



**Dharug Strategic Management Group Ltd**

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## SUBMISSION FROM DHARUG STRATEGIC MANAGEMENT GROUP LTD

### State Significant Development: Powerhouse Parramatta

#### Environmental Impact Statement

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**Dharug Strategic Management Group Ltd (DSMG)** is a not-for-profit company and registered charity that operates as an organisation for Dharug people, managed by Dharug people. DSMG was established in early-2018 after more than seven years of community consultation and negotiation about management of the site of the Blacktown Native Institution in Oakhurst in Western Sydney. The BNI site has cultural and historical significance for Dharug people and its return to Dharug ownership in 2018 was the first return of Nura to Dharug care since colonial times.

DSMG is immensely proud to accept the role of caring for the BNI site and developing a range of activities that will commemorate the site's colonial history, recognise and celebrate its much longer Dharug history and foster its ongoing place in Dharug futures.

#### DSMG and MAAS

In early-2020, DSMG concluded a ground-breaking Statement of Recognition and Understanding with the Museum of Applied Arts and Sciences. In that Statement, MAAS:

- recognises that Dharug yura have deep and continuing connection to Country as all Aboriginal and Torres Strait Islander peoples have a deep and continuing connection to their Countries as First Peoples of Australia.
- acknowledges Dharug as the traditional owners of Dharug Nura

And DSMG:

- acknowledges that MAAS is establishing operations on Dharug Nura, their traditional Country and will have offices on Dharug Nura, will develop and hold exhibitions on Dharug Nura and will develop and deliver programs to promote Indigenous culture, history and achievements on Dharug Nura and the Countries of other Indigenous peoples of Australia.
- anticipates MAAS will always act to remember, respect and foster the resilience, strength and spirit of the Dharug Ancestors and people on their paths already walked and those yet to come.

#### We feel dismayed by the inadequacies of the EIS

This submission identifies elements of Environmental Impact Statement for the Powerhouse at Parramatta that are inconsistent with our Statement of Recognition and Understanding with MAAS. We object to the project as proposed, and conclude that the EIS makes unacceptable conclusions that are not supported by the evidence reported in the EIS.



DSMG feels complete and utter dismay that the EIS:

- continues a long record of NSW Government failure to recognise, respect and value Dharug stories of being, belonging and becoming within the Parramatta district or the site that is directly affected by the construction of the MAAS facility.
- sees the destruction of significant trees on the site as unimportant and insignificant. These are trees whose roots are woven into Nura and hold the soil's memories of our dispossession and loss.
- approves destruction of the historic heritage building Willow Grove. This is a place which, unlike most colonial heritage buildings in Parramatta, holds no history of colonial violence, incarceration and denial of Dharug people and our neighbours. Rather, Willow Grove reflects a shared history of care and nurture. Its wilful destruction as part of the Powerhouse at Parramatta project reinscribes the historical trauma inflicted on Dharug yura that occurred in previous eras of colonial occupation.
- supports demolition of all existing buildings on the site as if the Powerhouse at Parramatta represents the beginning of the site's significance and value to the community. This fails to grasp that the project's approach to community consultation has fallen well short of accepted good practice standards. In fact, all the design and landscaping decisions, funding and planning arrangements were already in place before any meaningful consultation occurred and the project's Community Reference Group has been presented with a *fait accompli* rather than an opportunity to be heard. For Dharug yura, the process represents a symbolic and practical inscription of the site as empty of anything of value prior to its occupation by the Powerhouse. This erasure parallels the colonial insistence that our Nura was empty and that if we did not exist. It reaffirms the colonial reality that we did not – and still don't – matter.
- treats our Nura as a *terra nullius*. It treats our river and its banks as a place waiting to be conjured into existence as something worth owning (or visiting) by the power of the coloniser, by the power of the Powerhouse at Parramatta. This insensitive carelessness in both language and process once again asserts anew the symbolic and material power of the state and its institutions. It retraumatizes yura and Nura. In our view, it is simply and utterly disrespectful and ignorant. Despite radical transformation of museum practice in some places, this imposes on this place in Parramatta an approach that models the museum as authoritative collector, interpreter, possessor and displayer of material heritage and culture. It asserts the museum as the authority on our lives, our culture, our Ancestors. The EIS treats our heritage as something to be 'mitigated'. It seeks to re-erase us as present in our Nura. It acts in denial of the stated intention to recognise and respect. It presents a self-reflecting importance of the power of conquest. This is anathema to any commitment to recognising Dharug yura's deep and continuing connection to Nura, as all Aboriginal and Torres Strait Islander peoples have a deep and continuing connection to their Countries as First Peoples of Australia.



- fails to adequately or reasonably consider the heritage value in situ of both colonial and Aboriginal heritage on the site. The EIS assumes that the colonial heritage loses its value when removed from its context, yet removal of Aboriginal relics from their context and rendering them available to possession as part of collection enhances their value (to the colonising society perhaps). We advocate the protection of the Dharug and colonial heritage values on the site by avoiding destruction of the heritage buildings and disturbance of the areas of with material evidence of our presence . Please note that DSMG, like other Dharug organisations, will not offer the Powerhouse at Parramatta ‘consent to destroy’ the site, and we refuse to accept that the state has any right to provide consent to destroy land which has never been ceded from the sovereignty of its customary custodians.
- recommends continuing development of domineering monumental structures in the riparian landscape of the Burramatta River. This continues the overdevelopment of the area in ways that dominate and determine connections to, and erase the intimacy of sustainable relationships with Nura. The design proposed for the Powerhouse at Parramatta intensifies the existing insensitive and inappropriate overdevelopment of the precinct with large scale structures that mitigate against the rhythms and cycles of the river and its surrounding landscape. The EIS (Appendix O, p68) acknowledges that “there is a risk of mainstream flooding from the Parramatta River and overland flooding in areas generally to the south of the development site”, but anticipates this can be adequately managed by use of the undercroft area, which is created by the erasure of existing place values of the site. The assessment provided by Appendix O also acknowledges there are information gaps on this topic – and it completely fails to address the issues of the ecological and spiritual values of the river and its waters beyond the technical management of unwanted water on the site.
- fails to consider or report on the impacts of construction, increased riparian and channel disruptions on the river and its landscapes and peoples and the cumulative impacts of the undesired structure.
- disguises the failure of the project’s community engagement strategy to respond to concerns and opposition to the design, the process and the impacts of this project.
- reinforces the failure of the government’s processes to appreciate the value of Dharug Nura.

### **DSMG and the Powerhouse at Parramatta**

DSMG and Dharug people, along with other local people and groups, have expressed our strong support for retention of Willow Grove and its surrounding landscape because it reflects a shared and constructive history – in contrast to so much of Parramatta’s colonial-built heritage. The summary statement in the EIS recognises that the Powerhouse will have a significant focus on showcasing “Aboriginal cultural heritage, science and art through the programming of exhibits and educational programs, with direct connections to the



Aboriginal history of the occupation of the Parramatta area which dates back over 30,000 years” (EIS: p71) and claims the Powerhouse at Parramatta as “home to the material heritage and stories of Australian culture, history and lifestyle” (EIS: p7)

We are deeply troubled that an institution charged with the protection, preservation and “showcasing” of Dharug heritage, chooses to respond to our welcoming them to Nura by putting forward an EIS that dismisses our position on what should happen on this site.

We have said clearly and strongly that the site is not the appropriate site for the Powerhouse at Parramatta, and that the existing heritage and landscape values of the site should be protected, enhanced and healed – not demolished and buried under yet further layers of concrete.

In this submission, we are saying clearly that this place should be supported as part of a re-connecting to the river, and a healing of Nura. And **we are not being listened to**.

We also say that the monumental nature of the design – whatever its reputed excellence might be judged to be – is inappropriate and insensitive for this place.

We are also deeply concerned that the proposed building is inadequate as a home for the MAAS collection as the floodplain siting makes storage of the collection on site impossible, and the deeply flawed design proposed for the facility is unable to accommodate key elements of the permanent collection, and seems to prioritize commercial and flexible space over appropriate curatorial, exhibition and collection management needs.

### **Specific Concerns**

In Section 5, the EIS summarily addresses key objects of the EP&A Act, including a requirement that the Project should “promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage)” (EIS: p71), but it goes on to simply and very clearly dismiss the value of the site’s current heritage, noting – apparently with no sense of irony – that while “the demolition of Willow Grove and St George’s Terrace will have a negative heritage impact, the loss of these items is unavoidable given the unique opportunity to create a significant and important cultural institution at the northern terminus of the Civic Link on the banks of the Parramatta River. Mitigation measures will be implemented to record and interpret the presence of these items.” (EIS: p71).

Our culture, our history, our Ancestors presence and the material artefacts and traces they have left in place are not something to be “mitigated”!

Can those responsible for producing the EIS imagine “mitigating” destruction of your homes, your Ancestors and your connections to place? And what does “mitigation” mean in this case? Does it involve respectful return of material culture to Dharug owners and support for its safekeeping? There is no mention in the EIS of such an approach and we can only conclude that what is meant by “mitigation” in the EIS is assembling material as a collection (that is – a thing possessed and owned by the museum) for display, analysis and comment.



Neither we nor our heritage are objects for such mitigation and we are aghast that this project yet again reduces Dharug yura and heritage to a sideshow for the entertainment and enrichments of the museum and its experts and visitors.

Indeed, we anticipate that the best we might hope for as this institutional juggernaut rolls over Nura again is an apology that says that the government and its experts are sorry that they didn't understand or that they thought they had an understanding or they thought we understood and accepted that this approach was somehow for our own good.

We are sick of (and sickened by) the repetitive apologising that changes nothing and that only reinforces that apology by ignorant, well-paid and powerless experts changes nothing.

We note with approval that the NSW Heritage Council's Response to the SEARS for the project anticipated that the EIS would offer some detailed assessment of the "cumulative impact of the further loss of heritage within the Parramatta area from the point of view of the local communities". We also support the Heritage Council's assertion that the EIS should "provide robust justification and analysis of the suitability of the proposal, its heritage impacts and any alternative schemes considered". But we have failed to find any evidence in the EIS report that the notion of cumulative impact has been considered at all. In particular, there is no reference whatsoever to cumulative impacts over time, no consideration of the ever-increasing burden of the "loss of heritage" (and in particular our heritage) on our communities. This is the burden that is often glossed as inter-generational trauma. It is as if the project's insistence on erasing everything from the site reinscribes on this part of Dharug Nura as *terra nullius* – as empty of anything of value, as a blank slate for the museum (and the state) to construct its own vision of what is worthwhile, and as a place from which Dharug presence has been eliminated and erased, only to be reintroduced on the state and its institution's terms as something from the past to be viewed as part of a collection owned and presented by the museum.

We note, for example, that Dharug presence and interest in the site is glossed in Appendix I in just four paragraphs comprising 285 words addressing "Aboriginal Settlement (pre-1788)" (Appendix I: pp24-25) – as if we disappeared as an item of interest at the moment of colonial invasion! We did not! We survived and persisted!

The Social Impact Assessment report is even more offensive as it reduces consideration of Dharug to just 51 words in three lines (Appendix Y: p 36). There is no reference to continuing presence of Dharug people in Parramatta beyond 1788, and our relevance to the assessment process seems to be reduced to assessment of the archaeological 'significance' of 'relics' that mark our presence "pre-1788", with that significance assessed not against our concerns and priorities, but against expert opinion and the definitions contained in laws that presumed we no longer exist or matter. We note that even with that constraint, at least Appendix I suggests that "[t]he first, and preferred, option to mitigate any identified impacts on the archaeological resource is redesign to avoid" (Appendix I: p 102) – but we see no reference to this option in the EIS report. Is it too much to expect that this might be acknowledged and pursued?



We note also that the EIS acknowledges that there is a requirement for consultation with us to be undertaken as part of project planning: “Aboriginal community consultation is required for assessment of Aboriginal cultural heritage, and should be undertaken in the early stages of project planning in order to best guide the development process” (Appendix H: p21). And yet, at the point where public submissions are requested, the design competition has been completed, the site has been earmarked for levelling and destruction, and the state has announced the project will be fast-tracked. The formal consultation process began only in February 2020. We note that DSMG was involved with the “parallel process of ‘Indigenous Engagement and Strategy’ for the Powerhouse Parramatta project (coordinated by Marcus Hughes- Head of Indigenous Engagement & Strategy, Powerhouse), separate to that of the statutory consultation process” described through the ACHAR reported in Appendix H (and referred to at p21 of that report), and that that engagement culminated in the execution of the Statement of Recognition and Understanding referred to earlier in this submission. We value that Statement but express our dismay and disappointment that the public consultation being undertaken by Curio as part of the statutory process has been reduced to little more than a ‘tick-the-box’ exercise. The possibility of a “redesign to avoid” response (Appendix I: p 102) is already precluded in the headlong rush towards completion of a project that requires destruction of heritage.

In our view, the EIS completely misreports and misjudges the cumulative impact of overdevelopment along the Burramatta River on both historical and contemporary heritage and cultural values related to the site and its place in Nura. The EIS report:

*notes that the construction of the Parramatta Light Rail would have physical, visual and vibration impacts for heritage items located in the Parramatta CBD and directly requires the demolition of the Royal Oak Hotel and Stables on the corner of Ross and Church Streets in the North Parramatta precinct, as well as two individually listed bridges (Camellia Bridge and Carlingford Bridge). The future Sydney Metro West and Civic Link projects would also have the potential to contribute to the cumulative impacts on heritage items in the Parramatta area.*

*... [and] confirms that the proposal will have a minimal cumulative impact on the loss of heritage items in the Parramatta CBD with consideration of the nature and scale of the proposal, the potential impact to heritage by other current and future development, and the perspective of local communities (EIS Report: p93).*

Despite the ostensible requirement for the project to be properly assessed, this element of the EIS process simply confirms that this opportunity for public submissions really is nothing more than a ‘tick-the-box’ exercise and that the pre-determined outcome will be approval of the already agreed project. Whatever terms and conditions might be imposed will be irrelevant to the utter failure of this EIS to recognise that this proposal is the wrong project for this site. In fact, against all principles of heritage management, the EIS proposes that the development of the Powerhouse at Parramatta:

*necessitates the removal of two local heritage items on the site, which will have a significant impact on heritage significance and as well as the community’s connection to heritage. The proposed development will not adversely impact surrounding heritage items, including Old Government House, and is considered to have a minimal cumulative impact on the loss of heritage items.*





*It is identified that Powerhouse Parramatta will become a landmark development, responding to its context and setting, and incorporating a practical resolution to heritage, architectural and landscape design matters. The development has unparalleled capacity to undertake programmatic interpretation of the heritage on the site and connect people to local histories, as well as more broadly addressing the multiple histories of the site pre and post-contact (EIS: p 93, emphasis added).*

We find it deeply troubling and quite remarkable that advocates of the Powerhouse at Parramatta seem unaware of and indifferent to the symbolic and material power of their own unwillingness and inability to protect the site's European heritage value – and the personal hurt imposed by the failure of the project and its formal assessment to meet the expectations of our recently signed agreement with MAAS.

The EIS simply fails to understand or assess the cumulative impacts of this project. The experts have defined cumulative impacts only in terms of “the impact of the proposed demolition of heritage items on the site in the context of other existing and planned projects in the surrounding area to understand the cumulative impact” (EIS: p 93). In other words, the prior accumulation of impacts on Dharug people over time is ignored. The accumulation of impacts on the river and its relationships to landscape are similarly ignored. The accumulation of impacts related to and inflicted on the wider cultural, ecological and biophysical landscape and their amplification by the proposed development are also ignored.

That is, the cumulative impacts the project adds to are not even dismissed – they are simply ignored. They are not understood as part of what should be assessed by the formal assessment process. Is this really the best that the state can do in assessing a self-defined ‘state significant project’? This is clearly not an assessment process – it is an approval process that is set to roll right over the top of the interests of Dharug and other local people without assessment. When it comes to dealing with the issue of cumulative impacts in this way the EIS minimizes the issue by simply failing to address it. Instead, it says:

*The cumulative impact is identified as being minimal, and strategies are developed to recognise and celebrate the history of the site including programmatic heritage interpretation, archiving, and salvaging (EIS: p 134).*

We reject this completely as inadequate, unprofessional, inconsistent with good practice in impact assessment and unacceptable to the public interest.

We further note that the public value of trees on the site is simply dismissed as easily as the heritage value of the historic buildings on the site. The proposal “will necessitate the removal of 54 trees” (EIS: p 64) and will retain only 3 trees (EIS: Figure 65). There is no reference in the EIS to any evaluation of community relationships with or values related to any of the trees or anything else on the site, which is dismissively described as “comprehensively modified from its original state.” In exactly the same way, there is no consideration given to the stresses and lost opportunities arising from the government’s continuing failure to look after the riparian landscape along the edge of the Burramatta River since colonial occupation of Nura. The site is characterised as of little value because it was already damaged by its history of abuse. The EIS describes it as occupied by “buildings, roads, pathways, carparks, landscape plantings, and grassed areas. The closest patches of



naturally occurring vegetation to the development site are present along the banks of the Parramatta River approximately 200 metres to the west” (Appendix K: p11).

There is some reference to the wider footprint of the site, but we could find no consideration of how the increased intensity of river-based transport activities, increasingly intense use of the riverbank, or the ways in which public engagement with the site will be supported within the palimpsests of cultural landscapes that constitute our shared experience of Parramatta. This ensures that any cumulative impacts arising from the development are not considered in the assessment provided by the EIS.

DSMG is frustrated by the way the site is presented as dis-integrated and disconnected from its cultural landscape. That means issues important to us are fragmented rather than integrated in the presentation of the EIS. That fragmentation has made our task of responding to the EIS difficult. It was suggested to us in the Community Reference Group that DSMG and Dharug people should not feel that we needed to prepare a complex or comprehensive response to the EIS. We were told that a simple response to this large and complex document would be enough. This only added further offense, as it indicates that our submission as part of a process whose outcome is already determined will simply be ignored.

According to the EIS:

*Aboriginal community consultation in accordance with statutory guidelines Aboriginal cultural heritage consultation requirements for proponents 2010, (DECCW 2010) was initiated for the Powerhouse Parramatta project in February 2020 (as required by project SEARs). Due to the mandatory minimum timeframes that apply to each stage of the statutory consultation process, at the time of writing (i.e. April 2020), Aboriginal community consultation for the project remains ongoing, and will continue beyond the planning process as part of the Museum’s practice (Appendix H: p9).*

There has been no consideration of Aboriginal or wider public assessment of the design alternatives. This is unacceptable and should be sufficient to have the EIS – and the design solution it justifies – rejected as unacceptable against appropriate good practice standards.

Similarly, the Social Impact Assessment report (Appendix Y) fails to provide a pre-development assessment but instead proposes that, after the event of approval of the design and its fast-tracked approval (apparently pre-empting a so-called assessment phase completely), “(t)he comprehensive suite of engagement activities for Powerhouse Parramatta includes the establishment of a Community Reference Group (CRG). The CRG is a consultative body, consisting of 16 core members from the Parramatta community to assist in guiding decisions that are made in relation to construction and delivery of the project” (Appendix Y: 6).

The EIS suggests that “Powerhouse Parramatta will reflect the communities and cultures of one of Australia’s fastest growing regions. It will hold First Nations culture at its core and set a new national benchmark in culturally diverse programming. The Powerhouse will be highly connected through multiple transport links and integrate into the fine grain of the city” Appendix C: p2).





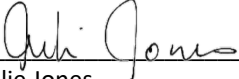
We would love for this to be true, but neither the EIS nor the public review process gives us confidence that this will be the case.

The government's insistence on fast-tracking this project is code for short-changing and marginalizing Dharug people. We will happily welcome an appropriate museum to our Nura, and will be proud to accept a permanent and influential presence in a museum that sits comfortably and sustainably on our Nura and becomes part of our Nura and connected to Dharug yura in a respectful way. But we insist that the museum advocated in the EIS is not that museum. The project described in the EIS is not a museum that is consistent with our agreement with the Museum of Applied Arts and Sciences. It is a museum that DSMG is sadly forced to reject. It is a museum that will be unable to deliver on its mandate.


In a period of pandemic restriction, the formal EIS process assumes there is no digital divide and that all elements of the affected public have unimpeded access to the material and that the expert reports are all meaningful and accessible. In the government's enthusiasm for a project whose design has already been judged as "excellent", there is no room for public expression that it is far from excellent because it inappropriately dominates our cultural landscape, annihilates our heritage, and dismisses and trivialises our trauma. The EIS presents a justification for the design. It is not an assessment but an advocacy statement. This formal report of 177 pages has no less than 36 appendices. Yet in all those words and pages, it fails to actually assess or justify the project. It advocates a pre-determined decision to build at any cost.


The EIS deserves rejection – as does the design.


This submission is supported unanimously by the Board of Directors of DSMG

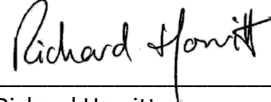
  
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Joel Steller  
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Approved by the Board of Directors July 12, 2020



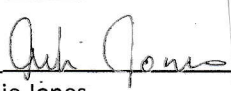
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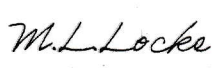
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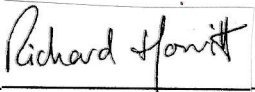
  
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