



Quarantine Station Preservation Trust Bill.

Second Reading

The Hon. Dr ARTHUR CHESTERFIELD-EVANS [11.34 a.m.]: I move:

That this bill be now read a second time.

The Australian Democrats are pleased to introduce the Quarantine Station Preservation Trust Bill. The Premier is constantly trumpeting this Government's green credentials. Rather than green credentials this Government could be better described as being in the grip of a "Cargo cult". The Government treats any developer with a plan to save the Government money like a gift from the sky. We have seen it in the Government's reluctance to spend money on rail infrastructure for the north-west sector growth area; it would rather put in a tollway.

We have seen the "Cargo cult" in full swing at Cooks Cove in Sydney's south, where a shiny new marina and shopping complex will replace a golf course, sports fields and environmentally sensitive wetlands. I turn now to the Quarantine Station. The Quarantine Station site is situated at Manly on the inner edge of North Head. It presently forms part of Sydney Harbour National Park. The headland at North Head is the largest area of unlanded bushland on the Sydney Harbour foreshores. It is a site of historical, natural and Aboriginal significance to all Australians. It is indeed of international significance in the same way Ellis Island is to the Americans. The site plots the history of Australia from pre-European occupation, through colonial times, two world wars, the advent of the aircraft to the present day.

The site contains 66 buildings dating back to the 1830s. There are over 1,500 rock engravings of Aboriginal, European and Asian origin. North Head contains a number of remarkable micro ecosystems, such as remnant rainforest and numerous species of birds, animals and marine life. From the recent history of events surrounding the Quarantine Station site, it appears that the National Parks and Wildlife Service [NPWS] seems to focus its priorities on the plants and animals on the site, rather than the historical aspects of its brief. The Government is also reluctant to spend the money needed to preserve this site.

The solution proposed by Government, with the active support of the NPWS, is to have a private developer, Maw land Hotel Management Pty Lt, lease the site, take responsibility for the maintenance of many of the buildings on the site and run a conference centre. The NPWS was the co-proponent with Maw land of a preferred activity statement [PAS] for the site. The PAS was sent to the relevant determining authorities in 2002 to decide whether they approve of the proposed activities listed. The determining authorities are: the NPWS, the Heritage Council and Planning NSW.

The NPWS has now prepared a draft amendment to the Sydney Harbour National Park plan of management. The draft amendment proposes that adaptive reuse of historic buildings and structures will be permitted in the park, allowing the Maw land proposal to be formally endorsed. The draft amendments have been on public exhibition since 2 May and submissions will be taken until 4 August. This is why this bill is important. This is the imminent sell-off of our nation's history. Our history must be saved. Public land must stay in public hands and the Government must commit the necessary funds to preserve our heritage. It is ironic and a tragedy that the Premier, who professes to be a keen student of history, has not intervened to save the Quarantine Station site.

The purpose of this bill is to retain the area known as the Quarantine Station as a public asset and to create a trust to control its maintenance and use. The object of the bill is to revoke the reservation of the Quarantine Station as part of Sydney Harbour National Park and to vest the land in a new trust to be constituted by this bill. The new trust will be similar to the Royal Botanic Gardens and Domain Trust.

The objects of the trust, contained in clause 6 of the bill, are to maintain and improve the trust lands; to encourage the use and enjoyment of the trust lands by the public by promoting the recreational, historical, scientific, educational and cultural heritage value of those lands; and to ensure the conservation of the natural and cultural heritage values of the trust lands and the protection of the environment within those lands. The Quarantine Station area is presently in an area known as Sydney Harbour National Park. Ownership of the Quarantine Station site was transferred back to the State Government from the Commonwealth in 1984. It is an area of historical and cultural significance encompassing some 66 buildings. It is interesting to note that the State Government took a hard stance against the Federal Government with respect to defence land owned by the Commonwealth, yet it has taken a different approach with land owned by the State by handing that land over to a private developer.

The bill seeks to preserve the historic, Aboriginal and natural heritage of the site in conjunction with the

surrounding area of the North Head section of the Sydney Harbour National Park. The current operations at the site provide conference and function facilities, tour activities and overnight accommodation for the public. There are also maintenance and administrative facilities for the local National Parks and Wildlife Service operations. Some NPWS staff also stay overnight on site in a caretaker role. The bill will create a five-member trust to manage the site, and membership of the trust will include representatives of the National Parks and Wildlife Service, the Heritage Council, the local Aboriginal community and the general community.

It is important that adequate funding be provided to properly maintain all the buildings on the site and the historical and natural heritage. Part 4 of the Historic Houses Trust Act 1980 legislates for an endowment to be paid by the Treasurer to the trust for specific expenditure. Similar secure funding should be provided for the quarantine station site for the proper maintenance of its historic, Aboriginal and natural heritage. The provisions for leasing any part of the site include retention of public control, accord with the significance of the site and not exceed 10 years. The proposed content of any lease must be publicly exhibited for 30 days and public comments on the lease proposal taken into account by the trustees. Clause 12 (2) of the bill provides that no one person or company can lease the whole of the site.

It is imperative that sites such as the quarantine station, which could become an international historical tourist attraction, be preserved by the New South Wales Government on behalf of the people of Australia. A site with such significance to the history of Australia cannot be given over to private interests. The reason for the Government's reluctance to embrace the quarantine station site comes down to money. There are 66 buildings of varying ages on the site, and some are in need of urgent repair. The National Parks and Wildlife Service [NPWS] seems to focus its priorities on the plants and animals on the site, rather than the historic aspects of its brief. The solution proposed by government, with the active support of the NPWS, is to have a private developer, Maw land Hotel Management Pty Ltd, take responsibility for the maintenance of many of the buildings on the site and run a conference centre.

A lease agreement was prepared by Millions Stephen Jacques Solicitors dated 24 January 2000 between the Minister for the Environment as lessee, Maw land Hotel Management Pty Ltd as tenant and Maxwell Player as guarantor. The lease outlines Maw lands' obligations to refurbish and maintain many of the buildings on the site. The cost in the lease of totally developing the buildings it proposed to lease was \$3,254,000. In 1998 the National Parks and Wildlife Service estimated that a minimum of \$5 million was required in the short to medium term to conserve the heritage values of the site and to provide limited public access. This may seem to be a large amount of money, but it is not in terms of preserving what is a unique chronicle of Australian history.

The danger of having a profit-driven private developer in charge of heritage buildings is that money will not be available for their proper preservation. It would be easy for the lessee to say that it cannot afford to spend the money as it would be uneconomic. Money would be spent on facilities that would produce an income stream, such as accommodation and conference facilities, and the preservation of buildings of purely historical value would pass by the way. History would not be saved or served by private developers. This is the business of the government of the day, representing the people of New South Wales and Australia. I shall run through the history of the Quarantine Station.

Aboriginal occupation of the Sydney Basin is estimated at some 20,000 years ago. Evidence of Aboriginal occupation dates from the glacial flooding, which formed Port Jackson 6,000 to 8,000 years ago. The area was occupied by the Kameraigal clan, who spoke the Urinal language. The sites on North Head suggest the area was used for occupation, food gathering, recreation and formal ceremonies. There are many examples of rock art in the caves around the area. The first meeting between Governor Phillip and the Aborigines occurred at Spring Cove in January 1788. This is yet another indication of how important the site is.

In terms of natural heritage, the site is home to a stunning array of animals, birds, reptiles and marine life. Two endangered species inhabit the area: the little penguin and the long-nosed bandicoot. There are five species listed as vulnerable: the red crowned toad let, the sooty oystercatcher and the pied oystercatcher, the superb fruit dove and the swift parrot. The plant life includes remnant rainforest. The early European phase was between 1828 and 1837. The site was first used to quarantine people in 1828 when the *Buss rah Merchant* was detained in Spring Cove because the passengers were found to have both smallpox and whooping cough. The more healthy passengers were housed in tents on shore and the sick were contained on board the ship.

In 1832 Spring Cove at North Head was declared a quarantine station by Governor Bourke. In 1837 the area was extended to include the whole of North Head. During the quarantining of the *Lady Nought on* in 1837 the first permanent weatherboard structures were erected. The immigration phase was from 1837 to 1872. Free immigration began to dominate the passenger lists from 1837 onwards. From 1853 a building program was put in place, with accommodation barracks, a hospital ward and a superintendent's cottage being built. The next phase, class-defined accommodation, was from 1873 to 1880. Buildings during this phase was dominated by segregation of buildings into the classes of passengers on ships. Therefore, there was first-class, second-class and third-class accommodation. These also reflected the health of passengers, those in first class being the healthiest.

The Board of Health phase was from 1881 to 1909. A severe outbreak of smallpox in 1881 heightened the

awareness of the quarantine issue. The site was administered by the Board of Health during this phase and considerable money was spent on the buildings. The Commonwealth phase was from 1909 to 1950. The Commonwealth enacted the Quarantine Act in 1908 and took possession of and responsibility for the site in 1909. The major accommodation block was built in 1911-12. The laboratory and mortuary were built in 1916. The present wharf area was laid out between 1913 and 1917. During the 1914-18 war it was used for military quarantine, and in 1919-20 for an influenza epidemic. During the Second World War it was used for soldiers returning from the war and British evacuee children.

During the aviation phase from 1950 to 1983 many people came from overseas and the site was heavily used again. In 1957 there was a major program of refurbishment, with many buildings repaired, demolished and renovated. By the 1970s not much use was made of the station. In 1974 the last ship was quarantined, the *Nike Mari*. In 1975 it was used to house refugees from Cyclone Tracy. The buildings gradually fell into disrepair. In 1983 there was a revival with the establishment of the Quarantine Station Restoration Trust, funded through the Community Employment Program.

I turn now to the State Government phase. In 1975 Sydney Harbour National Park was established to include lands at North Head, Dobroyd Head, Bradley's Head, Shark Island and Clark Island. In 1979 more defence land was added to the park. The most recent additions were Fort Denison and Goat Island in 1995. In 1984 ownership of the quarantine station site was transferred back to the State Government and added to the Sydney Harbour National Park. The National Parks and Wildlife Service [NPWS] took control of the site at this time, and in 1987 it began operating a conference centre. At present, visits to the site stand at about 8,500 per year. In August 1997 the Premier presented a vision statement for the future of Sydney Harbour foreshore. The guiding principles were to maximise public access to, and use of, land on the foreshore; and land made available for public access and use should be retained or placed in public ownership.

I turn now to plans of management and leasing of the site. The National Parks and Wildlife Act 1974 requires that a plan of management be prepared for each nature reserve. A draft conservation plan, as it was known, was produced in 1987. A conservation plan was adopted in 1991 following submissions and review of the 1987 draft plan. After that time an Expression of Interest Assessment Committee was formed. That committee took tenders for development of the site and commissioned reports on the condition of the buildings and infrastructure. Nothing was decided about the future development of the site during this time. In 1996 a new draft plan of management for the entire Sydney Harbour National Park, of which the quarantine station is part, was produced. Tenders for the quarantine station were called for in 1996. In April 1998 the Tender Board endorsed the tender of Mawland Hotel Management as the preferred tender. The management plan was signed off in 1998 and released for public comment in 1999. In June 1998 the Minister for the Environment signed a negotiation agreement with Mawland. Manly Council formally objected to the proposed leasing arrangements for the first time and sought termination of the process. In the final meeting of the Tender Board in January 1999 Mayor Sue Sacker and Deputy Mayor Dr Peter McDonald announced their resignations from the board.

In February 1999 the Minister gave approval for the grant of a conditional agreement to lease. That lease was signed on 24 January 2000. The Heritage Council endorsed the North Head Quarantine Station Conservation Management Plan in April 2000, after ruling in mid 1999 that the plan was unsatisfactory. One wonders why. Mawland produced a draft master plan and draft access strategy in 2001, which was endorsed by the NPWS. In 2001 an environmental impact statement [EIS] was prepared and exhibited. The EIS produced so many responses that Mawland and the NPWS, itself in a questionable situation, decided to call a commission of inquiry to process all the responses. In July 2002 the commission of inquiry [COI] produced its report. It found, surprisingly, that there were no major environmental reasons that the proposal could not proceed. Mawland and the NPWS, now firmly in partnership, put out a joint response to the COI called the "Preferred Activity Statement" [PAS].

I turn now to the present. The PAS was sent to the relevant determining authorities to decide whether they approved of the proposed activities listed. The authorities were the NPWS, the Heritage Council and PlanningNSW. The NPWS has now prepared a draft amendment to the Sydney Harbour National Park plan of management. The draft amendment proposes that adaptive reuse of historic buildings and structures be permitted in the park. The draft amendments have been on public exhibition since 2 May 2003 and submissions will be taken until 4 August 2003. This is why this bill is important. This is the imminent sell-off of our nation's history. Our history must be saved. I commend the bill to the House.

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