

Submission to the Tasmanian Planning Commission

Macquarie Point Multipurpose Stadium – Draft Integrated Assessment Report (31 March 2025)

Topic: Supplementary Contribution to Submission by Adjunct Assoc Prof Daphne Habibis

Date: 3 July 2025

Presented by: Professor Gregory Lehman

I am a Professorial Research Fellow, and Chair of the University of Tasmania's Institute of Indigenous Knowledges. However, I appear today in my capacity as a member of the Tasmanian Aboriginal community.

This supplementary contribution to the Submission by Adjunct Associate Professor Daphne Habibis results from an invitation by her to offer an Aboriginal perspective on matters she raises relating to the reduction in space in the Macquarie Point precinct allocated to Aboriginal recognition, and the adequacy of engagement and consultation with Aboriginal people by the Macquarie Point Development Corporation (MPDC).

I provide this information as a result of my direct experience in the initiation, establishment and development of the 'MONA Vision' for Macquarie Point that gave rise to the commitment by the Tasmanian Government, and progress toward the creation of a Truth and Reconciliation Art Park as a central feature of the precinct.

Background

On 15 January 2013, I contacted Leigh Carmichael as a result of his announcement to the media in October 2012 that MONA intended to establish a 'Dark MOFO' festival and, in particular, an ideas event. I challenged MONA to consider its responsibilities to acknowledge the violence of colonisation in Tasmania. In November 2015, MONA was appointed by the Tasmanian Government to shape the public space component of a new masterplan for the precinct. In August 2016, following Leigh's return from the Garma Festival, we recommenced discussions about acknowledgement of Frontier Wars in Tasmania. Leigh invited me to offer advice on how this might be incorporated into MONA's work on Macquarie Point. Over the next four months, the MONA Vision was developed, presented to members of Cabinet, and achieved the endorsement of the Tasmanian Government.

The MONA Vision for Macquarie Point included an open space intended to host activities, events and installations that brought visual and performing arts into the precinct to acknowledge the impact of colonisation on Tasmanian Aboriginal people, and to celebrate and share the vitality and continuity of Tasmanian Aboriginal culture. This space was to be a shared space in which locals and visitors to Tasmania could share better understandings of the conflict and trauma that had underpinned the foundation of the colony of Van Diemen's Land, as it had other Australian colonies. Further, it was envisaged that the Park could become a member of the growing Coalition of International Sites of Conscience¹, and a nationally significant place of healing. Importantly, the Vision also included Aboriginal

¹ <https://www.sitesofconscience.org/>

learning and heritage facilities to activate the Park. These could potentially host retail of cultural products, interpretation displays, exhibitions, Indigenous food café, an Aboriginal tourism hub, teaching facilities and a cultural keeping place.

The Mona Vision was announced on 10 December 2016. In preparation for the launch, Tasmanian Aboriginal Elders Aunty Patsy Cameron AO and Uncle Rodney Dillon were consulted and provided their endorsement as Co-Chairs of the Tasmanian Regional Communities Alliance (TRACA), a body representing seven Aboriginal organisations around Tasmania. Tasmanian historian Henry Reynolds AM and Co-Chair of Reconciliation Australia Professor Michael Dodson AM were also consulted, contributed to publicity material and participated in the media campaign.

In the week prior to the public launch, eighteen Aboriginal organisations in Tasmania were sent information about the MONA Vision, emphasising that the announcement was intended to be the beginning of a process of consultation that would determine how the opportunities created by the initiative could then be developed, and inviting their participation in future planning. The Tasmanian Aboriginal Centre objected to the lack of prior consultation with their organisation, but issued a statement by their CEO Heather Sculthorpe that they would 'welcome the proposal provided the entire Aboriginal community were involved.'² TRACA issued a media release also welcoming the proposal. We were confident that a positive start had been made to a profoundly important initiative in Tasmanian and Australian history. This confidence was rewarded by an overwhelmingly supportive public response that followed over the ensuing months. It seemed that the time had indeed come for Tasmania to face its difficult colonial past and begin the process of healing.

During these months a series of public engagement events were held, including three lunch time public presentations on the Truth and Reconciliation Art Park vision, led by presenters, Rodney Dillon, Zoe Rimmer and myself. These aimed to engage both Aboriginal and broader communities in building understanding of Truth-telling, and the role of art in remembrance and reconciliation, along with informing the public on the development of the MONA Vision.

In June 2018, the MPDC participated in a forum at the Monash University School of Architecture and Design as part of the Australian Research Council funded project 'Representation, Remembrance and Memorial' to inform development of the Park. The MPDC funded a number of Tasmanian Aboriginal people to travel to Melbourne and participate in the forum. On 2 July, a second forum was held at the Tasmanian School of Art including presentations including First Nations people from the United States, Cambodia, Rwanda, Brazil and Australia to share their experience in creating memorials to massacres and genocide. At this time the MPDC also commenced staff training and other activities as part of the development of a Reconciliation Action Plan. I participated closely in all of these processes, which involved the participation of a range of other Aboriginal people, including Reconciliation Tasmania and a meeting of Reconciliation Australia, hosted at MONA.

This period encompasses significant action by the MPDC to improve their capacity to engage with and to understand Aboriginal community values and interests and development aspirations, and in particular how these could be reflected in the development of the Park.

² Australian Broadcasting Corporation, *Macquarie Point: Questions over waterfront plans as MONA unveils Hobart Aboriginal art park vision*, 10 December 2016, <https://www.abc.net.au/news/2016-12-10/mona-unveils-hobart-waterfront-vision/8109206>

While this program might seem a delayed response to the long-recognised need for Aboriginal consultation, like most government agencies, and especially GBEs, the corporation initially had negligible knowledge or capability to undertake this. Such capacity building takes time, especially with a requirement to build trust with the Aboriginal community. This was done through initiatives such as Aboriginal employment and training, and partnership building with the Aboriginal owned Nyri Niara social enterprise – an initiative based at Macquarie Point which modelled significant elements of development that were envisaged as essential to future activation of the Park. MPDC CEO Mary Massina led this process and demonstrated unwavering commitment to this capacity building and the establishment of meaningful consultation and partnership.

Following this, in mid 2021, the MPDC commenced a formal process of Aboriginal community consultation. This is detailed at 12.2 of Annexure O - Southern Archaeology's *Aboriginal Heritage Assessment Report* 30 January 2025.

A significant element of MPDC capacity building was the formation in late 2021 of an Aboriginal Co-design Group to advise on Aboriginal consultation, engagement and cultural elements of the Park. This Group included myself, Theresa Sainty, Zoe Rimmer and Alan Mansell. The Group met several times to guide cultural engagement, to work with Cumulus on the initial design framework and to advise on the outcomes of Aboriginal community consultation undertaken by CHMT. It was at this point that the MPDC achieved a demonstrable level of Aboriginal community support for the Reset Masterplan that resulted from the adoption of the Mona Vision for a Truth and Reconciliation Art Park. At this time a budget of approximately \$13M had been allocated to development of the Park, which was to occupy 13,000 sqm of the 9.3 Ha Macquarie Point precinct.

At this time, the Tasmanian Government commissioned retired Governor Kate Warner and Professor Tim McCormick to conduct consultations with the Tasmanian community, resulting in the publication of *Pathway to Truth Telling and Treaty: a report to Premier Peter Gutwein*.³ The final report considered discussions with Aboriginal people about the work being undertaken at Macquarie Point and included the following recommendation:

Recommendation 20: Establishment of a Tasmanian Aboriginal Art and Cultural Centre

We strongly recommend the creation of an Aboriginal- owned, run and managed art and cultural centre at Macquarie Point. This is an ambitious project but with enormous potential and benefits, not only for Aboriginal people but for other Tasmanians and Australians. While not a 'solution' to reconciliation or an end in itself, a cultural centre such as this could have numerous dimensions. It could create space for coming together, healing, truth-telling, ceremony, celebration, research, learning and the keeping of sacred objects and repatriated cultural heritage.

A facility like this could also have global significance. International visitors wonder at our failure to celebrate and advertise the fact that Aboriginal culture in Tasmania dates back more than 40,000 years. A world class Aboriginal art and cultural centre would help fill that gap. (p.12)

³ https://www.dpac.tas.gov.au/divisions/cpp/aboriginal-partnerships/truth-telling-and-healing/Pathway_to_Truth-Telling_and_Treaty_251121.pdf

On 17 September 2022, the new CEO of the MPDC Anne Beach contacted Group members by phone to advise that the Premier would make a key announcement the next day that would affect the Park. At this time, the Group was aware that the Government's preferred site for an AFL stadium was Regatta Point, recognising the commitments and investment already made to the Reset Masterplan and the Park. This was considered to be a major asset for the Park, as the stadium would significantly increase visitation to the precinct. Sadly, the announcement revealed the Government's capitulation to the AFL's demand for the stadium to be located at Macquarie Point.

A number of Co-design Group meetings were held over the next few months during which the Group sought to understand the impact of the stadium on the Park. It was apparent that the dimensions of the stadium would displace the previous central location of the Park as the key feature of the precinct, reducing the 13,000 sqm area to an undefined, but heavily reduced scale. The Group considered revisions by the MPDC to relocate the Park to align with Davey Street as a smaller public space in front of the stadium and expressed concern that this reduced area would make it difficult to achieve the aspirations associated with the Park. On 20 June, 2023, I wrote to the CEO to express my concern that the continued existence of the Group may be seen to suggest Aboriginal endorsement of the stadium being located at Macquarie Point. I pointed out that:

I am aware of the requirements of Federal Govt funding for the Tasmanian Government to 'work with First Nations groups, Hobart City Council and RSL Tasmania to ensure all existing and proposed uses respect the history of the site and region'.

I therefore suggested an agenda for our next meeting to:

- discuss the co-design work we have done to date,
- assess whether the new stadium proposal provides the opportunity to honour the commitments we have made to the Aboriginal Community to date, and
- remind Government that the vision for a Truth and Reconciliation Art Park and a Cultural Centre is reliant on these being significant, properly resourced features of the Mac Point precinct.

At the next meeting on 15 August 2023, the Aboriginal Co-design Group advised the CEO that we did not consider that the cultural input to the Park design that had been brokered to date was transferable to the area now identified as available for the Park, as this did not provide adequate scope to realise the vision of a Truth and Reconciliation Art Park to any meaningful degree. We also agreed to disband the Group as we recognised that it had not been formed with a view to advising on a precinct now dedicated to a stadium. Further, we recommended to the CEO that the MPDC should restart Aboriginal community consultations based on the new precinct plan, and that an alternative location for a Cultural Centre and Truth and Reconciliation Art Park should be found.

By this time, the Nyri Niara social enterprise had been advised that they would have to vacate the facilities they were using at Macquarie Point, leaving them unable to attract future funding, or to maintain their cultural and training programs. The enterprise became unviable and wound up at considerable cost to the operator Ruth Langford.

1. Shrinking Space for Aboriginal Recognition

I hope that the above background describing Aboriginal engagement up to the time at which the Government agreed to the location of an AFL stadium at Macquarie Point makes it clear that the:

- entirety of creative work with MONA;
- cultural capacity-building and Aboriginal community engagement by the MPDC; and
- the envisaging of the precinct as a locally, nationally and internationally significant place of truth-telling and healing

was predicated on the establishment of a Park and Cultural Centre of sufficient scale to define the precinct as a tangible marker of a turning point in our history. This history of ignorance, oppression and transgenerational trauma resulted from what has been recognised since 1948 as a defining example of genocide⁴. The current approach of the MPDC – to create a ‘Aboriginal culturally informed zone’ of diminishing size – uses bureau-speak as an equally diminished substitute for what was previously embraced proudly as a Truth and Reconciliation Art Park with transformational vision for our state. Similarly, the conduct of further cultural awareness training, appointment without any transparent call for expressions of interest from the Aboriginal community of an Aboriginal individual to ‘culturally inform the design of the multipurpose stadium concept design’, similar commissioning of a ‘statement of Country’ and a Palawa artwork (see Annexure M - *Macquarie Point Development Corporation Aboriginal community consultation* 31 January 2025) are a meagre substitute for the profound contribution to Tasmanian society that flowed from the MONA Vision that was embraced by the Tasmanian Government, the Aboriginal and the broader Tasmanian community in 2017.

Further, the insistence of the MPDC to pursue this diminished version of the Park at Macquarie Point despite their own Aboriginal Co-design Group’s advice that the site no longer has the capacity to include a Truth and Reconciliation Art Park and Cultural Centre severely diminishes the Tasmanian Government’s public commitment to the MONA Vision to the point of irrelevancy.

2. Inadequate Engagement and Consultation with the Aboriginal Community

I have attempted to document the substantial Aboriginal and broader community engagement that led to the adoption of the MONA Vision and the Reset Masterplan including a Truth and Reconciliation Art Park and Cultural Centre. The process included international, national and extensive local engagement with Indigenous people. It offered public forums, face to face consultation and extensive public information, along with processes that met the requirements of the Government’s cabinet, state and local government planning schemes. The project was adequately funded and maintained a level of scale and significance that would have enabled it to meet its visionary objectives of transforming Tasmanian and Australian relationships with our violent colonial past. It was also integrated into the State’s pathway to Truth-telling and Treaty with Aboriginal people.

In contrast, the process since the intervention of the AFL, and the compliance of the Tasmanian Government to their demands has been characterised by what seems to be

⁴ Raphael Lemkin cited Tasmania as an example of genocide during his campaign at the United Nations to establish this as a crime against humanity. See Anne Curthoys, ‘Raphael Lemkin’s Tasmania’, *Patterns of Prejudice*, 3:2 (2005). <https://doi.org/10.1080/00313220500106212>

hyperbolae, contradiction and doubtful representations, as well as irresponsible rejection and ridicule of expert and evidence-based advice from both Aboriginal and non-Aboriginal people alike.

It is important to note, aside from a last-minute phone call from the MPDC CEO, at no time prior to the announcement of the AFL stadium at Macquarie Point was there any attempt by the Tasmanian Government or the AFL to contact Aboriginal people involved in the implementation of the MONA Vision, or to engage us positively in their alternative plan for the site. If this had been done, things might have been quite different.

Aboriginal consultations conducted prior to the adoption of the stadium – and since then – do represent a degree of continuity of process by the MPDC. However, this process has not been developed since the preliminary work undertaken by CHMT in 2021. At that time, there had not been any statewide face to face engagement with Tasmanian Aboriginal people to confirm support for the MONA Vision. This was done, as a matter of expediency, by a company specialising in heritage assessment and the management of archaeological values. It succeeded in confirming a general level of support and was successfully progressing discussions with Aboriginal people about design aspects of the Park that were strongly informed by those heritage and archaeological values.

However, the approach employed since 2023 in relation to the stadium is acknowledged in the Proponent's own Annexure O as being based on a flawed methodology.

This process, while widely adopted, in general, often fails to directly and widely engage community and individuals or to get results for a project which may reflect community views especially on big projects. Often no comment is received. (12.6, p158)

The method is focussed on consultation conducted by sending Aboriginal organisations emails with long and technical reports attached. Section 13.2, Table 14 (p160) indicates that no comment was received from any of the recipients during a round of consultation in December 2024. Earlier consultation by CHMT during July to August of 2024 indicates more success in obtaining responses, but no results of this consultation are available for assessment nearly a year later. The reaction of the consultants to this is to recommend leaving the opportunity for comment open. The likelihood of comment being received from these Aboriginal organisations in the future without further facilitation is minimal.

The flaws in this approach are directly raised by Sarah Wilcox, who is quoted in the Southern Archaeology Report (Annexure O) in commenting on the re-stadium Cultural and Landscape Values Assessment and its ability to meet the IAP2A Quality Assurance Standard:

The standards were not met on this occasion due to the changing scope and limited timeframes directed by the organisation and multiple contractors doing similar work. This has led to confusion and a lack of clarity, resulting in disengagement in the community.

Meaningful engagement with the Aboriginal Community requires at least three to six months to facilitate. It should include Elders, cultural knowledge holders and family groups rather than a singular focus on organisations. Due to the timeframe provided by the organisation, this has not been achieved.

The Palawa Community is overwhelmed with multiple engagement requests and campaigns that strive to improve the overall approach to land management, identity protection, cultural and heritage landscape protection and self-determination aspirations. There has been minimal availability or opportunity for appropriate engagement to occur.

Several experienced and respected Palawa cultural landscape interpretation professionals would be able to assist in developing a more culturally appropriate values assessment in collaboration with Aboriginal Heritage and archaeology practitioners. A more in-depth and robust community engagement alongside this process would add deeper insights into the evaluation and would avoid reputational risk for the organisation. (12.5.4 p.158)

It is difficult to know how much awareness has existed in the Aboriginal community about the 2024 round of consultation. I have recently asked a number of senior Aboriginal people involved in the arts, culture and heritage management, and none of them had been given the opportunity to contribute. Indeed, I was personally unaware that these consultations had even occurred until I read through the Proponents Further Information Reports on the Integrated Assessment website in preparation of this presentation.

The MPDC's response has been to advise the Assessment Panel that 'As a result, the Corporation has requested that this consultation with the Aboriginal community be ongoing, and the report remains at a draft stage.' (Annexure M np). The result is that the Assessment Panel has little reliable indication of Aboriginal community views in relation to the stadium development, let alone its implications for earlier expressions of support for a Truth and Reconciliation Art Park and Cultural Centre.

At the same time, the MPDC has sought to generate a range of superficial outcomes to create an appearance of Aboriginal participation in the stadium project through a rushed process with little transparency. A Statement of Country, a Palawa artwork, and adhoc input into the design framework of the stadium by a single individual stand in stark contrast to the accumulated engagement undertaken over seven years prior to the decision to allow a stadium to be built on the precinct. Instead, these gestures amount to what I would characterise as a typical example of what is commonly called 'Black-cladding'.

Conclusion

As a Tasmanian Aboriginal person with over forty years of experience in Aboriginal community consultation, education, history research, heritage management and the arts, together with detailed experience and understanding of the context and intent of the MONA Vision and resulting Reset Masterplan, I strongly endorse the conclusions presented by Associate Professor Habibis. It is clear that the currently proposed 'Aboriginal Culturally Informed Zone' is wholly inadequate to accommodate a meaningful iteration of the originally proposed Truth and Reconciliation Art Park and Cultural Centre. Further, from the evidence presented by the MPDC, Aboriginal engagement and consultation has been inadequate and of poor quality.

The pre-stadium consultation fails to build upon or deepen the more extensive engagement and consultation undertaken up to 2023. It does not provide sufficient assurance that Aboriginal people have confidence that the new stadium-based proposal can deliver to any significant degree on the profound suite of outcomes that were envisioned by the MONA Vision and Reset Masterplan, and previously committed to by the Tasmanian government,

nor reflect contemporary values and aspirations that may be associated with the site and the need to protect highly significant heritage values.

In summary, the current objective of placing an AFL stadium at Macquarie Point offers minimal scope for a meaningful realisation of need by Aboriginal people and the broader community for reconciliation and healing, or for the celebration of Tasmanian Aboriginal cultural resilience and vitality in the face of genocidal colonial violence.