



OFFICE OF THE LORD MAYOR
HOBART TOWN HALL

Ms Katherine Morgan-Wicks
Secretary and Head of State Service
Department of Premier and Cabinet

Via email: stadium.legislation@dpac.tas.gov.au

Dear Katherine,

**MACQUARIE POINT PLANNING PERMIT BILL 2025 – ENABLING LEGISLATION
SUBMISSION**

Thank you for the opportunity to make this submission in response to the enabling legislation released on 27 May 2025. We have been working closely and cooperatively with the State Government and the Tasmanian Planning Commission (the Commission) and were very hopeful of the Project of State Significance (PoSS) process being followed. We are deeply disappointed that the Government decided to take this direction.

In summary, the City of Hobart (the City) does not support this Bill as the City does not support the abandonment of the PoSS process.

As previously stated, the City does not support the multipurpose stadium (the stadium) being built at this location, as the negative impacts outweigh the positive benefits. The City has consistently maintained that the stadium will result in:

- significant damage to places of heritage significance (including the Hunter Street precinct and Cenotaph) and Hobart's heritage tourism brand;
- the lost opportunity, of what will be an inactive precinct for most of the year, in a prime and strategic location for the City;
- significant environmental concerns, as raised by the Environmental Protection Agency (EPA) in their various submissions to the Commission;
- the impact of the northern road in cutting off community access to the river;
- the very poor process that led to this point including overriding the approved plan for Macquarie Point and the abandonment of the POSS process; and

CITY OF HOBART

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- the lack of critical transport infrastructure to support a functional stadium.

The City notes similar findings were previously expressed in the draft Integrated Assessment Report (IAR) prepared by the five-member Panel delegated by the Commission to assess the Project.

Notwithstanding these issues, the City has prepared the following submission as it relates to the Bill, the Report and the Permit, and we recognise a new Government may proceed with this legislation.

As currently drafted, the City has serious concerns over a number of key points including but not limited to; the lack of appeal rights, the Minister's and relevant agencies' lack of enforcement powers, the lack of definition around 'consultation' throughout the documents and ensuring fair compensation for the City's costs and land acquisition impacts to name a few.

Lastly, we have ensured this submission articulates the pertinent issues for the City with regard to the various roles it plays in this project. These roles are:

- as the council of the municipality in which the *proposed development* is located;
- as an asset owner of local roads, footpaths and carparks, stormwater and lighting infrastructure;
- as an adjoining landowner to the declared *project land* area;
- as the body that is responsible for the future strategic land use planning agenda for the City;
- as the responsible Agency for enforcing a range of planning permit conditions; and
- as an advocate representing a range of different community views on issues such as Aboriginal cultural values.

Yours sincerely,



Cr Anna Reynolds
LORD MAYOR

Wednesday 13 June 2025

Attached: CoH Submission to the enabling legislation

MACQUARIE POINT PLANNING PERMIT BILL 2025

City of Hobart Submission

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Introduction

This submission represents the City of Hobart's response to the draft Macquarie Point Planning Permit Bill 2025 (the Bill) and associated documents; Enabling Legislation Report (the Report) and the draft Project Permit (the Permit) as prepared by the Tasmanian State Government for the Macquarie Point Multipurpose Stadium (the Project).

In summary, the City of Hobart (the City) does not support this Bill as the City does not support the abandonment of the Project of State Significance (POSS) process.

As previously stated, the City does not support the multipurpose stadium (the stadium) being built at this location, as the negative impacts outweigh the positive benefits. The City has consistently maintained that the stadium will result in:

- significant damage to places of heritage significance (including the Hunter Street precinct and Cenotaph) and Hobart's heritage tourism brand;
- the lost opportunity, of what will be an inactive precinct for most of the year, in a prime and strategic location for the City;
- significant environmental concerns, as raised by the Environmental Protection Agency (EPA) in their various submissions to the Commission;
- the impact of the northern road in cutting off community access to the river;
- the very poor process that led to this point including overriding the approved plan for Macquarie Point and the abandonment of the POSS process; and
- the lack of critical transport infrastructure to support a functional stadium.

The City notes similar findings were previously expressed in the draft Integrated Assessment Report (IAR) prepared by the five-member Panel delegated by the Tasmanian Planning Commission (the Commission) to assess the Project.

Notwithstanding these issues, the City has prepared the following submission as it relates to the Bill, the Report and the Permit.

The submission has been prepared considering the various roles the City holds in regards to the Project. These roles are:

- as the council of the municipality in which the *proposed development* is located;
- as an asset owner of local roads, footpaths and carparks, stormwater and lighting infrastructure;
- as an adjoining landowner to the declared *project land* area;
- as the body that is responsible for the future strategic land use planning agenda for the City;
- as the responsible Agency that has considerable experience in assessing and managing planning applications for major developments including the enforcement of complex permit conditions; and

- as an advocate representing a range of different community views on issues such as Aboriginal cultural values.

Abandonment of the POSS Process

At its 28 April 2025 Council Meeting, Council expressed its deep disappointment with the State Government's handling of the stadium proposal, citing concerns about process integrity and disregard for the Tasmanian Planning System.

The Council passed motions to urge the State Government to take account of the findings from Nicholas Gruen's independent review, properly respond to the draft IAR, address the Planning Institute of Australia's concerns, and respect community expectations for transparency and public involvement.

The Council also noted the City's significant investment in reviewing the proposal and its process concerns, urging the State Government to maintain public trust by adhering to a transparent and objective planning framework.

In good faith, and in its capacity as the local government and planning authority for the wider area, and as an adjacent landowner, the City drafted a submission to the draft IAR noting that the State Government has indicated that, irrespective of the abandonment of the POSS process and introduction of 'enabling legislation', they will consider issues raised in submissions received in response to the IAR.

Where relevant, our concerns raised in the draft IAR have been referenced in this submission and we have included the draft IAR submission as an appendix for ease of reference.

Submission Summary

A summary of the submission is set out below.

The Enabling Legislation Report (the Report)

Our key concerns regarding the Report are as follows:

- **Consultation Process**
The requirement to consult with authorities like HCC lacks clarity and enforceability. Therefore we recommend defining consultation to include a good faith effort by all parties to reach consensus.
- **Northern Access Road & Bus Plaza**
The City is highly concerned regarding the lack of detail and exclusion from the draft planning permit. We therefore recommend including these elements in the legislation for proper scrutiny, especially regarding traffic, heritage, and public access impacts.

- **Stadium Design and Usage – Field shadowing issues**
The City has considerable concerns over the potential loss of cricket events due to shadow banding issues on the field. The City insists that this issue be resolved, or an alternative major sporting commitment must be secured to maintain Project viability.
- **Cultural Heritage - Aboriginal Culturally Informed Zone**
The City has concerns regarding the reduction in area and encroachment by stadium facilities. We recommended prioritising this area to ensure cultural values are respected and preserved.
- **Collins Street Footbridge**
The Government has excluded the Collins Street Footbridge from the legislation. The City recommends including it as essential infrastructure funded by the project, not the City.
- **Delivery of the Rapid Bus Network**
Uncertainty about the deliverability and benefits of the rapid bus network remain. The City calls on the Government to invest significantly to ensure its success.
- **Pedestrian and Cycle Infrastructure**
Vague commitments and implied City funding. All required infrastructure should be fully funded by the project proponent.
- **Precinct Design and Connectivity**
The City has concerns regarding the narrow laneways proposed and poor connectivity to the rest of the City may hinder the Macpoint precinct success. The City recommends ensuring safe, active, and well-designed pedestrian and cycling spaces with proper surveillance and activation are prioritised.
- **Solid Waste and Hazardous Material management**
The City is in a position to accept historical fill provided it's rated as Level 2 waste or lower with conditions to ensure we can manage vehicle movements and to ensure the waste is appropriately cleaned to the conditions stipulated.

The Macquarie Point Planning Permit Bill 2025 (the Bill)

Our key concerns regarding the Bill are as follows:

- **Interpretation and Consultation**
The Bill should define "consultation" to include a mutual obligation for all parties to act in good faith and strive for consensus. This would enhance transparency and ensure meaningful engagement throughout the development process.
- **Project Permits and Legal Clarity**

Clause 8 broadly authorises development under a project permit overriding other legislative requirements. Although the Bill states that building approvals under the *Building Act 2016* are still required, this is not clearly reflected in the clause. The *Land Use Planning and Approvals Act 1993* (LUPA) links such approvals, but the Bill's language could be misinterpreted. Additionally, Clause 8(3) excludes the permit from LUPA unless explicitly stated, and currently, no such statement is included. While Clause 8(3) is supported, the Bill lacks enforcement mechanisms for permit conditions, except for EPA-related matters.

- **Ministerial Powers and Permit Amendments**
Clauses 9, 11, and 12 grant the Minister significant discretion to issue or amend permits without the same scrutiny or consultation required for this initial project permit. This raises concerns about transparency and fairness, especially since these decisions are not subject to appeal. It is recommended that all permits and amendments undergo the same public and parliamentary review process, including defined consultation procedures.
- **Planning Scheme Amendments**
Clause 14 allows for broad amendments to planning schemes, potentially beyond the scope of the project. This could result in changes that affect future developments unrelated to the current proposal. It is recommended that this clause be limited strictly to the *project land* as defined in the Bill.
- **Compliance and Enforcement**
Clause 16 assigns responsibility for permit compliance to the Minister but provides no enforcement powers. Clause 17 similarly lacks mechanisms to ensure compliance. It is recommended that enforcement powers be explicitly granted to the Minister and relevant agencies. Specific schedules (e.g., HCC, Historic Cultural Heritage, Aboriginal Heritage, TasWater) should reference the applicable legislation to empower enforcement by the appropriate authorities.
- **Land Acquisition and Compensation**
Clause 20 involves the compulsory acquisition of Council land by the State. While compensation under the *Land Acquisition Act 1993* is acknowledged, the City requests that any unused land be returned. Concerns are also raised about access to infrastructure like the Hobart Rivulet outfall, which must be maintained by the City.
- **Financial Impacts and Fee Exemptions**
Clause 30 exempts the development from standard fees and charges, resulting in lost revenue for the City. Given the removal of these fees through the Bill and the POSS process, the City seeks fair compensation from the State Government to offset this financial impact.
- **Appeal Rights and Ministerial Discretion**
Clause 34 removes appeal rights against Ministerial decisions, including permit amendments. This is particularly concerning given the potential for critical conditions—such as those related to stormwater management—to be altered

without recourse. The City argues that this undermines procedural fairness and accountability.

Draft Permit and Conditions (draft Permit)

Our key concerns regarding the draft Permit are as follows:

- **Parts A & B**
The draft permit includes several conditions requiring the submission and approval of documentation. It is recommended that these conditions, such as B3, explicitly state that once documentation is approved, it must be complied with within a specified timeframe. This would align with standard planning permit practices and ensure enforceability.
- **Part C - Construction Management**
The State is encouraged to adopt best practice standards in drafting construction management provisions, with the City to be consulted in finalising key plans. Specifically, Condition C5 should explicitly reference the Hobart Rivulet Tunnel due to its unique nature. Additionally, it should require that dilapidation reports be shared with relevant infrastructure owners.
- **Part D - Operational Management and Adaptive Review**
Under Condition D1, the use of the stadium for events is contingent upon the implementation of certain infrastructure improvements. Since the City has no role in the development or approval of the Operational Transport Management Plan, it should be clarified that the Proponent—not the City—is responsible for funding pedestrian and cycling infrastructure. Condition D9 should place equal emphasis on waste avoidance and include specific measures for managing organic and food waste, not just recycling.
- **Schedule 1 - Definitions and Consultation**
A clear definition of "consultation" is needed, requiring both parties to act in good faith to reach consensus. This is particularly important given the City's limited role in many conditions, which often involve consultation without decision-making authority. Schedule 8 outlines the City's consultation role on several plans but lacks transparency regarding expected outcomes, reinforcing the need for a robust definition of consultation.
- **Schedules 3 & 4 - Aboriginal and Historic Cultural Heritage**
Schedule 3 should affirm that the Aboriginal Heritage Act 1975 empowers Aboriginal Heritage Tasmania to enforce its conditions. Similarly, Schedule 4 should reference the *Historic Cultural Heritage Act 1995* to confirm the Tasmanian Heritage Council's enforcement authority. Several conditions (6–12) under Schedule 4 lack clarity or

enforceable outcomes. These require further drafting to specify responsibilities, timelines, and compliance expectations, particularly regarding archaeological work and heritage impact mitigation.

- Schedules 6 & 7 - TasWater and HCC Conditions
Schedule 6 should state that the Water and Sewerage Industry Act 2008 grants TasWater enforcement powers. Schedule 7 should include a clause confirming that the Land Use Planning and Approvals Act (LUPA) applies, enabling the City to enforce its conditions. This enforcement should be limited to Schedule 7 only.
- Schedule 8 – Stormwater Design
Fees and Cost Recovery
The City is required to assess stormwater-related aspects of the proposal. Current fees, such as the \$630 standard endorsement fee, do not reflect the complexity or time required for assessment. A higher fee should be introduced to ensure adequate cost recovery. Additionally, a 2% fee on development costs related to new or altered public assets may apply, though its applicability remains uncertain due to unresolved stormwater arrangements.

The Report

General Comments

Consultation

Across the Draft Report, Draft Bill and Permit conditions the requirement to consult with Authorities such as the Hobart City Council (HCC) is a common requirement. This creates some uncertainty for the City as the obligation to consult does not carry with it any obligation either to seek or to reach agreement on the subject for consultation. Consultation is not an exercise in collaborative decision-making. All that is necessary is that a genuine opportunity to be heard about the nominated subjects be extended to those required to be consulted before any final decision is made. From the City's perspective, it is necessary to provide further guidance on what the requirement to consult means.

Recommendation

It is suggested that a definition for consultation should include a requirement for both parties to act in good faith to achieve consensus to the greatest possible extent.

Part 1 Macquarie Point Multipurpose Stadium – Enabling Legislation

2. Overview of the Macquarie Point Planning Permit Bill 2025

Access Network

The bill as currently drafted does not contain a draft planning permit for the Northern Access Road and bus plaza.

Recommendation

The City holds significant concerns regarding the insufficient detail provided in relation to the Northern Access Road and the proposed bus plaza. It is the City's view that the draft planning permit ought to have been incorporated within the enabling legislation to facilitate thorough and appropriate scrutiny of the design and its potential impacts on the City's traffic network, scale of development required, scale of modifications to the Domain embankment required to facilitate the road, scale and location of pedestrian crossings whether they be above-ground or under-ground, impacts on the City's cycling network, impacts on adjacent heritage-listed infrastructure, adequate parking provisions to account for loss of parking infrastructure invested in by the City.

Furthermore, the City is deeply concerned about the ongoing public access to the waterfront and the continued functionality of nearby City assets, such as the John Colvin Stand—constructed in 1919—which is solely accessible via the land identified in Schedule 2 – Areas of Land for State Acquisition.

Part 2 Macquarie Point Multipurpose Stadium

3. Project description

Sports

If a solution to the shading issues on the field during day matches is not found, and Cricket Tasmania and Cricket Australia withdraw their involvement, it is anticipated that the stadium would host approximately 14 fewer major events annually, resulting in an estimated reduction of over 139,000 visitors each year¹.

Recommendation

For the stadium to genuinely fulfill its role as a ‘multi-purpose’ venue, the issue of shadowing on the playing surface—caused by the use of a fully translucent roofing material—must be resolved. Additionally, the potential loss of cricket as a key fixture would need to be mitigated by securing commitments from other major sporting codes. This level of uncertainty presents a significant challenge for the City in making a confident and informed decision regarding the project’s viability.

7. Cultural heritage and values

Aboriginal cultural values and landscape

The City wishes to formally express its concerns regarding the reduction in the scale of the Aboriginal Culturally Informed Zone, which has decreased by approximately 1,000 square metres from the draft precinct plan to the most recent design drawings. This reduction, coupled with the progressive expansion of the Stadium’s scope—such as the inclusion of practice cricket wickets in this area—raises doubts as to whether adequate care and consideration have been afforded to the realisation of this zone.

8. Movement

Collins Street Active Travel Bridge

The report states “*There is no definitive proposal to deliver a Collins Street footbridge at this time, which is a large cost recognised in the draft IAR, though such a connection may be delivered as part of a program of future pedestrian improvements in future for the City*” (p. 47). The City maintains that the Collins Street footbridge is necessary infrastructure for the performance and function of the Stadium. The cost for the provision of this infrastructure should be borne by the proponents, not the City.

Recommendation

It is recommended that this infrastructure be provided as part of the Project.

On page 26 of the City’s draft IAR submission (attached) the Collins Street pedestrian bridge was identified as an important future pedestrian linkage to improve pedestrian accessibility between the Hobart CBD and the Cenotaph / Macquarie Point precinct and

¹ KPMG (2024) *Financial Impact Report Macquarie Point Multipurpose Stadium*. KPMG

Inner-City Cycleway, that, in the view of the City, should be progressed regardless of whether a stadium forms part of that precinct.

A key constraint faced by the Cenotaph / Macquarie Point precinct is the disconnection between the precinct and the Hobart CBD caused by the key state road network (Davey Street, Macquarie Street, Brooker Highway and Tasman Highway), and the perceived and actual difficulties that crossing these roads cause for pedestrians seeking to move between these zones.

Rapid Bus Network

The Report makes references to the 'rapid bus network', as one of the means of achieving the stadium's transport mode targets (p.88 p.98). The City holds significant concerns in respect to the deliverability and benefits of the proposed rapid bus network and urges the Government to apply considerable resources to realising this project and outlining the transport benefits.

Recommendation

HCC urges the Government to apply considerable resources to realising the 'rapid bus network' as set out in the Project documentation and its own *Keeping Hobart Moving* strategy.

Pedestrian and cycle infrastructure

The report states that "*Consideration will be given to co-development with the HCC of pedestrian and cycle infrastructure enhancements that are informed by pedestrian scenario modelling, design investigations and other assessments that identify interventions that would further support the safe movement of people in an around the stadium, the precinct and the other areas adjacent to the precinct such as the Hobart CBD and waterfront*". This commitment seems very vague and suggests that the City needs to make investment in pedestrian and cycle infrastructure to support the operation of the Stadium. This is not accepted. Any pedestrian and cycle infrastructure that is required by the stadium should be fully funded by the proponent.

Recommendation

Any pedestrian and cycle infrastructure that is required by the Stadium should be fully funded by the Proponent.

Pedestrian and cycling movement

The City is encouraged by the Government's holding early discussions with Tasports regarding potential eastern boundary adjustments (*Figure 38 on page 101*). However, the City wishes to stress the delivery of the balance of the precinct will be critical to the viability and vitality of the Macpoint Precinct. As stated in our draft IAR submission, the relation and design of the stadium and proposed adjacent mixed-use development are integral to the success of the precinct (COH p.18).

As shown in the Cox Architects Stadium Egress Drawing (Fig. 38, p. 101) the separation of

the stadium structure (at the ground plane) and the proposed building envelope for the Complementary Integrated Mixed Use Zone is less than 6metres, making it a very narrow laneway with any potential activation feasible on only one side.

Whilst narrow laneways can be very successful, human-scaled spaces, care must be given to safety and appropriate activating uses delivered on the ground level to encourage passive surveillance with due consideration given to pedestrian and cycling movements through these spaces.

The troubled Bent Street Retail Precinct in the Entertainment Quarter in Randwick, Sydney illustrates how best intentions can often create pedestrianised laneways that lack continuous activation outside of event days where streets can often be almost deserted².

10. Environmental quality and hazards

Solid waste and hazardous material management

General Comments

With respect to the updated advice from MPDC regarding the excavated material estimations the City has prepared the following advice:

- The Hobart City Council maybe in a position to accommodate a portion of the 'historical' fill, less than a level 3 rating, at its landfill facility at McRobies Gully, subject to accommodating the stockpiling of fill on *project land* in order to defray vehicle movements. We would need to make vehicle numbers a condition of receiving the fill.
- We are also in a position to take the dolerite, assuming it's crushed to coarse scale. As well as all the estuarine fill provided its low-level class-2 clean fill that has been pre-mixed with rock.
- We would engage with the Project Manager on any variation to the above, as more information is provided.
- It's worth noting the City can't accept any level 3 waste which will all go to Copping as covered in the Report.

² <https://www.commercialrealestate.com.au/news/first-changes-to-sydneys-entertainment-quarter-retail-precinct-unveiled-44813/>

The Bill

Part 1 – Preliminary

Clause 3. Interpretation

Recommendation

It is suggested that a definition for consultation should include a requirement for both parties to act in good faith to achieve consensus to the greatest possible extent.

Part 2 – Permits for proposed development

Clause 8. Permit taken to be issued, etc.

Clause 8 is drafted broadly. While the Report expressly states “the permit does **not** extend to the issuing of building approvals required under the Building Act 2016. These approvals will still need to be sought by the proponent from HCC” (p.21), Clause 8(1)(b) states:

"notwithstanding any other Act, planning scheme, special planning order or any other instrument, the proposed development may proceed in accordance with, and subject to, the project permit."

It would be preferable to ensure it is made clear that approval under the *Building Act 2016* is required. The *Land Use Planning and Approvals Act 1993* (LUPA) links *Building Act 2016* approval requirements via s53(4) which states:

4) Where any other approvals under this Act or any other Act are required for the proposed use or development to which the permit relates, the permit does not take effect until all those approvals have been granted.

We also note under clause 15(1)(f), the Minister may grant approvals required under any other Act prescribed. We have not seen any regulations nor is there an indication of what might be prescribed but it is not precluded that this could include the *Building Act 2016*.

Clause 8(3) states that unless otherwise specified in the Act, the project permit is not a permit within the meaning of LUPA. However, Clause 17 - Enforcement of compliance with permit conditions, provides that the permit can state the relevant Act, in this case LUPA, applies to the permit or requirement.

The permit, as currently drafted, does not contain a term to which LUPA applies.

Clause 8 (3)

We are supportive of clause 8(3). It is worth noting however, the Bill as currently drafted, does not grant any agency enforcement powers for the permit with the exception of Schedule 5 – Environmental Protection Authority (EPA) Conditions.

Clause 9 and 11. Minister issuing project permits

Council is concerned by the powers granted to the Minister to grant separate permits without the terms and conditions being subject to the same scrutiny as the permit granted under clause 8. All permits granted under the legislation for the proposed development as defined in clause 4 should follow the same approval process including consultation on the draft terms and conditions of any permit and be the subject of consideration by Parliament. Allowing the proposed development to be approved in part and deferring some of the approval to a future time subject to unknown terms and conditions, without appeal rights, undermines transparency, accountability and procedural fairness.

Clause 12. Amendment of relevant permits

Council is concerned by the powers granted to the Minister to grant amendments to the permit without being subject to the same scrutiny as the grant of the permit.

Recommendation

Amendments to permits granted under the legislation should follow the same approval process including consultation on the proposed amended terms and conditions and be the subject of consideration by Parliament. Allowing the Minister to amend a permit at his complete discretion subject only to consultation with limited parties (noting our concern with consultation being undefined) undermines transparency, accountability and procedural fairness.

Clause 14. Amendment of planning schemes, etc.

Clause 14 as currently drafted is very broad and is not limited to the extent of the Project. If the Commission is directed to make amendments to any relevant planning scheme, will it be a scheme amendment so it applies to all future use and development? Or will it be only to the extent of the project? It is our belief, that as currently drafted, a scheme amendment can be required which extends beyond the project and applies generally.

Recommendation

Clause 14 be amended to limit planning scheme amendments to the extent of the *project land* as defined under the Bill.

Clause 16. Minister responsible for compliance with permits

Clause 16 states the Minister is responsible for ensuring the terms and conditions of the Permit are being complied with but gives no power to the Minister to ensure this will occur. The Bill does not give the Minister any power to take action if the development is not constructed or operated in accordance with the Permit.

Recommendation

We suggest that Schedule 7 - HCC conditions contain a statement in accordance with Clause 17 and similar to Schedule 5 that LUPA applies. This will give Council the enforcement powers under LUPA to enforce, in the event the developer fails to comply with HCC's conditions. For the reasons above, we recommend this be limited only to Schedule 7 – HCC Conditions.

For completeness, we recommend that Schedule 4 – Historic Cultural Heritage Conditions should contain a statement that the Historic Cultural Heritage Act 1995 (HCHA) applies to give the Tasmanian Heritage Council (THC) enforcement powers of their conditions under HCHA and similar with Schedule 3 – Aboriginal Heritage Conditions and the Aboriginal Heritage Officer (AHO) and Schedule 6 – TasWater Conditions for TasWater (see recommendations in draft Permit section of this submission).

Clause 17. Enforcement of compliance with permit conditions

This clause is not directly concerned with enforcement of compliance with permit conditions. As mentioned above, the Act contains no powers of enforcement of compliance with permit conditions.

Recommendation

The Bill include provision granting the Minister appropriate enforcement powers in the event of non-compliance with permit conditions, both during construction and for any on-going use.

Part 3 – Access Network

Clause 20. Relevant land acquired

The Bill proposes a transfer of assets from the Council to the State Government by compulsory means.

Recommendation

The Bill references that the owner of the Land is entitled to compensation under the Land Acquisition Act 1993, and this is deemed a minimum requirement by the City. Equally, any land acquired under the Bill which is not required for the stadium should be returned to the City.

General Comments in regards to Clause 20.

It is unclear how the transfer of ownership of subsidiary roads around the Cenotaph to the Government will impact the effective ownership and maintainability of the outfall of the Hobart Rivulet. Ownership of the piped asset will stay with the City – however – the City will need to maintain vehicle access to the outfall area to ensure servicing of the gross pollutant trap can be undertaken as required. We currently access the outfall area from TasPorts side.

Clause 30. Exemption from certain fees and charges

With respect to exemptions from certain fees and charges, it needs to be understood that both the POSS process and draft Bill have removed fees and charges for development assessment which would have been received by the City for any other development that occurs within the Municipal Area under the State's planning system.

Recommendation



As such, it is considered reasonable that fair compensation is paid to the City by the State Government for the loss of this fee revenue.

Clause 34

The City is concerned with the exclusion of appeal rights against decisions of the Minister, especially when read in conjunction with the broad powers granted to the Minister to amend a permit. The permit, as currently drafted, includes terms and conditions addressing the stormwater design which is necessary to protect both the environment and the City's stormwater system. These conditions have been recommended by the City and will be the subject of consideration by Parliament. To grant the Minister the power to amend the permit, and potentially remove these conditions, without the ability for Council to challenge such an action undermines transparency, accountability and procedural fairness.

The draft Permit

Part A and Part B General comments

Documentation and timeframes

Recommendation

We suggest that the conditions that require submission of documentation to be approved, such as B3, should condition a requirement that once approved, the documentation must be complied with and include a timeframe for compliance. Whilst we note compliance is implicit, a planning permit condition would ordinarily include this.

Part C – Construction Management

General Comments

We encourage the State to consider highest and best standards for the drafting of this Section and note that HCC will be consulted in the finalisation and endorsement of these critical plans.

Condition C5

C5 lists what infrastructure requires dilapidation reports to be prepared and whilst general reference is made to infrastructure, given the uniqueness of the Hobart Rivulet Tunnel we believe it should be explicitly stated.

Recommendation

Explicitly include the Hobart Rivulet tunnel structure in the list.

C5 should also include a requirement for copies of dilapidation reports to be provided to relevant owners.

Part D – Operational Management and Adaptive Review

Condition D1

Condition D1 places a requirement that *“the use of the multipurpose stadium for events must not commence until the following requirements have been implemented to the satisfaction of the relevant regulator specified in Schedule 8.”* This includes requirements *D1(i) for the completion of pedestrian and cycling infrastructure improvements identified in the approved Operational Transport Management (OTM) Plan.*

Recommendation

Given that the City has no role in the development and or approval of this OTM Plan, it needs to be reiterated that any pedestrian and cycling infrastructure improvements must be funded by the proponent, not the Council.

Condition D9

One of the reasons for this condition is “to reduce landfill”. To appropriately achieve this, it is important that the conditions seek to focus on ‘*waste avoidance*’ in equal measure to the points listed in (a) to (d). There should also be specific requirements relating to the diversion and management of organic/food wastes within the stadium, not just recycling and waste diversion programs.

Schedule 1 – Definitions

Recommendation

Provide a definition of ‘consultation’. Definition should include a requirement for both parties to act in good faith to achieve consensus to the greatest possible extent.

Schedule 3 – Aboriginal Heritage Conditions

Recommendation

We recommend Schedule 3 contains a statement that the *Aboriginal Heritage Act 1975* applies to give Aboriginal Heritage Tasmania (AHT) power to enforce their conditions.

Schedule 4 – Historic Cultural Heritage Conditions

Recommendation

We recommend that Schedule 4 contains a statement that the *Historic Cultural Heritage Act 1995* (HCHA) applies to give the Tasmanian Heritage Council (THC) the power to enforce their conditions.

Condition 6.

This condition does not state what the applicant is required to do once the report is prepared.

Recommendation

Condition 6 should include a requirement for the Statement of Archaeological Potential (SoAP) to be approved by Heritage Tasmania prior to the excavation of land within the subject site. All recommendations of the SoAP must be complied with in full and in accordance with any advice from a suitably qualified archaeologist and Heritage Tasmania.

Condition 7.

This condition requires reports to be signed off by Heritage Tasmania but lacks details about what the ‘relevant works’ are, who does them and at what stage.

Recommendation

Condition 7 should be amended to detail the nature and specificity of the relevant works to be undertaken by the proponent and the timing of these works.

Condition 8.

This condition relates to condition 7 which requires Heritage Tasmania to provide advice prior to the 'relevant works' being undertaken. This also lacks clarity about who does what and when on the ground.

Recommendation

Condition 8 should be revised to detail the nature and specificity of the relevant works to be undertaken by the proponent and the timing of these works.

Condition 9.

This condition requires archaeology to be undertaken prior to the commencement of building and excavation work.

Recommendation

This condition should be amended to require Heritage Tasmania to provide oversight of the recommendations and processes to be complied with to meet this condition.

Condition 10.

This condition relates to preparing policies, but it fails to follow through with meaningful outcomes.

Recommendation

The Heritage Conservation Management Plan (HCMP) must also include an interpretation plan for the display of any artefacts and in situ archaeological deposits recovered during archaeological excavations. These management policies, including the interpretation plan, need to be submitted and approved by Heritage Tasmania within 60 days of the preparation of the HCMP. All recommendations for the recovery, recording, display and long-term management must be carried out in full and in accordance with the requirements of Practice Note 7 Conserving Moveable Cultural Heritage and Practice Note 2 Managing Archaeology by the Tasmanian Heritage Council.

Condition 11.

This condition is about obtaining comment from Heritage Tasmania on ways to mitigate impacts on heritage values. There does not appear to be any evidence that the advice must be complied with.

Recommendation

Condition 11 should be amended to include that any design changes to the Project Proposal should be submitted to Heritage Tasmania for assessment and endorsement within 30 days of the proposed design changes.

Condition 12.

This condition is problematic as there needs to be a Conservation Management Plan (CMP) prepared that fully identifies the heritage values of the place as well as recording it fully and a plan on what to do with the Red Shed, not just the preparation of an archival record.

Recommendation

It is recommended that Condition 12 include an additional requirement for the CMP for the Red Shed to include a comprehensive analysis of the heritage values of the place and a plan for its potential future retention / relocation / or demolition during the preparation of the archival record.

The CMP (and archival record) must be submitted to Heritage Tasmania for endorsement within 30 days of completion and all recommendations must be complied with in full.

Schedule 6 – TasWater Conditions

Recommendation

We recommend that Schedule 6 contains a statement that the *Water and Sewerage Industry Act 2008* applies to give the TasWater enforcement powers of their conditions.

Schedule 7 – Hobart City Council Conditions

Recommendation

We suggest that Schedule 7 contains a statement (in accordance with Clause 17 in the Bill) that LUPA applies. This will give Council enforcement powers under LUPA to enforce, in the event the developer fails to comply with HCC's conditions. For the reasons above, we recommend this be limited only to Schedule 7.

Schedule 8

Schedule 8 prescribes that the City is the Relevant Regulator for Stormwater Design, and that the City of Hobart is to be consulted on:

- Construction Environmental Management plan
- Construction Traffic Management Plan
- Operational Waste Management Plan
- Operational Noise Management Plan
- Final Plan of Subdivision and Schedule of Easements.

As previously outlined the expectation as to what constitute meaningful consultation needs to be adequately defined.

Furthermore, there are several conditions that require 'plans' to be developed which means that there is no line of sight on what the outcomes of the conditions will be. This is not a transparent means of achieving compliance with the draft Bill. This is particularly concerning to the City as it is only afforded a consultation role in most circumstances.

Recommendation

Define 'consult'. It is suggested that a definition for consultation should include a requirement for both parties to act in good faith to achieve consensus to the greatest possible extent.

General Comments

Fees

The draft conditions require assessment by the City in relation to stormwater related issues. For an application assessed under LUPA, any assessment of detailed design would attract a fee, pursuant to the Council's fees and charges. For standard condition endorsements, there is a fee of \$630. However, this fee is lower than the cost of the assessment and assumes a level of understanding of the project following the planning assessment (which has much higher fees).

Recommendation

It is proposed that a fee is allowed for the time spent by Council assessing the project which is higher than \$630 to properly compensate for the time which would be required to properly assess the proposal.

Further, a fee of 2% of the cost of a development relating to new or altered public assets is also imposed. Given the uncertainty as to the stormwater arrangements for the proposal, it is not possible to say whether this fee would apply and, if so, adequately compensate the City for the time spent assessing the proposal.



Appendix

City of Hobart Draft Integrated Assessment Report Submission, 2025

CITY OF HOBART

**MACQUARIE POINT MULTIPURPOSE STADIUM
PROJECT OF STATE SIGNIFICANCE**

Draft Integrated Assessment Report Submission

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Introduction

This submission represents the City of Hobart's response to the draft Integrated Assessment Report (IAR) prepared by the Tasmanian Planning Commission (the Commission) for the Project of State Significance (PoSS) Macquarie Point Multipurpose Stadium project (the Project) in accordance with the *State Policies and Projects Act 1993* (the Act).

In summary, the City of Hobart (the City) does not support this project being built at this location, as the negative impacts outweigh the positive benefits. The City has consistently maintained that the stadium will result in:

- significant damage to places of heritage significance (including the Hunter Street precinct and Cenotaph) and Hobart's heritage tourism brand;
- the lost opportunity, of what will be an inactive precinct for most of the year, in a prime and strategic location for the City;
- significant environmental concerns, as raised by the Environmental Protection Agency (EPA) in their submissions to the Commission;
- the impact of the northern road in cutting off community access to the river;
- the very poor process that led to this point including the AFL overriding the approved plan for Macquarie Point and the abandonment of the POSS process; and
- the lack of critical transport infrastructure to support a functional stadium.

The City notes similar findings have been expressed in the draft IAR by the Panel, especially as they relate to the City's key areas of responsibility, therefore the submission focuses on areas where a point of difference is apparent that may need further attention and resolution through the next stages of the PoSS process (if progressed). Or where we can provide information or clarity on issues identified by the Panel.

The submission also raises concerns for the City in relation to its various roles in this project. These roles are:

- as the council of the municipality in which the Project is located;
- as an 'Agency' (*planning authority*) as defined under the *State Policies and Projects Act 1993*;
- as an asset owner of local roads, footpaths and carparks, stormwater and lighting infrastructure;
- as an adjoining landowner to the Project of State Significance (PoSS) declared project area;
- as the body that is responsible for the future strategic land use planning agenda for the city;
- as the responsible Agency for enforcing a range of planning permit conditions; and
- as an advocate representing a range of different community views on issues such as Aboriginal cultural values.

Abandonment of the POSS Process

On 13 April 2025, the State Government announced that they plan to introduce 'enabling legislation' to Parliament to progress approvals for the Project and abandon the Project of State Significance (PoSS) process.

Foreshadowing this formal announcement, the City's Planning Committee on 9 April 2025, expressed disappointment with the State Government's handling of the stadium proposal, citing concerns about process integrity and disregard for the Tasmanian Planning System.

The Committee passed motions to urge the State Government to take account of the findings from Nicholas Gruen's independent review, properly respond to the draft IAR, address the Planning Institute of Australia's concerns, and respect community expectations for transparency and public involvement.

The Committee also noted the City's significant investment in reviewing the proposal and its process concerns, urging the State Government to maintain public trust by adhering to a transparent and objective planning framework.

In good faith, and in its capacity as the local government and planning authority for the wider area, and as an adjacent landowner, the City has drafted this submission noting that the State Government has indicated that, irrespective of the abandonment of the POSS process and introduction of 'enabling legislation', they will consider issues raised in submissions received in response to the IAR.

Submission Summary

A summary of the submission is set out below.

The City:

- Supports the Panel's interpretation of the Governor's order (the Order) that the scope of the Project is to include the related infrastructure and services necessary to support the stadium and its operations.
- Shares the Panel's concerns over the Project's consistency with the Mac Point Precinct Plan (the Plan), overall precinct functionality and asserts the need for the Proponent and TasPorts to review eastern boundary alignments as a priority to provide the necessary circulation space and realisation of the Plan.
- Notes, through its own economic modelling, whilst significant local economy benefits may be experienced through the realisation of the Project, the cost to the State and opportunity costs from the loss of realising alternative development outcomes for the site outweigh these localised economic benefits.
- Broadly agrees with the Panel's assessment that the size of the stadium is disproportionate to Hobart's small scale and established built form. The City has prepared, in conjunction with Leigh Woolley and its Urban Design Advisory Panel

(UDAP) a detailed urban design response to the draft IAR. It is worth noting, the City has requested a 3D model of the Proposal at multiple stages both to the Proponent and the Commission and has repeatedly been denied this request. This gap in the City's ability to analyse the project's visual impacts on the City is a missed opportunity for the Proponent and the Panel to receive this vital feedback from the City.

- Holds reservations about the dismantling/relocation of the Goods Shed and notes no updated Conservation Management Plan (CMP) has been submitted for either the Goods Shed or the Red Shed. The City would like to see alternative options considered which may contribute to Hobart's heritage in more innovative and impactful ways. The City notes that its remaining colonial built heritage townscape qualities are defining features of the City and are often a key consideration for people choosing to visit Hobart.
- Agrees with the Panel regarding the lack of engagement with the Tasmanian Aboriginal community and the inadequacy of documents submitted regarding Aboriginal heritage. Recommendations for meaningful Aboriginal community consultation and management of identified cultural items.
- Agrees with the Panel regarding the significant risks of large crowd events impacting public and road user journeys. Notes the need to improve pedestrian infrastructure and potential road closures during events as is currently undertaken for similar sized events.
- Asserts the importance of the Collins Active Pedestrian Bridge as a key requirement for the safe egress of patrons returning to the CBD and carparks. The City supports the use of off-street carparks and the charging of fees to cover costs.
- Notes that event management may be mitigated through careful planning with key stakeholders and recommends the establishment of working groups to address event management issues in due course.
- Shares the Panel's concerns regarding site contamination, groundwater, stormwater management, and the disposal of excavated material and assets, and the need for detailed approval conditions and management plans to mitigate these concerns.
- Agrees with the Panel regarding the lack of detail for construction programming and shares concerns over the interdependencies between delivery of major projects simultaneously. Further highlights the need for approval conditions to consider these issues.
- Other issues the City covers in the submission include the need for appropriate conditions to be imposed on any permit granted. As well as seeking clarification on the status of certain titles and the statutory process for subdivision.

1.0 Economic Impact

Summary

The City concurs with the Panel's concerns around the ability of the State to finance the construction of the Project and the associated long-term economic impacts this may have at the State and also on state funding available for other city priorities.

Council engaged SGS Economics and Planning (SGS) to peer review the economic reports supplied by the Proponent which included a Cost-Benefit Analysis, Economic Impact Assessment and a Financial Impact Report (see Appendix 1).

Given the Project will be located within the Hobart LGA and adjacent to Hobart's CBD, Council also engaged AEC Group Pty Ltd to undertake specific LGA-focused economic impact analysis to inform its decision-making (see Appendix 2).

The SGS review concluded that for both the City of Hobart and the Tasmanian Government, the costs of the project are likely to be higher than indicated, and the benefits are likely to be lower.

The costs of the Project were noted to include:

- The significant financial liability incurred by the Tasmanian Government due to the large capital expense of the project, including an unfunded component, and projected failure to produce a positive operating result.
- The constrained financial environment this will create in which the City of Hobart must compete for infrastructure expansion grant or loan funding of its own.
- The significant costs associated with infrastructure upgrades and maintenance of the stadium precinct, including upkeep of parks, active travel links and management of parking and increased road congestion, which will be disproportionately borne by the City, but which are uncosted and unconsidered in the analysis.

In terms of benefits of the Project, the report found that:

- Economic and financial benefits do not equate to costs, resulting in a negative benefit-cost ratio (BCR) and net present value (NPV) from the perspective of the Tasmanian Government.
- A number of issues with benefits specified in the cost-benefit, economic impact and social and cultural impact analyses suggest that actual benefits may be even lower than suggested in these reports.
- While the cost-benefit analysis defers significantly to the social and cultural impact analysis in containing unquantifiable, though valuable positive impacts of the proposal, the review finds that most of these impacts are in fact monetised and quantified as benefits. This recommends attention to summary measures of the

project's viability produced in the cost-benefit analysis; especially the negative net present value and benefit-cost ratio.

- The negative impact on the City of Hobart may be ameliorated by additional rates that will be raised from the stadium precinct, in line with similar recent developments of this kind.

The proponent's CBA prepared by KPMG, establishes a base case for the site, that in the event the stadium was not built, the site would sit vacant, unsold and undeveloped, holding and producing no economic value. SGS considers this an 'implausible base case for the stadium project'¹ and is reflected in the Panels concerns (to some extent) by their requests (as set out in the Project Guidelines) for the Proponent to prepare a comparison of the economic impact of the Project with that of an alternative investment utilising a similar value of public funds. The City concurs with the panel regarding the low level of output expected to be generated by the Stadium compared to the level of public investment proposed.

The opportunity cost of the chosen site is of great importance. Especially given the array of alternate uses previously endorsed, such as those contained within the *Reset Masterplan 2017-2030* published by the Macquarie Point Development Corporation prior to the stadium proposal, and the value of the site as the last major urban renewal opportunity in Central Hobart. Thus the failure to consider a separate base for this specific precinct may obscure the true incremental impact of the proposal, *in addition*, to the alternative investment case that was requested by the Commission.

Economic Impact on the City

The economic impact analysis undertaken by AEC Group explores the impacts the Project may have for the Hobart municipality, during both construction and operational phases. The modelling incorporates previous related studies and peer reviews, along with desktop research to inform the underlying assumptions and quantify the Project's economic impact on the Hobart LGA using input-output modelling.

Council recognises the limits of the economic impact information provided in the AEC report adopts Input-Output (IO) modelling, in that the multipliers used in the assessment were derived from a parent table, in this case, the 2021/22 Australian (national) transaction table (ABS, 2024a), without undertaking any primary data collection in Hobart. The AEC report also confesses to using economic modelling that assumes there is no budget constraint in place for residents and no supply side constraints.

The limitations stated in the AEC report on the negative reliability of Input-Output analysis are acknowledged regarding the potential economic impact to the City.

It is noted that the Australian Bureau of Statistics has stated that while IO multipliers may be useful as summary statistics to assist in understanding the degree to which an industry is integrated into the economy, their inherent shortcomings make them inappropriate for

¹ SGS (2025) Macquarie Point Stadium Economic Analysis Advice, SGS Economics & Planning, p.15

economic impact analysis

It should be emphasised that an economic impact study is not an evaluation tool to demonstrate the cost-benefit analysis of the proposal. Council was not able to undertake an in-depth economic study drawing on local data, and so the studies it has, do not consider and discount relevant matters such as foregone or opportunity costs, i.e. other events that may be harmed, impact on heritage tourism brand, other providers that will lose income (i.e. conferences) and alternative uses of the site that may be more frequently used, profitable or productive.

Construction Phase

As part of the economic impact modelling undertaken by AEC, it was concluded that, broadly speaking, there could be significant economic impacts within Hobart LGA. This is due to the significant investment of government funding in a new event venue. Overall, the total economic impacts on the local economy could amount to approximately \$143 million in output, \$65 million to the City's Gross Regional Product (GRP), \$44 million in local incomes, and support a total of 385 full time equivalent local jobs. However, this needs to be balanced with an understanding that economic modeling for alternative developments of this site has not been conducted and it is reasonable to conclude that a similar financial outcome during the construction phase of an alternative development scenario could be achieved over a longer timeframe.

It is also worth noting, the City shares the Panel's concerns regarding the lack of detail regarding construction programming and dependencies between related projects and the construction of the stadium occurring simultaneously (see Section 9). The City also holds reservations about the local construction industry being able to support multiple major projects being delivered simultaneously.

The City also concurs with the Panel around the significant financial risks to the State Government if construction delays occur which may also trigger AFL penalties.

Operational Phase

Modelling of the operational phase impacts undertaken by AEC examined the potential average total annual economic activity supported through the operations of the Stadium, with operations assumed to reach a 'stable state' (business as usual) of operating by 2032. The Project is expected to generate economic activity for the Hobart LGA through the following mechanisms:

- Operating activity of the stadium itself
- Activity associated with organising and hosting events at the stadium
- Activity supported more broadly in Hobart LGA on event days outside the Stadium, before and after an event
- Induced non-event day visitation and associated visitor expenditure.

Noting the abovementioned caveat of the AEC modelling, the project is estimated to contribute \$106 million annually in industry output to locally sourced businesses within the Hobart LGA regional economy through initial activity. A further \$72 million per annum in industry output is estimated to be supported in the economy through flow-on activity,

including \$33 million in production induced (i.e., supply chain) activity and \$39 million through household consumption induced activity (i.e., expenditure of households within the local economy as a result of a lift in household incomes).

This level of industry activity therefore estimates the following economic benefits each year from the 89 events they anticipate will occur at the venue (37 sports events and concerts, 52 business events):

- \$87.2 million contribution to Gross Regional Product (GRP) (including \$48.7 million through initial activity).
- 813 Full time equivalent jobs in the region (including 598 FTE jobs through initial activity), paying a total of \$62.8 million in wages and salaries (including \$39.9 million through initial activity).

Of the post-construction impacts, the largest impact is estimated to be delivered through induced non-event day visitor expenditure, followed by local and visitor expenditure on event day (outside the venue). Total induced visitor expenditure due to events at the new Stadium on non-event days is estimated at \$72.3 million per annum, with the majority coming from interstate visitors contributing \$44.6 million, largely due to these visitors anticipated to stay longer than Tasmanian residents who reside outside of Greater Hobart.

Total local and visitor expenditure on event days outside the Stadium is estimated at \$53.4 million per annum, with the majority coming from Tasmanian visitors who reside outside of Greater Hobart, contributing \$32.9 million per annum. Hobart LGA patrons are estimated to have a relatively marginal impact, as they constitute a smaller share of total patrons and have one of the lowest average spends on event days².

The City notes that 'expenditure switching' was not able to be considered in developing this analysis. It is therefore recognised that some residents of Hobart LGA and the rest of Greater Hobart may reduce their expenditure within Hobart LGA to redirect toward Stadium-related spending. However, this phenomenon is multidirectional—Hobart LGA residents may also reduce spending in other LGAs, while Greater Hobart residents may redirect their spending from their LGAs toward Hobart LGA. This dynamic underscores the complexity and uncertainty of expenditure patterns and redistribution.

It is important to note that if the venue is not as active as the assumptions made in the AEC report, this will impact on the benefits to the City economy.

Potential Economic Costs for the City

As set out in the SGS Report, the development of the stadium will require significant additional investment by other government agencies, levels of government and private service providers. The City, particularly, may be exposed to additional costs including:

- The maintenance and upkeep of areas surrounding the stadium, including local roads, paths, parks, active transport links and gardens (on its land).
- Additional public infrastructure such as park benches, CCTV cameras and wayfinding in the surrounding precinct

² AEC (2025) Macquarie Point Stadium Economic Impact Assessment, AEC Group Report, p.14

- Parking controls around the precinct, Queens Domain and in overflow areas across Central Hobart.
- Additional city cleansing requirements after large events
- Amplification of roads surrounding the precinct.
- Additional strain on Council facilities such as public toilets and bins.

Given the inability of the Project to consider these costs, without Council investment in these areas, the additional costs should be factored into the analysis. It also remains uncertain if Council rates, to be generated from the Project, could cover these annual costs.

Our economic studies haven't been able to explore in detail whether use of the new venue may reduce the economic activity and profitability of other entertainment and business venues currently operating in the city.

Built heritage tourism in Hobart

The City notes that its remaining colonial built heritage townscape qualities are defining features of the City and are often a key consideration for people choosing to visit Hobart³. The chosen site of the Stadium represents both a chance to increase the entertainment options for the inner City and weekend/nighttime economy diversification whilst potentially impacting negatively on the cherished colonial heritage townscape values.

The City recognises the dichotomy of this and stresses that the realisation of the surrounding precinct - that strives to consider, more comprehensively, the existing heritage setting - will be critical to avoid the wider Mac Point Precinct becoming a largely utilitarian service area for the generally inactive Stadium save for event days. Further concerns in relation to the Stadium's impact on the urban form of the City and its heritage values are set out in Section 3 and Section 4 of the submission.

2.0 Social and community issues

Council is cognisant that this project has attracted a high level of public interest and accordingly, has listened to and takes seriously the concerns expressed by community groups representing a broad range of views that have contributed to the public discourse on this project.

For instance, the Tasmanian Symphony Orchestra (TSO), a significant Tasmanian cultural institution which is located adjacent and in close proximity to Macquarie Point, has publicly expressed their concerns regarding the negative impacts from noise emissions the proposed stadium is anticipated to have on the orchestra's viability. The TSO is an acoustically sensitive receiver of the proposed stadium project so the protection of its interests and assets are of utmost concern as it has material consequences for the TSO and its continued creation of economic, social and cultural value for Tasmania. It is noted that the TSO events currently generate regular, significant visitation and spending on

³ Legislative Council (2016) *Final Report on Built Heritage Tourism in Tasmania*, Government Administration Committee B, Legislative Council, Parliament of Tasmania

hospitality and any impact on this could impact on economic benefits.

Council concurs with many of the issues previously raised by the TSO in its submission to the Commission's Guidelines, particularly its call for the State Government to introduce and implement a suitable environmental noise policy to protect the TSO and other organisations, businesses and residents directly affected by noise generated from this project.

A robust and adequate noise policy does not exist in Tasmania to assess the scale of development that is proposed and it is argued that a starting reference point should be relevant policies from interstate or overseas jurisdictions where a similar scale of development has been comprehensively assessed against stringent noise control policy. It is duly noted that the Commission's Guidelines, in relation to noise and vibration, are scant on appropriate detail and rely on subjective descriptions rather than objective, quantifiable noise criteria which are employed in other jurisdictions.

A noise policy should be designed to be unambiguous and outline absolute and measurable, numerical objective criteria to demonstrate during construction that the noise control requirements are being met and to assist with commissioning (on completion and during commencement of operation) that the noise criteria are being met. The TSO views this policy as the clearest way for the State Government to protect existing parties that stand to be adversely affected by this project and to provide an objective framework for the robust and independent assessment of environmental noise and vibration impacts for the development as it progresses.

Council agrees with the TSO's assertion that without an appropriate noise policy, the focus of any assessment of noise will be limited to 'impacts and effects but does not provide any indication as to what is to be done if there is such an impact or effect'. This leaves the TSO without recourse should there be a noise level incident (an increase in noise) due to the development that would disrupt the TSO's operations. The TSO has highlighted that there does not appear to be 'any requirement for the development to implement measures to reduce noise to an acceptable level', and there appears to be no enforcement mechanism for the proponent to be held accountable to meet suitable and defined objective noise levels, only to 'limit' noise.

Any such environmental noise policy would need to consider the current use of the TSO facilities which are multifaceted, comprising the Federation Concert Hall, the Recording, Film and Rehearsal Studio and the ABC Recording Studio all within the premises. These premises are activated 7 days and 6 nights per week as well as more than 30 concert occasions per year and 60 rehearsal days. The TSO has recently invested \$1.3 million in the acoustic upgrade of the Federation Concert Hall involving the installation of digital infrastructure in the hall to create a world-class performance, recording and filming venue for Tasmania.

The TSO is concerned that the typical forms of Environmental Impact Assessments (EIA) and Construction Management Plans (CMP) do not provide adequate protections for the TSO operations due to noise and vibration and it will not have any influence and control over the approval of such plans that are directly relevant given the acoustically sensitive

nature of their work.

The TSO is concerned that both the EIA and CMP will essentially be self-approved, and as such it formally requests that an independent approval and oversight Committee be convened for the approval of these plans. The TSO requests to be included as a member of this Committee to give it the necessary authority to approve these plans.

Council is also aware of various concerns raised by the Federal Group, owner of the Henry Jones Art Hotel (including 56 luxury rooms), the MACq 01 hotel (including 114 luxury rooms) and operator of various businesses such as the Evolve Spirits Bar, the Story Bar and the Old Wharf Restaurant, all of which are located adjacent to and in very close proximity to the proposed development. Also located at Hobart's waterfront, the Federal Group manages the Landscape Restaurant and the Long Bar and offers a variety of event spaces including the Atrium, Packing Room and Jones and Co Room which are used for hosting meetings, weddings and small conferences.

The Federal Group is also the owner of the former Retlas Bronze site on Evans Street which is earmarked for development into a boutique luxury hotel, which is located directly across the road from the proposed stadium development. The company's considerable business interests and landholdings in the Macquarie point area and historic waterfront make it a key stakeholder in the future development of the area, especially in the fields of tourism, hospitality and retail.

Council has taken seriously the key areas of concern that the Federal Group have raised publicly in their previous submissions to the Commission's Guidelines. Some of these pertinent issues include the potential noise disturbance during both construction and operation of the stadium, restricted access and decreased amenity on Evans and Hunter Streets for guests, visitors and suppliers to various businesses, and the consequential reduction in the quality of customer experience attributable to this loss of amenity.

The Federal Group has also expressed its reservations regarding the impacts on the visual lines and increased shadowing from the proposed stadium, changes to the maritime heritage experience for visitors in terms of ambiance and sightlines on the waterfront and the aesthetic design and physical dimensions of the stadium in terms of its bulk and height.

Council is concerned regarding impacts of the proposed stadium on the Royal Hobart Regatta Association which is a community organisation that is the oldest continuously operating regatta in Australia. The Regatta has placed its concerns on the public record in its submission to the Commission's Guidelines including that the document appears to be silent on how the operations of the Regatta will be impacted, and how the proponents will address these impacts. In addition, there appears scant detail regarding the relocation of the Macquarie Point Water Treatment Plant to Selfs Point as it relates to the operational headquarters for the John Colvin Memorial Grandstand and all other assets utilised by the Royal Hobart Regatta Association.

To safely and effectively conduct the Regatta, the Association utilises a number of assets on the foreshore, in the area that is colloquially known as the Cattle Jetty. The Association understands that some infrastructure will be demolished to facilitate road access in this

area and that will then deny, or significantly impede, access to the foreshore. The Commission's Guidelines also seem to be silent on the Federal Government's requirement for social housing, which is to be located in the area of the Cattle Jetty. The location of this housing will similarly impact upon the conduct of the Regatta.

Additional concerns held by the Association are ongoing access to the foreshore at the Hobart Regatta Grounds, proposed housing within the vicinity, future use and amenity of the only public boat ramp in the City of Hobart, and the construction of a significant roadway reducing and impeding access to the foreshore area. These are all important assets to the community, are vitally important to the successful operation of the Regatta and unless addressed will jeopardise the future conduct of the Royal Hobart Regatta. This may result in the end of one of Australia's, longest running regattas.

Another community group that has continually raised their concerns regarding the stadium project is the RSL. It has have argued for the historic, cultural and spiritual significance of the Hobart Cenotaph to the Tasmanian community, especially to returned service personnel, to be respected in the design of the stadium, especially impacts of the stadium on sightlines to and from the Cenotaph.

The RSL has maintained that the Cenotaph was purposely sited on vital ground in 1925 to command important sight lines. The sight lines to the Derwent Estuary, Battery Point and St Georges Church will be blocked by the stadium. These impacts cannot be avoided because of the height and bulk of the stadium. At 54m high and only 96m from the Cenotaph the stadium will dwarf the Cenotaph. The RSL has argued that no development should be permitted that obscures the Cenotaph from these sight lines which have been rightly protected by the Sullivans Cove Planning Scheme for decades.

As noted in Section 5.0 Aboriginal Heritage of this submission, the Palawa community have voiced concerns regarding the lack of engagement by the proponent in meaningful consultation, led and driven by the Tasmanian Aboriginal community, resulting in the project not properly considering Aboriginal cultural or spiritual values associated with the site.

The City's Heritage Committee has expressed that Macquarie Point is not an appropriate location for a stadium due to its intrusive scale and form and its dominating visual impact. In relation to the State Heritage listed Goods Shed, the Committee was unable to give its relocation proper regard without a Conservation Management Plan to review, and its proposed new location, wedged between the escarpment and stadium requires rigorous evaluation.

The Committee highlighted misgivings regarding the negative impacts of the stadium on Hobart's reputation as a renowned heritage City and cited the example of Liverpool in the UK which lost its UNESCO World Heritage status as a consequence of a stadium and large-scale development being constructed.

In previous submissions to the TPC on the draft Guidelines and to MPDC on the draft Macquarie Point Precinct Plan, Council has argued that the Project documentation has not adequately addressed impacts on the history and cultural and community significance of

the Huon Quays, the Regatta Grounds and most notably the Cenotaph and Cenotaph Avenue might be mitigated in the resulting built form. These features and locations have traditionally and continue to play a significant role in the communal and social life of the City.

From an urban design perspective, the City has long advocated for the broader Macquarie Point precinct to provide ample, high amenity, public spaces with numerous opportunities for pedestrians and cyclists to traverse in a way that enhances accessibility and usability for all users.

Over the course of the project, the City has continued to raise multiple issues regarding transport

Council notes that community polling carried out on the project, reported by the ABC on 25 February this year has indicated some opposition toward the project particularly among northern Tasmanians with a mix of views being expressed depending on age group.

3.0 Urban form planning

Summary

The City broadly agrees with the Panel's assessment that the size of the stadium is disproportionate to Hobart's small scale and established built form. The City has prepared, in conjunction with Leigh Woolley and its Urban Design Advisory Panel (UDAP), further responses to the Panel's findings for Section 3 below.

3.1 Urban form of Sullivans Cove and Hobart City

Building alignment

(o) 'Evans Street is identified in the Planning Review as a street that should have buildings with active edges forming a street edge'... 'the stadium, which is free standing, would not align with the street... with active frontages... does not meet the intended building form in the area'.

It is important to remember that when the Planning Review was written the 'Railyards' at Macquarie Point were not addressed as part of the Cove Floor. Moreover the landform considerations that now differentiate the 'reclaimed' from the 'given' ground were not incorporated. Accordingly the Cove Wall (that incorporated the frontage of Hunter Street) did so based on its built form, not due to the fact that it was built over Hunter Island and the sand spit (as 'given' ground). In short, the Planning Review (1991) was 'built form' derived, not 'landform' derived.

As a result the buildings along Evans Street were not considered part of the Wall, even though logically they were built above the same 'ground' conditions as the Hunter Street

frontage. This was an anomaly identified over a number of years and incorporated into subsequent analysis, including one of the documents included in the TPC Guidelines reference list (Woolley 2015, 2017).

When the further considerations of the Cove Floor were recognised as incorporating all that area that was reclaimed, and that buildings on the Cove Floor were to be free-standing, ('in the round') then the previous inconsistent notion (that the former Railyards / Macquarie Point edge of Evans Street should be a street frontage) was brought into question. Accordingly, the outcome by the Panel (p) (p.47) that Evans Street should '*still meet the general intent of the planning principles*' is somewhat open to review.

The important consideration is that typologically, this side of Evans Street should not be treated the same as the other side. The stadium side can accommodate buildings 'in the round' rather than 'street' facing, ideally with active edges (see Appendix 3).

3.2 Landscape and visual effects

An essential condition to any permit would be for landscaping. Landscape is a core part of the design and reading of the building (see Appendix 3).

Appendix J Visual Impact Assessment outlines the importance of the public realm landscaping to the overall proposal, providing benefits and mitigating the stadium's visual impact, including:

- Assisting in mitigating the impacts of the stadium bulk and scale.
- Softening the built form of the stadium.
- Allowing the stadium to co-exist with the Engineering Building within the local viewshed.
- Reflecting the natural and cultural values of the site and its context.
- Moderating the built form and ground level materiality.
- Along the escarpment, reinforcing the historical vertical edge of the river in this location, retaining the topographic importance of the edge.
- Strengthening the visual edge, providing further separation between the Cenotaph and the Stadium.

There is also a concern about light pollution from the stadium at night. The light spill requires modelling once materiality has been finalised and there should be consideration of timing restrictions for use of the lights, along with an assessment of the impacts of the proposed illuminated signs. It is also important to see the visual impact of the key views at night.

There are some initiatives that would contribute to creating a human-scaled environment within the landscape design package for public realm improvements including playful elements, water features, detailed paving treatments and native plantings. It remains to be seen if these critical elements will, in fact, be delivered.

Context

Considering key relevant materials identified in the draft IAR under 3.1 *Urban Form of Sullivans Cove and Hobart City* and 3.2 *Landscape and Visual effects* sections. These documents include: the Sullivans Cove Planning Review (1991), the Hobart Waterfront Urban Design Framework (2004), Hobart 2010, Public Spaces and Public Life, (2010) The Building Height Standards Review (2018), and the Central Hobart Plan (2023).

Although the documents are chronological, they do not treat the landform of Sullivans Cove in the same way. This is important in seeking consistency of approach when reviewing the spatial context of the proposed stadium, especially having regard to current planning policy and expectations. Put simply it concerns the difference between considering the setting as a 'backcloth' (to the urban landscape of Sullivans Cove) and considering the 'landform as fundamental to urban structure'.

The 1991 Planning Review identified the serving as important, (Sullivans Cove was contained within the 'great amphitheatre' 1991, p.26) but it did not translate this into an appreciation of the *landform* that had 'shaped' the built form of the cove. Rather it remained as landscape *backcloth* where the water was the 'stage' and the mountain 'the gods'. (1991 p.17). Accordingly, the principal spatial features were the 'Wall to the Cove' and the 'Cove Floor', being the visually dominant components of *built* structure.

This approach continued into the Hobart Waterfront Urban Design Framework of 2004. Here the grid of streets are identified as 'axes' in contrast to the Cove Floor, itself located beyond the defining edge of the Cove Wall. Similarly, the 2010 Study by Jan Gehl, implored the city to make the most of its remarkable setting, (2010 p.16, 76) but also did not differentiate the landform as fundamental generator / edge to the Cove Floor.

This is important because the former Railyards site (being part of the 'reclaimed floor' of the cove) was not yet being considered part of the (potentially) extended public space of the Cove Floor. Although earlier studies had differentiated the reclaimed edge of the Cove from the Cove Wall itself, (1987 Sullivans Cove Urban Detail Study, p. 20, 24), and this also informed studies of the City Centre, (1991 Townscape topic report, CASP, HCC, p.2.4, 3.2). It was not until the Height Standards - Performance Criteria Review (2016) and the ensuing scheme Amendment (PSA 17-3, 2018) that landform terminology and specific figures were incorporated into the scheme. These then informed the Building Height Standards Review (2018).

These now clearly identify the *reclaimed* edge of the Cove Floor (fig 22.7 HIPS 2015) (also identifying the 'basin'), as well as the topographic condition of the Central Hobart terrain forming the Urban Amphitheatre (figs. 22.8, 22.9 HIPS 2015) These, and the analysis embedded in the 2018 study, has helped reinforce and inform considerations of Central Hobart building heights being based on the (landform) location and their stepped character, back from the Cove Floor and in from the Domain headland (HIPS 2015) (Clause 22.1.3.1), (CHP 2023).

In short, the context for density and building height now acknowledges the terrain of Central Hobart and the Amphitheatre to the Cove, as inherent and identified components of urban

structure, not simply as 'backcloth'. Hopefully this clarification helps reduce some of the anomalies that persist when considering the earlier listed documents, as well as the Proponent's Appendix GG (SDP).

3.3 Project Design

The City concurs broadly with the Panel's findings regarding the Project's design, and provides additional responses for consideration below. It is worth noting, the City has requested a 3D model of the Proposal at multiple stages both to the Proponent and the Commission and has repeatedly been denied this request. This gap in the City's ability to analyse the project's visual impacts on the City is a missed opportunity for the Proponent and the Panel to receive this vital feedback from the City.

The stadium is a pleasing form in and of itself, and the use of timber and transparent aspects to the roof and the lower walls at the edges go some way to minimising the scale and bulk, however the relationships that are set up between the proposed stadium and the places and buildings around it are not respectful or complementary due to the unavoidable contrast in scale and visual bulk, and the long expanse of inactivated frontage on Evans Street.

Stadium Design & Functionality

The stadium's design is well-documented, but there is a lack of clarity on its integration into the surrounding precinct. The reports do not sufficiently explain how the stadium will function on non-event days.

Public domain design along the eastern edge is unclear. The relationship between the stadium and adjacent mixed-use developments is not well-defined. The reports do not describe how the Stadium is part of an integrated Precinct. Computer renders omit other precinct buildings, and the public domain plan is silent on the interface with adjacent precinct buildings. Whilst we acknowledge the mixed-use developments along the eastern edge will be part of a separate application, the relation and design of the stadium and those buildings are integral to a success of the precinct. Hence the application should provide a concept for the ground plane and those buildings. There needs to be a 'proof of concept'.

No evidence has been provided as to why the project has been sited in this particular way; or alternative options been tested. It is assumed that given the geometry and size of the site along with the scale of the stadium, there is no alternative layout.

Visual Assessment Summary

The visual assessment summary confirms and acknowledges that *"the height of the Stadium extends above that of the built form in the surrounding visual context and it presents as a prominent element from most of the viewpoints outlined above."* However, the response to the POSS guidelines suggests that the visual bulk of the stadium does not impact on the surrounding natural features. Several mentions are made to reference the semi-transparent materiality and shape of the dome reducing visual impact in its landscape

setting, which in UDAP's opinion, cannot be relied upon given the material illustrative nature of the montaged views. It is also noted that only a location and general description has been provided for each view without specific details such as elevation, perspective or camera lens angles.

UDAP also questions the likely effect of glare and reflectivity of the roof dome materials within the contextual setting of views specifically from elevated locations (see Appendix 4).

3.4 Signage

The City agrees with the Panel that insufficient detail has been provided of the proposed signage to make a thorough determination of its quality, integration, design and potential visual impacts. While the signage report refers to good design practice in terms of wayfinding, insufficient information is provided showing how it is to be incorporated into the landscaping throughout the site.

The signage, naming and identifying of the stadium is considered to be an important element in the context of the sports facility. It has a key role in guiding visitors by identifying the main entrances whilst providing a focal point where the building addresses the road frontages. Although subject to further details, it is apparent that the proposed scale of the signage is proportionate to the size of the building with the potential to be well integrated into the design of the stadium. This approach has been extended to ancillary signage throughout the site.

The Panel states that "signs should be responsive to the context of the surrounding area, rather than the building they are attached to. Their design, fabric and colour scheme should respond to the surrounding environment and its spatial arrangement, rather than project out of it." The signage is well setback within the site and proposed to be incorporated into the architecture of the building. Due to the proposed scale of the development, the broader site is considered to form the surrounding environment and context for signage.

The City does not see relevance in the Panel's comparison of the horizontal length of the signage to the vertical height of buildings nearby or the naming signs having to accord with the scale and details of nearby heritage buildings. The stadium is significantly larger in scale than these buildings and signage is not viewed in the context of the heritage buildings but the stadium site itself. Although signage is tightly controlled throughout the city and Sullivans Cove, signage of significant scale already exists, but not located in the context of such a large site or comparable built form.

Under *25.13 Matters to be Considered* of the Sullivans Cove Scheme Signs Schedule, rather than focusing on context, there is emphasis placed on the cumulative effect of signage, visual clutter, appropriateness of scale relative to size of a building and impact on the building it is to be affixed. It also allows discretion for a sign to be 7% of the area of the façade. It appears that proposed signage scheme would align with the Sign Schedule of the Sullivans Cove Scheme albeit not envisaging a structure of this nature.

The intent of the quality and integration of the signage solutions throughout the site is largely endorsed, however it should be subject to the approval of a detailed signage plan.

4.0 Historic cultural heritage and community values

4.3 Historic Cultural Heritage

4.3.2 Dismantling/relocation of heritage listed buildings

The Red Shed

It is noted that a new Conservation Management Plan (CMP) has not been supplied for the Red Shed and therefore decisions are yet to be made about its potential retention / relocation. This documentation should have been provided to the TPC at the time of lodging the application so that an appropriately well-informed decision be made. It would be pe-emptive and tokenistic to approve the demolition or removal of this (or any) structure of local heritage significance on the basis that a yet-to-be prepared CMP would guide its future.

Notwithstanding the above, the relocation or storage of the Red Shed for future re-erection at an unspecified place do not seem to accord with its modest level of heritage value. Its removal, though having some adverse impact, is likely to be assessed as acceptable in the context of the Project.

The Goods Shed

The City concurs with the Panel's point raised at 4.3.2 (g), that 'the methods for dismantling and relocation of the Goods Shed have not been stated'.

Further to this argument is that an updated CMP has not been provided, nor has a detailed methodology and construction plan that shows re-location is technically possible and precisely how it would be undertaken. It is necessary to show that re-location is actually possible and to specify precisely what changes or interventions (i.e. new foundations, replacement of defective members, faithful sequencing of moved components) would be involved so the heritage impact can be properly assessed.

Moreover, the extent to which the re-location, re-orientation and adaptation of the Goods Shed would affect the State heritage values is not clearly understood in terms of physical aspects such as original fabric or design, or intangible features such as use or association. The changes that would result from the Project need to be systematically related to the attributes of the Goods Shed which underpin its State Heritage value so that the Commission can understand the heritage effects of the Project.

Given the high-level adverse heritage impacts of this Project on the Goods Shed, typical mitigative measures such as oral history, archival recording, on (and / or offsite) interpretation of the history and cultural significance (all of which should occur) are unlikely to be commensurate with the scale of heritage impact.

If the detailed methodology and construction plan, along with a new CMP concluded that

the core aspects of the heritage value of the Goods Shed could not be retained by the proposed re-orientation, re-location and adaptation, more radical mitigation might be considered, such as not seeking to retain the structure and installation of an interpretive exhibition on the site and saving the funds from its re-location to contribute to Hobart's heritage in more innovative and impactful ways. Please refer to Appendix 5 for more information.

This advice has been provided without the benefit of a CMP for the Red Shed and the Goods Shed being available to analyse.

5.0 Aboriginal heritage

The following section on Aboriginal heritage has been prepared based on specialist advice obtained from Sharnie Read, Aboriginal Heritage Advisor from Paliti rruni – Island Spirit (see Appendix 6).

The City notes that the Panel was unable to make findings on the impact of the Project on Aboriginal heritage and cultural landscape values in the report due to the absence of feedback provided by the proponent through engagement and assessment by the Aboriginal community. Furthermore, the City agrees with the Panel's view that 'only Aboriginal people can truly speak to and understand the Aboriginal cultural landscape values of the place'.

In a similar vein, the City holds misgivings regarding the adequacy of the documents submitted regarding Aboriginal heritage (Appendix HH & Appendix K) because of the lack of engagement by the proponent in meaningful consultation with the Tasmanian Aboriginal community.

It is noted that additional reports were supplied on 31 January 2025 to the TPC as part of a further information request, namely, Annexure N: Tasmanian Aboriginal Community Engagement (Cultural Heritage Management Australia) and – and Annexure O: Aboriginal Heritage Assessment Report (Southern Archaeology). These reports, although not subject to peer review due to budget and time constraints, do not alter the following advice regarding the impacts of the Project on Aboriginal heritage.

5.1 Aboriginal heritage materials

The report entitled *Previous Aboriginal Heritage Investigations* – (Macquarie Point Development Corporation, July 2024) at Appendix K, which comprises mapping of cultural sensitivity and potential cultural material is consistent with accepted practice in the field of archaeology. However, it is not necessarily accepted by the Aboriginal community as an appropriate method to protect Aboriginal heritage.

This methodology only serves to protect one element of heritage, that being physical or tangible objects and is the statutory approach legislated through the *Aboriginal Heritage Act 1975*. However, this approach does not involve the necessary consultation that is

required with the Aboriginal community or any consideration of Aboriginal cultural or spiritual values associated with the mapped areas.

It is evident that this report has been prepared from a scientific view rather than an Aboriginal view which alters the value attributed to the tangible objects and minimises the significance of the items or material and their association to cultural values.

The Aboriginal view is that such items are part of a greater picture or story of culture and country associated with the material that is a direct connection with culture.

5.2 Aboriginal cultural values and landscape

With respect to *Pre - Stadium Cultural and Landscape Values Assessment* (Southern Archaeology, August 2024) at Appendix HH, the information contained regarding ethnohistorical data is extensive in its nature but is not considered culturally adequate.

This report provides a comparatively detailed overview of the traditional occupation of the much broader boundaries of the country of the Tasmanian Aboriginal Southeast Nation and associated Aboriginal groups of the southeast nation, however it only provides a *limited* summary of land use practices associated directly within the project boundary.

Some references are made to the observation of Aboriginal people's seasonal movements along with descriptions of cultural materials as observed and recorded during the early 18th century, but these are not directly within the project boundary. While it is accepted that limited historical records will impact on the results of such research, it is seen as inadequate research if not accompanied by Aboriginal community knowledge and input.

It is acknowledged that while this report might technically meet the requirements of section 5.1 of the TPC guidelines, from an Aboriginal community view, the report is not representative of the standards or expectations of Aboriginal community focused research that includes meaningful engagement and reciprocity between the researcher and the individuals / communities involved in the research. This report relies on historical records from only a non-Aboriginal view, whereas it should, but does not, provide detailed records or descriptions of generational or inherited Aboriginal knowledge.

The City highly recommends that the proponent engage in meaningful Aboriginal community consultation, that is led and driven by Aboriginal people. Furthermore, it is recommended that the future management of 6,596 cultural items identified in the report is a priority and Aboriginal community consultation should be undertaken as a matter of urgency.

6.0 Use and activity

6.2.3 Upper Queens Domain

(f) The City acknowledges the challenges around the parking management of the Upper Queens Domain and is actively engaged in the parking and transport management of this part of City. The City regularly hosts simultaneous events and with careful integrated transport and event planning, believes that scalable event management plans can be developed to manage the requirements for patrons and the public transport network to ensure existing users of the Domain can maintain access and egress.

Further to this, the City considers that there are only a limited number of events held on the Queens Domain that would draw their own significant demand for parking across the wider area. These include:

- Anzac Day Parade / Service;
- Royal Hobart Regatta;
- Domain International Tennis Tournament;

(g) For local sporting games occurring at conflicting times, as discussed in the response to

Section 6.2.3 (i) and (j), it would be feasible to close part or all of the adjacent off-street carpark serving each sporting field if required.

Conferences would most likely occur during business hours, at which times the majority of public parking on the Queens Domain is already made available for all day parking (for a fee) by the City. This parking would be available to conference visitors, and given the City currently makes these spaces available for all day parking for commuters working in the Hobart CBD and its surrounds, it is not considered that additional demand for these spaces would create an unreasonable impact on existing uses during business hours.

(h) The City is of the view that the off and on-street carparking located on the Queens Domain will be sought after by patrons of events at the proposed stadium, and with high quality pedestrian connections in place to cross the Tasman Highway (the Bridge of Remembrance and the underpass under the Tasman Highway at McVilly Drive) this parking may be suitable and appropriate for patron use.

(i)& (j) The City supports these conclusions, but is of the view that such management will be feasible and functional. In the past, parking at the Aquatic Centre has been protected by staffing the car park, and for the Domain International Tennis Tournament, the 'TCA Car Park' opposite the event site is closed to public access on event days, and reserved for use by visitors to the Tournament.

These measures can be achieved, and while there is a cost in doing so (loss of revenue from paid parking if a carpark is closed to public access, and cost of implementing closures of car parks and staffing closures as required), there is also the opportunity to a fee to be charged for use of car parks and car parking spaces not required for conflicting events. This fee could cover the cost of implementing changes and staffing off-street carparks, and potentially could also be used to raise funding to construct infrastructure upgrades on the Domain, or for pedestrian upgrades in the area surrounding the proposed stadium.

If the event parking arrangements put in place on the grassed area adjacent to the Cenotaph were also utilised, and a suitable fee charged, this would be expected to both provide a large supply of parking with close access to the stadium and provide a significant revenue stream that could contribute to the costs of pedestrian upgrades in the area.

6.2.4 Other use and activity in the surrounding area

The City appreciates the Panel's concerns regarding the operation of adjacent streets during events, in particular Evans Street and Hunter Street, however, as established through the City's busy events calendar, the ability of the City and Sullivans Cove to accommodate multiple events simultaneously is well established.

The City welcomes further dialogue between the proponent and the panel to go through various options to potentially alleviate some of the Panel's concerns regarding the potential conflict between vehicles and pedestrians.

7.0 Transport and movement

Summary

The City agrees that there is a significant risk that large crowd events held at the stadium would negatively impact on the journeys of the public and other road users travelling to, from, or through central Hobart. Analysis undertaken by GHD reiterates these concerns (see Appendix 7)

How significant this disruption would be will depend on a number of factors, including the success or otherwise of the countermeasures proposed to mitigate the risk:

- provision of new public transport infrastructure and increased services;
- provision of improved pedestrian infrastructure on pedestrian desire lines to limit any need for lane or road closures on surrounding arterial roads, and;
- the ability to schedule large crowd events at times when the expected most intense generation of crowd and vehicle movements associated with those events (the period immediately post event) do not coincide with periods of high demand on the surrounding arterial road networks (weekday commuter peak periods, and weekend mid-day periods).

7.1 Pedestrian Movement

7.1.1 Post-event pedestrian movement

(c) The City agrees that existing pedestrian pathways and linkages to the Macquarie Point site are currently inadequate to cater for the significant pedestrian activity that would be

associated with post event discharge of patrons from a stadium, without requiring extensive temporary event traffic management and control.

It should be noted that the City is of the view that existing pedestrian pathways and linkages will be inadequate to appropriately cater for any significant redevelopment of the Macquarie Point site from its current industrial use, and that as such upgrades to the footpaths on Evans Street, Hunter Street etc will be necessary to facilitate the day to day use of the Macquarie Point precinct regardless of its future use.

In relation to the specific section of footpath on the south-eastern side of Davey Street between Evans Street and Hunter Street, this section has a current minimum width of about 3.7m, which could be increased to a minimum of about 7.0 metres, if the indented parking and bus zone were removed. If required, this could be facilitated by reconstructing the parking bay and footpath to be at a consistent level, with a flush kerb and removable bollards providing separation (the system used successfully in the Salamanca Place precinct). This would allow the parking and bus zone to be removed, and a wider trip free footpath provided during events where significant event pedestrian flows are anticipated.

(d) The City agrees broadly with this comment, but also notes that it is considered likely that many patrons of stadium events will choose to drive a private vehicle and park in available public and private on and off street parking spaces in the surrounds of the area. The largest supply of these parking spaces (particularly when events do not coincide with business hours) are in the Hobart CBD, and in relation to on-street parking the inner suburbs such as North Hobart, West Hobart etc, where during business hours many city workers park and walk into the CBD.

The City expects that as such, there would be strong demand for pedestrians post event walking back to the location of their parking to seek to cross Davey Street and Macquarie Street in the vicinity of the Brooker Highway, Campbell Street and Argyle Street to return to those vehicles.

(f) The City broadly agrees that it is difficult to manage the large flows of pedestrians that exit large events, and that historically it typically requires short term road closures to ensure public safety. For previous such events at the Regatta Grounds / Cenotaph or on the Macquarie Point site, this has included short term road closures on Tasman Highway / Davey Street as large crowds of pedestrians can and do tend to choose to take over those spaces regardless of the messaging and temporary infrastructure that is put in place.

Overall, the City would have no particular concern with short term road closures on local roads under the management of the City of Hobart (Evans Street, Hunter Street, Campbell Street etc) to facilitate safe and appropriate post event pedestrian movements, but also acknowledge that such closures (or lane closures) on the important state owned and managed roads (Davey Street, Macquarie Street, Tasman Highway and Brooker Avenue) would be much more disruptive and problematic.

The City is of the view that pedestrian footpaths on Evans Street, Hunter Street, and the southern side of Davey Street between Evans Street and Elizabeth Street, along with infrastructure improvements to facilitate the placement of crossing facilities for pedestrians

to cross Evans Street and Hunter Street that as close as practically match the desire lines of pedestrians, will be necessary to improve pedestrian access to the Macquarie Point precinct.

This will be important regardless of the future development of the precinct (assuming that the precinct contains public uses) but will be of significant importance if a stadium is developed in the precinct, as it will minimise the need for special event road and lane closures during smaller events, and in the lower pedestrian volume times prior to and during larger events.

The City has in the last ten years developed significant expertise in designing and implementing pedestrian treatments in the Morrison Street – Castray Esplanade – Salamanca Place precinct, where design treatments utilising flush kerb lines, and relocatable fixed bollards to separate vehicular and pedestrian zones have been successfully used. These treatments allow complex urban spaces to be flexibly designed such that they can be easily changed from 'normal' arrangements to 'event' modes.

The City is of the view that a similar treatment could be designed and constructed on the key pedestrian desire line on the Hunter Street northern footpath and through the crown owned parcel of land at 47 Hunter Street and across Evans Street to the Macquarie Point site. This would allow a high quality wide pedestrian linkage between Franklin Wharf and the Macquarie Point site, that could be further widened on event days.

It is the view of the City that in the event that a stadium is approved, a working group comprising representatives from key stakeholders (including City of Hobart, State Growth, TasPorts etc) should be immediately formed and tasked with progressing this key pedestrian upgrade. Such an upgrade would likely need to be initially constructed in temporary materials to be ready for the opening of the stadium, and then constructed permanently in high quality materials after considering its function and success during initial events, and as funding becomes available.

(i) Response to Panel's concerns regarding Collin's Street (paragraphs 4 and 5):

The City agrees that there is no developed design, cost estimate or construction methodology for a Collins Street pedestrian bridge sufficient for it to be able to be considered a key part of any proposed stadium development.

A Collins Street pedestrian bridge has however been identified as an important future pedestrian linkage to improve pedestrian accessibility between the Hobart CBD and the Cenotaph / Macquarie Point precinct and Inner City Cycleway, that in the view of the City should be progressed regardless of whether a stadium forms part of that precinct.

A key constraint faced by the Cenotaph / Macquarie Point precinct is the disconnection between the precinct and the Hobart CBD caused by the key state road network (Davey Street, Macquarie Street, Brooker Highway and Tasman Highway), and the perceived and actual difficulties that crossing these roads cause for pedestrians seeking to move between these zones.

Given it is unlikely that these roads are going to become less important to the statewide and regional transport network, the need to keep these roads open and operating at sufficient capacity will remain an ongoing constraint.

The only feasible way to provide a high-quality pedestrian linkage would be through grade separation, via a pedestrian bridge (such as a bridge between the Cenotaph and CBD via Collins Street, or a pedestrian underpass (such as a linkage from the Elizabeth Bus Mall to Brooke Street via Franklin Square).

In terms of the impact or desirability of a Collins Street pedestrian bridge introducing large number of pedestrians onto Collins Street (into the Campbell Street and Argyle Street area), the City is of the view that any measure that reduces the number of pedestrians using and interrupting vehicular traffic on the state road network, and instead focuses those pedestrians into the commercial heart of the City is a net positive.

Context

In response to comment's provided by DSG:

The City understands that there are currently a number of events each year for which lane closures or full closures occur on Tasman Highway – Davey Street or Macquarie Street.

As such, lane closures or full closures are certainly possible, but it should be noted that these occur only for short-limited periods, and also occur on public holidays, evenings or weekends, at times of the day when such closures are considered reasonable in terms of their disruption on the travelling public.

They are also for events that happen once a year (Anzac Day Parade, Run the Bridge, Hobart Marathon etc.) and are extensively advertised to the public for weeks in the lead up to the disruption using Variable Message Signs, advertising etc.

While it is a matter for the Department of State Growth, it would be problematic to the transport network, and difficult to effectively communicate if there were closures of lanes or roads routinely required for events at the proposed stadium.

Section 7.4 Parking

(c) The City owns and operates three large multistorey car parks in the Hobart CBD. These are the 'Argyle Street Carpark', the 'Hobart Central Carpark', and the 'Centrepont Carpark'. The 'Salamanca Square' carpark and the 'Melville Street Midtown Carpark' are other multi-storey carparks in which the City provides public parking.

These multi-storey carparks have only limited spare capacity available during business hours, but would have a significant amount of spare capacity available to service potential events on weekday evenings, on public holidays, and on weekends.

For these multi-storey carparks to be utilised for high patronage events at a potential stadium (which would most likely be in the evenings / night, or on weekends or public holidays), the hours of operation of these carparks would need to be extended. This is

typically feasible, but carries costs associated with provision of staff and security.

For large events, an appropriate fee could be charged for the use of these facilities.

In general, patrons would be expected to prefer to find free on-street parking, due to the cost saving and ease of access compared to entering and exiting a multi-storey carpark.

There are at times delays and congestions exiting the Argyle Street Car Park. This is most commonly an issue on weekday afternoons due to high numbers of exiting vehicles combined with high pedestrian and general traffic on Argyle Street itself.

(f) While the views of the areas at the City that manage the sporting facilities and off-street parking areas on the Domain would need to be sought, the City is aware from previous large scale public events that there is a need to ensure that patron parking for sporting facilities on the Domain remains available, if the times of demand for these large scale public events crosses over with the operating hours of these facilities. This is particularly important for the Aquatic Centre, which has many patrons with limited mobility which rely on the on-site parking to be able to access the facility.

As previously described, important car parks could be managed for events by staffing the entrances, and the costs of undertaking this staffing recovered by the charging of a suitable fee for use of off-street parking spaces where capacity exists.

(g) At the aquatic centre, and at other car parks servicing particular uses on the Domain when the times of use of those facilities conflicted with a large public event at the proposed stadium, it would be necessary for the City to either close off parts of the car parking or to have an employee supervising access into the carpark to ensure that it is used by patrons of the facility.

When required, this would impose labour costs on the City, however it should be noted that on days where parking demand is expected to be sufficiently high so as to require active management, there would also be the opportunity for a suitable fee to be charged for parking, allowing such costs to be re-couped.

Consideration could also be given to providing the normal special event parking on the grassed surrounds of the Cenotaph and charging an appropriate fee for the use of the facility only where alternative event day public transport provision has not been put in place.

8.0 Environmental effects

8.1 Site contamination and suitability

Council agrees with the Panel's comments as well as the issues raised by the EPA in its submission (Dated 24 October 2024).

Council wishes to formally acknowledge that appropriate approval conditions will need to

be drafted to address the Act pursuant to which, and the permit, licence or other approval in which, each condition would normally be imposed. Drafting of these conditions may require direct input from the Council, at the appropriate stage of the assessment process.

If the Environmental Site Assessment report concludes that remediation and/or protection measures are necessary to avoid risks to human health or the environment, a proposed remediation and/or management plan must be submitted as a condition endorsement prior to the issue of any approval under the *Building Act 2016* or the commencement of work on the site (whichever occurs first). Any remediation or management plan involving soil disturbance must include a detailed soil and water management plan to minimise off-site transfer of potentially contaminated soil or stormwater.

8.2 Groundwater

Council agrees with the Panel's comments as well as the issues raised by the EPA in its submission, dated 24 October 2024.

Council wishes to formally acknowledge that appropriate approval conditions will need to be drafted to address the Act pursuant to which, and the permit, licence or other approval in which, each condition would normally be imposed. Drafting of these conditions may require direct input from the Council, at the appropriate stage of the assessment process.

8.3 Stormwater

Council notes the concerns raised by the Panel and has provided detailed responses below. In addition to this feedback, Council wishes to note that management of the northern access road proposed to run over the Hobart Rivulet will need to be carefully considered.

Council provides the following feedback to each of the points raised by the Panel:

(b) Council notes that previous use of the area as a TasRail and ports storage area means that historically much of the site has been impervious.

(c) The stormwater line to the east draining catchment 5 and the line to the southeast draining catchment 4B (SW4B/4 pg. 29 Appendix BB) are not shown on Council's assets register and are likely to be TasPorts SW lines. Use and ownership of these lines will need to be confirmed.

(d) Council notes that there are several unconfirmed variables including ownership and capacity of some of the pipes included in this assumption. Council also notes a number of assumptions that may be incorrect including the assumed 1% grade for the pipe servicing catchment 3, where advice has stated specifically that "pipe has a low grade, is subject to tidal inundation and has issues with sediment build up". This advice does not appear to have been incorporated in the capacity estimate.

The proposal flagged to use the unconfirmed pipe at area 4B to drain the stadium roof is subject to significant assumptions given the lack of detail on grade, capacity and ownership

of this pipe (SW4B/4 to SW4B/1). Whilst this option may be possible these assumptions must be confirmed. From Council records it appears that this pipe is in TasPorts ownership. The suitability of draining the stadium through a private pipe system must also be confirmed.

(e) Overland flow paths must be clearly identified and managed through the site to ensure downstream flow does not adversely impact neighbouring properties. Any impacts on neighbouring properties should be clearly identified.

(f) Council agrees that the potential for exacerbating flooding on adjacent land has not been thoroughly addressed considering the mapping on Page 11 of the BMT Macquarie Point Stormwater Management Plan - Final Report, that shows the areas south of the stadium may experience flooding.

Also note that the climate change factors have recently been updated and factors used in the modelling are no longer current. It is unclear if the flood report takes into account the flow from the development site when fully developed.

(h) Council concurs with the Panel on this issue.

(j) Council concurs with the Panel on this issue.

(l) Council notes that while the discharge targets from the State Stormwater Strategy are generalised, it could be possible to adopt site specific discharge targets based of the DGV values for the lower Derwent/ Derwent Estuary - Bruny catchments. DGVs for Hydrological Region 1 Tasmanian Inland Waters.

Council notes there have been some discussions that storage and reuse of roof water may be able to be managed on Council land, however, this will need to be confirmed.

(m) Council notes the likely specific impact of significantly increased litter loads given the proposed use and identifying how these loads will be prevented from entering the Derwent is paramount. The Environmental values report does not address the possible impacts of increases in stormwater discharge on the marine environment. This assertion has not been confirmed or denied by the ecological report.

(n) Council concurs with the Panel on this issue.

8.4 Excavated material management

8.4.(i) Current Landfill space

The City shares the Panel's concerns regarding constraints on available nearby landfill sites. McRobies Gully Waste Management Centre (McRobies) may only be able to accept low quantities of fill from the Project. The Hobart City Council Good Neighbour Agreement imposes a cap of 2,500 tonnes per week to limit clean-fill large-truck movements to fewer than 20 per day. The City understands the estimated total for the Project is 140 per day. Additionally, our annual caps are already allocated to existing contractors. These caps

could be raised considerably, but this is unlikely to be supported.

The City would like to understand the proponent's intention regarding disposal of this volume of fill. It is acknowledged that Glenorchy City Council may be in a position to accept some of it, and Southern Waste Solutions Tasmania has communicated some limitations with the Copping Landfill site. It is also noted that the difference in transport cost from the City to Copping versus the City to McRobies is an order of magnitude.

The City would appreciate the opportunity to discuss this issue in more detail during the Hearings or through further meetings.

8.5 Noise

Council wishes to acknowledge the Panel's comments. In response to the applicant's documents lodged, the City undertook a peer review of the information provided (pre-January 2025) and has included the information in Appendix 8.

The Council welcomes receiving additional information from the Proponent to address the concerns raised.

8.6 Lighting effects

The Panel raises some key deficiencies in the lighting assessment, particularly around the conceptual nature of the lighting scheme. Although detailed, the analysis is based on multiple assumptions. The report itself even states the following:

"The sports lighting scheme and arrangements are still in development and the sections below are based on the current concept design"

The level of luminance generated as a result of the specifics of the transparent roof design does not appear to be considered and could vary depending on the final materials used and the design. This factor is considered relevant, considering that the transparent section of the domed roof equates to a significant portion of the built form and is the most visible element of the stadium from further afield.

There is limited detail on the peripheral lighting for the stadium however the potential impacts can be adequately managed in accordance with the *Australian Standard 4282:2019 Control of the obtrusive effects of outdoor lighting*. The one major lighting element that is currently unknown is the large stadium naming signage. The City is generally supportive of the size of the signage due to its relevance of the scale to the stadium and its likely proposed integration into the design. However, the potential impact from the illumination of this signage needs to be appropriately assessed.

8.7 Wind effects

Council acknowledges the concerns raised by the Panel and welcomes the continued

development of the precinct plan and detailed ground plane designs to facilitate a comprehensive understanding of potential wind impacts. Council would like to further note that the site is inherently subject to wind exposure, which is a characteristic feature of the area and presents challenges in terms of effective mitigation, particularly across concourse and gathering spaces. Given this challenge, the City is mindful of placing too much emphasis on mitigation at the expense of effective crowd management particularly for larger capacity events (over 23,000 people events) where large, flexible gathering spaces are a requirement of functionality.

9.0 Construction program and sequencing

The City shares the Panel's concerns regarding the lack of detail regarding construction programming and dependencies between related projects and the construction of the stadium occurring simultaneously. Traffic network impacts will need to be carefully managed as well as the impact on local residents and affected businesses.

The City expects highly detailed approval conditions regarding construction management to be established for the Project and welcomes further dialogue on this complex issue.

10.0 Ministerial Direction Matters

10.3 Consistency with the Mac Point Precinct Plan

(e) The City concurs with the Panel to some degree that the Project does not support or promote integrated urban renewal of the site (as set out in Section 3.0 Urban Design), however, with careful detailed design development, mitigation of some of the issues can be achieved.

(j) The City agrees with the Panel that in order to improve functionality and safety of the proposed stadium design, additional dedicated space around the stadium building should be sort. The City implores the proponent and TasPorts to consider adjusting the eastern stepped boundary (as shown on Figure 2 below) as a matter of priority to allow for the full realisation of the Complementary Integrated Mixed Use Zone and Antarctic Facilities Zone as originally envisaged which will also go some way to alleviate some of the many pinch points identified around the precinct.

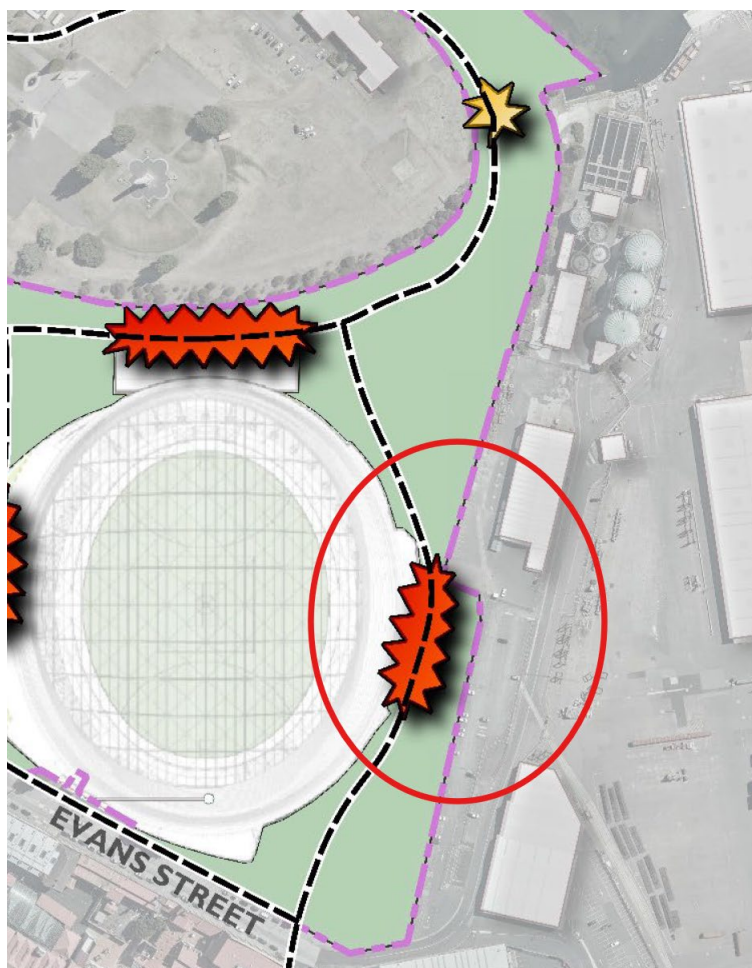


Figure 2. Stepped boundary issues between MPDC & TasPorts

11.0 Other issues

11.1 Conditions

The assessment of a proposal for planning permission must involve consideration of the specific conditions to be imposed on any permit which may be granted. The formulation of conditions is inextricably linked to the consideration of whether a permit should be granted. This fundamental proposition has support from both the Full Court of the Federal Court of Australia and the Full Court of the Supreme Court of Tasmania.

To date, we have only seen conditions drafted by the Applicant (Appendix 2.0 List of Proposed Conditions). We have concerns regarding the appropriateness of those conditions.

The City requests that the Panel specifies the conditions which may be appropriate to be imposed on a permit, if it is granted, as soon as possible so that the conditions can be considered as part of the Hearing process.

11.2 Subdivision

The area which sits over the Hobart Rivulet is of particular interest as the City owns title CT 1/176538 which is split into two parts on the western (NW) and eastern (NE) sides of the Cenotaph site. It is noted that the annexure sheets to the sealed plan of this title are annotated with height limits which repute to limit vertical boundaries, the NW part by 5.39m RL (AHD) and the NE part by 4.65m RL (AHD). This area also comprises two titles owned by MPDC (Part of CT 2/179192 and CT 4/179192). However, it is unclear from the proposed subdivision plan whether these two titles owned by MCDC are also proposed to include height limits to accommodate the height limits on the title owned by the City.

With regard to the statutory process followed for subdivision, when the City receives a development proposal across multiple titles in common ownership, conditions on a permit will require the titles to be adhered in accordance with section 110 of the *Local Government (Building and Miscellaneous Provisions) Act 1993*, prior to the issue of any building consent, building permit and/or plumbing permit or the commencement of works on site (whichever occurs first).

Conclusion

The City looks forward to discussing the issues raised in its submission in further detail to achieve an amenable outcome for the Project. Please feel free to reach out if any of the issues raised require clarification.

Council welcomes further opportunities to meet with the Panel and the Proponent to review our feedback and concerns. The significant investment in City infrastructure required to support the Project on an everyday basis and in 'event' mode will require careful planning and capital investment and will need to be factored into the delivery of the Project.

Given the compressed timelines for the Project, we request pedestrian connectivity, streetscape modifications, road network and parking facilities upgrades be given high priority to allow sufficient time to plan, request and allocate appropriate funding and resources at a state and local government level.

List of Appendixes

Appendix 1: Macquarie Point Stadium Economic Analysis Advice, SGS Economics & Planning

Appendix 2: Macquarie Point Stadium Economic Impact Assessment, AEC Group Report

Appendix 3: Landscape and Urban Form, Leigh Woolley

Appendix 4: Urban Design Advisory Panel Submission, UDAP

Appendix 5: Cultural Heritage Issues, MacKay Strategic

Appendix 6: Aboriginal Concepts Review, paliti rruni Island Spirit consultancy

Appendix 7: Movement Technical Review, GHD

Appendix 8: Noise and Vibration Technical Review, GHD