

Closing Address

OUR PLACE

Introductory

1. In opening our case, I spoke of fitting an oval peg into a round hole. This reflects the project presented by the proponent to this Panel, and through a combination of the Macquarie Point Precinct Plan, Ministerial Direction and the POSS order, and the many site constraints of Macquarie Point.
2. But this Panel as a delegate of the TPC does not have the responsibility or obligation of trying to find a way to fit the oval peg into the round hole. The TPC's task is not to "find a way" to make it work, or, putting it another way, to deliver AFLW/AFL teams to Tasmania to the detriment of the Sullivans Cove area and the broader Tasmanian community and economy through this project.
3. The overall task of the Panel – aligning with the requirement of the *State Policies and Projects Act 1993 (Projects Act)* - is to undertake the assessment process after considering representations and evidence, and make a recommendation to the Minister that the project proceeds or does not proceed. I repeat, the Panel is not required to find a way for the project to proceed. The Schedule 1 objectives to the *Projects Act*, and s. 26(1) of the *Projects Act* confirm that such approach is not permissible.
4. I make these comments because I anticipate the proponent will tell you the project ticks sufficient economic, sport, tourism, activation and other boxes such that the Panel just needs to move on to consider just what conditions should be imposed. You have been told it is "development ready", "shovel ready", and just awaiting a permit to be issued.
5. In my submission, this project is best described as "rejection ready". It is inadequately planned, ignores major site constraints and heritage problems and has not followed any sensible process of consultation. It disrespects the Cenotaph and the VC memorial.
6. This address will adopt the same order of issues as the Draft Integrated Assessment Report (**DIAR**), commenting principally on issues relevant to the representation presented by OUR PLACE.

7. Where evidence or representations made by the proponent or others are not commented upon in this closing address, this is not to be taken as an acceptance of the merits or correctness of any particular fact or opinion put forward.
8. There are many elephants in the room for this proposed project. They include:
 - That cricket's use of the proposed venue is not currently possible. Numerous reasons were provided, primarily relating to the roof design and internal climate and shadowing¹. The Heads of Agreement² adds nothing and changes nothing. It must be noted that revenue projections are all based on cricket being played at the proposed venue. Despite the confident predictions, there is nothing before the TPC to show a solution is in sight to the shadowing of the pitch caused by the roof design, both as to bearer size and roof material transparency/translucency. Mr Richardson's estimate of 75% - 95% transparency just confirms how insoluble the problem is. And the Panel can be well satisfied the proponent's consultants have been working 24/7 to find an answer. One explanation for the failure to find a solution might be that there is no other stadium in the world with this roof design where cricket is played.
 - The proposed stadium will not fit into the site in a way that is compatible with existing buildings and uses.
 - There is no adequate transport to or from the site.
 - It is just not appropriate to locate a massive and noisy entertainment venue next to a reverential site like the Cenotaph and VC memorial.
 - The project is financially unsustainable.

1.0 Assessment Process:

9. A Ministerial Direction from the Premier dated 16 October 2023 (**Ministerial Direction**) directs the Tasmanian Planning Commission (**TPC**) to undertake an integrated assessment of the ... Stadium Project in accordance with the *Projects Act*.
10. The Ministerial Direction requires the TPC to comply with certain requirements:
 1. The integrated assessment is to address the environmental, social, economic and community impacts of the project.

¹ Cricket Australia and Cricket Tasmania submission 8 May 2025

² Cricket Australia and Cricket Tasmania submission 20 June 2025

2. As part of the integrated assessment, the Commission is to specifically consider the extent to which the proposed project:

- is consistent with and supports the urban renewal of the Macquarie Point site (as defined in the *Macquarie Point Development Corporation Act 2012*) as provided for in the Mac Point Precinct Plan prepared by the Macquarie Point Development Corporation established under section 5 of that Act;
- impacts on the surrounding area and uses; and
- could generate social, economic and cultural benefits to the region and the State of Tasmania.

2.0 Social and Community issues

11. To be added to the Panel's list of issues is how the imposition of the proposed stadium on the Cenotaph and the Soldiers Walk will have a negative impact on the sense of community of residents, ex-servicewomen and men, their families and the many others who are attracted to the site. The RSL opposes a stadium in this location, as does the Friends of the Soldiers Walk. Finding (e) ought to reflect this.
12. Finding (d)³ cannot be sustained given the tokenistic nature of the proposed "Aboriginal Culturally Informed Zone" and the lack of any real opportunity extended to Aboriginal Tasmanians to be part of the Precinct, and the inadequate consultation with them. Reference is made to the evidence of Professor Lehman, Associate Professor Habibis and Ms Nala Mansell.
13. Bruce Levett⁴, a person with considerable experience in assessing community benefits from large scale projects, could not see any broader social legacy beyond the possibility of some public transport upgrades (Rapid Transit). He noted the social housing aspect to be unclear and underdeveloped⁵.
14. Bruce Levett also observed the proposed stadium should be in a **community** which needs transformation, such as Glenorchy.
15. He is correct. Sullivans Cove does not need transformation; nor does it need a stadium.

³ Page 40, DIAR

⁴ Representation #339

⁵ In his oral evidence, Neil Shepherd was concerned about the amenity of such housing being sited so close to a working port.

3.0 Urban Form and Planning

16. As to the summary under this heading⁶, after some eleven hearing days and a large amount of extra material filed since the DIAR was published on 31 March 2025 - principally by the proponent and OUR PLACE (in response) - nothing has changed at all in respect to the summary in the DIAR.
17. As to planning, the Panel is currently being invited by the State to either:
 - i. Ignore thirty-five years of development planning strategies for Sullivans Cove which established the development principles for the area, and which are meticulously derived from the landscape character and history of the area; or, alternatively
 - ii. Reinterpret these strategies because they are said to be lacking objectivity and insight (per Mr Neil Shephard asserting the work of Mr Woolley has been “accepted uncritically”); or, alternatively
 - iii. Look to selected aspects of these planning and other policy documents to extract components such as the “Wall of the Cove” to separate Macquarie Point from the rest of Sullivans Cove.
18. The Panel should not accept that invitation.
19. To the extent Mr Shephard and the proponent are critical of Mr Woolley’s work – which has been incorporated into planning controls – those controls have been reviewed and adopted by Hobart City Council and by this Commission after lengthy statutory processes of exhibition and review.
20. In this context, the Panel should also recall the evidence of Mr Shephard that the 1991 Sullivans Cove Planning Review was driven by the community’s negative response to the construction of buildings such as the Marine Board Building and the Grand Chancellor Hotel.
21. The size of the project structure is contrary to Hobart’s visual values. The bulk and form of the structure has no place in the natural amphitheatre, whether identified at the larger scale (which includes *kunanyi* and the ring of hills around the city), or at the smaller scale (being the cove floor area between Battery Point and the Cenotaph/Lower Domain headlands).
22. The proponent says that the building would be “iconic”.

⁶ DIAR page 45

23. A more appropriate description is that it would be, as HCC described in its representation, an “anomaly within the urban form of the city”. Another appropriate descriptor is “alien”⁷. No glossy presentation or optimistic statistical projection can hide this state of affairs.

3.2 Landscape and Visual Effects

24. On the basis of the agreed facts (between Mr Saul, Mr Goss and Mr Murphy), Mr Saul’s representation of the height of the proposed stadium is agreed as within 300mm – 1000mm plus or minus the 3D model representation in the work of Mr Goss. In other words, conceivably, Mr Goss’ visualisation could even understate the height of the model, and thus its impact.
25. Either way, 300mm – 1000mm on a 54m structure is in the order of a variation of between 0.55 – 1.85%. For the purposes of assessing the visualisations, and gaining assistance from those visualisations, those of Mr Saul ought to be regarded as appropriately representative to assist the Panel in its task of assessing visual impact.
26. However, the Saul visualisations should be accorded greater weight as they have the added benefits of:
- depicting unobstructed views;
 - the use of a 50mm lens;
 - being taken from suitable and appropriate key viewing locations.
27. Mr Gard’ner also expressed his concern about the roof of the structure glowing in the night, in the context of his heritage assessment.

3.3. Project Design

28. Again, nothing has come forward since publication of the DIAR that could lead to the displacement of findings (a) – (l), although some further landscape drawings have come forward (in respect of sub-paragraph (k)).

4.0 Historic Cultural Heritage and Community Values

29. Again, nothing has come forward since the publication of the DIAR that would provide a basis to conclude any differently than that which the Panel has found in respect of the Cenotaph, Regatta Ground and Lower Domain⁸.

⁷ DIAR 3.3 (i)

⁸ In DIAR Section 4.0

30. The statement at 4.1(e)⁹ of the DIAR bears repeating:

The Panel does not consider that these effects on the Cenotaph, arising from the scale, height, form, bulk, use and proximity of the stadium building, could be resolved by design details applied to the proposed stadium building or by the scheduling of stadium events to avoid specific ceremonial activities at the Cenotaph.

31. Moreover, the evidence that has emerged at the hearing firmly reinforces the Panel's findings. Particular reference is made to the evidence of the proponent's heritage expert, Mr Jim Gard'ner, who identified that the proposed stadium would have a "Major Effect" upon the heritage values of Sullivans Cove, the Regatta Grounds and Cenotaph area. And notably, he agreed that even with the remediation efforts that were proposed by the conditions that he proffered, the level of impact that is identified in Figure 3 on page 26 [54] of his report¹⁰, would be unchanged from "Major Effect". He noted the greater the opacity of the roof, the greater the visual impact.

32. Most importantly, Mr Gard'ner was concerned the proposed stadium would 'remove some views entirely' even if the roof were translucent. The degree of opacity is still in doubt – a dark colour will 'heighten the alienness of the form'. We are left with a Major Effect, even from Evans Street.

33. It is also important to bear in mind that the proponent's initial Cultural Heritage report by Purcell at Appendix L, asserted in the clearest terms:

The principal way to prevent or avoid heritage impacts on the study area and more broadly, Central Hobart and Sullivans Cove is not to construct the proposed stadium.

Mr Gard'ner agreed with that proposition.

34. The evidence of Mr Biles can only confirm the Panel's finding at 4.1 of the DIAR¹¹.

35. Mr Biles went into considerable detail to document the significance of the Cenotaph and the sense of place evoked by the monument and its location¹². He did so by reference to his earlier work *The Shrine of Remembrance: Managing the significance of the Shrine* report (Message Consultants, 2013)¹³. His qualifications and experience in this area are unsurpassed in the planning evidence before this Panel.

36. The Cenotaph has an importance that transcends Anzac Day and Remembrance Day and other commemorative days. It is a place for solemnity, for people who wish to

⁹ P. 57

¹⁰ Historic heritage Statement of Evidence - 18 June 2025

¹¹ P. 57

¹² Report lodged with TPC 7 May 2025 pages 14-14 [56] – [71].

¹³ Located, for example, at Representation #430 (Document 2) by Danielle Grey 8 May 2025.

appreciate the view and experience the place in a private, contemplative way. It is a community asset, not one belonging to any group.

10.0 Ministerial Direction

31. In 10.3 of the DIAR¹⁴ it is observed that the project is consistent with the requirement that a stadium be built. The Mac Point Precinct Plan (**Precinct Plan**) refers simply to development of a “Multipurpose Stadium”. There is no reference to development of a roofed stadium, or to an oval shaped stadium, or to a minimum or maximum capacity. In other words, the size, shape, configuration and height of any stadium is to be configured in the context of the many other requirements of the Precinct Plan.
32. We disagree with the assertion at 10.3(b) that the project is consistent with the requirement that a stadium is developed on the site, because, when the Precinct Plan is read as an entire document, it is not contemplating any size or shape of stadium being built on the site. Rather, the proposed stadium contemplated by the Precinct Plan must fit on the site; it must have size, shape, configuration and height characteristics such as to “honour the unique character of the area¹⁵....”.
33. In other words, any project – stadium or not - must be able to honour the unique character of the area. This particular roofed stadium is incapable of doing that.
34. In any event, this project does not:
 - Complement neighbouring sites. It is in conflict with the Cenotaph, Regatta Grounds, VC memorial, Hunter Street heritage, Soldiers Memorial Walk and Sullivans Cove generally.
 - Visually, the project will compete with these sites.
 - The project will not create connections. It will be a dead zone much of the time. And, with a 1 kilometre circumference, it cannot create connections. Rather than create connections, it will be an impediment. The notion that people will wander around the external dead zone to find their way to the Cenotaph or Domain generally is not realistic.
 - The project will not celebrate or preserve heritage. It will damage the heritage value of Hunter Street, the docks generally and the Cenotaph. The “picture postcard view” of Henry Jones IXL buildings will be damaged forever.
 - The project will not be an expression of Tasmania’s brand; it will damage that brand. While there are multiple components to Tasmania’s brand, particular

¹⁴ Page 120

¹⁵ Precinct Plan page 6; 1.2

damage will be done to the picture postcard image of the Hunter Street Buildings, one of the most photographed views in the city. Hobart's "brand" as a heritage city will be diminished.

Commentary as to some of the evidence given and arguments made

35. In its opening, the proponent spoke about "community need". They talked about trying "to get ourselves in the shoes of future generations". We should do that; we should look to the impact upon future generations because of the crippling State debt, to which the proposed stadium will significantly contribute.
36. As to "community need", the community has multiple needs. A proposed stadium at Macquarie Point does not address any community need. It is best described as a luxury, and even then, its placement is catastrophic for the heritage values of the area.
37. Apart from the AFL/AFLW position put by Mr Gale, all community voices at the hearings were unambiguously clear that they don't need a stadium at Mac Point.
38. In an opinion piece published in the New York Times on 7 May 2025, Binyamin Appelbaum wrote about a proposed US\$3.5billion stadium proposed for Washington DC, for its team, the Commanders. He described how a stadium can be easier to build than much needed housing, and how stadia are luxury items. He made comments that are apposite to this project:

The stadium itself is the very definition of a luxury project. Building a stadium would employ workers; building apartment buildings and stores and offices on the site reserved for the stadium would employ more of them. People spend money at stadiums, but those people overwhelmingly are local residents who otherwise would spend that money in the same community.

Football stadiums, in particular, are rarely used. The Commanders' current home hosts about 10 games and a similar number of other events, like concerts, each year. That's it. Really. An economy is money in motion; a stadium is a big cement bowl where most days, nothing happens.

Our stadiums are monuments to the poverty of our civic ambitions and our inability to summon the collective will to use the land we have for the things we need. They are distractions from our inability to build anything else.

39. It is an entirely apt description of this project.

40. Back to the hearings. We then heard about the “Cove wall” and were told the project is sympathetic and respectful to the heights of “the wall”. This is not correct. When viewed from various parts of Sullivans Cove, the proposed stadium parapet is considerably higher than the Henry Jones and associated buildings. It is not sympathetic. The heights shown in Fig 31 of the Urban Design Framework (Appendix I)¹⁶ show the considerable disparity in heights between the various buildings along Evans Street and the parapet of the stadium wall.

Dr Graeme Wells

41. Dr Wells’ points are important. It is not appropriate to take account of projected jobs at the initial consideration stage and then, when operational, to again claim that the same number of positions have been created.
42. Most importantly, he observes, if the CBA is less than 1, it is a net economic cost to the whole community. And, as is clear, the output is well short of that figure.
43. The notion that the proponent will finance the project through the sale of land will make the CBA considerably worse.

Mr Evans and Mr Gale

44. MPDC Chair Evans conceded that MPDC is required to borrow all of the money for the proposed stadium beyond the Commonwealth’s \$240 million and the AFL’s \$15 million.
45. Brendan Gale talked of how the proposed stadium would see sport bringing people together. Yet, he ignores how divisive the project has been. And he noted the Devils’ Club had 210,000 members and that across Australia there is a total of 1.3m members of all football clubs. This means that the Devils Football Club has just over 16% of all AFL/W football club members in Australia, yet where Tasmania has ~2% of the nation’s population. Why is this distortion not explained or investigated? How many family pets have been made members of the Devils’ club?
46. He also talked of how the AFL stands to lose \$5.4 - \$5.9 million if games are played at Ninja. Yet he ignores the reality that Tasmanian taxpayers are being asked to stump up \$945m initially, then debt repayment over generations. The proposed stadium cost was close to \$1.86b over 10 years in late March 2025¹⁷. Now 4 months later, that

¹⁶ August 2024

¹⁷ DIAR page 17.

figure may need revising given the Pre-Election Financial Outlook Report published by Treasury and Finance in June 2025¹⁸.

Mr Richardson

47. The notion that cricket broadcasters insist on consistency, i.e. roofed venues, and cannot afford washouts is rejected. But if that is the true state of affairs and justifies the roof, then it's an instance of the needs of broadcasters (and AFL) superseding the welfare and needs of the Tasmanian community. That proposition should be rejected.

Mr Goss

48. Mr Goss said in his report¹⁹ the preferred view locations from which he prepared visualisations were selected by others. In his evidence, however, he said he chose the KOP locations. Yet there is **nothing** in his report setting out his methodology for selecting the relevant KOP locations.

49. This bears some further consideration.

50. Three documents were filed from Mr Goss, by the state's solicitors. They were:

- (a) Visual Amenity Statement of Evidence – 24 June 2025
- (b) Visual Amenity Statement – photomontages – 24 June 2025
- (c) Landscape and Visual Impact Assessment 25 June 2025 (**Goss LVI Assessment**).

51. As stated above, Mr Goss said (in his evidence) the preferred view locations (KOPs) were chosen by him.

52. In the Goss LVI Assessment, at PDF 14/424, Mr Goss says:

The preparation of AlignView Photomontage Evidence has been undertaken utilising current best practice. A complete methodology statement is appended to this report.

53. There is no methodology statement appended to the report, or to either of the other 2 documents.

54. In the Goss LVI Assessment, at PDF 33/424 2.5.1 Mr Goss says:

¹⁸ [https://www.treasury.tas.gov.au/Documents/Pre-Election%20Financial%20Outlook%20Report%20\(PEFO\)%20-%20June%202025.PDF](https://www.treasury.tas.gov.au/Documents/Pre-Election%20Financial%20Outlook%20Report%20(PEFO)%20-%20June%202025.PDF)

¹⁹ 2.13 page 4; visual amenity statement of evidence 24 June 2025

*Viewpoints identified in the visual catchment across the various Landscape Character Zones (LCZ) are visited so photographs can be taken to capture the observations. Each LCZ that is potentially affected by the site is investigated. Ultimately the primarily effected LCZ will be analysed from Key Observation Points (KOPs). These are identified for more detailed analysis, **these are selected for being representative of the most prioritised scenic and visual landscape values.** (Author's emphasis)*

55. At 3.4.1 (PDF 97/424) FIELDWORK 3.4 SCENIC AND VISUAL LANDSCAPE CHARACTER Mr Goss says:

"Among 21 viewpoint locations, 16 will be selected as Key Observation Points".

56. At 5.3 on PDF 167/424 Mr Goss lists his 16 KOPs.

57. Nowhere does Mr Goss identify the basis upon which any of the 16 KOPs were selected. There is no discussion as to why any particular photograph is "representative of the most prioritised scenic and visual landscape values."

58. In the circumstances, the Panel can have no confidence at all in the decision of Mr Goss – if indeed it was his decision – to select particular photographs representing KOPs.

59. In conclusion, while Mr Goss' technical expertise in producing a model and combining the model with cloud data is unchallenged, his evidence and reports are beset with a number of problems:

- As stated, no methodology is provided in his report for selection of Key Observation Points;
- Some views are obstructed: Runnymede Street - KOP-8 - with a sign obscuring the view; Morison Street - KOP-10 - with boat rigging in the view; and Mt Nelson - KOP-7 - with a tree branch occluding the view;
- At least 2 views are from positions that are best described as preposterous: Railway Roundabout on the Brooker Highway (KOP-13); outbound lane of Brooker Highway at the bottom of Collins Street, looking back to the Engineers Building (KOP-14).

60. As stated, Mr Shephard relied heavily on the Goss visualisations.

Mr Avery

61. Mr Avery's confidence is not warranted, because experience teaches us that anyone he approaches to look at performing or holding an event in Tasmania will say 'yes, that sounds great!'. Of course they will. But the key issues are:

- The appearance fee. This is where the rubber hits the road. Clearly big money is involved, and dictates the competitive bidding for cricket and other events;
- As to Test cricket, Hobart would be bidding against Sydney, Melbourne, Brisbane, Perth and Adelaide. It's inconceivable those cities will lose Tests to Hobart unless a massive amount of money is paid.

62. The same applies to the tourism and event evidence.

63. Of course, any association or other large conference organiser will offer supportive and interested responses to the prospect of a conference in Hobart. But without serious research, relying upon anecdotes is an insufficient basis to make any claim to the successful operation of a conference venue. And, other than for a very large conference, facilities already exist (Wrest Point, Grand Chancellor etc) so this is not new money or new economic activity, it is just taking business from existing venues.

Mr Neil Shephard

64. In terms of core planning issues, Mr Shephard expressed a number of concerns, and made a number of important concessions in his oral evidence:

- He was not "entirely happy with the separation" between the stadium and the Royal Engineers Building. He acknowledged the scale of the proposed stadium has the potential to overwhelm the Engineers Building;
- The proposed mixed use office space will have the effect of shifting the centre of the CBD towards Macquarie Point, and is a cause for concern;
- A further concern is the location of this mixed use office space adjacent to a working port;
- The whole of Macquarie Point is potentially compromised by the 24 hour operation of the Port;
- He accepted Mr Biles point about spaces to be used near gate 1, comprised of windows, in the context of questions about activation of the area.

65. It was significant the Mr Shephard sought to diminish the conclusions of the proponent's heritage expert, Mr Gard'ner, saying firstly, the heritage bar was "a high bar" and it was "easy for it to be high or very high".

66. Mr Shephard also asserted that the proponent's heritage expert was "guilty of being overly professionally precious".
67. In this exchange, Mr Shephard was asked by the Chair "How do you assess it [heritage]?". The answer was "I don't, because the stadium does not impact the traditional character of the cove".
68. This answer is notable as:
- (i) Mr Shephard has used the very expression "traditional character of the cove" which he earlier objected in his oral evidence to using. In answer to a question from the Chair he said he was "loathe to talk of traditional character".
 - (ii) The answer does not stand and cannot stand with the visualisation of KOP-11²⁰, showing the roof above the Hunter Street buildings. The impact is unquestionable.
 - (iii) Mr Shephard should have deferred to the expertise of Mr Gard'ner.
69. There is nothing in Mr Shephard's statement or evidence to suggest he has any experience in assessing reverential sites such as the Cenotaph.
70. Mr Shephard agreed to a question from the Panel which question was "As we've turned off the SCPS, view lines don't matter". But he then said in respect of the view lines to and from the Cenotaph he "followed Mr Goss" for the Cenotaph.
71. Mr Shephard relied on Mr Goss' methodology and made his own assessment based upon Mr Goss' work. He said²¹ "the analysis, evaluation and conclusions ... provide a context for [Mr Shephard's] assessment" of landscape visual impact.
72. Mr Goss' work is not a satisfactory basis for assessment of visual impact. And because Mr Shephard's work was based upon Mr Goss' assessment, Mr Shephard's opinions should be discounted accordingly.

Other issues

73. There is an abundance of research demonstrating the flaws in economic arguments for the subsidisation of stadia and confirming they are not economic development catalysts²².

²⁰ Goss Visualisations – page PDF 77/134

²¹ At 10.19 page 100 of his 29 June 2025 report

²² See *The Economics of Stadium Subsidies: A Policy Retrospective* John Charles Bradbury, Dennis Coates, and Brad R. Humphreys (2023), attached to OUR PLACE representation #659

74. The Panel is only required to consider if the project is “consistent with and supports the urban renewal of the Macquarie Point site”. I am confident the Panel will consider those issues. But the Panel is only required to consider these matters, not reach any state of satisfaction as to satisfaction of any criteria or outcome or output.
75. At the end of it all, even if we discard/ignore every planning instrument, report and review, the Panel is to conduct an integrated assessment through the prism of environmental, social, economic and community issues relevant to the project²³.
76. If the Panel proceeds in this way, without reference to decades of learning about Sullivans Cove, the project will still fail to pass muster, and will fail substantially. It is too big, too dominant and too damaging to the heritage areas of Sullivans Cove and Cenotaph Hill and beyond. It will have extensive negative impacts economically and socially.
77. The proponent has failed to make a case for a recommendation for approval. The major planning issues identified in the DIAR remain unaddressed. No amount of glossy presentations and confident predictions will change that state of affairs.
78. The Panel ought to recommend under s. 26(1) the project should not proceed.

Roland Browne

15 July 2025

²³ Projects Act, s. 16(2).