, as I had not received a response from DPAC, I sought an update from the Ombudsman’s office.
- On 17 May 2025, as I had not received a decision on my application to Minister Ogilvie, and progress in addressing this matter with DSG had not been satisfactory, I submitted a request for external review to the Ombudsman under Section 46(1) of the RTI Act (**R2504-020**).
- On 22 May 2025, following communication between the Ombudsman’s office and DPAC on 21 May, I received DPAC’s decision, with a schedule of documents and 58 pages of documentation – some six and half months after I had submitted my RTI application.
 - DPAC issued a revised decision letter and a revised schedule of documents on 5 June 2025, but I have not detected material differences from the previously provided documents.
- On 11 July 2025, in a letter from the Ombudsman’s office I was provided with extensive quotes from DSG. Apart from incorrectly indicating that all relevant documents had been released on behalf of Minister Ogilvie (either by it or other agencies), this included a statement that:

“As Mr Hogan had also made applications to DPAC and the Department for Education, Children and Young People (DECYP) regarding UTAS STEM and the Land Transfer Bill, this Department liaised with those Departments to confirm that any advice provided by those Departments to Minister Ogilvie (if any existed) was captured in the requests to their Departments. Each confirmed that if they had provided Minister Ogilvie with information, it would be captured in their own search and assessment. On that basis State Growth is satisfied that all possible methods by which Minister Ogilvie may have received information were captured.”
- On 23 October 2025, as the UTAS Land Bill had been placed on the Notice Paper for the House of Assembly, I made a detailed submission to the Ombudsman’s office chiefly focusing on the large gaps in documentation provided by DPAC, and by DSG on behalf of Minister Ogilvie, in response to my RTI applications of 4 December 2024.
- On 10 November 2025, the Ombudsman’s office advised me that it had directed Minister Ogilvie to respond to my RTI application by 28 November 2025.
- On 21 November 2025, the Ombudsman’s office advised me that DSG had written to say:

²⁰ Minister Ogilvie’s role, even before the UTAS Land Bill passed to DPAC, was extensive. My submission to the RTI section in the Ombudsman’s office of 23 October 2025 provided detail on this.

“The Minister’s Office will perform a third search as a result of this request so that everyone is hopefully satisfied with the information located, and are unable to complete this at present due to work associated with the Budget Estimates process.

A decision from the delegate of the Minister will be issued to Mr Hogan by the end of this year.”

- On 8 January 2026, after further delays by DSG, the Ombudsman’s office advised me that it had directed DSG to release a decision to me “*no later than 19 January 2026.*”
- On 29 January 2026, after further contact by the Ombudsman’s office, DSG (Secretary Limkin) released 290 pages of documents. Mr Limkin did not explicitly state that he was responding on behalf of Minister Ogilvie, but the documents were all documents that should have been previously identified in response to my RTI application to Minister Ogilvie, and I have taken Mr Limkin’s response as a response on behalf of Minister Ogilvie. **On one hand the documents proved definitively that DSG statements quoted on 11 July 2025 were totally wrong. On the other, there are still very large gaps in documentation.**

With the initial responses received from DPAC and Minister Ogilvie, I have now received some 1710 pages of documentation from six RTI applications (noting that I withdrew my seventh application to Premier Rockliff). I have been able to ‘take stock’ through an extensive process of analysis and cross-checking. The result is extremely disappointing. There are still many large gaps in documentation. In particular, many gaps remain in the documentation provided by DSG and DPAC: on how, when and why the radical rezoning/sale amendments to the UTAS Land Bill came about. There are also obvious gaps with respect to the Government’s involvement in UTAS’ planning for a new STEM precinct, although the documents that I have indicate that the Government’s involvement was negligent and poorly coordinated (see Section 4(d)).

4. Complaint of Possible Maladministration

4(a) Supplanting of portfolio Ministers by Premier Rockliff without transparent accountability in relation to the *University of Tasmania (Protection of Land) Bill 2024*

This issue is a central focus of [Attachment 1](#), in which I have sought to identify all relevant developments and reproduce key documents – both those obtained under RTI and those obtained from other sources (incomplete though they are – see 4(b)).

Documents are clear that responsibility for the UTAS Land Bill as initially tabled in the House of Assembly on 20 June 2024 sat under Minister Palmer as Education Minister and Minister Ogilvie as the responsible Minister in the House of Assembly and the Minister responsible for STEM. Drafting responsibility rested with the Department of Education. Documents also indicate that Minister Ogilvie increasingly exercised a greater role than Minister Palmer, due to her involvement with UTAS over STEM.²¹

²¹ See msubmission to the RTI section in the Ombudsman’s office of 23 October 2025.

As documented in Attachment 1 and elsewhere²², both Ministers rightly took a strong line against UTAS' criticism of the UTAS Land Bill as ill-founded, including in correspondence as late as a letter from Minister Ogilvie to Chancellor Watkins on 30 July 2024.

However, a key letter of 2 August 2024 by UTAS Chancellor Alison Watkins to Minister Ogilvie reveals that UTAS had 'appealed' over the heads of Ministers Palmer and Ogilvie to Premier Rockliff and that UTAS was now dealing directly with Premier Rockliff and his office (Attachment 1). In the following months, Premier Rockliff, the Premier's office and DPAC supplanted Minister Palmer, Minister Ogilvie (to some extent) and DECYP, with drafting responsibility for the rezoning/sale amendments passing to DPAC (Attachment 1).

- Rightly or wrongly, RTI documents provided by DECYP indicate that Minister Palmer had ceased to have any real responsibility for the Bill by 30 September 2024.
- RTI documents also indicate that DECYP continued to brief with a strong line against UTAS' criticism of the UTAS Land Bill as ill-founded at least as late as 30 September 2024, indicating that it was kept 'out of the loop' on developments (Attachment 1).

The supplanting of portfolio Ministers by Premier Rockliff was not transparently documented or explained on the public record. This raises concerns about accountability and candour to Parliament and the public when significant legislative changes are, in substance, being controlled from the centre (that is, by Premier Rockliff and DPAC).

Three particular issues that arise from documents in Attachment 1 are:

- The exact role of Premier Rockliff and his office (including Prue Gusmerini);
- The extent to which Minister Ogilvie remained an active participant or acted largely as a 'figurehead' for Premier Rockliff, his office and DPAC (the documents released under RTI suggest that the Premier's office and DPAC were more centrally engaged in developing the rezoning/sale amendments with UTAS than Minister Ogilvie); and
- The role of former Premier Will Hodgman, who had a pre-existing contract with UTAS, which was varied on 30 August 2024 to include the UTAS Land Bill, and whose name is on a number of key documents (Attachment 1).

4 (b) Delays, obstruction, inadequate record-keeping and/or deliberate non-disclosure of records by DPAC²³

I will proceed to deal with specific issues in DPAC's conduct, and the 58 pages of documents I received from DPAC below, but note that:

²² See my submission to the RTI section in the Ombudsman's office of 23 October 2025.

²³ The documents provided by DPAC are at: <https://theutaspapers.com/wp-content/uploads/2026/03/RTI-Decision-to-Mr-Robert-Hogan.pdf>. Note that I agreed to Ms Smith summarising the detailed scope of my RTI application to DPAC as "*all information relating to the drafting and amendment of the University of Tasmania (Protection of Land) Bill 2024.*" However, with some amendment, the detailed scope continued to apply.

- Some 37 pages of the documents provided relate to the period up to 8 August 2024 and deal with the UTAS Land Bill as it was originally tabled in the House of Assembly on 20 June 2024. This was a period when DECYP had primary responsibility for the UTAS Land Bill.
- 21 pages of documents (nine of which were redacted and two of which were publicly available) deal with the amendments to the UTAS Land Bill, however these documents only begin on 14 November 2024 and are themselves fragmentary.

There is thus a period of over three months between 8 August 2024 and 14 November 2024 for which DPAC has provided no documentation (see [Attachment 1](#)).

I am aware from other sources (see [Attachment 1](#)) that the period between 8 August 2024 and 14 November 2024, in particular, was one of intense activity on the UTAS Land Bill, and perhaps also the STEM issue, within DPAC. It was the period in which the rezoning/sale amendments to the UTAS Land Bill were developed and drafting responsibility was assigned away from DECYP to DPAC and placed under the (notional?) oversight of Minister Ogilvie. Documents provided by UTAS show DPAC Secretary Ms Morgan-Wicks, Acting DPAC Deputy Secretary Matthew Healey and other DPAC staff extensively involved, as well as Minister Ogilvie and Mr Bick (from Ms Ogilvie's office), but these documents are themselves full of large gaps and are mainly focused on the UTAS side of the picture. The fact of UTAS providing such documents suggests the existence of a large volume of material relevant to my request that has been neither provided nor even identified by DPAC.

Specific issues include:

- DPAC's protracted delay in accepting my RTI application;
- DPAC (Ms Smith) claimed that my RTI application to Premier Rockliff was duplicative of my application to DPAC, persuading me to withdraw this application. DPAC may or may not have known of the role of Premier Rockliff and his office in reaching a 'deal' with UTAS over the rezoning/sale amendments. The fact is, however, that some records - at least - responsive to my application to Premier Rockliff have been denied to me.
- Delays after 28 February 2025 (the date foreshadowed by DPAC for provision of documents), such that the Ombudsman's office, at least three times, formally directed or urged DPAC to respond to me, raising concerns that provision of documents was being deliberately delayed and/or that documents were being filtered.
- DPAC's 58 pages of documents fail to identify, omit or heavily redact key classes of document, such as:
 - Premier Rockliff's diary entries for meetings with UTAS (I have some, but these were obtained through other sources);
 - Drafting instructions for the rezoning/sale amendments - one (or more) of the most relevant and important documents captured by the terms of my RTI application (I fully appreciate that these are likely exempt, but they should have been identified);
 - Any briefing documents or records of meetings, including briefing provided to Minister Ogilvie on the rezoning/sale amendments to the UTAS Land Bill for the second reading debate of 28 November 2024 (**no documents of this kind were provided at all**);

- Any consideration of the policy of rezoning by legislation and bypassing normal planning processes; and
- Any consideration of whether the rezoning/sale amendments would provide the funds being sought by UTAS; and
- Communications on the rezoning/sale amendments, including external communications emanating from DPAC to other agencies, UTAS and other parties. Insofar as I have been able to identify documents of this kind among the 1710 pages I have received from my RTI applications, they have very largely come from my RTI applications to parties other than DPAC (and consequently show only a small part of the picture).

I had believed that some ‘gaps’ might be filled when I finally received a response to my RTI application to Minister Ogilvie, notionally the Minister responsible for the rezoning/sale amendments. In fact, the 290 pages I received from DSG in January 2026 added relatively little on the listed matters.

Statistics can and do lie, but in this case I believe it is telling that only 3% of the pages of documents I have received from my RTI applications have come from DPAC, when it is clear that Premier Rockliff, his office and DPAC played a fundamental role in development of the radical rezoning/sale amendments to the UTAS Land Bill.

I am concerned that:

- Premier Rockliff, Premier Rockliff’s office and DPAC have failed to keep adequate records of their involvement in a major legislative change; and/or
- Those records exist but have not been adequately searched for, identified and disclosed, indicating an “insufficiency in searching” so serious as to amount to maladministration; and/or
- Exemptions and “not relevant” redactions have been used to conceal factual material about Premier Rockliff’s and DPAC’s role.

4(c) Misuse, or incompetent handling, of DPAC’s RTI “coordination” role and the coordination process

As noted above, DPAC convened a meeting on 31 January 2025 with UTAS, DECYP and DSG to determine “which entity should take the lead” on overlapping RTI material. While coordination is not inherently improper, the outcome in this case was:

- Fragmentary, duplicative (both within and between agencies), extremely poorly ordered and inconsistent releases;
- Clear and major gaps in material provided;
- Claims that gaps that I had identified in responses to some RTI applications would be addressed by responses to other applications;
- Protracted delays by DPAC itself and Minister Ogilvie (through DSG) in providing responses, such that they had to be directed to provide responses by the Ombudsman’s office (with further significant delays);

- The loss of an opportunity to seek external review of material provided by UTAS, due to the issues with DPAC and Minister Ogilvie’s (DSG’s) responses; and
- A practical result in which Premier Rockliff, his office and DPAC, who - with UTAS - appear to have driven the rezoning/sale amendments to the UTAS Land Bill are the least visible ‘actors’ in the RTI material.

In my view this pattern shows a misuse, or incompetent handling, of DPAC’s coordination role that undermines the transparency objects of the RTI Act and obscures the true chain of responsibility for the rezoning/sale amendments to the UTAS Land Bill.

4(d) Gross administrative failures, negligence, lack of quality control and lack of coordination by Premier Rockliff and DPAC relating to UTAS’ STEM proposal, which in its final form - as UTAS’ STEM Precinct Detailed Business Case (2025) - was submitted to the Commonwealth with “the full support of the Tasmanian Government”.

While the Tasmanian Government submitted UTAS’ *SPDBC-2025* to the Commonwealth with its “full support”, I can find no evidence of that business case being subject to critical assessment, quality control or coordinated activity at any stage of its development by Government agencies (including Treasury and DSG), or even by UTAS, in the 1710 pages of RTI documents that I have received, or in other documents.

The Paxon Group conducted a review of a draft of UTAS’ Business Case on behalf of Infrastructure Tasmania. This occurred outside of the timeframe of my RTI applications and was released by UTAS.²⁴ However it feeds into a general picture of lack of coordination and incoherence.

Given their central role in drafting of the amendments to the UTAS Land Bill, and as the leaders of the Government and State Service respectively, Premier Rockliff and DPAC must be considered responsible for the gross administrative failures, negligence, lack of quality control and lack of coordination relating to UTAS’ *SPDBC-2025* and its development.

These failures include:

- On 16 October 2024, Premier Rockliff submitted a short description of UTAS’ STEM plan to Infrastructure Australia as one of Tasmania’s priority infrastructure projects. This description was an update of a business plan submitted in 2016 and bore no relationship to the *SPDBC-2025* submitted by Minister Vincent to the Commonwealth on 26 March 2025. From a Commonwealth perspective this could only have undermined the final *SPDBC-2025*’s credibility.²⁵
- As noted previously, the business case foreshadowed by Minister Ogilvie on 7 November 2024 was not forthcoming. It is conceivable that Minister Ogilvie may have believed she was about to receive a business case. However, what she finally received on 25 November 2024 was a three-page letter and – as noted previously - even this was received a week after Cabinet’s decision to approve the rezoning/sale amendments. Documents in Attachment 1 indicate Minister Ogilvie was confused over provision of a business case, perhaps by UTAS.

²⁴ https://www.utas.edu.au/data/assets/pdf_file/0004/1810507/STEM-business-case-project-assurance-review.pdf

²⁵ See Attachment 1, which provides a link to the document.

- Far from showing alertness to the State Government’s frequently stated position that it would not contribute to UTAS’ STEM plan, Paxon merely suggested a wording tweak reflected in the final **SPDBC-2025**. Apparently, no-one in Government read either this section of the Paxon report or **SPDBC-2025** on this issue before it was submitted with the Government’s “full support” to the Commonwealth.
- On cost, Paxon stated:

“Successful delivery of the project to time, **cost and quality appears highly likely** and there are no major outstanding issues that at this stage appear to threaten the successful delivery.”²⁶ (my bolding)

This is unsustainable. Paxon apparently missed the strong caveat Slattery had put on its cost estimate and failed to apply reasonable judgement.

- Paxon also made no reference to the inflationary pressures of having to potentially compete with the Macquarie Point stadium for scarce construction resources.
- Paxon raised no queries over the assumption of an 80%-20% funding split.
- Paxon raised no queries about the valuation of \$100 million for the UTAS campus land above Churchill Avenue subject to the rezoning/sale amendments to the UTAS Land Bill.
- The main body of UTAS’ **SPDBC-2025** was largely devoid of the sort of substance a Commonwealth reviewer would look for, being highly repetitive and reading more like a public relations document. The appendices, which might have been expected to add weight to the document, lacked substance and were poorly labeled and arranged, and accordingly poorly cross-referenced in the main body of the **SPDBC-2025**. This compares unfavourably with UTAS’ own STEM business cases of 2016 and its *Southern Future Business Case* of 2019 where, whatever the other flaws of those documents (and they were numerous), the appendices were both substantive and presented professionally.²⁷
- On her Facebook site, in the lead up to the 19 July 2025 Tasmanian State election, Minister Oglivie showed a remarkable lack of knowledge of the content of UTAS’ Business Case. For example, she claimed:

“colleges and greenhouses above Churchill [will be] retained and protected” and
 “The [STEM] assets above Churchill avenue remain.”²⁸

As the rezoning/sale amendments in the UTAS Land Bill were predicated on UTAS removing/relocating the STEM facilities above Churchill Avenue, these statements from the Minister responsible for both the UTAS Land Bill in the House of Assembly and STEM are surprising. **Here, as elsewhere, the question needs to be asked whether Ministers were adequately briefed by agencies (it would represent a grave deficiency if they were not), or whether they failed to read or absorb their briefs.**

²⁶ https://www.utas.edu.au/_data/assets/pdf_file/0004/1810507/STEM-business-case-project-assurance-review.pdf, page 4

²⁷ https://www.utas.edu.au/_data/assets/pdf_file/0010/1630819/Hobart-Science-and-Technology-Precinct-Business-Case-2016.pdf and https://www.utas.edu.au/_data/assets/pdf_file/0003/1634241/Southern-Future-Business-Case-Report.pdf

²⁸ <https://theutaspapers.com/wp-content/uploads/2026/03/Ogilvie-FB-on-STEM.pdf>

- The late submission of UTAS' **SPDBC-2025** to the Commonwealth on 26 March 2025, realistically depriving it of any chance it may have had of attracting funding in the 2025 Federal election campaign.
- The lack of substance and quality control, not to say sloppiness, of UTAS' **SPDBC-2025** would have severely undermined the request for major Commonwealth funding, even if funding on the scale requested had been available.

Moreover, the signs of sloppiness and incoherence continue, including in a series of poor responses on 18 March 2026 to parliamentary questions by Meg Webb MLC,²⁹ for example:

- On the scope for cost increases referred to in Slattery's cost estimate of UTAS' STEM project, Minister Ogilvie stated:

"Once final quotes are received [for the project], some variation from the initial estimates should reasonably be expected."

This is very different from Slattery's claim that its cost estimate "should be regarded as indicative only of the possible order of cost." The original project proposal should have included and reflected an appropriate contingency and not had as an objective fitting within a \$500 million cap. How does Minister Ogilvie envisage the Commonwealth would have reacted to cost increase, if it were funding the project? Even if \$500 million funding were now to be somehow achieved, the project would almost certainly need to be significantly de-scoped.

- On Slattery's letter, which might have been expected to be a key and substantive document, Minister Ogilvie stated:

"I am advised that this [the reference to Slattery's letter] was standard wording used by the third party on a summary document of this nature. A letter was not prepared in this instance and the reference to it was in error."

What an abject lack of professionalism all round.

- On the Business Case "estimate" of \$100 million for the land above Churchill Avenue, Minister Ogilvie stated:

"The \$100 million figure advised by UTAS represents an estimated value of the land above Churchill Avenue that has been identified for rezoning. Once rezoned as Inner Residential, this estimate reflects its potential market value. This figure will be validated when the land is sold."

Evidence is required.

- In response to other questions, Minister Ogilvie stated they were matters for UTAS.

Clearly, there were/are many State Government hands in the STEM issue – Premier Rockliff, Minister Ogilvie, DPAC, DCEYP, Minister Vincent and Infrastructure Tasmania, and Paxon who undertook a review on behalf of the State Government. There is no evidence in the RTI documents that I have received that any of them analysed and considered UTAS' Business Case in an appropriately diligent

²⁹ <https://megwebb.com.au/question-answer-university-of-tasmania-stem-business-case/>

manner as it was developed or on completion, or that handling of the matter was appropriately coordinated.

When the State Government gave its “full support” to UTAS’ STEM Business Case on submission to the Commonwealth, it should have been fully familiar with its contents and what it involved and have resolved major incoherences and issues (particularly the supposed commitment of the State Government to a funding contribution of \$100 million). To the extent, and RTI and other documents suggest it is a very large extent, the failures around the UTAS’ **SPDBC-2025** reflect deficient analysis and briefing by government agencies, those agencies should be held to account, with DPAC having particular responsibility.

I am concerned that the Government’s handling of UTAS’ now discredited Business Case has been thoroughly incompetent. Accordingly, there is absolutely no rationale for the rezoning/sale amendments to the UTAS Land Bill, and it is questionable that there ever was.

5. Issues for investigation

I ask the Ombudsman to investigate, in particular:

1. Whether, and to what extent, Premier Rockliff (and his office) and DPAC took over effective control of the development of the November 2024 rezoning/sale amendments from the portfolio Ministers, and whether this was properly documented, accounted for and transparent.
2. Whether Premier Rockliff (and his office) and DPAC have complied with their record-keeping obligations in relation to their involvement with UTAS and other parties on the UTAS Land Bill and STEM/Sandy Bay issues, particularly during the August–November 2024 period.
3. Whether DPAC’s handling of my RTI application – including delays, searching, identification of documents and use of exemptions/redactions – was reasonable and consistent with the RTI Act’s objects, or whether it reflects broader maladministration intended or likely to obscure the central role of Premier Rockliff and DPAC in the rezoning/sale amendments to the UTAS Land Bill.
4. Whether DPAC’s “coordination” of overlapping RTI applications had the effect of enabling Premier Rockliff and agencies to avoid disclosing their own substantive involvement, and whether this practice should be the subject of recommendations.
5. Whether the handling of UTAS’ STEM proposal, including particularly the content and timing of submission of the **SPDBC-2025** to the Commonwealth, amounts to maladministration by Minister and agencies (with Premier Rockliff and DPAC having overall responsibility) including culpable neglect, failure to act, or unreasonable inaction in the exercise of administrative responsibilities.

6. Relief sought

I ask the Ombudsman to:

- Make findings on whether Premier Rockliff (and the Premier's office) and DPAC have engaged in maladministration as described above;
- Recommend that DPAC and Premier Rockliff's office conduct proper, documented searches for relevant records (including drafting instructions, internal analyses, briefs, records of meetings and records of communications) and release non-exempt material;
- Consider making broader recommendations about DPAC record-keeping, RTI coordination practices, and the need for transparency when the Premier supplants portfolio Ministers in controlling legislation, particularly controversial legislation such as the rezoning/sale amendments to the UTAS Land Bill.
- Make findings on whether Premier Rockliff and DPAC engaged in maladministration, including culpable neglect, failure to act, or other unreasonable administrative inaction in relation to the handling of UTAS' STEM proposal, including particularly the content and timing of the *SPDBC-2025*. This should extend to the extent of oversight and coordination of other Ministers and agencies.
- Recommend any steps necessary to address administrative failures, including reconsideration, records searches, corrective action, or procedural reform.

Yours sincerely



Robert Hogan
Canberra

By email: harveyr35@aol.com