

Questions & Answers Session – 4 December 2020

(held via webinar due to COVID-19)

Members of the public are invited to submit questions in writing to the Harbour Trust prior to Questions & Answers Sessions which are held twice a year (immediately following Meetings in Public). These questions are addressed by the Members of the Trust and the Harbour Trust Executive during the Q&A Sessions.

In addition to questions submitted prior to a Q&A Session, the Chair has the discretion to allow questions to be taken 'from the floor' during a Q&A Session.

Questions from members of the public received in writing prior to Q&A Session

HARBOUR TRUST REFORM - MOU

Jill L'Estrange

- **Could the Trust please provide an update on the status of the proposed Memorandum of Understanding (MOU)?**
- **Will the MOU be an agreement of co-operation between the parties or will it be designed for joint management and planning of Trust lands giving rise to enforceable legal rights and obligations?**
- **Will the community be consulted as to the terms of the MOU?**

Answer 1:

The Department of Agriculture, Water and the Environment and the Harbour Trust have held some exploratory discussions with several agencies within NSW including Department of Premier & Cabinet; Department of Planning, Industry & Environment; National Parks & Wildlife Service; and Greater Sydney Parklands. Discussions at several levels of Government remain ongoing.

The intention is that an MOU will be an agreement of co-operation. The MOU will in no way override the Sydney Harbour Federation Trust Act, including its Objects. The Harbour Trust will always act consistently with its legislation and policies.

Community views on the right relationship with NSW are always welcome.

NORTH HEAD MASTER PLANNING

Lindsay Rowlands

- **Are you preparing a Master Plan of development for the Parade Ground Precinct buildings, and if so, when will it be released?**

Answer 2:

We are now in the early stages of refreshing our approach at North Head Sanctuary. This has involved seeking broad community feedback through a survey, with more than 630 completions, and text message interactions with more than 300 onsite visitors. This information is helping the Harbour Trust to understand the community's aspirations for North Head and will shape how the Management Plan could evolve.

This is the first of many opportunities to share your views with the Harbour Trust. We will continue to talk to the community and all levels of Government including the NSW Government and Local Council as we progress and will invite further feedback. A consultation summary from the recent feedback will be shared with the community in early 2021.

HARBOUR TRUST TENANTS

Michael Mangold

- **With regard to the Harbour Trust's commercial tenancies what is your management team's analysis of the potential of CoWorking Space precincts similar to *WeWork* and *WOTSO* to increase revenue, cost efficiency and community engagement with turnkey solutions in leases to include energy, communications, recycling and waste management?**

Answer 3:

The Harbour Trust has considered applications from shared working spaces in the past and is supportive of the concept.

We previously had a coworking space/tenant at North Head which did not prove to be a success on this occasion. The Harbour Trust recently received an enquiry from an existing provider considering North Head, however the proponent did not progress with the opportunity.

The current environment with remote working/working from home has presented several challenges to coworking providers so there is unlikely to be material investment in the sector until there is more certainty as to how the sector will look in the future. The Harbour Trust will continue to monitor the situation and respond as appropriate.

SUSTAINABILITY

Michael Mangold

- **What are the Harbour Trust's recycling responsibilities, policies and methods? Do they vary between different sites?**
- **What are the Harbour Trust's renewable energy responsibilities, policies and plans?**

Answer 4:

The Harbour Trust's position as a custodian of sites with rich ecological values necessitates our advocacy for strong environmental sustainability and management practices.

The Harbour Trust maintains strong partnerships with environmentally focused organisations to safeguard and conserve areas of outstanding environmental value.

The Harbour Trust's Comprehensive Plan sets out Ecologically Sustainable Development (ESD) objectives, to guide the Trust's activities to achieve ESD in the management of Trust lands, strategic planning and development decision making.

In keeping with these objectives, the Harbour Trust:

- Protects, conserves and interprets natural biological diversity, including bushland ecological restoration works and management of endangered native species, and collaborates with the Australian Wildlife Conservancy and North Head Sanctuary Foundation.
- Continues working towards making its sites more accessible to the community and creating high quality public open spaces.

- Carefully considers the adaptive re-use of buildings, achieving reductions in the use of energy and resources.
- Promotes sustainable transport.
- Has included ESD requirements in its procurement for the Torpedo Factory Renewal Project – including using the roof for solar energy generation and rainwater harvesting.

Currently, the Harbour Trust provides a waste collection service for tenants with recycling and general waste components. The Harbour Trust requires tenants and event organisers to prepare waste management plans detailing how they will minimise operational waste generation. Bins are generally not provided across our public parkland areas, to encourage visitors to take their waste and recyclables home with them. The environmental performance of the Harbour Trust's head office in Mosman (including information about waste generation) is reported every financial year as a requirement of Section 516A of the *Environmental Protection and Biodiversity Conservation Act 1999* (EPBC Act).

The Harbour Trust will prepare a *Sustainability Action Plan* in 2021.

HEADLAND PARK

Michael Mangold

- **Are the ASOPA and Chowder Bay precincts part of Headland Park?**

Answer 5:

Yes. Headland Park encompasses Middle Head, Chowder Bay and Georges Heights, as well as the Drill Hall precinct.

- **Why is parking free at Georges Heights but metered at ASOPA and Chowder Bay? Doesn't this disadvantage unfairly the Harbour Trust's ASOPA and Chowder Bay tenants e.g. Middle Head Cafe compared with Frenchy's Cafe?**

Answer 6:

Each Harbour Trust site has its own set of circumstances, which parking measures are designed to address with the aim of managing demand for a limited resource. The Harbour Trust utilises paid parking in areas where demand is high as this encourages turnover of parking spaces allowing more people access to parking and encourages a greater number of visitors.

Parking demand at Headland Park is higher on weekends (when parking charges are higher), than on weekdays (when charges are lower) – which indicates that visitation is more a function of discretionary time than a response to parking fees.

MIDDLE HEAD OVAL

Annabella Fletcher

- **I refer to my questions put to the 135th Board meeting in Public and the published answers -**

5 December 2019:

Annabella Fletcher

1. I understand Mosman Council has appointed architects to design a replacement of Middle Head Pavilion. Is the Trust able to reaffirm that any replacement of the existing Pavilion:
 - a) Will comply with the Middle Head Management Plan, and
 - b) Will be less visually intrusive than the existing Pavilion?

2. Is the Pavilion envisaged in Figure 22 of the Middle Head Management Plan on track to be the outcome?

If not, what other outcome currently is being contemplated, including *location, *orientation, *footprint, *envelope and *materials?

Combined answer to Questions 1&2: The proposed new pavilion at Middle Head is a Mosman Council project. Any such design must comply with the Middle Head Management Plan, which provides for a replacement pavilion in a less visually intrusive location on the eastern side of the oval. Any agreed design concept would be publicly exhibited for community comment.

and 139th Board meeting and published answers 16 June 2020:

LEASE AGREEMENTS

Annabella Fletcher

- Has the Trust entered into any agreement whether Lease or licence with:
 - a. Mosman Council in respect of any Trust lands,
 - b. Any other neighbouring Council in respect of other Trust lands?
- If there is any such Agreement and in the interests of transparency will it please be made public?

Answer 1:

The Harbour Trust has one lease with Mosman Council, for the Drill Hall precinct. The lease is in the process of being varied to permit outdoor lighting, in accordance with the Harbour Trust's decision to approve Council's proposal to install lighting on the outdoor netball courts.

The Harbour Trust has one licence with Mosman Council, for the pavilion building (including the Men's Shed extension) at Georges Heights Oval. A draft licence has been prepared for Georges Heights and Middle Head Ovals, which we are aiming to finalise by the end of 2020.

The lease is registered on title and is publicly available. We will consult with Mosman Council about making the licence agreement available and will advise you of the outcome in due course.

The Harbour Trust has no other leases or licences with other local Councils for Harbour Trust land.

- **Middle Head Oval - replacement pavilion**

What is the current stage of discussions or negotiations between Trust and Mosman Council in respect of any replacement pavilion?

Answer 7:

The Middle Head Management Plan provides for a replacement pavilion in a less visually intrusive location on the eastern side of the oval. The Harbour Trust explored this opportunity with Mosman Council, however, Council advised that the potential new location was not supported by local sports groups. As such, there are no plans afoot for a replacement pavilion.

- ***Middle Head Oval and Georges Heights Oval - Licence – Mosman Council***
 - **What is the current stage of negotiations - discussions, documentation, draft licence?**
 - **Has an Operations Plan been finalised?**
 - **Has the draft licence been finalised?**
 - **What is the term of the licence, whether draft or finalised?**
 - **Will each of the Operations Plan and Licence be published on Trust’s web site or otherwise made public?**
 - **I note that Trust had advised on 16 June 2020 that Council would be requested that any Licence be made public. However, surely in the interests of public trust transparency, and even if not a condition of an agreement affecting public open space, the document should be available to the public who are the beneficial owners of Trust land.**

Answer 8:

A draft licence has been prepared for Georges Heights and Middle Head Ovals, which we are aiming to finalise in early 2021. The licence will require Council to ensure that the ovals are available for passive recreational use by the public when the playing fields are not being used for sporting and related community use. As a requirement of the draft licence, Council has submitted a draft Operations Plan which the Harbour Trust will review before the draft licence is able to be finalised. The draft licence term is for five years from the commencement date, with two further 5 year options (i.e. 15 years in total). The Harbour Trust will make the final signed licence and final Operations Plan publicly available.

SUB BASE PLATYPUS

Loretta Moy

- **There is no justification for extra carparking of 40 cars at Sub Base Platypus to the 60-70 existing car spaces. Why is \$11M plus given to retaining the factory hulk of no heritage merit when the site needs to PARK not a carpark?**
- **Sub Base Platypus is on prime harbour frontage yet has a high long wharf making the site inaccessible to the boating community. When is a low long pontoon going to be funded and built. Should this be top priority to another carpark?**
- **Many see the Trust has played developer at Sub Base Platypus by its commercialisation and putting business units into readapted factories in a high-density residential area. Hardly a use of its prime asset the harbour! This has left the site soulless and empty of visitors. What facilities are going to be provided for the public be attracted there? Art work? art galleries, basketball hoops, volleyball for informal play? kayak facilities?**

Answer 9:

The Torpedo Factory Renewal project provides for the removal of part of the building facing the harbour, and to create in its stead a new public park on the foreshore. Under the proposal, the remnant building at the High Street end will not be used for any commercial space, but instead will provide public space, as well as essential parking spaces to facilitate access for site visitors.

The provision of a pontoon at Sub Base Platypus for general boating and kayaks remains a long-term ambition for the Harbour Trust. The Harbour Trust has asked Transport for NSW to investigate opportunities for providing kayak landing facilities as part of its upgrade of the nearby

North Sydney ferry wharf – which is very convenient to Sub Base Platypus following the Harbour Trust’s construction of a boardwalk to Kesterton Park.

Sub Base Platypus is being steadily occupied by tenants, and recently welcomed *Tonic Lane*, providing a pop-up food and beverage offering over the peak summer months. History tours have launched - the first tour in early December. The Retort House has been recently occupied by a local community group, Sydney Flying Squadron, who used the space to restore an 18-footer Skiff and allowed the public to view the display. There are additional plans for community use for The Retort House across summer.

10 TERMINAL

Linda Bergin OAM

Comprehensive Plan, page 12 - *THE TRUST APPROACH TO PLANNING*

“In many planning initiatives, there is an underlying intent, to redevelop or facilitate development for a pre-conceived purpose. In such circumstances, planning seeks to make the new development fit in, minimise the negative impacts, ameliorate unavoidable adverse effects and provide trade-offs to compensate.

The Trust, by contrast, is seeking the most appropriate outcome, inspired by the intrinsic values of the lands, one that will be of most benefit to all Australians now and for the future.”

In the Board Minutes June 2020 re 10 Terminal -

Trust Members agree the mixed use, medium intensity approach was appropriate; and that it was critical that appropriate, commercial uses should be achieved for a proportion of the buildings and agreed that management should further explore subsidised/public use for part of the building. It was noted that not all aspirations for public use of the building could be met.

- **It appears that the Trust’s approach to the planning for 10 Terminal is what the Comprehensive Plan explicitly seeks to avoid. Could the Chair explain how “medium intensity” and “commercial use” quality as an “outcome” as defined in the statutory Comprehensive Plan above?**

Answer 10:

The Harbour Trust, for the 10 Terminal and Parklands Renewal Project, will act in accordance with the Comprehensive and Management Plan.

The Trust Members’ discussion in June around the level of intensity is not an outcome but a direction. For example, Members did rule out a high intensity outcome, such as an accommodation use.

In considering the best approach to the 10 Terminal and Parklands Renewal Project, the Harbour Trust is consulting widely with the community around outcomes for the project. Community input, currently being sought through the current consultation, will shape the vision of the precinct.

The Comprehensive Plan (p.121) also identifies specific outcomes for 10 Terminal and Parklands, including:

- *Retain and adaptively re-use 10 Terminal and Former School of Pacific Administration as building clusters in a park with public paths through each cluster*
- *Remove or adapt barracks*
- *Improve pathway network linking attractions and close others to protect natural environmental values*

The Comprehensive Plan (p.49) recognises that the *“On-going conservation of these assets and public access to them will be assisted by adaptive re-use and leasing of some of those properties. Funding generated by these sources is essential to assist in the economic viability of the Trust and will enable it to carry out other works of public benefit.”*

Trust Members recognise this is a sensitive process and requires careful consideration of community views.

COMPREHENSIVE PLAN

Linda Bergin OAM

Comprehensive Plan, page 12 - VISION

“The vision of the Trust is:

To provide a lasting legacy for the people of Australia by helping to create the finest foreshore park in the world and to provide places that will greatly enrich the cultural life of the city and the nation.”

Corporate Plan 2024 / Annual Report 2020

“To create and share extraordinary places on Sydney Harbour and amplify their stories.”

- **When and for what reason was “finest foreshore park in the world” removed from the Trust’s vision?**

Answer 11:

The term “extraordinary places” entirely encompasses “finest foreshore park” and emphasises a broader focus on interpretation.

HPA PROJECTS

Linda Bergin OAM

- **Was the 2020 contract for HPA Projects competitively tendered? Has this contract been renewed and for how long and what amount?**
- **Has the contract for REOI 2590/2020 – Middle Head Environmental and Heritage Asset Renewal Program (10 Terminal and Parklands) Lead Design Services Consultant been awarded and for how long and what amount?**

Answer 12:

The services for the Development Advisor was openly advertised on Seek. The Harbour Trust is presently considering the approach to this role.

REOI 2590/2020 was an open call for services for the renewal project. It is designed to create a shortlist where a second and final stage tender can be undertaken.

REOI 2590/2020 is currently under evaluation.

End of questions submitted prior to the Questions & Answers Session

Questions received without notice during the Questions & Answers Session

Questions 'from the floor' were submitted by members of the public via the webinar's 'chat' and 'Q&A' functions during the Q&A Session and were answered live on screen by the Executive Director and Trust Members.

10 TERMINAL

- **Please confirm that there will not be any additional storey on 10 Terminal.**

Answer 13:

There are no plans for an additional storey on 10 Terminal.

FIRST NATIONS

- **How does the Trust intend to embed and integrate Indigenous culture at Trust land sites?**

Answer 14:

There are a range of things the Harbour Trust needs to do in relation to integrating First Nations culture at Harbour Trust sites and providing more opportunities for First Nations people to engage with Country.

This is a priority for the Harbour Trust.

Our second Reconciliation Action Plan (RAP) has been endorsed by Reconciliation Australia. A progress report on our RAP is provided to the Trust Members each quarter. The Trust (board) has a First Nations representative as a Member.

Interpretation for Cockatoo Island has recently been expanded to better reflect the connection of First Nations people to the island.

The Harbour Trust is currently developing and deepening partnerships with First Nations Organisations include Babana and Dance Rites, and speaking with the Metropolitan Local Aboriginal Land Council. We are also looking to exploring opportunities in relation to land management. We are incorporating 'Designing with Country' approach in our major capital works.

Last month the Trust Members and the Executive team participated in a 'Courageous Conversations' workshop facilitated by Thirriwirri.

The Harbour Trust acknowledges that there is much more we could be doing and we are grateful for the advice of the Aboriginal & Torres Strait Islander Advisory Group.

CAR PARKING FEES

- **I do not understand why parking costs are not charged at all the sites if parking revenue is so important? Why are not charges made at the artists colony? Frenchy's is grossly advantaged by not having parking charges.**

Answer 15:

See Answer 6.

10 TERMINAL

- **The Trust has never demolished buildings with heritage value in its 20 year life. Do you think the demolition of the barracks will set a precedent? Was the community consulted on this outcome, given that most would not know the reason for this in the 2014 plan was aged care home?**

Answer 16:

In general terms, the Harbour Trust will always aim to protect, not remove, but there may be times when this is not possible. We are looking to the removal of the barrack buildings, as indicated in our management plan. Community consultation on the project direction for the 10 Terminal precinct is currently underway, including the Heritage Impact Assessment and a Bushfire Assessment. Future consultation will be undertaken as part of the formal planning process.

LAND MANAGEMENT

- **In reference to a comment made earlier in the Meeting in Public, does the Chair really believe that people don't care who is in charge of the land?**

Answer 17:

The Chair clarified that his comment during the Meeting in Public ("for people who love our lands, there are no boundaries between the Harbour Trust land and NSW land") was intended to convey that when a resident or visitor enjoys our sites or a child comes to play sport on an oval, there are no physical boundaries between the jurisdictions. The aim of developing an MOU with NSW will be to ensure a shared vision so there will continue to be no physical barriers to people's access to and enjoyment of the sites.

Most importantly, there is no suggestion of the Harbour Trust giving away its rights to the land in its care.

FUNDING

- **How far is the \$47 m likely to go in terms of the needs of the Trust. Is there an intention from government to supply more as plans for North Head and Cockatoo develop? Obviously this questions relates to the desire for long leases and commercial tenants.**

Answer 18:

The announcement (in September) of \$40.6 million in funding over four years for the Harbour Trust is for priority works, an uplift in the repairs and maintenance budget, and strategic funding for Cockatoo Island and North Head Sanctuary.

This funding will allow the Harbour Trust to undertake a backlog of works which we have previously had to defer.

In response to the impact of COVID-19, in April 2020 the Australian Government unlocked \$14 million in funding to assist the Harbour Trust to provide short term rent relief for commercial and residential tenants and to ensure solvency of the Harbour Trust. It appears we could have some funds remaining, which will be redeployed to our work.

The Independent Review of the Harbour Trust confirmed that many millions more in funding is required to maintain our sites into the future. The Department has asked us to look at masterplanning for Cockatoo Island and North Head Sanctuary and we have also been asked to work up a request for further funding.

In relation to long term leases, they will only be considered if they relieve the Harbour Trust from having to fund remediation works and maintenance for the duration of the lease. Longer leases would allow a tenant to achieve a return on their capital investment which they would not be able to recoup on a short term lease.

The Harbour Trust is not interested in allowing whole of island or whole of site leases.

UNSOLICITED PROPOSALS FOR 10 TERMINAL

- **Has the Trust received any [recent] unsolicited proposals for 10 Terminal and what was the outcome?**

Answer 19:

No. There have been no recent unsolicited proposals for 10 Terminal.

- **Has the Trust had any “approaches” for 10 Terminal then?**

Answer 20:

The Harbour Trust is not entertaining any ideas for 10 Terminal until we go through an open process.

LONG TERM LEASES

- **If there is to be long term leases (30 / 35 years) how does the Trust consider that such a long term alienation of its land retains the land as public land?**

Answer 21:

See Answer 18.