



## Quarantine Station Preservation Trust Bill.

### Second Reading

**Mr RICHARDSON** (The Hills) [10.02 a.m.]: I move:

That this bill be now read a second time.

The Quarantine Station Preservation Trust Bill has already been through the winnowing process of the upper House, where every non-Labor member of that House who voted in the division supported it. That speaks volumes for the strength of public opinion against what the Government wants to do with Manly Quarantine Station. People from both sides of the argument supported the bill. Mr Ian Cohen, Ms Lee Rhiannon and Ms Sylvia Hale from the Greens, the Hon. David Oldfield from One Nation, the Hon. Peter Breen, the Hon. Dr Peter Wong, the Hon. John Tingle and Reverend the Hon. Fred Nile, all as one block, joined the Coalition in supporting this legislation. The only people who voted against this bill were Labor members.

I think that level of support should give the Government reason to pause in its plans to lease Manly Quarantine Station—one of the most historic and best preserved sites on Sydney Harbour—to a single entity, the Mawland Group, for 21 years, with 15-year and 9-year options. The Opposition has consistently opposed leases of longer than 10 years on significant public lands. The Opposition believes that the original proposal for a 45-year lease on this property to Mawland was tantamount to selling public property. The current proposal would still give Mawland exclusive use of the property for 45 years—21 plus 15, plus 9. It is the same rotten package in a different wrapping.

Let me tell honourable members why I am so concerned. This is a very special place. It is where Governor Philip first had contact with the Aborigines. It is where Bennelong, Colbee and Arabanoo were captured. So it is an extraordinarily significant place in the context of Australian and Aboriginal history. North Head is a place where the Aborigines carried out their ceremonies. It was also a burial site for Aboriginal people. It was sacred to them long before white man came to this country. There are some 66 buildings on this site dating back to the 1830s. There are more than 1,500 rock engravings, some of which are Aboriginal, and there are also Aboriginal cave paintings.

The passengers who were quarantined there did most of those carvings over a period of 150 years. I encourage all honourable members to go and see those carvings, which are quite remarkable. I do not need to emphasise to the House just how unique that site is. There is nothing else quite like it in Australia. Between 1828 and 1984 at least 580 vessels carrying more than 13,000 passengers were quarantined at North Head, most prior to World War II. An estimated 572 of them died and were buried there. The history of the quarantine station goes back to 1833 when Governor Philip first declared the area to be a quarantine station. After Federation in 1911 the Commonwealth assumed responsibility for the site, but it was always on New South Wales land and not Commonwealth land.

The transfer occurred on the basis that the site would be returned to the State if the Commonwealth had no further use for it. That occurred in 1984 when the quarantine station was added to Sydney Harbour National Park, although by that time parts of the original site had been excised for a range of other purposes, most notably, North Head Barracks and Manly hospital. There are still 57 hectares of undisturbed bushland surrounding the quarantine station. It is one of the most pristine areas around Sydney Harbour. It has the most extraordinary range of views and, as I have said, it is one of the most significant heritage sites in Australia.

One would think that this was a site that the Government would want to preserve and that it would have been pouring significant resources into doing just that. However, the buildings are falling into disrepair. Over the past three years, two buildings have burned down under the management of the National Parks and Wildlife Service [NPWS]. One was the old hospital, built in 1883, which is absolutely irreplaceable. If that is an example of how the Government manages significant historical sites, heaven help the future interpretation of history in this State.

The Quarantine Station Conservation Management Plan 2000 concluded that the condition of the buildings and sites comprising the quarantine station ranged from good to poor. There is a maintenance backlog in some buildings, which has led to their deteriorating condition, and many sites, especially the inscriptions on them, are in varying degrees of deterioration due to weathering. I am sure that it would not surprise honourable members to hear that the major problem is a lack of resources. There is no question that the Government has been neglecting the quarantine station. In 1996-97 the Government spent \$523,569 on maintaining the quarantine station and in 1997-98 that spending increased to \$621,217. But in 2000-01 it slumped to \$178,275.

Over a period of four years government funding for the quarantine station dropped from \$621,000 to \$178,000, which is clearly inadequate. The National Parks and Wildlife Service operates tours of the site and some of the buildings are used as conference venues or for overnight accommodation. But the profit realised in the context of the potential of this site is actually quite small—about \$280,000—which is manifestly inadequate to maintain and upgrade the buildings. I

have said before and I repeat that the National Parks and Wildlife Service is good at managing the natural environment. However, unlike the United States of America National Park Service and Parks Canada, it is not good at managing the built environment.

Millions of people visited Alcatraz, Liberty Island, Ellis Island or the Cave and Basin national historic site at Banff in the Rocky Mountains without any problems. The only caveat is that the Statue of Liberty has been closed to the public since 11 September 2001 because of the fear of terrorist attack. Compare that to the quarantine station which has only 27,000 visitors a year. People who want to go there must do so as part of a conference, or they must book to go on a tour. I am sure that there are hundreds of thousands, if not millions—certainly the majority of Sydneysiders—who are not aware of the existence of the quarantine station, let alone its significance. That is an indictment of this Government and the way it has been managing the site. The National Parks and Wildlife Service web site states:

Access to the site is limited by security requirements and the poor condition of much of the site. There is little free access and the public can only visit the site as a tour participant or by attendance at a function or conference.

There are security concerns at the Statue Of Liberty too, but that does not stop thousands of people a day boarding Blue Circle cruises to go there. The Carr Government could have done much more to encourage visitors to this wonderful place, this wonderful example of European heritage. While the National Parks and Wildlife Service is not the best organisation to look after the built environment, it has the expertise to look after the natural environment. The site contains 57 hectares of pristine bushland containing five species of terrestrial mammal, including the locally endangered long-nosed bandicoot, seven terrestrial reptile species and 90 native bird species including the little penguin. The Manly quarantine site is home to the only breeding colony of little penguins in New South Wales. There are some 460 species of flora, including five that have been identified as rare.

So we have an agency that is good at looking after the natural environment, which the Government wants to replace with a company that may or may not do a good job with the buildings. It will do a better job than the National Parks and Wildlife Service has in attracting business, but by definition, the private company does not have the very significant expertise that the National Parks and Wildlife Service has in nature conservation. It is out of the frying pan into the fire. That is why the Opposition has proposed a new model to manage this unique site. The bill is based on my own Quarantine Station Preservation Trust Bill, which has now been withdrawn, and the bill of the Hon. Dr Arthur Chesterfield-Evans, which was originally introduced into the upper House in 2002 and was heavily amended.

The Opposition has worked closely with the Hon. Dr Arthur Chesterfield-Evans over this piece of legislation, as well as with Phil Jenkyn from Protectors of Public Lands, Judy Lambert and Doug Sewell of the North Head Sanctuary Association, and Mary Johnson and Judith Bennett of the Friends of Quarantine Station. As I said before, the bill was winnowed in the Legislative Council before coming into this place. It provides a model for managing not only the quarantine station site but also a number of other sites across New South Wales. I would encourage members who are interested to learn exactly how the bill was crafted to look at the Legislative Council *Hansard* of 30 October 2001. The bill establishes a trust to advise the Minister on the care, control and management of the Quarantine Station as part of North Head. The objects of that trust are outlined in part 3 clause 6:

- (a) to advise the Minister on the care, control and management of the Quarantine Station site as part of North Head, and
- (b) to encourage the use and appreciation of the Quarantine Station site by the public by promoting the cultural, natural, historical, educational, scientific and recreational value of that site, and
- (c) to ensure the conservation of the cultural and natural values of the Quarantine Station site and the protection of the environment at North Head, and
- (d) to ensure that the management of the Quarantine Station site respects the natural and cultural values of the whole of North Head, and
- (e) any other objects, consistent with the functions of the Trust, in relation to the Quarantine Station site, that the Trust considers appropriate.

The Trust will consist of seven members who will be:

- (a) one person chosen by the Minister as having expertise in the restoration and conservation of historic buildings,
- (b) one member nominated by the National Trust of Australia (NSW),
- (c) one member nominated by the Director-General of the Department of Environment and Conservation,
- (d) one member nominated jointly by the local Aboriginal community in the Manly, Warringah and Pittwater local government areas and the Aboriginal Land Council,
- (e) one member nominated by the National Parks Association of NSW Incorporated,

(f) one member nominated by Manly Council—

Which is the council for the local government area in which the quarantine station site is situated—

(g) one member nominated by the Commonwealth Minister for the Environment and Heritage.

The trust will inject significant expertise in the management of conservation and heritage sites and also take into account local concerns and local considerations. Clause 10 of the bill provides for the trust to approve all leases and licences following 30 days for public comment. However, there are caveats on what it can approve. Clause 12 (2) states:

The Minister must not exercise any power to which this Part applies if the Minister forms the opinion that the grant of the relevant lease or license will result in:

(a) less open space at the Quarantine Station site than existed when the site was reserved as part of a national park under the *National Parks and Wildlife Act 1974*, or

(b) an increase in the total floor area of all buildings that existed at the Quarantine Station on that date, or

(c) an adverse impact on the significant heritage values of the Quarantine Station site.

That is important and consistent with our desire to preserve and conserve the quarantine station as one of the most important historic sites in this nation. Clause 13 of the bill—and this goes right to the heart of why we are putting this bill before the House today—states that:

The Minister cannot lease or license all or a substantial part of Quarantine Station site to one person or unincorporated group of persons.

That is really important in the context of the way in which we believe the Quarantine Station site should be managed.

Clause 15 forbids the granting of leases or licences for the term of 10 years or more. I am anticipating exactly what the Government will argue in this matter and I am sure it will argue that there cannot be financial certainty if leases cannot be held for longer than 10 years, and that we should consider the big picture, and so on. But if a company comes along and leases part of the quarantine station site and does a good job, it is almost axiomatic that its lease would be renewed. If a company has the expertise and has been doing the right thing and doing the job, there is no reason why the lease would not be renewed.

So far as the Mawland lease is concerned, that company will be there for 45 years. As long as the company figures it can make a buck out of it, it will renew the lease after the 21 years; it will be exercising its options effectively all one-way and will be renewing the lease for nine years after the 36 years have expired. We think that is a totally undesirable outcome; it is de facto privatisation of the quarantine station site and de facto privatisation to a single entity. We oppose wholeheartedly what the Government wants to do in that regard.

Many of the provisions of this legislation are borrowed from the Government's own Callan Park Special Provisions Act 2002 which, in turn, was based on a bill put forward by the honourable member for Davidson at that time. Those provisions include a restriction of 10 years on any lease or licence that can be granted at Callan Park. The question has to be asked: why is the Government prepared to accept a 10-year restriction on Callan Park but will not do the same thing for the quarantine station? Might it have something to do with the fact that the Greens were breathing down the neck of the honourable member for Port Jackson at the last election? The honourable member for North Shore thinks that that might be the case. I am sure a number of members in this Chamber would agree with that supposition. Such legislation is not made simply through expediency; it is made with a view to achieving the right outcome. Certainly the bill will provide the right outcome for the Manly Quarantine Station.

Part 5 of the bill relates to a plan of management for the site, which is to be written in the context of the whole of North Head, and is something that the Mawland proposals do not do. The plan of management is to be drawn up by the trust and it must be prepared according to the National Parks and Wildlife Act 1974. The plan must also define the manner in which the management of the trust lands will be integrated with the control and management of the whole of North Head, and must include a transport, traffic and parking plan for the trust lands that is integrated with an ecologically sustainable transport, traffic and parking plan for the whole of North Head, and an interpretation plan for the trust lands that is integrated with an interpretation plan for the whole of North Head. We can see that is absolutely consistent with the aim of the Sydney Harbour Federation Trust, which is to make the whole of North Head a sanctuary. The Government might explain how the Mawland proposal will assist that grand plan for North Head.

Under clause 19 of the legislation the Minister cannot adopt the plan of management unless it has been published in at least one Sydney metropolitan newspaper and a local newspaper "circulated in the locality of the trust lands"—one assumes that would be the *Manly Daily*—and has in that notice invited public comment on the plan of management within the time specified in the notice, being not less than 30 days after publication of the notice. As with leases, the plan of management must be displayed for 30 days and the Minister must have regard to public comments about it. We think the one thing that has been lacking from the Government side in this whole debate is consultation with the local

community, with the people of Manly. We know that the Government is not very good at consultation. In this case it has certainly not listened to what the people of Manly, or of Sydney as a whole, want for the Manly Quarantine Station.

We think the optimum model is to have the trust advise and act as a consent authority for leases on the site. That is the best of both worlds. The trust would use National Parks and Wildlife Service expertise in nature conservation, while injecting the expertise in maintaining and conserving historic buildings that is currently lacking. In that regard I add that people fairly high up in the NPWS hierarchy have said that the service does not do historic buildings well. But the answer to that problem is not to take this historic precinct—66 buildings less the two that the NPWS allowed to burn down—and hand it over to the private sector, effectively for 45 years. Mr Speaker, you and I will not be around to see what happens after the lease and the options have expired.

**Mr Peter Debnam:** I don't know about that.

**Mr MICHAEL RICHARDSON:** I should qualify that statement: Mr Speaker, you and I are unlikely to be around to see what happens when the lease and the options have expired. Schedule 1 of the bill defines the site. That is important as there was some difficulty defining the boundaries of the site. Schedule 2 of the bill details how the chairperson of the trust is to be appointed by the Minister, who may replace him on a temporary basis; how a trust member may be removed; how casual vacancies will occur and be filled; the disclosure of pecuniary interests by trust members; and the liability of members. Schedule 3, clause 2, defines the quorum of the trust as being a majority of the members, with the chairperson having both a deliberative and a casting vote. I guess one might describe these machinery provisions of the bill as dotting the *i*'s and crossing the *t*'s. They make sure that the legislation is practical and will work.

This debate is important because we understand that the Government may sign off on the Mawland lease any day. We are very concerned about that de facto privatisation of this historic site. We are concerned also about the proposal that Mawland has made—its grand plan—for the site. Mawland wants to rebuild the 1883 hospital that burnt down, but with ensuite toilets.

**Mrs Jillian Skinner:** Is that heritage restoration?

**Mr MICHAEL RICHARDSON:** It does not really qualify as heritage restoration. I am certainly not convinced that in 1883 the hospital had ensuite toilets—in fact, most hospitals today do not have ensuite toilets for all patients. That is nonsense. According to the proposal, approximately one-third of all rooms will be based on shared bathrooms, which means that two-thirds of the rooms will not. Not only the hospital will get ensuites but a significant amount of the other accommodation. In fact, 55 of the 90 bed units will:

... offer the opportunity of using private bathrooms (though guests could choose to use shared bathrooms if they wished). This is made up of 54 bed units across the First and Second Class Precincts and 1 bed unit in the Isolation Precinct.

Mawland claims that this redevelopment is necessary because that is the standard of accommodation that people expect today: they expect to have ensuites and all the other comforts of home. A major problem with the Mawland proposal and the Government's plan is that it will fundamentally change the heritage fabric of the quarantine station. That is certainly demonstrated by what the Government intends to do with the boiler room at Spring Cove. It wants to convert it to a restaurant. The proposal states:

It is proposed to expand the existing dining opportunities (currently only provided for overnight guests) to make them available to all guests, via an industrial-themed restaurant in the former boiler house. The restaurant operation would provide à la carte dining, coffee, snacks and refreshments for up to 150 visitors and accommodation guests. The restaurant and its menu would provide another indirect form of interpretation—

I am not quite sure how—

to absorb the character of the site. A key interpretive objective of the restaurant (in addition to interpreting the former boiler house) would be to attract visitors not currently interested in the Quarantine Station, who could then become interested in other experiences after discovering first hand what opportunities existed.

Whoopy-doo—suck it and see! According to the Mawland proposal the restaurant:

... would maintain as much industrial heritage and spatial feel as possible. A highlight is expected to be eating in the Engine Room, where a new mezzanine level will offer dining with spectacular views and industrial heritage. The mezzanine level will be a steel structure, in keeping with the industrial character of the building.

We must understand that all of this work is in keeping with the character of the building.

**Mr Peter Debnam:** That's Bob Debus.

**Mr MICHAEL RICHARDSON:** He is signing off on it. The proposal continues:

From the western mezzanine level will be magnificent views of Quarantine Beach and Sydney Harbour—

they have got that right: there will certainly be magnificent views—

while the two curated boilers below will provide a strong reference to the former use. The indirect interpretation of the two boilers as an internal feature of the dining experience would stimulate a more subtle yet complimentary interest in quarantine operations, to direct interpretation.

This proposal will involve a virtually complete rebuild of the boiler room at Spring Cove. There will be a new paved outdoor eating area between building A6 and the cliff escarpment. The proposal states:

Visitors will be able to eat, relax and gaze onto Quarantine Beach and Sydney Harbour, with mature trees and canvas umbrellas providing shade and a serene atmosphere.

One wonders whether the Government is pursuing the Mawland proposal because if it were to continue to look after the quarantine station it would chop down the trees. That seems to be the Government's modus operandi. Examining Mawland's proposal—its vision—for the site we can see why not just the Opposition but the Greens, the Australian Democrats and the people of Manly have come together to oppose the Government's plan and support this legislation. I cannot stress too strongly how important it is to pass this legislation. It will make an enormous difference to what happens at the Manly Quarantine Station. One way or the other, this will be an enduring legacy for our children, our grandchildren and our great-grandchildren. But that legacy will not be the right one if the quarantine station is handed over to a single entity and effectively privatised.

I think this Government's management of the quarantine station is a complete aberration. I suspect that the North Head sewage treatment plant has a higher public profile than the quarantine station has enjoyed over the past few years. The Government has run down not only the quarantine station but funding for maintenance and repairs and made sure that it is one of Sydney's best-kept secrets. I think that is an absolute disgrace. The quarantine station trust would get things up and running, and would do so in an appropriate fashion. It would ensure that the site's heritage, including its significant Aboriginal and natural history values, are preserved for all time. It is absolutely vital for the House to support this legislation so that we can do the right thing by the people of Manly and our heritage.

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