

QUARANTINE STATION PRESERVATION TRUST BILL

Second Reading

Mr MICHAEL RICHARDSON (The Hills) [10.00 a.m.]: I move:

That this bill be now read a second time.

This bill is an updated version of the bill passed by the Legislative Council in 2003 with the support of every non-Labor member of that House; that is, every crossbench member and Coalition member voted for the bill. That is a clear indication of what people think about the way in which the Government is destroying the quarantine station at Manly. The honourable members who supported the bill included Ian Cohen, Lee Rhiannon and Sylvia Hale from the Greens and David Oldfield from One Nation. The Hon. Peter Breen, the Hon. Dr Peter Wong, the Hon. John Tingle and Reverend the Hon. Fred Nile also supported the bill. The only honourable members who voted against the bill were Labor members.

The bill then came into this House where the Government arrogantly, and with no consideration for the people of Manly, or indeed for our priceless heritage, voted it down. Speaking for the Government at that time was the honourable member for Tweed. The Minister for the Environment would not even deign to grace the Chamber with his presence. I note that he has not deigned to grace the Chamber with his presence today either. The honourable member for Tweed said:

The Government does not support the bill, which would have two main effects. First, it would create yet another statutory authority to add to the eight bodies already involved in the management of the North Head peninsula. This new body, which would be called the Quarantine Station Preservation Trust, would supposedly operate as an advisory body and consent authority in relation to leasing and licensing activities on the quarantine station sites. Second, it would impose a series of additional restrictions on any leasing or licensing activities undertaken at the quarantine station.

Both features of this bill demonstrate a complete lack of understanding on the part of the Opposition generally—and the shadow Minister for the Environment specifically—about the unique history and character of the quarantine station. He misunderstands the best-practice model that the current leasing proposal has introduced for private sector involvement in the management of public lands.

He went on to say that when the quarantine station was transferred from the Commonwealth to the State in 1984 it was run down and needed a significant amount of money spent on it, and he said further:

The National Parks and Wildlife Service has systematically attempted to address maintenance requirements.

He added:

The existing level of conservation and public use of the quarantine station is unsustainable. A reasonable, sensible option is to lease the site to the private sector to help defray maintenance costs.

The honourable member for Tweed lives a long way from Manly. He would probably do better looking after his own backyard, where he is in deep trouble, and staying out of Manly. However, he chose to intervene in the debate so he must wear the consequences of what he said. All this claptrap he went on with about best-practice models does not stand up to close scrutiny. Under this Government the quarantine station has been allowed to run down and two important buildings, the 1883 hospital and the third-class living quarters, have burnt down.

Over a period of four years government funding for the quarantine station dropped more than 70 per cent from \$621,000 to \$178,000, which clearly is not enough to maintain 66 buildings, 64 if you exclude the two that burnt down, dating back to 1838. Obviously, the older the building the more money needs to be spent to maintain it. Even after the fires the Government could not put in a decent fire alarm system. The new fire alarm system was installed two years after the buildings burnt down. The system proved so unreliable that the company charged with maintaining equipment pulled out of the contract last year.

The Government went for a low-cost solution—it always goes for low-cost solutions when it involves the quarantine station—wireless. But North Head is exposed to storms, and the system was continually knocked out by lightning strikes, which potentially could have triggered a fire at any time. The Government was warned, but it showed reckless indifference to the fate of our heritage. It should have installed a wired alarm system for the major buildings, and used the wireless system only for the minor buildings. But that would have cost more money, and the Government will not spend money on this priceless example of our heritage.

I would have thought that fire prevention would have been a priority for the Government, but it is much more focused on privatising the site than on looking after it. The Government does not care about our natural heritage, and it certainly does not care about our built heritage. It does not care about Manly, either. The quarantine station is a very special place. It is where Governor Phillip first had contact with the Aborigines. It is where Bennelong, Colbee and Arabanoo were captured. 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, and it was a burial site for Aboriginal people.

The history of the quarantine station goes back to 1828 when Spring Cove was first used for quarantine purposes. In 1833 Governor Bourke declared the site a quarantine station, and it was used as such between 1828 and 1984, although it really ceased to have much of a role after the advent of air travel. The result of more than 151 years of usage is 66 buildings and more than 1,500 rock engravings, many of which were executed by bored passengers with time on their hands. If honourable members have not been to the quarantine station to look at the rock carvings, I suggest that they do so because they are absolutely fascinating and a priceless part of our history.

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 those passengers died and were buried there. Some 10 years after Federation the Commonwealth assumed responsibility for the site, but the land was never transferred to the Commonwealth Government. Indeed, 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.

The remaining site contains 57 hectares of pristine bushland and is home to five species of mammals, including the locally endangered long-nosed bandicoot, seven reptile species and 90 native bird species, including the only breeding colony of little penguins on the New South Wales mainland. There are some 460 species of flora, including five that have been identified as rare. This is a very special spot, and a priceless part of our heritage in New South Wales. It belongs to all the people of New South Wales, but what does the Governor want to do with it? For the past 12 long years it has been trying to lease it to a single entity—Mawland—for a period of 45 years. Honourable members should realise that Mawland's proposal would turn the quarantine station into a heritage theme park. One only has to see the proposal to understand what I am saying. Mawland is seeking to recapture the rich history of the quarantine station and transform it into a collection of powerful experiences that leave the visitors clearly moved.

It is proposed to create this transformation using strong and emotionally engaging interpretive experiences. What are those strong and emotionally engaging interpretive experiences? Guided interactive tours form a large part of the proposal. Mawland proposes to introduce storytelling tours and immersion theatre—whatever immersion theatre is—to expand the range of ways to experience the site and, therefore, the range of visitors to the site. Each experience has been designed to convey different aspects of significance of the site using distinctly different interactive interpretation techniques. The first of these tours is the 40 Days storytelling tour, which is planned to be the main daytime tour. It will be a highly interactive experience that gives visitors an insight into what it was like to be quarantined. If 40 Days does not take your fancy Defiance is an alternative, which is a blend of night tour and immersion theatre—once again, I am not quite sure what immersion theatre is; it is not defined—that combined, tell a dramatic story of a Sydney family wrongly quarantined.

I am not quite sure that any families were wrongly quarantined, but this is telling their story. Then we come to the Sixth Sense tour. Honourable members will love this one. The Sixth Sense is a ghost tour. The National Parks and Wildlife Service currently conducts a ghost tour, and I gather it is quite popular. But that will be adapted to avoid disturbance from other users and yet provide an intimate and authentically spiritual experience. The guide will be a clairvoyant who has the potential to sense the spiritual presence of the site and its history. Participants will therefore go beyond hearing stories to being educated in how to sense the spirit world themselves. I am sure that you will be falling over yourself, Mr Speaker, to sample some of these experiences.

Mr SPEAKER: I am convinced.

Mr MICHAEL RICHARDSON: If that is not enough, if your senses have not been stimulated enough, particularly with the Sixth Sense, you can go to the other side as an alternative day tour. Some people might think it was related to the *Sixth Sense*, but it is an alternative day tour for repeat visitors and those seeking a uniquely Australian look at the site. Maybe they are people who have gone through the ghost tour and have not quite grasped the spirit world. It will explore the quarantine station operation from the perspective of those who lived and worked there, telling stories of what went right and wrong, with a dry humour reserved for the better Australian comics and films. I cannot wait to get at it! Then there is Ghost Boy, a reprise of the popular children's book *Ghost Boy*, which will be adapted into a special storytelling tour for schoolchildren, providing them with a creative way to experience and learn about the site. So it can be seen that everyone who goes to the heritage theme park will have a lot of fun.

The most contentious issue relating to the Mawland proposal is not its so-called cultural tours but its adaptive reuse of the buildings, particularly the accommodation quarters. Mawland plans to convert many of the buildings into a hotel. The problem with converting the buildings into a hotel for twenty-first century guests, however, is that those guests demand a higher standard of accommodation than was normally experienced by those who were quarantined at the quarantine station. The Mawland proposal includes a 90-room operation based on five room types: 32 authentic rooms, based on complete retainment of existing room sizes and doors, with a fit-out being the main change. Some 29 of those authentic rooms are to be based on shared bathrooms, and three rooms are to be based on private use of existing bathrooms.

The proposal also includes 23 standard rooms, based on retainment of existing room sizes, with adaptations such as new door openings and new bathrooms. All standard rooms would be based on new private bathrooms. The proposal also includes 23 superior rooms, based on retainment of existing room sizes, with adaptations such as new door openings, new private bathrooms and sitting rooms; and six suites, based on retainment of existing room sizes, with adaptations such as new door openings to combine two rooms as a suite and new bedrooms. There would also be six cottages, based on retainment of existing room sizes, with adaptations such as new doors and some upgraded bathrooms.

Mawland concedes that the introduction of new bathrooms has been an ongoing issue for many people and organisations. It says that while there is some demand for authenticity through the ongoing use of shared bathrooms, this comes from a minority of the market and is not enough on which to base an entire hotel operation and to provide a level of income necessary to conserve the quarantine station. Mawland says that while the National Parks and Wildlife Service conference centre currently attracts conferences and meetings to the quarantine station, it only operates at an approximate occupancy level of 16 per cent and caters for a small niche of the conference market.

I do not believe that the failure of the National Parks and Wildlife Service to attract more conferences to the site is attributable to the lack of en suite bathrooms; rather, it is attributable to the fact that the service is very good at preserving the national environment but is not good at dealing with European cultural heritage—and it is certainly not good at running what is essentially a commercial operation. It is not within the ambit of the National Parks and Wildlife Service, and the Government should not expect the service to make the sorts of dollars it requires of it simply because the Government refuses to provide adequate funding to maintain the quarantine station. This has created a lot of angst in the community. There is a lot of concern about the adaptive reuse proposal, which seems to be almost a restructuring of the fabric of the quarantine station buildings.

The Mawland proposal also includes a restaurant. The company intends to expand the existing dining facilities to make them available to all guests, by way of an industrial-theme restaurant in the former boiler house, which is located in the wharf precinct. The restaurant operation would provide a 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 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. How will Mawland achieve this? What is the proposal? The company says that the industrial-theme 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.

After you have gone on your ghost tour and you have touched base with the other side, so to speak, I guess you would have worked up an appetite and would want to get down onto the mezzanine level, look at the boiler, and perhaps enjoy the magnificent views of Quarantine Beach and Sydney Harbour. However, those views are already there; one does not need to completely transform the boiler house of the quarantine station for those views to be achieved. Members will appreciate that the Mawland proposal is a substantial transformation of the quarantine station site. The Friends of the Quarantine Station, the Liberal candidate for Manly, Mike Baird, who is very strong on this issue, the people of Manly, and I, do not think that this is an appropriate way to deal with the Government's financial problems. Essentially, that is what it gets down to.

Mawland intends to lose the entire 57-hectare site for a period of 21 years, with 15-year and 9-year options. The original proposal was for a 45-year lease. However, if one adds together 21, 15 and 9 years, this will still give Mawland 45 years. It is almost as though the Government is privatising the quarantine station, because for 45 years it will not really be in public ownership. The Opposition has consistently opposed leases of longer than 10 years in respect of significant public lands, and that is exactly what the bill does for the quarantine station.

It is salient to note that the Government has been negotiating with Mawland for 11½ years and has got precisely nowhere. Earlier this year Mawland lost its financial backing, and that was an opportunity for the Government to get out. But it did not. Instead, it offered Mawland an extension of time to locate another equity partner. Yesterday we learned from the Minister for the Environment that the Government has still not finalised the deal; in fact, it is looking less and less likely by the day. I must say that the Minister's response to a question without notice on this issue was certainly less than encouraging from Mawland's point of view.

The other reason why the Opposition's Quarantine Station Preservation Trust Bill should be adopted by the Government as a model for managing not just the quarantine station site but potentially other historical sites around New South Wales is that in May this year the Federal Government gave the whole of North Head national heritage listing. This means that any new development at any of the sites on North Head, including the quarantine station, will have to be signed off by the Federal Minister for the Environment. This is yet another hurdle in the way of the Mawland proposal. That heritage listing comes with significant benefits for North Head.

The Commonwealth proposed spending \$20 million to upgrade buildings at the nearby School of Artillery site, under a plan provided by the Sydney Harbour Heritage Trust. I am sure the Commonwealth would also be willing to provide money to upgrade the quarantine station if the Lemma Government were sensible about these issues. However, the Lemma Government has so far rejected this plan. Potentially, \$20 million worth of funding has gone begging because of the State Government's insistence on continuing to entertain the Mawland proposal, with the ensuite bathrooms and the ghost tours.

That is why the bill we introduce today is so important and so timely. The Government really has no idea what to do with the quarantine station. It appears clear that the Government will not be able to finalise its negotiations with Mawland. And, frankly, who could blame it? Who would put money into a site knowing that anything it did there would have to be signed off by the Federal Government as well as the State Government? The bill provides an appropriate structure to manage the site, and has been amended specifically to incorporate the quarantine

station into a North Head sanctuary. That is essential now that the Commonwealth has declared the whole 385 hectares of North Head to be a national heritage site.

Before turning to the provisions of the bill I wish to acknowledge the contributions of the following people in drafting the legislation: Phil Jenkyn from the 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. The Liberal candidate for Manly, Mike Baird, met with Judy Lambert earlier this week, and since then he has strongly impressed on me the need to incorporate the quarantine station into the proposed North Head sanctuary, which the bill now does. I pay tribute to Mike Baird for his role in drafting the legislation. 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 clause 6:

- (a) to advise the Minister on the care, control and management of the Quarantine Station site as part of the North Head precinct, and
- (b) to encourage the use and enjoyment of the Quarantine Station site by the public by promoting the recreational, historical, scientific, educational and cultural heritage value of that site, and
- (c) to ensure the conservation of the natural and cultural heritage values of the Quarantine Station site and the protection of the environment within that site, and
- (d) to support the natural and built environment and cultural heritage of North Head precinct, and
- (e) to assist the Sydney Harbour Federation Trust to develop a concept and final plans for a North Head Sanctuary, and
- (f) any other objects, consistent with the functions of the Trust, in relation to the Quarantine Station site, that the Trust considers appropriate.

The trust has quite a wide-ranging role and will provide some necessary expertise in the management of cultural values and the heritage of buildings, which is currently lacking from the National Parks and Wildlife Service.

There will be seven members of the proposed trust. One person will be chosen by the Minister as having expertise in the restoration and conservation of historical buildings. One member will be nominated by the National Trust of Australia. One member will be nominated by the Director General of the Department of Environment and Conservation. One member will be nominated jointly by the local Aboriginal community and the Manly, Warringah and Pittwater local government areas and the Aboriginal Land Council. One member will be nominated by the National Parks Association of New South Wales Inc. One member will be nominated by Manly Council. One member will be nominated by the Commonwealth Minister for the Environment and Heritage, and I assume that that person would be someone from the Sydney Harbour Federation Trust. Those seven members will bring a breadth of experience to the trust. As I have already said, that will provide expertise that is currently lacking in the National Parks and Wildlife Service.

Pursuant to sessional orders business interrupted.

Debate resumed from 28 September 2006.

Mr MICHAEL RICHARDSON (The Hills) [10.00 a.m.]: When I was last speaking about the Quarantine Station Preservation Trust Bill I gave some details of the membership of the Quarantine Station Preservation Trust that is proposed in the bill. I will now deal with the other provisions of the bill. 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 relevance lease or licence 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.

Clause 13 of the bill says that the Minister cannot lease or license all or a substantial part of the Quarantine Station site to one person or an unincorporated group of persons. That is a major difference between the Opposition and the Government. The Government wants to lease the entire Quarantine Station site, with its 66 historic buildings and its flora and fauna, to a single entity—the Mawland hotel group—for 36 years. Clause 15 of the bill forbids the granting of leases or licences for the term of 10 years or more. So Mawland's proposal would simply not be acceptable under this bill.

We believe there is a better model for managing the Quarantine Station. I might add that the all non-Labor members in the upper House approved the Opposition's original bill, which is a clear indication of the way that the community feels about the matter. In the context of our proposals for the Quarantine Station I think it is instructive to consider what the Sydney Harbour Federation Trust is planning for the nearby School of Artillery site. Its comprehensive draft management plan aims to:

- conserve and interpret the Commonwealth Heritage values of the North Head former School of Artillery site as an historic place on Sydney Harbour and to facilitate its interpretation, appreciation and adaptive reuse;
- maximise public access;
- facilitate the adaptive reuse of the former Defence buildings for appropriate uses;
- protect and maintain the prominence of the relatively intact and rare ecosystems at North Head including its flora, fauna, biodiversity and geodiversity;
- integrate the former School of Artillery with adjoining lands as part of a unified headland; and
- establish a framework for the implementation of the sanctuary concept for all lands at North Head.

In doing this, it also aims to:

- encourage a mix of uses that facilitate and complement the implementation of a sanctuary;
- be consistent with Commonwealth Heritage Management Principles;
- conserve and interpret the whole site as an historic precinct;

- conserve and interpret the natural values of the precinct;
- assist in the conservation of the historic fabric of the former School of Artillery by ensuring that it is adaptively reused, guided by the recommendations of the Conservation Management Plan (CMP);
- provide opportunities and site interpretation for visitors to understand and appreciate the totality of the site's heritage;
- encourage uses and activities that promote the use of sustainable modes of transport to minimise the impact of traffic generated by the site's reuse on the surrounding area;
- provide visitor facilities and amenities including car parks and walking tracks;
- realise the potential for easy access including access for the disabled;
- regenerate and expand the bushland so that the sense of a 'green' gateway to Sydney Harbour is reinforced;
- eliminate feral animals and weed infestation and control public access to designated areas in a manner that protects the environmental sensitivity of the site;
- enhance views to and from the precinct;
- remediate site contamination and hazardous materials;
- protect adjacent bushland from the spread of *Phytophthora cinnamomi*;
- improve the quality of stormwater runoff; and
- apply the principles of Ecologically Sustainable Development (ESD).

Mr Speaker, I think you would agree that sounds like an ideal model. It is exactly the sort of plan that the Opposition would like to see implemented at the Quarantine Station. Honourable members will note that the aims include the integration of the former School of Artillery with adjoining lands as part of a unified headland, and the establishment of a framework for the implementation of a sanctuary concept for all lands at North Head.

The integration of the Quarantine Station into the North Head sanctuary is an important aspect of the bill. The Commonwealth is already progressing down this path, having appointed Andrew Woodmansey as Project Manager for the North Head Sanctuary. Andrew will work with all stakeholders to finalise the detailed concept for a sanctuary. Once the concept is agreed, Andrew's challenge will be to turn this into a reality by creating conservation, business and operational plans, and by establishing a timetable leading up to the opening. A scientific committee has been established to advise on the North Head sanctuary project. The panel has been drawn from academia and industry to provide valuable input and advice on the information and education centre, walking track and visitor lookout. An awful lot is happening at North Head right now that does not involve the Iemma Government—indeed, progress in this area seems to be passing the Iemma Government by.

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. The plan of management is to be drawn up by the trust and 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. It 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. The objects of the legislation in part 3, clause 6, now include:

(d) to support the natural and built environment and cultural heritage of the North Head precinct, and

(e) to work with the Sydney Harbour Federation Trust to develop a concept and final plans

for a North Head Sanctuary.

These objects are pretty self-explanatory, given North Head's National Heritage listing and the clear wish of the Commonwealth to establish the North Head sanctuary and to provide money to achieve that goal. I note the comments of the Hon. Tony Abbott, the member for Warringah, in regard to the establishment of the North Head sanctuary and the support of the Commonwealth and the Minister for that concept. The functions of the trust now include:

(i) promote the preservation of the Quarantine Station within the overall context of the North Head precinct and a future North Head Sanctuary.

Again, this is consistent with the creation of a North Head sanctuary. Under our model, the trust would both advise and act as a consent authority for leases on the site. It would use the undoubted expertise of the National Parks and Wildlife Service in nature conservation, while injecting fresh expertise in the conservation of historic buildings.

You would get the best of both worlds. On the one hand you would have the National Parks and Wildlife Service and its expertise in looking after the natural world, the rare flora and fauna that are found on North Head. On the other hand you would be able to draw on the expertise of people who understand about the conservation and adaptive reuse of historic buildings. How much better that would be than the Government's plan to lease the entire site to a single entity that wants to transform the character of the buildings, for example, to put ensuite toilets throughout the rebuilt hospital because the hospital was burned down under this Government's mismanagement of the site. The rebuilt hospital, of course, bears absolutely no resemblance to the quarantine station throughout its long history.

Schedule 1 to the bill defines the boundaries of the site in the overall context of the North Head precinct. A map has been provided with the bill to give honourable members an idea of exactly what we are talking about in that regard. Schedule 2 details how the chairperson of the trust is to be appointed by the Minister, who may replace the chairperson on a temporary basis; how a trust member may be removed; how casual vacancies will occur and be filled; the disclosure of pecuniary interest by trust members; and the liability of members. Clause 2 of schedule 3 defines the quorum of the trust as being a majority of the members, with the chairperson having both a deliberative and a casting vote. That is consistent with practice elsewhere on government bodies.

Honourable members will see not only that the bill in its updated form provides an appropriate way of managing the site as part of North Head and the North Head Sanctuary, but also that it provides detailed instructions for the establishment of the trust and for the operation of that trust once it has been established. I notice that the honourable member for Tweed is at the table. I will repeat what he said in 2003 when we last debated the Manly Quarantine Station in this House.

Mr Barry O'Farrell: Do you have to?

Mr MICHAEL RICHARDSON: The Deputy Leader of the Opposition has asked whether I have to do that. I think I probably do. He said,

The existing level of conservation and public use for the quarantine station is unsustainable. The Government is committed to redressing this situation.

It has not done so in the last 11 years, and the buildings are continuing to deteriorate. Passing

this legislation will provide the opportunity to access Commonwealth money to restore and maintain the buildings. That is a clear alternative to bringing in the private sector to effectively take over the entire site, to privatising the Manly Quarantine Station site. The trust will control the use of the buildings. I strongly believe, and have done since visiting Port Arthur more than 10 years ago and talking about the conserving of that historic site in Tasmania—before the tragedy that occurred there, I might add—that the buildings should be used rather than retained as museums.

The trust will also provide expertise in the conservation of the site. Surely that is preferable to the destruction-by-neglect management ethos practised by the Government. If the Government will not support this bill, perhaps it will reveal what its plans are for the Quarantine Station and North Head. The people of Manly are waiting. The people of Sydney are waiting. This is a very special, unique site and it deserves a better deal than the Iemma Government has dished out to it. I commend the bill to the House.