



SYDNEY HARBOUR FEDERATION TRUST

145th MEETING OF THE TRUST

Boardroom, 28 Best Avenue, Mosman

Meeting in Private

12 May 2021 at 9.30am

MINUTES

True & Correct (Abridged) Record of the 145th Meeting of the Trust
(private and confidential information has been removed where indicated)

Chair

Minutes of the 145th meeting of the Sydney Harbour Federation Trust held on Wednesday 12 May 2021.

Present

Mr Joseph Carrozzi	Chair
Ms Jean Hay AM	Deputy Chair
Mr Garth Callender*	Member
Ms Sandra Hook	Member
Mr Tim James*	Member
Ms Jessica Keen	Member
Mr Michael Rose AM	Member

* participated via videoconference

In Attendance

Ms Linda Ward	Interim Executive Director
Mr Justin Bock	Director Strategic Reform
Mr Graham Izod	Director Assets & Parklands
Mr Nick Lawry	Chief Financial & Commercial Officer
Ms Aloma Moriarty (<i>partial attendance</i>)	Senior Planner
Ms Kathryn Roberts	Director Marketing & Visitor Experience
Ms Rosemary Southcombe	Secretariat
Ms Kathryn Werner (<i>partial attendance</i>)	Senior Planner

Apologies

Nil

1. Meeting Opening (Agenda Item 1)

The Chair opened the meeting with an acknowledgement of the Traditional Custodians and Owners of the Harbour Trust lands and paid respects to Elders past, present and emerging.

Attendees were welcomed.

The Members of the Trust:-

- RESOLVED to meet in private because of confidential budget matters on the Agenda.

Moved: Mr Joseph Carrozzi Seconded: Ms Jean Hay AM

The Chair:-

- NOTED there was a quorum of Members of the Trust in attendance.

a) Apologies: nil

b) Declarations of Interest

The list of Declarations of Interest circulated with the papers for this meeting was:

- NOTED

Members of the Trust were requested to advise if other declarations of interest are required during the meeting.

c) The following Circular Resolution was passed since the previous meeting (see Attachment A):

Resolution without meeting to endorse the North Head Sanctuary and Cockatoo Island Draft Concept Plans, subject to the inclusion of any Trust Member comments received and minor

Management amendments; and to approve the Draft Concept Plans (incorporating any minor amendments) to go on Public Exhibition for community and stakeholder feedback.

The Members of the Trust:-

- NOTED the approval of the Circular Resolution

2. Actions Items from Previous Meeting (Agenda Item 2)

There were no outstanding actions.

3. Sub Base Platypus – Draft Management Plan and Torpedo Factory Proposal (Agenda Item 3)

Ms Aloma Moriarty, Senior Planner, joined the meeting to speak to the report for this item.

Draft Platypus Management Plan & Planning Application for Torpedo Factory Renewal Project

In October 2020, Trust Members resolved to place the draft Platypus Management Plan – Amendment 1, 2020 (draft Plan) on public exhibition concurrently with the Planning Application for the Torpedo Factory Renewal Project. The Trust Members also noted at the time that the proposal for the Torpedo Factory would be referred for the Minister’s consideration in accordance with the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

The public consultation process was conducted in accordance with the requirements of the Comprehensive Plan. The draft Plan and planning application were concurrently exhibited from 12 November – 11 December 2020. 19 submissions were received via the consulttrust@harbourtrust.gov.au email address and 55 survey responses were submitted via the Department of Agriculture, Water and the Environment’s ‘Have your Say’ consultation page. In addition, the Harbour Trust’s General Community Advisory Committee (CAC), Sub Base Platypus Community Advisory Committee (SBP CAC) and Aboriginal & Torres Strait Islander Advisory Group have provided ongoing input into the Torpedo Factory Renewal Project.

The outcomes from the consultation process and the meeting notes from the advisory groups were provided to the Trust Members with the papers for this meeting. A consultation outcomes report will be published on the Harbour Trust website.

There is one minor post-exhibition change to the draft Plan which is administrative in nature (i.e. changing the reference to the ‘NSW State Heritage Register’ on page 45 to clarify that Sub Base Platypus is listed on the ‘Inventory’ as an item of ‘local’ significance).

EPBC

On 24 November 2020 the Harbour Trust referred the Torpedo Factory proposal to the Minister for the Environment for consideration under the EPBC Act. The Department of Agriculture, Water and the Environment published the proposal for public comment and on 14 April 2021, the Minister’s delegate determined that the proposed action was **not a controlled action** which means that the proposed action does not require further assessment and approval under the EPBC Act before it can proceed.

Following discussion, the Trust Members agreed to approve the draft Plan (including the post-exhibition change) and the issuing of a permit for the proposed Torpedo Factory Renewal Project, subject to a number of conditions outlined in the Assessment Report provided for this meeting. These include safeguards to protect local amenity during the construction and operational phases, and to protect the adjoining Harbour.

The Members of the Trust:-

- NOTED the issues raised in submissions, and the Community Advisory Committee and Aboriginal & Torres Strait Islander Advisory Group advice about the Draft Platypus Management Plan and the Planning Application for Torpedo Factory Renewal Project
- NOTED the Minister's delegate has determined under section 75 of the EPBC Act that the proposed action is **not a controlled action** and thus does not require further approval under the EPBC Act
- APPROVED the Draft Management Plan for Sub Base Platypus (Amendment 1, 2020), with minor post-exhibition changes
- APPROVED the issuing of a permit for the proposed Torpedo Factory Renewal Project, subject to conditions

Moved: Mr Joseph Carrozzi

Seconded: Ms Sandra Hook

Ms Moriarty left the meeting.

4. Snapper Island (Agenda Item 4)

Ms Kathryn Werner, Senior Planner, joined the meeting to speak to the report for this item.

Snapper Island is currently owned by the Commonwealth and administered by the Department of Finance. In 2001 a draft Memorandum of Understanding was prepared to facilitate the proposed transfer of Snapper Island to the Harbour Trust.

The Harbour Trust developed a Comprehensive Plan in 2003 setting out a vision for the renewal of the island, however the potential transfer stalled as agreement was not reached regarding the cost of remediation and repairs.

In 2020, the Independent Review of the Harbour Trust noted that any handover of Snapper Island will need to be accompanied by sufficient funding to allow for the remediation and ongoing maintenance and management of the site.

In late 2020, the Harbour Trust commissioned a (non-statutory) draft *Conservation Management Plan* (CMP) to provide an update on the heritage significance and condition of the island and its remnant buildings.

Between 18 November and 12 February 2021, the Harbour Trust invited community feedback on a *Discussion Paper* and the draft CMP for Snapper Island. 206 responses were received – a consultation outcomes report was provided to the Trust Members with the papers for this meeting. Trust Members agreed that the report be published on the Harbour Trust website.

CONFIDENTIAL DISCUSSION

The Members of the Trust:-

- NOTED the issues raised in submissions about Snapper Island.
- AGREED to publish on the Harbour Trust website a summary of issues raised.
- NOTED that community feedback and the draft Conservation Management Plan will inform consideration of the potential transfer of Snapper Island from the Department of Finance to the Harbour Trust.

Ms Werner left the meeting.

5. Procurement Policy (Agenda Item 5)

Mr Nick Lawry, Chief Financial and Commercial Officer spoke to the report for this item.

In January 2021, the Trust Members approved the revision to the Harbour Trust's Procurement Policy to better align the policy to the Commonwealth Procurement Rules (CPRs) and to make the delivery of work less bureaucratic and more efficient.

The revised policy was provided to the Portfolio Audit Committee (PAC) and they noted that whilst the revised procurement thresholds are below those that the CPRs require of Corporate Commonwealth Entities (such as the Harbour Trust), the Harbour Trust's revised thresholds are above those that are applicable to Non-Corporate Commonwealth Entities such as the Department of Agriculture, Water and the Environment. Whilst this is not necessarily problematic, PAC suggested that confirmation be sought from the Trust Members that they are satisfied that the level of risk inherent in the Policy is appropriate for the Harbour Trust, relative to the CPR requirements for non-Corporate Commonwealth Entities.

Following review of the thresholds for Commonwealth Corporate Entities and non-Commonwealth Corporate Entities, and noting the following requirements in the Procurement Policy -

- Non-construction procurements between \$80,000 and \$200,000 to utilise an existing government panel of suppliers or obtain a minimum of three quotes. A formal procurement risk assessment and documentation by way of formal contract is also required; and
- Construction procurements between \$100,000 and \$1,000,000 require the use of a government panel or a minimum of three quotations. A formal procurement risk assessment and documentation by way of formal contract is also required,

the Trust Members confirmed they are satisfied with the level of risk. PAC will be advised accordingly.

The Members of the Trust:-

- AGREED that the Portfolio Audit Committee be advised that the Trust Members are satisfied with the level of risk in relation to the thresholds detailed in the Harbour Trust's Procurement Policy.

6. Portfolio Budget Statements - verbal update (Agenda Item 6)

Mr Nick Lawry, Chief Financial & Commercial Officer gave a verbal update on the Portfolio Budget Statements.

The Harbour Trust is required to submit Portfolio Budget Statements (PBS) each year in support of the Budget for the Department of Agriculture, Water and the Environment portfolio.

CONFIDENTIAL DISCUSSION

The Members of the Trust:-

- NOTED the verbal update on the Portfolio Budget Statements.

7. Capital Works update – presentation (Agenda Item 7)

Mr Graham Izod, Director Assets & Parklands, spoke to a presentation on capital works.

The presentation detailed the activities that are concurrently progressing across multiple workstreams and projects – Backlog Capital Projects; Repairs & Maintenance program; Sub Base Platypus Stage 2; and 10 Terminal.

The Members of the Trust:-

- NOTED the Capital Works presentation

8. Business Case –

- a) Cockatoo Island and North Head Sanctuary draft concepts – initial community feedback (verbal update)

Consultation to date has included online surveys, EDMs, webinars and workshops. There has been some feedback about the preference for workshops to take place in person rather virtually (there is, however, a need to consider those who are not local so they have the opportunity to participate).

A request has been received to extend the consultation period (due to close on 11 June) by at least another 4 weeks. Following discussion, the Trust Members did not agree to a 4 week extension but agreed to consider requests for an extension to the deadline for submissions.

- b) Business case – next steps/timeline (presentation)

Due to time constraints, this presentation was not given.

9. Other Business

- Aboriginal & Torres Strait Islander Advisory Group Reform Update
 - Cox Inall Ridgeway (CIR) has been engaged to provide support and advice in relation to evaluating membership, recruitment, terms of reference and an implementation process for the Aboriginal & Torres Strait Island Advisory Group. It is proposed that their recommendations will be presented to a Trust Meeting in Qtr 2 2021.
 - Terms for the current Advisory Group members expire on 30 June 2021.
 - Consultation fatigue is setting in, with high expectations from the Harbour Trust for feedback on Sub Base Platypus, 10 Terminal, Cockatoo Island and North Head Sanctuary to occur in the next three months.
 - CIR has compiled a preliminary report to be discussed with the Advisory Group the week commencing 31 May 2021.
 - It is likely that an Advisory Group Membership EOI will occur in Aug/Sep.
 - Currently there are 4 meetings across May, June and July.

CONFIDENTIAL DISCUSSION

Meeting closed 1.15pm.



SYDNEY HARBOUR FEDERATION TRUST

RECORD OF RESOLUTION WITHOUT MEETING

PURSUANT TO SECTION 56 of the SYDNEY HARBOUR FEDERATION TRUST ACT 2001

23 APRIL 2021

True & Correct Record of the Resolution without Meeting
pursuant to section 56 of the Sydney Harbour Federation Trust Act 2001

A handwritten signature in black ink, appearing to read "Joey", written over a horizontal dotted line.

Chair

Motion for Resolution Without Meeting

After consideration of the 'North Head Sanctuary and Cockatoo Island Draft Concept Plans' paper circulated to the Members of the Trust on 23 April 2021, the following resolutions were confirmed as having been agreed to by a quorum of the Members of the Trust and were taken to have been passed on 26 April 2021, pursuant to section 56 of the Sydney Harbour Federation Trust Act 2001.

The Members of the Trust resolved to:-

- ENDORSE the North Head Sanctuary and Cockatoo Island Draft Concept Plans, subject to the inclusion of any Member comments received and minor Management amendments.
- APPROVE the Draft Concept Plans (incorporating any minor amendments) to go on Public Exhibition for community and stakeholder feedback.

Moved by: Mr Joseph Carrozzi (Chair)

Seconded by: Mr Tim James

Votes received in favour of the motion

Mr Joseph Carrozzi (Chair)

Ms Jean Hay AM (Deputy Chair)

Mr Garth Callender

Ms Sandra Hook

Mr Tim James

Ms Jessica Keen

Mr Michael Rose AM

The motion is now passed and Members of the Trust have been advised of this outcome.