

**Legislative Council
Hansard
Wednesday 15 April 2026**

The President, **Mr Farrell**, took the Chair at 11.00 a.m., acknowledged the Traditional People and read Prayers.

UNIVERSITY OF TASMANIA (PROTECTION OF LAND) BILL 2025 (No. 58)

Second Reading

Mr EDMUNDS (Pembroke) - Thank you, Mr President. I did notice the glance from the Clerk to check that I was here, and I am, but I have finished my remarks. Thank you.

Ms PALMER (Rosevears - Minister for Education) - Thank you very much, Mr President. Can I start by thanking members for their really thoughtful contributions. You can see that a great amount of work has gone into scrutiny of this piece of legislation, and I'm grateful for that. I do want to thank our team, both from the university and of course from the department, who have done a really great job in answering as many of the questions as we were able to capture through the second reading stage, and I will certainly do my best to address those in my reply.

I'd like to start by thanking the member for McIntyre. I acknowledge your contribution, and I do note your comments that the issue is not just about the sale of land above Churchill Avenue; it's about the future direction of higher education in Tasmania, the stewardship of public assets, the economic vitality of our capital city and the accessibility of education to current and future students.

The honourable member for Mersey had a number of questions. First, there was concern about holes in the business case and opposition from the community. The government has confidence in the business case of the university, including the ability to realise significant capital funding from the redevelopment of the area. The benefit of the proposal, however, extends well beyond the interests of the university and the STEM precinct. New, higher-density housing on this site is a benefit for the entire city and state. The Hobart City Council's own discussion paper on Mount Nelson and Sandy Bay shows that Hobart is in need of higher-density housing. The honourable member for Mersey also spoke about the move to the new building, that it would be a more expensive and sub-optimal option compared to upgrading the existing facilities, and the sale of the land is not its best use.

Advice from Professor Erik Wapstra from the University of Tasmania was clear: Sandy Bay needs to change. The current layout and the condition of existing buildings do not allow the university to deliver for its students or drive the innovation Tasmania needs. Simply upgrading the existing Life Sciences building does not deliver a new vision for STEM in Tasmania; it just sustains the existing one, and that is not working with student numbers in decline and well below what the state needs.

There was also a question with regard to the fact that there's no guarantee that the rezoned land will be used for anything else. The state will be working actively with the university to ensure that value is realised from this land, and that the outcome is a positive one for Tasmania. There were also comments that not everybody wants the new buildings, and I do accept that comment; however, our students - and I believe that there needs to be some weight added to

the voice of our students - absolutely want fit-for-purpose functional spaces, and the equipment that they need to develop skills for a modern workplace and economy. Specific examples of modern technical infrastructure missing in Sandy Bay include things like advanced laboratory facilities, and that's including dry and wet laboratories, or STEM-specific laboratory equipment: modern microscopes, spectrometers, gene sequencers, things like that.

Also, lacking critical infrastructure poses significant risks to the state's economic growth, innovation capacity and long-term competitiveness. The university has clearly shown that an investment in contemporary, state-of-the-art facilities does translate to increased enrolment. We saw that on the north-west coast with a 120 per cent increase in local enrolments following the redevelopment of the Cradle Coast Campus. Contemporary buildings will also attract more high-calibre researchers.

I thank the honourable member for Launceston for your comments about the important role of modern, fit-for-purpose buildings in both supporting the learning objectives and the experiences of students. There was commentary in your second reading speech about students disengaging when they are frustrated by outdated facilities, or worse, they can't get access to the equipment that they need because it doesn't exist. I think we are seeing that in the declining enrolments. Who wouldn't try to get the university with the best environment for learning? I did appreciate - oh, she's not here - her comments about dabbling in AI: always interesting. We can get that answer from AI or we can take those lessons from the STEM precinct business case. Contemporary facilities are not just nice to have; they're about strengthening capacity, they're about driving innovation and they're about supporting growth. That is what Tasmania needs.

The honourable member for Hobart had some questions around parliament being asked to act as a planning authority. The government is satisfied that the University of Tasmania has done the work, including the technical and planning advice from the Hobart City Council, to provide suitable planning outcomes for the parcels of land above Churchill Avenue. We do note that other universities have used the capital from land sales for improving their educational facilities, including the University of Canberra.

The honourable member for Hobart also asked, 'Where did this amendment come from?' The university proposed clause 7. It was developed as a compromise solution that would meet the needs of both the state and the university. It secures the campus for education and provides a funding pathway to deliver a vision for a new STEM precinct. The state government supports this vision and is committed to working with the university to deliver it.

The honourable member for Hobart also spoke about competing with sandstone universities. Modern universities are driven by the need to solve global challenges, responding to changing student needs and lifelong learning. What we heard from Prof Wapstra was that the Sandy Bay campus is heavily underutilised, with the current STEM facility spread too thinly across the campus. This is not a positive experience for students. The new STEM facilities provide both the facilities and the student experience of learning on a modern, vibrant and engaging campus.

I note the honourable member for Elwick's concerns about the planning process, but the government is satisfied that the work has been done and that the proposal to rezone this land as inner residential is both responsible and creates a path to positive future for the university and the state. To satisfy ourselves, we have considered the All Urban Planning report into the University of Tasmania's proposal as it relates to this land. We've considered the masterplan as it relates to this land. We've also considered the Hobart City Council discussion paper on the

Mount Nelson and Sandy Bay neighbourhood plan from 2023, and the engagement report in 2024. We satisfied ourselves that the university has been working with the Hobart City Council planners and that they had no concerns with the proposed zoning. We've made sure that our state planning office also has no concerns. All of this work told us that the rezoning of this land to inner residential is appropriate for the broader needs of Hobart and Tasmania, and not just the university.

Then there was the contribution from the honourable member for Nelson that this proposal should have a business case. This proposal is supported not only by a full business case, all 157 pages of it, but through the UTAS master plan and concept plan developed with input from staff, students, the Hobart City Council, other stakeholders and the community. The honourable member also asked, 'Where did the amendment come from?' I do object to references that the circumstances surrounding section 7 of this bill are in some way murky. The university proposed clause 7. It was developed as a compromise solution that would meet the needs of both the state and the university, and it secures the campus, as I've already said, for education and it does provide a funding pathway to deliver a vision for a new STEM precinct. The state government supports this vision and we are committed to working with the university to deliver it.

There was also commentary in the member for Nelson's contribution about claims that there was no involvement with the Hobart City Council, and I need to refute those claims. They are simply untrue. The University of Tasmania has engaged with the Hobart City Council at every stage of the development of its master plan and the consultations on the Mount Nelson and Sandy Bay neighbourhood plan. Hobart City Council has advised that it provided planning and technical support to the University of Tasmania and that it had no concerns with the proposed zoning of this land as inner residential.

The inner residential zoning does not mean the whole site will be developed as inner residential, but gives the university the flexibility to explore a broad suite of development options. There will be parts of the site that are easier to develop than others, and that's normal.

The ultimate design of the site will depend on the topography, infrastructure capacity and hazards and values. Concerns were raised with the proposed zoning potentially impacting on other strategic planning decisions with the potential to distort the overall density of this area. The government considers this rezoning can actually support the current strategic planning work being undertaken by the City of Hobart.

Many recent commentators and experts have highlighted the need for more infill development in Hobart and have identified areas where higher density development can go. This is particularly important in the current economic climate with cost of living and housing pressures. More urban sprawl only adds to the cost-of-living pressures and creates more issues for our roads and the cost of delivering the necessary infrastructure and services.

The suitability of this land for residential development has been considered in detail across many studies prepared by UTAS. The site has attributes that make it suitable for the inner residential zone. For example, the site is close to employment and a wide range of services offered by the Hobart CBD and Sandy Bay shops. It also has good access to regular public transport on Churchill Avenue and Sandy Bay Road. It's obviously well serviced by a range of educational facilities across primary, secondary and tertiary levels. The existing development on the site already demonstrates its suitability for the level of development expected in an inner residential zone. It is also consistent with the zoning of land immediately to the north of the site, reflecting the denser housing pattern in Sandy Bay and proximity to services. This is

entirely consistent with the recently made Tasmanian planning policies which encourage the prioritisation of infill development and redevelopment and intensification of underutilised land over further expansion at the urban periphery. Furthermore, it is a location with ready access of services, including community, health and education facilities, public transport and employment.

The honourable member also made reference to section 7, subsection 9 - you might have actually said subsection 8, but I think you were referring to subsection 9. This section of the bill is necessary to allow the council to manage this land in the same way that it manages all other land within the municipality. I'm sure there will be future changes to the planning system, including modifications to the zones, and this section ensures that there is no impediment to the zoning of this land being updated at some point in the future.

There were also questions about the neighbourhood plan and engagement report. I welcome the member's reference to the Mount Nelson and Sandy Bay neighbourhood and engagement report, but I'm not clear why the member suggested that we did not refer to it. Indeed, sections of the engagement report were read out in the briefing to members, and I'll certainly read it back in today.

The challenge is meeting the growing demand for smaller, more accessible dwellings that are located in proximity to services, transport and social network.

This is what is being delivered by the university's proposal and what is being supported by this bill.

Ms Webb - I meant the overwhelming bits that were against what you're proposing. Those bits.

Ms PALMER - You also mentioned -

Mr PRESIDENT - Order.

Ms PALMER - I believe I have the call, Mr President. There was also mention of funding and there's been a lot of commentary on the Commonwealth funding and whether it will be secured. I'd like to point out that the University of Tasmania has a very strong record of securing capital investment in modern education facilities around the state.

Our university has delivered over \$1 billion in projects across Tasmania just in the last decade and they've all required extensive negotiations with Commonwealth, state and local governments.

The honourable member also spoke about the seismic station. The seismic station is located above Churchill Avenue. It was first installed in the 1960s by the United States government and it is one of six to seven across Tasmania. It is still maintained by the United States through the University of California San Diego. The University of Tasmania does not use it for research purposes. The facility is relatively small and consists of similar infrastructure to protect the equipment from the weather and wind. Its size makes moving the facility to a more ideal location a viable option for the future, and the university has consulted with internal and external stakeholders, including the University of California San Diego.

The member also mentioned the ranking of the university. I agree with the member for Nelson that the university's ranking for plant science is fantastic, but I'm also concerned about

enrolments. Enrolment in key STEM subjects are falling sharply. There is little value in a positive international reputation when we can't fill our courses. It's also a concern that, based on 2024 STEM commencement figures, it's estimated that Tasmania will be around 170 STEM graduates short each year from the level required to maintain our qualified workforce, and that's today's workforce. We know STEM demands are increasing across our economy.

The member for Nelson also suggested that there is no material to support the statement that the current facilities are not fit for purpose and that they are impacting on student enrolments. That simply is not true. This issue is covered in some detail on pages 52 and 53 of the STEM business case. This issue was also covered in some detail by Professor Wapstra and Pro Vice-Chancellor Arts and Society Nicholas Farrelly in the briefing to members.

The member for Montgomery spoke about no consultation on the zoning of the land. The government has sought advice from Hobart City Council officials on the suitability of the proposed zoning of the land. Council officials advised that they had provided technical and planning advice to the university and had no concerns with the proposed zoning of this land as inner residential.

You spoke also about the value of the land. The land was valued based on the experience of land sales in the area. The government agrees that there is further work to do to identify the preferred strategies for the development of the land. The land is, however, highly suitable for development, given its location and proximity to services. It also has good access to regular public transport.

You spoke about the initiation of section 7 and, as mentioned previously, in replying to the member for Hobart and for all the members, I think. That was in response to the university putting forward those proposed changes.

You talked about moving facilities. As I noted previously, the University of Tasmania advises that the current campus is heavily underutilised and that a precinct will consolidate all services onto the lower campus.

You also had questions about there being no planning advice. I acknowledge the member for Montgomery's reference to independent planning advice, but do not agree that there has been no planning advice. The all urban planning report absolutely included planning advice about the suitability of the inner residential zone for one of these parcels and in part for the other. That advice did suggest some areas to be zoned 'general residential' and, as noted previously, the government confirmed that Hobart City Council planners were engaged in this process and they provided technical and planning advice. We also confirmed that the Hobart City Council has no concerns with the change of the general residential zone to inner residential, so there has been planning advice embedded in this process and the government is satisfied that the work has been done and the planning outcome is an entirely appropriate one.

Ms Webb - Point of clarification. When the minister says the Hobart City Council has no concern, does she mean the paid staff in the planning division, or does she mean the elected members of the Hobart City Council? You have to be careful about terminology here. I think we're not misrepresenting.

Ms PALMER - The advice I have is that we've received advice from the Hobart City Council. In response to the member for Murchison, thank you very much for your contribution. You had some questions. Is the inner residential a holding zone? I think that was in relation to clause 7, subsection 9. That is not what is intended. The government considers that this land is

appropriately zoned as inner residential. However, it is appropriate that once the land has been rezoned, the land is treated like any other parcels of land in the planning system. This subsection ensures that this act does not prevent the council rezoning the land in the future through the normal processes outlined in the *Land Use Planning and Approvals Act 1993*.

This is important as we cannot predict the future structure of the planning scheme or decisions that could be made regarding an alternate use of the land. All land in Tasmania is subject to future rezoning through an application to the Tasmanian Planning Commission from the relevant council.

You also spoke about the future use of the land for university purposes, so I do note your reference to the future use of land for educational purposes and while the member is absolutely correct, it is worth noting for the record that the planning laws enable existing uses on the land to continue even if prohibited by the rezoning, so this allows them to continue to be operating until an alternate facility is actually developed.

You also asked what conversations the government has had with the Commonwealth. Infrastructure Tasmania has met with Infrastructure Australia on 10 and 18 March 2026 on the changes to the infrastructure priority list. A more detailed briefing on their evaluation with UTAS has been requested and they are awaiting a response. IA has advised the project remains on its website as the project under evaluation list and the state will work with them on alignment to their updated approach. Our government is also looking into other federal funding avenues, and this will continue to be explored with UTAS.

Before I finish, I would like to also briefly address claims raised by the member for Nelson outside this Chamber about land above Churchill Avenue, to provide some clarity to the Council. There is no proposal under this bill to rezone, sell or lease the bushland above Churchill Avenue. This bill does two things it turns land below Churchill Avenue into vested land and identifies only two specific parcels above Churchill Avenue for rezoning to inner residential. I'm advised that around 50 hectares that the member refers to is predominantly bushland reserve. It has been the subject of land return discussions with the Aboriginal Land Council of Tasmania since at least 2024 and earlier still following the university's 2019 apology to Aboriginal and Torres Strait Islander peoples.

None of this is new or secret. It has been publicly referenced, including in the member for Hobart's contribution. It's been acknowledged in the STEM business case and consistently understood as land intended for return, not development. The land in question is also subject to Commonwealth environmental protections. This government does not believe parliament should stand in the way of land return discussions with the Aboriginal community. That is why the bill does not seek to turn already protected bushland into vested land.

As I indicated in my second reading speech, there are only two parcels of land that are exempt which we are looking to rezone. The bushland above Churchill has been excluded deliberately and appropriately from the bill because it has been earmarked for a land hand back. Vested land applies to the land below Churchill Avenue. The university has been consistent in this regard and so has the government. Nothing has changed.

Ms Webb - Is the minister correcting the record on her incorrect statement in her second reading speech, which I quote:

[This is to prevent] the university from disposing of campus land at Sandy Bay without the approval of both Houses of parliament. There are only two parcels of land exempt, which we are looking to rezone.

That's an incorrect statement from the second reading speech. Is the minister correcting it?

Mr PRESIDENT - That's a point of order?

Ms WEBB (Nelson) - Indeed, Mr President. I'm looking for clarification about whether the minister is correcting it.

Mr PRESIDENT - The minister may want to seek advice on that.

Ms PALMER - I will just seek some advice, Mr President.

Mr PRESIDENT - Honourable minister.

Ms PALMER - No, I'm not correcting the record. I don't believe my statements were incorrect. Before I finish up, I would again like to thank members for their contribution and I'd also like to thank the community. There's been great discussion in the community and I've certainly appreciated my engagement with those that I've spoken to directly. I would like to give the final word to one of our Tasmanian students; I note the member for Pembroke also referenced this in his contribution, that is, of course, the voice of the Tasmanian University Student Association, Jack Oates Pryor, who is the president of that association:

Students remain supportive of the university's plans for a STEM campus at Sandy Bay. We continue to call on the university, the community and all levels of government to back and support strong improvements to our outdated learning and research facilities. Crucially, students have been involved in discussions of a new STEM precinct from the outset. Unlike past capital works, the university is not simply consulting after the decision, but rather co-designing these spaces with those who will use it most. This valuing of students' expertise ensures quality of experience within the precinct. The alternative to backing STEM at Sandy Bay is an incredibly poor one for Tasmania's future. Students of all ages need this precinct to be supported and developed collaboratively.

Mr. President, I commend the bill to the House.

Mr PRESIDENT - The question is that the bill be read the second time.

The Council divided -

AYES 8

Ms Armitage
Mr Duigan (teller)
Mr Edmunds
Ms Forrest
Ms Lovell
Ms Palmer
Ms Rattray
Mr Vincent

NOES 6

Mr Gaffney
Mr Harriss
Mr Hiscutt
Ms O'Connor (teller)
Ms Thomas
Ms Webb

Bill read the second time.

UNIVERSITY OF TASMANIA (PROTECTION OF LAND) BILL 2025 (No. 58)

In Committee

Madam CHAIR - The member for Nelson has a revised set of amendments. They're just being circulated now so that members have a hard copy, so we're all working to the same set of amendments.

Ms WEBB - They were circulated via email a while ago.

Clauses 1 and 2 agreed to.

Clause 3 -

Ms WEBB - I move -

Clause 3, page 4, definition of 'dispose', paragraph (i), after -

'not less than'

leave out -

'99 years;'

insert instead -30 years;'

Members, now that we have the bill going forward into committee stage, our job here is to be asking ourselves, are there things about this bill that need to be adjusted or improved or made clearer? That is what I'm going to ask you to consider the amendments I'm putting forward on that basis, regardless of whether you've supported the bill or not in the debate. This is a fairly straightforward one. We're looking at the interpretation of what dispose means in this act and therefore in relation to vested land, what the university would need to bring to parliament to get approval for in terms of disposing of it and what is included in that. Remembering that bringing it to parliament doesn't stop it happening, it's just an extra check and balance on whatever's going to happen under this dispose.

The proposal I'm making with the amendment relates to (i) in the list there of definitions of dispose (i) is a lease for a term of not less than 99 years currently. I'm proposing we reduce that period to 30 years. The effect of that would be if the university wanted to lease any of the vested land under the bill for a period of 30 years or more, it would need to come through parliament for additional approval. There's a fairly straightforward rationale for that you can probably see. Ninety-nine years is a very long time. It's a multi-generational commitment and decision that's been made that hasn't come to parliament.

It's very close to the effect of selling the land essentially, because if you were to give somebody a 99-year lease, they could have borrowing capacity based on that and develop it and do permanent things to the land. It's a very significant potential change that hasn't then come through parliament if there's the lease is something close to 99 years. That's against the intent of the bill and the promise that the government made initially back in 2024 to the

community about bringing this bill forward to ensure that there is a parliamentary oversight over the Sandy Bay campus land.

Thirty-year cap aligns with ordinary commercial practises for major leases. It's consistent also with the sorts of arrangements that are in other jurisdictions, university legislation and the limits they put on what can be done without parliamentary or executive government approval. The shorter term means we preserve some parliamentary sovereignty over this in terms of having a look at it. It still doesn't mean that if the university wants to do at least say 40 years, it doesn't mean they can't do it, it just means it comes through parliament. They make a case for it and parliament considers it on the behalf of the Tasmanian people because what we're talking about is land gifted by the Tasmanian people and for the use of the university for the benefit of Tasmanian people.

Thirty years is still ample security for genuine campus related commercial partnerships that they might enter into, whether it's student housing, research, services or other partnership arrangements with industry. A 99-year threshold is not necessary to ensure that the university can engage in those sorts of operations on vested land if they wish to. There's an open question here and we can come to this in questions on this section if this amendment doesn't come up. There'd be an open question of that this requirement that not less than 99 years, perhaps you could have a 98 year lease and then you could have another 98 year lease and we would have essentially permanently disposed of, but never having come through under the intent of this act never having come through parliament.

That's my fairly straightforward description of what this amendment is trying to do and why it's trying to do it. It's entirely reasonable to reduce this period of time from 99 years down to 30 years. It aligns commercially. It provides plenty of opportunity for the university to use that vested land in all kinds of ways without having to come to parliament with leases less than 30 years, because 30 years is still a really long lease period. It ensures that the intent of the bill is maintained by having a parliamentary look at proposals beyond 30 years. I hope members consider this amendment to be reasonable and to be aligned with the intent of the bill.

Ms O'CONNOR - We will obviously be supporting this amendment because this was the amendment that was moved in the Assembly by my colleague, the member for Clark, Vica Bayley, on the basis that it represents the interests of the people who ultimately own this land, that is the Tasmanian people and unarguably before that, Palawa people. As the member for Nelson said, it doesn't preclude a 99-year lease from being entered into. It just means it comes back to parliament if it's a lease of over 30 years.

Sitting suspended from 1 p.m. to 2.30 p.m.

UNIVERSITY OF TASMANIA (PROTECTION OF LAND) BILL 2025 (No. 58)

In Committee

Resumed from page xxx.

[3.04 p.m.]

Ms O'CONNOR - I won't speak for much longer. Simply to say this is an important amendment because as all members will know, a 99-year lease is as good as selling an asset. In this case that asset is public land vested in our only university. There's enough that's objectionable about this bill in its rezoning and potential loss of excellent facilities north of Churchill Avenue, so I hope that members will see that this is an important amendment. It

provides parliament with an opportunity for oversight of a lease that has a provision of more than 30 years in its term. It's kind of in some ways with this legislation, trying to make the best of what the Greens certainly believe is not a good situation. That oversight over public land and the proposed long-term leasing as good as the sale of that land is something that certainly the Greens believe is important and necessary. I hope other members will support the amendment.

Ms RATTRAY - A question to the member who has proposed the amendment. I'm trying to reconcile if you built some sort of development that was going to be housing, how 30 years would fit with borrowing money for something like that. I'm just trying to reconcile that in my mind. Was there any other option considered? I understand what you're saying about a 99-year lease, and it does appear to be a very long time. But, I'm thinking 30 years doesn't seem to be a long time to have security for if you were going to borrow money to provide some significant infrastructure. I hope you might address your mind to that when you next get to the lectern.

Ms PALMER - The government does not support the proposed amendment to expand the definition of dispose to include leases of over 30 years. The university is encouraged to enter partnerships in the establishment and operation of the STEM precinct. It has always been an aspiration that industry engage with the precinct and leases may be required to justify capital investment in that partnership.

The university already has leases on facilities at the Sandy Bay campus that are over 30 years, and an example of that is with organisations such as the CSIRO. The objective of the bill to ensure that the land required for the delivery of the university's activities in Sandy Bay stays in public hands for future generation, and prohibiting the leases over 99 years without parliamentary approval delivers on this objective.

Ms O'CONNOR - Sorry, that's a quite disappointing answer for the Leader for Government, because this amendment does not propose to prohibit the university entering into leases of more than 30 years. What it says is that if the university wants to engage in a lease of 30 years or more then parliament should have an oversight role. In fact, it still wouldn't preclude, for example, if the university felt so inclined, them having a potentially 200-year lease. It's not the length of the lease that's the issue here, it's the trigger for oversight. It is a very reasonable amendment because in the end we're still talking about public land held in trust by a public institution.

Ms WEBB - I thank Madam Chair and thank members for questions. I will first address the member for McIntyre's query that she put to me. As the member for Hobart has just said, what I'm proposing prohibits nothing. If the university were to be leasing land, for example, a housing development, as you indicated, that's a pretty serious long-term effort that is disposing of land pretty much permanently. All this would do is if they're going to do a long lease, in order to do that, it would have to come through parliament. That's all that this is requiring, that any lease over 30 years triggers that requirement in this bill for vested land, the disposal of vested land to come via parliament with a motion that is laid on the table. It doesn't stop anything happening. It brings the oversight threshold down from 99 years - which is an incredibly long multi-generational time down - to 30 years. And that just means there's accountability in a public way through parliament for that.

I'm very interested in the minister specifying that the CSIRO lease is already over 30 years, because if she's referring to the CSIRO facilities above Churchill Avenue, of course, that's in the rezoned land proposed under this bill, so it has nothing to do with what I'm proposing here, if that's the existing lease that she's talking about. If there are existing leases in

what this bill prescribes to be vested land below Churchill Avenue, then absolutely identify them. I would presume that any existing ones are not captured by this the way that other existing arrangements aren't captured by what's in this bill, so again, there's absolutely nothing that isn't reasonable about asking for leases over 30 years to come via the oversight mechanism of this parliament under this bill.

Most commercial or industry partnerships that were involving leasing areas of land, 30 years is an incredibly long time for any commercial venture to enter into a lease or for any particular industry partnership to enter into a lease. That's a very long time indeed. I'd be surprised if there were many that were proposed to be above that, and if there were, there's absolutely no harm in it coming through this parliament for that oversight function.

I'd ask members to see this as very reasonable, very aligned with the intent of this bill and very much making sure that parliament has the role that this bill with this title, University of Tasmania (Protection of Land) Bill, that, at least in some instances, lives up to that title, that we have an oversight role for this parliament.

Ms RATTRAY - I appreciate the member addressing her mind to my question. To follow on from that, how does someone have certainty when they've had a lease for 30 years and then it comes back to the parliament and we have no idea what this parliament might look like in 30 years.

Ms Webb - That's not what it says.

Ms RATTRAY - I thought I understood you to say that it would come back to the parliament for oversight.

Ms Webb - No if the lease is for more than 30 years -

Ms O'Connor - (inaudible)

Madam CHAIR - Order.

Ms Webb - If they're proposing to enter a lease for more than 30 years, that has to come through here before they enter that lease.

It's not at the not at the end of 30 years, it's at the start. If it's more than 30 years, that's when it comes through.

Ms RATTRAY - Okay, and so then my follow-up question is, was 30 years chosen because you had in your mind thought that was a reasonable length of time and then by the explanation you just provided as well.

Ms Webb - Well, I did say in my opening remarks, when I have my final say on the bill, because I don't want to jump up but when I do, I can repeat what I said.

Madam CHAIR - Order. I urge other members who may have questions for the member or if you don't have any more for the member for McIntyre that you put them - the member will be on her third call.

Ms PALMER - I think it's a little bit unfair for the member for Nelson to say they just come to parliament. It's not an easy thing to just come to parliament. There's quite a process around that, as there should be.

We don't want to be in a position where we're creating uncertainty for opportunities, so a lease of 99 years or more is widely recognised as being, in practical terms, equivalent to a permanent transfer of control and it is, therefore, appropriate that such arrangements are treated in the same way as a sale. The university already uses long-term leases in some circumstances to support partnerships and shared facilities, and the bill preserves this flexibility for leases under 99 years.

The 99-year benchmark is also consistent with established Tasmanian land law. Under the *Crown Lands Act 1976*, 99 years is the maximum lease term that can be granted. The bill adopts that same threshold as a clear and well understood point at which parliament scrutiny should apply. This goes to the core intent of the bill to ensure there is no permanent or near permanent loss of control of this publicly gifted land without transparency and the approval of parliament. Setting a lower threshold such as 40 or 50 years would create unnecessary barriers to investment and development, particularly in the context of the inner residential zoning and the delivering of housing and the STEM precinct. This bill is designed to strike a balance between protecting the public interest in this land and enabling the university to enter into long-term commercial partnerships and development arrangements, while ensuring that any arrangement that effectively gives away long-term control of the land is subject to parliamentary oversight. Again, I ask members to not support the amendment.

Ms THOMAS - Madam Chair. I'm happy to support the amendments as put forward. Listening to the minister's response there, I find it difficult to understand the logic whereby, if the intent of the bill is to ensure parliamentary oversight of permanent or near-permanent use of the land, which is what I heard the minister say is the intent of the bill, then certainly 99-plus years is equivalent to permanent or near-permanent use of the land. I feel like their statements are a bit contradictory there. I don't know if the minister has another call or not, but -

Madam CHAIR - The minister has got as many calls as she needs.

Ms THOMAS - it is somewhat contradictory. The statement of the intent of the bill versus how you described 99-plus year terms being considered in the property market, if you like, or the use of land market. Sorry, I'm not being very articulate.

Ms O'CONNOR - Madam Chair. My laptop's just died, so I can't go into the *Nature Conservation Act* and have a look, so perhaps the minister can clarify this for me, but I thought the provision in the *Nature Conservation Act* effectively prohibited any lease of more than 99 years. If I'm wrong on that, please correct me. It's very different because this is the threshold for oversight, which is not about a restriction; in fact, it is not any restriction.

Members should be cautious about accepting that we abrogate our oversight responsibility on the basis of barriers to investment and redevelopment. It's not like we're talking about any land of any private tenure, for example. We're talking about public land that belongs to the people of Tasmania. To use the argument that allowing parliament, through a disallowable instrument, to have some oversight of any lease over 30 years may be a barrier to private investment and redevelopment is, I think, quite cynical, given the nature and the tenure of this land. I understand the minister is getting some advice on this, but I don't know that the comparison to the *Nature Conservation Act* is relevant in this case. If the minister could clarify that, that would be good.

Parliament has a responsibility in relation to UTAS - its governance, its direction and how it disposes of public assets. That's what this amendment is all about. It's not about stopping 99-year leases or 200-year leases. It's about making sure we can have a look when the university

decides it's going to dispose of land via a lease of over 30 years, which is, you know, a third of our lifetimes if we're lucky. It's not a short period of time. Any investor who's serious about investment in this space will see that as a quite reasonable threshold, I would have thought. After all, which parliament, if given a good opportunity through a lease that UTAS is negotiating in good faith - if this legislation passes, which it seems it will - which parliament would say, 'We don't want to see that project there because we don't support housing on that site'? I hope that the minister can explain why we should regard investment and redevelopment barriers as a reason to abrogate our responsibility for oversight.

Ms PALMER - Madam Chair, we quickly jumped online, we can't see with the time that we've had any reference in the *Nature Conservation Act* to the 99-year lease. I did say in my comments that the 99-year benchmark is also consistent with established Tasmanian land law under the *Crown Lands Act 1976*. The 99 years is the maximum lease term that can be granted, and the bill adopts that same threshold as a clear and well understood point at which parliamentary scrutiny could apply.

Ms O'CONNOR - It's a maximum lease term; that is different from this. False equivalence.

Madam CHAIR - Order.

Ms PALMER - Also the 99 years is the established threshold for treating a lease as similar to sale, and so lowering the threshold to 30 years is a significant change.

Ms LOVELL - Just a brief contribution on the amendment. The point I was going to make is similar to what the minister has just said in that I'm inclined at this stage not to support the amendment because the definition we're talking about here is disposal and a 99-plus year lease is what is generally accepted as being the equivalent of a disposal in the same way as a sell or selling the land or a more permanent disposal. My question for the member and I apologise if I've missed this in earlier contributions, member for Nelson is why you've landed on 30 years? Is that based on advice or consultation that you've had with anyone?

Ms Webb - I'll repeat my opening comments when I get up for my third call on that.

Ms LOVELL - Specifically, whether you've had any consultation with the university or anyone who might be looking to operate in this space around long-term investments around that 30-year figure.

Madam CHAIR - I just want it to be clear that if anyone has another question for the member for Nelson, they need to get up and pose them. Otherwise, I'll give the call to the member for Nelson.

Ms WEBB - Madam Chair, I thank the members for the questions. I'll just run through, because the members for McIntyre and Romney both asked about the 30 year number and as I said when I was first putting this amendment, there are a couple of things about that. One is that it is a length of time that aligns with ordinary commercial practice for major leases and is consistent.

The other thing it's consistent with that's relevant here is that in other jurisdictions under their university acts when they have a constraint on universities selling gifted land, which most of them do. That's one of the reasons, just to remind people, when we had the UTAS inquiry and looked at governance matters and the *University of Tasmania Act*, one of the

recommendations of the inquiry of this place was that this sort of constraint be put back into the act; it was taken out in 1992, it had been there prior to that. Part of that inquiry recommendation was that we should re-legislate a similar parliamentary oversight mechanism such as this. When we looked at other jurisdictions, it's typically about 20 years, so this is actually a more generous term than other jurisdictions' university acts have that constrain or impose oversight at a 20-year lease level typically.

30 years still provides ample security for genuine campus-related commercial activities. If the university's entering into commercial leases with people on that vested land area for research, services, or other industry partnerships, 30 years is a very long lease to enter into. There's nothing particularly constraining about that; most leases are going to be less than 30 years. If it's more than 30 years, it's likely to be something fairly permanent and the intent of this bill is to have parliamentary oversight operate on things that are permanent changes to what we're defining as vested land under this bill.

The point has been made time and again that this isn't a constraint. There's no equivalence to looking at what other legislation says must be maximum leases because this isn't about setting a maximum lease period, this is about setting the point at which parliamentary oversight is triggered. The university will be perfectly at liberty to put forward proposals that have longer lease periods than 30 years. It just means that, if it is a longer lease -

period that's more than 30 years, it would come and be a motion laid on the table of this place and the other place, and parliament would have that as a disallowable instrument. I'd also remind members that it's really hard to disallow something in this place. It hardly ever happens, right? It's actually in lots of ways a formality of parliamentary oversight, but what it does mean is if something dramatically inappropriate was being proposed we have the backstop of parliamentary oversight. If it was something that the majority of people in this place or the other place could be convinced was dramatically inappropriate, there would be a block on it available via parliament. That's the only accountability to the Tasmanian community that the university has, because largely they're not accountable to the Tasmanian community at all.

Ms O'Connor - Not accountable to anyone, really.

Ms WEBB - Indeed. I'd invite members to see this as not a serious constraint on the university. Yes, they'd have to bring it as a motion or have the minister on their behalf bring it as a motion to this place. I'm sorry, but if they're offering more than a 30-year lease, they would absolutely have put time and thought into that and have it as a proposal that could readily be presented to this place via a motion and laid on the table for us to have a look at and just have that opportunity for parliamentary oversight.

It aligns with what would be considered long commercial leases. It aligns with other states' university acts and the constraints they put on universities disposing of gifted land. It's a reasonable amount of time to impose a level of oversight rather than impose any maximum whatsoever about what can actually be done. This does not do that. I invite members to consider this as a way for this place to do its job well on behalf of the Tasmanian people in regard to the intent of this bill.

Ms PALMER - Just to reiterate, lowering the threshold to 30 years is a significant change. It is a significant change. This bill is all about trying to strike that balance between protecting the public interest in this particular piece of land while also enabling the university to enter into those long-term commercial partnerships and development arrangements. Partnerships of this sort would require quite significant capital investment, and we certainly

want to be ensuring that any arrangement which effectively gives away long term control of the land is subject to parliamentary oversight. Again, I just urge members not to support the amendment.

Ms THOMAS - The way I read this is if the intent is really protection for the Tasmanian people, if that genuinely is the intent of the government, I can't understand why it takes issue with this because the university is no doubt going to enter into a lease for the term that, whatever the term means, it doesn't have to come back to parliament. That would be the thing you would do if you wanted to avoid parliamentary oversight, is the way I read it. If the government is genuine about protecting Tasmanians' interests here, what's wrong or what's the risk, what's the burden to the university of making it 30 years? Why does the government have a problem with that? I just cannot understand the government's logic here about, if it genuinely is about protecting Tasmanians' interests and genuinely about protecting land that is gifted for educational purposes, why not bring it back to the parliament? What's the risk? What does the government have to lose here or the Tasmanian people have to lose? It's in their interests.

Ms PALMER - I thank the member for her comments. Again, can I just reiterate that the 99-year benchmark is consistent with the established Tasmanian land law. Under the *Crowns Land Act 1976*, 99 years is the maximum lease term that can be granted. Just because we had the - you called the nature conservation bill up. It also states in there that no crown land shall be leased for a period exceeding 99 years. It is a little bit about consistency as well. They're two Tasmanian land acts that also have this same set up with the 99 years. As I said earlier, if we do lower that threshold by 40 or 50 years, it does create unnecessary barriers to investment and development, and we want to be setting our university up for opportunities.

Ms THOMAS - This is simply not a comparable example that has been given. This is not Crown land; it's not subject to any of the processes that are to be followed in terms of the sale of Crown land, if the government would follow those processes. I'm not convinced by the minister's response. This bill itself, it's not a typical circumstance; we are legislating for an extraordinary circumstance here, and the more protections that we can put in place here, the better, in my point of view anyway. I hope honourable members will support this amendment.

Madam CHAIR (Ms Forrest) - The question is that the amendment be agreed to.

The Committee divided -

AYES 7

Ms Forrest
Mr Gaffney
Mr Harriss (Teller)
Mr Hiscutt
Ms O'Connor
Ms Thomas
Ms Webb

NOES 7

Ms Armitage
Mr Duigan
Mr Edmunds
Ms Lovell (Teller)
Ms Palmer
Ms Rattray
Mr Vincent

Amendment negatived.

Clause 3 agreed to.

Clause 4 -

Parliamentary approval required to dispose of certain University land

Ms WEBB - I will move this set of amendments because they go together, so if I move them all and then put the argument to them all, if that's alright with you.

Madam CHAIR - They're all linked.

Ms WEBB - Yes, they are, so I will go through them all.

Clause 4, first amendment, page 5, subclause (2), paragraph (a) after subparagraph (i) -
insert the following subparagraph:

- x) Must provide to the minister, with the request under subparagraph (i), a report in accordance with subsection (xx); and

second amendment, same page, same subclause, paragraph (b), after -

'is to table the'

leave out -

'motion'

insert instead -

'motion and the report under paragraph (a)(x) provided to the minister with the motion.'

Third amendment, page 6, after subclause (2) -

insert the following subsection:

- xx) A report to be provided by the University under subsection (2)(a)(x) in respect of the proposed disposal of vested land under this section is to include:
 - a) the reasons why the university intends to dispose of the land; and
 - b) if known, the purpose for which the land is intended to be used after the university has disposed of the land; and
 - c) if the intended use of the land after its disposal is not known at the time the report is prepared, a statement to that effect; and
 - d) the characteristics and qualities of the land, including but not limited to:
 - i) the geological, biodiversity and topographical characteristics of the land; and
 - ii) a list of all existing structures on the land; and
 - iii) details of any consultation undertaken by the University in respect of the proposed disposal of the land, including but not limited to, consultation with statutory authorities and planning authorities.

I realise that's a long inclusion. Here's the intention of that: clause 4 of the bill, as it currently stands, is about what happens when the university wants to dispose of a piece of land that is vested land under the act. It describes the process that the university has to go through, in conjunction with the minister, to bring it to parliament for consideration as a motion laid on the table. The way it is currently drafted in the bill, the motion that relates to the disposal of that vested land requires very little detail to be provided to the parliament when parliament might consider that motion that's laid on the table.

For example, if we look at the clause as it's currently drafted, clause 4, part (1) just says that the university can't dispose of vested land unless it's come through the parliament. Part (2) is about how if the university does wish to dispose of all or any part of the vested land, the university must do these things: it has to make the request to the minister to table a motion in respect to the disposal of the land; it has to provide the minister with a draft motion that meets the requirements of subsection (4), which we will get to in a minute; and if the minister is satisfied that the motion provided meets the requirements of subsection (4), the minister tables the motion in each House, and it's disallowable. That's described in part (3) of that clause. Part (4) is about what's required to be provided as part of this motion for the parliament to consider if this process is triggered and is underway. Part (4) of the clause says:

A motion to approve the disposal of vested land that is to be tabled under subsection (3) -

a) must include -

- i) a clear description, or plan, of the area of vested land that the University proposes to dispose of;
- (i) if the disposal of the land is by the lease, the details of the term of the lease; and
- (ii) details of the amount of payment or consideration, or any other benefits, that the university is to receive if the disposal is approved...

I have no problem with (ii) and (iii), which is if there's a lease involved, we need to see the lease. If there's information about the amount that they're going to get for it, we should see that. I have no problem with that.

My problem is with part (4)(a)(i) here. All the information that we would be required to be provided with as a parliament to consider this sort of motion to dispose of vested land and remember going back to the start of clause 4, this could actually relate to the entire parcel of vested land, if the university wishes to dispose of all or any part of vested land. What we're talking about here is there could be a motion coming to this place that proposes to dispose of all of the Sandy Bay campus land below Churchill Avenue, which is what this bill says is vested land. With that in mind, if a proposal came to us as a motion to dispose of all of that land, for example, as it could, all we'd need to be given is a clear description, so it would have to say: 'the land in the relevant folio below Churchill Avenue'. That's a clear description of that land. Or 'plan of the area of the vested land', so a description or a plan of the area of vested land. All it needs to do is describe what the land is. That could be as absolutely simplistic as Sharpie pen drawings on a fuzzy aerial photo, which is what this bill has with the rezoning in Schedule 2 of this bill.

We could get something that is a fuzzy aerial picture of the whole of the Sandy Bay campus under Churchill Avenue with a Sharpie line drawn around it and meet the requirement

of this clause 4, if the university was proposing to dispose of the whole of that area, the vested land described in this bill.

That's a worst-case scenario, right? I accept I've just painted for you the worst-case scenario, but the bill says what we should expect to see, and all we should expect to see is apparently the area - let me get back to the wording:

a clear description, or plan, of the area of the vested land

That's it.

What my amendment does is it outlines with a little bit more detail some minimum requirements of the information that should accompany that motion, if it were to come to us for any disposal of an area of vested land, whether that's a part of it or all of it, or whatever it might be in the future, What should we as a parliament expect to see information wise and the amendment says there should be a report that accompanies it and that report should have included in it the following things which are in the amendment here:

A rationale for it, so the reasons why the university is intending to dispose of it. I believe the university should have to say on what basis they need to sell or dispose of the land that's there.

Subsection (b) is about, if known, the purpose for which it's intended to be used after the university's disposed of it. Pretty reasonable. If they don't know that, then a statement that says they don't know what it's going to be used for when they dispose of it, but that's just a clear statement one way or the other.

Subsection (d) is important, I believe, because we've just seen this bill ask us to rezone land with absolutely none of the normal information provided through a planning process. This is a very light touch to try to make sure we're never treated like a rubber stamp in that way ever again if we did have a motion come to us to consider that related to disposing of vested land, so the report that had to accompany that motion, according to my amendment, would have to include information about the characteristics and qualities of the land that's in the proposal, including these things, the geological, biodiversity and topographical characteristics. So again, some basic information.

A list of all existing structures on the land. Again, it's just basic information, so we're really clearly understanding what we're being asked to consider.

The third thing is details of any consultation that's been undertaken by the university in respect of the proposed disposal of the land, including, but not limited to consultation with statutory authorities and planning authorities. That means maybe there's been consultation with the Hobart City Council, maybe there's been consultation with TasWater, maybe there's been consultation with other sorts of statutory or planning authorities.

That's it. It's just requiring a report that outlines those very basic things that I would think this parliament, since under this bill parliament's been given an oversight role to consider any disposal of vested - meaning that gifted land that's defined as vested under this bill. Parliament's oversight role surely requires us to expect there be some very basic information provided with a motion to that effect. So far in the bill as drafted, there is no requirement for that basic information, none. You could meet the requirements of this bill with a fuzzy aerial map with a Sharpie line drawn around a bit of land on it and it could be the whole campus below Churchill Avenue. This is not a dramatic ask. This is a bare minimum ask of accountability to add into

this bill in anticipation of a time in the future that this parliament might be invoked to do the oversight role the bill sets up.

I would hate to think we would leave the bill as it is without at least this minimum requirement, because to me that would say we are setting this Chamber up and this parliament up to be a rubber stamp down the track if we don't at least put some very minimal requirements in there for what we would expect to see in terms of information alongside a motion to dispose of vested land.

I hope members have heard that rationale for the amendment. Again, it's not dramatic. It's a very basic, responsible proposal to include. It doesn't change any intent about this bill at all. It's aligned with the fundamental intent of the bill, which was to give parliament an oversight role. Again, there would be no reason for a responsible government or in fact for the university to have any objection to this, because they should be able to explain to us, that should be expected to explain to us why they're bringing a motion down the track under this legislation for consideration by this parliament.

If the university wasn't entirely happy to do that, we would have serious questions of the university. Surely the university would say to the government we welcome this amendment. Any responsible governance mechanisms of the university would say we welcome being expected to provide this very minimal amount of information if in the future we were to propose to dispose of any, in fact perhaps all of this vested land. I strongly, strongly request members really think about supporting this amendment as an important part of our role here with this bill.

Ms O'CONNOR - This amendment in some ways, although it adds more words and provisions, tightens up the intent of calls for in the bill. When you look at the matters to be provided to government and to be included in that notice to parliament through the disallowable instrument that are that are proposed in this amendment, you would think that this information has kind of, in some ways, the bare minimum of what the university should provide to the parliament should it wish to dispose of any of the public land which is currently vested with it.

This is not like the previous amendment where not a majority of members were persuaded that you needed to have some tightening up around lease oversight. This is simply enabling the parliament, when that disallowable instrument comes to the parliament, to have really what's quite straightforward and basic information from the university about the purpose for which the land is intended to be used, the characteristics and qualities of the land, including biodiversity and topographical characteristics, all the structures on the land, these are the basics. In some ways what it might do, should Council accept this amendment, and should the moment come when we're dealing with a disallowable instrument in this regard, it might actually save some time because there will be real clarity in the instrument that comes to the parliament for examination.

Notwithstanding the previous vote, I hope that members see that this is a very, very sensible - and I'd argue necessary - inclusion for this bill in order to protect the public interest, but also to have maximum clarity and transparency about the nature of the land that UTAS wishes to dispose of.

Ms PALMER - The government does not support the member's amendment and considers that it is over-prescriptive and unnecessary. A motion to dispose of vested land is a disallowable instrument, which means the University of Tasmania will need to provide adequate information that would satisfy members that the motion should not be disallowed.

Now, the nature of the information required, would depend on the circumstances of the proposed disposal of land and members at that time would be able to request any information from the university that they need to be satisfied that the motion should not be disallowed.

I would like to raise a couple of other things. The information relevant to a disposal of land would depend on what was being proposed. This House - I feel - well, I'm concerned this amendment is trying to pre-empt what is required to convince members to not disallow a motion. Obviously, the university would be putting forward as much information as required to ensure that members were satisfied and didn't move for a disallowance. Now, I do just want to clear up - I understand the example that the member for Nelson put forward about the fuzzy map, but clause 4(4)(a)(i) clearly states:

(4) A motion to approve the disposal of vested land that is to be tabled under subsection (3) -

(a) must include -

(i) a clear description, or plan, of the area of vested land that the University proposes to dispose of.

I think that the university would be putting their absolute best foot forward in ensuring that they put whatever information members required forward to ensure that it wasn't disallowed. So, we're not going to be supporting the amendment. We do believe that the bill covers what is required. It is in the university's best interest to provide any information that would be required at the time to convince the parliament to support it.

Ms RATTRAY - A question to the minister, can we have some indication of what the government considers as a 'clear description'? The member proposing the amendment gave out just the folio number of where it was situated, and perhaps the address -

Ms Webb - Well, I wonder if a 'clear description' is what we've got in here about the re-zoned land.

Madam CHAIR - Order, order.

Ms RATTRAY - I'm just looking for - because you've put on the record that the university would be putting their best foot forward, but I'm interested in what a 'clear description' might look like if it's not what has been proposed in the amendment, or is that exactly what we would be expecting?

Ms PALMER - Madam Chair, in response to the member for McIntyre, the expectation would be a plan that has been mapped by an appropriate qualified surveyor. When you look at clause 4, you have there that it must include 'a clear description, or plan, of the area of vested land that the University proposes to dispose of.' The expectation would be that that plan had been mapped by an appropriately qualified surveyor.

Ms RATTRAY - I appreciate that, but it does say a 'clear description' or a plan. If it's just a plan, and we've seen the fuzzy plan that's been referred to - I'm looking for some more detail on a clear description and it would be useful to have that on the record.

Ms PALMER - Madam Chair. When we talk about a clear description or a plan, the description could relate to an identifiable, building for example. It could be a description of a

building. Does that answer your question? Or do have you another call?

Ms RATTRAY - I might use it.

Mr GAFFNEY - Madam Chair. I appreciate both the amendment and the response from the minister, but when I look at the amendment, if I was sitting here and it's kind of that gives a pretty good blueprint about what I would expect to see for me to make an assessment on what's happening, this one over here just says a plan or a clear description of the area. So, 'The big brown building over there surrounded by trees,' - whereas this talks about the reason, the purpose, the intended use of the land, it gives - and I think, with all due respect, the university would have all that anyway. You wouldn't go into this arrangement if you didn't have that information right there.

I think the government's being very guarded on this and there's no reason for it to be. That's the university's core business. If they can't do that, then they shouldn't be looking at getting a STEM facility anywhere; if they can't provide us with that information. So, I would hope that everybody accepts and supports this amendment because to me it's just common sense.

Ms THOMAS - Madam Chair. I entirely agree with the member for Mersey and appreciate him, appreciate him putting it so articulately. We have to remember here that we're debating a bill on which we're being asked to make a significant planning decision to rezone land for which we were provided no criteria for making our decision on rezoning land, we were provided with no assessment other than the proponent's own consultant commissioned assessment we had not we had no criteria on which to base our decision.

Rezoning land is a significant decision. It still flays me that it appears that this bill could pass based on us making a decision based on nothing being presented with no assessment, no actual criteria for our decision making and just lines on a map. It's just beyond my belief. It blows my mind. Local government would never get with maybe a rezoning decision based on the information that we have been presented with here today. It just flays me. Absolutely flays me.

The least the government can do is require the university to meet some criteria when coming back to us on these decisions. It's the least the government can do. Again, what's it afraid of here? It's just absolutely beyond belief and I really hope all members will support this. It's not asking much.

Ms PALMER - Madam Chair. The issue that we have here is about being too prescriptive of the information that the university would need to provide. It is members who hold that ultimate authority here and if they don't have the information, they're not going to support what's being put forward. This amendment is detail that's not required until there is an actual proposal and the real concern here is about being too prescriptive of the information the university would need.

Ms THOMAS - Madam Chair. I still - If the issue is being too prescriptive, what's the worst thing that can happen with being too prescriptive? What's the problem with being prescriptive? I don't think the government's made the case there other than saying it risks being too prescriptive. It doesn't mean members can't ask for additional information when it comes back to the parliament and we might or might not get answers as we've seen with this particular debate.

I still hope that, given the flaws in the decision-making criteria here and the lack of decision-making criteria here that this bill doesn't pass, but if it does pass, again, this is the least that we can ask for. It doesn't hurt to be prescriptive; well, the government hasn't explained how it hurts to be prescriptive. It doesn't prohibit members from asking for additional information, it doesn't prohibit the university from providing further information beyond what is prescribed. I don't think that argument stacks up.

Sitting suspended from 4.00 p.m. to 4.30 p.m.

UNIVERSITY OF TASMANIA (PROTECTION OF LAND) BILL 2025 (No. 58)

In Committee

Resumed from above.

Mr GAFFNEY - Madam Chair, I looked at the amendments again and I think that they're really fair. They're just asking for an outline of what we would expect to receive. It says, 'Details of any consultation undertaken by the university,' but that's 'of any consultation,' it doesn't say there has to be. All it is saying is, 'Give us a bit more information and here's a really good framework for you to use to bring back to us so that we can understand what the purpose of the land is.' It even says, 'if known, the purpose for which the land is intended to be used after the university,' so it's not that prescriptive, I think. It actually allows a lot of flexibility and, again, I don't know any project that I've come across in council land or anywhere else where, if the people couldn't detail those pieces of information, they wouldn't be derelict in their duty.

I think it's common sense that this is a really good blueprint for us to include, other than what's in there at the moment, which says 'a map or a plan.' That just doesn't cut the mustard with me, so I hope members can see that this just provides adequate information that we should have or have access to and I don't know why the government would not be saying, 'Yes, fine, tick it off.' So, I do hope members support this amendment.

I go back to the member for Elwick, if we didn't have this information in local government land, it wouldn't even get to first base, and here we are a state government doing legislation on university vested land and we're asking for less than what we expect of the local government area, so I hope people will take that on board.

Ms PALMER - Madam Chair, just to reiterate what was already said prior to the break, it is, obviously, in the university's best interest to provide any information that would be required at the time to continue to have parliament support. And, that information is going to vary depending on what proposal is put forward, so we don't want to be so prescriptive of the information that the university would need to provide before we even have any understanding of what would be actually put forward. As I've said, members hold the ultimate authority. If they don't have the information that they believe is necessary, then they're not going to be supportive of what's being put forward, so this amendment is detail that the government believes is not required, until there is an actual proposal.

Ms WEBB - Madam Chair, this is quite astonishing. Absolutely astonishing. There is no head of power in this bill that allows members in this Chamber to require any information at all from the university should a motion be brought here with a proposal to dispose of vested land. Zero.

If the minister is trying to suggest that, of course, if members requested information, of course the university would provide it, I'll remind members that we have currently a bill before us rezoning land for which we have received zero information. Anywhere near amount to the amount of information we'd get if it was going through the proper planning process through local government. Absolute paucity of information.

The argument is, 'Oh, gosh. If members who wanted information to inform their decision, of course they'd get it. It would be in the university's best interest.' Well, what if it wasn't in the university's best interest because they didn't want us to know much about what they were trying to do? What if that's the situation? If that's the situation, members here have zero head of power to require anything in the way of information. Zero. This is not over-prescriptive. This is requiring incredibly basic information to be provided.

The minister already in her arguments against this, on the one hand says that it's over-prescriptive and on the other hand has said, 'Of course, this is all information people would be given because of course the university would want to provide that information as part of a full package of information.' It can't be both. It can't be both. And, if it is the fact that the university would be more than happy to provide every bit of information members might want, they would have no objection to what I'm proposing in this amendment. Zero.

Has the minister consulted with the university and got their view on this amendment? Has the university put forward an objection to this amendment? I'd like that clarified on the record in this place. The university representatives are here. Has the government consulted with the university on this amendment and has the university asked them to block it? That's what we need on the record here today because for every member here, there is nothing about this amendment that is remotely inappropriate. It is not over-prescriptive. It's basic. If the argument is, of course we would get all the information we want, why can't we at least put this basic list of things in here as a basic baseline requirement?

The list of things that are in this amendment would equally apply if the motion coming to us to dispose of vested land related to one building. We could apply this list of things easily to that. It might be very little information that would have to be provided if it was just a very discreet building or little parcel of land, but it would equally apply if it was the whole campus. The things we've outlined here in this amendment are absolute baseline. If there was a large piece of land, or if it was a small piece of land, or if it was a single building. Same, same.

Even, as the member for Mersey pointed out, in some instances in the list of things in this amendment, it just says, 'if it's known,' or 'if consultation has happened,' you just have to detail that consultation has happened. So minimal. What on earth would any responsible government have as a reason to object to this?

Going into a bill that is called the University of Tasmania (Protection of Land) bill that this government promised going into an election that they would bring forward to the local community to protect the land of the Sandy Bay campus. They've already broken the promise with the rezoning. They've already broken the promise by carving off the other 56 hectares above Churchill Avenue. Now, they're breaking a promise, really, because they're making a mockery of the idea of protection of land if they won't allow this Chamber to put the most minimal baseline requirements in terms of information required for our oversight function. What a joke.

Who's pulling the strings here? Is it the state government or is it the university? Has the university told the state government to try to block this amendment? Irresponsible on both

fronts if that's the case. Irresponsible of the state government. Absolutely gobsmacking if the university hasn't come to them and said, 'We welcome this, please do put it in. We love the idea of being accountable. Of course we would give that information and we'd like to be required to do it because it shows that we've got good faith in this.' If the government can't tell us that that's what the university's come to them and said, I think we should all be disturbed - every single one of us. I've raised my voice, Madam Chair; I apologise for that, because really what I'm asking here is very basic. It's asking this Chamber to have the opportunity to do its job well if, in the future, something comes here in a motion relating to the disposal of vested land as created under this bill. It's very basic. It's a minimum that we would expect. It should be welcomed by any responsible government, and certainly by any responsible university governance structures that want to exist under this bill in good faith.

Ms PALMER - Let me be clear: this is a decision of government based on not supporting unnecessary regulation, and members don't need a head of power to ask questions of the government, or indeed to ask questions of the university; and if members don't have the information, they're not going to support it.

Ms WEBB -What a crock! Of course we can ask questions. We're absolutely and utterly - and I apologise if that's unparliamentary. I will withdraw that particular -

Ms O'Connor - It's not.

Ms WEBB - Okay. Well, it is a crock then. What we've just heard is that of course members have got the power to ask questions. Yes, we do. We can all open our mouth and ask a question. What we don't have under this bill is a head of power to require information to be provided in answer to those questions. We don't have that, and this bill doesn't guarantee us any level of detail in information provided with a motion. All it requires us, as a minimum, is to get potentially a description in words or a fuzzy picture, maybe with a sharpie pen drawn around a bit, that describes the area of the vested land proposed for disposal. That is all that's required to be provided to us.

Of course we have the power to ask questions, and we do that quite well in this place on a regular basis; but what we also need is a mechanism by which to get answers. We don't have it, and I'm not even proposing through this amendment that we're given that power to require answers. All I'm proposing is we have in place a minimum expectation of information provided to feed into a decision we're making in this place about vested land created in in this act and its disposal, remembering it's gifted land from the Tasmanian people, and this bill is about a minimal level of oversight from this Parliament in relation to disposing of that land.

It's astonishing that the government is reluctant to do it, and they still didn't answer whether they've consulted with the university on what the university's view of this amendment is. Surely they've consulted. We've just had half-an-hour break; there's university representatives in the building and they're still not answering that question. Surely the university have come and said, please, please support this amendment, it's reasonable and of course we would want to do it. Perhaps the minister could confirm, have they consulted and what was the university's view?

Ms THOMAS - I will just take the opportunity again to raise my concerns at the government's unwillingness here to agree to this, which is a very reasonable request. A number of us in our second reading contributions expressed significant concern that this bill, titled a

protection of land bill, in fact does the opposite by many respects outlined in the bill. What this amendment is trying to achieve is at least some level of protection within what is a protection of land bill, where we have had no planning process by which to make a significant rezoning decision, no proof of this bill actually achieving the new STEM facilities that it purports to, and no plan for what it will do with the land in question. We have no process, no proof, no plan and no protection; and yet at every opportunity the government is seeking to further eradicate any protection. It just does not protect Tasmanians' interests, and that's my primary concern here.

Madam CHAIR (Ms Forrest) - The question is that the amendments be agreed to.

The Committee divided -

AYES 7

Ms Forrest
Mr Gaffney
Mr Harriss
Mr Hiscutt
Ms O'Connor
Ms Thomas (Teller)
Ms Webb

NOES 7

Ms Armitage
Mr Duigan
Mr Edmunds
Ms Lovell (Teller)
Ms Palmer
Ms Rattray
Mr Vincent

Amendment negatived.

Ms O'CONNOR - Now that the honourable member for Nelson's very sensible amendment has been defeated, it would be good to provide to council absolute clarity about what the government would expect to be in any motion that was put before both Houses in relation to a disposal of land proposal by the University of Tasmania, given that, apparently, the government doesn't support the kind of detail that was in that amendment - reasons, purpose, intended use of land, its characteristics, et cetera; what does the government think should be in that motion?

Madam CHAIR - Honourable member?

Ms PALMER - Seeking some advice, madam Chair.

Madam CHAIR - Minister, I meant. Sorry.

Ms PALMER - In reply to the honourable member for Hobart's question, it does state in clause 4 subclause (4)(a)(i) that there needs to be:

a clear description, or plan, of the area of vested land that the University proposes to dispose of;

and in answer to a question to the member for McIntyre, the expectation there is that a plan that has been mapped by an appropriately-qualified surveyor. It then goes on to talk about the disposal of the land with regard to the lease and the details on the term of a lease, or details around the amount of payment or consideration. If you look at (4)(b), it says that it can:

... include such other information as the University considers relevant to the disposal of the proposed area of vested land.

As I've said previously, it is obviously in the university's best interest to be providing any information that members asked for that would give support to what they were proposing. What would be asked of or what the university might put forward would be entirely dependent on what the proposal might be. In the end, it's what members need to be satisfied to the extent that they would support the proposal.

Ms O'CONNOR - I am seeking some clarity on that answer: is the minister suggesting that within that motion, other than the provisions that you described, it would be up to the University of Tasmania to decide what they provided to us in that motion, or is the minister suggesting through her answer that it would be up to parliament to ask the questions that extracted that information?

Ms PALMER - It's up to the members to determine what information they would want, and it is the responsibility of the university to be putting their best foot forward and providing the information that they know would secure a positive response from the parliament.

Ms WEBB - Well, that's clearly not true, is it, because sometimes it might be in the university's best interest, if they're trying to get a particular outcome, to obscure information from the parliament so that we don't make a finding or come to a decision that they don't agree with, that they don't want us to come to. It's a ridiculous thing to suggest. As I said when I put my amendments, we can ask information. There's nothing, no power at all for us to be able to require it be provided, and we've proven that with this bill, in fact.

My questions are also in relation to this similar area. The minister has already said that under (4)(a)(i) a clear description or plan of the area of the vested land would be expected to be something that was mapped by an appropriately-qualified surveyor. My first question in relation to that is: is the visual picture in schedule 2 of this bill something that's been mapped by an appropriately-qualified surveyor? Is that an example of what we would expect? Does this meet the criteria, this picture in schedule 2? Members should be able to be really clear about what quality that means. It sounds really fancy, mapped by an appropriately-qualified surveyor, but if it means a fuzzy aerial picture with some sharpie pen lines on it, then clearly that is a not a very high bar in terms of the quality of information that would be required under a clear description or plan of the area of vested land, so perhaps we can just confirm that.

It's interesting too, because if the minister's able to confirm that the picture in schedule 2 of this bill is in fact mapped by an appropriately qualified surveyor, it proves to us that that means nothing in terms of quality of information; and it's also a damning indictment on them if it isn't mapped by an appropriately qualified surveyor, because clearly they haven't felt the need to provide something to us in this bill that meets the bar that apparently is going to be expected in relation to the forthcoming future motions that might come. If that's going to be expected in relation to the motions coming to us about disposal of vested land, why wasn't that the bar and the standard that was required for this bill when it comes to rezoning parcels of land? Perhaps the minister can answer that. Either way, actually, it's a damning indictment on the minister and this bill, and what has been put in here in terms of a pathetic baseline for information that might come.

My other question in terms of the information that might be accompanying a motion to dispose of vested land: has the university provided the minister with anything in writing, or anything in verbal interactions that indicate what they believe would be an appropriate level of detail to come and accompany the motions that may come to this place? I'm asking for honesty here, particularly if there's anything in writing, but also I'm asking if there's anything that's been part of verbal discussions about what the university has said it regards as a minimum baseline of information to the minister.

Ms PALMER - I will seek some advice. There was quite a number of questions in there, but what I would like to do is draw the honourable member's attention to clause 7(2), which clearly states:

On the day which this Act receives the Royal Assent, the Planning Minister is to cause a plan to be prepared and registered in the Central Plan Register.

I will just draw the member to that and I will just seek some more advice.

Ms Webb - Not available to decision makers.

Madam CHAIR - Order, order.

Ms PALMER - No, the university has not provided advice on a minimum baseline of information because there isn't a proposal to put forward at the moment. As I said before: this is a decision of government to not support unnecessary regulation. I will just seek some advice. Then, again, just to restate the principle: if members feel that information is withheld, then they're not going to support the motion. It is in the university's best interests to put whatever information is required to support any proposal that they want to put before parliament. It is not in their best interest to not do that. As I've said, members have the opportunity to ask those questions. If there is doubt, the university is not going to get support for their proposal.

Ms Webb - I've got one more call because I had my amendment I had to move.

Madam CHAIR - Order.

Ms Webb - The minister has completely disregarded my first question.

Madam CHAIR - Are you asking a question?

Ms Webb - Well, I don't want to get on my feet because it will be my last call and the minister has disregarded my first question from my last call.

Madam CHAIR - Order. It's a matter for the minister on how she responds to questions. If the minister wants to add anything further, fine. I will put the question.

Ms PALMER - I did think that I had answered your -

Ms Webb - No.

Ms PALMER - If you would let me speak, honourable member. I have the call.

Madam CHAIR - Address the Chair, minister.

Ms PALMER - I did believe I had answered the honourable member, which is why I spoke about clause 7(2), but I can be more explicit. 'No' is the answer with regard to the map that the honourable member is holding up behind me, and that is why the minister must register an appropriately-surveyed map once the bill is approved. That is stated in clause 7(2).

Ms WEBB - That's great. Just to clarify, if the minister can confirm: in this bill - so we have an example of something that's been mapped by appropriately-qualified surveyors. Schedule 2 of this bill and the picture in it doesn't meet that standard. The bill we've been asked to pass here doesn't meet the standard that will be required, apparently, in future motions. Not

that the standard is legislated; it's just

Ms WEBB - (cont) standard is legislated, it's just verbal here from the minister at the table, but the bill we have doesn't meet the standard that will be expected because Schedule 2 visual is not mapped by an appropriately qualified surveyor.

That's quite interesting because even, for example, in this bill we're asked to consider a map that doesn't meet standard and yes, after the decision's been made and this bill's been passed, something much more detailed and proper is drawn up under that clause that the minister read out. It's far too late. Then, of course, that's after the bill's passed, which is why I'm asking about the motions.

What will the standard be required if motions come to us? Because if it's this standard, clearly that's not good enough and it's not good enough to be brought up to standard at a later date after the thing has gone through parliament. Obviously, the decisions have been made at that point. This is damning on the minister and on the university that they presented us with a bill that doesn't meet the standard that apparently any future vested land disposal will have to meet in terms of being presented here. Absolutely atrocious.

Ms PALMER - In response to the honourable member for Nelson, we believe there is enough detail in Schedule 2 to agree to the extent of land to be rezoned. The detailed plan is provided to make sure that there can be no disputes in the future regarding the detailed area of the land that is rezoned and, again, I draw your reference to clause 7(2).

Madam CHAIR - The question is that clause 4 as read stand part of the bill.

The Council divided-

AYES 11

Ms Armitage
Mr Duigan
Mr Edmunds
Ms Forrest
Mr Harriss
Mr Hiscutt
Ms Lovell (Teller)
Ms Palmer
Ms Rattray
Ms Thomas
Mr Vincent

NOES 3

Mr Gaffney (Teller)
Ms O'Connor
Ms Webb

Clause 4 agreed to.

Clause 5 agreed to.

Clause 6 agreed to.

Clause 7 -
Rezoning of certain land

Ms WEBB - Well, I don't have an amendment for this one because [inaudible] vote against the clause.

Madam CHAIR - You need to put a case why people should.

Ms WEBB - OK, that's fine. So, I can put a case as if it was an amendment?

Madam CHAIR - Part of your suggestions in the amendments that were circulated was your request that members vote against the clause. So, if you want to give people half a reason to do that, it would be a good idea.

Ms WEBB - I want to be clear; I wasn't going to step outside the bounds of what was going to be allowed. I also have questions on this clause, so if it does stay there.

This is about the rezoning. I probably don't need to speak to it in detail, to be honest, because many of us discussed it in our second reading contributions and so made it pretty clear that this is an entirely inappropriate way to be rezoning land when it was entirely available to the university to go through the regular planning system arrangements for the rezoning of this land and to avoid that and do it in this process, where it would have far less information put into the public domain, far less consultation and far less scrutiny in that respect, is absolutely an astonishing course of action for a public institution to take and for a government to condone and facilitate. Absolutely inappropriate and irresponsible. That aspect of it is very clear here and many members have agreed with that. Unfortunately, not enough it would appear, but I'm hopeful that there might be some reconsideration being done and we vote this clause out of the bill.

This is the bit that was added in. You'll remember that the government, in the first instance, fulfilled its promise made before the 2024 election where they promised the community that they would protect the land of the Sandy Bay campus by requiring parliamentary approval for disposal of that land. The first iteration of this bill didn't have clause 7 or any of the matters relating to it around rezoning. That happened once the university got in the ear of the Labor Party and the Labor Party started making a fuss and got in the ear of the government as well. Then the government decided it didn't want to have public fights with the Labor Party about it, caved, and broke the promise that they made to the community. So, here we are with some rezoning being done.

I don't intend to go on in detail about that because I spoke about it in detail in my second reading speech, as others did very effectively. Especially those with local government backgrounds. Anyone with a local government background, you'd think would be rightly appalled to see our planning system abused in this way, and, therefore, the people of Tasmania, and the public interest of Tasmania, being abused in this way. Shocking.

I do have questions on this bill, but in the first instance, I'm going to ask members to vote against this bill purely on the basis of its utter irresponsibility and inappropriateness -

Madam CHAIR - Clause.

Ms WEBB - In the clause, yes, sorry. And the bill, Madam Chair, if the clause stays in, but, in this instance, the clause.

Ms O'CONNOR - Madam Chair, just a brief contribution. This is the offensive and

dishonest clause within the legislation and, as the member for Nelson reminded us, it came about as a result of a solemn promise during the 2024 election campaign to the Tasmanian people that was quickly broken thereafter. And, the reason that the government felt it needed to make that promise, that the parliament would have a say over any sale or disposal of land by UTAS, was because of the very strong community opposition, particularly in the city of Nipaluna/Hobart, to the way the university had been conducting itself in relation to the proposed city move.

There was an elector poll, which came back overwhelmingly - three quarters of the residents of Hobart in the elector poll objected to the university's plan for the city. So we are here now, with a provision in the bill that represents a wholly broken promise. It was interesting in the briefing that we had, where advisors from government said they didn't know at that time where this proposed amendment came from. Well, now it's become really clear to us. It came to government from UTAS and I believe that the government's adviser knew that at the time.

This is the perfidious clause, and I just want to remind honourable members that this is not the first time the government has asked this place to bypass the proper planning process. It happened with the proposed Stony Rise development, which parliament was basically asked to approve after local government had rejected it. It happened with the legislation, which this place quite rightly rejected, to approve the construction of the Ashley Youth Detention Centre replacement at Pontville. At the time, during that debate, we by majority recognised it was an inappropriate role for the parliament. And, now, we're being asked to approve the rezoning of land outside a proper planning process because, apparently, sadly, this institution that so many of us love and respect felt that it was too hard and too complicated to go through a local government rezoning process.

It is not a good enough reason. It's just not a good enough reason to ask the parliament to wave through a rezoning. We haven't had an explanation from government or the University of Tasmania - not a satisfactory explanation anyway - as to why they would ask parliament to do this. It is an abuse of process, it's an abuse of power, and members should reject it.

Unfortunately, what's happened with this piece of legislation is it's become much less about oversight of any sale or disposal of land at UTAS, and almost solely about clause 7, the rezoning provision, and that is highly regrettable. I hope members see through this cynicism and vote against this clause.

Ms Webb - At least the local community wanted Stony Rise.

Ms O'CONNOR - That is true. It had popular support.

Madam CHAIR - Just before I put the question, if the member for Nelson has questions related to this, you do need to ask them now, on this clause.

Ms WEBB - I know, but I've got two more calls, right?

Madam CHAIR - Yes. That's right. Just so we're clear.

Ms O'CONNOR - I'll do my second call and ask a question, which I think the government should be required to answer.

Madam CHAIR - Okay.

Ms O'CONNOR - Why did the government find it acceptable to allow the University of

Tasmania to bypass the proper planning process and to provide the Office of Parliamentary Counsel to draft up a rezoning amendment in this bill? Why didn't government encourage UTAS to go through the normal and proper planning process?

Ms PALMER - Madam Chair, I believe my contribution will address both the member for Nelson and the member for Hobart's contributions. The government is satisfied that the work has been done and that the proposal to rezone this land as inner residential is responsible and creates a path to a positive future for the university and for our state.

To satisfy ourselves as a government, we have considered the All Urban Planning report into the University of Tasmania's proposal as it relates to this plan. We have considered the master plan as it relates to this land. We have considered the Hobart City Council discussion paper on the Mount Nelson and Sandy Bay neighbourhood plan from 2023 and the engagement report in 2024. We satisfied ourselves that the university has been working with the Hobart City Council plannings and that they had no concerns with the proposed zoning. After all, they are the experts here. We have made sure that our state planning office has no concerns. All of this work told us that the rezoning of this land to inner residential is appropriate for the broader needs of Hobart and Tasmania, not just the needs of the university. Everything we have heard says it.

I understand some people don't want the university STEM precinct to go ahead and would prefer that the university just return to Sandy Bay. I can confidently say that is not going to happen. We're well beyond that point. The Forest building in the CBD is an incredible asset to this state. It is vibrant. It is well designed. It is fit for purpose. I mean, it takes your breath away when you go in there. I know when I first walked into the building, I was quite overwhelmed with how it actually made me feel. I see a university with a really bright future and students that have been really well served. I can't say the same about many of the facilities in Sandy Bay. We need to invest in a new Sandy Bay campus. A STEM precinct is the perfect aspiration, and zoning these parcels of land as inner residential is a responsible and constructive step towards making that happen.

Hobart needs new housing. We all agree that we need to find opportunities for more higher density housing. This will help us to deliver on that as well.

Ms THOMAS - Madam Chair. I appreciate the minister's comments about the Forest building and the move of parts of UTAS into the city. In fact, I agree. I think the Forest building is wonderful. I support moving part of UTAS into the CBD, but that's not what this clause is about. This is a rezoning clause. A rezoning clause, and I ask the minister, what kind of precedent does this set?

What will the government say when a developer comes knocking at the door saying, 'We want to rezone land. We don't want to go through the council because we think they probably won't like it. It's on the nose with the community. It's unlikely to be approved by the planning authority. How about you just put a bill through parliament to rezone the land for us? Here's our consultant's report who we've paid to tell us that this rezoning is good. Don't worry about getting any advice for the members of parliament from the State Planning Office. Don't worry about any criteria on which to rezone the land for members of parliament to consider. Just rezone it because it will mean that we get new STEM facilities and there'll be more housing. But don't worry about providing any proof to members of parliament that either of those things will happen.' Because we don't have any of that proof. We don't have any of that proof. We don't have even a clear plan for either of those things despite this narrative that the government and UTAS keep telling us that these are going to be the outcomes of this decision. There's no

plan. There's no proof of either of those things. There's been no proper planning process at all here. It's completely flawed. I really hope members will support the amendment to leave this rezoning clause out. It's not even in the title of the bill. It's called a protection of land bill; this is rezoning. This entire clause is about rezoning, without proof, without a plan, without process, and it sets a dangerous precedent, is my concern. I urge honourable members to support what the member for Nelson has put forward.

Mr GAFFNEY - I don't want to verbal the minister, but she said they had expert advice about the planning and what was happening there and then I'm looking - well, just a minute. I have expert advice from the person who has 40 years' experience in planning and was the director of the State Planning Office. About this very issue, in the paper he said:

The UTAS land is currently the subject of a bill awaiting debate in the Legislative Council which, if passed, automatically rezones this land to the Inner-Residential Zone under the Hobart Local Provisions Schedule.

The rationale for this appears to be to maximise its development potential and thereby its financial value, presumably so the university can fund the development of a new STEM facility on the remnant campus.

A worthy cause perhaps but this represents a flagrant abuse of process without any apparent strategic planning rationale.

What makes this even more unjustified is that the Hobart City Council is midstream on exactly the strategic work required to determine the right mix of zones for the broader surrounding area and the arbitrary exclusion of such a large area of land not only means they will need to start again but they will have to do so with the zoning predetermined for this large strategically positioned parcel.

This presumptive rezoning will have implications for the land around it as the council will need to limit the extent of other higher density residential land because the overall density for the area will be distorted by the legislation.

Notwithstanding this the bill contemplates a reverse of the rezoning through the normal strategic planning process down the track. This suggests that in fact the inner-residential rezoning may be only a holding position anyway, but for what purpose?

It appears to be a commercially strategic action that implies development potential that may not be achievable while undermining the strategic planning work already under way.

Here in the Chamber, we've been told that expert planners have said this. The person who said this, Brian Risby, has a master's degree, over 40 years' experience in planning and related areas in Tasmania, 20 years in the state service, including working in the Tasmanian Planning Commission, and most recently was the director of the State Planning Office until he retired in August 2024. That, to me, is an expert saying that there are issues with this and what's happening, and that will undermine the Hobart City Council, which means if that area is to do with inner-city residential zone, it means it has implications for the surrounding area, because there are numbers games in local government rezoning issues. I would like to understand what

experts the government has used for this information.

Ms PALMER - Responding to the member for Elwick and the member for Mersey, I think it was the member for Elwick was asking what precedent is being set here. This is the end result that's come after many years of engagement and work by the university, and this is how the university has listened to the community and how it is going to preserve the Sandy Bay campus. This is not just any development application; this is such an exciting opportunity for our state and for the future of STEM, and it comes at the end of many years of engagement and work that's been done by the university.

By passing the legislation now, we're talking about funding for the STEM precinct that could be indeed unlocked earlier; could construction dates be brought forward; the university's required co-contribution via land sale or uplift becomes reliable rather than speculative; and financial risks associated with delays are reduced. I again remind members that for any development to occur on the rezoned land, the normal development process still applies in full through the Hobart City Council.

The member for Mersey was asking about the experts that have been used. The Strategic Planning Review and recommendations were formed by ERA Planning and Environment and All Urban Planning and included significant community engagement, conservation management planning, heritage impact assessments, economic market demand assessments, traffic impact assessments, Aboriginal heritage assessments, transport strategies, et cetera. The outcomes concluded that the best use of the land to be rezoned was residential use that accommodates a range of dwelling types, including high-density residential, and allows for a transition from the adjoining low-density zoning of the Mount Nelson Bend to the inner-residential and urban mixed-use zoning nearer to Churchill Avenue. This is about unlocking a brilliant opportunity.

Yes, for the university, but yes for our state and yes for the future of STEM in our state, and we heard that from the mouth of one of our students, the president of the student association. Jack Oates Pryor's words have been spoken a number of times in this Chamber. That is the voice of one of our young people, one of our students who is advocating for this, so I ask that there is no support for what the honourable member for Nelson is proposing with clause 7.

Mr HISCUTT - I'm just wondering if I could seek advice with regard to the rezoning, whether the government received any written advice from council, whether they had an expectation that they would or would not support a rezoning to occur through the normal course of action?

Ms PALMER - I am seeking advice, Madam Chair. No, the government has not sought written advice. There were a number of discussions with officials at senior levels of the council with the Department of Premier and Cabinet (DPAC) and the university. The advice that was given was they provided planning and technical advice to the university and their planners, I'm advised, had no concerns with the proposed zoning.

Mr GAFFNEY - I do appreciate the mention of the student body president. I believe it's really good for the STEM, but this is to do with clause 7, I will just put in one sentence from the expert in this:

a worthy cause perhaps but this represents a flagrant abuse of process without any apparent strategic planning rationale.

I enjoy the enthusiasm of the student president and their desire for STEM, but this is a professional person who has said this is a flagrant abuse of process without any apparent strategic planning rationale - a person who is in charge of planning in the state for many years.

Ms WEBB - This is quite astonishing, really. Isn't it? I would like to put here on the record that the only thing worse than this parliament being expected to act as a planning authority is for the government of the day to take upon itself the role of acting as a planning authority because when I hear the minister stand here and say the government is satisfied that planning experts behind closed doors have given verbal, not written but verbal advice, that this is all good and fine, the government is then taking upon its own shoulders the role of being a planning authority. Well, that is absolutely unacceptable, irresponsible, inappropriate.

The only thing worse than this parliament being a planning authority is the government of the day in cahoots with the university behind closed doors taking upon itself, assuming responsibility for being a planning authority. Utterly, an atrocious process. This is utterly unacceptable.

How dare the minister stand here, quite frankly, and say that they've been told it's all good by Hobart City Council? This is essentially verbally Hobart City Council planning officers to do it this way. There is nothing in writing, there is nothing that can be provided to us to check against. The government is standing here, the minister is standing here and saying we've been told it's fine, you should all accept that.

What rubbish that is and it's essentially verballing staff in Hobart City Council that can't be here to potentially add more nuanced comment around that, to correct the record, to answer our questions, because it's us here that are being asked to be the planning authority. It's not the minister, it's not the government, it's not DPAC, it's not UTAS. It's not even the Hobart City Council who it should be. It's us. Absolutely appalling.

I've got questions and I'm going to put two of them here now on this clause. I note that these are two parcels of land that are above Churchill Ave and they are adjacent and sort of in the midst of the rest of the 56 hectares that are above Churchill Ave that aren't being rezoned and aren't under this bill being deemed vested land and we've heard comment about the fact that that other 56 hectares of unprotected land above Churchill Ave is, and I quote:

Subject to Commonwealth environmental protections.

What I want to know from the government really clearly is when I look at the map in Schedule 2 that shows me with Sharpie pen lines on a fuzzy aerial shot where these rezoning parcels are, and I see right beside it the bushland areas et cetera, that are apparently subject to Commonwealth environmental protections. Where's the boundary for the protections in terms of those government environmental protections? Where's the overlay of this full area above Churchill Ave that shows me whether these environmental protections from the Commonwealth level come down at all potentially into these rezoned areas?

I'd like to see if they do, in fact - whether that's been taken into consideration at all at any point along the process of progressing this rezoning. Are there, in fact, environmental protections from a Commonwealth level that go into any of these areas being rezoned? Can you clarify that for us? And perhaps since you've claimed Commonwealth environmental protections for the rest of that unprotected land above Churchill Ave, you could give us a map that shows which areas are subject to those protections. So, that's the first question relating to

those areas.

My other question is, and it's funny, this hasn't been mentioned at all in this place as these bills come through, but it's certainly got mentioned in the other place to help shepherd it through down there and settle any disquiet that Crossbench members might have.

It has been mentioned in past times by the university that they're prepared to have a deed signed off on a legally binding deed that says any proceeds from the sale of land in these rezoned areas or potentially other - maybe others, but certainly these rezoned areas - will go towards STEM below Churchill Ave. That's been talked about for the last two years. There have been various mentions of it, but nothing said in the second reading speech in this place; nothing said as it has progressed through here. What's the status of that deed currently? Is it still under negotiation two years down the track? Why is it taking this long? Why haven't we been presented with it here in this place? I want to know, is that still happening, why hasn't it been completed and what is the hold up that means that that deed can't be presented to us here?

Madam CHAIR - Honourable minister?

Ms PALMER - Just seeking some advice, Madam Chair.

Thank you very much. With regard to the two parcels of land, and I believe the honourable member for Nelson was asking questions around the boundaries, there are no boundaries for Commonwealth protections. They are all driven by the values of the native vegetation, including, for example, how any clearing may impact on threatened species. The development of land zoned inner residential will need to comply with Commonwealth environment legislation.

With regard to the questions around the deed, the university has publicly committed to executing a deed poll which clearly requires UTAS to use the rezoned land to fund the University State Tasmanian contribution to the STEM precinct on the Sandy Bay campus -

Ms Webb - Where is it?

Ms PALMER - And we have no reason to believe that won't occur.

Madam CHAIR - The member for Montgomery?

Mr HISCUTT - Thank you. Just following on from my previous conversation, does the government have any planning advice, other than the apparent unevidenced informal conversation with council staff, that the upper portion of the southern parcel should be zoned inner residential?

Ms PALMER - I'll just seek some advice, Madam Chair.

Thank you, member, for your question. I'm advised that DPAC sought verbal advice from senior Hobart City Council officials about whether they supported the shift for general residential to inner residential. I'm advised council officials advised that they had no concerns with that shift and considered the inner residential zoning suitable for that area.

Mr HISCUTT - Madam Chair. Sorry, my specific question was, 'Does the government have planning advice other than the informal unevidenced advice from the Hobart City Council?' Is there any other advice for that specific parcel of land? I know there's the All Urban report that talks about all the other areas for inner residential, but there's no advice I can find,

no planning official advice, that we've been evidenced that gives any reference to that area that it should be zoned inner residential.

Ms PALMER - I think this is the direct answer to your question. The strategic planning review and recommendations were formed by ERA Planning and Environment and All Urban Planning. Of course that included that significant community engagement, conversation, management planning, heritage impact. I think I spoke about them earlier. There was the economic market demand assessment, traffic impacts, Aboriginal heritage assessments and transport strategies. I'm advised that there was no issue with regard to the proposal.

Ms THOMAS - Madam Chair. To be specific, minister, is it correct that the ERA Planning and Environment and All Urban Planning reports recommend that the upper portion of the land that the member for Montgomery is referring to be rezoned general residential, not inner residential? Therefore, is there any other assessment that demonstrates that it is appropriate that it be in a residential - formal assessment, not verbal advice from Hobart City Council planners? If the ERA Planning and Environment and All Urban consultants' reports recommend the upper portion of land be rezoned general residential, then effectively what this clause is doing is asking the parliament to go against that advice and zone it as inner residential when the planning consultants report suggests that that portion of the land in fact is only suited to general residential.

Ms O'Connor - It's also not really inner residential. You couldn't describe that land as inner residential.

Madam CHAIR - Order, order.

Ms PALMER - Madam Chair, the government acknowledges that earlier planning work considered a transition in density across the site, including the possibility of different residential zones in different parts. The government's conclusion to apply inner residential across the rezoning area reflects a policy choice to adopt a single residential zone that provides flexibility for detailed site planning rather than pre-allocating different zones at this stage. This does not mean the entire site is expected to develop at the highest intensity available under that zone. Future development would still need to respond to topography, hazards, environmental constraints, design control and the ordinary development assessment process.

I'm seeking further advice, Madam Chair.

Adding to my answer, the government then confirmed verbally that the Hobart City Council was aware of and had no concerns with this change for an area of land from general residential to inner residential. I'm sorry, to clarify, Hobart City Council officials were the ones that put forward no concerns with the change for an area of land from general residential to inner residential.

Ms THOMAS - Madam Chair, my question was pretty clear and explicit. I asked, is it correct that the ERA Planning and Environment and All Urban reports recommend that the upper portion of land above Churchill Avenue that the member for Montgomery was talking about be rezoned general residential? That is my specific question and it's quite clear. It's a yes or no answer. I specifically said in my second call, it's not the Hobart City Council verbal advice. I'm talking about - because members need to remember, this is the advice that the government is hanging its hat on here.

The ERA and All Urban reports, commissioned by the university, is the advice that the

government is asking us - it's the only written planning advice that the government is asking us to rely on here and take on good faith that it's not been independently assessed, not been independently verified, but we're being asked to make a decision to rezone land based on the information in that report, and if there is information in that report that suggests part of the land should be zoned general residential, not inner residential as we're being asked to, then we need to know that. So, that is my question. Does that report suggest that part of this land should, in fact, be general residential, not inner residential?

Be honest about it and, if that is the case, it would be entirely irresponsible of this place to pass this clause based on the only advice we have, the only advice the government has because, let's face it, we can't be making decisions on verbal assurances from council officers who are unnamed and unknown.

Ms Webb - By the government.

Ms THOMAS - By the government telling us this. We have no evidence of that. It's ludicrous that members would be voting to pass this clause to rezone land without assessment criteria. I have been over all this. I won't repeat myself, but if the minister can answer explicitly my question about the recommendations in that single report that is all the evidence that government is hanging its hat on here in terms of evidence to support this clause.

Ms PALMER - Madam Chair. Earlier planning work did consider whether different parts of the site might be zoned differently, including a mix of general residential and inner residential to reflect the intended transition across the site. This does not mean the entire site would be developed at the highest densities permitted by the zone. Applying a single zone avoids predetermining outcomes or introducing unnecessary complexity and allows design, density and layout to be resolved through the normal planning process. Inner residential also provides greater flexibility for medium density and missing middle housing outcomes and avoids some of the constraints that would arise under general residential settings, including tighter building height limits for three-storey development. Any future development would still be subject to the usual planning approvals process, including assessment of height, density and site constraints, as well as public notification and review rights. The zoning also aligns with the existing inner residential zoning immediately to the north and reflects the site's proximity to the Hobart CBD and Sandy Bay activity area, so the All Urban Planning report recommended mostly inner residential with some general residential.

Ms WEBB - It's my third call. There are a few things here, so if there's a reluctance to answer them, it's going to be a shame, but hopefully there might be other members who still have calls and might be able to follow them up for me.

To follow up on some things - earlier planning work undertaken, who did it, who assessed it independently and why haven't we seen it presented to us? That's my first set of questions. I'll just make sure everyone's clear on that before I move on.

I also just had brought to my attention a piece of correspondence from the City of Hobart from the 5 November 2025. It's a letter from the CEO of City of Hobart, Michael Stretton. It's to Simon Bamford and it's in relation to a public Question Time matter and it says this:

I refer to your public questions presented to the council at the meeting of the 27 October 2025 relating to the University of Tasmania (Protection of Land) Bill. The responses provided to your question are that the meetings are confirmed below.

Here's the question and the response.

This is the question:

Does the Hobart City Council support the statutory rezoning of the land parcels above Churchill Avenue, as defined and drawn in the amendment of the bill?

Pretty clear.

Answer, response:

The council has not formally considered the University of Tasmania (Protection of Land) Bill 2024 and thus does not hold an endorsed position.

This land falls within the Mount Nelson and Sandy Bay Neighbourhood Plan area. We have engaged with the community on the potential approach to this plan. The next step will be to circulate a directions (5:52:32) with proposals for strategic land use planning within these suburbs and may address rezoning of the land. This has not yet been finalised or considered by elected members.

End of response.

Question 2:

If you don't support statutory rezoning, will the council ask the government to remove this aspect from the bill?

Response:

Given that there is no endorsed position on the rezoning and/or the bill, there is no intention of asking the government to alter the bill.

So, that's probably an explanation because they haven't had a chance to formally endorse it.

Madam Chair, I think that's quite damning because we keep getting told what the council supports and actually what it means is the behind closed doors discussions with particular staff within council. There is not a formal position from council on this rezoning. It has not been considered. So, I think that the minister should explain why we're not waiting to see a formal position from Hobart City Council on this.

I'd also like to point out that much as we've been able to point to a student voice here and how exciting STEM redevelopment's going to be and all of that, if the university had just progressed this through a normal rezoning process back in 2023-24, when they could have been doing it, we would be here now in early 2026, having seen it done accountably and appropriately through the planning process.

The only conclusion we can arrive at as to why the university, if there was such a rush to get this done and we're in such a rush to get the capital that's going to come from it so we can redevelop wonderful STEM facilities, if there's such a rush, why didn't they do it properly and have it done and dusted by now? There's only one conclusion, and that's because they didn't

think it would get through that proper process. They didn't want to face it, and so they brought it to us instead, knowing that we wouldn't be doing the same thoroughness of job here because we can't, because we're not provided with the information, advice required to do that job properly.

Absolutely disgusting behaviour from a public institution and from a government enabling it to do it.

My goodness me. Atrocious.

If we were in a rush to get this beautiful STEM idea done on behalf of the students who are crying out for it, apparently, and it's great to have a student voice saying that that's what they like, sure, but if they really wanted it, it could have been done and dusted by now.

Ms Thomas - Or at least tested the process, through you, Chair, so then we have information to base our decision on.

Ms WEBB - One hundred per cent - at least tested the process. We could have then been informed in our decision-making much more thoroughly than we are now.

My next set of questions is this. The minister, in response to my earlier question - where is the deed that the university said that they would sign, the legally-binding deed that says the proceeds of these rezoned parcels of land, if they're able to be sold or developed in some sort of way realised proceeds, will be devoted to the STEM facilities below Churchill Avenue - the minister got up and reminded us that, yes, the university promised to do that. But I've asked the minister specifically, and I'm going to ask again now. There are specific questions about this that I absolutely think should be answered. Where is it? We know the university committed to it two years ago.

I'm going to make it really clear that it's been floating about for two years, because I'm looking at a piece of correspondence here to the honourable Madeleine Ogilvie MP from Rufus Black, Vice Chancellor of the university, and the date of this correspondence is 25 November 2024; essentially a year and a half ago now. In this correspondence, one of the things the Vice Chancellor says to the minister, Ms Ogilvie, is this:

Accordingly, the university is prepared to enter a deed of undertaking in the form of a deed poll, a legally binding document to commit to all proceeds from the development of the rezoned land above Churchill Avenue being committed to the STEM precinct below Churchill Avenue. The university legal team has drafted a deed poll and provided it to the relevant government agencies to commence negotiations. This draft commits the university to keep the funds arising from development above Churchill Avenue quarantined, and to only use those funds for the purposes of financing the STEM precinct below Churchill Avenue.

The university would also be open to making commitments around affordable housing in the deed poll, given our long-standing commitment to ensuring any developments on university land include a range of price points to allow for key worker accommodation. Subject to discussions with Homes Tasmania and other potential partners, there may be opportunities to include social housing and supported living for elderly Tasmanians as well.

We look forward to further conversations with relevant Tasmanian

government agencies on this topic. Once negotiations are concluded and University Council has endorsed the deed poll, I propose that the final deed poll -

- here we are, wait for it -

I propose that the final deed poll be made public in line with our institutional commitment to transparency and accountability.

Well, Madam Chair, this institutional commitment to transparency and accountability hasn't seen fit to progress this in a way that's open and transparent and available to us here now for this decision over the past year and a half. Where's the hold up? The university, according to this piece of correspondence in November 2024, drafted a deed poll, provided it to government agencies for negotiation, and the council, it appears, was poised and ready to sign off on it once the negotiations concluded.

I'm going to run through a set of questions in relation to this deed poll, and I'm hoping that they're going to be noted down so that there can be an answer provided. Maybe, if there isn't going to be an answer provided to any of them, it can be stated, "We're not answering that one", nice and clearly. In relation to this deed poll:

- Did the Tasmanian Government or any Tasmanian government agencies receive a draft deed poll from the University of Tasmania for the purpose of negotiating a final deed poll?
- What negotiations, if any, occurred, when did they occur, and have they finished?
- Is there a final -

I don't see anyone writing these questions down, Madam Chair. I don't see it.

- Is there a final version of this deed poll that has been negotiated and concluded?
- Has the government communicated with the University Council about this deed poll and sought to get their approval of it?
- Who in the government has signed off on this deed poll if it has been finalised and concluded?

These are all questions that we should absolutely have now on the public record. Particularly, is there a deed poll, and if not, why not? What has been the barrier to this being concluded over the past year and a half? What has been the barrier? Those are the questions about what has been the barrier to concluding this in the past year and a half, since the vice chancellor wrote to minister Ogilvie and so glowingly spoke about an institutional commitment to transparency and accountability, making this offer for this legally-binding agreement. It's not here; we have never seen it.

Those are all my questions about it. We deserve full transparency around this process, given what was clearly in place already in 2024 in November. Concluding my third call on this, it's going to be very telling whether or not there's answers provided here. It will be a comment on the accountability and transparency of this government and on the university as well, because they could have been open and transparent about this further at any stage as well. They could have even contacted all of us leading into this decision on this bill and given us a proactive update on where this deed poll was, but after they used it -

Madam CHAIR - I urge you not to wander into a second reading speech on this. You've put your question, so let's stick to the purpose of the Committee stage.

Ms WEBB - Thank you, Madam Chair. It's interesting that it's disappeared since it was discussed in the other place: not even mentioned here.

Ms PALMER - I will try to do this in order of how it was asked. The ERA and All Urban Planning reports were submitted to the Hobart City Council as part of the original application for changes to the zoning of the area, and the reports are publicly available. There is no formal decision from the council, as the university withdrew its rezoning application when it became clear that the council did not support the university's plan for Sandy Bay.

The Council's preference is for the normal planning process, and that is not inconsistent with the government's advice provided on this bill. The deed has been developed as a draft, but it has not progressed, I'm advised, because of delays in the passage of this bill. The government is confident that the university will deliver on its public commitment and the government agrees that the deed should be made public once it's finalised. We have a draft, but it hasn't been approved as the focus has been on the passage of this legislation, and we have the correspondence that confirms the university's intent, which we have been saying consistently.

Madam CHAIR - The question is that the clause as read stand part of the bill.

The committee divided -

AYES 8

Ms Armitage
Mr Duigan (Teller)
Mr Edmunds
Ms Forrest
Ms Lovell
Ms Palmer
Ms Rattray
Mr Vincent

NOES 6

Mr Gaffney
Mr Harriss (Teller)
Mr Hiscutt
Ms O'Connor
Ms Thomas
Ms Webb

Clause 7 agreed to.

Madam CHAIR - Is that amendment being circulated, member for Nelson?

Ms WEBB - Yes.

Madam CHAIR - In terms of process here, the new clause will need to be moved before we deal with the schedules. That's where it fits. So, we deal with clauses 8, 9 and 10, then we will deal with the new clause, then we go to the schedules after that, so that people are clear about what we're doing.

Clauses 8 to 10 agreed to.

New Clause A to follow Clause 5

A. Minister must protect certain land with caveat.

-
- i) In this section, "Land Council" means the Aboriginal Land Council of Tasmania established under section 5 of the *Aboriginal Lands Act 1995*. "Recorder" has the same meaning as in the *Land Titles Act 1980*. "Relevant land" means such part of Volume 176312, Folio 1, in the register kept under section 33 of the Land Titles Act 1980, that does not fall within the definition of proposed areas in section 7.
 - ii) As soon as practicable after this Act receives the Royal Assent, the Minister is to cause a notification to be lodged with the Recorder in a form approved by the Recorder, stating that the disposal of the relevant land may not occur while the notification is in force.
 - iii) The notification lodged with the Recorder under subsection (2) -
 - a) Operates as a caveat lodged under the *Land Titles Act 1980* forbidding the University from disposing of the relevant land while the notification is in force, and;
 - b) Remains in force until the Minister lodges a notification with the Recorder in a form approved by the Recorder stating that the notification lodged with the Recorder under subsection (2) is withdrawn.
 - iv) The Minister may only lodge a notification with the Recorder under subsection (3)(b) if the Minister is satisfied that -
 - a) The University and the Land Council have entered into a written agreement that the relevant land is to be:
 - (i) Acquired by the Land Council, and;
 - (ii) The subject of an application to the Minister under section 35(A)(1) of the *Aboriginal Lands Act 1995* or;
 - b) The University or Land Council have provided evidence to the satisfaction of the Minister of one or more of the following:
 - (i) That all reasonable efforts to reach to written agreement referred to in paragraph (a) in respect of the relevant land has failed;
 - (ii) That the Land Council does not wish to acquire the relevant land;
 - (iii) That the Land Council does not wish for the relevant land to become Aboriginal land within the meaning of the *Aboriginal Lands Act 1995*;
 - (iv) Sections 133(3)(b) and 136 of the *Land Titles Act 1980* do not apply to a notification lodged with the Recorder under subsection (2);
 - (v) No fee is payable under the *Land Titles Act 1980* in respect of a notification of the Minister lodged with the Recorder under this section.

CHAIR - Honourable member for Nelson.

Ms WEBB - I move that -

New clause (a) be now read the second time.

CHAIR - And are you speaking to that?

Ms WEBB - I'll speak to it now, okay.

Members, I know this looks like a long and confusing thing, and it's really sprung up because of what has been put to us about the unprotected land that this bill leaves above Churchill Avenue, the 56 or so hectares that aren't being rezoned, and aren't being made vested land, and are being left there. And the rationale for that being put to us in this place today - which is interesting because it certainly wasn't put in the second reading speech, was it? But now we've heard it.

Let me just go through this carefully for members and we'll see where we get. The intent of this amendment is to codify the justifications and promises we've heard made since the weekend, in the media by UTAS and more recently by the minister today, for the creation of the third category of land created by this bill; that is, the non-vested and non-rezoned land between Churchill Avenue and Olinda Grove. This leaving out of 56 hectares from the vested land category is now apparently, according to the minister's statement in this place earlier today, is to ensure the parliament does not and I quote:

stand in the way of ongoing land return discussions with the Aboriginal community.

Facilitating the return of this land to the Aboriginal Land Council of Tasmania, should the Aboriginal Land Council of Tasmania be happy for that to happen, would be a fantastic outcome. Let me just put that on the record right now; I'm well and truly in favour of that outcome.

However, the claims about that here need to be questioned, because there are at least two potential hurdles to achieving that very desirable outcome of land return: the first being, this parliament needs to be clear that there's nothing that's formal or binding regarding the promises of discussions about potential vague MOUs down the track relating to this handback proposal.

During the 2024 House of Assembly Debate, the lower House received a letter from UTAS's Vice Chancellor, which was read out by Minister Ogilvie in the debate. The letter included a statement that the university, and I'll quote:

had commenced discussions with the Aboriginal Land Council of Tasmania about a land handback of the bushland above the parcels identified for rezoning in the legislation.

And this:

We are committed to working with the ALCT towards a memorandum of understanding to govern the work required to facilitate this handback.

Members, since November 2024, they've not been provided with a status update on the development of such an MOU. Instead the parliament and, presumably, the Aboriginal Land Council of Tasmania has been asked to take that on trust. Unfortunately, UTAS has soured its trust capital with many of us in the community, both the UTAS community, the broader community and probably some in this place. Social licence on this sort of asking us to take things on trust has been seriously eroded.

Secondly, the other thing that's a potential hurdle to achieving the very desirable outcome of a land handback here is that there's nothing in this bill that prevents current or future leadership of UTAS changing their mind, and instead seeking to rezone these 56 hectares of non vested land or parts of it via current local government and planning processes available to them. There's nothing to say they can't change their mind and do that. There's nothing in the bill preventing UTAS seeking to rezone or to seek to develop that land in other ways. There's nothing which requires UTAS to bring any subsequent divestment plans to approval for parliament, because remember it's not vested land under this bill, so they can choose to do that and go down that merry path all on their own. Basically, UTAS could seek to rezone all or some of that 56 hectares leaving the parliament and the Tasmanian Aboriginal community standing on the sidelines. Of course, we hope that doesn't happen. Of course. Of course, it'd be lovely if we could take everything on trust, but we shouldn't have to, not when it comes to legislation. We should be able to see some firm commitments put in place. That's the intent of this amendment. The amendment seeks to reassure people that the delivery of this promise is to be the priority of any future rezoning or repurposing of those 56 hectares.

New clause (a), which is what I'm putting forward here, seeks to provide to codify the stated intent and undertakings made to the community and to this parliament by UTAS and by the government as to why the 56 hectares has been left unprotected. It's not vested land under this bill. This seeks to make it explicitly clear that any future repurposing of this unzoned land is to be for the purpose of the finalisation of land handback discussions between the two identified parties: UTAS and the Aboriginal Land Council of Tasmania.

It seeks to do so by requiring the minister to protect certain land via the mechanism of applying a caveat. Similar to the manner in which the bill provides for caveats to be used to protect the vested land that's below Churchill Avenue. We've already got this sort of process in the bill that's part of protecting vested lands and requiring arrangements for their disposal.

There's an additional difference than the vested land caveat. Under this proposed amendment for this new clause A, the caveat is to be applied to the unvested and non-rezoned area of land as soon as possible after the act receives royal assent, and then lifted should either options detailed in 4(a) or 4(b) have occurred.

This amendment does not try to force UTAS and ALCT to come to an agreement or to try to impose a time frame by which any such MOU has to be finalised. It doesn't do that. It's not prescriptive in that way. In fact, it provides confidence to the Aboriginal Land Council of Tasmania that they have this priority window in light of the fact that there should be nothing preventing UTAS from seeking rezoning under other current options. There's nothing to protect them from going off and doing that.

Should it eventuate that an agreement cannot be struck between these two identified parties: UTAS and ALCT, or a formal land handback agreement does not come to fruition but for only some of this area of land, the caveat can be lifted, leaving the land available for UTAS

to pursue other options should it wish to. This is actually - it's not irreversible. It's not prescribing timeframes or demanding that the particular outcome occurs. What it's doing, is saying we've heard the rationale for why we're leaving this land unprotected, and that's to do with land handback. That's the only rationale we've been given. This requires the minister to put a caveat on that land so that that process can play out and we can arrive at an MOU about land handback, and that process can be completed, and then the caveat can be lifted and the university proceeds with that.

In summary, the minister has said the government does not want parliament to get in the way of land handbacks. This amendment is consistent with that stated intent. In fact, it helps prioritise that intent over other potential purposes that may spring up. There should be no reason why the government cannot support this amendment, nor is there any reason why UTAS would object to it, if the stated intent is true. It is also consistent with the reference '2.5 Aboriginal Reconciliation'. That's the heading on page 13 of the Deloitte STEM business case. For members' reference, I have that here in front of me. The STEM precinct detailed business case from the university has a whole section, 2.5 Aboriginal Reconciliation, on page 13 which outlines this process or the intent around handbacks.

This new clause A merely seeks to codify and be transparent and accountable to the Tasmanian people and to this parliament, what the priority intent is for the future of this particular area of the current Sandy Bay campus, so I hope that that's provided some clarity to members. I know it's landed on you, and it looks long and complicated, but I hope that explanation gives you some understanding of the intent here, and it's just codifying what the minister has told us is the stated intent and the minister has said she doesn't want us to get in the way of that stated intent. So, this new clause A is to help the minister out by putting that extra protection of a caveat there while the process continues to play out. I hope members join me in assisting the minister with this new clause A to all of us putting our weight and our decision behind getting that nice outcome of land handback, which I think most of us would probably support. I invite members to support new clause A in the bill.

Ms O'CONNOR - This is a very, very good amendment and I want to commend the honourable member for Nelson for putting the thought and the effort in, and no doubt her adviser and OPC, but this provides some reassurance, I think most importantly to the Palawa people of Tasmania that there's a structure, should this amendment pass within the act, that would make the return of land more likely: no certainty, of course. On that return of land, it was only a few short years ago that the University of Tasmania made a profound statement and commitment on reconciliation, and I believe that statement is genuine and I believe that UTAS' desire to return that land is genuine, but there isn't anything at the moment, other than spoken words on this matter, there is nothing in writing. There is no promise of return.

What I understand there has been, to date, is the promise of a process that would lead to the development of an MOU that could lead to the return of lands. I think that's where we are. Of course this land should be returned to the Aboriginal Land Council of Tasmania, and this is the mechanism, and my question for the mover of this amendment, if it could be made really clear: should this amendment pass, and I hope it does, what happens to the land then if there isn't an agreement with the land council for returns? What's the status of that land in terms of its status?

Ms Webb - That's going to be a government question to answer. It stays as it is.

Ms O'CONNOR - It stays exactly as it is, unprotected, really, by Commonwealth law, to the extent that Commonwealth law protects anything these days. I hope honourable members will support this amendment, particularly given that it is land that is neither subject to rezoning, or to the provisions that are in the first part of the bill around parliamentary oversight on disposal of land.

In a way, from council's point of view and certainly from government's point of view, and I would have thought from UTAS' point of view, this amendment is no skin off anyone's nose and it potentially could lead to a very, very positive outcome for first nations Tasmanians, but also for the University of Tasmania, and for us more broadly as a community because the more land we return, of course, the more steps we take towards genuine reconciliation, which of course we're a long way from at the moment. I warmly commend this motion to the Council and hope it secures support.

Ms PALMER - The University of Tasmania is committed to continue to work collaboratively and respectfully with the Aboriginal community, including the aboriginal land council, on how this land is to be handed back to the Aboriginal community and we must let this process proceed or otherwise we are once again just doing to the Aboriginal community, not doing with the Aboriginal community. A key principle of handback is that it does not come with any conditions, and that it is led by the land council and Aboriginal people. The land is complicated and there is work to do, and this includes, for example, ongoing commitments to maintain the community sporting ovals. This bill does not change the current status of the land above Churchill Avenue, other than the two parcels of land to be rezoned inner residential.

I understand the spirit in which the honourable member for Nelson has put this forward, and I very much appreciate the comments and the contribution from the member for Hobart, but I have to say, as a minister, I feel exceptionally uncomfortable with what is being proposed here. I don't believe it is culturally appropriate. When I spoke with the university representative here in the Chamber about this, during the half-hour break that we have, which is the only opportunity I had to try and get some feedback, the discomfort around this not being culturally appropriate was also felt. This needs to be led by the aboriginal land council and its people.

If you look at (4)(a) of what's being proposed, this would require the entire land being gifted to the aboriginal land council. Now, what I've been advised in the discussions that I have had with the university is that there are already discussions that are underway between the university and the aboriginal land council, and what I'm advised is that there are parts of the land that the aboriginal land council does not want. My understanding is the vast majority will be gifted, but there are some small sections that I'm advised the aboriginal land council actually does not want. The issue that we have is that it is possible and it is in fact likely that the land council will want handover of most, but not all of the land, and this process must be led by Aboriginal people.

I, as a minister, feel exceptionally uncomfortable with this, and in the small amount of time I had to discuss this with the university, there was also quite a level of discomfort with this. I feel that there has been something put in writing with regard to the correspondence that was sent to the minister, Ms Ogilvie, from vice chancellor Professor Rufus Black, that clearly stated the university's intent, and the honourable member for Nelson did read that in, so I won't read that in again, but I think that we need to be very careful in this space and I'm feeling very uncomfortable with it.

We accept that the intent is there and it is our expectation that discussions will continue in line with the assurances made by the university to the government and the Aboriginal Land Council of Tasmania.

In November last year, as I say, the university wrote to the minister advising that the discussions had already commenced about the hand back of the bushland above the parcels identified for rezoning in the legislation which has always been intended for protection, given its environmental values.

I do have a question for the honourable member for Nelson, which is, what consultation or what conversations has the honourable member had with the Aboriginal Land Council of Tasmania (ALCT), because I have all the information in front of me about the conversations and the consultations and the discussions that the university has had with the Aboriginal Land Council and some of the advice that's come out of that, so I would like to know what consultation, what discussions, what advice have you had or received from the Aboriginal Land Council with regard to new Clause A?

Madam CHAIR - Before I put the question that the new clause A be agreed, if any other members have questions for the member who's moving the motion for the new clause, I urge them to put them so she has a chance to respond to them. If not, I'll move that the new clause A be read a second time.

Ms WEBB - It's interesting and we haven't had a lot of time to consider this and it's probably why the ministers misconstrued it but that's okay, we'll try and clarify a few of those misconceptions right now because the new Clause A does not impose anything on the process that the minister on behalf of UTAS hasn't committed to in this place and said is already happening.

What new Clause A does is to say it recognises that that commitment is there, that there's an intention for land hand back, that discussions and consultations are under way between the university and ALCT and that may eventually arrive at an MOU that relates to land hand back, so it recognises that that's the intent and the statement about what's already happening.

What the new Clause A does is to say in the meantime while that plays out and without putting any timeframe on it or any specific expectation or outcome on it, not impacting that process at all, while it plays out, the minister would put a caveat on this section of land and what that would mean is in the meantime, the university can't do other things to dispose of that land that aren't about land hand back.

It actually is protective, so it's very interesting to have the minister suggest that I'm being culturally inappropriate in suggesting this because I'm actually not putting any requirement on the Aboriginal Land Council of Tasmania, I'm not putting any requirement on the interactions of the university with the Aboriginal Land Council of Tasmania. I'm not imposing anything on that process that's playing out other than that while it does UTAS can't sell the land out or rezone the land or do something different with the land from under the process.

What I'm inviting the minister to do, and the university could be supportive of this, is to codify the fact that that is a really sensitive, important process playing out and we wouldn't want there to be any question that UTAS would behave inappropriately in that process, or

would pull the plug on it, or would do something to undermine it by doing other things with the land. That's what this new Clause A does.

It isn't culturally inappropriate because it doesn't put any requirement on ALCT or impose into that space and that process at all. The caveat can be lifted once an MOU has been arrived at or if there's a decision that actually as a result of the interactions there's not going to be a land hand back arrived at. That's absolutely available that any or all of the land may not end up being handed back to the Aboriginal community as a result of the negotiations that's provided for. That can happen under this. As I said, it doesn't specify anything about that process or anything about what the ultimate outcome might be. It just says there's a caveat while it's happening and when it's concluded, the caveats lifted.

When the minister asked me what consultation I've done, I clearly have had this drafted today, so I haven't consulted because it's about a process and protection in the bill that doesn't touch into the actions or the impact on say, the Aboriginal Land Council of Tasmania and Tasmanian Aboriginal people. It doesn't touch into university except to say that if they're going to do something different to what they're promising there'd be a caveat there stopping them until they finished their process of consulting and discussing and negotiating the land hand back process. It's quite ironic because while the minister says that this parliament shouldn't get in the way of land hand back, what I'm trying to ensure is that university doesn't get in the way of land hand back either and commits to the process and stays with it.

So no, I haven't consulted with the Aboriginal community because I'm not putting anything on them in terms of an impact or a supposed outcome or any sort of constraint at all. I'm providing them with some additional support to ensure that the process doesn't get undermined or derailed or put aside in a way before it's concluded appropriately as laid out here and all reasonable efforts have been made to reach an agreement. Potentially it provides for Land Council not wishing to acquire the relevant land or parts of the relevant land, the Land Council not wishing to have the land become Aboriginal land under the Land Act. All those eventualities can happen.

It's misleading, the criticisms that the minister's making of this new Clause A are misleading. It could be because the time hasn't been available to consider it. That would be fair enough, but the thing about it is the government didn't mention anything about Aboriginal land hand backs as part of the second reading speech, not mentioned once in this place. Nothing was mentioned until the minister's summing up and was provided as the rationale for why there's this big void over 56 hectares that's not protected under this bill and isn't rezoned under this bill. It's only emerged then and we've been told to take that on faith because of the hand back situation that's supposed to be playing out. That's why at this stage I've developed this amendment to address that situation, support that situation and ensure that fidelity of that situation that it has the space to play out.

Ms PALMER - I do want to reiterate a couple of comments that I made before about the spirit by which the honourable member for Nelson is putting this forward and I absolutely accept that, but I have to restate, Section 4A says that the minister may only remove the restriction on the disposal of land if the University and the Aboriginal Land Council of Tasmania have entered into a written agreement that the relevant land is to be acquired by the Aboriginal Land Council, not part of the land, but all of the land.

This is a predetermined outcome, and I do genuinely feel that is very culturally inappropriate. I do, as a minister, I feel exceptionally uncomfortable with this proposed new clause. I specifically asked the honourable member if she had had consultation or discussions with the Aboriginal Land Council, because that would have quite possibly changed my position, but you haven't. I accept that this has unfolded this afternoon, but I truly believe the university has publicly, and as the member for Hobart said so genuinely, are committed to what it wants to do in this space. We have it in writing to the minister. It's been read into both Houses of parliament. I have no reason to believe that there is not an absolute genuine will and desire to see this happen. I really don't, but I do not feel that it is culturally appropriate for this not to be led by Aboriginal peoples, and I simply can't support the new clause A.

Ms O'CONNOR - Thank you, Madam Chair, perhaps what we should consider doing now is adjourning debate so that during the dinner break the honourable member for Nelson can have that conversation with the Aboriginal Land Council of Tasmania and come back to Council.

Madam CHAIR - While there is a question before the Chair, we need to deal with that question.

Ms O'CONNOR - I seek leave to adjourn the debate.

Madam CHAIR - You can't. The question is before the Chair and the question is that new clause A be agreed to? That's the question.

Ms O'CONNOR - Alright.

Madam CHAIR (Ms Forrest) - The question is that the new clause A be read a second time.

The Council divided -

AYES 2

Ms O'Connor
Ms Webb (Teller)

NOES 12

Ms Armitage
Mr Duigan
Mr Edmunds
Ms Forrest
Mr Gaffney
Mr Harriss
Mr Hiscutt (Teller)
Ms Lovell
Ms Palmer
Ms Rattray
Ms Thomas
Mr Vincent

Motion negatived.

Schedule 1

Ms WEBB - I am moving an amendment in my name.

Schedule 1, page 14, paragraph A:

After 'Act 1980',

leave out 'that falls between Churchill Avenue and Sandy Bay Road, Sandy Bay'.

Insert instead 'other than an area of land that is a proposed area within the meaning of Section 7'.

Member, this amendment is a fairly straightforward one. Now that we've rezoned under Clause 7 of this bill certain parcels of land, what Schedule 1 is doing is describing what is vested land, so therefore what is protected under the title of this bill, University of Tasmania Protection of Land Bill, and my intent is to revert as best as we can in the context of the rezoning to ensure that the rest of the land on the Sandy Bay campus is actually protected under this bill as vested land. I am going to grab a piece of paper I forgot to take with me, to remind members that originally what the government promised in 2024, before the election, to the people of Tasmania, and most specifically to the voters of Sandy Bay, was that the Sandy Bay campus land would be protected through having to, if it was to be disposed of, come through parliament for approval.

The original intent of the bill protected all the land on that particular folio that's outlined in the bill that extends from Sandy Bay Road, right down the bottom, upwards across Churchill Avenue and all the way up to Olinda Grove. What the bill does now, because of the compromises made at the university's demands of the government, the vested land under this bill is now confined to the small area about 14 hectares below Churchill Avenue down to Sandy Bay Road. There are the rezoned parcels and then the 56 or so hectares above Churchill Avenue that is unprotected by this bill and not yet rezoned, which we know is also under that intent to have land hand back happen now.

What I'm proposing with this is that we include that 56 hectares or so that's outside the parcels above Churchill Avenue as vested land. Let's be really clear, because the government, the minister's definitely going to get up and pretend that this is somehow going to be a barrier to land hand back. Let me tell you right now, the fact of it being vested land is not a barrier to that land hand back process continuing and being resolved and coming hopefully to that excellent conclusion that the university does hand back land. Under vested land, all that would have to happen is that that comes through parliament and is there in a motion because it would be regarded as disposal of land. So, it would be something that came back through parliament potentially to disallow.

This parliament then would be able to, yes, have a say on it, but disallowance is a very high bar. It's very hard to imagine this parliament getting in the way of land hand back for that. And it's also reasonable, I think, because what we've also heard from the minister is that they don't intend to hand that whole area back most likely. It's probably potentially parts of that area of 56 hectares that are going to be potentially handed back. What about the rest of it? Why doesn't that deserve protection as vested land under this bill. Again, what I'm seeking to do here

is to ensure that genuinely other than the rezoned parcels described in Clause 7, other than that from Sandy Bay Road at the bottom all the way up through the 14 hectares below Churchill Avenue into the 56 remaining hectares above Churchill Avenue, all of that becomes vested land under this bill with the requirement that disposal of any of that land in whatever form specified in this bill comes through as a motion in this parliament for oversight.

It doesn't stop land hand backs, doesn't put a barrier there at all to that. What it does do is ensure that any other sorts of disposal of the 56 hectares do have the same requirements applied as vested land below Churchill Avenue and that's reasonable. Quite frankly, if the government gets up and says the university has no intent to dispose of other land above Churchill Avenue in that 56 sectors and we should just take it on trust that it's all fine. Well, if they don't have any intention, then it doesn't matter to them to make it vested land under this act. If the University has no intention to dispose of that land in any way, shape or form, great, it then is protected under this bill with the same requirements as vested land below Churchill Avenue, no foul, no harm. However, if the university did have an intention to try to dispose of that 56 hectares in some way that perhaps they aren't looking at hand back in relation to, what this will do is make sure that it comes through this place under a motion just like the vested land below Churchill Avenue.

I think this is really reasonable. Let's face it, members, these three categories of land were not put to us clearly at any stage. I know it came as a surprise to a lot of members when I sent information about the fact that 56 hectares, about 57 per cent of the campus land, wasn't protected under this bill, so I think this is reasonable to give effect to the intent and the title of this bill.

I'd definitely like to say here on the record that in the minister's second reading speech, when she said this bill would prevent, and I quote:

... the University from disposing of campus land at Sandy Bay without the approval of both Houses of parliament. There are only two parcels of land exempt, which we are looking to rezone.

She was absolutely misleading this place in saying that. That was an incorrect statement in the minister's second reading speech because clearly campus land at Sandy Bay extends from Sandy Bay Road all the way up across Churchill Avenue, all the way up to Olinda Grove. That is the campus land at Sandy Bay and there are in fact three categories of land under this bill.

What I'm seeking to do is to make that statement true from the minister that other than the rezoned parcels, the rest is protected as vested land under this bill. If we don't do that, the minister will have made an incorrect, misleading statement in her second reading speech categorically, undeniably.

It doesn't matter how she tries to spin it, that is clear. It prevents the university from disposing of campus land at Sandy Bay without the approval of both Houses of parliament. 'There are only two parcels of land exempt, which we are looking to rezone.' Untrue. I'm trying to make it true though, which is this amendment to schedule 1. I hope members support it. There's no reason not to. If the university is genuine, if our parliamentary oversight means anything in relation to this bill, there's no reason that land shouldn't also be vested.

Ms PALMER - Madam Chair, the first amendment to schedule 1 to include all of the land above Churchill Avenue as vested land is not supported for all the reasons that have been raised in the second reading speech and response, and this completely undermines the purpose of the bill. This bill provides a clear, defined and timely mechanism to unlock the value and enable it to be directed towards the investment Tasmania needs. With this bill we have moved with certainty securing an ongoing university presence at Sandy Bay, while enabling land not required for future needs to contribute to the next chapter of higher education in this state.

The STEM precinct detailed business plan by Deloitte makes the opportunity clear. New facilities would attract top researchers and educators. They would strengthen the university position as a centre of excellence in science, technology and innovation and they would support stronger partnerships with industry, creating more opportunities for students to gain real-world experience while they learn. Importantly, a visible and accessible STEM hub would also strengthen outreach activities, increasing interest in STEM pathways for senior secondary high school students and encouraging them to continue their education here.

Ms O'Connor - Perhaps we could be pointed to the part of the second reading speech that deals with this area of land.

Madam CHAIR - Order.

Ms PALMER - There was also a comment from the member with regard to leaving more than half of the Sandy Bay campus unprotected, and no, that is not the case. That characterisation misunderstands both the bill and the intent of the land excluded from vesting. The bushland referred to above Churchill Avenue is not unprotected. It is deliberately excluded from rezoning because it is earmarked for land return, and already subject to environmental protections. This bill is designed to protect the Sandy Bay campus below Churchill Avenue and rezone two parcels of land to inner residential, enabling the university to realise the value of these two specific parcels and put towards a new STEM precinct.

With regard to the commentary about misleading about the extent of protection, the parliament was advised that only two parcels were proposed for rezoning and that remains correct. Land not proposed for rezoning was not presented as development land.

Mr HISCUTT - Madam Chair. I just want to understand, was it the government's intent when it made the election promise in 2024 that it was only the parcel below Churchill Avenue that would be protected?

Ms PALMER - Madam Chair, I thank the member for Montgomery for the question. The government announced its policy to protect the Sandy Bay campus.

Ms WEBB - Madam Chair, let's be really clear: the minister just got up and implied that this was discussed in the second reading speech - it wasn't. This 56 hectares was not discussed in the second reading speech. Let me be really clear on what I am asserting the minister misled parliament about in the second reading speech. I'm going to read the quote again, and point to the part that's misleading, because I'm being misrepresented here as well in the minister's response to me.

In the second reading speech, the minister said that this bill will prevent the following, here's the quote:

... the University from disposing of campus land at Sandy Bay without the approval of both Houses of Parliament. There are only two parcels of land exempt, which we are looking to rezone.

That second part of the sentence there about the two parcels is true - of course, two parcels are there in the bill - but actually it isn't. All the rest of the campus land at Sandy Bay isn't protected from being disposed of under this bill. The 56 hectares, the 57 per cent of campus land at Sandy Bay, is not prevented under this bill from being disposed of by the university. The university can dispose of that land at any stage with no parliamentary oversight, without the approval of both Houses of parliament - 57 per cent of the campus land at Sandy Bay can be disposed of without the approval of both Houses of parliament under this bill. Just to be clear, minister, that's where you lied to the parliament in your second reading speech.

Members interjecting.

CHAIR - Order. That is unparliamentary. I ask you to withdraw.

Ms WEBB - I withdraw. That is where you misled this Chamber in your second reading speech. I am being very clear here about what was misled.

Madam CHAIR - Order, if you could just sit down for a minute. I know it is the hour that it is. Everyone needs to remain calm. The member has made an accusation, the minister has responded. You're withdrawing the unparliamentary language that you used, and I ask you to focus on the matter in hand, the amendment before the House. We can resume.

Ms WEBB - Yes, I'm focusing on the member before the House, which relates to the 57 per cent of the campus that under the bill currently is not prevented from being disposed of without the approval of both Houses of Parliament, and I'm trying to make sure with this amendment, that it does have to come to parliament as vested land like the other 14 per cent below Churchill Avenue. Well and truly, the statement I've specified here, part of the statement that was misleading in the second reading speech, the minister can pretend I'm talking about another part of that statement, but I'm not. I'm talking about the bit that's misleading.

The minister cannot get away from that, quite frankly, and I think it's a shame she didn't just come and say 'yes, it could be misconstrued, I'm going to clarify it now'. It's a shame she didn't do that now.

The other thing that I wanted to pick up on was that what I'm proposing here does nothing to affect the rezoning that we've already approved under Clause 7 of this bill. Clause 7 has been passed by this place. The rezoning is happening. Nothing about what suggested with this amendment to Schedule 1 changes the rezoning, so while defaulting to talk about the wonderful, heavenly STEM facilities that are to come is one thing. It's not relevant to what I'm talking about because the rezoning has happened. If that is to be disposed of and wonderful amounts of money realised and put towards the STEM facilities, all well and good. I really hope now that we've passed it, that it does happen.

What I'm proposing is not going stop it. What I'm proposing isn't going to limit it in any way, the rezoning that's already been done. What I'm proposing is that the other 56 hectares above Churchill Avenue will be protected as vested land, such that if it is to be disposed of it would come back through this place as a motion that's disallowable, really straightforwardly.

It doesn't affect the land hand back process. That would come through too. We would all celebrate the conclusion of that, if it does come about, wonderful. The government has made clear that the university may well not hand back that whole 56 hectares. In fact they've sort of said it's probably not going to be the whole lot. There might be parts of it. We're not pre-empting that, so this protects the land that wouldn't be handed back as well as vested land that would have to come through this place. It's very straightforward. There's literally no reason to object to it, other than if the university does not want the oversight of this parliament when it looks to dispose of this land at some point in the future. That's the only reason not to do it is that there's no accountability around the university's potential disposal of this land. There's no protection offered. It's simple as that.

Mr HISCUTT - Mine is a simple question. I don't want it to be unfortunately diluted potentially, so I'll make sure they're listening.

Ms Palmer - Always.

Mr HISCUTT - I would like to ask; how does the government define the Sandy Bay campus?

Ms PALMER - I will seek some advice.

Thank you very much, Madam Chair. I thank the honourable member for the question, 'How does the government define the Sandy Bay campus?' It is defined as the land required by the university to deliver its service. In this process, it has clearly said the land above Churchill Avenue is surplus.

Mr Hiscutt - Was that advice received that this was surplus prior to or after the 2024 Election promise to protect the UTAS campus?

Ms PALMER - We understand that advice was provided to government in November 2024, which is what has led to the university suggesting amendments to this bill.

Mr Hiscutt - So, after the election.

Ms WEBB - I just want to be very clear on the record here, Madam Chair, that the phrasing used by the minister: 'is disposing of campus land at Sandy Bay' and in the government's own first iteration of this bill, they defined 'campus land at Sandy Bay' because they identified it by folio under the LIST, they defined it as Volume 167420 Folio 1. That's a small area of land on Sandy Bay Road that they were going to be making vested land and also Volume 176312, Folio 1, which covers the rest of the Sandy Bay campus land, which goes from Sandy Bay Road, a big swathe up over Churchill Avenue, all the way up to Olinda Grove, and there's a LIST map that I provided to members in my briefing paper on this that showed what the initial bill from the government when it was going to genuinely protect the Sandy Bay campus land intended to do. So, when the minister states that campus land at Sandy Bay can't be sold under this, it can't be disposed of under this bill without approval from both Houses of parliament, except the two rezoning parcels, it's wrong. They're only protecting 14 per cent of it, not the other 57 per cent of it, the 56 hectares. It's absolutely misleading. Regardless of whether the university claims its surplus to requirement, it is campus land at Sandy Bay. It simply is.

Madam CHAIR (Ms Forrest) - The question is that the amendment be agreed to.

The Council divided -

AYES 6

Mr Gaffney (Teller)
Mr Harriss
Mr Hiscutt
Ms O'Connor
Ms Thomas
Ms Webb

NOES 8

Ms Armitage (Teller)
Mr Duigan
Mr Edmunds
Ms Forrest
Ms Lovell
Ms Palmer
Ms Rattray
Mr Vincent

Amendment negatived.

Schedule 1 agreed to.

Madam CHAIR - Member for Nelson, you're not moving that amendment, I assume?

Ms WEBB - No, they were only relevant if we had done the right thing on clause 7. So, apologies, Madam Chair, I won't be those amendments.

Madam CHAIR - I just wanted to give you the opportunity.

Schedule 2

Ms WEBB - Madam Chair. I have a question on schedule 2 because we did clarify that this isn't a map prepared by an appropriately qualified surveyor, so I just would like to know who prepared the map and why it isn't of a better quality, so that we can at least carefully see exactly where its parameters are. And, why isn't it described in words as well as pictorially, the way some earlier iterations of the bill, I think, attempted to do? Who did prepare the map? Why is it so poor and not more detailed so we can actually see the specifics of its parameters? I don't need to repeat it again.

Ms PALMER - Madam Chair. I'm advised that the map in schedule 2 was prepared and provided by the university.

Ms WEBB - Madam Chair. That's interesting, prepared by the university. Absolutely pulling some strings there, absolutely behind the scenes for that. Then, what did the government do to give itself confidence about exactly what's depicted here, given the poor quality of the map? It's very fuzzy. It's just an aerial view. It doesn't even depict the whole campus. Someone's got a sharpie pen out and drawn some lines. What did the government do to give itself confidence of exactly what's being depicted? The line at the top here is literally going through some buildings it would look like, so I would just like to understand what the government did to fully give itself confidence that it knew what was being depicted as rezoned here?

Ms PALMER - Madam Chair, the government satisfied itself comparing what was provided to what had been done previously in the master plan, and, of course, now we see in clause 7 -

- (2) On the day on which this Act receives the Royal Assent, the Planning Minister is to cause a plan to be prepared and registered in the Central Plan Register.
- (3) A plan prepared under subsection (2) -
 - (a) may only relate to the land that -
 - (i) is within the proposed areas.

Mr HISCUTT - Madam Chair. I'm just wondering if the government could advise if the proposed area is on the inside of the big grey line or on the outside of the big grey line, as that's a considerable amount of difference. That might be \$95 million or \$105 million that the university has proposed to be able to get. Could you please confirm that?

Ms PALMER - Madam Chair, I can advise the member that it is inside.

Madam CHAIR (Ms Forrest) - The question is Schedule 2 stand part of the bill.

The Council divided -

AYES 10

Ms Armitage
Mr Duigan
Mr Edmunds
Mr Farrell
Mr Harriss
Mr Hiscutt
Ms Lovell
Ms Palmer
Ms Rattray
Mr Vincent (Teller)

NOES 4

Mr Gaffney
Ms O'Connor
Ms Thomas (Teller)
Ms Webb

Schedule 2 agreed to.

Schedule 3 agreed to.

Title read and agreed to.

Bill reported without amendment.

UNIVERSITY OF TASMANIA (PROTECTION OF LAND) BILL 2025 (No. 58)

Third Reading

[7.23 p.m.]

Ms PALMER (Rosevears - Minister for Education) - I move -

That the third reading of the bill be made an order of the day for tomorrow.

Motion agreed to.