

## DRAFT SECOND READING SPEECH

HON ERIC ABETZ MP

### Macquarie Point Planning Permit Bill 2025

*\*check Hansard for delivery\**

Madam Speaker, I move that the Bill now be read a second time.

This Bill is the culmination of decades of efforts by Tasmanians to secure an AFL team, and it is also an exciting and entirely new frontier for major events in Tasmania.

In December 2019, the Taskforce established to develop the framework and business case to support the granting of a Tasmanian AFL and AFLW licence identified that need for a stadium based in the central business district of Hobart, sharing AFL content and opportunities with Launceston. This foundation for a sustainable AFL team in Tasmania was carried through to an agreement with the AFL in 2023 and is the objective of this Bill.

This Government fully supports the stadium and the teams and that is why we have taken this path. The Bill before us today is the best way to lock in this opportunity and to ensure it can proceed.

The Government believes this generational and landmark infrastructure will be something all Tasmanians will value and enjoy. This stadium will connect Tasmanians with experiences that could only be accessed by leaving the State. It will be the catalyst for urban renewal in Hobart, delivering on the promise of Macquarie Point which has been under active consideration since the commitment of Australian Government funds for site remediation and the passage of the *Macquarie Point Development Corporation Act* in 2012.

This is a complex matter, and the development of the Bill has been accompanied by an Enabling Legislation Report compiling agency and regulator views, and by thousands of pages of expert reports commissioned by the Macquarie Point Development Corporation. The Bill is also accompanied by, and incorporates, a comprehensive permit, with conditions that reflect the expert advice of a range of State Agencies and authorities on the management of risks through both the construction and operation of the stadium.

The Bill achieves three main purposes. Firstly, it provides that the permit is issued for the stadium itself. The permit provides authorisations sufficient for the stadium to proceed, encompassing authorities under the *Land Use Planning and Approvals Act 1993* (LUPAA), the *Aboriginal Heritage Act 1975*, the *Historic Cultural Heritage Act 1995*, and the *Environmental Management and Pollution Control Act 1994*. The Bill provides that the permit and any relevant terms and conditions serve as approvals sufficient for the purposes of those enactments. It provides that the enforcement of terms and conditions is a matter for the entity specified in the terms and conditions or for me, as Minister.

The permit does not encompass building and plumbing approvals for the purposes of the *Building Act 2016*, with those to be handled by the permit authority under that legislation. This Bill does not dilute in any way the requirements for the stadium to comply with the National Construction Code, including matters relating to access and egress and so on.

I am aware there has been extensive commentary inside and outside the Parliament about the extent of the Bill in respect of appeals and judicial review. These powers correspond to those that would apply if the permit had been issued under the Part 3 of the *State Policies and Projects Act 1993*. This Bill, however, includes a constraint that, to enliven the limitations of the rights of appeal, actions and decisions must be in good faith.

That is the intent of those provisions. This project has been, and will be, one of the most scrutinized projects in the history of the State. If we are to proceed with the stadium, it is not in the interests of Tasmanians that its construction be delayed or made more vexed, and indeed more expensive, by court challenges motivated solely by a desire to stop the stadium being built. If Parliament wishes this to proceed, it is our intention that we get on with it promptly, consistent with our Club Funding and Development Agreement with the AFL, and that is exactly why those provisions exist in the Bill.

I do not think it would be a fair outcome or a good outcome for opponents in the community to impose that outcome by using the courts to delay the progress of the development to the point that it cannot proceed, contrary to the will of Parliament. If the will of the community, as expressed through its elected representatives, is that this project should not proceed, then it is better and far less costly for that to happen here and now. Once the debate is over, whichever way, the matter must be concluded.

The permit is issued in accordance with the draft project permit materials tabled with this Bill. The terms and conditions of the permit relate to matters such as European and Aboriginal cultural heritage, the disassembly, alteration, and reassembly of the Goods Shed in accordance with a detailed Conservation Management Plan, and the handling of Aboriginal midden material present on the site as secondary material (that is, material already moved from its original location).

The permit also deals with land use impacts, including on the Cenotaph and the heritage of the Hobart waterfront, by referring any design changes that are likely to increase cultural heritage impacts back to a heritage practitioner and Heritage Tasmania. The permit deals with the final remediation of the site, including the treatment and regulated disposal of contaminated soil, noting that this is also regulated under section 39F of the Macquarie Point Development Corporation Act. The permit provides for the regulation of construction hours and impacts, and the stadium's operations, generally through the preparation of detailed plans to be approved by Heads of Agencies or ministers, as the case may be.

Beyond the permit, Government is committing to continue to work with impacted land users. This includes, for example, working with the Hobart City Council to consider the merit of additional vegetation on the Cenotaph to lessen the visual impact of the Stadium. We have also listened to, and accept, the requests of the Tasmanian Symphony Orchestra, as one of our premiere artistic institutions, for engineering mitigations at the Federation

Concert Hall for noise—which will improve the experience of concerts and rehearsals at the Hall, during and outside of stadium event times—and for financial support to relocate limited rehearsal and recording activities during the peak of the construction phase.

The stadium's design is uniquely Tasmanian and seeks to minimise its impacts on surrounding uses and visual amenity through its transparent roof, muted colour palette, Tasmanian materials, and limited light spill. But it will be visible, and it will change the experience of Hobart in ways some members of the community like, and some members of the community will not like, at least at this stage. There are trade-offs to be made, but the view of Government is firmly that the economic, social and cultural benefits of the stadium and the AFL team far outweighs these costs. We have seen firsthand the transformative power of truly inspirational cultural and social infrastructure in the city and the State, and we want to do it again with this proposal.

The second purpose of the Bill is to secure a pathway for the delivery of access improvements required for the stadium's operation, and for the Port of Hobart, but which are not yet sufficiently resolved to be included directly in the stadium permit. This power to approve an access network permit or permits relates primarily to the Northern Access Road, which will benefit event bus and carpark users, emergency vehicles, and the Port of Hobart, but may also encompass pedestrian improvements to service the precinct.

An access network permit is not reviewable or subject to Parliamentary disallowance. This is intended to streamline the delivery of this essential infrastructure as much as possible from this point on, noting that the basic parameters for the Road and bus plaza are known, but the finer details of matters including the exact alignment is not.

Beyond the permit, the Bill has the effect of taking sections of Hobart City Council land for the Crown for the purposes of the access network. The Council will be compensated for this in accordance with the *Land Acquisition Act 1993*. The Bill also makes McVilly Drive and Evans Street state subsidiary roads, to assist with the management of these roads on event days and during construction, and to facilitate the complete integration of the access network for the stadium.

The third major purpose of the Bill is to provide a range of powers that reflect the realities of a project of this size and complexity in a dense urban context. These include powers to make minor and general amendments to the project permit and its terms and conditions, and subsequent and access network permits. There are differing requirements for notification of or consultation with relevant advisory bodies, such as the EPA Board and the Aboriginal Heritage Council.

The Bill also provides for subsequent project permits to be issued. These permits may relate to ancillary precinct infrastructure and so on, but must remain within the meaning of proposed development in the Bill. These permits, for additional things (other than the access network) are subject to disallowance by either House of Parliament. This additional feature is considered appropriate given that it is not possible to provide Parliament with clear advice on precisely what may be the subject of a subsequent permit.

The Bill provides for the planning scheme to be amended to remove inconsistencies with permits issued under the Bill, in accordance with my direction to the Tasmanian Planning Commission. This is aligned to provisions of similar effect in the State Policies and Projects Act, previous project-specific legislation, and the Major Projects pathway under LUPAA.

The Bill provides a range of powers relating to land, including to acquire additional land for the purposes of the access network, with compensation due in accordance with the Land Acquisition Act; to remove easements, covenants, and caveats and so on; and to exercise the functions of the Council under Part 3 of the *Local Government (Building and Miscellaneous Provisions) Act 1993* relating to the subdivision, adhesion, and consolidation of land, and similar. These provisions are intended simply to facilitate the development of the stadium and access network as efficiently as can be achieved, and to minimise reliance on Council processes for steps that will precede the consideration of a building permit by the Council as the permit authority, where, as I stated, the Council's role will remain unchanged.

The Bill provides that matters relating to the taking of land, other than to associated compensation, are not subject to appeal. This has been formulated with consideration to Council's obligations under section 178 of the *Local Government Act 1993* in respect of the disposal of public land. Those provisions are not intended to apply to land acquired under this Bill.

The powers in respect of land are considered proportionate because they are intended to apply largely or wholly to Crown property, Council property, and property (including easements) of Government businesses. As such, the range of considerations and protections are not as extensive as for powers which could apply to land in private ownerships, and relevant restrictions to that effect are found in the Bill.

It is critical that if Parliament determines to provide this approval pathway to build the Macquarie Point Multipurpose Stadium, and we proceed to procure and appoint a contractor to deliver it, that this project has planning and delivery certainty within reasonable and precedented limits, with transparent checks and balances, or this risk will be priced into the cost of this major project or we struggle to appoint a contractor who may prefer to be working on Brisbane Olympic builds that have stronger planning and building certainty.

Lastly, the Bill terminates the PoSS process by revoking the *State Policies and Projects (Project of State Significance) Order 2023*, and I again note the significant work of the Tasmanian Planning Commission in identifying the key issues which have informed the development of the Bill, Permit and Conditions

Madam Speaker, I wish to state again that this is a inter-generational opportunity for Tasmania. This stadium will be significant, and it will be unlike any piece of infrastructure delivered in Tasmania before, and perhaps for decades to come. We have one opportunity to do this and to get it right, and I trust my colleagues in this chamber and in the Other Place will agree with the importance and significance of this project. The dream of our own Tasmanian teams are within reach.

Madam Speaker, I commend the Bill to the House.