

SYDNEY HARBOUR FEDERATION TRUST

52<sup>nd</sup> MEETING

Georges Heights – Private Meeting

18 September 2007

MINUTES

True & Correct Record of the 52<sup>nd</sup> Meeting of the  
Sydney Harbour Federation Trust

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Chair

Minutes of the 52<sup>nd</sup> meeting of the Sydney Harbour Federation Trust held at Georges Heights at 10am on 18 September 2007.

Present

Mr Kevin McCann	Chair
Cr Susan Hoopmann	Member
Mr Peter Lowry	Member
Dr John Moriarty	Member
Brig. Kevin O'Brien (by telephone)	Member
The Hon Barry O'Keefe	Member

In attendance

Mr Nick Hollo	Acting Executive Director
Mr Ian Kearney	Deputy Executive Director
Mr Andrew Free	Acting Director, Corporate Services
Mr Paul Hinchey	Australian National Audit Office
Mr Graham Johnson	Australian National Audit Office
Ms Kate Stuart	Secretariat

The meeting opened at 10:10am.

**1. Introduction - Agenda Item 1**

a. Welcome

The Trust RESOLVED to meet in private because of confidential financial matters on the agenda.

Moved: P. Lowry , Seconded: B. O'Keefe

b. Apologies

Apologies were received from Mr B Conroy and Ms D Talty.

c. Declarations of Interest

There were no declarations of interest.

**2. CAC Compliance Reporting – Agenda Item 8**

Addition to Attachment A – “and approval to operate at a deficit has been obtained from the Department of Finance and Administration”. The letter of approval was tabled at the meeting. Mr Hinchey advised that there was no requirement to advise DoFA of the new amount.

The signed forms have been provided to Management and the Acting Directors were able to sign an unqualified certificate at the meeting.

a. For the financial year ended 30 June 2007, in the opinion of the Directors, based on adequate internal control systems, including the advice of management and the Audit and Risk Assessment Committee, Sydney Harbour Federation Trust and its Directors have:

- **complied** with the provisions and requirements of the Commonwealth Authorities and Companies Act 1997 (CAC Act); and
- **complied** with the provisions and requirements of the Commonwealth Authorities and Companies Regulations 1997 (CAC Regulations); and Commonwealth Authorities and

Companies Report of Operations) Orders 2005 (CAC Orders)  
(as amended or replaced).

- b. As at the date of this Report, in the opinion of Directors, the costs<sup>1</sup> of the Sydney Harbour Federation Trust **are not** forecast to be within its estimated sources of external receipts<sup>2</sup> for the current financial year, including where appropriate, estimates of revenue contained in the Australian Government's central budget system and is utilising past surpluses.

### 3. Delegations – Agenda Item 7

This paper consolidates existing delegations into a single instrument and reflects changes made to position titles within the SHFT. It has been reviewed by the Australian Government Solicitors.

The following amendments were suggested:

Page 2, Schedule 1, Column 4, Number 2 – insert the word 'promptly'.

Page 6, in relation to credit cards – insert words to the effect that the holder must comply in accordance with Financial Instruction number 15 of the SHFT Financial Instructions.

The Trust recommended that the maternity leave provisions are kept under review in order to remain competitive.

The Trust RESOLVED to

- a. delegate its powers under the *Sydney Harbour Federation Trust Act 2001* (the Act) and the *Sydney Harbour Federation Trust Regulations 2001* (the Regulations) in accordance with the following instruments: Instrument of Financial Delegations No 1 Of 2007; and Instrument of Delegation No 2 of 2007;
- b. revoke all prior instruments of delegation under the Act and the Regulations; and
- c. authorise the Chairman to sign the delegations on behalf of the Trust.

Moved: P. Lowry, Seconded: B. O'Keefe

### 4. 2006-07 Financial Statements – Agenda Item 4

The financial statements were discussed. The ANAO representatives confirmed that under the orders of the Finance Minister, heritage buildings are not depreciated.

The Trust RESOLVED:

1. that in its opinion, the Financial Statements for the year ended 30 June 2007, as approved by the ANAO, are based on properly maintained financial records and give a true and fair view of the matters required by the Finance Minister's Orders made under the *Commonwealth Authorities and Companies Act 1997*;

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<sup>1</sup> For the purposes of the Compliance Report, costs are defined as a forecast of amounts to be paid out relating to: operating activities; the purchase of property; plant and equipment; and financing obligations. For example, costs would include cash outflows relating to employees, suppliers and debt payments representing principal and interest.

<sup>2</sup> For the purposes of the Compliance Report, external receipts are defined as forecast of cash inflows from: the Australian Government (including all appropriations); cash inflow from operating activities; and proceeds from the sale of property, plant and equipment. For example, external receipts would include cash inflows from sources such as industry levies, sale of goods and services and interest earnings.

2. that in its opinion, there are reasonable grounds to believe the Trust will be able to pay its debts as and when they become due and payable;
3. to note the Management Representation letter; and
4. to authorise the Chair of the Trust and the Chair of the Audit and Risk Management Committee, the Executive Director and the Director Corporate Services to sign the Statements.

Moved: B. O'Keefe, Seconded P. Lowry

The Chairman requested a further meeting with Trust staff to discuss the forecast for 2007-08 and begin discussions about 2008-09.

**5. Finance Report – Agenda Item 10**

The report was discussed and some amendments were suggested, including: showing cash deficit rather than accounting deficit; split of assets; and seasonalising the report.

**6. Revised Budget 2007-08**

The revised budget for 2007-08 was tabled at the meeting and discussed. Subject to minor amendments, all members present agreed to adopt the revised budget.

The Chairman commended Mr Free on his work with the Trust. Mr Free left the room at 11:45am.

**7. Confirmation of the minutes from 11 July 2007 - Agenda Item 3**

The Trust RESOLVED to accept the minutes.

Moved: P. Lowry, Seconded: S. Hoopmann

**8. Matters Arising - Agenda Item 4**

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| Item 45.3 | Environmental Reports<br>The Trust's sustainability programme is to be prepared, and available for presentation to the Minister.                                      |
| Item 46.1 | HMAS Platypus<br>The draft MOU with the Department of Defence has now been received and will require revision.  |
| Item 50.2 | North Head Sanctuary<br>Extensive consideration of submissions is underway. The draft plan will be presented to the Board following completion of this consideration. |
| Item 51.1 | Director's Liability/Risk Mapping<br>The report prepared by AGS will be presented to the Audit and Risk Management Committee, and then to the Board.                  |
| Item 52.1 | Bradley Bushland Reserve<br>A copy of the draft MOU is to be provided to B. O'Keefe when received by the Trust.   |
| Item 52.2 | SHFT Board Reappointment<br>The reappointment of the SHFT Board is to be considered by Cabinet on 25 <sup>th</sup> September.   |

- Item 52.3      Extension of the life of the SHFT  
The amendment to the SHFT Act to extend the life of the Trust has now been approved in both the Senate and the House of Representatives. Royal Assent should be granted within 1-2 weeks.
- Item 52.4      Chowder Bay/Ripples Health and Safety  
Health and safety issues in relation to lighting, signage, and handrails on stairs were raised. An independent consultant will be engaged to review the entire area and advise appropriate action.

**9. HMAS Platypus Plan re-exhibition - Agenda Item 6**

The submissions to the plan were discussed. The next step is for the plan to be referred to the Minister, who then refers it to the NSW Minister for comment. Brig. O'Brien noted that the plan had been on exhibition at HMAS Platypus during the 40<sup>th</sup> anniversary celebrations and that the Submariners were supporting of the plan.

The Trust RESOLVED to adopt the Plan and submit it to the Minister.  
Moved: K. McCann, Seconded: P. Lowry

**10. Comcover Insurance – Agenda Item 9**

The insurance cover was discussed and clarification requested on the following items:

- a. Injury to staff on Trust sites
- b. Part 2 Page 9 Point 2.2.22 (c) and (d).

The Trust requested notification of the methodology used to calculate rental cover when the insurance is renewed next year.

**11. Annual Report – Agenda Item 5**

The Trust RESOLVED to approve the Annual Report.  
Moved: P Lowry Seconded: K McCann

**12. Executive Director's Report – Agenda Item 11**

The report was noted

The meeting closed at 1:20pm.