

MACQUARIE POINT MULTIPURPOSE STADIUM – ENABLING LEGISLATION CONSULTATION

Submission

Sally Shepherd

I fundamentally object to the Macquarie Point Planning Permit Bill 2025 (the Bill), the purpose of which is to give effect to a permit for a stadium at Macquarie Point and to provide for further permits to be issued.

The Bill does not follow proper planning processes and gives unfettered powers to the relevant Minister and the Department of State Growth. Originally the Tasmanian Government proposed that the stadium be considered as a Major Project under the *Land Use Planning and Approval Act 1993*. Due to the Government being left in a minority situation it then proposed that the stadium be progressed through the Projects of State Significance (PoSS) process under the *State Policies and Project Act 1993*. However, the Government then had concerns about the PoSS process and has now introduced this enabling legislation.

The Bill proposes that planning permits will be issued without requiring approval from the usual bodies in relation to developments. Under section 7 it allows the permits to override the provisions in many Acts, including the *Conveyancing and Law of Property Act 1884*, the *Land Acquisition Act 1993*, the *Land Titles Act 1980*, the *Land Use Planning and Approvals Act 1993*, the *Local Government (Building and Miscellaneous Provisions) Act 1993*, the *Macquarie Point Development Corporation Act 2012* and the *Railway Infrastructure Act 2007*. Furthermore, the stadium will not be assessed by the Parliamentary Public Works Committee which is of concern given the significant public funding (nearly \$1 billion) associated with the proposed development.

Under sections 9 and 10 of the Bill the Minister can issue subsequent project permits that can be subject to disallowance. But the Minister has the authority to issue permits in respect to the access network that are not disallowable, can amend relevant permits which are not disallowable and can direct the Tasmanian Planning Commission to amend a Planning Scheme. The Minister is also responsible for ensuring permit compliance. Under section 25 the Minister can also take action under Part 3 of the *Local Government (Building and Miscellaneous Provisions) Act 1993* as if they were a council. This gives the Minister unprecedented powers.

In the Enabling Legislation Draft Report it is stated on page 22 that the Minister can make minor amendments that “are unlikely to have a negative impact on any person, and do not or, are unlikely to, cause serious or material environmental harm”. However, in the 2025-26 State Budget it was proposed that funding would be provided for soundproofing works to the Federation Concert Hall as a result of noise concerns raised by the Tasmanian Symphony Orchestra. This directly acknowledges the impact of the proposed stadium will have on the surrounding area.

The impacts on others have not been similarly acknowledged, for example on the Federal Hotel’s operation at Hunter Street. There are also a number of residential complexes in the surround area, for example in Wapping. Those who will be directly impact by the proposed stadium will have not have the usual rights of appeal under the proposed legislation, as outlined in section 34 of the Bill. This limitation of judicial oversight is contrary to normal democratic processes.

The basic premise for the stadium is that it will contribute to the economic, social and cultural fabric of Hobart and Tasmania more broadly. However, it does not provide adequate consideration to heritage issues as it will completely dominate the area due to its scale and intensity and will have a significant adverse impact on the heritage of the precinct, including the Cenotaph. Also the traffic implications will be substantial with the stadium having a 31,500 patron capacity for major concert events. The transport infrastructure will not be able to accommodate such a capacity. Furthermore, the environmental impacts of operating in a contaminated site need to be fully considered. The proposed Bill does not adequately address these matters. Nor has full consideration been given to the matters raised in the Tasmanian Planning Commission's Draft Integrated Assessment Report.

In concluding, the Bill is fundamentally flawed and does not adhere to good planning outcomes in a democratic society. It is a stadium Tasmanians (and the Tasmanian Government) cannot afford and it is in the wrong location. Consideration should be given to a stadium which is in another location, which is underwritten by a private developer (through an Expressions of Interest/ tender process) and which goes through the normal planning processes so that all the necessary information from the relevant authorities (including the Hobart City Council) and the community can be considered.