

Representation with Respect to the Macquarie Point Planning Permit Bill 2025

I welcome the opportunity to comment on this draft bill.

There are two questions to be considered here;

1. Should this stadium be built as proposed by this government.
2. If it is to be built is this proposed legislation appropriate.

Should this stadium be built?

I will not go into great detail here as I have already submitted my views on this to the Tasmanian planning Commission Panel tasked with assessing the Project of State Significance and I am in agreement with most of the comments they have made in their draft Integrated Assessment Report (dIAR). In short, I contend that it should not be built for all the reasons stated in that report, but I have added additional reasons for refusal:

1. The social benefits of Tasmanian AFL team are overstated and fail to take into account some of the negative impacts. Professional sports people, and particularly AFL players are frequently in the news for all the wrong reasons, be it drug abuse, violence or other crime. Maybe they are no more involved in these activities than the general population (I have not found evidence either way on this), but role modelling is about perception, and the perception is not good.
2. The AFL (in common with most professional sport) promotes gambling and is intimately linked to the gambling industry which causes so much harm in our community.
3. The projected cost to build is enormous even without factoring in the cost of the high-performance centre (at least \$105m) and other ancillary costs of having an AFL team. This government has stated that no stadium means no team so it is reasonable to take into account all the other costs of having a Tasmanian team, not just the cost of the stadium itself.
4. This government has claimed that the Federal Government will contribute \$240m towards building the stadium. This is disingenuous at best. Please see the attached Macquarie Point Urban Redevelopment agreement between the Tasmanian and Federal Governments. Not only is there no mention in that agreement of a stadium, but it obliges the Tasmanian Government to refurbish Macquarie Wharves 4,5 and 6 as well as *“Ensure the delivery of housing at Macquarie Point, including a portion set aside as affordable, essential worker or social housing”*. There are other conditions, but it is clear there would be little if any Federal funding left over for a stadium. It is questionable if spending **any** of this grant on the stadium would meet the requirements of this agreement. It is

abundantly clear that aside from the measly contribution of \$15m from the AFL this project will have to be entirely funded from the Tasmanian budget

5. Part of the hype and business plan (such as exists) assumes that cricket would be played in this stadium. At this stage Cricket Australia are saying no, and we are told by the MPDC that this is a work in progress and may depend on design and materials of the roof. Hence the project is **not ready** for a commitment if the business case requires those cricket matches.
6. The potential to “revitalise” the area is overstated. It is telling that Federal Hotels are not in favour of the idea. It is unlikely there will be sufficient fixtures and events to overcome the dead weight of an empty stadium most of the time. I grew up in Perth in WA, the home of the WACA. I can say from experience that the area around the WACA was dead as can be. There wasn’t (and possibly still isn’t) anywhere in Perth so close to the CBD with less life in it.
7. Likewise, much has been made of this as facilitating “our own Tasmanian” team. This is mere marketing spin. The Tasmanian Devils will be Tasmanian in name only. In every other respect they will be no more Tasmanian than Hawthorn is. The AFL is not so much a peak body for Australian Rules Football as a corporate franchise. Players from every team come from all over Australia. Gone are the days when clubs recruited exclusively from the area they represented. Hence the opportunities for youngsters to play in the AFL competition will increase by just 5.6%- the same increase that would occur if a Northern Territory team were to be admitted instead of a Tasmanian team. The benefits of a Tasmanian team are significantly overstated and owe far more to marketing than substance.
8. The diAR raised concerns with ongoing costs of the stadium. It appears on the face of it that not only will this stadium cost in excess of \$1b, but rather than net revenue to pay it off once built there will be a significant ongoing cost of operating it. We have been told that the Stadiums Tasmania operating model has not yet been developed, so we can’t be sure of costs and revenue. As above this indicates the project is **not ready** for a commitment. When we look at costs we should consider not only the estimated cost, but the risk that this will be exceeded (and by potentially how much). With so many unknowns in this project, the risk of a substantial overrun is very high as is the risk of a substantial delay. The Spirits debacle should be a salutary lesson here (or perhaps the UTAS rebuild of the Forestry Building).
9. This brings us to the prospect of time overruns- the apparent reason for this governments untimely haste in getting planning approval for this

stadium before the necessary design work has been done. Clearly there is much work still to be done to plan this project before work can commence and on past experience it seems unlikely that (even if this legislation is passed by both houses) it will be ready within the timeframe stipulated by the AFL. Under the current agreement with the AFL this would result in considerable penalties payable by Tasmania to the AFL. Yet this government have made it clear they have made no attempt to renegotiate that agreement. This project is **not ready**. It may never be ready. In the meantime, we have committed to spending \$130m on improving York Park. Let the Tassie Devils train and play there. If the AFL don't like that we should stop supporting their franchise altogether.

I note that the 34 conditions in the draft Permit that accompanies this Bill appear to be designed to remedy deficiencies highlighted in the dIAR. I will come to that in my commentary on the Bill itself.

Is the proposed legislation appropriate?

I have several serious causes for concern with this legislation.

1. Paragraph 12 of this Bill would give the Minister the power to alter the Permit or the conditions of the Permit, subject only to "consulting" with the Premier, Hobart City Council and each relevant advisory body. This means that the final Permit may differ substantially from the draft Permit attached to this Bill. Indeed, many of those 34 conditions will prove difficult, expensive and perhaps even impossible to comply with. Paragraph 12 allows the Minister to relax any of these conditions if it proves too difficult. This could perhaps be remedied by requiring the Minister to obtain consent from both Houses of Parliament for such alterations. Attractive though this solution may appear at first glance, this could mean such a request coming to the Legislative Council once hundreds of millions of dollars have already been spent. The Legislative Council would be left with the choice of relaxing conditions or throwing good money after bad to pay the extra cost of full compliance. It is clear that insufficient design work has been done to have a clear picture of how these conditions will be complied with and what it will cost.
2. Paragraph 14 of this Bill would allow the Minister to direct the TPC to amend the Planning Scheme- understandable as the proposal does not comply with the Planning Scheme. It does not appear to place sufficient

limits on this power. We should be asking what other values we may lose in addition to those lost through building this stadium.

3. Paragraph 19 gives the Minister the power to acquire land for the access network. Paragraph 28 says the Minister “may” offer this land back to HCC if it is no longer required for that purpose. This should not be at the whim of the Minister. The word should be “must”.
4. Paragraph 34 removes rights of appeal. This may have other negative consequences, but one obvious consequence is that no party has any recourse if the Minister decides to alter the Permit or conditions of the permit. Indeed, the Minister could remove all of the 34 conditions and there would be no legal remedy.

I thank you for the opportunity to comment on this draft Bill.

Sincerely

Phil Stigant

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Macquarie Point Urban Redevelopment

FEDERATION FUNDING AGREEMENT – INFRASTRUCTURE

Table 1: Formalities and operation of schedule

Parties	Commonwealth Tasmania																																
Duration	This Schedule is expected to expire on 30 June 2028, or on completion of the project, including final performance reporting and processing of final payments against milestones.																																
Purpose	This Schedule will support the delivery of the urban redevelopment of the Macquarie Point precinct in Hobart.																																
Estimated financial contributions	The Commonwealth will provide an estimated total financial contribution to Tasmania of \$240.0 million in respect of this Schedule. <table><tr><th>Table 1 (\$ million)</th><th>2023- 24</th><th>2024- 25</th><th>2025- 26</th><th>2026- 27</th><th>2027- 28</th><th>2028- 29</th><th>Total</th></tr><tr><td>Estimated total budget</td><td>15.0</td><td>30.0</td><td>140.0</td><td>225.0</td><td>200.0</td><td>105.0</td><td>715.0</td></tr><tr><td>Less estimated National Partnership Payments</td><td>0.0</td><td>0.0</td><td>80.0</td><td>100.0</td><td>60.0</td><td>0.0</td><td>240.0</td></tr><tr><td>Balance of non-Commonwealth contributions</td><td>15.0</td><td>30.0</td><td>60.0</td><td>125.0</td><td>140.0</td><td>105.0</td><td>475.0</td></tr></table>	Table 1 (\$ million)	2023- 24	2024- 25	2025- 26	2026- 27	2027- 28	2028- 29	Total	Estimated total budget	15.0	30.0	140.0	225.0	200.0	105.0	715.0	Less estimated National Partnership Payments	0.0	0.0	80.0	100.0	60.0	0.0	240.0	Balance of non-Commonwealth contributions	15.0	30.0	60.0	125.0	140.0	105.0	475.0
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Additional terms	Role of Tasmania 1. Tasmania will: i. Produce a refreshed precinct plan for the Macquarie Point site, engaging suitably qualified urban planners to lead this process, ensuring all proposed land uses are compatible and deliver quality design outcomes. This refreshed plan should consider transport connectivity and accessibility in and around the precinct. ii. Engage with the community and all affected stakeholders, including but not limited to Tasmanian Aboriginal groups, veteran groups and Hobart City Council, to understand the																																

	breadth of strategic opportunities of the precinct and consider the findings to inform the precinct plan. iii. Maintain and enhance existing amenities for the Hobart community and visitors at Regatta Point by ensuring continued public access to the waterfront, existing jetties and marine infrastructure. iv. Upgrade Macquarie Wharf, with the immediate priority being the upgrade of Wharf 6 to provide Australia's Antarctic icebreaker, RSV <i>Nuyina</i> with a working wharf throughout the season and lay-up berth when not at sea, on reasonable commercial terms acceptable to the Australian Government. v. Deliver upgrades in due course to Wharves 4 and 5 to support polar and research programs, defence support and additional commercial opportunities. vi. Ensure the delivery of housing at Macquarie Point, including a portion set aside as affordable, essential worker or social housing. 2. Additionally, Tasmania agrees to: i. Provide opportunities for local Tasmanian businesses and employees to be involved in the construction work undertaken as part of the Macquarie Point urban redevelopment. ii. Provide opportunities for Tasmanian Aboriginal businesses and employees to be involved in the construction work undertaken as part of the Macquarie Point urban redevelopment. iii. Ensure adherence to all conditions of Commonwealth and Tasmanian approvals for the Macquarie Point urban redevelopment. iv. Where relevant, as discussed between officials, ensure all signage and any online or printed materials related to the Macquarie Point urban redevelopment meet the requirements of the Building Australia Signage and Brand Guidelines, available at https://investment.infrastructure.gov.au/resources-funding-recipients/signage-guidelines. v. Signage, relevant websites, and all publications and promotional material including the Commonwealth and Tasmania logos, and the words "The Macquarie Point Urban Redevelopment is funded by the Tasmanian and Australian Governments " (or similar wording as otherwise agreed between the Commonwealth and Tasmania). vi. Acknowledge the Commonwealth in any branding or signage that is displayed to mark the official opening or other official public functions for activities relating to the project.
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	vii. Provide at least one month's notice (where practical) to invite the relevant Commonwealth Minister to speak at opening and/or completion functions and other significant phases of the project. viii. Where relevant, as discussed between officials, invite a Commonwealth representative to official events or other public functions for activities relating to the project. Reporting Arrangements 3. Tasmania will provide six-monthly progress reports which detail: i. ongoing consultation and engagement with affected stakeholders and the broader community ii. employment statistics in relation to the major projects making up the Macquarie Point urban redevelopment iii. progress against performance milestones as listed in this Schedule, Table 2
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Table 2: Performance requirements, reporting and payment summary			
Output	Performance milestones	Expected completion date	Payment
The urban redevelopment of the Macquarie Point precinct	1. Commonwealth acceptance of a refreshed Macquarie Point Precinct Plan.	June 2024	Nil
	2. Agreement signed by the Commonwealth and Tasmanian Government for the upgrade of Macquarie Wharf – Wharf 6 in line with the requirements in this Schedule at Additional Terms 1.iv.	June 2025	Nil
	3. Commonwealth acceptance of a Stakeholder Engagement Report on the refreshed Macquarie Point Precinct Plan	September 2024	Nil
	4. Commonwealth acceptance of the Macquarie Point Precinct Master Plan as prepared to implement the Precinct Plan.	June 2025	Nil
	5. Delivery of a finalised Housing Plan developed in consultation with the Commonwealth, which gives effect to the requirements in this Schedule at Additional Terms 1.vi.	June 2025	Nil
	6. Payment of the Commonwealth's estimated financial contribution is subject to delivery milestones that are yet to be negotiated. The future performance milestones and associated payments will be informed by the milestones outlined in this table and are to be identified and agreed between the Parties, after which this Schedule is to be updated.	To be determined	To be agreed