
From: Ramsay, John
Sent: Wednesday, January 22, 2025 4:24 PM
To: Beach, Anne (DIER) <anne@macpoint.com>
Cc: Hogan, Michael <Michael.Hogan@planning.tas.gov.au>
Subject: Meeting to Clarify TPC Requests for Information and POSS Scope Document

Dear Anne,

I refer to the discussions between Macquarie Point Corporation and TPC staff last week, to clarify matters related to the TPC request for further information concerning the Macquarie Point Multipurpose Stadium POSS.

One matter raised was the scope of the project and the POSS assessment, outlined in the Guidelines issued by the Commission.

I attach hereto a document that outlines the rationale for the Commission determination of the scope of the assessment as reflected in the Guidelines.

This document will be published on the Commission website tomorrow, together with the brief note of the meeting held last Friday 17 January.

Best regards,

John

John Ramsay

Executive Commissioner | Tasmanian Planning Commission
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TASMANIAN PLANNING COMMISSION

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In recognition of the deep history and culture of this Island, we would like to acknowledge and pay our respects to all Tasmanian Aboriginal people; the past and present custodians of the Land.



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TASMANIAN PLANNING COMMISSION



Project of State Significance

Macquarie Point Stadium and Entertainment Project

Scope of the Integrated Assessment

1. The *State Policies and Projects Act 1993* (Tas) (the Act) provides for the most comprehensive assessment process in the Tasmanian resource management planning system (RMPS).
2. When an order is made declaring a project to be one of state significance, the provisions of any Act or planning scheme to do not apply to the project. (s19 of the Act)
3. Numerous references in the Act indicate that what is to be considered is the use and development that is necessary or convenient for implementation of the project.
4. 'Use' and 'development' have the same meaning as in the *Land Use Planning and Approvals Act 1993* (Tas) (LUPAA) (the Act, s3(2)).
5. In that Act:
 - 'use' in relation to land, includes the manner of utilising land, but does not include the undertaking of development*
 - 'development' includes –*
 - (a) *the constructionof a building or works*
 - (b) *demolition or removal of a building or works*
 - (c) *construction or carrying out of works*
 - (d) *subdivision or consolidation of land, including buildings or airspace*
 - (e) *placing or relocation of a building or works on land*
 - (f) *construction or putting up for display of signs or hoardings*
 - 'works' includes any change to the natural or existing conditions or topography of land includingremoval oftopsoil*
6. A project, however, is not confined to these definitions.
7. The Act provides for a declared project to be the subject of an 'integrated assessment' which is:
 - "...a consideration of the environmental, social, economic and community issues relevant to the project and such as other issues as may be prescribed." (s16(2) of the Act)*

The definition of 'integrated assessment' encompasses 'issues relevant to the project'. Its scope is necessarily very broad.

By s20(5) of the Act the integrated assessment must:

- seek to further the objectives set out in Schedule 1 of the Act (RMPS Objectives);
 - undertake the assessment in accordance with State Policies; and
 - take into consideration matters contained in representations. (s20(5) of the Act)
8. The Objectives in Schedule 1 are broad in scope. The relevant State Policies are the Coastal Policy, the Water Quality Policy and the NEPMs, in particular the Contaminated Land NEPM.
 9. An order which declares a POSS may include any use or development which is necessary or convenient for the implementation of the project whether or not the use or development is to be undertaken by or on behalf of any person named in the order. (s 18A of the Act)
 10. The *State Policies and Projects (Projects of State Significance) Order 2023* (the Order) approved by Parliament defines the project. Clause 3 of the Order identifies the area in which the stadium is to be developed. Clause 4 goes further to identify the nature of the project. The project is for the development of a stadium for a range of purposes and it includes related infrastructure and services necessary to support its operation, a public concourse adjacent to the stadium, and any other facility or thing necessary, or convenient, for the implementation of the project. (Statutory No 66 of 2023)
 11. The Minister must give the Commission a written direction to undertake an integrated assessment. (s20(1) of the Act) The Direction may require the Commission to comply with any requirement regarding:
 - matters to be addressed in the integrated assessment;
 - process to be followed in the integrated assessment; and
 - time for completion of the integrated assessment (s20(1) of the Act).
 12. The Ministerial Direction to the Commission in relation to the project:
 - restates the 'integrated assessment' requirement of the Act;
 - as part of the integrated assessment requires consideration of the extent to which the project:
 - is consistent with and supports urban renewal as provided for in the Macquarie Point Precinct Plan;
 - impacts the surrounding area and uses; and
 - could generate social, economic and cultural benefits the region and the State.
 13. What is to be considered in an integrated assessment is a matter for the Commission, having regard to the provisions of the Act, its scope and purpose, the content of the POSS Order and the Ministerial Direction. The combined application of the above determines the extent of matters to be considered as part of the integrated assessment. The effect of the Act is to put other planning instruments aside, in favour of the more general formulation of 'environmental, social, economic and community issues'.

14. The following matters are relevant to the integrated assessment:
- use, development, and works which are required;
 - environmental, social, economic and community issues relevant to the project;
 - the broad RMPS objectives and State Policies;
 - matters in representations;
 - the development of a stadium for a range of purposes which includes related infrastructure and services necessary to support its operation and any other facility or thing necessary, or convenient, for the implementation of the project; and
 - the extent to which the project:
 - is consistent with and supports urban renewal as provided for in the Macquarie Point Precinct Plan;
 - impacts the surrounding area and uses; and
 - could generate social, economic and cultural benefits the region and the State.
15. The Act empowers the Commission to prepare and publicly exhibit guidelines to be followed in the preparation of reports to be presented to the Commission for the purposes of the integrated assessment. (s20(2B) of the Act)
16. The Act also requires the Commission in consultation with relevant councils and agencies to prepare and publicly exhibit a draft integrated assessment report, together with any submissions received from those councils and agencies. (s 22 of the Act). During the exhibition period, any person may make a submission to the Commission in relation to the draft report. (s 23 of the Act)
17. The Commission will consider the submissions, and may hold hearings in relation to them, before deciding whether or not to modify the draft integrated assessment report. (ss23, 24 and 25(1) of the Act)
18. Subject to whether the Commission determines whether there should be a further consultation period (s 25(2) of the Act), it will then make a recommendation to the Minister. (s 26 of the Act)

John Ramsay

Executive Commissioner

Tasmanian Planning Commission

22 January 2025