



## 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 Opposition introduces the Quarantine Station Preservation Trust Bill in response to the Government's plans to lease the Manly quarantine station, one of the most historic and best preserved sites on Sydney Harbour, to a single entity, Mawland Developments Pty Ltd, for 21 years. The Opposition has consistently opposed leases of longer than 10 years on significant public lands. We believe that the original proposal for a 45-year lease on this property to Mawland was tantamount to selling public property.

This is a very, very special place. North Head should be etched in the consciousness of every Australian. It is where Governor Phillip first had contact with the Aborigines. It is where Bennelong, Colebee and Arabanoon were captured. So it is an extraordinarily significant place in the context of Australian and Aboriginal history. North Head is the place where the Aborigines carried out their ceremonies; it was also a burial site for the 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 Aboriginal cave paintings as well. The passengers who were quarantined there did most of these carvings, over more than 150 years. I do not need to emphasise to the House how unique the 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 itself goes back to 1833, when Governor Phillip first declared the area to be a quarantine station. After Federation, in 1911 the Commonwealth assumed responsibility for the site, but it was always New South Wales and not Commonwealth land, and 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 happened 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, 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, having 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 have wanted to preserve, that it would have been pouring significant resources into it. However, the buildings are falling into disrepair. Over the past two years alone, two buildings have burnt down under National Parks and Wildlife Service management. One was the old hospital, which was built in 1883 and 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 range from good to poor. The plan says that the station fabric was run down prior to hand-over in 1984, and that there have been subsequent attempts to systematically address maintenance requirements but these have lacked sufficient resources to maintain the entire site. There is a maintenance backlog on some buildings, which has led to the deteriorating condition, and many sites, especially the inscriptions on them, are in varying degrees of deterioration due to weathering. However, the plan goes on to say that the condition of the station does not severely diminish its significance. That is very true, but it will significantly diminish its significance if there is not a real attempt to undo the neglect of the past, to repair the buildings and maintain them to the standard that the people of New South Wales expect.

The problem relates to resources, and there is no question that the Government has been neglecting the quarantine station. Figures published on the National Parks and Wildlife Service web site show that in 1996-97 the Government spent \$523,569 on maintaining the quarantine station, in 1997-98 that spending increased to \$621,217, but in 2000-01 it slumped to \$178,275. Over four years, Government funding for the quarantine station has 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. However, we are talking about a contribution to the costs of managing this site of only about \$280,000, which is manifestly inadequate.

One problem is that the National Parks and Wildlife Service [NPWS] is very good at managing the natural environment, and it is very good at dealing with flora and fauna issues, and threatened species issues. However, it is not good at managing the built environment; it is not entrepreneurial in the way it goes about managing sites such as the quarantine

station. Access to the site is restricted. People who want to go there must do so as part of a conference or book to go on a tour. There are very successful ghost tours about four times a week. Indeed, 27,000 people have visited the site as tourists in the past year, but that is a drop in the ocean. I am sure that many hundreds of thousands, if not millions, of people in Sydney are not aware of the quarantine station's existence, let alone its significance. That is an indictment of the Government and the way it has been managing the site. The NPWS 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.

Shame! Shame! Shame! The NPWS could have done much more, and the Government should have done much more, not only to maintain the site but to encourage a level of visitation that would not only have generated a significant revenue stream to assist with maintenance but would also have meant that many, many more people in New South Wales would have benefited from the interpretation that obviously goes with tours to the site. They would have understood our history to a much greater extent.

I said that the NPWS is not the best organisation to look after a site of this nature, and that is true so far as the built environment is concerned. However, honourable members should remember that we are also talking about pristine bushland. We are talking about an area that is relatively undisturbed because, by definition, the only people who went to the quarantine station were those who were in quarantine. The biological diversity of this area is outstanding. There are some five species of terrestrial mammal on the site, including the locally endangered long nosed bandicoot, seven terrestrial reptile species and 90 native bird species, including the little penguin. The Manly quarantine station 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.

The conundrum is that the NPWS is very good at looking after the natural environment but it is very poor at looking after the built environment. The Government wants to bring in a private sector hotel operator to do both jobs. The Opposition believes that even if the operator does one of those jobs well, he will do the other job very poorly. That is certainly what the Friends of Quarantine Station believe; they are concerned about not only the modifications that Mawland is proposing to the historic fabric of the site but also the lack of attention to these conservation issues vis-a-vis the natural environment.

Clearly, a new model is needed for this historic site, and that is what this bill will provide. It borrows from two key sources: the Hon. Dr Arthur Chesterfield-Evans' bill currently in the upper House and the Government's Callan Park (Special Provisions) Act 2002. Honourable members might recall that the then Callan Park (Special Provisions) Bill was rushed into this place late last year because there was real concern about the Minister for Tourism and Sport and Recreation holding her seat of Port Jackson. The Government borrowed largely and liberally from a bill put forward by the honourable member for Davidson at that time. It thought there were conditions that should be applied to the Callan Park site as a significant public site. Why those conditions will not be applied to the Manly quarantine station, we can only guess. I reiterate: We do not believe that there should be 21-year leases on the site or that it should be leased to a single entity.

The Hon. Dr Arthur Chesterfield-Evans' bill has some good points, with which we would agree, and I have had extensive consultations with Dr Chesterfield-Evans and with Friends of Quarantine Station on this matter. I place on record that I am indebted to Judy Lambert and Doug Sewell in particular for their input. Both of them helped to hone and refine this bill. The major concerns we had with the Hon. Dr Arthur Chesterfield-Evans' bill were, first, that he proposed that there should be a five-person trust—we felt that the composition of the trust was too narrow—and, second, the trust was also to be a management entity. Another bureaucracy would be set up to run the quarantine station site. As I outlined, the National Parks and Wildlife Service should be involved to a significant extent, particularly in relation to threatened and rare species. There is a requirement for the National Parks and Wildlife Service to be involved to a significant extent. What it needs is an injection, an infusion, of knowledge and experience in managing historic buildings, and that is what our bill will provide.

Under our legislation, there will be a quarantine station preservation trust consisting of the following seven members appointed by the Minister: one member chosen by the Minister as having expertise in the restoration and conservation of historic buildings, one member nominated by the National Trust of Australia (New South Wales), one member nominated by the Director-General of National Parks and Wildlife Service; one member nominated jointly by the local Aboriginal community in the Manly, Warringah and Pittwater local government areas and the local Aboriginal land council, one member nominated by the National Parks Association of New South Wales Incorporated, one member nominated by Manly Council; and one member nominated by the Commonwealth Minister for Environment and Heritage.

Honourable members will see that the trust will cover all bases and will provide the level of expertise required for the management of this site. The trust will have both an advisory role and a consent role. It will be a consent authority for leases and other activities on the site. It could approve the use of a building as a restaurant or an art gallery but it will not run those commercial enterprises. We have no problem with private sector involvement. We believe that buildings are best preserved if they are used, but they should be used in an appropriate fashion. Under part 4 of the bill, public notice must be given in at least one metropolitan newspaper and one local paper of a proposed grant of lease or license.

The public will have 30 days to comment on the terms of that lease. So the local community will have a stake in what is happening at the quarantine station. It will have a significant input. This will provide safeguards over the possibility of inappropriate activities being carried out on the site. Clause 12 of the bill covers restrictions on leases or licences, including the impact of the proposal for a lease on the amount of open space at the quarantine station, restrictions on floor area and the significant heritage fabric of the site. 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 immediately before the commencement of this Act, or
- (b) an increase in the total floor area of all buildings that existed at the Quarantine Station immediately before the commencement of this Act, or
- (c) an adverse impact on the significant heritage fabric of the Quarantine Station site.

Clauses 13 and 14 are critical to the intent of the legislation. Under clause 13 the Minister is forbidden from leasing or licensing all of the quarantine station site to one person or one entity, and under clause 14 the Minister cannot grant leases or licences with a term of 10 years or more. I understand that Mawland claimed that it would be unable to obtain finance for its proposals with a lease, originally, of less than 45 years. Now it seems to be content with 21 years, but we believe that 10 years is an appropriate time. If the company does a good job, one would assume the trust would be happy to renegotiate with it and to reassign the lease to it. This is all about outcomes, and those who are doing well should be rewarded for doing well.

Those clauses, 13 and 14, are borrowed from the Government's own Callan Park legislation. If it was good enough for Callan Park, why is it not good enough for the quarantine station? After all, the quarantine station is an even more significant historical site than Callan Park. The Government cannot have it both ways. It cannot say that Callan Park should be protected and there should not be leases of more than 10 years there and no changes to the significant historical fabric of the site, and then say that anything goes at the quarantine station.

We think that having a trust to advise and to act as a consent authority for leases on the site is the optimum model, it is the best of both worlds. It is using National Parks and Wildlife Service expertise. It is injecting the expertise in maintaining and conserving historic buildings that is lacking currently. The Mawland proposals would include rebuilding the hospital, but it would not be rebuilt as it was. The plans are there, the photographs are there. I suppose one could create a replica. It would be a 2004-05 replica and look pretty much like the original hospital. However, Mawland wants to put in ensuite toilets—I do not think hospitals had ensuite toilets in 1883—and the first-class and second-class accommodation are also to be modified to include ensuite toilets on the basis that that is what people want today. Once again, this is an alteration to the significant heritage fabric of the area. We object to this proposal.

We are also very concerned about the proposal by Mawland to change the use of the boiler room at Spring Cove to a restaurant. The boiler room would be significantly altered from its original form—in fact, it would probably be unrecognisable as a boiler room. We believe these modifications would irreversibly change the character of the site, something the New South Wales Heritage Office, only a couple of years ago, warned against as having a permanent and adverse impact on the site.

In conclusion, the Manly quarantine station is one of the most important heritage sites in Australia. The bill will provide the best way of conserving those heritage values and of managing the quarantine station in an integrated and sensitive way. It does not preclude Mawland from being involved with the site but it would be on a lesser scale than is currently envisaged, and there would be significant opportunities for people to see the site, to walk around the site and to learn from our history. In 1997 the Premier issued a vision statement for the future of Sydney Harbour foreshore. He said:

The Harbour is too precious to be sold off for the exclusive use of Sydney silvertails.

We agree. I commend the bill to the House.

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