



P.O. Box 513 Launceston Tasmania 7250 . [REDACTED]

3 June 2020

Chief Executive Officer

Michael Stretton

General Manager

City of Launceston Council

Town Hall, St John Street

LAUNCESTON TAS 7250 By email to : contactus@launceston.tas.gov.au

Dear Sir,

Re: Notice of Intention to Lease Public Land

Land fronting Forster St, described as 2 Invermay Road

From its initial beginnings, the Newnham Campus relocation plan claims and processes have been based on misrepresentation by University of Tasmania and by the City of Launceston (the Council). Public objections, petitions, submissions, surveys and the extent of UTas Staff opposition have consistently been ignored and/or dismissed by the Council.

The Royal National Agricultural and Pastoral Society of Tasmania (RNAPS) has been a victim of Council support for the UTas, resulting in the RNAPS apparently amassing a financial 'debt' to the Council. All efforts and plans by the RNAPS that would have assisted to address this debt were consistently and deliberately thwarted by the Council, largely because of the latter's desire since at least 2015 to obtain the leased land for UTas purposes. The thwarting of at least *two high level RNAPS plans for their lease area* has also represented a loss to the ratepayers and residents of Launceston. [**RV Vehicle Park and a Master Plan for a 'Round House Exhibition space**].

Vehicle parking as shown in Agenda Item 20.1 of 19 March 2020, and as mentioned on the Public Notice at "2. The University of Tasmania obtaining a planning permit for the construction of a car park on the land" is *no substitute* for what the RNAPS had attempted to bring to the site.

It appears, that in its advertising the Notice of Intention, in the failure to link it to Section 178 of the *Local Government Act 1993* and in the complete failure to place the Notice anywhere on the Council website, that the Council has attempted to avoid public scrutiny of its intention for the land. If it is the case that the Council did not attempt to avoid public scrutiny, then presumably public could expect an explanation to that effect.

In relation to misrepresentation by the University since the beginning of its relocation plans, cutely named ‘Northern Transformation Program’: The idea of the leased land being designated for University car parking, with the creation of a vastly increased area of environmentally unsound impervious surfaces, the suggestion of some 852 parking places and the additional traffic that will be generated is unsustainable in this age of climate change and rising sea levels, factors and risks that the Council has been choosing to ignore and/or dismiss, despite expert advice and evidence, and our representations to the contrary.

In our considered opinion, the UTas plan was always faulty, displaying serious weaknesses, misrepresentations and omissions. In its ongoing unquestioning support for the UTas relocation, the Council continues to ignore these faults. Since the appearance in March 2016 of its first document which it insisted adamantly was the ‘Business Plan’, UTas has continually changed its supporting numbers, material and plans, whether it’s building 450 underground parking spaces at Willis St, or the idea of parking and hot houses for the Tasmanian Institute of Agriculture on the Glebe land flood plain, whether it’s going to have an additional 12,500 students on top of the ones already at the Newnham campus, whether that is less than 8,000, or as now, 10,000.

Why is the Council so accepting of such ongoing failure by UTas to produce reliable, verifiable material as would normally be expected of any academic and/or tertiary institution?

Such have been the constantly changing ‘figures’ and over the past week ABC media reports have stated the cost/funding amount for the relocation as \$360,000 – well up from the previous amounts of \$230,000 or \$260,000 – that the whole project has no credibility, and no credible basis or claim for its original funding application.

It is irresponsible of the Council to continue to support this plan and to expend any further ratepayer funds or council staff assistance/time on it.

We draw your attention to the following Table which summarises the key points of the faulty processes, 2016-2019. Some matters relevant to the lease of the Forster Street land to UTas are highlighted for the purposes of this submission.

**Northern Transformation Program (NTP) and Inveresk Precinct Redevelopment (IPR) - \$260m →
400m+**

AG-\$130m; TasG-\$65m; UTas-\$65m; CoL-land

Key Points for Consideration re IPR

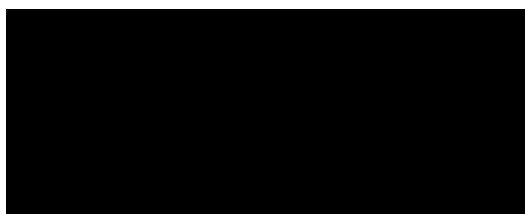
Key Point	Lvl	Comment
Process		
• Two top down drivers from 2014 – Rathjen & Dobrynski	L	Both departed in late 2018-little/no community say
• Mar 2016 public document (PD) NOT a business case (BC)	H	**Just a successful marketing proposal – politically**
• PD first swallowed by Labour, then LNP (reluctant) & Grns	M	Both promised to fund (\$130m) during 2016 election
• Threatened with loss of UTAs if IPR not supported locally	H	CoL & local polies support – assured of due diligence
• R. Hart maiden speech (2016) and Senate Estimates (2018)	L	Exemplify political nature of funding
• NTP NOT first as stages 1&2 initiative for assessment to IA	H	No due process/diligence – IA possibly stopped at Stg 2
• Legal requirement for four IA stages (if projects > \$100m) and successive positive assessment of each for continuance	H	Evaluation of (3) final business case (BC) underway – stage 4, but NO successful stages 1&2, (not done)
• LNP commits funding as part of Launceston City Deal (LCD)	L	LNP Smart Cities program accommodates IPR in LCD
• All partners aware of IA requirements but chose to ignore	M	Rely only on marketing proposal (PD) & politics
• Ongoing pressure (2016-18) on UTAs to submit BC to IA	M	Full BC finally submitted Jan 31 2019 for evaluation
• UTAs assisted/advised by IA in prepn of BC (3 sources)	H	How can IA properly/ethically evaluate UTAs BC?
• High cost of preparing BC and prelim planning	M	\$10m from TasG to UTAs (June 2017)
• UTAs Nov 2018 revisions of prior projections for IPR	H	Cost up \$260m to \$400m; students down 10k to 2k
• UTAs to amalgamate IPR sites for one CoL/TPC application	M	Process must first be approved by CoL (a given?)
• TPC planning applic not expected until at least mid 2019	L	Provides scope for representations etc
• UTAs plans to stagger IPR implementation – in what order?	M	And not seek additional funds (\$140m) outside UTAs
• Ongoing delays in IPR reflect difficulties/bad decisions	L	Continuing erosion of confidence in UTAs/CoL
• Question – will UTAs sell Nwm to commercial interests?	H	Possibly to fund extra \$140m required for IPR?
• UTAs could seek advice from staff experts in law, env, eng	L	Apparently not consulted, but some media reports
Design		
• Tertiary education/UTAs as `saviour` of Tas economy	L	Other economic/social/political factors not included
• 20 design considerations for NTP/IPR – only 2 IPR specific	H	Improved campus `visibility`; and add vitality to CBD
• NO proper workforce needs analysis as basis for plans	H	No job types, estimated numbers, future demands
• No consideration of educational provision options	L	Simply add Assoc Degrees (ADs), nothing re existing
• No comparison of location options – facilities & costs	H	Simply move all Newnham (ex AMC) to Inveresk (Inv)
• Newnham described – `outdated, out of sight, post use by`	M	No data - no mention of older UTAs buildings at Inv
• Review/Data indicates Newnham (Nwm) facilities ok	M	UTAs internal Strategic Asset Management Frmwk
• Some recent Nwm upgrades and site plans (2011, 2014-5)	L	Money already spent on Nwm campus & planning
• Overall NTP NOT a design process; good eg IA four stages	M	Outcomes stated from outset – ADs and IPR
• 2016 commitment to retain all existing courses/research	H	Apparently not fulfilled, some losses, ongoing decline
• Nothing on projected lifespan of Inveresk	M	Flood `not in lifetime of Inv campus` – ignorance!
• Nothing on changing education and online learning	L	How will changes affect infrastructure needs
• Nothing substantial re TasTAFE links/cooperation	L	UTAs seems to be encroaching on TAFE provision
Environment		
• Range of expert reports to CoL, TasG 1990-2018	M	Basically ignored – `we know best`, no CoL expertise

• Geology/strata – deep unstable sediments, high water table, added fill and settlement; daily tidal influence	H	Nwm solid, no floods, proven site 1969, 2016 floods, no issues with services
• Seismic issues – faults, earthquakes, amplification, resonance; 1946 last quake; predicted ≈70 years to next	M	6 recorded quakes; does new building design accommodate quakes? Nwm less impacted
• Climate change – increased intensity/frequency of floods; sea level impact etc; - considered in 2018 BMT report	H	North/north-east ranges (N&S Esk catchments) very susceptible; CC more rapid than predicted?
• Levees – subsidence, slumping, maintenance, now at max height; assumptions re levees and future protection/env	H	CoL to maintain; flood protection paradox; risk as probability & consequence; +\$400m assets
• CoL advice on levees – can be overtopped etc	H	Also GHD, FM Global, Flood Act map
• 2008 levee design for 0.5% AEP, now at 1% AEP - BMT 2018	H	High variation in possible floods – PMF-PFD diff
• Floods – updated 2018 BMT flood modelling/mapping – very important and of significant public interest	H	0.5% AEP Inveresk: 2-5m flood, hazard class 5
• Flood mitigation – 3 levels: 1.prevent, 2.avoid, 3.respond	H	UTas/CoL: Not 1, but 2 and 3; 1 is don't use Inv
• BCA and 'Level of Importance' seismic and flooding	M	Only lev 1 (2) at Inv, certainly not lev 3 (education)
• Greenfield vs Brownfield	M	Comparisons not considered – env, costs, sust etc
• Inveresk in ground services subject to ground issues	L	Recognised in reports, and a likely long term issue
• NO comparison of environment/sustainability – Nwm-Inv	M	Plans for Inv may include env, but needs comparison
• Has TasWater been consulted re sewage, esp in flood?	M	No indications of this; Nwm already ok
• Limitation of engineering solutions for env issues	H	Only new bldgs.; do not address other soc/eco issues
• Professional advice against development at Inveresk	H	Geol/seismic, GHD, FMglobal, 2008Flood Deed
Economic		
• At Inveresk after IPR, all 'eggs' in one hazardous basket	H	Potential serious consequences; is it worth the risk?
• Old UTas Inveresk buildings at ground level, not considered	M	Older than Nwm, seriously affected in flood
• No cost/benefit analyses, brownfield usually cheaper	M	Value for money comparisons; maybe in BC to IA
• Maintenance of site in ground services	L	Likely to be high at Inv
• No analysis of stated Nwm losses – how much is by AMC?	M	Teaching component vs infrastructure component?
• Future of AMC without Uni – stranded asset? Not analysed	L	Competition from other States eg SA for facility
• Leverage Newnham site to advantage; not possible at Inv	M	Not explored, but plenty of space and buildings
• Possible industry colocation attraction	L	Attract relevant industries to complement ADs
• Possible future expansion/development of campus	L	Possible at Nwm, not at Inv
• Losses re old UTas Inv buildings in a flood	M	Not considered; may be uneconomic to repair
• Insurance of UTas Inv assets – possibly v high premiums	M	FM Global would not insure; maybe UniMutual
• Costs of recovery at Inv after flood/seismic event	M	Likely to be high, nothing at Newnham
• Possible future legal claims re Inv and CC	M	Quite possible if serious event; not at Newnham
• Economic losses to the northern suburbs - significant	M	Requires artificial N suburbs revitalisation strategy
• UTas IPR to economically boost the CBD	L	No data, just conjecture, and is 1-2km from CBD
• Reconsider LCD and other projects with UTas money saved	M	Eg Riverside-Newnham Tamar bridge
• Cost of relocation of Automobile Museum – how much?	L	UTas is meant to be paying for this
• Future intakes of overseas students for income?	M	Apparently declining; China expanding unis at home
Social		
• Traffic issues around Inveresk and Invermay/city	H	Not resolvable with current road network
• Limited parking at Inveresk – minor bandaid solutions proposed	H	Proposal to take over Show Society – 99 year lease, difficult to achieve; ample parking at Nwm
• Emergency and evacuation plans – SES advice re IPR	M	Involvement of SES, and experience in 2016 flood
• UTas gifted Inv land from CoL; UTas pays no rates	M	Ratepayers lose significantly
• Northern suburbs devitalised by the IPR; CBD 'vitalised'	M	UTas and social justice; N suburbs more needy

• UTas IPR to enliven CBD	L	Unlikely, no more accom at Inv; city rents high
• Compare other regional Aus Unis – not central	L	Central location not prerequisite/essential to success
Ethical		
• UTas as a good corporate citizen? - not evidenced	M	Rhetoric (self promotion) yes, actions indicate not
• UTas acting as a rational evidence-based entity	M	No sign of this, the opposite; expect better of a Uni
• IA advising/assisting with BC, and also evaluating BC	H	Similar to recent disclosures re financial advice
• Any consultations with staff and students?	M	Not evident; anecdotally both against
• Devitalise the N suburbs and vitalise CBD	M	Inequitable, similar to insider trading
• Majority of Launceston community basically opposed	M	Now some apathy, thinking it is a `done deal`
Proposed IPR - Claims by proponents		
• New attractive state of art buildings/campus		Educn programs and their quality as/more important
• Visibility will attract more students		Unlikely, and only local nearby students
• Increased first-in-family student enrolments		Quality of programs and support available more imp
• Location will contribute economically to CBD, ongoing		Speculation, a wish, no data; Invermay would benefit
• Perhaps less use of student vehicles		Unlikely unless live close; high CBD rents
• New building and ongoing use for local economic impetus		Yes and Newnham development would do equally
• Reduced C emissions in use, compare to Nwn busn as usual		No data, no consideration of embodied energy
Other/Questions include ongoing climate change, rising sea levels and associated ever-increasing tide levels in the Tamar Estuary, international insurance industry recommendations		Failure to accept these factors. According to the international insurance industry, floods are by far the main natural disasters. Failure to take notice of international insurance industry statistics and advice on building in flood zones, especially where alternative sites are available. Failure to take notice of international insurance industry advice on locating any buildings on sites where services and/or access are within flood zones

In summary, Northern Tasmanian Network Partners & Associates group members objects to the proposed lease of this public land, and instead calls upon CoL Council to give support to RNAPS to continue in their use of the land.

Yours faithfully,



For Northern Tasmanian Network Partners and Associates
Enc. Appendix 1 & EVALUATIVE REVIEW by Chris Penna

APPENDIX 1.

TRUST, TRANSPARENCY AND SOCIAL LICENCE: PUBLIC INTEREST AND COMMUNITY CONSULTATION FAILURE (EXTRACT)

The UTas relocation proposal has almost no public support. Surveys consistently show that it is opposed by the overwhelming majority of the public and UTas staff and students across Tasmania.¹

Neither the University of Tasmania nor the Launceston City Council (LCC/CoL) have social licence for the campus relocation plan. LCC/CoL seems to believe that while it gifts millions of dollars' worth of land or interest-free loans on the one hand, social licence for the campus relocation can be gained, on the other, by carrying out small, disjointed projects in the Mowbray-Newnham area, under the now severely truncated and weakened Northern Suburbs Strategy, misleadingly renamed "Northern Suburbs Revitalisation Plan". As the Ethics Centre notes, "*Too often, social licence is thought to be something that can be purchased, like an offset. Big companies with controversial practices often give out community grants and investments...a social licence...might be seen as a kind of transaction where community acceptance can be bought. Of course, such an approach will often fail precisely because it is conceived as a calculated and cynical pay-off.*"²

Social licence has never been earned or 'granted' for by UTas for its campus relocations. UTas has never required to provide an impact study or any modelling for the effects of its plans on either the intended location or on the current campuses and the local areas. Although originally intended for resource development projects, the Queensland Govt produced guidelines for preparing a local impact management plan (SIMP).³ A similar plan should have been a requirement for the UTas relocation plans in Hobart, Launceston and Burnie, where water-front public (local/state gov't-owned) land has been given to UTas without any examination of local activities severely impacted/affected or at risk of serious negative impact, and an increase in infrastructure to cater for UTas desires.

The survey-report by the Australian Institute of Company Directors and KPMG on social licence, could well have been written specifically about aspects of the university sector in Australia, and could be seen as pointing the finger directly at the failures of UTas management "*Vulnerable stake holders are the ones we have difficulty hearing because their voices are filtered out by layers of management that are using a business-only lens to prioritise their biggest risks...A Social licence must be earned every day.*" KPMG p.7

"Social licence is an important and powerful lens to frame trust. It acknowledges the active role that people and communities play in granting ongoing acceptance and

¹ Surveys and petitions of the general public, UTas staff and students conducted since 2016, and assessment of social media show up to 85% opposition. Staff at the Launceston campus believe the rate among all staff there is 90%. According to a recent NTEU survey, the rate among Hobart staff to relocations there is 75%.

² The Ethics Centre, "Ethics Explainer: Social license to operate", ethics.org.au, 23 January 2018.

³ Lacey, Justine, "Can you legislate a social licence to operate?" *The Conversation*, 27 February 2013.

approval of how companies – or entire industries – conduct their business.(p11)⁴ Aggrieved and cynical communities can withdraw the social licence of organisations that lose or exploit their trust – with potentially devastating financial, legal and regulatory impacts. Organisations can no longer view trust as an asset that they can buy or re-build after a crisis, but one that must be earned and maintained on an ongoing basis. Boards of all sectors are increasingly aware that fundamentally, trust is about relationships, not solely reputation... (p.11) ” We no longer place unquestioning trust in systems and institutions. Instead, trust is more likely to flow between local networks, individuals and peers...” (p. 12)

UTas has nothing concrete to offer or give the local Northern Suburbs community in the way of ‘bribes’ or ‘sweeteners’ to win community support, but it has a great deal – in the form of a fully functioning campus and all that it entails - to take away, so gaining social licence is difficult, if not impossible. UTas management has made, and continues to make, endless wild promises to its staff and the public of a rosy transformed future. While limited sections of the public (strikingly and unashamedly closely associated with each other) have accepted the UTas spin and propaganda, the wider community recognises the absence of any modelling or supporting evidence, and it recognises that the main part of the UTas ‘spin’ or ‘case’ is framed in verbose general education/pedagogy unrelated to location. That is, UTas’s case is largely location-neutral, a fact well-understood by the public.

The proponents of the relocation plan have given no consideration to the destruction of local amenity and/or liveability. They have ignored all previous extensive community consultations around Inveresk Precinct land use. Museum Search Conference, genuine community input and listening by YPIPA, to community and tenants. From the time UTas management arrived on the scene, the community (as represented by YPIPA community members, Inveresk precinct tenants) began to lose any say, and worse, were push aside. UTas and other proponents of the relocation plan continue to ignore/disregard the intent of the GHD 2006 Flood Study, the Deed and the Flood Inundation Code, and even the latest BMT Flood study, 2018. Regrettably, on all aspects of the relocation issue, the public is justified in its suspicions and mistrust of UTas and CoL.

The wider community is fully aware of the deficiencies and problems associated with Inveresk. The community also recognises the quality and value of the current Mowbray-Newnham campus/location combined with the long-term sustainability and cost effectiveness of remaining there. The vast majority of the population has not been seduced by the endless stream of media releases, media photo opportunities, marketing presentations and false gestures posturing as ‘consultation’ by UTas in its effort to gain or claim social licence. In this UTas has failed spectacularly.

Moreover, in their wilful determination and enthusiasm for their relocation project, UTas and CoL have also failed to abide by good governance principles. Governance is “the process and culture that guide the activities of an organisation beyond its basic

⁴ Australian Institute of Company Directors & KPMG, *Maintaining the social licence to operate. 2018 KPMG – AICD Trust Survey*”, 2018, pp. 11, 12.

legal obligations”. Good governance includes, but is not limited to, *“acting with the highest ethical standards...fostering trusting and respectful relationships, showing a commitment to risk management...following a transparent and accountable decision-making process...”*⁵ In their ongoing planning chaos, their failure to abide by the highest standards of risk management, and the absence of transparency and accountability, both UTas management and CoL have sacrificed the principles of good governance.

⁵ Tasmanian DPAC, Good Governance Guide