

IN THE MATTER OF THE MACQUARIE POINT MULTIPURPOSE STADIUM INTEGRATED ASSESSMENT UNDER THE STATE POLICIES AND PROJECTS ACT 1993

REPRESENTATION 2 ON BEHALF OF PROPONENT

1. Representations on behalf of Proponent

- 1.1 This Representation is made on behalf of the Crown in Right of Tasmania, including the Macquarie Point Development Corporation (**Proponent**).
- 1.2 This is the second of three Representations to be filed on behalf of the Proponent (**Representation 2**) for the purposes of the assessment of the Project under the *State Policies and Projects Act 1993* (Tas) (**SPP Act**).
- 1.3 As outlined in the **Representation 1**, the Proponent contends through propositions that the draft integrated assessment report (**Draft IAR**) has limited utility to guide the preparation of a final report by the Advisory Council. **Representation 2** provides further comment in respect of each of those propositions.
- 1.4 In general, the Proponent contends that substantial aspects of the Draft IAR ought be disregarded, in favour of a framework that considers relevant matters and issues, and gives consideration to them to support findings and recommendations by the Advisory Council after the exhibition period.
- 1.5 **Representation 3** will set out a framework which the Proponent will submit is more suited to the task.
- 1.6 For the purpose of all Representations filed on behalf of the Proponent, the delegates of the Advisory Council are referred to as the 'Panel' and the Commission acting as an Advisory Council is referred to as the 'Advisory Council' or the 'Commission'.

2. Draft IAR

- 2.1 The propositions advanced in **Representation 1** are repeated below and further detailed in Attachment 2 and the comments below.

2.2 Proposition:

The Draft IAR does not comply with the requirements of the SPP Act. It contains errors of law, approach and analysis. It is argumentative and lacks balance to support the making of representations. It should be given limited, if any, weight.

Comment:

Overview

- (a) The Panel was mistaken to impose its own Project description, and to consider that other projects were or may be included by:
 - (i) failing to acknowledge that the SPP Act describes the Project as that proposed by the person proposing the project;
 - (ii) failing to acknowledge the Project as described by the person proposing the project;
 - (iii) including other projects which are not described in the *State Policies and Projects (Project of State Significance) Order 2023 (Order)*;
 - (iv) including 'necessary' projects based on the wrong test, namely what the Panel thought may be necessary for the city, instead of what the person proposing the project said may be necessary for the Project; and
 - (v) extending its consideration because the Project is to be delivered by the State where this distinction is not made in the SPP Act.

Discussion

- (b) In many respects, the proposition above is all encompassing and raises a threshold question of approach to the preparation of any Draft IAR for any process for a project under the SPP Act, given that the Draft IAR is intended to be the basis for public exhibition and subsequent representations.
- (c) At pages 4-5, the Draft IAR describes its purpose to be an 'issues report', which of itself is a departure from an 'integrated assessment', under which definition the report is not limited in this way.
- (d) Instead, the stated focus is on key challenges and potential problems relating to the scope of the Project, and their potential effects.
- (e) The Draft IAR correctly points out that the report is to be exhibited for comment and says that the views expressed are intended to initiate discussion on those issues.
- (f) Despite the qualifications set out within pages 4-5 as to the role of the Draft IAR, by targeting 'challenges concerns and potential problems' including strongly expressed

'findings', the balance of the document appears to go further, and is not conducive to an objective report for the purpose of seeking public feedback.¹

- (g) The Draft IAR has a vital role in the process, being the key document upon which Representations are invited. A proper approach would be to prepare such a document cautiously as to findings and expressing opinions, with a focus on balance, information and direction. However, the approach taken by the Panel, which presents an issues paper in the manner that it has been prepared, has consequences that the Advisory Council should factor into its consideration of representations. These include:
 - (i) it invites representations on an 'agree' or 'disagree' basis on a range of matters where the process would be better served by public comment sought on an objective basis;
 - (ii) it encourages the public to the view that the project is not properly described, inviting Representations on scope, and on other projects (see below);
 - (iii) it encourages the public to comment on matters beyond planning and land use considerations, particularly as they concern State economics (see below); and
 - (iv) it applies reasoning premised on 'established planning principles' without describing the premise of an assessment under Part 3 of the SPP Act.
- (h) Despite its stated approach to initiate discussion as an issues paper, a fair reading of many aspects of the Draft IAR is that it attempts to foreclose on the likelihood of approval. It does not consider any potential for land use or development conditions that might mitigate so called issues.
- (i) The Proponent contends that the overall approach taken by the Panel is not framed well for the stated purpose of raising issues for assessment and advice. This is more than stylistic, given the role the Draft IAR has in describing the context of the Project for the public process that follows under the SPP Act.
- (j) There is no difficulty with the Panel expressing items for consideration, including judiciously phrased negative preliminary comments. However, if this was the intention, the Draft IAR has not achieved this outcome. For example, it presents 'findings' and only focusses on perceived shortcomings or challenges with the Project.

¹ As one example, see line no. 42 in the table in Attachment 2.

- (k) As the examples in support of this proposition are numerous, the Advisory Council's attention is drawn to the references to this proposition in the table contained at **Attachment 2**.

2.3 **Proposition:**

The unreasonable extension of the Project outside of the defined boundary in the Order, so as to include further or other projects, rendering relevant provisions of the SPP Act unworkable, given the operation of the SPP Act to 'turn off' the planning provisions that would apply to use or development. Please refer to Figure 1.3 of the Draft IAR which outlines the extent of this boundary extension, and is attached as Attachment 1 to this letter for ease of reference.

Comment:

- (a) **Attachment 1** of this **Representation 2** contains a chronology of the consideration of the Project 'proposed by the person proposing the project'² prior to relevant actions by the Minister under the SPP Act.
- (b) The chronology focusses on the approach to project scope taken by the 'person proposing the project', and its consistency of description at all times prior to and after the declaration of the Project of State Significance (**PoSS**), and in all submitted material.
- (c) It can be ascertained from the chronology that the inclusion of other works described and shown at pages 6,7 and 10 of the Draft IAR emerged wholly in the opinion of the Panel apparently considering it was within its role to determine or advise on what it considered should be proposed by the 'person proposing' the project beyond that which has been proposed. Confusingly, the Panel has further introduced the notions of 'included' and 'may be included'. It is apparent that the Commission may have broadened the scope in its consideration of the Commission's Final Guidelines dated 16 February 2025, which of course cannot be broader than powers or primary task conferred under the SPP Act.
- (d) At page 7 of the Draft IAR, the Panel acknowledges this and that it has imposed its own determination as to what constitutes the Project, apparently forming its own view of what is 'necessary' for the Project and in reliance on the Order.
- (e) The implications of the Panel's approach are profound to the assessment and to the operation of the relevant provisions under Part 3 of the SPP Act. It is also apparent from the Draft IAR that the Panel's approach to scope is a significant factor in its assessment, identification of problems with the Project, and its approach to economic effects.

² SPP Act, s 16(2).

- (f) The Panel's unilateral opinion as to what constitutes the Project stems from its conclusion of what is 'necessary' for the project. The Panel then appears to conclude that because it considers other infrastructure to be necessary, it can expand the project by implication of 'necessary' infrastructure or things as described in the Order.
- (g) Given this reliance, it is a useful starting point to describe two different approaches as to what may be included within the Project under the premise that it is 'necessary' for the project otherwise described in the Order.
- (h) In the first (and, it is contended, the preferred) approach, the flexibility in the Order to include other necessary things is to be understood in the context of what has been specified in primary terms as the Project and what has been the subject of the Ministerial action.
- (i) In the preferred approach, there must be a sufficient characterisation of the Project at the outset of the process to support the validity of decisions made by the Minister under relevant provisions of the SPP Act. In this case, the description of the Project and the area to which the Order applies is described and was the subject of deliberation and debate. The SPP Act expressly describes the Project as that project proposed by the person proposing the project.
- (j) It is the proposed project that must meet the eligibility criterion, and it is that project that is afforded special process for integrated assessment under the SPP Act, including with respect to the application of planning controls. The SPP Act also prevents works for the Project pending a decision under s 26.
- (k) It follows that the declaration of a project has significant consequences for the operation of law and the assessment of a project. It is unlikely, if not wholly undesirable, that the characterisation of the Project could permissibly be delegated to, and enlarged by, the person proposing the Project, let alone the body charged with assessing the Project. A requisite level of specificity is required, and in this case is provided, within the description of the Order and the setting of a project area. By virtue of s 19 of the SPP Act, the Project bypasses the usual statutory planning approval process under the *Land Use and Planning Approvals Act 1993* (Tas) (**LUPA Act**) and by consequence the relevant planning scheme in effect. By unduly enlarging what constitutes the Project, the Panel creates an unworkable uncertainty as to what activity and development bypasses the usual statutory planning approvals process.
- (l) In this approach, the potential inclusion of other 'necessary' infrastructure provides the person proposing the Project with a remit to include items not specified in the Order but only on the basis they can be demonstrated to meet the limited test of being related,

necessity or convenient. This license could not be used by the person proposing the project to add other projects or to transform the application beyond the primary description of the project in the Order.

- (m) The extension to 'necessary' matters is sensible, so as to include matters of detail or necessity that emerge in the preparation of the application, but is always subject to scrutiny that additional items fall within the limitations of the SPP Act and Order. This is vital as, if included, these items must be assessed having the benefit of exemption of planning controls, and with the expectation that the items could be approved with appropriate conditions.
- (n) It is also sensible that the limited remit in the Order to include 'necessary' items is given to the person proposing the Project and that person would be expected to justify the inclusion in the submitted application material.
- (o) In the Panel's approach, the primary description of the Project, land area and limitations of the Order are set aside in favour of a broad power to describe a 'full' project including other things the Panel believes are necessary for the implementation of the Project. The approach is described at page 6 of the Draft IAR and extends to finding that the Advisory Council is required to consider all aspects it has determined to form the Project albeit not put forward by the person proposing the Project.
- (p) Further to the above, the Draft IAR points to no legislative provision upon which it asserts that Commission has the power to amend or expand the Project.³
- (q) The Panel's approach is unworkable in practice, and exceeds any remit to include items that might reasonably be judged as necessary within the scope of the Order issued by the Minister.
- (r) The chronology shows that the Panel appears to have adopted this approach despite seeking clarification about the scope of the Project and despite the clarity in the material submitted by the person proposing the Project.
- (s) Beyond what is said at page 6 of the Draft IAR, it is unclear how the Panel arrived at the conclusion that it could depart from the description of the Project submitted for its assessment. The Proponent suggests that the approach may possibly have emerged from an incorrect interpretation of its powers and the limited circumstances where other items may be included in the Project, a reliance on consultation with other agencies pursuing other projects, or confusion as to how to treat these other synergistic projects.

³ The Commission's power and functions are derived from what is conferred on it by any act, in this case its power and functions are contained in the SPP Act. Beyond this, the Commission has no additional inherent powers.

It appears possible that the Panel may also have mistakenly relied on the word 'integrated' , which refers to the assessment of considerations, to infer the integration of other works or projects.

- (t) The Proponent need not, and does not, contend that these other projects are not also relevant to the Project. However, the complementary role of these projects does not deem them to be part of the Project which has the benefit of the special process invoked by the Order.
- (u) It appears that the Panel has formed an opinion on what combination of projects should be delivered together rather than focus on the task of assessing the Project before it for approval, albeit having regard to the potential or desirability of other complementary projects as part of the assessment.
- (v) It appears the Panel may have sought to broaden the scope of the Project because the person proposing the Project is the State. The provisions of the SPP Act are not limited to public or private projects and the provisions must be applied equally to both. It is most unlikely that the SPP Act or an Order under it would confer the power to include other matters that the Panel has afforded itself to a private project.
- (w) A difficulty that may now arise is that representations may now rely on the Panel's definition of the Project. The Proponent will respond by reference to what is set out in this **Representation 2**. However, it is appropriate to record that the Proponent acknowledges that representations made on the basis of the scope introduced by the Panel in the Draft IAR are therefore likely to have been made in good faith.
- (x) If the Advisory Council seeks further elaboration on the operation of the SPP Act this can be provided. In the meantime the Proponent also relies on:
 - (i) the chronology of the process and references at Attachment 1;
 - (ii) the Order;
 - (iii) the whole of the SPP Act, including the provisions of Part 3 and Schedule 1; and
 - (iv) the whole of the application material.

2.4 Proposition:

The discussion and assessment of the business and investment case, which appears to extend to matters of the State economy, budget decisions, total state sector debt, credit rating and the alternative use of funds, is irrelevant and beyond the reasonable scope of economic considerations for the purposes of an assessment under the SPP Act and the Objectives of the Resource Management and Planning System of Tasmania.

Comment:

- (a) The Panel deals with 'economic effects' at pages 17-44 of the Draft IAR. The comments here are limited to the extension of the assessment to matters of state finances including budget decisions, total state sector debt, credit rating and the alternative use of funds.
- (b) The Proponent contends that this discussion unreasonably extends beyond the scope or purpose of the integrated assessment of a project under the provisions and for the purposes of the SPP Act (or the LUPA Act).
- (c) The objectives of the Resource Management and Planning System of Tasmania are set out at Schedule 1 of the SPP Act, and are in the same form, and have the same meaning, as those objects in the LUPA Act.
- (d) In line with these objectives, the fundamental purpose of the integrated assessment is to consider whether land use and development approval should be granted for a project and if so according to what conditions.
- (e) It is the role of an assessment of land use or development under the SPP Act or LUPA Act to consider the economic impact of the Project. It is not the role of those Acts to consider the broader financial decision by any proponent to invest in that or alternative investment schemes or projects. There is also no stated authority in the *Tasmanian Planning Commission Act 1997* (Tas) to investigate or advise on matters of the state budget.
- (f) Where project specific economic impacts are considered, these appear to place significant weight on the cost benefit analysis, and have limited reference to the economic impacts and social and cultural analysis. The expanded Project scope has also impacted on the cost benefit analysis reported.
- (g) Putting aside the extension beyond the scope of the advice contained for the purposes of the legislation, there are practical implications for assessing any project in the scope or context of state budgetary or private investment cases. Those materials, the myriad of decisions, and the other public and parliamentary processes at play are not, and would not, properly be matters put to an Advisory Council under the SPP Act.

2.5 **Proposition:**

Adoption of significant portions of the “Gruen Report” which includes untested and incorrect assumptions. Dr Gruen was not listed as a Relevant Agency identified by the Advisory Council prior to the release of the Draft IAR.

Comment:

- (a) In addition to what is stated in the proposition, it is perhaps a consequence of its approach to scope that the Panel appears to have received, and relied upon, a report that is concerned with an opinion about broader state financial matters. If these matters are to be debated there are forums for doing so, but not under any relevant provision of the SPP Act or LUPA Act.
- (b) It is unclear on what basis the Panel came to receive the report noting Dr Gruen was not identified as a Relevant Agency and that its receipt was not published on the Advisory Council's website.
- (c) These matters are also the subject of response in the table contained at **Attachment 2**.

2.6 **Proposition:**

Despite purporting to raise issues only, the Draft IAR makes “findings” on critical matters prior to consideration of representations, or without consideration of potential mitigations such as through design or conditions of approval. The Draft IAR appears to present opinions without presenting a reasoned or informed basis.

Comment:

- (a) This proposition stands and is partly dealt with in response to the first proposition above.
- (b) It is further referenced in the table contained at **Attachment 2**.

2.7 **Proposition:**

The Draft IAR fails to properly assess the Project as intended by the application of s19 of the SPP Act.

Comment:

- (a) This proposition stands and is referenced in **Attachment 2** and will be addressed in more detail in **Representation 3**.
- (b) A key concern is whether issues concerning built form and scale are wholly assessed on 'established planning principles' which in turn appear to emerge from planning

documents dating back to 1991 whereas the intention of the provisions of the SPP Act inherently acknowledges projects which are not limited by the planning scheme.

- (c) It is the primary task of the Advisory Council to assess the Project in the context of its special character and as a declared PoSS notwithstanding established local policy. The purpose of the process is to enable an integrated assessment based on the significance of the Project, in the expectation that the Project may not meet established local policy or principles.

3. Table of responses to Draft IAR

- 3.1 **Attachment 2** to this **Representation 2** contains a table which responds to the Draft IAR according to propositions identified above.

4. Representation 3

- 4.1 The Proponent intends to submit **Representation 3**, which will set out introductory comments on all relevant planning matters, including the matters that will be subject to further submission and evidence on behalf of the Proponent.

5. Correspondence

- 5.1 The Proponent notes that since filing **Representation 1** it has received two items of correspondence issued on behalf of the Commission dated 8 and 15 April 2025. The Proponent acknowledges receipt of these items and will respond in due course, as appropriate.

MinterEllison

For and on behalf of the Proponent

**ATTACHMENT 1
TO THE PROPONENT'S REPRESENTATION 2 ON THE DRAFT INTEGRATED ASSESSMENT
REPORT (R2A1)**

Chronology of Macquarie Point Multipurpose Stadium Project of State Significance Process

Date	Event
16 October 2023	<p>- Under s 18(2) of the SPP Act, the Governor of Tasmania on the advice of the Executive Council and in accordance with the recommendation of the Minister administering the SPP Act (being the Premier) make the <i>State Policies and Projects (Project of State Significance Order) 2023 Statutory Rules 2023 (Order)</i>. Clause 3(2) of the Order declares the Project as a project of State significance as follows:</p> <p style="text-align: center;"><i>'A proposal by the Crown, in the right of Tasmania, for a stadium to be developed on the area of land at Macquarie Point, bounded by a thick black line and identified as the Multipurpose Stadium and Associated Concourse Zone in the relevant plan, a reduced copy of which is set out, by way of illustration only, in Schedule 1 ...'</i></p> <p>The relevant plan is defined at clause 3(1) of the Order to mean <i>'the Mac Point Precinct Plan published by the Macquarie Point Development Corporation, as established by the Macquarie Point Development Corporation Act 2012.'</i></p> <p>The plan in Schedule 1 is extracted below:</p> <p style="text-align: center;">SCHEDULE 1 - Plan</p>

Date	Event
	<p>Under clause 4 of the Order, the Project declared in Order 3(2) is further defined:</p> <p><i>'The project declared under clause 3 includes, but is not limited to, the construction of:</i></p> <ul style="list-style-type: none"> <i>(a) a stadium that is suitable for a range of entertainment, sporting, cultural corporate and community uses; and</i> <i>(b) the related infrastructure and services necessary to support the stadium and its operations; and</i> <i>(c) a public concourse adjacent to the stadium; and</i> <i>(d) any other facility or thing necessary, or convenient, for the implementation of the project.'</i>
16 October 2023	<p>- In accordance with s 18(4) of the SPP Act, notice of the making of the Order is published in the Tasmanian Government Gazette.</p>
16 October 2023	<p>- The Premier and Minister administering the SPP Act directs the Tasmanian Planning Commission (Commission) under s 20(1) of the SPP Act to undertake an integrated assessment of the Project (Ministerial Direction).</p> <p>Specifically the Ministerial Direction directs the Commission to:</p> <p><i>'...undertake an integrated assessment of the Macquarie Point Multipurpose Stadium project advanced by the Crown in Right of Tasmania ("the proponent"), which was declared by the Governor to be a project of State significance by an order made under section 18(2) of the Act on 16 October 2023 ("the project").</i></p> <p><i>The Commission is required to comply with the following requirements in relation to this integrated assessment, subject to the terms of the Act –</i></p> <ol style="list-style-type: none"> <i>1. The integrated assessment is to address the environmental, social, economic and community impacts of the project.</i> <i>2. As part of the integrated assessment, the Commission is to specifically consider the extent to which the project:</i> <ul style="list-style-type: none"> <i>• is consistent with and supports the urban renewal of the Macquarie Point site (as defined in the Macquarie Point Development Corporation Act 2012) as provided for in the Mac Point Precinct Plan prepared by the Macquarie Point Development Corporation established under section 5 of that Act;</i> <i>• impacts on the surrounding area and uses; and</i> <i>• could generate social, economic, and cultural benefits to the region and the State of Tasmania.</i> <i>3. Guidelines are to be prepared by the Commission, in accordance with section 20(2B) of the Act, within four months after receiving this direction. The Commission is to subject its report to the Minister under section 26(1) of the Act within 23 months following the submission, by the proponent, of reports addressing the integrated assessment guidelines, or such later day as the Minister may direct in writing.'</i>

Date	Event
19 October 2023	<p>- In accordance with s 18(6) of the SPP Act, the Premier moved the following motion in the House of Assembly in relation to the <i>Macquarie Point Proposed Stadium State Policies and Projects (Project of State Significance) Order</i>.</p> <p><i>'That the House -</i></p> <p><i>(1) In accordance with section 18(6) of the State Policies and Projects Act 1993, approves the State Policies and Projects (Project of State Significance) Order 2023.</i></p> <p><i>(2) Notes the written direction to the Tasmanian Planning Commission in accordance with section 20(1) of the State Policies and Projects Act 1993 sent by the Premier, Hon. Jeremy Rockliff MP, as the Minister administering the Act, on 17 October 2023.'</i></p> <p>In moving the Motion, the Premier made the following comments regarding the Order:</p> <p><i>'The order is a very simple document. It describes only in broad terms what the proposal is. It does not need to do more than that and all previous POSS orders have been worded in the same manner.</i></p> <p><i>In clause 3 it names the Crown as the proponent and defines the site of the proposal in schedule 1 by referencing the new Macquarie Point Precinct Plan, which shows it as the multipurpose stadium and associated concourse zone. It is clear from this plan that the stadium is only part of the broader precinct.</i></p> <p><i>Clause 4 of the order also provides a broad description of the nature of the proposal which describes the range of uses and developments within the specific stadium zone, and the related infrastructure and services, and any other facility necessary for the implementation of the project and to support its operations. Again, this is consistent with the wording of other POSS orders in the past.'</i></p>
20 October 2023	<p>- The motion moved on 19 October 2023 is agreed to in the House of Assembly (noting the Assembly continued to sit until after midnight). The Order is taken to be approved in accordance with s 18(6)(a) of the SPP Act.</p>
1 November 2023	<p>- In accordance with s 18(6) of the SPP Act, Mrs Hiscutt moves:</p> <p><i>'The Legislative Council:</i></p> <p><i>(1) Approves, in accordance with section 18(6)(a) of the State Policies and Projects Act 1993, the State Policies and Projects (Project of State Significance) Order 2023 (Statutory Rules 2023, No. 66) which was laid upon the Table of the House on 17 October 2023, and</i></p> <p><i>(2) Notes the written direction to the Tasmanian Planning Commission in accordance with s.20(1) of the State Policies and Projects Act 1993 sent by the Premier as the Minister administering the Act, which was laid upon the Table of the House on 17 October 2023.'</i></p> <p>A motion to adjourn the decision is agreed.</p>
8 November 2023	<p>- The Motion moved on 1 November 2023 in the Legislative Council is agreed.</p>
9 November 2023	<p>- The Order takes effect in accordance with cl 2 of the Order which provides that the Order takes effect on the day after it is approved by both Houses of Parliament under s 18 of the SPP Act.</p>
13 November 2023	<p>- By letter, the Executive Commissioner of the Commission requests further information from the Premier.</p>

Date	Event
	<p>In summary, the Commission requests:</p> <ol style="list-style-type: none"> 1. a detailed description of the project, noting that '<i>The Commission has noted, and has access to numerous publicly available documents related to the project. However, the Commission cannot make assumptions about the details of, and specifications for, the stadium that is proposed to be located in the Multipurpose Stadium and Associated Concourse Zone identified in Schedule 1 of Order declaring the stadium to be a project of state significance.</i>' 2. clarification regarding the status of the Macquarie Point Precinct Plan under the <i>Macquarie Point Corporation Act 2012</i>; 3. clarification regarding the agency or department of the Crown responsible for the project.
27 November 2023	<p>- By letter, the Premier responds to the Executive Commissioner of the Commission, providing further information including that the Macquarie Point Development Corporation (Proponent) is responsible for progressing the project working closely with Stadiums Tasmania.</p> <p>In respect of the nature and scope of the project, the Premier states:</p> <p><i>'In relation to the project, I note the following additional information. The multipurpose stadium is to have a minimum capacity of 23,000 seats and meet the requirements for a tier 2 stadium as set out in the agreement between the Tasmania Government and the AFL. These requirements are set out in Schedule 10, and the agreement is available on the Department of State Growth's website. A copy is attached.</i></p> <p><i>Once built, the stadium will be operated by Stadiums Tasmania. The footprint for the stadium, to be assessed through the Project of State Significance process, is identified in the Mac Point Precinct Plan. It has been allocated a footprint of 232 metres by 236 metres at ground level and is to provide roof coverage. This footprint is based on benchmarking from other facilities as outlined in the Stadium Footprint Test Fit summary available on the Corporation's website at macpoint.com/precinctplan. A copy is attached.</i></p> <p><i>The stadium will need to be developed to allow for access for truck and pantech vehicles to support the multipurpose nature of the facility, including access to the field of play. It needs to be able to support a variety of events including a range of sporting codes, performances, exhibitions and corporate events.</i></p> <p><i>The intent of the multipurpose stadium is that it will be an integrated part of the precinct. This includes a design that is expected to be visible from the western side where the multipurpose stadium footprint meets the Aboriginal culturally informed zone, whereas on the eastern side the stadium is anticipated to be wrapped in built form. This may include tapering, transitioning or overhanging built form to connect the stadium to the integrated mixed-use zone in the future to provide ancillary services or associated developments. '</i></p>
1 December 2023	<p>- The Commission publishes the <i>Draft Guidelines for the Macquarie Point Multipurpose Stadium Project of State Significance (Draft Guidelines)</i>.</p>
1 December 2023 - 8 January 2024	<p>- Exhibition period of the Draft Guidelines.</p> <p>The Proponent makes submission in respect of the Draft Guidelines dated 8 January 2024 (comment no. 543). This submission, amongst other things, identifies parts of the Guidelines which are inconsistent with the scope of the project as declared in the Order.</p> <p>This included in relation to the scope of financial and economic analysis proposed. The submission noted:</p>

Date	Event
	<p><i>The approach taken in the draft guidelines for this multipurpose stadium is inconsistent with the precedent to date. Further the impacts on the State's financial position, trends, financial ratios and the State's credit rating are not relevant to assessing the merits of the Project under the Resource Management and Planning System of Tasmania as proposed.</i></p> <p><i>There are existing statutory and established internal to government and external public scrutiny processes and pathways to review government budget processes. The draft guidelines should focus on the integrated assessment of the Project rather than the broader activity and mechanics of government, which appear to be out of scope, particularly noting there are existing direct mechanisms for these.</i></p>
16 February 2024	<p>- The Commission publishes the final <i>Guidelines for the Macquarie Point Multipurpose Stadium Project of State Significance (Final Guidelines)</i>.</p> <p>Relevantly, the Final Guidelines defines the 'project site' to mean <i>'the land on which any use or development is proposed (including any associated use or development), whether privately or publicly owned. If any such land is only part of the land comprised in any title, then the whole of that land is included'</i>.</p> <p>The 'proposed project' is defined as <i>'all use and development related to the project including any associated or incidental use and development.'</i></p> <p>Section 1.0 of Part I of the Guidelines describes the project in the terms of the Order:</p> <p><i>'Under the Order, the proposal for a stadium to be developed includes:</i></p> <ul style="list-style-type: none"> <i>(a) a stadium that is suitable for a range of entertainment, sporting, cultural, corporate and community uses;</i> <i>(b) the related infrastructure and services necessary to support the stadium and its operations;</i> <i>(c) a public concourse adjacent to the stadium; and</i> <i>(d) any other facility or thing necessary, or convenient, for the implementation of the project.'</i> <p>At section 1.1.1 of Part II, the Final Guidelines set out the description of, and plans for, the proposed project that the proponent must provide the Commission. The proposal is described in the following terms:</p> <p><i>'The proposal for which approval is sought is the use and development related to the proposed project, including any incidental or associated use and development.</i></p> <p><i>The land related to the proposal is that on which any use or development is proposed (including any associated use or development), whether privately or publicly owned. If any such land is only part of land comprised in any title, then the whole of the land in that title is taken to be related to the proposal.'</i></p> <p>This section goes onto outline the information to be submitted as follows:</p> <p><i>'The reports are to describe and provide plans of the proposed project that include all proposed uses and development, including use and development related to:</i></p> <ul style="list-style-type: none"> <i>• the stadium building and uses within areas of the building;</i> <i>• people entering or queuing to enter the stadium;</i>

Date	Event
	<ul style="list-style-type: none"> • <i>open spaces associated with and to be delivered as part of the proposed project;</i> • <i>movement ways and safe places for people to use in the event of an evacuation;</i> • <i>parking, loading/unloading and manoeuvring areas for service vehicles;</i> • <i>roads or access ways used by vehicles, pedestrians and cyclists moving between the stadium building and the existing public road network;</i> • <i>pedestrian/cycle pathways or standing areas;</i> • <i>use of public/mass transport;</i> • <i>vehicle pick up and drop off areas;</i> • <i>works or structures on existing road, pedestrian, cycle or public transport assets to cater for pedestrians, cyclists, altered traffic arrangements, mass/public transport vehicles; and</i> • <i>utility services to be provided to the stadium.'</i> <p>In section 1.1.2, the Final Guidelines relevantly require the reports to provide information on the 'scope of the proposed project including...</p> <ul style="list-style-type: none"> • <i>possible future development and activities related to the proposed project;</i> • <i>...</i> • <i>the staging and timing of the proposed project including ancillary works and expected dates for construction, completion and operation.'</i> <p>Section 1.3 of Part II relates to the proposed use and development and provides that:</p> <p><i>'Plans are to relate to the full extent of the project site. The plans are to show all use and development that is necessary or convenient for the proposed implementation and operation of the project.'</i></p>
11 April 2024	<p>- The Commission writes to identified relevant agencies notifying the requirement for consultation as part of preparing the draft integrated assessment report.</p>
17 September 2024	<p>- The Proponent submits the Project submission to the Commission.</p> <p>The <i>Macquarie Point Multipurpose Stadium Summary Report (Summary Report)</i> dated September 2024 outlines a summary of the proposed PoSS assessment scope at section O.2.2, page 11:</p> <p><i>'The area that is presented for assessment through the Project of State Significance process comprises the:</i></p> <ul style="list-style-type: none"> • <i>Multipurpose Stadium and surrounding concourse, and arrival plaza areas.</i> • <i>proposed relocated area for the Goods Shed to be integrated to the north of the Multipurpose Stadium, while remaining as a standalone structure and facility.</i> • <i>practice cricket wickets which are required to service the multipurpose functionality of the facility.</i>


Date	Event
	<p>At section O.2.2.1, page 11, the Summary Report outlines outputs linked to the project that are not dependent of the Project, being pre-existing commitments. Those outputs include the Northern Access Road and the broader Macquarie Point site.</p>
19 November 2024	<p>- The Commission writes to the Proponent requesting further information.</p> <p>One of the matters raised related to the scope and extent of the Project.</p> <p>The Commission states in its request that the Project and the corresponding land that is to be assessed by the Commission includes incidental or related use and development that incorporates services and infrastructure that is necessary for stadium to operate as proposed. It goes on to list what the Commission says this includes.</p> <p>It further states that the Project site identified in the reports is inconsistent and does not align with the description of 'project site' in the Guidelines.</p>
20 November 2024	<p>- The Commission publishes submissions from relevant agencies during the consultation period.</p>
18 December 2024	<p>- The Proponent provided its first response to RFIs, which included a detailed consideration of scope from MinterEllison. This was not published on the Commission's website nor was it addressed by the Commission in the letter of 22 January 2025.</p>
17 January 2025	<p>- Meeting between the Commission and the Proponent.</p> <p>One of the matters discussed was in relation to seeking clarification/ explanation of matters included in the further information request.</p>
22 January 2025	<p>- The Commission writes to the Proponent on the process under which it was considering the scope of the assessment. The scope of the Project as proposed by the Commission was not provided.</p> <p>Specifically, it outlines the rationale for the Commission's view in relation to the scope of the assessment by reference to provisions of the SPP Act, <i>Land Use Planning Approvals Act 1993</i> (Tas), the Order and the Ministerial Direction dated 16 October 2023.</p>
31 January 2025	<p>- The Proponent provides further information in response to the Commission's request for further information of 19 November 2024.</p> <p>Within the response, the Proponent notes that it understands from the meeting on 17 January 2025 that the Commission will outline its view of the project scope as part of the draft Integrated Assessment Report.</p>
14 February 2025	<p>- The Proponent provides further information in response to the Commission's request of 19 November 2024.</p>
17 February 2025	<p>- The Proponent provides further information in response to the Commission's request of 19 November 2024.</p>
27 February 2025	<p>- The Commission writes to the Proponent requesting further information.</p>
4 March 2025	<p>- The Proponent provides further information in response to the Commission's request of 27 February 2025.</p>
11 March 2025	<p>- The Commission emails the Proponent regarding indicative timelines for the hearing process.</p>
31 March 2025	<p>- The Commission published the draft Integrated Assessment Report (Draft IAR).</p>

Date	Event
	<p>The Draft IAR defines two projects:</p> <p><i>'The Proponent's reports propose a limited project to construct a stadium building, concourse area, practice cricket wickets and below ground carpark, and to relocate 6 the Goods Shed. This limited project proposal is referred to in the draft IAR as 'the Proponent's proposed stadium project'.</i></p> <p><i>However, the Commission is undertaking an integrated assessment of what is specified by the Order, including 'related infrastructure and services necessary to support the stadium and its operations' and 'any other facility or thing necessary, or convenient, for the implementation of the project'. This full project is referred to in the draft IAR as 'the Project'.</i></p> <p><i>The Commission is required to consider all aspects of the Project that fall within the Order's description. The Project includes all use and development considered to be 'necessary' to support the stadium and its operations or 'convenient' for the implementation of the Project. These include the northern access road and bus plaza, utility infrastructure, pedestrian infrastructure, public realm landscaping, and pedestrian/vehicle movement and management.'</i></p> <p>The area the subject of the Commission's 'project' expands the area shown in the Order and is shown on Figure 1.0 of the Draft IAR, extracted below.</p>

Date	Event
	<p>Figure 1.0 Land associated with use and development that is part of the Project. <i>Note: 'Mac Point site' refers to the site area under the Mac Point Precinct Plan.</i></p>
3 April 2025	- The Proponent provides Representation 1 to the Commission.
8 April 2025	- By letter, the Commission responds to Representation 1 .

ATTACHMENT 2 TO THE PROPONENT'S REPRESENTATION 2 ON THE DRAFT INTEGRATED ASSESSMENT REPORT (R2A2)

1. This table sets out information and examples to support the propositions presented in **Representation 1** and **Representation 2**.
2. The table responds to the Draft IAR by reference to the following propositions identified in **Representations 1** and **Representation 2**:
 - (a) The unreasonable extension of the Project outside of the defined boundary in the Order, so as to include further or other projects, rendering relevant provisions of the SPP Act unworkable, given the operation of the SPP Act to 'turn off' the planning provisions that would apply to use or development. Please refer to Figure 1.3 of the Draft IAR which outlines the extent of this boundary extension, and is attached as Attachment 1 to this letter for ease of reference.
 - (b) The discussion and assessment of the business and investment case, which appears to extend to matters of the State economy, budget decisions, total state sector debt, credit rating and the alternative use of funds, is irrelevant and beyond the reasonable scope of economic considerations for the purposes of an assessment under the SPP Act and the Objectives of the Resource Management and Planning System of Tasmania.
 - (c) Adoption of significant portions of the "Gruen Report" which includes untested and incorrect assumptions. Dr Gruen was not listed as a Relevant Agency identified by the Panel prior to the release of the Draft IAR.
 - (d) Despite purporting to raise issues only, the Draft IAR makes 'findings' on critical matters prior to consideration of representations, or without consideration of potential mitigations such as through design or conditions of approval. The Draft IAR appears to present opinions without presenting a reasoned or informed basis.
 - (e) The Draft IAR fails to properly assess the Project as intended by the application of s19 of the SPP Act.
 - (f) Merits-based assessment of technical planning and environment issues.
 - (g) The Draft IAR contains errors of law, approach and analysis. It lacks balance to support the making of representations.
3. These propositions are identified according to the corresponding letter in the second column to assist with sorting and drafting of Representation. Propositions that do not fall within any of the above categories are identified as 'Other'.
4. The table is structured as follows:
 - (a) General issues - line nos. [1 to 24](#) ;
 - (b) Economics - line nos. [25 to 33](#);
 - (c) Social and cultural impacts - line nos. [34 to 41](#);
 - (d) Town planning and urban design - line nos. [42 to 58](#);
 - (e) European heritage - line nos. [59 to 64](#);
 - (f) Archaeology - line nos. [65 to 67](#);
 - (g) Aboriginal cultural heritage – line no. [68](#);
 - (h) Use and activity – line nos. [67 to 75](#);
 - (i) Transport – line nos. [76 to 95](#);
 - (j) Noise and vibration – line nos. [96 to 98](#);
 - (k) Remediation – line no. [99](#); and
 - (l) Lighting impacts – line nos. [100-102](#).
5. The table does not include the Proponent's responses to potential issues raised that are agreed to be in scope, and the proposed mitigations and conditions of approval. It also does not include matters not included in the Draft IAR. Both of which will be addressed in **Representation 3**.

No.	Relevant proposition	Draft IAR Reference	Draft IAR text (emphasis added)	Proponent's comment
GENERAL ISSUES				
1.	(a), (g)	p4, [Assessment Process]	<p><i>The PoSS process supplants the approval processes otherwise required by legislation under the Resource Management and Planning System of Tasmania concerning the Project's use and development, specifically:</i></p> <ul style="list-style-type: none"> • <i>Land Use Planning and Approvals Act 1993</i> • <i>Environmental Management and Pollution Control Act 1994; and</i> • <i>Historic Cultural Heritage Act 1995.</i> <p><i>The Act requires consultation with the council of a municipality in which the Project is located and each agency which, in the Commission's opinion, has an interest in the Project. The section of this report titled 'Consultation summary' below provides an overview of the consultation process undertaken in the preparation of the draft IAR.</i></p>	<p>While this proposition is correctly stated, the discussion in part of the Draft IAR does not appear to follow this approach.</p> <p>Refer to paragraph 2.7(b).</p>
2.	(a), (g)	p6, [Project Scope]	<p><i>The Commission is required to consider all aspects of the Project that fall within the Order's description. The Project includes all use and development considered to be 'necessary' to support the stadium and its operations or 'convenient' for the implementation of the Project. These include the northern access road and bus plaza, utility infrastructure, pedestrian infrastructure, public realm landscaping, and pedestrian/vehicle movement and management.</i></p>	<p>As stated in Representation 1 and the body of Representation 2, this assessment assumes an expansion of the Project scope beyond the Project as described.</p>
3.	(a)	p6, [Project Scope]	<p><i>Land associated with the use and development that is part of the Project is described in Figure 1.0 below:</i></p>  <p>Figure 1.0 Land associated with use and development that is part of the Project. Note: 'Mac Point site' refers to the site area under the Mac Point Precinct Plan.</p>	<p>As stated in Representation 1 and the body of Representation 2, this assessment assumes an expansion of the Project scope beyond the Project as described.</p>
4.	(a), (d), (g)	p8, [Project Scope]	<p><i>The difference between the Project and the Proponent's proposed stadium project is significant, and it means that the Proponent's reports do not always provide complete information and analysis on the full range of effects associated with the Project. The Panel has taken this into account in its assessment. There is insufficient information available to the Panel to provide findings in relation to some issues, although the Panel has identified potential or likely issues where possible.</i></p>	<p>As stated in Representation 1 and the body of Representation 2, this assessment assumes an expansion of the Project scope beyond the Project as described.</p>

No.	Relevant proposition	Draft IAR Reference	Draft IAR text (emphasis added)	Proponent's comment
5.	(a)	p58, [4.2(a)]	<p><i>The northern access road is essential infrastructure for the project, and while no detailed design has been provided, it would necessarily include:</i></p> <ul style="list-style-type: none"> ▪ <i>significant width to ensure adequate access and passing/stopping bays for large vehicles</i> ▪ <i>grade separated pedestrian/cycling infrastructure to provide safe access to Regatta Point</i> ▪ <i>grade separated pedestrian/cycling infrastructure to safely connect the Intercity Cycleway</i> ▪ <i>vehicular access to Regatta Point; and</i> <p><i>works to the Tasman Highway to allow for large vehicle access and egress.</i></p>	As stated in Representation 1 and the body of Representation 2, this assessment assumes an expansion of the Project scope beyond the Project as described.
6.	(a), (d)	p58, [4.2(a)]	<p><i>The northern access road would be located in the southern Domain area, which has historic cultural landscape significance due to features such as:</i></p> <ul style="list-style-type: none"> ▪ <i>its intrinsic value as a large area of cleared natural space, with a unique evolved history of use</i> ▪ <i>its history as Hobart's 'commons', a meeting place for all people</i> ▪ <i>its sense of openness and wide panoramic and prospect views outwards in all directions, lending a spacious quality rare in capital cities; and</i> <p><i>historic sites and features relating to the historical uses and functions.</i></p>	As stated in Representation 1 and the body of Representation 2, this assessment assumes an expansion of the Project scope beyond the Project as described.
7.	(a), (d)	p59, [4.2(c)]	<p><i>The Panel considers that the northern access road and associated infrastructure would have significant effects on the values of the area, due to:</i></p> <ul style="list-style-type: none"> ▪ <i>further severing and fragmenting areas of the Domain, which were historically contiguous, from each other</i> ▪ <i>further severing the Domain from the waterfront</i> ▪ <i>affecting the associations and meanings related to the place being an open meeting place or 'commons'</i> ▪ <i>affecting views back towards the area from Timtumili Minanya/River Derwent, diminishing its open, parkland qualities; and</i> <p><i>diminishing the largely pedestrian dominated nature of the area, and relegating pedestrians to a lower order priority in favour of vehicles, including heavy freight vehicles.</i></p>	As stated in Representation 1 and the body of Representation 2, this assessment assumes an expansion of the Project scope beyond the Project as described.
8.	(a), (d)	p59, [4.2(d)]	<p><i>The Panel notes that while there is currently a road (McVilly Drive) and rail corridor in the location, the northern access road would be a substantially more significant and dominating piece of infrastructure compared with the existing infrastructure. The Panel further notes there has been recent significant effort and investment in the Bridge of Remembrance to re-establish the connection between the upper Domain and southern Domain areas, particularly strengthening the link between Soldiers Memorial Avenue and the Cenotaph, which was severed by the Tasman Highway.</i></p>	As stated in Representation 1 and the body of Representation 2, this assessment assumes an expansion of the Project scope beyond the Project as described.
9.	(a), (d)	p65, [4.3.3(e)]	<p><i>The Proponent's reports do not, however, consider the entire area of land associated with the Project. They only consider the specific footprint of the stadium building. Areas to accommodate necessary infrastructure such as the northern access road, bus plaza and sewer diversion in Evans Street will be substantial, and may have significant effects on areas of historic archaeological sensitivity.</i></p>	As stated in Representation 1 and the body of Representation 2, this assessment assumes an expansion of the Project scope beyond the Project as described.
10.	(a), (d)	p66, [4.3.3(g),(h)]	<p><i>Outside of the Macquarie Point site, there are additional, relevant areas of historic archaeological sensitivity that may be impacted by the Project, such as:</i></p> <ul style="list-style-type: none"> ▪ <i>subsurface remains at Evans Street, Hunter and Davey Street</i> ▪ <i>the Hobart Rivulet Domain Diversion Tunnel; and</i> ▪ <i>areas of historic archaeological sensitivity around the northern end of Collins Street.</i> <p><i>Associated infrastructure such as the northern access road, the sewer main diversion, and the potential Collins Street pedestrian infrastructure may affect these areas of historic archaeological sensitivity.</i></p>	As stated in Representation 1 and the body of Representation 2, this assessment assumes an expansion of the Project scope beyond the Project as described.
11.	(a), (d), (g)	p66, [4.3.3(i)]	<p><i>The Proponent's reports do not provide detailed design plans for some of this associated infrastructure, or any analysis of the potential historic archaeological effects. The construction of the associated infrastructure is likely to involve significant ground works, and therefore the Panel considers the potential for impacts could be significant unless the siting of works can avoid particularly sensitive areas.</i></p>	As stated in Representation 1 and the body of Representation 2, this assessment assumes an expansion of the Project scope beyond the Project as described.

No.	Relevant proposition	Draft IAR Reference	Draft IAR text (emphasis added)	Proponent's comment
12.	(a)	p66, [4.3.3(j)]	<i>The Panel considers ground works and vibrations associated with the construction and operation of the northern access road would have unknown effects on the structural integrity of the Hobart Rivulet Domain Diversion Tunnel.</i>	As stated in Representation 1 and the body of Representation 2, this assessment assumes an expansion of the Project scope beyond the Project as described.
13.	(a), (g)	p67, [Summary]	<i>The Panel notes that an amalgamated Aboriginal heritage site exists on the western banks of Cenotaph Hill. The development of the northern access road for the Project would involve works within this registered Aboriginal heritage site that may affect its values, although there is currently insufficient evidence on the potential effects of the northern access road for the Panel to make clear findings at this point.</i>	As stated in Representation 1 and the body of Representation 2, this assessment assumes an expansion of the Project scope beyond the Project as described.
14.	(a)	p68, [5.1(e)]	<i>While the draft AHAR refers to the 'Highly Sensitive' Potential Areas of Sensitivity (PAS) as being outside of the proposed impact area, that area is considered by the Panel to be part of the land that would be used and developed as part of the Project. The main works in this PAS appear to include the demolition of an existing building and landscaping. While the extent of development or site remediation works required are not known (as the Proponent's proposed stadium project is for a smaller area), the Panel notes that the extent and depth of works in this area appear capable of being minimised and would be significantly less than areas where utilities and civil works associated with buildings are proposed.</i>	As stated in Representation 1 and the body of Representation 2, this assessment assumes an expansion of the Project scope beyond the Project as described.
15.	(a)	p68, [5.1(g)]	<i>The Panel considers that the footprint of the Project is considerably larger than the physical extent of the Proponent's proposed stadium project. A large amalgamated Aboriginal heritage site exists on the western banks of Cenotaph Hill. The development of the Proponent's stadium project would necessitate the development of the northern access road and this would involve works in the registered heritage site on the banks of Cenotaph Hill. Also, the area of land associated with the Project appears to be significantly larger than the area referred to in the draft AHAR and is likely to include Cenotaph Hill. Currently, the draft AHAR does not consider this land or its values.</i>	As stated in Representation 1 and the body of Representation 2, this assessment assumes an expansion of the Project scope beyond the Project as described.
16.	(a)	p69, [5.1(i)]	<i>The draft AHAR and specifically the analysis of the effects of the Project on heritage sites and the effect of the Project on the broader area does not consider the full scope of the Project.</i>	As stated in Representation 1 and the body of Representation 2, this assessment assumes an expansion of the Project scope beyond the Project as described.
17.	(a)	p76, [6.2.1(k)]	<i>The ability for the design and operation of the northern access road to accommodate all freight vehicles appears to be limited by the height restrictions associated with McVilly Drive and potentially the length of access lanes. The Department of State Growth has advised that the redevelopment of McVilly Drive intersection to enable use by over height vehicles is not an option it is considering, and that Evans Street would be used to provide access for these vehicles. The Panel has no evidence to assess the effect this could have on the operation of the port or the ability of these limitations to be avoided.</i>	As stated in Representation 1 and the body of Representation 2, this assessment assumes an expansion of the Project scope beyond the Project as described.
18.	(a), (b), (g)	p77, [6.2.1(l)]	<i>The Panel notes the observations made in the Transport Report that the establishment of the Northern Access Road as the priority point of access to the Port of Hobart for most road based freight movements will need to be carefully coordinated with stadium construction and event operations to ensure continuity of port operations (Appendix N, page 25). The Panel agrees with the sentiment of this observation, but has no evidence to assess whether this outcome can be achieved, and notes the cost of delivering the northern access road is not included in the Proponent's costing (see topic 1.0 Economic effects of this draft IAR).</i>	As stated in Representation 1 and the body of Representation 2, this assessment assumes an expansion of the Project scope beyond the Project as described.
19.	(a), (g)	p85, [7.1.1(b)]	<i>The Panel considers the scope of the Project proposal should extend to incorporate all necessary pedestrian infrastructure and management arrangements that would enable pedestrians to move to and from the stadium in a safe and convenient manner, including beyond the immediate area of the stadium, as appropriate for the stadium to operate.</i>	As stated in Representation 1 and the body of Representation 2, this assessment assumes an expansion of the Project scope beyond the Project as described.
20.	(a), (g)	p87, [7.1.1(i)]	<i>The Panel considers a 'Collins Street bridge' or other infrastructure that enables pedestrians to avoid crossing Davey Street and the Tasman Highway in the area directly adjacent to the stadium would likely provide an option for a safer and more convenient route for some pedestrians, especially those seeking to access locations in the Campbell/Argyle Street area and North Hobart. Such a pedestrian route would likely reduce, to a limited extent, the peak use of Davey Street footpaths in the direct vicinity of the stadium, which the Panel considers to be particularly constrained. However, the Panel considers the majority of likely post-event destinations within walking distance of the stadium are more directly accessed via Davey Street/Franklin Wharf than a pedestrian bridge to Collins Street, which would be accessed by an indirect route. Such a pedestrian bridge would therefore be unlikely to change the desired route of the majority of pedestrians.</i>	As stated in Representation 1 and the body of Representation 2, this assessment assumes an expansion of the Project scope beyond the Project as described.

No.	Relevant proposition	Draft IAR Reference	Draft IAR text (emphasis added)	Proponent's comment
			<p>The Panel considers this potential infrastructure would be insufficient to alleviate the range of issues associated with pedestrian safety and convenient use of primary routes.</p> <p>The provision of a continuous pathway to the southern section of Collins Street is likely to funnel a continuous, large, low speed crowd into a section of the network that has significant pedestrian movement and capacity constraints. Without significant and permanent changes to that pedestrian environment, the Panel considers any broader benefits of a pedestrian bridge may not be realised and the bridge is likely instead to introduce pedestrian capacity and safety issues into new areas.</p> <p>The Panel notes that there is no defined proposal for a 'Collins Street bridge' to assess, other than a conceptual outline of a general location. The Panel's consideration here is of the bridge as a concept only, and it is therefore not possible to find that it is necessary for the operation of the Project, or that it would sufficiently resolve issues with pedestrian safety, capacity and convenience.</p>	
21.	(a), (d), (g)	p110, [8.4(c)]	<p>The Panel notes it is uncertain if additional excavated material associated with bore pile cuttings, utility trenches, the northern access road and the like (which can be significant) is included in the most recent estimates. Consequently, the Panel considers the amount of material to be excavated is likely to be underestimated</p>	As stated in Representation 1 and the body of Representation 2, this assessment assumes an expansion of the Project scope beyond the Project as described.
22.	(a)	p118, [9.0 (f)]	<p>The 2024/25 state budget allocated a total of \$3 million to the Department of State Growth for the scoping and development of the northern access road over the 24/25 and 25/26 years. It is not known if this includes the design of the bus plaza.</p>	As stated in Representation 1 and the body of Representation 2, this assessment assumes an expansion of the Project scope beyond the Project as described.
23.	(a)	p118, [9.0 (g)]	<p>The northern access road and bus plaza are required for the operation of the stadium and to provide continuous freight access to the Port of Hobart during events at the stadium when Evans Street is closed to local traffic.</p>	As stated in Representation 1 and the body of Representation 2, this assessment assumes an expansion of the Project scope beyond the Project as described.
24.	(a)	p118, [9.0 (h)]	<p>There are functional and programming interdependencies between the construction of the Proponent's stadium project, the design and construction of the bus plaza and the northern access road and the redevelopment of Macquarie wharfs 4-6. The parallel or sequential construction of these projects means it is likely that cumulative effects and impacts on surrounding users for matters including noise and traffic could be significant and would need to be addressed in project planning and delivery.</p>	As stated in Representation 1 and the body of Representation 2, this assessment assumes an expansion of the Project scope beyond the Project as described.
ECONOMICS				
25.	(b), (d), (f), (g)	p17, [Summary] p18, [1.1(d)]	<p>The benefit-cost ratio (BCR) for the project is 0.53 in the Panel's central case. This compares with the Proponent's central case BCR estimate of 0.69 and the estimate provided by Dr Nicholas Gruen in his report 'Independent Review of the Macquarie Point Stadium, 1 January 2025', of 0.44. As the results of all three cost-benefit analyses (CBAs) show a BCR of less than one, there would, by implication, be a reduction in Tasmania's economic welfare from implementing the Project.</p> <p>...</p> <p>On the basis of the Panel's calculations, the present value of the costs exceeds the present value of the benefits by \$669.2 million. As the theoretical basis of a CBA is the measurement of the change in economic welfare resulting from a proposed project, this result implies that the collective economic welfare of Tasmanians would fall if the Project goes ahead, on the assumption that all significant costs and benefits – including intangibles - are reasonably quantified.</p>	The Panel has incorrectly taken into account factors beyond the scope or purpose of the integrated assessment of a project under the provisions and for the purposes of the SPP Act.
26.	(f), (g)	p17, [Summary]	<p>The Panel notes the Proponent's Project of State Significance (PoSS) CBA confines itself to an estimate of the direct cost of building the stadium. It excludes the capital expenditure in the surrounding precinct needed for the stadium to be used, safely and effectively, for the purposes for which it is intended. As a result, the Panel finds that the cost of developing the stadium and the supporting infrastructure and services (the Project) are understated in the Proponent's report. The Panel also concludes that the estimated benefits from the Project are overvalued in the Proponents report.</p>	The Panel has incorrectly taken into account factors beyond the scope or purpose of the integrated assessment of a project under the provisions and for the purposes of the SPP Act.
27.	(c), (f), (g)	p24, [1.1(k)]	<p>The Panel needs to compare the situation of Tasmania having an AFL team and a stadium at Macquarie Point with the situation if there were no Tasmanian-based team or stadium at Macquarie Point. To be able to compare these 'with-stadium' and 'without-stadium' worlds, the capital costs in the CBA should include all</p>	The Panel has incorrectly taken into account factors beyond the scope or purpose of the integrated assessment of a project under the provisions and for the purposes of the SPP Act.

No.	Relevant proposition	Draft IAR Reference	Draft IAR text (emphasis added)	Proponent's comment
			capital expenditures on the Macquarie Point precinct, and the essential services for the stadium to be built and to operate safely and effectively, in order for it to deliver its intended benefits.	
28.	(c), (f), (g)	p28, [1.1(v)]	<i>The average attendance at past AFL games at Bellerive Oval was 12,600 (MI Global Partners report) of which 25 per cent are assumed to be interstate visitors. If the Project did not proceed and there is no Tasmanian-based AFL team, it is assumed the State would continue to support and provide incentives for AFL games in Tasmania. As it is not a new or incremental benefit, the value of this already occurring benefit is subtracted from the total estimated visitation benefits. Dr Gruen has taken the same approach as adopted by the Panel to establish and remove the baseline attendance in the cost-benefit analysis.</i>	The Panel has adopted the approach of the "Gruen Report" which includes untested assumptions.
29.	(b)	p29, [1.1(bb)]	<i>In addition to the public financing of its construction, the stadium is projected to operate at a cash loss. Other things being equal, the resulting higher State deficit would need to be funded, at some stage in the future, through increasing revenue (or reducing services). A measure of the efficiency loss on the economy of increased taxation is the marginal excess burden (MEB). The Panel has adopted a conservative rate of 10 per cent to reflect the MEB of land tax, being the major non-mobile tax base available to the State. The MEB for Commonwealth taxes, and other State taxes such as payroll tax, is closer to 20 per cent and Commonwealth transfers account for a substantial share of Tasmania's General Government revenue.</i>	The Panel has incorrectly taken into account factors beyond the scope or purpose of the integrated assessment of a project under the provisions and for the purposes of the SPP Act.
30.	(d), (f), (g)	p31, [1.1(mm)]	<i>While it is understood that there is no written agreement in place, the Proponent assumes the AFL would contribute \$350 million over 10 years to football in Tasmania. This represents a substantial benefit in the CBA and to the extent it is not provided, the BCR would be lower than estimated.</i>	The Panel has incorrectly taken into account factors beyond the scope or purpose of the integrated assessment of a project under the provisions and for the purposes of the SPP Act.
31.	(c), (f), (g)	p32, [1.1(rr)]	<i>The Panel has also modelled the impact of removing three significant items from the cost side of the CBA – the adjustment for the loss of revenue at Bellerive stadium from the loss of existing AFL games, the removal of an allowance for the marginal cost of the use of public funds, and the allowance for the opportunity cost of land. This improves the central-case BCR marginally from 0.53 to 0.57.</i>	The Panel has incorrectly taken into account factors beyond the scope or purpose of the integrated assessment of a project under the provisions and for the purposes of the SPP Act.
32.	(a), (b), (g)	p132, [2. Scope of the Project]	The Panel has defined the Project to include all works and services, on the site or adjacent to the site, required for the stadium to be constructed and used effectively and safely.	As stated in Representation 1 and the body of Representation 2, this assessment assumes an expansion of the Project scope beyond the Project as described.
33.	(a)	p132, [2. Scope of the Project]	The scope excludes: <ul style="list-style-type: none"> the public housing required under the Commonwealth-State Agreement for the redevelopment of the Macquarie Point precinct, as irrespective of whether the Commonwealth funds are applied to the stadium, or to the redevelopment of the site if the stadium does not proceed, the financial obligation on the state for the public housing component remains. The AFL High Performance Centre, as while it is required for the team, it is not required for the stadium. 	As stated in Representation 1 and the body of Representation 2, this assessment assumes an expansion of the Project scope beyond the Project as described.
SOCIAL AND CULTURAL IMPACTS				
34.	(d), (f), (g)	p39, [2.1(a)]	<i>The Proponent's reports and assessment within both the Cost Benefit Analysis and the Social Cultural Analysis of positive outcomes and impacts for the community rely predominantly on the establishment of the Devils teams and the entry of these teams into the AFL/W rather than the physical infrastructure of the stadium itself.</i>	The Panel's approach to assessing social and cultural benefits is inconsistent with its approach to economic impact assessment. The assessment also appears to have paid too little weight to the social and economic benefits of this relationship, and the role the stadium plays in it.
35.	(d), (f), (g)	p40, [2.1(c)]	<i>The Panel considers that there is some limited potential for the stadium itself to enhance a sense of community as a result of local and Tasmanian residents' attendance at sports and cultural events. However:</i> <ul style="list-style-type: none"> any positive impacts have some dependency on the surrounding infrastructure to facilitate informal gatherings and activities; and there is limited potential for this positive sense of community related to the stadium to be realised for those in the Tasmanian population who do not attend events at the stadium. 	As above. The Panel's approach to assessing social and cultural benefits is inconsistent with its approach to economic impact assessment.
36.	(a), (e), (g)	p40, [2.1(d)]	<i>The quality and shared use of open spaces by the public also have the potential to engender a sense of community and to improve community wellbeing. The opportunity to realise this outcome was recognised in previous master plans for the site; however, the size and scale of the stadium have reduced the scope for this. An opportunity exists for Aboriginal communities to express their values and culture throughout all of the public space available.</i>	The Panel has incorrectly taken into account factors beyond the scope or purpose of the integrated assessment of a project under the provisions and for the purposes of the SPP Act. The area required for the stadium is acknowledged and is a key reason for the PoSS process. The approach taken by the Panel fails to give due weight to the 'public' appreciation of the stadium, and sense of ownership of it and its surrounds.

No.	Relevant proposition	Draft IAR Reference	Draft IAR text (emphasis added)	Proponent's comment
37.	(d), (f), (g)	p40, [2.1(e)]	<p>The Panel considers that there is significant potential for a negative impact of the stadium on the existing territorial sense of community for local residents in:</p> <ul style="list-style-type: none"> the surrounding area, due to the significant change to their local area and increased foot and vehicle traffic through the area; and Hobart more broadly due to the significant visual change in the landscape. 	<p>The Panel has misunderstood the purpose of the integrated assessment of a project under the provisions and for the purposes of the SPP Act.</p> <p>The 'territorial sense of community' asserted is at odds with the designation of the broader precinct under special legislation to bring about substantial change. It is not currently a residential neighbourhood or project. The attachment to the precinct by residents elsewhere in Hobart would not be altered and could be enhanced.</p> <p>The commentary on traffic for major events in a city is naive to the very function and purpose of a stadium hosting major events in a central city context.</p>
38.	(d), (f), (g)	p40, [2.1(f)]; p41, [2.2(a), (c), (g), (h)]	<p>The Panel considers that there is evidence of a potential positive impact on the sense of community due to the establishment of Tasmanian AFL teams. This sense of community would result regardless of the home stadium of these teams.</p> <p>The Proponent's reports and assessment of positive outcomes and impacts for health and wellbeing articulated in both the Cost Benefit Analysis and the Social Cultural Analysis reports rely predominantly on the establishment of the Devils teams, the entry of these teams into the AFL/W, and associated investment into the sport ecosystem for AFL participation, rather than the physical infrastructure of the stadium itself or its associated events.</p> <p>The Panel considers that there is some limited potential for the additional investment of the AFL into the Tasmanian sport ecosystem to enhance the physical and mental health of the Tasmanian community; however, these benefits cannot be attributed directly to the stadium itself.</p> <p>The Panel considers that there is little to no empirical evidence that a stadium and the events it hosts lead to increases in sport participation or associated physical and mental health benefits.</p> <p>The Panel considers that there is some evidence of a potential positive impact on the sense of community and associated sense of well-being due to the establishment of Tasmanian AFL teams and their associated member and fan engagement and communities. The Panel considers that these would be realised regardless of a stadium being built, although the Panel notes that the establishment of these teams is contingent on the stadium being built under the terms of the current agreement with the AFL.</p>	<p>The Panel has failed to take into account factors within the scope or purpose of the integrated assessment of a project under the provisions and for the purposes of the SPP Act.</p>
39.	(d), (f)	p42, [Context]	<p>There is very limited evidence of a positive trickle-down or inspiration effect from watching elite sport at a stadium to greater participation in sports. Multiple research articles from 2002-2021 across the globe found that there is no evidence supporting the concept that elite sport increases physical activity or sports participation in the general population.</p> <p>Equally, there is little to no research evidence of stadiums and their associated major events increasing grass roots participation or physical activity health outcomes.</p> <p>There is some evidence of a contribution to subjective well-being for sport fans, but this is largely connected to club membership and team fandom, rather than attributable to a stadium per se. As such, these impacts on social wellbeing are just as likely to occur in other settings (e.g. watching a game at the pub with friends) and via online fan communities, as they are in-person in the stadium itself.</p>	<p>The Draft IAR has not explained the basis for, or justified, this comment.</p>
40.	(d), (f), (g)	p42, [Context]	<p>Most relevant is that due to the capacity limitations of any stadium, the community-level benefit of fan/team engagement is a substantially greater number of Devils fans more broadly watching and engaging in non-stadium settings, than those attending in person at a game in the stadium.</p>	<p>The Draft IAR has not explained the basis for, or justified, this comment.</p>
41.	(d), (f)	p44, [2.3(d)]	<p>The Panel considers that there is some potential to realise positive impacts of sport diplomacy outcomes – such as state/city branding and reputation, tourism and trade - from the hosting of more and higher quality events in Hobart and Tasmania. However:</p> <ul style="list-style-type: none"> the Proponent's reports recognise that additional and ongoing Tasmanian Government funding for event attraction would be required to win event bids and to support related trade and business activities; and these benefits cannot be solely attributed directly to the proposed stadium, as some are or could be realised via existing infrastructure. 	<p>The Panel has incorrectly taken into account factors beyond the scope or purpose of the integrated assessment of a project under the provisions and for the purposes of the SPP Act.</p>

No.	Relevant proposition	Draft IAR Reference	Draft IAR text (emphasis added)	Proponent's comment
TOWN PLANNING & URBAN DESIGN				
42.	(a), (d), (g)	p45, [Summary]	<i>Overall, the Panel finds that it is unlikely that any stadium development within Sullivans Cove could comply with the established planning principles for the area, regardless of design details. The Panel considers that the size of the stadium is disproportionate to Hobart's small scale and would be contrary to Hobart's visual values which consist of natural topography, established built form, and urban detail and expression. These visual values are an important aspect of the Tasmanian tourism economy and form an important part of Hobart's visual identity and sense of place.</i>	<p>The Panel has incorrectly taken into account factors beyond the scope or purpose of the integrated assessment of a project under the provisions and for the purposes of the SPP Act.</p> <p>The Panel 'finds' that 'it is unlikely that any stadium development within Sullivans Cove could comply with the established planning principles for the area, regardless of design details'. This view then infects their subsequent opinions / views expressed throughout the section. This is contrary to the PoSS process which effectively 'turns off' the planning controls. The Panel appears to accept this notion at page 4 in the Preamble of the Draft IAR:</p> <p><i>'The PoSS process supplants the approval processes otherwise required by legislation under the Resource Management and Planning System of Tasmania concerning the Project's use and development, specifically:</i></p> <ul style="list-style-type: none"> ▪ <i>Land Use Planning and Approvals Act 1993</i> ▪ <i>Environmental Management and Pollution Control Act 1994; and</i> ▪ <i>Historic Cultural Heritage Act 1995.'</i> <p>The Panel has failed to take the necessary approach to assessing the Project on the premise that it is of substantial scale and would have a high degree of visibility from established areas around the town. This is not so much the conclusion as a key question underpinning the PoSS process. The process is not looking for an assessment, or only of an assessment, against 'established planning principles'.</p> <p>The Panel seems to approach its task on the misguided basis that compliance with the existing framework is mandatory, rather than acknowledging these controls are 'turned off'. The declaration of the Project as a PoSS necessitates a bespoke assessment approach.</p> <p>Separately, throughout this section the Panel purports to make a series of 'findings' in relation to built form and urban design without having considered representations or submissions and evidence on the issues. This carries the risk that representations are forced to an agree or disagree basis and places the Advisory Council in a position that will require its attention early in the public process lest any sense of pre judgement be attributed to the Advisory Council.</p>
43.	(a), (g)	[p45, 3.1(a)]	<i>The Panel considers that the proposed stadium form contradicts several key strategic planning principles and strategies for Sullivans Cove and central Hobart. The Panel notes that the strategic urban design principles for Sullivans Cove are well-established and specific, and remain relevant as guidance to the continued development of the area.</i>	The Panel has given undue weight to the Sullivans Cove Planning Review 1991 and the Sullivans Cove Planning Scheme.
44.	(a)	p45, [3.1(b)]	<i>The Sullivans Cove Planning Review 1991 (the Planning Review) is a key strategy that establishes the foundational development principles for the area, derived from the landscape character and history of the area.</i>	The Panel has given undue weight to the Sullivans Cove Planning Review 1991 and the Sullivans Cove Planning Scheme.
45.	(a), (f), (g)	p46, [3.1(i)]	<i>The Panel notes that the guiding approach inherent in planning principles to date is that new buildings should not be out of scale with the surrounding buildings, not be individually prominent or bulky, and should respect the prevailing scale and character of Sullivans Cove. In addition, the Panel notes that buildings and land uses requiring large single-purpose floor areas should be excluded from sensitive areas, and smaller-scale building elements ought to be encouraged. The stadium building, due to its exceptional scale and bulk, would not be capable of meeting these objectives.</i>	The Panel has given undue weight to the Sullivans Cove Planning Review 1991 and the Sullivans Cove Planning Scheme.
46.	(a), (f), (g)	p46, [3.1(j)]	<i>The Panel considers it is conceivable that a single use building with a larger footprint than the prevailing urban fabric could be acceptable on the site. However, this would only be on the basis that its scale is not overly disproportionate, and its prominence and bulk could be reduced and softened through the design of the surrounding areas to act as a buffer and enable separation, screening, and transition between it and the surrounding context. The Panel notes the proposed stadium building would be highly disproportionate in</i>	The Panel has incorrectly taken into account factors beyond the scope or purpose of the integrated assessment of a project under the provisions and for the purposes of the SPP Act.

No.	Relevant proposition	Draft IAR Reference	Draft IAR text (emphasis added)	Proponent's comment
			scale and there is inadequate remaining space on the site to accommodate design treatments that could achieve any meaningful buffer, transitioning or softening of its form.	
47.	(a), (f), (g)	p47, [3.1(p)]	<i>The Panel considers that while some deviation from a continuous built edge to Evans Street could be acceptable, the interface with Evans Street should still meet the general intent of the planning principles. The stadium proposes minimal, constrained potential for a street-defining and activated interface along Evans Street that the Panel considers would not meet the planning principles.</i>	The Panel has incorrectly taken into account factors beyond the scope or purpose of the integrated assessment of a project under the provisions and for the purposes of the SPP Act.
48.	(a)(f)	p48, [3.1(r)]	<i>The Panel considers that the materials and finishes of the stadium building would not authentically reflect the surrounding built context. The surrounding buildings in the waterfront precinct are typically not clad, noting their outward expression is integral with and reflects their structural material. Buildings related to the port and maritime history are generally utilitarian, and their practical function is expressed in their visual presentation.</i>	The Panel has incorrectly taken into account factors beyond the scope or purpose of the integrated assessment of a project under the provisions and for the purposes of the SPP Act.
49.	(d), (f)	p48, [3.1(t)]	<i>The Panel notes that a new building typology in this area might warrant such variation from the prevailing forms and materials of surrounding urban fabric, but considers that the disproportionate scale of the stadium building would exacerbate the discrepancies and proposed details would not mitigate them.</i>	The Panel's comment is an example of a 'finding' and is not fairly described as merely intended to initiate discussion.
50.	(d)	p48, [Context]	Hobart City Council staff provided advice and comments related to the effects of the stadium as a part of the consultation process for preparation of the draft IAR.	The Panel makes various references to 'advice and comments' from Hobart City Council staff and appears to rely upon this 'advice' without setting it out or placing the advice in a context that supports procedural fairness.
51.	(d), (f)	[p49, 3.2(b)]	<i>The Panel finds that the built form of the stadium would present an overbearing appearance in the context of the existing built form of the area, which is heavily informed by its historical development, maritime associations, and surrounding landscape. The Panel considers the overbearing and individually prominent appearance of the stadium building will negatively impact people's spatial experience. This relates to the experience of people moving through the surrounding area, and to static views from public spaces and residential areas around the city.</i>	The Panel's comment is an example of a 'finding' is not fairly described as merely intended to initiate discussion.
52.	(d), (f), (g)	p50, [3.2(g)]	<i>The Panel considers that buildings do not achieve an 'iconic' status by virtue of being large and imposing. Rather, this is achieved by designs that are particularly unique, groundbreaking or innovative. The Panel considers that the form, design, materiality, and appearance of the stadium do not warrant it being considered as an iconic building, as is suggested by the Proponent (Appendix J, Page 61).</i>	The Panel's comment is an example of a 'finding' and is not fairly be described as merely intended to initiate discussion.
53.	(a), (d), (g)	p50, [3.2(i)]	<i>The Panel considers that, while no details of a potential Collins Street pedestrian bridge have been provided, it is likely this infrastructure would significantly affect the urban environment. To meet requirements of the Disability Discrimination Act 1992 (DDA) ramps required to access such a pedestrian bridge would be long and bulky, exacerbating any visual impacts on the urban environment.</i>	As stated in Representation 1 and the body of Representation 2, this assessment assumes an expansion of the Project scope beyond the Project as described.
54.	(d)	p50, [Context]	Heritage Tasmania staff provided advice and comments related to the heritage setting of the surrounding area as a part of the consultation process for the preparation of the draft IAR, and concluded that the stadium would have significant visual impacts on the setting of some heritage places in the vicinity.	The Panel makes various references to 'advice and comments' from Heritage Tasmania staff and appears to rely upon this 'advice' without publishing this advice to afford procedural fairness.
55.	(a), (f)	p71, [6.1(b)]	<i>The evolution of the activities across the precinct has been consistent with the principles for land and maritime activities and expressed in the Sullivans Cove Planning Review 1991. Many of these principles have merit and provide a sound basis for considering how the Project relates to the site, the precinct, and the city.</i> <i>In summary, these principles include:</i> <ul style="list-style-type: none"> ▪ <i>Sullivans Cove continues as a working port, fishing and yachting harbour, cultural centre, recreation and entertainment district, centre of government and administration and a place for commerce and living</i> ▪ <i>Sullivans Cove shall cater for public activity and have a life that extends beyond standard working hours</i> ▪ <i>activities would complement the central city and not demand new buildings that are out of scale with the Cove</i> ▪ <i>a primary aim is to generate greater activity while not detracting from the essential character of the Cove</i> ▪ <i>mixed-use activities are essential for active cities. Town planning should encourage a mix of land uses to strengthen its role as a cultural and festive focus and encourage activities. This includes using public spaces during the day and at night and generally enhancing outdoor/street-based activity; and</i> 	The Panel has incorrectly taken into account factors beyond the scope or purpose of the integrated assessment of a project under the provisions and for the purposes of the SPP Act.

No.	Relevant proposition	Draft IAR Reference	Draft IAR text (emphasis added)	Proponent's comment
			<ul style="list-style-type: none"> ▪ <i>this should occur in a manner that maintains the function of the working port. Activities that warrant a building type that is out of scale with the Cove shall not be permitted.</i> 	
56.	(d), (f)	p73, [6.1(i), (j), (k), (m)]	<p><i>The Panel considers the residual areas of the Macquarie Point site, outside of the land required for the stadium and adjoining structures:</i></p> <ul style="list-style-type: none"> ▪ <i>are insufficient in area to enable an effective amount and range of other urban/mixed land use activities</i> ▪ <i>have the potential to generate land use conflict with current and future port and shipping operations where future activities expect a high level of amenity; and</i> ▪ <i>include land that is dislocated from urban services and neighbourhoods.</i> <p><i>The Panel notes there is intended to be an opportunity for further separate land uses, such as hospitality or retail, to occur around the stadium. However, due to the overall size and design of the building, the remaining public spaces are inadequate in area and are not conducive to establishing a vibrant and active urban area with a viable quantum and mix of commercial tenancies to generate much pedestrian activity outside of event mode.</i></p> <p><i>Given the constrained nature of the limited spaces that remain outside the land area required for the stadium building, the Panel considers the creation of a genuinely mixed-use precinct - which is well-connected and easily accessible, visually connected and intuitively legible, attractive to visit and of a critical mass of complementary tenancies to enable a localised economic ecosystem to thrive - does not appear possible. The spaces indicated for 'complementary mixed use' in the Mac Point Precinct Plan are insufficient and poorly sited, substantially limiting their ability to achieve this.</i></p> <p><i>The Panel considers the northern area of the site, including the area containing the relocated Goods Shed, is physically isolated, visually disconnected and not related to a use to the north that would attract or generate pedestrian activity outside of event mode. Consequently, passive surveillance of this area is likely to be poor and people may not feel safe. In addition, the space is narrow and constrained.</i></p>	The Panel has incorrectly taken into account factors beyond the scope or purpose of the integrated assessment of a project under the provisions and for the purposes of the SPP Act.
57.	(d), (g)	p121, [10.3(h)]	<p><i>The Panel notes the lack of available space on the site around the stadium has resulted in the housing element of the Precinct Plan being displaced to Regatta Point, which is an isolated area of land that appears unsuited to residential amenity and has a high potential for land use conflicts with activities at the adjacent Macquarie Wharf. The Panel notes that provision of housing in the redevelopment of Macquarie Point is a requirement of the Commonwealth funding agreement.</i></p>	As stated in Representation 1 and the body of Representation 2, this assessment assumes an expansion of the Project scope beyond the Project as described.
58.	(d)	p121, [10.3(i)]	<p><i>In order to improve the functional and safe operation of the stadium, the Panel considers buildings within the Antarctic Facilities Zone and the Complementary Integrated Mixed Use Zone would not be able to be constructed.</i> <i>It appears the design of the bus plaza submitted by the Proponent already impinges on the area set aside for the 'Antarctic Facilities Zone'. In order to allow for more space for patrons waiting for buses, and for safer and more efficient movement of pedestrians along the eastern side of the site, the Panel considers that additional buildings in this area (particularly of a size that would be commercially viable) would be unlikely to be possible.</i></p>	The Panel's comment is a 'finding' and is not fairly described as merely intended to initiate discussion.
EUROPEAN HERITAGE				
59.	(d)	p58, [Context]	<p><i>Heritage Tasmania staff provided advice</i> <i>and comments related to the Cenotaph as part of the consultation process for the preparation of the draft IAR.</i></p>	The Panel makes various references to 'advice and comments' from Heritage Tasmania staff and appears to rely upon this 'advice' without publishing this advice to afford procedural fairness.
60.	(a), (d)	p59, [4.2(g)]	<p><i>The Royal Hobart Regatta is a long-running cultural event held in the southern Domain area, founded in 1838, and held at its current Regatta Grounds location since 1856. The Panel notes the event has been historically significant to Hobart's cultural life, and considers that the degree to which it has enduring significance is for community consideration.</i></p> <p><i>The Panel considers the northern access road would have negative effects on any community and cultural significance of the Royal Hobart Regatta, as:</i></p> <ul style="list-style-type: none"> ▪ <i>through both its physical presence and vehicular use, it would significantly sever the connection between the 1919-21 John Colvin Stand (the main spectator viewing area for the Hobart Regatta) and the launching of boats at the water's edge; and</i> 	As stated in Representation 1 and the body of Representation 2, this assessment assumes an expansion of the Project scope beyond the Project as described.

No.	Relevant proposition	Draft IAR Reference	Draft IAR text (emphasis added)	Proponent's comment
			<ul style="list-style-type: none"> it would create a distinct separation between the festival activities on the regatta grounds and the launching of vessels at the water's edge and would affect the free-flow movement of people between these two areas. Currently, McVilly Drive is closed for general vehicle access to facilitate the Regatta. It is highly unlikely the northern access would be able to be closed on Regatta event day. 	
61.	(a), (d), (e), (g)	p60, [Context]	<p>While the mooted housing development for Regatta Point is likely to affect the cultural and historic values of the area (including the operation of the Royal Hobart Regatta), assessment of the housing development is not within the scope of the Project, as it is not necessary associated infrastructure for the operation of the stadium (see description of the Project under the 'Project Scope' section of this report).</p> <p>Key relevant materials include:</p> <ul style="list-style-type: none"> Heritage Landscape Values of the Queens Domain Hobart - planning issues - assessment for the updated Queen's Domain Cultural Heritage Management Plan, 2009 Queens Domain cultural heritage management plan 2002; and Queens Domain masterplan 2013-2033. 	As stated in Representation 1 and the body of Representation 2, this assessment assumes an expansion of the Project scope beyond the Project as described.
62.	(f), (g)	p61, [4.3.1 (a), (b), (c), (d), (e)]	<p>The Panel considers that the built form of the stadium has significant negative effects on the setting of the buildings on Hunter Street, specifically the heritage-listed Henry Jones & Co. IXL jam factory buildings (including those buildings currently used as the University of Tasmania Centre for the Arts). These buildings are heritage-listed for the following key reasons:</p> <ul style="list-style-type: none"> importance to the course and pattern of Tasmania's history, by demonstrating the development of trade and industry on Hobart's waterfront rareness, as the remaining factory buildings are the only complex of its type in the state and they are rare as a group of intact merchant warehouses over different architectural eras an outstanding example of creative and adaptive re-use of historical buildings that have ensured the site would remain highly valued by Tasmanians and visitors into the future associations with a recognised Tasmanian business and brand, as well as associations with well-known colonial merchants and manufacturing entrepreneurs; and value to the community for their substantial contribution to the historic waterfront of Hobart. <p>The Hunter Street streetscape is an iconic location in Hobart which defines the waterfront skyline and has significant value to both locals and visitors. The Panel considers that the social and aesthetic significance of the Hunter Street buildings is adversely impacted by the stadium form. The Panel considers the stadium would form a dominating backdrop to the buildings and would dwarf them, particularly when viewed from middle-distance, and diminish their presence and the story they tell of Hobart's historic waterfront development.</p> <p>The Panel considers that the built form of the stadium has significant negative effects on the setting and appreciation of the Royal Engineers Building. The building's townscape associations, regarded as important to the community's sense of place, are a key reason for its heritage listing.</p> <p>The Panel considers that the stadium would appear as a highly dominating, bulky presence behind the Royal Engineers Building, particularly when viewed from Brooker Avenue. The Panel considers the stadium's built form dwarfs the building and diminishes its prominence as a landmark at the entry to the city. The Panel considers the encroachment of the cricket wickets and the notional landscape layout proposed would further diminish the prominence of the building and any opportunity for it to be positively integrated with activity on the site.</p> <p>The Panel considers that the built form of the stadium has some impact on the wider setting of Victoria and Constitution Docks due to its dominating presence. The Panel considers this impact has a moderate effect on the historic cultural heritage significance of the docks, and the experience of locals and visitors using these well-frequented public spaces.</p> <p>The Panel considers that the stadium roof contributes materially to the negative effects on the historic cultural heritage significance of listed places, and that any changes that increase the height and bulk of the roof would exacerbate the effects.</p> <p>The Panel considers that the proposed design details are not sufficient to ameliorate the effects of the stadium's built form on the historic cultural heritage significance of surrounding places. The Panel considers</p>	The Panel's comment is a 'finding' and is not fairly described as merely intended to initiate discussion.

No.	Relevant proposition	Draft IAR Reference	Draft IAR text (emphasis added)	Proponent's comment
			<i>that due to the size, height and bulk of the building (which are required to facilitate its intended use), these effects cannot be satisfactorily resolved.</i>	
63.	(d)	p62, [Context]	<p>Heritage Tasmania staff provided advice and comments related to the effects of the stadium as part of the consultation process for the preparation of the draft IAR. Comments from Heritage Tasmania staff noted the stadium building would have an impact on the social and aesthetic values of some of the surrounding places of historic cultural heritage significance.</p> <p>Key relevant materials include:</p> <ul style="list-style-type: none"> Tasmanian Heritage Register datasheets; and The Burra Charter: the Australia ICOMOS Charter for Places of Cultural Significance, 2013. 	The Panel makes various references to 'advice and comments' from Heritage Tasmania staff and appears to rely upon this 'advice' without publishing this advice to afford procedural fairness.
64.	(d), (g)	p63, [4.3.2(c)]	<p>The Panel considers that the proposed relocation of and alterations to the Goods Shed would have a negative effect on the values and experience of that building, including that:</p> <ul style="list-style-type: none"> the relocation and alterations affect the Goods Shed's stated historic cultural heritage significance, which is associated with demonstrating the development of rail transport in Tasmania, including the transition from rail transport to road-based networks, and the way Macquarie Point has functioned over time; and its relocation to an area between an escarpment and the stadium, and physical attachment to the stadium, affects the setting and reading of the Goods Shed negatively, such that it compromises the authenticity and meaning of the structure, and significantly dwarfs it in scale. 	The Panel's comment is a 'finding' and is not fairly described as merely intended to initiate discussion.
ARCHAEOLOGY				
65.	(f)	p65, [4.3.3(e)]	<i>The Proponent's reports do not, however, consider the entire area of land associated with the Project. They only consider the specific footprint of the stadium building. Areas to accommodate necessary infrastructure such as the northern access road, bus plaza and sewer diversion in Evans Street will be substantial, and may have significant effects on areas of historic archaeological sensitivity.</i>	As stated in Representation 1 and the body of Representation 2, this assessment assumes an expansion of the Project scope beyond the Project as described.
66.	(f)	p65, [4.3.3(g), (h)]	<p><i>Outside of the Macquarie Point site, there are additional, relevant areas of historic archaeological sensitivity that may be impacted by the Project, such as:</i></p> <ul style="list-style-type: none"> <i>subsurface remains at Evans Street, Hunter and Davey Street</i> <i>the Hobart Rivulet Domain Diversion Tunnel; and</i> <i>areas of historic archaeological sensitivity around the northern end of Collins Street.</i> <p><i>Associated infrastructure such as the northern access road, the sewer main diversion, and the potential Collins Street pedestrian infrastructure may affect these areas of historic archaeological sensitivity.</i></p>	As stated in Representation 1 and the body of Representation 2, this assessment assumes an expansion of the Project scope beyond the Project as described.
67.	(d)	p66, [Context]	Heritage Tasmania staff provided advice and comments as part of the consultation process for the preparation of the draft IAR. Comments from Heritage Tasmania staff noted the archaeological impact on Evans Street has not been considered, but overall the approach to archaeological assessment during construction proposed by the Proponent is appropriate.	The Panel makes various references to 'advice and comments' from Heritage Tasmania staff and appears to rely upon this 'advice' without publishing this advice to afford procedural fairness to all representators.
ABORIGINAL CULTURAL HERITAGE				
68.	(a), (f)	p69, [5.2(b)]	<ul style="list-style-type: none"> <i>The Panel considers that the footprint of the Project is considerably larger than the physical extent of the Proponent's proposed stadium project. A large amalgamated Aboriginal heritage site exists on the western banks of Cenotaph Hill. The development of the Proponent's stadium project would necessitate the development of the northern access road and this would involve works in the registered heritage site on the banks of Cenotaph Hill. Also, the area of land associated with the Project appears to be significantly larger than the area referred to in the draft AHAR and is likely to include Cenotaph Hill. Currently, the draft AHAR does not consider this land or its values.</i> 	As stated in Representation 1 and the body of Representation 2, this assessment assumes an expansion of the Project scope beyond the Project as described.
USE AND ACTIVITY				
69.	(d)	p76, [6.2.1(e)]	<p><i>As proposed, the operation of the stadium would limit, and may at times remove, the existing vehicular access to, and parking at, the wharf and terminal for a range of vehicles serving the needs of cruise ship passengers.</i></p> <p>While both Tasports and the Proponent have identified this as a challenge that would need to be</p>	The Panel appears to have to have incorrectly characterised TasPort's comments.

No.	Relevant proposition	Draft IAR Reference	Draft IAR text (emphasis added)	Proponent's comment
			managed, there is no basis for the Panel to assess whether suitable access can be provided, based on the information provided.	
70.	(d), (g)	p77, [Context]	<i>During the Preparation of the draft IAR, consultation occurred with the Australian Antarctic Division (AAD). The AAD advised that it is concerned to ensure the construction and operation of the stadium as well as other elements in the broader precinct plan do not restrict the capacity for 24/7 activities. This includes use of the northern access road, which is not part of the Proponent's proposed stadium proposal.</i>	The Panel appears to have incorrectly characterised the Australian Antarctic Division's (AAD) comments.
71.	(f)	p81, [6.2.4(c)]	<i>The operation of the stadium for major events would require Evans Street and Hunter Street to be closed for general traffic. It is unclear the degree to which roads would require some temporary closures during construction. Road closures would affect access to uses in Evans and Hunter Streets. The Panel notes there are vehicular entries to Sullivans Cove Apartments and Zero Davey that are accessed directly by Evans Street. MACq 01 and the Henry Jones Art Hotel have dedicated parking in front of the buildings and 24/7 valet services. The Proponent's reports note that traffic management would be subject to ongoing discussion with affected building owners users. However, there is no detail provided on how this may be achieved and how impacts may be mitigated.</i>	Mitigation measures have not been considered or presented in the Draft IAR.
72.	(f), (g)	p81, [6.2.4(d)]	<i>The Panel considers there would be significant potential for conflict between vehicles and pedestrians if any vehicular access to existing uses via Evans or Hunter Street is permitted during peak pedestrian movements. Insufficient information is provided to satisfy the Panel that limited, local vehicular access can be accommodated in a safe manner. The Panel considers these access issues, while sporadic, are likely to cause significant disruption to the operation of the affected uses.</i>	The Panel has failed to consider mitigation measures.
73.	(d), (f), 9g)	p82, [6.2.4(e)]	<i>The operation of the stadium would increase pressure on parking in the immediate vicinity, and potentially loss of access to some parking spaces for periods of time. Parking on the waterfront is generally two-hour metered parking between 8am and 8pm. There is already significant pressure on these parking spaces for existing businesses. For stadium events, particularly in the evening, the Panel considers it is likely patrons would seek to use this parking, which may affect patronage to other businesses in the area. However, the Panel considers these effects may be offset or outweighed by the increased pedestrian activity around the waterfront at event times, particularly for food and beverage businesses.</i>	The Panel has failed to consider mitigation measures.
74.	(g), Other	p83, [6.2.4(m)]	<i>There are a number of other established events that occur close to the proposed stadium, for example the Taste of Summer, Dark Mofo, Salamanca markets, the wooden boat festival, Sydney-Hobart yacht race, and events on the Regatta Grounds. The Proponent's reports suggest any conflicts between events would be minimised with scheduling management; however there are no details about whether this is feasible, and if not, how any effects may be mitigated. The Panel considers that multiple events occurring at the same time would likely exacerbate a range of stadium effects, including parking, traffic and pedestrian issues. There is insufficient evidence to suggest these effects can be effectively managed.</i>	The Panel has failed to consider mitigation measures.
75.	Other	p83, [6.2.4(m)]	<i>Comments from Hobart City Council staff noted that in advance communications about temporary road closures is critical and consideration would need to be given to car parking requirements of stadium event days which overlap with key one-off events (e.g. Taste of Summer) and ongoing events (e.g. Salamanca Market).</i>	The Panel makes various references to 'advice and comments' from Hobart City Council staff and appears to rely upon this 'advice' without publishing this advice to afford procedural fairness.
TRANSPORT				
76.	(a), (d)	p85, [Summary]	<i>The Panel considers there are synergies between journeys in a transport system and some project journeys that could be reconsidered, retimed, or moved to different modes to mitigate travel demand impacts. However, the Panel considers that no adequate public transit service provision, transport infrastructure and operational agreements have been made, or are likely to be adequate, for the Project movements to function safely and conveniently at all times. The Panel considers these project movements would thus exacerbate background movement pressures and create additional transport issues in Hobart.</i>	The Panel's comment is a 'finding' and is not fairly described as merely intended to initiate discussion. The Panel has failed to consider mitigation measures.
77.	(d)	p85, [7.1.1(a)]	<i>The Panel considers that the Project creates problematic pedestrian movement issues for event patrons and the broader community. These include a range of issues, with particular concerns relating to the safety, capacity and convenience of pedestrian movement pathways and options following high-capacity events.</i>	The Panel's comment is a 'finding' and is not fairly described as merely intended to initiate discussion.
78.	(a), (d)	p86, [7.1.1(c)]	<i>The Panel generally considers that pathways adjacent to roads and signalised street crossings in the area have not been designed for, and lack sufficient space to enable changes, to accommodate pedestrian flows associated with a stadium. The Panel considers the pathways and crossings are not adequate in capacity or design to operate safely or effectively with the likely peak pedestrian movements under a range</i>	As stated in Representation 1 and the body of Representation 2, this assessment assumes an expansion of the Project scope beyond the Project as described.

No.	Relevant proposition	Draft IAR Reference	Draft IAR text (emphasis added)	Proponent's comment
			<i>of post-event scenarios. The Panel considers the pedestrian access route proposed for the area of Davey Street between Evans and Hunter Streets is particularly constrained and has the highest potential for negative effects on pedestrian safety and convenience.</i>	The Panel's comment is a 'finding' and is not fairly described as merely intended to initiate discussion.
79.	(d), (f), (g)	p86, [7.1.1(f)]	<p><i>The Panel acknowledges that there are a number of non-infrastructure management actions that may be taken to help mitigate pedestrian related risks and issues. These may include:</i></p> <ul style="list-style-type: none"> ▪ <i>providing post-event activities that encourage or direct people to exit the stadium over a longer period; and</i> ▪ <i>temporary measures such as clearly designated pathways, signs, physical barriers and enforcing attendants, and information technology.</i> <p><i>The Panel considers, however, that in general, pedestrians would tend to take the most direct and convenient route to their chosen destination, even when that route is compromised in terms of capacity. A lack of suitable infrastructure or adequate space for safe pedestrian movement pathways is extremely unlikely to prevent a large proportion of people continuing to choose what they perceive or know to be the most direct route.</i></p> <p><i>Noting the above, the Panel considers the extent to which management actions may be able to adequately modify pedestrian behaviour is not able to be assessed. Generally, however, the Panel does not consider that management actions provide a feasible alternative to the provision of suitable permanent pedestrian infrastructure</i></p>	<p>The Panel's comment is a 'finding' and is not fairly described as merely intended to initiate discussion.</p> <p>The Panel has not explained the basis for, or justified, this comment.</p>
80.	(d), (f)	p87, [7.1.1(h)]	<i>The Panel considers that it would not be appropriate for operation of the stadium to require full or partial closure of traffic lanes in the road network in the area, and specifically the state and local roads west of (and including) Davey Street to accommodate pedestrian movement. The Panel notes that Davey Street is a state road and a critical link between other parts of Tasmania to the north and south of Hobart.</i>	<p>The Panel's comment is a 'finding' and is not fairly described as merely intended to initiate discussion.</p> <p>The Panel has not explained the basis for, or justified, this comment.</p>
81.	(a), Other	p90, [Context]	<p><i>Comments from the Hobart City Council staff noted:</i></p> <ul style="list-style-type: none"> ▪ <i>the Collins Street bridge would provide a much needed and essential alternative to other pedestrian routes</i> ▪ <i>there is a significant amount of work needed on the design of the bridge</i> ▪ <i>there are few options to decant patrons from the stadium due to its location, but a full range of options needs to be assessed; and</i> ▪ <i>the number and proportion of people moving directly to the waterfront area is likely to alter depending on the type of events and the time of day/year of, but there needs to be an assessment of a large proportion of pedestrians moving to the waterfront.</i> 	As stated in Representation 1 and the body of Representation 2, this assessment assumes an expansion of the Project scope beyond the Project as described.
82.	(d), (f)	p91, [7.1.2(g),(h)]	<p><i>The Panel considers the broader areas surrounding the stadium would be overcrowded, and potentially unsafe, for emergency evacuation of the stadium as they include a number of barriers and bottlenecks inherent in the existing physical environment. These barriers and bottlenecks create pinch points that limit pedestrian capacity and flows, conflict with emergency vehicle routes, and would result in unsafe levels of congestion and likely unsafe behaviour by evacuating pedestrians and/or conflicts with other vehicular traffic.</i></p> <p><i>Likely key pinch points for pedestrian movement during an evacuation are shown in Figure 7.1.2.1 and include:</i></p> <ul style="list-style-type: none"> ▪ <i>movement through the bus plaza and northern access road</i> ▪ <i>movement through the 'Aboriginal Culturally Informed Zone'</i> ▪ <i>movement on Davey Street and Franklin Wharf footways</i> ▪ <i>Davey Street / Tasman Highway pedestrian crossings; and</i> ▪ <i>Eastern perimeter of the stadium - particularly if the northern access road is closed to pedestrians.</i> 	<p>As stated in Representation 1 and the body of Representation 2, this assessment assumes an expansion of the Project scope beyond the Project as described.</p> <p>The Panel has not explained the basis for, or justified, this comment.</p>
83.	(a), (d), (f)	p92, [7.1.2(j)]	<i>Emergency vehicles would likely be required to access the stadium during the 8 minutes that patrons are being evacuated from the stadium, and any vehicle access either before or after that time would need a clear vehicle path in addition to the evacuating pedestrian pathway. The Panel considers this is likely to conflict with evacuating pedestrians on:</i>	As stated in Representation 1 and the body of Representation 2, this assessment assumes an expansion of the Project scope beyond the Project as described.

No.	Relevant proposition	Draft IAR Reference	Draft IAR text (emphasis added)	Proponent's comment
			<ul style="list-style-type: none"> ▪ Evans Street - particularly west of Gate 2 ▪ bus plaza/northern access road ▪ northern perimeter of the Goods Shed - particularly if the northern access road is closed to pedestrians ▪ western perimeter of the stadium and through the 'Aboriginal Culturally Informed Zone'; and ▪ eastern perimeter of the stadium - particularly if the northern access road is closed to pedestrians. 	
84.	(d), (f), (g)	p93, [7.1.2(k)]	For these pedestrian pinch points to be mitigated effectively or avoided, the design of pedestrian and emergency vehicle routes including the location and width of these routes would need to cater for a range of peak crowd scenarios. The Panel considers the design and provision of suitable routes and pathways cannot be replaced by combination traffic management and evacuation procedures.	<p>The Panel's comment is a 'finding' and is not fairly described as merely intended to initiate discussion.</p> <p>The Panel has not explained the basis for, or justified, this comment.</p>
85.	(d), (f)	p93, [7.1.2(n)]	Areas surrounding the stadium building and in the broader precinct would be overcrowded, and potentially unsafe, for emergency evacuation of the Stadium within 8-10 minutes for any event over 24,500 people unless substantially wider pedestrian evacuation paths are provided and there is effective mitigation of pedestrian pinch points through design, supplemented by emergency evacuation procedures and traffic management	The Panel's comment is a 'finding' and is not fairly described as merely intended to initiate discussion.
86.	(d), (f)	p93, [7.2(b)]	A significant component of achieving the aspirational mode share target is a proposal to operate event buses to service significant events at the stadium. The Panel considers that the event bus concept proposed is not capable of achieving the aspirational mode share target, nor could it operate as intended.	<p>The Panel's comment is a 'finding' and is not fairly described as merely intended to initiate discussion.</p> <p>The Panel has not explained the basis for, or justified, this comment.</p>
87.	(a), (d), (g)	p94, [7.2(c) and (d)]	<p>The Panel does not consider that an event bus fleet could be compiled from the existing fleet to operate effectively to service the needs of a maximum crowd at the stadium. Substantial additional funding and long-term operating contracts would be required to provide an adequate bus fleet available at all event times (noting there are no proposed restrictions on the number or timing of events).</p> <p>The Panel considers:</p> <ul style="list-style-type: none"> ▪ the cost of sourcing and maintaining a sufficient bus fleet that is constantly available for a service that would only function sporadically is likely to be a major limitation ▪ the time required to source the additional bus fleet estimated to be up to 80 new buses and the physical storage requirements have not been accounted for and are likely to be significant limitations; and ▪ sourcing and maintaining staffing to drive the fleet, particularly noting a current driver shortage in the state and the sporadic nature of the proposed operation, is likely to be a significant limitation. 	The Panel has incorrectly taken into account factors beyond the scope or purpose of the integrated assessment of a project under the provisions and for the purposes of the SPP Act.
88.	(a), (f)	p94, [7.2(f)]	There are insufficient bus stops for the planned level of event bus use even for an average sized AFL crowd of 20,825 people (see Appendix G page 42). Based on the Proponent's stated frequency of event buses leaving the stadium, the targeted 24.5% level of event bus patrons would take over 60 minutes to leave the site.	It is unclear whether the Panel is referring to the amount of bus stops at the bus plaza or more generally in Hobart. The latter of which is beyond the scope of the Project and the scope of the Advisory Council's consideration.
89.	(d)	p95, [7.2(k)]	The Panel considers the likely level of service, frequency of trips, comparative travel timeframes, and convenience of service for users of the proposed park-and-ride event buses are not capable of achieving a sufficient level that would encourage the volume of anticipated use.	<p>The Panel's comment is a 'finding' and is not fairly described as merely intended to initiate discussion.</p> <p>The Panel has not explained the basis for, or justified, this comment.</p>
90.	(a)	p95, [7.2(m)]	The Panel considers that an event bus option may be more desirable if it were free, high frequency, very time efficient, disability accessible, and included a wide transport network connecting people directly from/to their origin and destination, and scheduled over an extended period of time to allow for flexibility. There would be significant costs and logistical issues related to establishing such a service.	The Panel has incorrectly taken into account factors beyond the scope or purpose of the integrated assessment of a project under the provisions and for the purposes of the SPP Act.
91.	(d), (f), (g)	p96, [7.2(p)]	The Panel considers that the plan for transport to the stadium is vision-led and unrealistic. To achieve this aspirational plan, the event bus proposal has to be based on a service that is capable of achieving a combination of time, cost and convenience benefits for users. While the event bus concept can and should	The Panel's comment is a 'finding' and is not fairly described as merely intended to initiate discussion.

No.	Relevant proposition	Draft IAR Reference	Draft IAR text (emphasis added)	Proponent's comment
			<p>also be supported by a promotional campaign to encourage use, in this case the level of behavioural change that is expected to result from such a campaign is not considered realistic. The Panel notes the aspirational target for mass/public transport mode-share is substantially higher than observed patterns of non-car mode share trips in Hobart and Greater Hobart. The Panel considers that the event bus concept proposed is not capable of achieving the aspirational mode-share target.</p> <p>There is a strong and established behavioural pattern of private car use in Tasmania, particularly outside peak commuting periods. The Panel considers that this creates a very substantial challenge for increasing mass/public transport for singular events. The Panel also notes that it has not been demonstrated how the aspirational target for mass/public transport mode-share could be achieved.</p>	The Panel has not explained the basis for, or justified, this comment.
92.	(d), (f)	p97, [7.3(c)]	<p>The Panel does not consider that these mode-share targets are achievable with the existing journey behaviours, traffic network and public transport service provisions and does not consider public behaviour change expectations to be realistic. As a result, a higher level of car use by patrons attending events at the Stadium should be anticipated and planned for.</p>	<p>The Panel's comment is a 'finding' and is not fairly described as merely intended to initiate discussion.</p> <p>The Panel has not explained the basis for, or justified, this comment.</p>
93.	(d)	p98, [7.3(e)]	<p>The Panel considers there is likely to be localised traffic congestion on Davey Street and Evans Street due to construction traffic. The Panel notes there is expected to be a very high level of daily construction vehicle movements. The Proponent estimates 50-55 movements per day on Evans Street for up to 180 days (Appendix AA, page 52). The Panel considers, however, that the amount of materials to be excavated is likely to be higher than predicted in the Proponent's reports (see section 8.4 Excavated material management of this draft IAR), and therefore the daily number of construction vehicle movements is likely to be higher than the Proponent states. The Panel notes that further information provided by the Proponent (Annexure B, 14 February 2025, page 1) states that construction of the underground car park alone will generate up to 140 truck movements per day over a period of at least 30 weeks. Evans Street is the only practical entry point to the Port of Hobart for heavy vehicles and the Panel considers it is important that construction of the stadium does not have undue impact on TasPorts operations.</p>	The Panel has not explained the basis for, or justified, this comment.
94.	(d), (f)	p98, [7.3(g)]	<p>Some background transport movements on the Hobart network are already close to being constrained due to transport network congestion, or demand exceeding supply. The Proponent's reports state that in 2030, key corridors including the Tasman Bridge, sections of the Brooker Highway, and Macquarie and Davey Streets are expected to be highly congested (with unstable vehicular speeds and formation of waiting lines on the network) in both the morning and evening peak periods even without event demands (Appendix N, Page 31). Further congestion from stadium traffic at these locations can cause gridlock at city hotspots and create shockwaves throughout the Greater Hobart traffic network into the neighbouring areas of Clarence, Glenorchy and Kingborough.</p>	The Panel has not explained the basis for, or justified, this comment.
95.	(d), (f)	p100, [7.3(p)]	<p>Very limited mobility hubs, taxi, disability drop off and pick up and permit parking zones have been identified in the Hobart CBD for use during events at the stadium. These facilities are not for the sole purpose of the stadium, and the Panel considers they are unlikely to meet patron demand for pick up and drop off - especially when simultaneous events are happening at other venues in the CBD or at the waterfront. For example, the public off-street Dunn Street car park is already heavily utilised, and the Panel considers that it is an unsuitable location for a mobility hub to service events at the Stadium.</p>	The Panel's comment is a 'finding' and is not fairly described as merely intended to initiate discussion.
NOISE & VIBRATION				
96.	(d), (f), (g)	p78, [6.2.2(k)]	<p>While the weighted and/or time averaged decibel level of construction related noise may be acceptable or able to be managed, the construction of the stadium would also generate sound with tonal and other characteristics that are likely to be incompatible with the activities occurring at the Federation Concert Hall. The Proponent's summary report outlines approaches that may be taken to managing construction site noise effects (see page 17 Annexure Q, provided as additional information on 31 January 2025), including the reference to good practice techniques documented in guides from NSW and Victoria. However, these may not be sufficient to mitigate the effect construction stage noise has on the current operations at the Concert Hall.</p>	The Panel has not explained the basis for, or justified, this comment.
97.	(f)	p82, [6.2.4(h)]	<p>Section 8.5 Noise of this draft IAR considers noise issues in detail. The Panel notes that noise and vibration may affect the experience of users of surrounding buildings and spaces, even if minimum noise standards are met. While construction noise is not permanent, the construction period would be extensive, and the bulk excavation and piling stage is expected to have a particularly high level of noise impact. The Proponent's Construction Management Plan (Appendix AA) does not provide a significant amount of detail on how construction issues would be managed, although the Proponent's reports generally suggest construction</p>	The Panel has not explained the basis for, or justified, this comment.

No.	Relevant proposition	Draft IAR Reference	Draft IAR text (emphasis added)	Proponent's comment
			<i>activities are likely to start at 7am on weekdays and 8am on Saturdays. The Panel considers this is likely to be significantly disruptive to accommodation uses closest to the site. The Panel notes early morning noise would likely affect sleep, including for those on holiday and people working shift work. The Panel considers it is likely that occupancy rates for the hotels and apartments closest to the site would be significantly impacted by the construction stage, and this would have a material detrimental effect on those businesses.</i>	
98.	(a), (d), (g)	p82, [6.2.4(i)]	<i>The Panel notes that if pedestrian infrastructure linking the stadium to the northern end of Collins Street were to be constructed, this would exacerbate construction noise in close proximity to residential uses around Wapping. However, the Panel notes the duration of construction for this infrastructure would not be as lengthy as for the stadium building. During operation, patrons leaving events via a Collins Street pedestrian bridge would likely cause an increase in noise to residential uses around Wapping from patrons leaving events, at times late at night.</i>	As stated in Representation 1 and the body of Representation 2, this assessment assumes an expansion of the Project scope beyond the Project as described..
REMEDATION				
99.	(a)	p110, [8.4(c)]	<i>The Panel notes it is uncertain if additional excavated material associated with bore pile cuttings, utility trenches, the northern access road and the like (which can be significant) is included in the most recent estimates. Consequently, the Panel considers the amount of material to be excavated is likely to be underestimated.</i>	As stated in Representation 1 and the body of Representation 2, this assessment assumes an expansion of the Project scope beyond the Project as described.
LIGHTING				
100.	(d), (f)	p114, [8.6(d)]	<i>The Panel notes that the existing light conditions in Davey and Evans Streets are already relatively bright due to street lighting and light associated with surrounding activities. The Panel considers the greatest potential for additional impacts from lighting are likely to be caused by light spill from the bright sports or event lighting, visual clutter or other lighting that is poorly positioned and shielded.</i>	The Panel has not explained the basis for, or justified, this comment.
101.	(d),(f)	p115, [8.6(h)]	<i>The Panel considers drivers and adjacent residents may be sensitive to dynamic colours and movement of light from the proposed dynamically changing façade, sign lighting, concert laser, LEDs or strobe lighting, noting there is an absence of an understanding of the source's location, orientation, proposed shielding, or brightness of these lights and the effect of the revised stadium building design.</i>	The Panel has not explained the basis for, or justified, this comment.
102.	(d),(f)	p115, [8.6(i)]	<i>The Panel further considers that the revised stadium design has the potential to negatively impact port functions and how the Cenotaph's decorative lighting is perceived.</i>	The Panel has not explained the basis for, or justified, this comment.