

3 April 2025

Paul Turner SC  
Panel Chair, Advisory Council  
Tasmanian Planning Commission  
GPO Box 169  
HOBART TAS 7001

Via online representation form

Dear Panel Chair

## **Macquarie Point Multipurpose Stadium Project of State Significance Representation 1 – Filed on behalf of the Crown in Right of Tasmania**

### **1. Introduction**

- 1.1 We act for the Crown in Right of Tasmania including the Macquarie Point Development Corporation (**Proponent**), in relation to the proposed Macquarie Point Multipurpose Stadium Project (**Project**).
- 1.2 This Representation (**Representation 1**) is filed as part of representing the Proponent for the purposes of the assessment and approval of the Project under the *State Policies and Projects Act 1993* (Tas) (**SPP Act**).
- 1.3 The Proponent acknowledges the role of the Tasmanian Planning Commission, who is enabled as an Advisory Council under the SPP Act (**Advisory Council**), to provide advice to the Minister under the SPP Act.
- 1.4 The Proponent also acknowledges the release of the draft Integrated Assessment Report (**Draft IAR**) on 31 March 2025.

### **2. Representations**

- 2.1 The Proponent looks forward to further participating in the assessment process for the Project under the SPP Act, including making representations and partaking in the public hearing to be held by the Advisory Council.
- 2.2 For the assistance of the Advisory Council, the Proponent intends to file at least 3 representations within the exhibition period:
  - (a) Representation 1 (this Representation) provides preliminary comments on the Draft IAR;
  - (b) Representation 2 will include a more detailed response to the Draft IAR and as to why the Draft IAR ought to be given limited, if any, weight. Representation 2 will also include the Proponent's suggestions as to the conduct of the hearing; and
  - (c) Representation 3 will include further elaboration of the Proponent's case including matters which will be the subject of further submission or evidence.

### **3. Inadequacy of Draft IAR**

- 3.1 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.
- 3.2 Manifest errors include but are not limited to the following:

- (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 Advisory Council 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.

3.3 On this basis, the Draft IAR should be given limited, if any, weight.

3.4 Notwithstanding the concerns outlined above, there are a range of other matters either not addressed, or not properly addressed, in the Draft IAR, which we consider should be a focus by the Advisory Council, and are also anticipated to be raised by others. These include project design, project benefits, urban design and construction and operational amenity impacts.

#### 4. Central themes

4.1 The central themes around which the Proponent will advance its case before the Advisory Council are outlined below:

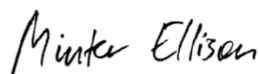
- (a) The Advisory Council's task is to advise Government about the Project within the objects of the SPP Act and the Objectives of the Resource Management and Planning System of Tasmania, and having regard to specific objects for the land legislated under the *Macquarie Point Development Corporation Act 2012* (Tas). The declaration of the Project as a Project of State Significance provides an explicit expectation that the assessment is not bound by existing policy or planning scheme control.
- (b) The subject land forms part of a strategic precinct with specific development objectives that will necessarily bring about substantial development and character change at a precinct level.
- (c) The vision for development of a stadium of high quality and civic pride promotes ongoing public use, visitation, and a sense of public ownership of the site for future generations.
- (d) The development and use of the land is responsive to a number of national, state and local policy initiatives variously expressed for the state and local economies including, but not limited to, broader policies relevant to economic development, tourism, health and liveability.
- (e) The architectural response is appropriate for an outcome that is visionary and remarkable, and should be assessed accordingly, with the opportunity to be viewed in this context over the longer term.
- (f) The function and location of the Project is unsurpassed as a gateway to the city and for synergies with the Hobart CBD and surrounding attractions.

- (g) The urban and civic design of the precinct and surrounds complements and builds upon principles for the development of the land evolved over time, through the remediation process, and in response to working with the community.
- (h) The use of the subject land for the Project will bring with it a wide range of significant direct and indirect social and economic benefits, some of which can be predicted and quantified, and others which can reasonably be predicted on a qualitative or descriptive basis.
- (i) The location of the Project is optimal for broader and local transport modes and to take advantage of planned and future infrastructure upgrades over time.
- (j) The location of the site is ideal to support and host the use of the Project as planned and managed to support a variety of user groups, including to:
  - (i) host AFL and AFLW games at various levels including for Tasmanian AFL and AFLW teams, bringing immediate and predictable attention, occupation and visitation;
  - (ii) host a variety of cricket matches;
  - (iii) support other sports uses;
  - (iv) support visitation and broadcasting, with benefits for various codes;
  - (v) support an extensive range of scheduled business and community events including cultural, musical and corporate events; and
  - (vi) support aligned activities, including in health, education and hospitality.
- (k) The Project can be planned and managed to:
  - (i) avoid unacceptable impacts during construction, including noise, dust and traffic impacts via an appropriate Construction Management Plan;
  - (ii) provide for acceptable operating impacts during peak usage via appropriate event management planning, scheduling and integration with relevant agencies; and
  - (iii) ensure impacts are appropriately managed through conditions.
- (l) The Project is sufficiently planned and considered to support findings that it is capable of town planning approval, which is intended to support final design, other infrastructure and precinct planning, in accordance with the Objectives of the Resource Management and Planning System of Tasmania and the Mac Point Precinct Plan.
- (m) The Project is sufficiently described, and evidence will be presented, to support findings as to acceptability of town planning outcomes and design.

## 5. Conclusion

- 5.1 As outlined in this Representation 1, the Draft IAR does not comply with the requirements of the SPP Act. It contains errors of law, approach and analysis.
- 5.2 The Proponent considers it important that these critical matters are raised immediately to record its concerns with the Draft IAR and to indicate that its further representations and participation in the hearing will proceed accordingly.

Yours faithfully  
**MinterEllison**



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Attachment 1 – Figure 1.3 of the Draft IAR



Figure 1.3 Extent additional land for development that be necessary for the Project.