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JOINT COMMITTEE ON PUBLIC WORKS

**Reference: Australian Institute of Police Management redevelopment, North Head,
Manly, New South Wales**

FRIDAY, 2 JUNE 2006

SYDNEY

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JOINT STATUTORY COMMITTEE ON

PUBLIC WORKS

Friday, 2 June 2006

Members: Mrs Moylan (*Chair*), Mr Brendan O'Connor (*Deputy Chair*), Senators Forshaw, Parry and Troeth and Mr Forrest, Mr Jenkins, Mr Ripoll and Mr Wakelin

Members in attendance: Senators Forshaw, Parry and Troeth and Mrs Moylan and Mr Jenkins

Terms of reference for the inquiry:

To inquire into and report on:

Australian Institute of Police Management redevelopment, North Head, Manly, New South Wales

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Committee met at 10.53 am

CHAIR (Mrs Moylan)—I have the pleasure of declaring open this public hearing into the redevelopment of the Australian Institute of Police Management at North Head, Manly, in New South Wales. This project was referred to the Public Works Committee on 29 March 2006 for consideration and report to the parliament in accordance with section 17(3) of the Public Works Committee Act 1969, which says:

- (3) In considering and reporting on a public work, the Committee shall have regard to -
- (a) the stated purpose of the work and its suitability for that purpose;
 - (b) the necessity for, or the advisability of, carrying out the work;
 - (c) the most effective use that can be made, in the carrying out of the work, of the moneys to be expended on the work;
 - (d) where the work purports to be of a revenue-producing character, the amount of revenue that it may reasonably be expected to produce; and
 - (e) the present and prospective public value of the work.

Earlier this morning, the committee had the opportunity to visit the site and also to receive a confidential briefing on the costings. This morning, the committee will hear evidence from the Australian Federal Police, the North Head Sanctuary Foundation, the Manly City Council, Miss Catherine Griffin, the Sydney Harbour and Foreshore Committee, the University of Sydney and Mr David Barr MP, the Independent member for Manly.

Before I call on the Australian Federal Police, I acknowledge that—and I have not met her—Ms Helen Claringbold will be present on behalf of the member for Warringah, the Hon. Mr Tony Abbott. I have mentioned that the state member, the Independent member for Manly, Mr David Barr MP, will be attending and presenting evidence. The Mayor of Manly, Dr Peter Macdonald, has advised me that he will be back here at about 12. I acknowledge him and thank the council for facilitating this hearing in such comfortable surroundings. I also acknowledge that Mr Simon Balderstone was to give evidence today but, as most of you would know, he is currently in Nepal, so he gives his apologies for today.

[10.56 am]

HANN, Dr Edward James, Executive Director, Australian Institute of Police Management, Australian Federal Police

RANKIN, Mr John Patrick, Development Manager, Australian Federal Police

VAN DAM, Mr Trevor, Chief Operating Officer, Australian Federal Police

TURPIN, Mr Timothy John, Director, Thinc Projects

Witnesses were then sworn or affirmed—

CHAIR—On behalf of the committee I welcome you and again thank you for the assistance that you have given to the committee in its inspection earlier this morning. The committee has received a statement of evidence and 23 supplementary submissions from the AFP. These submissions will be made available in a volume of submissions for the inquiry. They are also available on the committee's website. Does the AFP wish to propose any amendments to any of the submissions that it has made to the committee?

Mr Van Dam—No.

CHAIR—I invite a representative of the Australian Federal Police to make a brief opening statement, after which we will proceed to questions.

Maps, plans and photographs were then shown—

Mr Van Dam—Thank you, Madam Chair and honourable members, for the opportunity to make a brief opening statement. In doing so, I offer the apologies of Commissioner Keely to the committee. He is personally very involved in the redevelopment proposal for the site; unfortunately, he is in transit to East Timor at the moment.

The proposal before the committee seeks approval for the Australian Federal Police to redevelop the Australian Institute of Police Management at Manly. By way of background, the Australian Institute of Police Management is one of a very few of Australia's national common police services which operate under the auspices of the Australasian Police Ministers Council. The AIPM has offered police training programs, from this present site, since 1960. The institute is administered by the Australian Federal Police and, in terms of its academic focus, reports to a board of commissioners consisting of all police commissioners from Australia and New Zealand.

The institute provides senior management and executive police development and educational programs, as well as consultancy services in these areas, for Australasian and international law enforcement and public safety agencies. The institute's programs involve police from every state and territory of Australia and New Zealand, as well as senior police from neighbouring nations in the Pacific and South-East Asian regions. Visiting fellows from domestic and international policing jurisdictions are seconded to the institute on 12- to 18-month bases and include

representatives from agencies in Europe, Asia and America. This diversity brings an international dimension to the programs offered at the site, facilitating the development of deep and lasting multinational and multijurisdictional professional networks involving senior Australian and overseas police that have proven invaluable in managing and coordinating responses to both domestic and international incidents and crises, such as those that most regrettably have occurred in recent years.

Against that background, senior police face a difficult and fraught task in providing vision, leadership and high-level management to diverse and complex organisations. In the modern era, particularly in the period post-9/11, the policing function is further complicated by the need to ensure a seamless liaison and cooperation with other police agencies and emergency services departments. As the only national and regional police executive education institute in Australia, the AIPM plays a crucial role in assisting these agencies with this important task.

Part of the rich fabric of the history of North Head now includes the worldwide network of senior police and emergency services personnel who have attended the institute over its 46 years of operation. For many interstate and overseas senior police, their stay at the AIPM is the single most important factor which contributes to their view of Sydney, New South Wales and even Australia. This ambassadorial role of the institute is therefore important for Australasian policing and for Australia more generally.

The iconic nature of the AIPM's North Head site assists this role greatly. In fact, it is doubtful if this role could be adequately fulfilled at an alternative site. These individuals have formed an impression about Australia's public safety and emergency services capability based on their experiences at organisations such as the AIPM. It is vital that this impression be of a capable first-class and professional organisation that represents the capabilities of the broader law enforcement and emergency services sector.

Recognising this importance, the demonstrated need and growing demand from the jurisdictions for the institute's programs and the inadequate and decaying building infrastructure through which to deliver the programs, the Australian Federal Police were faced with three options. These were: do nothing, relocate the institute or redevelop the existing facility. Reasons for selecting the redevelopment option include that the site of Manly has been occupied by the Australian Institute of Police Management since 1960, and I believe my foregoing comments establish a clear and compelling case for the connection to the site.

Redevelopment is considered to be the most cost-effective option and, because we plan to continue to utilise much of the core institute facilities, new land acquisition does not need to occur. I reassure the committee and members of the public that the AFP and the AIPM are very aware of and sensitive to the ecological and heritage issues associated with the site and of the need for these to be carefully managed during the development project and beyond. The proposed redevelopment will therefore protect and, we believe, to an extent enhance the important existing little penguin and long-nose bandicoot populations at the site, as well as enhance and maintain the distinctive, aquatic and bushland character of the adjacent Sydney Harbour and Sydney Harbour National Park. It will also pay due respect to the Aboriginal cultural heritage at the site, the association with North Head and the identified heritage values of some of the current buildings and architecture.

In 2004, the Prime Minister, the Hon. John Howard, visited the site and announced the Commonwealth government's support for upgrading the facilities of the institute, and funding for the upgrade was subsequently provided over four years. As the committee will be aware from our submission, the project involves the following key elements: construction of new residential accommodation blocks and a senior common room; the establishment of new administration and academic office accommodation; removal of existing accommodation buildings and facilities to expand the natural open space environment and local fauna habitat and open the original heritage face of the buildings to its former prominence; retention and upgrade of key learning facilities already in place, thereby protecting heritage elements, including interpretation of former site uses and history; consolidation of service car parking into a less obtrusive location and general reduction of hard-paved surfaces in the order of 13 per cent; enhanced bushfire hazard management strategies; and the upgrading the site security measures.

Ecological and environmental sustainable principles and energy management polices will be applied in the new and refurbished facilities and a coordinated environmental operational plan for site management will be developed, both for the building project and beyond. The estimated out-turn budget for the project, as covered in our submission, is \$16.2 million. It includes design, management fees, construction, furniture, fittings, equipment and appropriate contingencies.

Consultation with key stakeholders has been a feature of master plan development since the inception of the project in 2002, including meetings with a range of Commonwealth, state and local government agencies, federal and local members, local community groups and individuals. This has been a positive and constructive process for us, and it is our intention to continue to consult with stakeholders throughout the remaining phases of the project. The AFP and the AIPM will be responsible for the definition of works and the design and delivery of all redevelopment requirements. Subject to parliamentary approval of the project, construction is planned to commence in late 2006, with a construction period of approximately 26 months.

In closing, Madam Chair, I would like to emphasise that we share the community and other stakeholder desires to protect and enhance the natural and high heritage values of the site. We believe that through the master-planning process undertaken to date and in the subsequent project implementation we can both achieve an enhanced world-class police training establishment that will meet the needs of police into the 21st century and protect, showcase and enhance the high heritage and natural habitat values of this site.

CHAIR—Thank you very much. I remind you that you will all remain under oath and you may be recalled at the end of the other evidence that is given today. It is very clear, I am sure, to all of the committee today from visiting the site that it is a very special place. Not only is it a place of significance in terms of its overall history and Aboriginal history but the public submissions that I have read have very strongly focused on the sensitivity of the environment there, with issues around the preservation of local fauna, which is a major concern for many of those submitting evidence today. In fact, the committee were greeted this morning by the biggest little penguin we have ever seen!

It is an indication of the interest of the community, and they are to be commended for their concern for the natural environment. They are quite right to be asking a lot of questions about this development. I think the concerns about the intrusion of new buildings are understandable, with the possible intrusion of new buildings and extensions and car parking. Some submissions

have raised the impact of water run-off, particularly from the parking areas, if I recall. The extent of public interest and concern is further enhanced by the committee secretariat having received a 350-signature petition today.

While we were on the site this morning we did talk about issues such as the buildings and the buildings' proximity to the nesting places, lighting issues, and issues of car parking and to what extent that would be increased. I think it is really important that some of the things that were discussed on the site inspection perhaps have now come out in the public hearings. Could you be more specific about some of those issues and how the AFP intends to maintain the ecological diversity of this area?

Mr Van Dam—Clearly, the committee has identified those core areas of concern to all the stakeholders on the site. One of the challenges, but also one of the more exciting elements, of this redevelopment is the opportunity that it provides to attempt to strike the best feasible balance between enhancing and maintaining the natural heritage of the site, maintaining the high-built heritage values of the site, at the same time as meeting the business needs of the institute. A number of master plan options were developed in the course of our planning, and the one we have ultimately settled on represents, in our view, the best achievable balance between those factors.

As the committee will have noted during the course of the site inspection today, we will be relocating, effectively, the accommodation component of the institute to the back corner of the site for a number of reasons. One principal reason is that it enables us to remove that existing accommodation block and therefore extend the area that is in front of the retained heritage core building of the site. We believe that will provide greater forage area for the long-nosed bandicoot, which is obviously one of the critical species that uses the site.

We are deliberately aiming to reduce some of our hard-surface area against the prospect of run-off, and I will ask Mr Rankin to specifically address that. We have attempted to minimise any increase in the footprint on the site to the extent that we can, because we did not want to encroach on the existing available habitat. That has necessitated consideration of going upwards rather than outwards. That brings with it some additional challenges, which we can explore later, if you would like. But principle in our master planning has been to minimise any increase in our footprint on the site in recognition of the natural habitat.

The other significant species, obviously, involved in the site is the little penguin population and the important breeding area that exists as part of the site. We are of a view that by removing those foreshore accommodation arrangements we can move back some of the human habitation from the site, albeit I am conscious that there is some concern about the siting of the new common room. An inspection of the site does clearly demonstrate that the siting of that common room will effectively occur over what is currently a hard-stand, non-grazing area and will enable us to remove other buildings that are currently closer to the penguin breeding sites.

CHAIR—Can you quantify the footprint compared to what it is now and can you quantify the car parking compared to what it is now in terms of a percentage of additional land that will be covered with buildings or car parking?

Mr Van Dam—I just want to get the precise figure. I think 2.4 per cent is the increase in footprint on the site from the proposed building works. Currently on the site there is provision for 48 car-parking spaces on hard space, that is, hard-surface car parking spaces. The master plan involves 48 car parking spaces. So my advice is that there is no proposed increase in the number of car parks on the site, but they will be consolidated, which will reduce traffic movement through the site.

CHAIR—Can you explain how traffic movement will be reduced?

Mr Van Dam—At the moment there is parking throughout the site. The principal car park for the site is at the entrance area, but there are car parking spaces along the central access road, and then when you get to the corner of the site there are other hard-stand car parks. At the end of the existing administration buildings there are also car parks, and those car parks are used principally by the employees on the site.

So daily there is vehicular travel through the site to those car parks. By consolidating those car parks at the entrance of the site, that will reduce that amount of vehicular traffic. We will need to maintain some access through the site, obviously for the purposes of waste removal, services and, importantly, fire management in the event that that is required. So that is what I am referring to when we consolidate car parking at the entrance end of the site, and reduce traffic as a consequence.

CHAIR—Going back to the movement of traffic, we discussed this briefly on site this morning, but I notice that some of the submissions questioned the need for accommodation on the site. You made the point this morning, which I think perhaps should be on the public record, that, by having accommodation on the site, you actually reduce the through-traffic. Could you explain what you meant by that?

Mr Van Dam—The nature of the institute's work is that it provides that executive management training for police from multiple jurisdictions. The important networking component of that executive development activity is greatly facilitated by activity on the site. So our underpinning philosophy with the site is that residents join a program on the site and then essentially stay on the site for the duration of their program. Of course, they walk, run and cycle et cetera, and there are periodically trips down to Manly. But the large proportion of participants in the Manly programs are from interstate or overseas. We do not encourage private vehicle access to the site. Most of the persons that use the site come into Sydney from other places and come via either bus or taxi to the site, and so then we do not encourage that vehicular movement in and out of the site.

CHAIR—Mr Rankin, do you want to comment on some of those other issues or do you want to wait, as I am sure other members will have similar questions? There are a lot of questions, and we are on some time limits. I think some of the questions will also be raised during the evidence given by other people making submissions.

Mr Rankin—I am happy either way, Madam Chair. I have a couple of things I would like to comment on, but I can pick them up later. Maybe they will come up in questions or I can cover them later if they do not.

CHAIR—If there are only a couple of things there, why don't you cover them now?

Mr Rankin—Just expanding on a point Mr Van Dam made, the management of the ecological and heritage issues was obviously very central in our minds when we started out on this project. As the committee will be aware, we have had specialist consultants, both in ecological and heritage areas, look extensively at these issues for us. We had, of course, to meet the requirements of the Environment Protection and Biodiversity Conservation Act. The provisions of that act were uppermost in our mind. We had to meet and satisfy them, as well as relevant state government requirements in those areas. We wanted to make sure we covered the full spectrum.

In fact, we did that. That coalesced into two reports—one an ecological report and the other a heritage report—which both coalesced into an environmental assessment of the site. That was then referred to the Department of Environment and Heritage under the terms of the EPBC Act, and the department is currently assessing that. We have been in constant consultation with them in providing additional information on that issue.

I am very cautiously optimistic that, on the basis of discussions we have had to date and exchanges of correspondence, we can achieve an acceptable outcome to cover some of the specific concerns that they have raised in that area. So, with the two controlling areas at the back end of that, you might say, 'Okay, that's all very well, but how are you going to actually make that work?' Three critical plans will be developed as part of the detailed planning processes for the development.

One we have called—and I think Mr Van Dam referred to this—a construction environmental management plan, which will cover that period. The second will be called an operational environmental management plan; that will cover the ongoing management of those issues into the future. The third, which we will pick up and detail to advise and direct the detailed planning of the heritage area, will be a conservation management plan. Those three crucial plans, in detail, will guide and inform how we manage those things going forward.

The other important element in regard to that is that over many years the institute has developed, and we have maintained, a very close working relationship with the New South Wales National Parks and Wildlife Service and the local officers on North Head. They have been and continue to be absolutely critical advisers to us in how we manage many of those issues as they crop up. So we have never set ourselves up to be the experts in this area in any way. We are using the relevant experts in those areas wherever they are and we feel the need for additional information.

CHAIR—As you have raised the heritage study, I notice in Dr Lambert's submission that he raises this matter of the heritage consultants, Peter Freeman and Associates. I understand they undertook a study but it has not been made available publicly. The committee believes that it is in the interests of openness that the public should be kept informed, as much as possible, on these kinds of studies. I wonder why that study was not made available and if it will be in future, along with the other studies that will be done on the environmental issues?

Mr Van Dam—My understanding, from advice I have received, is that the consolidated environment assessment, which includes both the natural and built heritage issues, evaluation

material was made available to the Department of Environment and Heritage. We thought that that material was going to be available on their public website. Please allow me to give you the AFP's assurance that we will make that material available for public information. We may do that on the institute's website or, if not, we will arrange to ensure that stakeholders, identified through this process, are advised of where they can access that.

CHAIR—Thank you very much. I appreciate that.

Senator FORSHAW—You have covered a couple of questions that I wanted to ask about the environmental ecological heritage issues. I note that you said that you have consulted with the Department of Environment and Heritage but also with state and local authorities. Could you provide us with the comments you got back, particularly from the New South Wales government agencies and from local government—here, the Manly council, I would assume—on these issues of environmental and heritage values and any concerns that they have raised? Are they saying that everything is okay and to their satisfaction?

Mr Van Dam—If I may, I will respond to that in a few ways. The consultation around the development of the proposed master plan is, as you quite rightly point out, multifaceted. There have been a series of meetings since December 2002, with a range of stakeholder groups, and I think we have provided to the committee at least a broad template of the nature of some of those consultations. Perhaps, in handing over to both Dr Hann and Mr Rankin, I could break those consultations into three parts.

One would be the consultations that have occurred with the relevant federal planning authorities and, most notably, the Department of the Environment and Heritage. Second would be the consultation that has occurred with the principal stakeholder groups of the area, including the Manly Council. Third would be the interaction with the state authorities. If you would not mind if we segment it into those three parts, I can ask my colleagues to give you an indication about all three.

Dr Hann—In terms of the community consultation, we did invite a range of community stakeholders to briefings—

Senator FORSHAW—I did not address my question to community groups. We are going to hear from them later and we have submissions from them. I am particularly interested in the state government departments and agencies and also the council, what their positions are on these issues and whether they are satisfied that the project is going to be okay and is not going to impact or destroy or affect any of those values. It is more the state government and the council that I want to hear about at this point.

Dr Hann—Those consultations included invitations to a number of state government agencies. My recollection is that not all of them turned up. I am just trying to get some information now as to the exact details, but we can provide the committee with the details of who was invited and who actually came. It was disappointing that the response that we got from the state government agencies was not as strong as we expected.

Senator FORSHAW—Have they provided their views in writing to you, that they have no problems or that they have considered these issues? We are aware from earlier evidence that

there has been an exchange of correspondence between the Prime Minister and the Premier. For instance, in the Manly Council—and maybe the state member might be able to comment on this, or others—I am assuming there is a local environment plan. Does this fit in with that, is it within its ambit? What I am looking for is whether you people have assurances from them, or there are reservations from those agencies, in relation to what you are proposing to do.

Mr Van Dam—Perhaps I can respond in a couple of brief ways. In the context of the public record I think it is worth acknowledging that the Prime Minister did write to the Premier of New South Wales as part of the proposition, and the Premier of New South Wales, in very broad terms, has indicated support for the redevelopment.

Senator FORSHAW—But I would not have thought the Premier would have got down to the stage of looking at the plans. I live at the other end of Sydney, in the Sutherland shire, and I know what sort of issues arise from the community and the council when you have proposed developments on a coastal strip where there is significant heritage and environmental values. So I am looking for the feedback and the assurances that you would have expected or that you would have wanted.

Mr Van Dam—I will come to the Manly Council. Just in the context of the state government, we have had very preliminary discussions with the state planning authorities and there is no doubt in my mind the state planning authorities will want to understand and have an opportunity, as a minimum, for input to the plans as they develop. We have not had, to the best of my knowledge, formal responses from them at this point. Certainly the interaction with the relevant parts of the National Parks and Wildlife Service about North Head management has been ongoing and deep, and will continue in terms of management of the site and the undertaking in the context of the national park. I do not want to run the risk of attempting to summarise the Manly Council submission to this committee.

Senator FORSHAW—No, I am not asking you to.

Mr Van Dam—But there has certainly been discussion with the Manly Council environment committee and its council officers, as the master plan has been built up. I am not in a position to advise the committee about any of the specifics that have emerged in the course of that consultation.

CHAIR—The committee will have a good opportunity when we hear from the Manly Council.

Senator FORSHAW—Collins Beach Road is a very narrow road. Can you comment upon the impact of the traffic going into and out of the site during the construction period on the surrounding bushland and generally in the area? That is obviously the only way you can get materials and so on onto the site.

Mr Van Dam—It is a critical point. Mr Rankin will respond to that in a little more detail. There will be a traffic management plan developed and settled with the builders as those contracts are developed, so we can ensure that that is managed in an appropriate fashion. Obviously, the building works will occur in daylight hours, so we are not envisaging any significant night-time traffic associated with the construction works, apart from perhaps builders

going home at the end of the day. The intention is certainly to have a very detailed traffic management strategy, including a strategy that will involve the washing down of wheels of construction vehicles before they leave the site et cetera. John, is there anything you want to add?

Mr Rankin—I think that essentially covers it. That traffic management plan will be developed, certainly from my point of view, in consultation with the council authorities, the National Parks and Wildlife Service, local police and stakeholders. We are not an island—well, we are a bit of an island, I suppose, in the national park—and we are very conscious of that. We need to make sure that is done properly. Getting that done will be part of the next phase of detailed planning.

Senator TROETH—Some of the buildings we saw this morning obviously have some heritage value, and those are the ones you are redeveloping. How many heritage buildings are there altogether on the site? I am not asking for a numerical number but perhaps you could give us an idea of the extent.

Mr Rankin—I stand to be corrected on the numbers—I will not attempt to do that. Essentially, if you go to the plan we are talking about, the buildings identified with a high heritage value have been described by Mr Freeman in his report as the central axial group of buildings, which include the main teaching block, the dining-kitchen facilities across to Spring Cove Cottage and Kookaburra Cottage down towards the southern end of the building.

There are two others on the site which are currently used for accommodation and which have a similar standing to Kookaburra Cottage. In looking at them in the context of the development, it was decided to retain Kookaburra Cottage. The other two were the same representation and we would be duplicating in terms of the ongoing need to retain them. I do not know that that gives you a specific number but, in a planning sense, that is basically how it sits.

Senator TROETH—It was that sort of comparison I was looking for.

Mr Van Dam—There are some buildings on the site, which you would have seen this morning, that have no heritage value because they are relatively modern buildings and have relatively unimaginative construction. There are some buildings that we have been advised have low heritage value and then there are those with high heritage value. Certainly, the master planning is aimed at maintaining and emphasising the high heritage values of the buildings on the site.

Senator TROETH—How will the design of the new buildings complement the existing heritage buildings?

Mr Van Dam—Our intention is not to have a discordant site. We certainly do not want to find that the site does not tie in. Part of the master planning process to retain that axial dimension of the site is so that we can work to tie it in. As our submission indicates, there will be the use of colour, materials, balustrades and balconies et cetera. As you will have seen this morning with the library extension, our objective is to tie the entire site together, not to produce a discordant block on a corner of the site. The architect's brief will be to take those values into account and then tie them into the context of the building.

Senator TROETH—How will consolidating the number of car parking spaces—as you indicated—affect the number of car parking spaces? Will there be more, less, or about the same?

Mr Rankin—About the same.

Senator TROETH—Could you give us an idea of where the car park is to be? You mentioned it was to be near the entrance. Is that correct?

Mr Rankin—Yes. Immediately inside the front gate, to the left and right, uphill and downhill, is where the car park is designed to sit.

Senator TROETH—What is the reason for siting it there?

Mr Rankin—Essentially to consolidate parking at the front end of the institute, as Mr Van Dam mentioned earlier, to cut down on the amount of vehicular traffic through the site. Part of the redesign concept for the institute is to build more of an educational precinct concept and to remove that. So the central road at the moment will become much more a service road, for essential use only, with the traffic at the front end of the block.

Senator PARRY—Mr Van Dam, what were the total number of beds in the facility back in 1960 when it first started as the AIPM or whatever it was known as then?

Mr Van Dam—That is a very interesting question and it is subject to some debate. The existing accommodation block was originally a hostel block. The advice we have is that up to 80 beds were available on the site for occupancy in the early days.

Senator PARRY—Prior to the amalgamation of the dormitory accommodation into ensuited accommodation, what were those figures? I heard a figure of 60, I think, this morning.

Mr Rankin—The figure was about 60.

Senator PARRY—Once the development is completed, if it proceeds, there will be a maximum number of 55 beds. Is that correct?

Mr Van Dam—No. There will be a sleeping capacity of 60 rooms.

Senator PARRY—The maximum was 80 and with the proposed development it will be about 60. Currently it is about half that.

Mr Rankin—About 30.

Senator PARRY—Will the maximum occupancy be reached on many occasions?

Dr Hann—Yes. As I said before, that is one of the main reasons that we are going ahead with this development project. Just to give you an idea of occupancy rates, in the last few weeks we have had an international leadership in counterterrorism program which we have had to locate offsite, at the hotel school, because we were full to capacity at the same time. That was a two-week program and the program onsite was a three-week program. We have been to full capacity

this week. We have another program starting in a few weeks which will be at full capacity. There is another program in July, which is over capacity, and we have had to book, at this stage, seven additional rooms offsite for the three-week period. In addition to that we need to book additional rooms for the speakers on the program who need to stay with us overnight. Ideally, we would like to have those speakers staying on site so they can mix with the class members informally in the evening after their presentation. So capacity is a real issue for us.

Senator PARRY—So clearly there is a demonstrated need for the additional capacity. Having toured the facility this morning, I am sure the upgrade of the facilities will be welcomed by all residents. The overall height of the project, in particular the dormitory—it is indicated on the plans, and I am just confirming it on the public record—will not exceed the existing building structure. The tallest building on site will remain the tallest building on site?

Mr Van Dam—That is correct.

Senator PARRY—Senator Troeth started asking about cladding. Will the cladding will be more aesthetically appealing to the eye from a distance and from on site?

Mr Van Dam—That is our objective, yes.

Senator PARRY—Finally, just looking at the two photographs on the whiteboard: is that fairly indicative of the overall finished product, with the new dormitory site at the right of the picture?

Mr Van Dam—At this level of planning, yes, albeit we think that the final selection of colour and finish will really, in part, need to be subject to heritage advice. In the course of selecting final finish and colour, we want, as I indicated earlier, to tie the site in. We do not want a discordant accommodation block. That is an indication of what we think is achievable, subject to the heritage advice we will take along the way.

Senator PARRY—Subject to that compulsory need to place in colour schemes that suit the original format, the colours will not be obtrusive, gaudy, bright and standing out in any way, shape or form?

Mr Van Dam—No. In fact I am advised quite to the contrary.

Senator PARRY—Good. Thank you very much.

Mr JENKINS—I go first to the question of the footprint. You have indicated that you believe the building footprint is only an additional 2.4 per cent. When we get to the parking and other hard paved areas, you have said that the number of parking spaces is the same. I think those coloured drawings there relate to the attachments to the submission. I think attachment B is the one to the left-hand side, which is an ‘as is’ representation. With the one at the lower left-hand end, which is attachment D, I take it that that charcoal grey area is the representation of the paved and parking area. I am just wondering why, in response to a number of the submissions that have raised the square metreage of those hard paved plus car parking areas, you actually have not made a comparison of what area will be under tarmac.

Mr Van Dam—You are correct that the light grey area is the proposed hard surface area. As I indicated earlier to the committee, my advice is that that will represent a reduction of 13 per cent, or thereabouts, in hard paved area. If you will just bear with me for one moment, please, Madam Chair.

Mr JENKINS—I just wish to interject in this hiatus. I obviously need to go to an identification course, because of course it is light grey not charcoal grey, but you keep finding the answer.

Mr Van Dam—Charcoal grey is obviously the existing facility. I am advised that the current paths, decks and roadways on the site represent around 2,213.72 metres. Under the redevelopment the proposed paths, decks and roadways will reduce to 1,986 metres. As for the dispersement of that throughout the site, the new senior common room building will be placed over what is currently hard-stand area. That hard-stand area will clearly disappear and become part of the building footprint. To the extent possible they will be removed. I am told we will need that L-turn in the area behind the common room because we will need to be able to get fire services access up there and they will need to be able to turn around on the block. If that were not the case we would look to remove more of that.

Mr JENKINS—The other characteristic about the use of the site, if the redevelopment goes ahead, is that the 12-metre fire buffer will be an area that is not really used by humans. Is that correct?

Mr Van Dam—That is correct. This is part of that potential increase in foraging area.

Mr JENKINS—What sort of vegetation will remain in that management area?

Mr Rankin—The development of that strategic fire management zone has been undertaken in close consultation with the New South Wales National Parks and Wildlife Service division of the New South Wales Department of Environment and with our fire consultants and the New South Wales Rural Fire Service. The actual maintenance regime for that strategic fire management zone, both inside and outside the boundaries of the block, will be the subject of a maintenance agreement to be detailed with National Parks. Essentially it will be natural grass and natural bush areas.

Mr JENKINS—My parliamentary colleague—but not necessarily my comrade—the member for Warringah has been mentioned in a few of the community submissions to do with the Natural Heritage listing. There has been a change from March when your submission came in. When we get to paragraph 90 or 91 about an area nominated for the National Heritage list and the decision not having been made on that nomination, that decision has now been made. You have referred to consultation with the Commonwealth Department of Environment and Heritage. I take it that the Commonwealth Department of Environment and Heritage is required to make a decision. Where do you understand that process to be and when will that decision be made?

Mr Van Dam—On 12 May this year most of North Head, including the AIPM site, was formally included on the National Heritage list and, yes, that does change to some extent the nature of the approval processes. That said, we had already commenced detailed work with the Department of Environment and Heritage and we have had site visits from them. The

Department of Environment and Heritage, at this point, have indicated to us that they would now like to see the next phase of our detailed environment management plan and planning processes both in the context of construction and site maintenance. They have not offered a formal view at this point about whether it will be a controlled activity. They have indicated to us that they will reserve that judgment until we have had an opportunity to provide them with more detailed planning, which will occur over the next couple of months.

Mr JENKINS—But to those who have raised that as a point about this site, you are in the middle of the processes that lead from the listing and the decision will be made. Therefore, the whole project is subject to that decision. That is the point, isn't it?

Mr Van Dam—Yes, that is correct. When we undertake that activity, until we have an in-principle indication of parliamentary support we are reluctant obviously to invest continuous amounts of funding. One of our dilemmas is getting the balance right. That said, there is no question in our mind that the Department of Environment and Heritage determinations and evaluations are clearly principal determinations in the context of our forward planning and we will abide by whatever determinations are made as a consequence of their considerations.

Mr JENKINS—Thank you for giving us that catch-22 about whether we jump or somebody else jumps. Now to the Red-crowned Toadlet. I am not into toadlets; I have been into a lot of frogs and special things that have been done for frogs under roads and things like that. We were shown the tops of the pipes that are the natural streams. I accept what was explained to us today: that where possible you do not want to change the flow of these natural streams that are now in pipes into the estuary, or whatever we call it. What discussion has taken place about the plight of the Red-crowned Toadlet?

Mr Rankin—Mr Jenkins, that is a very good question. I would naturally defer to my ecological specialist advisers on that issue. The issue was raised in their report. However, my understanding is that, whilst the top end of that open water course was identified as potential Red-crowned Toadlet habitat, the actual occurrence of that particular species would be found further up the ridge, if it were to be found. My understanding is that there were none sighted on the block. It was just identified as potential habitat.

Mr JENKINS—Thank you.

[11.54 am]

LAMBERT, Dr Judith Anne, President, North Head Sanctuary Foundation

LANCASTER, Dr Paul Angus Llewellyn, Committee Member, North Head Sanctuary Foundation

CHAIR—I welcome you on behalf of the Joint Standing Committee on Public Works. I compliment you on an excellent submission. It was detailed, it was well laid out and it made a very good read. Thank you for the effort you put into that. Do you have any comments to make on the capacity in which you appear?

Dr Lancaster—I am also a friend of the quarantine station.

CHAIR—The committee has received a submission from the foundation. Do you wish to propose any amendments to the submission you made available to the committee?

Dr Lambert—The written submission stands, but we would like to elaborate on a couple of points.

CHAIR—It is a very detailed submission. Given the difficulties we always have with time and the number of witnesses who wish to appear, can I ask you now to make a brief statement but perhaps not go over the whole of the issues you raised in the report. Once again, thank you for a most detailed submission.

Dr Lambert—The foundation has concerns about not only the natural and built heritage significance, but also the cultural heritage significance. That has been vindicated in the national heritage listing announced on 12 May. We are conscious that this committee has a particular brief. However—the discussion this morning indicates this—some of the environmental and heritage issues are inextricably linked with issues that are more properly the brief of this committee. Those issues are to do with the need for and suitability of the proposed works, and with their cost-effectiveness and the likely costs. Some of those issues will have to be addressed in the process.

As a place of national heritage significance—I remind committee members that it is one of only 29 such places in Australia at the moment—the Burra Charter has particular significance to the considerations of what happens on this site. The Burra Charter is the guiding document for the management of cultural heritage in this country. It is as much in that context as anything else that I point out, quoting from the charter, the importance of ‘aesthetic, historic, scientific and social values’ in addition to those perhaps more tangible environmental and built values. The charter makes clear in its second article that the principle of conservation should be to:

... retain the cultural significance of a place.

Some of you have expressed an interest in heritage, and I am sure you are more conscious than I am of the importance of both context and curtilage to the heritage of buildings. So when we

think about what is being proposed for the AIPM site, it is important that we think about not only the specific buildings—and I think it was Senator Troeth who asked a question of the AFP representatives about the buildings on site that have high conservation value—but also the context in which they occur. That context is an integral part of the whole of North Head and of the quarantine station site in particular.

In that context, I would like to comment on some of the issues relating to the matters of direct consideration. The need has to again be considered within the context of the Burra Charter. Article 3 of the Burra Charter says, 'Conservation is based on a respect for the existing fabric and should involve the least possible physical intervention.' I hardly think that what we have before us on the board represents the 'least possible physical intervention' that is needed to improve the operations of this site for our leading police in the country. I would be surprised if adaptive change cannot be made much more sympathetically and more in keeping with the Burra Charter.

The police have made a case for expanded operations and improved security. But, now that this is heritage listed and is not just a pending heritage nomination that is under consideration by the minister, those other matters assume a greater importance in relation to the suitability of the site. We acknowledge that the demands on high-level policing have changed substantially, but perhaps that tells us this is no longer the appropriate site. If the changes being proposed are necessary to meet these needs, perhaps this is not the right place for that institution. As was said by Mr Van Dam in the police presentation, it is becoming part of the culture of North Head. They have been there for 46 years. I have colleagues who would argue that their ancestors have been there for several hundred years, and that is also part of the Aboriginal heritage of the place.

As for the purpose, I think a clause is hidden in the police institute's submission that warrants much closer inspection than it has had. It is the clause relating to other possible uses of the site. I know that this particular inquiry has not been asked to look at revenue producing capacity, although that is within the broad brief of this committee. However, I believe that clause 89 of the AIPM statement of evidence touches on a major concern to members of this community and to the broader community. They are concerned about the site being impacted by the possible letting of the site for commercial purposes when it is not in use by high-level police and police related training. We are seeing a very substantial upgrading of a site to what potentially could become a very attractive place to hold conferences—and, having been there this morning, I am sure that you would agree with that.

Two other facilities on North Head are under consideration for use—and this is only one of a range of possible uses—as conference centres. I would hate to think that part of the justification for this site and for the substantial amount of \$16.2 million being spent on it, as I think we heard this morning, is because it might generate that revenue. I know that the Commonwealth needs to generate revenue, but let us not build something that facilitates that without thinking about other options.

I will move just briefly on to the issues that have been addressed this morning in terms of the overwhelming need for integrated management in order to conserve the natural, built and cultural heritage of the place. I note that other would-be developers of a site very close to this one—in fact, the quarantine station site, of which this is an integral part—have been through, I believe, up to 10 years of negotiation, an EIS and a major commission of inquiry. But they still

are struggling to meet 140 conditions of approval that came out of that commission of inquiry and they still do not have a guaranteed financial backer—and I understand it is, in part, because of concerns about the impacts on that site of a proposed development and the possible cumulative impacts on the heritage values of North Head.

I am pleased to hear that this site is now the subject of an EPBC referral. I hope that those sorts of conditions will apply to impacts on penguins not just when they are breeding but also when they are moulting. Those of us who have had any interaction with penguin science know that they tend to be more disoriented and to range more widely when they are moulting. It may well be that that outdoor common-room balcony has implications. The quarantine station would-be developer has very strict terms and conditions on what they can do in terms of outdoor noise and outdoor lighting. I have not seen any of that in relation to this proposal. Traffic and vehicle movements have already been a substantial focus. If this site were being considered vaguely for commercial renting when not in use for police needs, how would traffic movements across the site be controlled, given that network of roadways?

The other issue that I would just like to touch on briefly is the question of tenure and approval for use. We are told in the AIPM submission that this proposed use is consistent with something that is labelled a 1979 land exchange agreement. I have personally made quite strenuous efforts to track down that agreement and have never been able to, so it is difficult to judge whether this is a use consistent with that agreement. I believe it was a land exchange agreement and I believe from the police submission that it was to permit continued use as a police college. Again, I ask whether the uses that are driving this proposed expansion are consistent with that.

I am conscious of time, so I will just touch on one or two more issues. On behalf of the sanctuary, we would like to suggest that the need for the proposed major expansion—and it may be only a two per cent increase in footprint, but it is approximately a 60 per cent increase in developed floor space—has not, in our opinion, been adequately demonstrated. The options were deficient in that the option of a heritage-sympathetic, adaptive reuse of what is currently on the site was not apparently considered. You have already mentioned, Madam Chair, the lack of access to the Freeman report or to the more consolidated ecological and heritage environmental report, so it is difficult for us to look at that in any detail. But we think there is another option that has not been considered if, indeed, the expanded use remains appropriate to meeting the police needs and the heritage needs of this site. We would also suggest that, in looking at the costs and benefits, if any development is to proceed there then some further provision must be made for the protection of all of the environmental and heritage values that have been referred to.

The Australian government has acknowledged the heritage significance of this site as an integral part of North Head. We believe it is now incumbent on the government to lead by example, to respect the outstanding heritage values and to ensure that any change of use here occurs absolutely consistent with those values and with the Burra charter. Dr Lancaster might like to make some comments.

Dr Lancaster—Yes, just briefly, Madam Chair, with your approval.

CHAIR—Could you keep it brief please, Dr Lancaster, because we are now 20 minutes behind.

Dr Lancaster—We would like to remind the committee that the Australian government acquired a lot of land around Sydney Harbour initially for quarantine purposes and then later on for defence purposes. Over the course of the last 25 to 30 years, the Commonwealth has gradually been returning that land, fortunately, to the citizens of New South Wales. In the 1980's the Sydney Harbour National Park was able to be formed, and more recently the Sydney Harbour Federation Trust, which is under Australian government funding and control, is revitalising the School of Artillery, which is adjacent to the Australian Institute of Police Management. We are hopeful that, before too many more years pass, that presently Commonwealth controlled land will come back to New South Wales.

You have already heard from Dr Lambert about the quarantine station and the proposed development there for conference facilities and functions, and that now seems very unlikely to proceed, on the latest information we have. Finally, I would like to point out that—and I do not know if you had the opportunity to visit the other sites on North Head—the School of Artillery has many underutilised buildings that, if the Institute of Police Management were to stay in its present site, it could lease for conference purposes. I do not think we would like to see people being accommodated there, but there are some very nice large buildings that were built in the 1930s that could be leased by the Australian Institute of Police Management. To summarise, we oppose further development on the North Head site. We need to have an integrated plan for the whole of North Head, which, as Dr Lambert said, now has national heritage listing. We think there are other possibilities for developing the function centre that the institute is seeking.

CHAIR—Thank you very much. I appreciate that.

Senator PARRY—Dr Lambert, in your covering letter, on the second page, in the second paragraph, you indicate:

Perhaps the greatest concern to the North Head Sanctuary Foundation is that the proposed development will increase human use pressures on North Head, and in so doing risks erosion of the outstanding National Heritage values ...

Can you explain to the committee how you believe that erosion will occur?

Dr Lambert—It comes in part simply from the fact that the numbers on site will, as we understand it, increase if this development goes ahead. I am not at all averse to having fit policemen, but of course they will want to go out for a morning run or a morning cycle, or whatever. I frequently walk up there myself in the morning. I might be in plain clothes but I am sure that some of the folks I meet out there are having their morning exercise before they go back to their lectures. If there are twice as many of them about, there is immediately twice as much pressure in one sense. That is not the major concern, though. The major concern is that—

Senator PARRY—Sorry. You have got here: 'perhaps the greatest concern'. They are your words in the letter.

Dr Lambert—Yes. I am about to go on and explain my other, greater part of the concern. It relates to that hidden little clause—section 89, I believe it is—in the submission, which is the prospect of commercial letting of the premises when they are not in use for police needs. The North Head Sanctuary Foundation has been through a long and arduous process to get an appropriate use of the quarantine station. Part of the debate is about the huge impact and

pressure that is likely to occur, and has been acknowledged as likely to occur, if commercial conference facilities or other accommodation on site happens in a way that will be much less regulated, inevitably. There will be people who have much less structured time commitment, so they will be free to wander around the cliff faces where the penguins nest. They will be free to wander around at night when the bandicoots are grazing and, therefore, cause disturbance. They will be free to move about in their vehicles, unless the police institute people are going to be there monitoring them all the time.

Senator PARRY—But the vehicle movement will be restricted to paved roadways.

Dr Lambert—The vehicle movement will, I would assert, almost inevitably be on the whole of the North Head road system, which is already under immense pressure—pressure that is inappropriate to the ecological sanctuary that we are seeking to have established there.

Senator PARRY—You have heard argument this morning that, in fact, vehicle movements may be reduced by containing people within the site. Do you agree with that?

Dr Lambert—While they are on site as police and police related training participants, yes. What I am considering is the potential commercial letting of the site and the fact that it will be very difficult to control what those users do and when and where they do it.

Senator PARRY—How long have you been a resident of North Head?

Dr Lambert—Unfortunately, I am not a resident of North Head, but I am a resident of Manly and a regular user. I would like to be a resident of North Head. I have lived in Manly since 1977.

Senator PARRY—So you have been familiar with the growth and the decline in the occupancy rate of the college?

Dr Lambert—Absolutely.

Senator PARRY—You heard evidence this morning that the occupancy would be between 60 and 80. If we use the figure of 60, which is the proposed development maximum bed number, that was an occupancy at some time in the past before the reduction in the size of the dormitory. Did you find the people movement—if you like, the joggers—to be a problem then?

Dr Lambert—No, but it is not primarily the police use that we are concerned about; it is the ancillary uses that are being proposed as commercial revenue generation.

Senator PARRY—We do not have any evidence of that yet. That is a matter for the committee to determine through the private session, and maybe through further public questioning. I have clause 89 open. It indicates:

... a small increase in net revenue may result from the Institute's increased operating capability following completion of the redevelopment.

But that is not indicating that it is for commercial use by any stretch of the imagination. That is a matter for us to determine, in any event.

Dr Lambert—With respect, Senator, I have attended several of the briefings that the AFP officials mentioned. That option has been raised in more than one of those briefings.

Senator PARRY—Thank you. You have brought that to our attention, which is good, because we can further question that if we need to.

Senator TROETH—I would like to explore that further and put to you that, with the relatively high security profile of the proposed development, it would hardly be in the interests of the police management college to be letting it out on a commercial scale.

Dr Lambert—I have raised that question in my own mind each time I have heard that proposal put. I cannot picture how that potential use and the increased security that is part of the need justification for this proposal sit together. I cannot imagine people wanting to come to a conference where they are subjected to the sort of security that I imagine needs to exist for our senior police officials in the climate that we currently operate in. But why else would you be talking about the potential for commercial lettings?

Senator TROETH—I am assuming, from what we were told this morning, that it is much more likely to be very small private functions rather than very large events. For instance, like Senator Parry, looking at the availability of car parking for a start, if you look at the plan over there on the left-hand bottom side, the car parking is at one end of the venue. The area where social activity would be taking place is where the deck is—at the other end of the venue. Most people who are looking at a function venue like to think about such things as how people will be able to walk from one end of a venue to the other, possibly in the dark. I am asking you to consider whether you think this would have sufficient commercial attractiveness as a venue, especially given the comparatively winding downhill and therefore uphill road which they would be negotiating at the end of the function. Also, with the increased security profile, which will no doubt happen as a result of the redevelopment, the police management would be hardly likely to be advertising this as a large-scale function venue. Therefore your fears may be unfounded.

Dr Lambert—There are a few issues there. The first relates to the long process that we have gone through in relation to the commercial proposal for the quarantine station. There is potential for a restaurant down at the wharf, right down at water level. That has raised concerns, which have been acknowledged: we will put the parking up at the top. But then people will have to have some vehicle means of getting backwards and forwards. The same sort of issues apply on a smaller scale here. But the other point I would make is that one of the most impacting functions that Manly Council and others in the Manly community have had in recent times for anywhere over in that precinct on North Head was a very small private function held in the quarantine station wharf area, I believe two—I stand to be corrected; it may have been three—Christmases ago. It was to do with noise, traffic and lightshows down at the water level. This balcony may be an equally attractive function area for similar sorts of functions when it is not being used by the police.

Senator TROETH—I was assured this morning that caveats would apply to that sort of function, that there would be no excessive light or outside light in any way which would disturb any of the natural habitats of the animals we are talking about.

CHAIR—Mr Jenkins, do you have any questions?

Mr JENKINS—Chair, I think I will pass. I do not think I can add any value to the proceedings at this point, either seriously or by way of levity.

Senator FORSHAW—You referred to what you say is the need for an integrated management plan for the entire North Head area. The term ‘integrated management plan’ is often used for areas that have cultural and heritage significance. You are looking at the future of it. Is there a proposed integrated management plan for this headland somewhere? As I apprehend it—I think I get your position, and you can comment on this—you would envisage ultimately an integrated management plan that would not allow for any expansion or any further development at the various locations on North Head. Is that a fair assessment of your position?

Dr Lambert—It depends what you mean by ‘increased development’.

Senator FORSHAW—Sorry; maybe I should not have said ‘increase’ but any change to the—

Dr Lambert—We would expect changes of use. We would welcome changes of use at the various sites, but we would expect them to be changes of use sympathetic with the whole area becoming an educationally directed ecological sanctuary that interprets the history and heritage of the site, that researches the natural values of the site, that is generally an educational precinct.

Our vision is for the whole of North Head to be an ecological sanctuary of international renown. We think it as the gateway to Sydney Harbour and that is absolutely the appropriate use, given its history and heritage significance. We certainly accept fully that there will be changes of use on each of the sites. It is the quantum and the nature of that use that concerns us, and we do not believe that substantial change to the heritage fabric of the area is appropriate.

Going back to your question about the integrated management plan, the Sanctuary Foundation, strongly supported by Manly Council, have been trying for approximately two years to facilitate a coming together of the six or seven public land managers, both state and federal, who control parcels of land on this headland. We almost got as far as an initial set of management principles, but some of the sites were not keen to be part of that. I think we now know why some of them weren’t—because they wanted to do a fairly major development. The sewage treatment plant, Sydney Water, was not keen to be part of it either, so I am not just fingering the AIPM.

But we believe that there is a pathway to fully integrated management of a North Head site in its entirety that has a changed set of uses to what we have now. Whether or not the AIPM sits within that I think depends on the scale and the designed or otherwise expansion, and the appropriateness of that expansion.

Senator FORSHAW—I am not unfamiliar with that. Coming from where I live in Sydney, the same argument is put about the Kurnell Peninsula, and the same problems and competing interests and jurisdictions exist. That, however, creates the difficulty that you never get to an integrated management plan, but you still have the various interests wanting, for what they say are legitimate reasons, to do something with the facility they have.

CHAIR—Thank you very much, Dr Lambert and Dr Lancaster.

[12.25 pm]

MACDONALD, Dr Peter Alexander Cameron, Mayor, Manly Council

MINIFIE, Ms Jeanette, Manager, Planning and Strategy, Manly Council

REIZES, Mrs Judith Ann, Representative, Manly Council

Witnesses were then sworn or affirmed—

CHAIR—Firstly, thank you very much for allowing the hearing to be held here in the Manly Council chambers. It is very comfortable and we appreciate the assistance that your staff has given. We certainly welcome you to the hearing today. The committee has received a submission from the council. Do you wish to propose any amendments to the submission you have made to the committee?

Dr Macdonald—Not as such, Madam Chair, but I would like to make some opening remarks, if I may.

CHAIR—Sure. Your submission was very detailed, so could I ask you to keep your comments to the committee brief so we can have maximum time for questions. I apologise to everyone in the room because it is actually lunchtime and there was a lunch break scheduled for 12.30, but I think we should try to complete your submission then we will go to lunch.

Dr Macdonald—I attend this hearing on behalf of the community I am privileged to represent as the mayor, and I do appreciate the limited terms of reference of this inquiry. I would argue that the inspection this morning of the Australian Institute of Police Management should really have included, in a sense, all of North Head because of the context of this facility within that whole.

The other thing is that this proposed redevelopment by the AIPM comes at a very sensitive, very critical time for the future of North Head. You have heard this morning about the heritage listing. You have heard from the Sanctuary, a body that has been working for some time to try and bring a sense of integrated management to North Head. Here we have a proposal which has been subject to minimal community consultation, and I can vouch that the community is deeply opposed to this proposal. It is a marked intensification of use. I would also argue that there has been a lack of process in terms of that consultation, which is in marked contrast to what happened with the quarantine station. The AIPM will argue that that is because they are a federal or Commonwealth facility, but that still does not answer the question as to whether there should have been more due process in terms of consultation.

We have here a \$60 million investment. It is a marked intensification of use. The questioning to the North Head Sanctuary members some moments ago did concentrate on the question of whether this is to be a training facility or a quasi conference centre and an intensification and commercialisation of the use. I would argue that without any doubt, and we have evidence to support that, this in fact is a fund-raising activity by the AIPM, that it is commercialisation by

stealth and that if this proceeds it will in fact be more of a quasi college rather than what it is at the moment, a training college for the Federal Police and others.

I have here a document taken off the Manly Tourism website, which was placed there by the AIPM in the context of Manly's conference venues, and it goes on to detail what accommodation they have. There is also a document that came off their own website calling for invitations for conference facilities. Currently, our estimate is that they have about 26 rooms there and, under the new development, there will be 55 rooms, each of which will have a queen-size bed, which will accommodate 110 people, presuming there are only two to a bed. So there is some compelling evidence that this is not what really meets the eye.

I would also like to support the comments made about the land tenure.

CHAIR—One of the committee members would like you to table that as evidence. Is the committee agreeable to that?

Senator FORSHAW—Are they the same documents that are attached to the submission?

Dr Macdonald—There is one document attached to the submission which is off their website. I do not think this went with the submission, which is the one off the Manly Tourism website.

CHAIR—That is the one I think that Senator Parry was referring to.

Dr Macdonald—There is the issue of land tenure as well, which is complicated and I am not going to embark on seeking to clarify it. But I think it needs to be clarified, because there are a lot of assumptions being made by AIPM that they can just proceed on this and that they have the mandate and the right to do so. This land belongs to New South Wales. It belongs to the state; it does not belong to the Commonwealth. There is a question of what happened in 1910, and we have mentioned that in our submission. There is what happened in 1984 when quarantine was to return, but when it returned there was no mention of a police college; it was for quarantine and defence purposes.

I have a couple of final points. The AIPM is part of the whole of North Head. It is part of a very valuable and treasured heritage jigsaw that is happening up there. It is part of Spring Cove itself, which includes Collins Flat, Collins Beach, Store Beach and Quarantine Beach. We were disappointed in being unable to access the heritage assessment study. We were disappointed that we were unable to access the GHD ecological study and we wonder why these were being kept secret, so to speak.

There is a critical aquatic reserve on one side surrounded by a national park on the other. Issues have been raised about endangered species—the long-nosed bandicoots and the little penguins. Questions were asked earlier about the intensification of use. One of the major threats to the bandicoots, and to some extent the penguins, is traffic issues—increase of vehicles, road kills and so on. I believe that this is a most inappropriate development set against the context of what has happened, where there is an attempt to try and pacify the uses of North Head and to find appropriate low-impact uses as opposed to this, which will result in a high-impact use.

CHAIR—Thank you very much. I know you said you were coming back at 12 pm, so I am not sure whether you were in the room when I asked questions about access to the heritage and ecological study. It is my understanding that we will ask these questions again when the AFP return, under oath. But it is my understanding that they will make these studies available. I think they thought they were already available. I think it is important that the public—if it is appropriate—have access to that information.

The other issue was in your submission. I note that you talk about a 50 per cent increase in the car parking and hard surfaces on the site. Again, I am not sure whether you were here, Mayor Macdonald, but the AFP have indicated to us in this hearing that the car parking will contract rather than expand and that there will only be just over, I think, a two per cent increase in the footprint of the building. So would you like to comment on that, because I think it is important that we get this right, and there is obviously misunderstanding as to the footprint of both the buildings and the car park.

Dr Macdonald—Could I defer that question to our planning staff manager?

CHAIR—Yes.

Ms Minifie—The arrangement is that some of the buildings are to be demolished. The plan on the left hand side, which has been prepared by a council's architect, identifies in purple the area of proposed car parking, and the area in green is the existing car parking area.

Dr Macdonald—I think that speaks for itself, Madam Chair.

CHAIR—Can you show us what is wrong with the chart that the AFP has provided to this committee today?

Ms Minifie—There is an extension of car parking through this area here. It is currently restrictive.

CHAIR—There is another area showing the old car parking and then one showing the new car park arrangements. That is the old car parking, according to the AFP. That is my understanding.

Ms Minifie—Yes, with the car parking concentrated here. This one here is the 'proposed' area.

CHAIR—Yes, but isn't all of that grey area car parking?

Ms Minifie—I do not believe it is currently used for car parking.

CHAIR—It is bituminised. We walked on it today.

Ms Minifie—It is my understanding that it is not developed—

CHAIR—We need to clarify that. When we call the AFP back I will ask them to clarify it. But we stood on an area which is bituminised now. It was an indication that there was further

encroachment on the habitat, and yet this area is already sealed, bituminised. Whether cars park on it or not, it is still hard stand, capable of having cars.

Ms Minifie—It would certainly have to be checked.

CHAIR—We need to clarify that. We need to satisfy ourselves of that.

Ms Minifie—Council's access to the plans was virtually as a result of the inquiry, so the plans we have accessed have been from that document only.

CHAIR—Thank you. That was the main thing I wanted to clear up.

Mr JENKINS—Can council table those diagrams?

Dr Macdonald—We would be delighted to.

CHAIR—Can I ask committee members to approve that? Thank you.

Senator FORSHAW—Do you have a diagram, from the council's perspective, that shows the before and after effects, if you like?

Ms Minifie—The one on the left.

Senator FORSHAW—Thank you.

Mr JENKINS—What has lead you to dispute that the—I will call it the 'fire break', you have called it something else—is outside of the site that the institute occupies now?

Ms Minifie—In New South Wales the bush fire protection guidelines would require a 20-metre buffer zone. The calculation is that that is not all provided on the site. It is provided outside the site.

Mr JENKINS—They are saying a 12-metre buffer.

Ms Minifie—Yes, so that would be contrary to what applies for every other development.

Mr JENKINS—So you are suggesting that if it is the full buffer, as you allege, of 20 metres but it is eight metres outside the site, that is okay?

Dr Macdonald—That would mean it would intrude into national parks. We would like to know whether AIPM have the consent of National Parks to use that land as asset protection.

Mr JENKINS—We have perused the correspondence that has transpired between the Commonwealth and the state about getting to an agreed process regarding some of the planning and development issues surrounding this. In what manner has the council pursued a similar sort of agreement either with the Commonwealth or with the state under whose legislation you have planning powers?

Ms Minifie—The council has attended variously the briefings in 2002 and 2003 and raised a number of questions with the institute. In January 2006, the council wrote to the institute asking for details of the heritage studies, the approval process, and the ownership of the land, and seeking a response to those issues that were raised at the briefing in December 2005. The reply said that the institute would be responding to the issues raised in that letter. We have not had a further detailed response to that. Council has separately, with the mayor as chair, sought to call a committee meeting of all the various stakeholders on North Head, and the institute was represented at those meetings.

Mr JENKINS—In the normal course of events, with any proposal by the Commonwealth on Commonwealth land, what agreement is there about the Commonwealth notifying council of its intentions?

Ms Minifie—One of the issues here was actually the land tenure. We were also asking for clarification.

Mr JENKINS—Just for the sake of the question, could I set that aside. If anywhere in the municipality of Manly there was Commonwealth land, and the Commonwealth had a proposal, and they do not have to come to you for planning approval, what agreement do you have about proper consultation?

Ms Minifie—By contrast, the School of Artillery, which is under the management of the Sydney Harbour Federation Trust, has actually met with council and has consulted council and the community quite extensively.

Mr JENKINS—You are comparing this proposal to the proposals of others?

Ms Minifie—Yes. There have been previous agreements in the past where the Commonwealth would abide and have regard to state planning laws, going back quite a few years. So there is a precedent for that.

Mr JENKINS—My last question is: in 1990 there was a considerable extension made. Does anybody know what form of consultation took place back then when that extension took place?

Ms Minifie—I do not think there was very extensive consultation, if at all. It may have simply been notification.

Mr JENKINS—They managed to get in there and build it and get out, and nobody knew.

Ms Minifie—Yes.

Dr Macdonald—And that becomes an even starker contrast because of the recent events that have occurred up there with the process that the Mawlands quarantine station proposal has gone through, which would have been years and years of consultation and a particularly constructive relationship between the Sydney Harbour Federation Trust, the council and the community.

Senator TROETH—I would just like to ask you about the impact of stormwater. We saw the concrete top drains going down the hill, presumably into Sydney Harbour. That has always been the case, and that has always been the system, has it?

Mrs Reizes—It is my understanding that it has, and the new car park is sloping towards that aquatic reserve. It is Sydney Harbour's only aquatic reserve, and the conditions with that are no net impact, so we have serious concerns.

Senator TROETH—That is fine. Thank you.

Senator PARRY—I just want to clarify two things. Firstly, going back to the car parking issue, because we are obviously going to be questioning the AFP again. Your sole evidence, that you based your assessment on, is on plans provided to you by the AFP. Is that correct?

Dr Macdonald—Yes.

Ms Minifie—And knowledge of the site. When I have attended the site I have not had access to parking, other than the area that I showed you on the plan.

Senator PARRY—But you were reliant upon plans provided to you by the Australian Federal Police?

Ms Minifie—Made publicly—made to the inquiry. We were not consulted in detail about the specifics of the proposal.

Senator PARRY—When you say, 'to the inquiry', that is the evidence provided to us?

Ms Minifie—Yes.

Senator PARRY—And you have relied upon that to make your assessment?

Ms Minifie—Yes.

Senator PARRY—We have to be very clear about that; thank you. Secondly—this is of a semi-hypothetical nature—what would council's attitude be if there were no proposal to further develop the AIPM site and it was just to be business as usual? Do you want to remove any further activity?

Ms Minifie—The council would still want to see a conservation management plan prepared for the site. We have consistently requested that one be prepared since the first briefing in December 2002. It is essential that it be addressed because the site is part of the quarantine station, which occupied all of North Head from 1833. Council has also requested that there be integrated management and, in doing so, has sought cooperation from all stakeholders on North Head.

Senator PARRY—Would it be fair to suggest that council's view is to reduce the current activity of the AIPM rather than to have the status quo?

Dr Macdonald—My frank opinion is that, in the minds of many people—bearing in mind what else is happening in North Head—the end game might be that the AIPM move out of that site and the site be returned to its natural state. There are some heritage buildings on site, which obviously would be retained as it was when handed over to them—the Seamen’s hospital et cetera. In fact, there are some opportunities for adaptive reuse of the School of Artillery site that might have suited AIPM. In addition, that would allow for the sort of expansion on the site that they seem to need; whereas this site does not lend itself to the sort of expansion they claim they need.

Senator PARRY—Thank you.

Senator FORSHAW—Senator Parry has just asked questions about an integrated management plan for the whole of the North Head. Does the council have such a draft plan or proposal?

Dr Macdonald—I had hoped that the North Head sanctuary representatives who attended prior to us would have had an opportunity perhaps to talk more about their vision—and that has been supported with resolutions by council in this chamber—for the North Head sanctuary concept. That does not mean that each individual owner or stakeholder will give up their rights and responsibilities but will pledge themselves to integrated management and a set of principles and objectives. That would start to move us back to where North Head was, prior to our disturbing it all those years before.

The Sydney Harbour Federation Trust, as you know, recently came out with a plan of management for the School of Artillery site, which has been well accepted by the community and which talks about a sanctuary concept. As you have heard, the quarantine station is still uncertain. But, if that proposal falls over, which seems likely, it will be a matter then of engaging with national parks to see what future they envisage. The council and the community have been very committed to a single vision for North Head, which is low impact, integrated and non-commercial—and, in a sense, this flies in the face of it.

Senator FORSHAW—What the North Head Sanctuary Foundation have in mind is pretty clear from their evidence. They talked briefly about the integrated management plan concept. Generally, for these things to be driven, it is council often that has the capacity to put the proposal together and look at it in a technical as well as a visionary way.

Dr Macdonald—One of the interesting things is that council is not a stakeholder at North Head, yet it sees itself as perhaps having a good role to play. This and prior councils have pledged themselves to supporting the North Head sanctuary concept.

Senator FORSHAW—You are not the only council that is in that position; we are familiar with the fact that others have those issues. Is the view that you have expressed today the unanimous or majority view of the council, or is there some debate within the council itself?

Dr Macdonald—Not within the council, no. It was council’s unanimous resolution that we would support that. I might defer to Mrs Reizes, as head of the environment centre, for a little bit of background on where the community has come from.

Senator FORSHAW—I assume that, particularly in your submission, you are reflecting the views of the councillors, no matter what their political persuasion may be.

Dr Macdonald—The council is relatively united on most matters, and particularly united on this.

Senator FORSHAW—That is what I was after. The final question goes again to what Senator Parry asked you about your longer term view and what would happen to this facility. You have tabled the documentation—and it is in your submission as well—about it being advertised now as a conference venue, and you have put the argument, as have previous witnesses, that the motives are more commercial than otherwise. You use the words ‘high impact’. So I put to you for your response that the AFP’s argument is that it is more of the same, rather than some dramatic change from what might be seen as low-impact activity to commercial activity.

Dr Macdonald—The current AIPM is unknown to most people. If you ask people in Manly whether they know what AIPM is, they would not know. It has been incredibly low impact. It is a quiet retreat where they undertake the training that apparently does take place there. I have here a document from their website. Under ‘Facilities and Services’ they list as recreational facilities: mountain bikes, flippers, snorkels, bush walks, et cetera. I think the concern of the community is that, if we move down that direction, we are going to lose control.

Senator FORSHAW—Excuse me, Dr Macdonald. Aren’t they advertising that that is what is available now?

Dr Macdonald—No, as a conference facility. We have provided you with evidence that the conference facility is going to double in size.

Senator FORSHAW—Does the council endorse what is happening now, or are you suggesting that this is happening but it had a greater impact than the council would have liked or was aware of?

Dr Macdonald—Council is unaware of a lot of what is happening at AIPM. As you would be aware, we have been very much locked out of this process and not kept within their confidence.

Senator FORSHAW—It is on a website or a publication that has council endorsement. I do not use that as an argument against you. Obviously one of the things that councils do is provide information to the public that they receive from organisations within their localities.

Dr Macdonald—But this proposal and this inquiry have given us a glimpse of what the future might hold.

Senator FORSHAW—I am clearly detecting that that is your position.

CHAIR—Thank you very much for appearing before us today.

Dr Macdonald—Thank you, Madam Chair.

Proceedings suspended from 12.53 pm to 1.10 pm

GRIFFIN, Mrs Catherine, Private capacity

Witness was then sworn or affirmed—

CHAIR—On behalf of the committee I welcome you and thank you for your submission and for attending today. The committee has received your submission; do you wish to propose any amendment to it?

Mrs Griffin—No.

CHAIR—I invite you to make a brief statement and then we will go to questions.

Mrs Griffin—I make this submission on my own behalf as a resident of Manly. I consider that the AIPM—and we are all used to the acronym now—having stated the purpose of the work, which is to substantially improve the operational efficiency and long-term sustainability of the AIPM, has not demonstrated its suitability for that work with this proposal. The AIPM has not demonstrated a need but has recognised a commercial opportunity.

I question the necessity for and the advisability of carrying out the work given the environmental, heritage and community concerns. I do not consider carrying out those works to be the most effective use that can be made of the moneys. The AIPM has not fully explored other options, including the retrofitting of existing buildings or relocation of the AIPM to other numerous available buildings in less sensitive sites. The work does not purport to be of a revenue producing character. However, there does not appear to have been a thorough analysis of the amount of revenue that it may reasonably be expected to produce. Indeed, revenue producing is a secondary issue to the proposal. However, it is of great concern that the revenue will be raised by means that are not acceptable to the community.

There appears to be little present and prospective public value in the work because the nature of the proposed work is not in keeping with the environmental or heritage values of the site. I recommend that this committee not approve the funding of this proposal. The AIPM should resubmit its proposal after genuine community consultation, having adapted measures that address all the concerns articulated here today.

I have been a resident of Manly for the past 10 years. Prior to my moving to Manly I served 17 years in the Australian Army. I completed my recruit and officer training at the Women's Royal Australian Army Corps School, which was located on Georges Heights Mosman. This site, also subject to the land exchange agreement of 1979, is now managed by the Sydney Harbour Federal Trust. I spent many hours on the parade ground at WRAC school, often distracted by the spectacular view of Sydney Harbour out to the Pacific Ocean between North and South Heads. The one thing that always struck me about that spectacular view was the contrast between the two headlands: South Head heavily developed, spectacularly lit at night with twinkling lights from houses in streets filled with traffic, whilst North Head completely undeveloped, beautifully wild and green during the day, dark and hidden at night. The Australian Heritage database place details for North Head state:

The Sydney Heads have iconic status for aesthetic values as landmarks in their own right, but equally as part of the setting for Sydney and its harbour.

North Head supports a number of vegetation communities and populations that are vulnerable to further changes and disturbances. Heritage listing means:

... that a person cannot take an action that has, will have or is likely to have, a significant impact on the national heritage value of a listed place without the approval of the Australian Government Minister for the Environment and Heritage.

I do not pretend to be an expert in this area and, whilst I appreciate the AIPM have submitted a referral to the Department of Environment and Heritage under the EPBC Act 1999, I was wondering whether the Minister for Environment and Heritage has given approval for this redevelopment. During my time in the Army, I enjoyed postings in Townsville and Melbourne and a few places in between. I was the first female barracks commandant of Victoria Barracks in Sydney, also heritage listed. Victoria Barracks houses an officers' mess and a sergeants' mess as well as a soldiers' function area. All of these facilities were subject to frequent requests to allow functions, including weddings and other events, which were outside their intended use. I can only imagine the pressure that the AIPM will come under to capitalise on its new spectacularly located senior common room with its outdoor deck area.

In Sydney, it is all about the harbour—location, location, location. This is an opportunity too hard to resist, particularly as it would generate income. Functions held here will not be subject to any state legislation about its use. Indeed, who are we going to call as residents if there is noise and other complaints about the activities conducted in this function centre? The police? Dare I suggest that this would be like asking the local fox to check up on the other visiting foxes and what they are doing in the chicken pen. As residents, we have already had negative experiences from noise emanating from this area. The AIPM has not demonstrated a need, but rather they have recognised an opportunity.

I spent the majority of my military career working in offices not dissimilar to those on the AIPM site. I can now reflect that this was a character building experience. I should have been much more aware of their historical significance, but as an Army officer I was concerned only with the exigencies of the service. There are no exigencies of service that require the AIPM to redevelop this site to the extent that they plan, particularly in the light of the environmental damage that they will wreak on the area.

There is a university, tertiary or training institution in each state in Australia offering courses similar to those offered at the AIPM, all claiming to attract police students from other jurisdictions, including the Asia-Pacific and beyond. However, none of these institutions appear to offer the facilities proposed by the AIPM, so I guess they propose to differentiate themselves with 55 rooms, each with a queen size bed, ensuite, five flexible modular spaces, including kitchenette and separate bathrooms to cater for multiple occupancy needs, as well as a senior common room, which I would like to draw your attention to. We believe it is going to be 200 square metres, which is the size of this room, including the area behind me where my colleagues from the community are, with an open deck entertaining area offering spectacular views of Sydney Harbour—it sounds more like a resort than a police college. In my view they have not established the need for the works and thus the redevelopment of this site.

Since moving to Manly I have regularly attended the Little Manly precinct meetings, which concern themselves with issues such as resident parking schemes, development applications that may affect the amenity of the area, environmental issues such as stormwater flows into the harbour, and the protection of the endangered little penguin and bandicoot colonies. Indeed, Manly residents and the Manly Council take the protection of the little penguin and bandicoot colonies so seriously that those planning to redevelop their properties must submit a threatened species report, completed by an independent qualified environmental consultant, and submit it with their DA. This is available on the council website. Manly Council even recently discussed and passed a motion to take particular action to protect a penguin nesting area in Manly Cove. This was for two penguins.

The AIPM seems arrogant in its response to the submission made when it points to those with concerns in its submission on pages 21 and 22. They acknowledge the penguin colony, yet have made no concessions to protect it. Recently, the Land and Environment Court included additional amelioration measures as consent conditions for a Lend Lease development next to North Head. I quote: 'This was in order to mitigate the loss of bandicoot habitat associated with the development.' No such measures are in place or have been considered by the AIPM in this proposal. Members of the Little Manly precinct represent the interests of the endangered penguins and bandicoots on a reference committee that is supported by Manly Council on environmentally sensitive development sites. No such reference committee has been mooted for this development.

During your visit today you will not have noticed the yellow buoys that mark the critical habitat area. We are anticipating that they will put them out shortly, as the breeding season commences in June and runs until late February. Penguins spend their day fishing at sea. At dusk they raft up and make a lot of noise calling to their mates in the middle of the harbour. They then begin to swim back to their nests in a line, much like a group of children walking home from school. When they get close to the shoreline, where their nests are, they wait until they consider it is safe to land before each penguin is dropped off to scurry up to their nests where they feed their partner and their chicks. If there is any disturbance, they consider it not safe to land, so they remain in the water, and the food in their stomach begins to digest and the chicks do not get fed.

I have assisted as a volunteer over the years in counting the penguins that come ashore during their nesting season. Sadly, I have to say that the numbers have been declining over the past few years. Indeed, there are now fewer than 50 pairs in the Spring Cove area—just about the right number to be accommodated in the new AIPM luxury rooms. The largest group of seven pairs in the colony is located directly below where the 35-metre open deck area is proposed. The AIPM claims that the open deck entertaining area will be limited to daytime and evening uses. Again, I reiterate that dusk is when the penguins are most vulnerable.

I have also participated in a National Parks and Wildlife Service bandicoot monitoring program. The most recent count was in early May. The result of that particular monitoring exercise is not available, but anecdotal evidence suggests that bandicoots have not increased in numbers. I hope that you noticed the little burrows or holes that the bandicoots make in the grass area in the police college—perhaps not. The bandicoots forage in an area that ranges about 800 square metres, and they usually have more than one nest in that 800 square metre area. The AIPM plans to destroy most of the bandicoot foraging area and habitat on its site.

I would just like to digress from my notes to point out that two of the areas that we monitor are on the shoreline in front of the buildings of the AIPM. I will point them out to you. They are called transects. One transect where we monitor is across the front and one is across the back. In 2002, 15 per cent of the total North Head population were here—four female bandicoots. In 2005, there were six bandicoots found—four of which were females.

I know you have been questioning others about the hardstanding and the car park. The issue about the car park—the purple area on the map—is that it goes directly into the bandicoot habitat area and one of the transects that is monitored by the National Parks and Wildlife Service. The amount of the car park and hardstanding for cars is going to be reduced, as we can see here by the purple area. However, that hardstanding is in fact being replaced by buildings. There is going to be a building located in the area which I think you referred to when you stood on the hardstanding this morning. That area is part of the car park and also part of the bandicoot habitat.

CHAIR—Thank you very much. I am mindful of time. Notwithstanding that the AFP do not have to at law seek approval from the New South Wales government or the local government in terms of planning authorities, it seems that there is a fair amount of disquiet in the public submissions, including yours, on what is seen as a lack of consultation. I think some people are of the view that there should not be any facility on that piece of land. What do you see as the most useful way to progress? What would satisfy you in terms of the consultation process? Can you perhaps outline what you think might be satisfactory?

Mrs Griffin—During the consultation process that the AIPM claims to have had, they have been to the precinct committee meetings and they have made presentations. They have described and presented their proposal, but it has been presented as a fait accompli. They have made exactly the same point that you have—that they are a Commonwealth instrumentality and they are only here because we are good corporate citizens.

CHAIR—I only make that point because it is a fact.

Mrs Griffin—It is a fact.

CHAIR—But what I am saying to you is if you have an opportunity for proper consultation—

Mrs Griffin—We would like to see people from the community who are interested and concerned about the bandicoots and the penguins be represented in their discussions and in their planning in an effort to ameliorate and educate them on the matters about the bandicoots. There are a number of people in the community, and particularly in the Little Manly area, who already spend a lot of time consulting with the council. In fact, the council recently agreed, as I have just described, that they would have a reference committee. Those people were intimately involved in the development and the planning process alongside the council.

CHAIR—Do you think that if there were better consultation there could be some agreement reached that would preserve the habitat of the bandicoots, for example—which you are obviously very concerned about; and quite rightly so? Do you think you could reach agreement if there were a better consultation process?

Mrs Griffin—Yes, I do.

CHAIR—So it is not a matter of not wanting them to do anything; it is a matter of getting the very best outcome for the environment and for the facility?

Mrs Griffin—That is right, yes.

CHAIR—Thank you very much.

Mr JENKINS—On the bandicoot habitat, are you saying that the car park represents a corridor between the two sections that are under study?

Mrs Griffin—Yes, and it is a foraging area. From the evidence given by the police this morning and the discussions I have heard previously, this will be a staged development. They keep saying that they will ‘improve’ the habitat, but that will be after their having destroyed it already. Their plan to improve it involves first building the four orange buildings up there, including the common room—at the moment that is on an undeveloped area—before removing their old buildings. So the site coverage during the construction stage will completely damage and destroy the environment. I am not quite sure how they propose to improve the habitat or the environment after they have destroyed it.

CHAIR—Perhaps I can intervene briefly. This morning, in the discussions we had on site, we asked about the demolition of the old front building. The AFP said that they would leave that as a bit of a buffer between the works so that perhaps it would be less disruptive to the local fauna.

Mrs Griffin—Yes, but at the moment they are building the new buildings on undeveloped area.

Senator FORSHAW—Do the rabbits compete with the bandicoots?

Mrs Griffin—Yes, they do. But the National Parks and Wildlife Service, in consultation with all of the other organisations that are on North Head, embark on programs to remove rabbits and foxes. In fact, they have recently had a baiting program up there.

Senator TROETH—We did see extensive indications of the presence of rabbits this morning.

Senator FORSHAW—Your submission is very detailed, as were your opening remarks. One issue you might comment on, which has been raised in other submissions also, is the visual aspect of this proposal from the other side of the cove or other areas. I do not think you have touched on that at all, but is that of concern?

Mrs Griffin—That is of great concern, yes. We consider that the impact visually will be substantial. You can see from the photomontage the impact that will have. Apart from their rhetoric about making sure it is painted in an appropriate colour and using all sorts of buildings, it will still have a visual impact on the site.

Senator FORSHAW—Is that because of the height?

Mrs Griffin—Because of the height and of their bringing the buildings forward onto the south-west corner of the site so that they can maximise their view of the harbour.

Senator PARRY—You mentioned that there has been a reduction of species and that the penguin colonies are down, In addition, I think you alluded to the fact that the bandicoot population has decreased; is that what you were saying?

Mrs Griffin—Yes, there is concern about the penguin population, but I cannot speak authoritatively about the bandicoots.

Senator PARRY—Do you have anecdotal information about the bandicoots?

Mrs Griffin—No.

Senator PARRY—What do you think has caused the reduction in the number of penguins?

Mrs Griffin—Increased pressure around the area from human intervention and activities.

Senator PARRY—We heard evidence this morning—I do not know whether you were here when it was given—that over a number of years the activities of the police college have decreased, in accordance with their bed capacity, so it is probably operating at a lower capacity now than it has ever operated at before, yet the penguin colony has still decreased.

Mrs Griffin—That is right, but I would point out that there are seven breeding pairs directly below the area where the outdoor deck is proposed to be located and, in most of the other areas, only one or two nests are available for us to monitor. That speaks to the fact that the penguins feel safe there at the moment because they have decreased their human activity and that is why seven pairs are there. The largest group of penguins exist in this area here.

Senator PARRY—From our inspection this morning, we understand that, through expert advice—I presume that was through Parks and Wildlife—efforts have been made on site to have nesting boxes installed along the ‘steep’ face. Are you aware of that?

Mrs Griffin—Nesting boxes have been placed by the parks and wildlife service in Store Beach, which is adjoining the area. They were placed there for the last breeding season. In an effort to increase the breeding population, penguins were brought there by National Parks and Wildlife Service and put in those nests, in their particular techniques that they use to do that, and we are hoping that they will come back for this next breeding season. We do not know if that will be successful, so to suggest that they are going to put breeding boxes down there is helpful, but it is not known whether or not they will actually use those breeding boxes and come back to them. What I am saying is that the largest group, the seven breeding penguins, are directly below the proposed open deck area, and dusk is the risky time for them because then they cannot get up there. I am not sure if you seen this brochure—it describes where the critical habitat is and various aspects of the penguin colony—so can I submit a copy of this?

Senator PARRY—With the proximity of the buildings to the shoreline, I noticed in one of your paragraphs—and you do not have your pages numbered, but under ‘Aquatic Reserve Department of Heritage & Environment listed Category VI’—that you make it sound as though the development is taking place right on the actual shoreline or the foreshore itself. From my understanding and our briefing and an inspection this morning, it is back further than the existing building line that is going to be demolished, as you see on the top right-hand portion. So the

buffer zone seems to me to be quite adequate. The penguins are around that area now, with building activity there. The building zone is going to be further back, and I understand it is not going to increase much upon the scattering of buildings in the bottom left-hand corner of the photograph there. So is there an agreed space that penguins need from human habitation?

Mrs Griffin—No, there is no agreed space, but the building line is actually, in my view, moving forward on to the south-west corner, which is closer to where the colony breeds and the penguins are.

Senator PARRY—I do not see it that way; we might get clarification from AFP. There seems to be a much wider space than currently exists with the buildings that are going to be demolished, but we will seek clarification of that. Thank you.

CHAIR—Thank you very much. Again, I am mindful of time. Thank you for appearing before the committee.

[1.37 pm]

ROLFE, Mr Michael Richard, Secretary, Sydney Harbour and Foreshore Committee

Witness was then sworn or affirmed—

CHAIR—Thank you, Mr Rolfe, and welcome to the meeting. The committee has received a submission from you. Do you wish to propose any amendments to the submission made to the committee?

Mr Rolfe—Yes, I do.

CHAIR—An amendment?

Mr Rolfe—No, I just wish to comment and develop.

CHAIR—Then I will invite you to make a brief statement and then we will go to questions.

Mr Rolfe—My first point is, I think, a significant point. I have been involved with the parliamentary works committee's hearings, directly and indirectly, for over 40 years. I have been working with the Commonwealth sometimes, and on other occasions appearing before them, and therefore I feel that I have a standard of what statements of evidence should be presented to your committee. My experience in the Commonwealth was that the art of dealing with your committee was to provide you with the minimum of information, because information is power. They want to keep the power and therefore they give you the minimum amount. In this case they have succeeded to the degree that we have had this problem today as to what on earth precisely this particular proposal is. May I suggest to the committee that you ask your secretariat to look at submissions in future and if they are not factual and tell you exactly the amount of floor space that is there, what the changes are in terms of what is a hard surface or what is grass, throw it back at them—do not accept it—and do not have this hiatus where we all sit around whilst people debate what the facts are. The facts should be available to you before. I get excited about these things.

CHAIR—Mr Rolfe, the committee is well aware of what its responsibilities are under the act.

Mr Rolfe—Yes, I know.

CHAIR—Would you please just make your statement in relation to your submission, or I will have to stop you.

Mr Rolfe—Okay. The site has, in my opinion, no potential for further development—in other words, it cannot grow. There is obviously a perception of growth in security threats. The issue of any future development is not addressed. The situation is slightly complicated by the fact that the Commonwealth does not own the site; in fact, it is leased from the state of New South Wales. In those circumstances, obviously I think that consideration ought to be given to an alternative site which the Commonwealth owns. Therefore the development is secure in all ways in the future. If

the committee determines that in fact the college should stay then I think it should make a recommendation that there should be no commercial letting of the site, because obviously, as the Manly Council have indicated, once you have commercial letting and conference centres there is far less control over the people, whereas the people who are there at the college are there for a job and not for leisure. The other problem was that the senior common room is related very closely to the penguin habitat and if that was allowed for commercial lettings then I believe that the environment of the penguins would be involved in.

We then come to the issue of modification of the scheme, if in fact you decide to proceed with it. That is my second sheet. The first sheet I have given you is a comparison of the intensity of development on the quarantine station site, which shows that in terms of the site this intensity of development here is far greater than on the adjoining sites. In my submission I made the point that both sites should be considered together. On that plan I have shown a green area which I believe would be the prime bandicoot foraging area. In evidence to the commission of inquiry on the quarantine station, Dr Banks made the point that in his opinion prime habitat area for bandicoots is within about 20 metres of the bush so that they can retreat to the bush. What I have done there on that drawing is show you the areas where I believe that the bandicoots will in fact be. As I understand it, when there is trapping of bandicoots they tend to be found along behind the buildings on the interface with the national park, and they tend to be females. Dr Banks has indicated that females are far more important in terms of the bandicoot population on North Head because if they die then the potential to breed and continue the stock is affected, whereas if the males get killed it just provides more benefits for other male bandicoots. Being aware of the time, I think that is all I want to say—and I may have said too much!

CHAIR—Thank you for plans. It helps us to better understand the issues that are important to you.

Senator FORSHAW—I have a question about the Sydney Harbour and Foreshore Committee. What is the composition of that committee like in numbers? As I understand from your submission, it ranges around various parts of the harbour. What sort of membership do you have within the Manly district?

Mr Rolfe—I will refer to our annual report, which is the last annual report, from 2004-05. We list the members: the City of Canada Bay Council, Hunter's Hill Council, Ku-ring-gai Municipal Council, Lane Cove Council, Manly Council, North Sydney Council and Willoughby City Council and—these are the community groups—Ballast Point Campaign Committee, Castlecrag Conservation Society, Friends of Cockatoo Island, Lane Cove Bushland and Conservation Society, Mosman Parks and Bushland Association, Ryde-Hunters Hill Fauna and Flora Protection Society, Upper Middle Harbour Conservation Society and the Willoughby Environment Protection Association. That is the spread.

Senator FORSHAW—And it has individual members as well?

Mr Rolfe—We have 10, but basically—

Senator FORSHAW—Did your submission get submitted to the committee?

Mr Rolfe—Yes, it did.

Senator FORSHAW—And they signed off on it.

Mr Rolfe—Yes.

Mr JENKINS—Just to confirm: your diagram indicates that the eight-metre clearing at the back that is on the national park lands exists in some form of clearing now, yes?

Mr Rolfe—I have not inspected it, but I was informed it did.

Mr JENKINS—I want to go to the nature of these bandicoots' habitat. They forage in grasslands. If we take this site, the only reason there are grasslands is because of the human occupation of the site. Before human occupation, what sort of grasslands were on North Head that they could have used?

Mr Rolfe—I am an architect and a town planner, and therefore my knowledge of bandicoots has been acquired by staying at the quarantine station overnight and by listening to statements of evidence within the quarantine station commission of inquiry. However, earlier today I did see Dr Banks, who is the expert on bandicoots, in this room and it maybe that after the meeting is formally finished he can provide you with the necessary information.

Senator PARRY—You indicate you are not an expert on bandicoots and do not know anything about them, yet you have got a whole paragraph there on bandicoots.

Mr Rolfe—I have made a statement there based on the evidence at that particular inquiry. I can quote in response to that from Commissioner William Simpson at the commissioner's inquiry on the proposal for conservation and adaptive reuse of the North Head quarantine station. It says:

Expert opinion tends to differ. In the circumstances here, the population size is uncertain and the risk of extinction is high even without the proposed activity.

I am basing it on the statement that, even without doing anything, extinction is a potential risk—regardless. That is why I wrote it that way.

CHAIR—Thank you very much.

[1.50 pm]

BASHFORD, Associate Professor Alison, Private capacity

Witness was then sworn or affirmed—

CHAIR—Welcome, Professor Bashford. In what capacity are you appearing today?

Prof. Bashford—I appear here as an historian at the University of Sydney.

CHAIR—The committee has received a submission from you. Do you wish to propose any amendment to your original submission?

Prof. Bashford—No.

CHAIR—I invite you to make a brief statement, because you have given us quite a detailed submission which I know my committee has read with great interest. If you could make a brief statement, we will then have more time for questions.

Prof. Bashford—I will be brief. In my capacity as a historian, I think the recent placement, that we are all aware of, of North Head on the Register of the National Estate was a very wise decision indeed. That is me speaking here today as an Australian historian and as a historian of the British Empire—and I will be able to explain to you the significance of that later, if you like. Quite specifically, as a medical historian, I have done quite a lot of work on the quarantine station and North Head in its defence capacity as well.

It seems to me that, in essence, the same reasons that led to that very wise decision apply to the situation at Collins Flat as well. Any changes on North Head as a whole must be cognisant of the heritage value of the area, amongst other factors. Specifically, you may know that Collins Flat was surveyed as part of this whole North Head-Manly area, which was called by the earliest English people who came to the area sometimes Spring Cove and sometimes Collins Cove—it is quite ambiguous in the documents. Nonetheless, we know that, in the very earliest days of the First Fleet, this area was surveyed. In fact, it was surveyed before the First Fleet actually arrived in Port Jackson. It was surveyed before Captain Phillip made the decision to move from Botany Bay. So it in fact pre-dates the arrival of the First Fleet. These are very important early documents.

As part of that survey—and I have here a facsimile copy of one of the earliest ones—we have remarkable and very extensive written documentation about first contact between the English and the local inhabitants precisely around this area of Spring Cove/Collins Flat. The incidents detailed in these kinds of records in the years 1788 and 1789, as well as the incidents that we know about—commonly the famous spearing incident of Phillip; and the equally famous incident which was the capture of two men, Bennelong and Colbee—happened in this area. Precisely where these incidents happened is still up for discussion. Nonetheless, the general documentation and the precise documentation that we have—the extensive documentation—is

critical not just to the local area but to Australian history and, I will suggest to you later, to British maritime and political history as well.

What does this mean for Collins Flat? With other national history, if we were sitting here as British people we would be likely to be talking about buildings. Other national heritage sites in other national histories are often buildings. What is particular to Australian history, what is quite unique to Australian history, is that really critical heritage sites often happen to be natural places. The very specific and unique nature of Australian history is that they often happen to be beaches, so there is a significance of natural beaches in Australian heritage that is quite unlike other natural heritage questions. There is a particular significance of beaches.

We have so much documentation about what happened on beaches in this precise area as the places of early contact that is actually interesting historians all over the world. Of all the beaches documented so carefully in these kinds of records, there are only three which remain relatively undeveloped. They are Quarantine Beach, Store Beach and Collins Flat. These are precisely the three beaches in the zone which has recently been listed. Everywhere else in this area that all this early documentation is about is developed. It looks completely different. I am suggesting that there is a precise heritage and historical significance to the visual aspect of that area as natural and unbuilt.

It sounds counterintuitive but, in order to retain its historical significance, Collins Flat has to stay as natural a place as possible. It has to stay looking like the pictures—and I have some of these plates marked here—over here that have been put up for you. It is precisely necessary that, to retain the historical significance, these places have to stay looking like these pictures from 1788 and 1789. Collins Flat is already slightly compromised in this respect and, in my opinion, this compromise should now be minimised rather than built upon.

Part of the reason these particular beaches on North Head have remained relatively undeveloped is because the area has been Commonwealth land for so long. That is why it has been undeveloped. So, in many ways, our generation is very fortunate that this area has been Commonwealth land for so long. As you know, in 1916 the Commonwealth did build on the Collins Flat area the core of the current buildings under discussion. Unfortunately, it seems to me, the Commonwealth Quarantine Service in those years made the decision to build very close to the water. The natural and historical integrity of the beach was then compromised for the first time. Nonetheless, these buildings have themselves become part of the layers of history, and it is this layering which is the unique and remarkable thing about North Head.

The buildings, as you know, were established as an extension of the quarantine station in the middle of World War I. I can elaborate on this if you like, but there is no historical question whatsoever that the isolation hospital was integrally part of the quarantine station complex. In heritage terms then, it should still be considered part of the quarantine station land. I am well aware of the land tenure difficulties but, in heritage terms, these areas are to be considered as one. It is only a historical accident that the land was divided between state and Commonwealth.

The recent listing of North Head offers some hope that there will be a really integrated approach to North Head. In this respect, my sense is that the Commonwealth should take the lead, for this area really is far from being just local interest in an attractive beach. It is one of the very first moments in a national history, so it is a really nationally significant place. As such, it is

part of a remarkable and an increasingly well-recognised international history as well. I can talk to you about the significance of that, if you like. In my opinion then, the Commonwealth, in 1916, in the middle of World War I, made a mistake in building on Collins Flat so close to the water, so close to this important beach. Current Commonwealth agencies and representatives should not literally build on that mistake.

CHAIR—Thank you very much.

Senator TROETH—You have explained the historical significance very well. Looking at those two photos, what would you describe as the essential difference between what exists now and what is proposed in terms of the cultural significance?

Prof. Bashford—I think anything that increases the visual difference is a compromise to the zone. If anything, the buildings that are there should be, firstly, valued for their heritage and, secondly, minimised rather than increased. There are clearly slight increases in height and we are aware of the larger footprint of the new buildings.

Senator TROETH—As far as I am aware—and we can check this out with the management later—the height is to go no higher than the existing two-storey line.

Prof. Bashford—That is a question for the designers.

Senator TROETH—Yes, and I will be asking them, but that is certainly my impression from the tour that we had this morning. I also understand that there will be a mass planting of endemic species between buildings to visually reduce the building mass that will occur by consolidating the accommodation. What would your view be of that?

Prof. Bashford—If it goes ahead, I think there is a huge responsibility on the AIPM to minimise the visual impact. This deals with the buildings, but there is also the question of the increase in the use: the car parks, the number of cars that go down, the number of people who are on this area. There is a question about the visual impact of the buildings and the responsibility that I think the Commonwealth has to minimise that as much as possible. Even to take the question of what buildings are currently there that should not be there, in my opinion as a historian, is actually a question the Commonwealth should take up, not specifically how might any future buildings change what is there.

Senator TROETH—Some buildings are being taken away, so they have obviously made the decision that some buildings need not be there but that the essential heritage value of the property be retained.

Prof. Bashford—My understanding is that no public heritage study has been done of those buildings. I could be wrong, but that is my understanding.

Senator TROETH—We will have to take that up with management afterwards.

Mr JENKINS—What advice would you give to the city of Manly about what overlay they should have to protect the northern shore of the inlet into Collins Beach? If you look at that area, the greatest damage done by European occupation of that inlet is in the suburban area. You have

admitted that, in this case, the Commonwealth stewardship of the site that AIPM has has been an advantage. This is something that strikes the Public Works Committee on many occasions—for instance, on Defence land where they have actually made a rod for their own backs because of Defence's stewardship of a whole host of environmental, heritage and cultural values. I am not running away from a responsibility that we have in any way connected with the Commonwealth to ensure that there is proper stewardship of a whole host of matters on that site. Part of that is, to use your layer, that there is a thin veneer that is the history of the police connection, and I am not overemphasising it because it is just the thin icing on the cake. I accept the point you have made. On the other side, there is a vista of a point that is between, I think, Spring Cove and Little Manly Cove—and I am from Melbourne, so how do I know what is happening in Sydney!—which was a gasworks or something and there are strange ramps and brickworks down to the shore.

Prof. Bashford—That has now been reclaimed as a park area.

Mr JENKINS—I take it that you are happy with the way in which that is developing in protecting the natural and cultural senses of this environment?

Prof. Bashford—As we all know, the nature of development is that it is creeping. This is slightly outside my capacity as a historian but it seems to me that what happens on North Head is due to the difficulty of the multi-layers of tenure that are there, including St Patrick's Estate—and that is creeping towards Collins Flat as well. I do not know if you were taken on a tour through that area, but it is creeping that way. There are, in fact, many different levels of government, but also St Patrick's Estate and the Catholic Church, which have stewardship over the surrounding area.

The question of the police presence, I would argue, is in fact, in heritage and historical terms, of a different order. It is not equivalent to the other uses of North Head. What makes North Head such a historically interesting site is that the geography is the reason that it has had these other uses. The AIPM and the police management could have had buildings anywhere. It is not of any particular significance to them that they were on Collins Flat. All the other uses have been to do with the particular historical geography of this remarkable headland between the harbour and the ocean—the Defence land, the quarantine land, the customs use. In fact, these buildings themselves were used, for example, in the mid-thirties for Papuan medical students to come and do degrees at the University of Sydney. Interestingly, they were not accommodated at the University of Sydney; they were accommodated here. There is a geographical reason for all of these particular uses—the Defence use and the quarantine use in particular. The police use of the land does not fit that picture; it is not equivalent in that way. It is an accident, if you like, rather than being specifically about the geography of this remarkable headland liminally placed between the harbour and the ocean.

Senator FORSHAW—I am a bit confused. I notice that in your submission, and in a number of the other submissions, the proposition is put that the institute could have looked at alternative premises, particularly on the old School of Artillery site. I understand the argument in that apparently they are looking for uses for that facility, but at the same time the thrust of all the submissions is essentially that there should be no further development, redevelopment or refurbishment or whatever on this headland. Very quickly, can you allay my confusion? Is it being put up as an alternative site? It is not before us, but it is an argument.

Prof. Bashford—It seems to me that there are all kinds of possibilities. There is the whole question of need—and this is not the capacity in which I am speaking here, I have to say. There is the question of the alternative sites on North Head. Why does it have to be on North Head anyway? If the AIPM need to have meeting places, there are five hotels in Manly that they could have meetings in—as I do, as a member of the University of Sydney. It can happen anywhere. There is no need to compromise this area.

I would like to quickly add, if I may, that there is an international recognition of what happened in the years 1788 and 1789 in this particular area. I have been to many conferences, particularly in Britain, at the Greenwich Maritime Museum and so forth, where the incidents precisely on these beaches are raising all kinds of international interest that is quite new and quite a different slant from that which many of us as national historians have had before.

CHAIR—Thank you for an eloquent presentation.

[2.09 pm]

BARR, Mr David, Member for Manly, New South Wales Parliament

Witness was then sworn or affirmed—

CHAIR—Welcome. The committee has received a submission from you. Do you wish to propose any amendment to that original submission?

Mr Barr—No.

CHAIR—I now invite you to make a brief opening statement so that we have time for questions.

Mr Barr—I think there is a threshold issue for this committee, and that is the issue of land tenure. If we were talking about two commercial parties entering into some sort of commercial agreement, the deal would not be able to go ahead until there was clarity as to who has responsibility, who has the consent authority, who has the right to tick the box, so to speak. That is unclear at the moment.

We know that we had the 1910 agreement between the Commonwealth and the state. We also know of a 1979 exchange of letters. I have not seen that document, and I have requested it from the director-general of the department of cabinet, the state cabinet, because I think that is a critical document. I am not aware of who has seen that document and I think there have been claims made in relation to that. Then we have the 1984 agreement where part of the land on North Head was returned to the state. But, fundamentally, my understanding of all of North Head is that basically it belongs to the state.

As I say, until the issue is resolved, and I think it is uncertain, then I do not think that you can be in a position—I do not think anyone can be—to tick off anything in relation to this matter because what we have at the moment is an existing use. We have had the police academy operating there since, I believe, 1957. Now they are seeking a significant expansion, arguably an expansion that takes it beyond a police academy. I will just give you an example from the literature from Charles Sturt University where they actually call it the Manly campus, and they call it the Manly campus not just in relation to police type courses but also other courses. For example, the literature for the Master of Public Policy and Administration honours by research thesis says: ‘The Master of Public Policy and Administration honours course is a research degree designed to enhance the management and leadership capacity of members of policing related professions and to make contributions to these professions and the community through significant research. The enrolment is through the Manly campus.’ Since when did the AIPM become part of the Charles Sturt campus?

My concern is that this matter has crept up on us. The Mawland proposal for the quarantine station has had to go through a very significant number of hoops. There has been a commission of inquiry. There have been over 200 conditions imposed upon what is to happen there. And yet here we have this matter almost slipping through. The police academy, the police college, is part

of the quarantine station. I do not think that is to be denied—we know that the venereal units were the two buildings where the AIPM currently have set up shop.

Given all the complexities with North Head, given its enormous heritage significance, given its enormous environmental significance, given that both the state government and the Sydney Harbour Federation Trust have endorsed the concept of a sanctuary for North Head, then the idea of this sort of piecemeal development on 1.7 hectares of this site is, I think, plainly out of kilter with the approach that should be taken, which is an integrated approach across all of North Head. We know that there have been some interesting developments on North Head recently. There is the national heritage listing. There is the ongoing saga with Mawland's and the quarantine station, and we know that yesterday was the deadline date for them to find a financial backer. We know that they are seeking an extension; that is about all we do know. So things are very much in play as far as that is concerned.

We also know that there is a bit of a Mexican stand-off between the state and federal governments, or between the Sydney Harbour Federation Trust and the state government, in relation to what is to happen to the old School of Artillery site. I think the issue relates to a dispute about leases and tenure and that sort of thing. There is disagreement between those two. So there are all sorts of complexities in this matter concerning land tenure, the future of North Head and what is to happen there, and we have this thing being slipped in. It is clearly going beyond what the original intention of a police academy was. It is now a campus of Charles Sturt. It is planned to increase its size quite significantly and increase the residential component quite significantly. I would say to you that that is not in keeping with the road we are going down on North Head.

North Head should become a sanctuary. It should become a very wonderful place, a green entry point to Sydney Harbour, only a few kilometres from the CBD of a city of four million people. It is something really special. It has Indigenous heritage. It has a heritage of public health issues and maritime history, and it has significant ecological aspects to it as well. I am sure others have spoken about this, about the little penguins and the bandicoots. I would just say that we have in the audience Dr Peter Banks, who is here from the University of New South Wales and who is undertaking a census on the bandicoots. When I last heard him speak on the issue of bandicoots, when there was a public meeting up at North Head to discuss the possibility of a sanctuary, the comment he made was that even a minor disruption of the habitat for the bandicoots could threaten that endangered colony with extinction. There are all sorts of sensitive issues on this site. There needs to be a big pause and all these issues need to be adequately addressed.

I certainly think that the AIPM should be running this past Manly Council. It should have given Manly Council that courtesy, because obviously it is of great significance to the people of Manly and to the representatives on Manly Council. I certainly do not think that you can go ahead and give the tick-off to this at this stage. There are too many unanswered questions and there are too many big issues. That is what I have to say.

CHAIR—Thank you very much. Were you, as the local member, consulted by AFP regarding the proposed redevelopment?

Mr Barr—By AIPM?

CHAIR—Yes.

Mr Barr—To be honest, I am not sure. I have a vague recollection that they visited my office, maybe 18 months ago or so. I am not sure. I cannot recollect, to be quite honest, but I would be happy to check that out. People regularly come and see me with development issues and I do listen noncommittally. To be honest, I am not keen on developers coming to me with their proposals. I will listen, but I am noncommittal. It is not my job to encourage or in a sense discourage in lots of matters, but I am certainly concerned about the AIPM issue.

CHAIR—Did you say it was 18 months ago that they might have consulted you?

Mr Barr—They may not have; I am not quite sure. It was not a grand unveiling of plans to me or anything like that.

CHAIR—What has been the level of community concern raised with you since that time?

Mr Barr—There is very strong community concern with all of North Head, and those concerns have related to quarantine station work. We have had a big campaign, in essence arguing that a single public body should have the care and control of the quarantine station, not a hotel operator, and that there should be an integrated, holistic approach to all of North Head. We have had issues on North Head, not just with Quarantine. People are concerned about the School of Artillery site and where that is going. People have been concerned about the future of the North Head sewage treatment plant, for that matter. There have been huge issues about that. They are also concerned about the Australian Institute of Police Management. These things all bundle together.

Senator TROETH—Apart from a possible consultation by AIPM, have the local community been raising concerns about the development with your office?

Mr Barr—Yes, I have people come and see me and express concerns.

Senator TROETH—About how many?

Mr Barr—Usually it is people representing others—there has probably been a dozen people. There is widespread concern about this issue.

Mr JENKINS—How do you see a sanctuary operating? Would it require a body to be created to take that role?

Mr Barr—As far as the quarantine station is concerned, I have given as one possible model the Ellis Island Foundation, which looks after Ellis Island, the disembarkation point for the millions of immigrants who have been through New York. That body does have some commercial activities but any profits made do not go to shareholders; they go back to the conservation of Ellis Island. If you are looking at all of North Head, you may have to look at a split between a body that has care and control of the built environment as opposed to the fauna and flora; I do not know. Whatever form it takes, it should be a public body whose prime concern is with that site for the benefit of the people of New South Wales and Australia, not for the benefit of shareholders as such.

Mr JENKINS—But you would acknowledge that, for the built environment, it may require there be an arrangement for somebody to have use of the buildings to look after them.

Mr Barr—I do not have a problem with forms of adaptive reuse and subleases, but the overarching body or bodies must be public bodies. The School of Artillery site is due to be handed back to the state in five years time. I am arguing that you can get an adequate revenue flow from activities on the School of Artillery site and the quarantine station to do the works that are necessary for the conservation of all of North Head.

Mr JENKINS—What is the role of the Sydney Harbour Federation Trust in all this?

Mr Barr—I have nothing but praise for the Sydney Harbour Federation Trust, what they have been doing, their commitment to the purer principles of conservation and their bringing back to life these important precincts that they are looking after. I think their commitment is to spend something like \$20 million at the School of Artillery site before handing it over to the state government. The state government is getting a freebie here from the feds. The federal government is to be commended on what it has been doing but we do need better dialogue between the states and the federal government now, especially when there is great uncertainty at the moment about North Head.

CHAIR—Thank you. I now recall the Australian Federal Police.

[2.24 pm]

HANN, Dr Edward James, Executive Director, Australian Institute of Police Management, Australian Federal Police

RANKIN, Mr John Patrick, Development Manager, Australian Federal Police

VAN DAM, Mr Trevor, Chief Operating Officer, Australian Federal Police

TURPIN, Mr Timothy John, Director, Thinc Projects

CHAIR—Welcome back. I remind the witnesses that they are still under oath. I wonder if you would like to respond or make some supplementary statements to support your submission and in response to some of the questions that have been raised. If necessary, we will go to further questions.

Mr Van Dam—I will try and be very brief. Reflecting on matters put before the committee today it seemed to me that there might be essentially three themes that would benefit from some further submission on our part. The first, which we hear loud and clearly, is the need for stakeholders to be satisfied about two things. The first is that we have received, incorporated and considered expert advice in the context of both the environment and heritage and that that expert advice has formed part of what are ultimately our submissions to an appropriate, competent authority who can give some professional judgment about the adequacy or otherwise of our proposals. We apologise, and I indicated earlier that those expert opinions we believed would have been made available as part of a normal process. I have undertaken to ensure that stakeholders represented here today know where they can obtain those. We will make sure that they are in a position that is obtainable. That may include the Manly council library if that would be of benefit. We will do that, absolutely.

The second point there is we have indicated that we have made submissions to the Department of the Environment and Heritage. They are required to make some judgments about whether this is ultimately a controlled action and, if it is a controlled action, the nature of the controls that they would want to be satisfied about. We have already undertaken to provide DEH more detailed plans about environment and heritage management in response to questions they have. I think it would be appropriate for us to provide those more detailed plans to stakeholders also so that they have an understanding. I will undertake to do that.

The second theme that has emerged is around hard stand areas. Again, I will apologise to the council for the lack of detailed plans available. This is, of course, a master plan and we will need to engage in the more detailed planning. I will confirm for the committee that our intention is to reduce hard stand area and we are not looking to increase car parking on this site. It is not our intention that this site be used for heavy visitor traffic in the context of private vehicles.

Senator PARRY—Do you stand by your original comment of the percentage reduction?

Mr Van Dam—My advice is that that percentage reduction and the figures I quoted are accurate.

Mr JENKINS—That is car park, road and paving.

Mr Van Dam—And, I think—

Mr JENKINS—Footpath.

Mr Van Dam—Correct.

CHAIR—There was another thing in relation to that plan. I think it was Mrs Griffin who gave evidence that the change in the configuration of the car park means that it goes down and into piers with that piece of land which is the natural foraging or burrowing area of the bandicoot. Is there some way that that issue can be addressed? Can you see that? It goes down almost to the edge.

Mr Van Dam—At a very broad level, just comparing these two plans, what you can see is Spring Cove Cottage, which represents the edge of the forage zone already. When we remove these buildings what you will see is that the car park goes down no lower than the buildings are presently. This building already extends out into this zone—

CHAIR—Will the hard stand actually go over where the building footprint is now?

Mr Van Dam—I think if you have a look at the plans that is correct.

CHAIR—That clarifies that.

Mr Van Dam—The last point that has been an important thing today is the question of commercialisation. What I can say to the committee is that the Australian Institute of Police Management is in the business of developing police managers. That is its principal, sole reason for existence. To the extent that there is any commercial revenue obtained at the moment, it is only marginal. My advice is the revenues are in the order of no more than six per cent of the revenues of the site. It is not our intention to utilise the expansion of the site for commercialisation purposes. Indeed, I think I could say with confidence that the police commissioners who represent the board of management would be very unhappy to see the policing training capacity of the site have to give way to any commercial precedent. That is certainly not our intention and we would not see that as occurring.

On the other hand, as responsible facilities managers the executive director of the AIPM site does seek small amounts of commercial revenue as a by-product of utilising some under-utilised capacity. Dr Hann has said on the public record that he expects that in fact the proportion of commercial revenue from the site over time through this development will diminish. We are not interested in creating a wedding complex or a function centre on a commercial basis. Jim, would you like to reinforce that?

Dr Hann—That is correct. The only thing I would add to that is that the police commissioners expect us to use these government facilities in an efficient way and, if they are not being used,

they expect us to make them available to generate some sort of revenue to enable the police services to retain the funds to use for policing purposes so they are not directing those funds at maintaining facilities at the institute which are not being used.

Mr Van Dam—They are basically the three core things that have emerged for us during the course of today.

CHAIR—Before I go to other committee members, there were a couple of other things. The other issue that kept coming up is the difficulty that people are having obtaining a copy of the land exchange agreement from 1979. I know that this is probably not particularly your responsibility, because the state government made that agreement with the then Prime Minister of Australia and I would have thought that it should have been available through the state government records. Would you like to comment on that and perhaps help facilitate access to that? Can you facilitate access to it?

Mr Van Dam—Our preferred view is that the appropriate authority to provide that would be the state government because of the nature of the agreements.

CHAIR—Yes, I would have thought that. They are the owners of the land; they should really be the ones to have that agreement and provide it to the public.

Mr Van Dam—That was our preferred view.

CHAIR—I am not quite sure why that is so difficult. I thought you might illuminate.

Mr Rankin—I do not know the answer to that. I would just reiterate Mr Van Dam's comment: it is not ours to spread around.

CHAIR—Perhaps somebody might like to take that up with Mr Barr as the state representative who has a keen interest in this issue. I think Senator Parry wants to add to that.

Senator PARRY—Mr Van Dam, this morning during the confidential briefing—and I would phrase this in such a way that you can tell me if you do not wish to make any further comment about this and we will understand—you indicated certain matters to us concerning ownership. In light of the evidence and the questions today, do you want to elaborate on that matter or not and, if you do, how deeply do you wish to elaborate on that? We will understand if you do not.

Mr Van Dam—The only thing I would say is that we are confident—and we would not be advancing this plan and proposal if we were not confident—that the Commonwealth retains control and administration of this site for police training purposes until such time as the Commonwealth determines that it is no longer required for that purpose.

Senator PARRY—Thank you. I think that is very valuable and very useful to have on the record.

CHAIR—The only other point I wanted to make is that, as I said before, notwithstanding that there is no legal obligation for you to seek planning approvals from state or local government, this committee deals extensively with agencies at a federal government level that do not have

that legal requirement, and we have found that the most successful developments are those where there have been really strong and open community consultation. The committee finds that, if there is not that kind of consultation, there can be great misunderstandings which often go from bad to worse. What I would like to hear on the record is that there will be some better, formal process of communication, particularly with the Manly shire, or the Manly Council, I should say—I come from a rural area; I cannot get out of calling them shires—because they are ultimately responsible to the local people here. So we would have thought that it was just good management to have a closer dialogue with Manly. It may be that not everything can be agreed on, but we think it is in the interests of open and accountable processes and better public relations. There is a lot of wisdom in this room and sometimes better solutions can be found through that public consultation process. Can you give us some assurance that there will be a better process in the future?

Mr Van Dam—Madam Chair, I am going to answer that in two parts. The first part is I would just like to remind the committee of the material that we did submit in relation to the meetings that have been held to date. I would not want to leave the committee with the impression that we have not made genuine attempts over a period of time to engage with the community about this undertaking. Most particularly, I draw your attention to the Manly Council planning design environmental group engagement that has occurred since 2002.

That said, you can in these environments never have too much consultation. The AFP absolutely understands the committee's view on that and shares it. I think that, consistent with the themes I mentioned earlier, there are a couple of clearly sensitive areas of interest around environmental management and heritage management. As detailed planning proposals go forward and as the expert advice of the input from DEH occurs and we develop our views, I am happy to give this committee an undertaking that we, using the Manly Council as our principal focus for such consultation, will undertake consultation around those issues.

CHAIR—For example, Mr Rolfe gave us a plan and a sketch with some ideas—I do not know how representative they are of the wider community's views—but is there any difficulty in perhaps sitting down and discussing some of the issues that he raises there? It would be a useful process, I would have thought.

Mr Van Dam—No difficulty at all, and we welcome constructive input into how we can make this the best possible outcome for all stakeholders.

CHAIR—Thank you very much.

Senator PARRY—Just one point of clarification left undone, from a previous witness—the proximity of the foreshore to the new accommodation development. Maybe Mr Van Dam or someone else might like to go to the map or the plans to indicate the distance from the shoreline, let's call it, or the high tide mark, if you like, of the proposed new accommodation wing. From being on-site this morning, my understanding was that the distance was not going to be any greater than what already existed with the row of buildings that is going to be demolished, the front row. Is that statement correct, first of all?

Mr Rankin—I think I can say fairly confidently that that is correct.

Senator PARRY—That is fine; you do not need to go to the board. That is what I understood from the briefing this morning and the inspection. Thank you.

Mr JENKINS—Michael was just explaining to me that it was not the Manly front row that he was talking about—he was talking to me about the Sea Eagles or something! To prove that I am awake after a torrid week and on Friday afternoon, there are 365 days in a year, 366 days in a leap year; how many of those days is the institute used for police purposes and how many of those days is it used for commercial purposes?

Mr Van Dam—I think Dr Hann is best placed to answer that.

Dr Hann—Yes, we have looked at those figures. The number of days that the institute was used for police services in the last year was 270. Taking into account the fact that there are 100 days of the year which are weekends and the fact that January is down time when staff take leave, 270 days actually represents a very high rate of usage.

Mr JENKINS—I am sure that will make the commissioners happy, but how many days for commercial use?

Dr Hann—I will have to take that on notice. As Mr Van Dam has pointed out, the revenue that we obtain from commercial use is less than six per cent of our revenue.

Mr JENKINS—Of your total revenue?

Dr Hann—Yes, but I am happy to provide that information to you.

Mr JENKINS—You would understand that that does not really mean much in response to the concerns that have been raised by the community. In any case, I am happy for you to take it on notice. Having admitted that I was awake, I am now going to admit I have been confused about who has the reports. We do not know who owns them and we are going to find out how we can release them. I am not sure whether it is a Commonwealth department or a state department.

Mr Van Dam—We have the reports and we will make them available directly.

Mr JENKINS—I am happy about that. Do the environmental reports address not only the redevelopment when it is finished but also the environmental matters that have been raised about the works to achieve the outcome? They have been highlighted for us because it is plain that these colonies of penguins or bandicoots may be damaged by the interim works.

Mr Van Dam—Perhaps I can explain it this way: as I understand it, the evaluations we have at the moment go to identifying those critical environmental and heritage factors that would need to be protected in the redevelopment of the site. As we indicated to you, one of the next phases for us is to develop a construction environmental management plan. That plan is not yet developed. It will be informed by those expert opinions and assessments and by any opinions and views expressed by the Department of Environment and Heritage.

Mr JENKINS—Then we get back to the chicken and egg: if we are happy, you go ahead. You want an idea whether we are happy, and that gives us the dilemma—but that is okay.

CHAIR—When are those reports likely to be available and will you make them available to the committee?

Mr Rankin—The next phase we hope to be moving into is to get those developed and informed as part of the detailed design and development phase. They will be available towards November as part of that process.

Mr Van Dam—If the committee would like to receive copies of those, the AFP will provide them.

CHAIR—I am sure the committee would like to receive those. Once again, I think it would be useful, if it is possible, for them to be available to the community.

Mr Van Dam—Indeed.

Senator FORSHAW—In your submission you refer very briefly to the relocation option, and that was rejected and you state your reasons for that. Can you tell us what relocation options you considered? You may need to provide that to us on a confidential basis, I do not know. I am particularly interested because some options have been put to us today on North Head itself, including the former School of Artillery site.

Mr Van Dam—If the committee was agreeable I think there are certain elements of that that we might put in a written response.

Senator FORSHAW—Maybe that will do for the moment, in the interests of time, but I would like you to address within that these propositions that have been advanced about alternative accommodation that is available nearby. The other thing to come through in all of this evidence from the other witnesses and the council et cetera is that, whilst this committee has before it a proposal for your facility, what really needs to be considered here is that project in the context of the whole of North Head, taking into account its recent listing on the national heritage list, and that is something I think we are going to have to grapple with. Certainly, I am going to have to grapple with how we deal with that. When you looked at alternative options and indeed looked at this proposal in developing it, what regard did you have to the fact that you are putting forward a proposal—with a reasonable argument, it seems to me—for a site within a very significant area over which there is a major public debate and there are proposals afoot about its future as a headland?

Mr Van Dam—I think what I can say in response to that is that we have had close, detailed and ongoing involvement with the New South Wales National Parks and Wildlife Service, which has an overarching responsibility, in a broad sense, for the site. We have also been very actively engaged ourselves with what is called, I think, the North Head stakeholder group—

Senator FORSHAW—The North Head stakeholder—

Mr Van Dam—It is a stakeholder group of organisations that carry out activity on North Head in the context of environmental management and strategies and the longer term. I am not aware that there is a competent authority with whom one could engage about the totality of the approach to North Head.

Senator FORSHAW—I have a final question. We understand this is Commonwealth controlled land. What is the authority or the power that resides with the minister of the environment over this site in terms of approving or not approving, or placing conditions upon, any development work on this particular site? Do you know? You might need to take that on notice too, because I am particularly interested in ascertaining whether or not there is a responsibility or power there.

Mr Van Dam—In this context I want to be clear: you are talking about the Commonwealth minister?

Senator FORSHAW—Yes, certainly, the Commonwealth minister.

Mr Van Dam—In broad terms, my understanding, particularly under the national heritage listing—and Mr Rankin is more of an expert on this than I am—is that they will firstly need to determine whether or not it is a controlled activity. If it is a controlled activity then, as I understand it, they have the absolute right to set controls around what can and cannot be done. If it is not a controlled activity—and that evaluation is currently in progress, as I understand it—then their engagement is more in the context of satisfaction that due regard and appropriate steps are being taken.

Senator FORSHAW—In the second of those, the minister would not be able to prevent or override a decision to develop; it would be more in the nature of putting conditions upon it?

Mr Van Dam—That is right.

Senator TROETH—Does the institute have a connection with Charles Sturt University?

Mr Van Dam—I think Dr Hann is best placed to answer that.

Dr Hann—Yes. The Australian Graduate School of Policing from the Charles Sturt University has been collocated on the site, I think for about eight years. It has a 25-year lease on the site. The courses that it conducts, to my knowledge, are all related to policing. They have a limited number of residential courses during the year that involve police. There are some significant advantages to police leadership in having that graduate school collocated with us because they bring international speakers out and we make our international speakers available to their courses.

I gave some information previously which I have just been advised is incorrect. I said there were 270 days of courses for police. The total number of days in the year where the institute is in use for courses is 270. Of that, the private non-government commercial use is about 40 days or about 16 per cent of the time.

Senator TROETH—In that sense Charles Sturt are clients of the institute?

Mr Van Dam—Yes, Charles Sturt are clients. They do not own the site.

Senator TROETH—No. That is all I wanted to know.

CHAIR—I have a question regarding the fire buffer zone which was raised by the Manly Council. This normally would be 20 metres. You have allowed 12 metres but there is some suggestion that you can use national park land. The mayor asked whether you had consent for the remaining allowance. Can you comment on that?

Mr Van Dam—The short answer is yes. My understanding is that we have an agreed arrangement between ourselves and the national parks.

CHAIR—Is that a formalised agreement?

Mr Rankin—That is an exchange of letters based on a fairly extensive set of negotiations between ourselves and the national parks representatives. Indeed, it is endorsed by the New South Wales Rural Fire Service.

CHAIR—You can comply with the fire buffer zone?

Mr Rankin—The package of measures we have negotiated with them is exactly that—a package of measures which satisfies those requirements. I cannot off the top of my head quote the different acts. When we started looking at this we tried to take account of the New South Wales requirements in relation to that. At one end—what I would call ‘the clear-felling end’—we would have been pushed off the site, which was not tenable because we already had buildings there. We negotiated a package of arrangements with them which includes the buffer zone, certain agreements in relation to turnarounds, water supplies, building fabrics et cetera, so they would meet, as far as we can, the requirements of those fire safety standards.

CHAIR—Will you now communicate that to the Manly Council?

Mr Rankin—We can certainly do that, yes.

Mr JENKINS—Is it your understanding that 20 metres is a rigid thing or is this something that is open to negotiation?

Mr Rankin—It was the point that we arrived at after a series of negotiations about what was feasible, given our responsibilities to look after people who are on the site and their responsibilities to look after us as a person on their border.

CHAIR—Is the building line moving forward, as some people have suggested?

Mr Rankin—Not to my knowledge, no.

CHAIR—Have there been noise complaints and, if so, how many complaints?

Dr Hann—I have been at the institute for five years and to my knowledge I cannot recall any complaints about noise.

CHAIR—Mrs Griffin raised that in her submission.

Dr Hann—I must say that the types of police officers we get at the institute are senior police officers and they are very focussed on their courses. We keep them very busy. We would regard very seriously any activities which led to an amount of noise that was unacceptable to the local community. It came up before: who would people complain to about noise?

CHAIR—I was just going to ask you: who would receive those complaints, either in writing or by phone, email or fax communication?

Dr Hann—The institute would be very happy to receive those complaints and would undertake to act on them in a fairly decisive way. We value the location that we have at the institute, we respect the community very highly and, as I said before, the sorts of people that we get on the courses there now are very responsible individuals and they do not make noise.

CHAIR—You would undertake to make sure that the public, the local community, had some kind of way of communicating their concerns if there was to be—

Dr Hann—Absolutely. Alternatively, they could complain to the AFP, but I am confident that the AIPM would act quite decisively on that.

CHAIR—You have never had any complaints via the Manly Council about noise?

Dr Hann—I have not personally received any complaints about noise.

CHAIR—Thank you. Before closing, I thank all the witnesses who have appeared before the committee today and thank you for your forbearance of time slippages and so on. I particularly thank the Hansard people and the secretariat today for the work they have done for this inquiry. Once again, I thank the AFP for facilitating the committee's inspection of the site this morning.

Resolved (on motion by **Senator Parry**, seconded by **Mr Jenkins**):

That, pursuant to the power conferred by section 2(2) of the Parliamentary Papers Act 1908, this committee authorises publication of the evidence given before it and submissions presented at public hearing this day.

Committee adjourned at 2.56 pm