



SYDNEY HARBOUR FEDERATION TRUST

148th MEETING OF THE TRUST

Via videoconference

Meeting in Private

2 August 2021 at 9.30am – 12.30pm

and

5 August 2021 at 4.30pm

MINUTES

True & Correct Record of the 148th Meeting of the Trust

Chair

Minutes of the 148th meeting of the Sydney Harbour Federation Trust held on Monday 2 August 2021 and continued on Thursday 5 August 2021.

Present

Mr Joseph Carrozzi AM	Chair
Ms Sandra Hook	Member
Mr Tim James	Member
Mr Bradley Manera	Member
Ms Carolyn McNally	Member
Mr Michael Rose AM	Member

In Attendance

Ms Linda Ward	Interim Executive Director
Ms Libby Bennett (<i>partial attendance</i>)	Director Projects
Mr Justin Bock (<i>partial attendance</i>)	Director Strategic Reform
Mr Graham Izod (<i>partial attendance</i>)	Director Assets & Parklands
Mr Nick Lawry (<i>partial attendance</i>)	Chief Financial & Commercial Officer
Ms Kathryn Roberts (<i>partial attendance</i>)	Director Marketing & Visitor Experience
Mr Daniel Sealey (<i>partial attendance</i>)	Director Planning
Ms Rosemary Southcombe	Secretariat
Mr Garth Callender (<i>partial attendance</i>)	Former Member
Ms Jessica Keen (<i>partial attendance</i>)	Former Member

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 Chair:-

- NOTED all Members of the Trust were in attendance.

a) Apologies: Nil

b) Declarations of Interest

A current list of Declarations of Interest was circulated prior to the meeting. Members of the Trust were requested to advise if any declarations of interest are required during the meeting.

2. Chair's Verbal update (Agenda Item 2)

The Chair welcomed the two new Members of the Trust who were appointed on 1 July 2021. Mr Bradley Manera and Ms Carolyn McNally introduced themselves and spoke briefly about their professional backgrounds.

The Chair reported that the Minister is yet to appoint the local government representative and the First Nations representative as Members of the Trust.

3. Interim Executive Director's verbal update (Agenda Item 3)

Ms Ward updated the Members of the Trust on the following matters –

- There is a tight timeframe for bringing along the community and making the Harbour Trust's case for investment from the Commonwealth. Following discussion it was agreed that a temporary sub-committee be established to support management through the process, including the community engagement.
- The current COVID-19 restrictions are having an impact on construction and this is likely to be prolonged with only small pieces of work being permitted. This, in addition to anticipated issues with supply, will result in the major capital works programs being affected.

Events have been cancelled and there are seven tenants for whom rental payments have not been processed in July.

In response to the COVID-19 restrictions in Sydney last year, a Tenant Assistance Sub-Committee was established to review requests from Harbour Trust tenants for rent relief. To be eligible for rent relief, tenants had to meet the eligibility for JobKeeper. As JobKeeper is not available during the current restrictions, it is not as clear cut this time. Our philosophy is that tenants should explore the availability of State government grants and support payments so that we do not double compensate tenants. The TSC will consider the position of our tenants and with management, report to the board on measures which may need to be undertaken for tenants whose businesses are materially affected.

It was agreed it is important to ensure the Minister's office is kept well informed of the situation.

- Ms Ward informed the Members of the Trust that a Ranger was recently physically assaulted when he asked a member of the public to put their dog on a leash. (This incident was not included in the WHS Report provided for this meeting due to the timing of the incident and the preparation of the WHS report. This incident will appear in the next WHS Report).

[Mr Graham Izod; Ms Kathryn Roberts; Mr Justin Bock; Ms Libby Bennett; and Mr Daniel Sealey joined the meeting]

As Ms Ward's tenure as Interim Executive Director will end on 27 August 2021, the Chair took the opportunity to formally acknowledge Ms Ward's excellent work over the past six months and to thank her for the leadership and commitment she demonstrated while in the role.

It was agreed that the Members of the Trust would have an *in camera* session with Ms Ward in the coming days.

The Members of the Trust:-

- NOTED the Interim Executive Director's verbal update.

4. Community Consultation Outcomes Reports (Agenda Item 15)

Ms Kathryn Roberts spoke to the report on this item.

Approval was sought from the Members of the Trust to release the following four community consultation outcomes reports and making them publicly available -

1. Cockatoo Island /Wareamah First Nations Community Consultation
2. Cockatoo Island /Wareamah General Community Consultation
3. North Head Sanctuary /Car rang gel First Nations Community Consultation
4. North Head Sanctuary /Car rang gel General Community Consultation

Ms Roberts advised that there is an expectation from the community that the reports will be published.

There was discussion about producing a one-page summary to set out the expectations and to clearly articulate the timeline for the next steps for Cockatoo Island and North Head Sanctuary; and for the involvement of the First Nations Advisory Group and the Community Advisory Committee.

It was agreed that the community consultation outcomes be released to the public but with a clear message that we will continue to work with the community.

Mr Rose shared his reflections on his participation the Community Advisory Committee and emphasised the need to be very clear with the community about the engagement process. The suggestion was raised of engaging a strategic communications specialist to assist Management.

There was also discussion about inviting particular members of the community who are especially interested in the concept plans for Cockatoo Island and North Head Sanctuary to participate in a sub-committee/working group to involve them in the refinement of the final concept plans

[Ms Jessica Keen and Mr Garth Callender, former Members of the Trust, joined the meeting as observers for this agenda item and for agenda item 16 - as agreed at the previous Meeting of the Trust]

There was general discussion about the need to bear in mind that the draft concept plans represent a 10-year vision for an organisation that is just 20 years old.

The Members of the Trust:-

- APPROVED the release of the four Community Consultation Outcomes Reports to be published on the Harbour Trust website, database, owned channels.
- AGREED that these be published, with a date to be agreed out-of-session between Management and the Chair.
- AGREED that a one-page timeline be developed to clarify the role these reports have in developing final recommendations.
- AGREED that 'special interest' individuals be invited to participate in a working group to contribute their views when refining the final concept plans.
- AGREED that a strategic consultation specialist be engaged to assist with the engagement process.

5. Proposed Changes to Concept Plans - Cockatoo Island and North Head Sanctuary (Agenda Item 16)

Mr Justin Bock spoke to the report for this item.

Former Trust Members, Ms Jessica Keen and Mr Garth Callender were in attendance for this item as observers, as agreed at the previous meeting.

Mr Bock provided a summary of feedback and proposed changes presentation which was included in the papers for this item. (It was noted that this presentation was not for circulation outside the meeting).

The Members of the Trust:-

- NOTED the summary community feedback on Concept Plans for North Head Sanctuary and Cockatoo Island.
- APPROVED in-principle the proposed changes to the Concept Plans for North Head Sanctuary and Cockatoo Island.
- NOTED that further engagement will occur shortly with the Community Advisory Committee and the First Nations Advisory Group to provide the detailed feedback and seek their input on changes to the concept plans.

- NOTED that Management will seek final approval out-of-session from the Members before publishing the Concept Plans for each site.

Ms Jessica Keen and Mr Garth Callender left the meeting.

6. Draft Annual Performance Statements 2020-21 (Agenda Item 4)

The report prepared for this agenda item was taken as read.

The Annual Performance Statements report the Harbour Trust's success as gauged against targets established in the 2020-2024 Corporate Plan (the Plan) as well as reporting on the progress and outcomes of planned strategic activities for completion by 30 June 2021, also set out in the Plan.

The Statements are subject to Portfolio Audit Committee (PAC) oversight and review. The PAC will return its findings on the Statements at a meeting on 15 September 2021. The Members of the Trust will have these findings in hand when considering the final Statements for approval (as part of the 2020-2021 Annual Report) at an extraordinary meeting on 16 September 2021.

The Members of the Trust:-

- NOTED the Draft Annual Performance Statements 2020-21

7. Quarterly Reform Report (Agenda Item 5)

The 'Sydney Harbour Federation Trust Independent Review Recommendations – Implementation Progress Update – as of 30 June 2021' was included in the papers for this meeting. These reports are provided to the Department's Review Team each quarter.

The Members of the Trust:-

- NOTED the Quarterly Reform Report

8. Assets & Parklands Update (Agenda Item 6)

The report prepared for this agenda item was taken as read.

The report included updates on the Backlog Works Program; the Repairs and Maintenance Program; Sub Platypus Stage 2 Project; and 10 Terminal & Parklands Project. 'Business as usual' updates on Building & Site Services; Rangers; and Volunteers were also provided.

The Members of the Trust:-

- NOTED the Assets & Parklands Update Report

9. Risk & WHS Report (Agenda Item 7)

The report prepared for this agenda item was taken as read.

Following discussion regarding Risk and WHS issues at the Trust Meeting on 23 June 2021, it was agreed that Risk & WHS will be included as a standing agenda item for Trust Meetings.

The Risk Report provided to the Portfolio Audit Committee for the 16 June 2021 meeting was included in the report for this agenda item. The WHS Report for the quarter ended 30 June 2021 was also included.

The Members of the Trust:-

- NOTED the Risk Report provided to the Portfolio Audit Committee for their 16 June 2021 meeting
- NOTED the Work Health & Safety Report for the quarter ending 30 June 2021

10. Draft Sydney Harbour Federation Trust Regulations 2021 - Consultation Outcomes (Agenda Item 10)

Mr Daniel Sealey, Director Planning, spoke to the report for this item.

The *Sydney Harbour Federation Trust Regulations 2001* are due to sunset on 1 October 2021. New Draft Regulations 2021 were exhibited for public comment from 22 June – 19 July 2021.

Mr Sealey advised that 28 days for public exhibition was standard. Eight submissions were received, with no significant issues raised. This was the first time the Regulations had been reviewed in 20 years. The Harbour Trust has been working closely with the Department of Agriculture, Water and the Environment in the review of the Regulations.

The draft Regulations will now be finalised by the Office of Parliamentary Counsel.

Subject to the Minister's approval, the finalised 2021 Regulations will be sent to the Executive Council for consideration and signing by the Governor General.

The Members of the Trust:-

- NOTED the issues raised in submissions about the Draft Regulations
- AGREED to publish on the Harbour Trust website a summary of issues raised, once the Draft Regulations have been approved by the Governor General and come into force.

11. Policies Updates (Agenda Item 8)

The report prepared for this agenda item was taken as read.

The Injury Management and Return to Work policy; and the Work Health and Safety Policy have been reviewed and updated in accordance with the requirements of the Harbour Trust's safety management system.

The Members of the Trust:-

- APPROVED the updated Injury Management and Return to Work Policy
- APPROVED the updated Work Health and Safety Policy

12. Making of Policies Relating to the Affairs of the Harbour Trust (Agenda Item 9)

The report prepared for this item recommended that the Members of the Trust delegate the approval and implementation of policies relating to operational matters to the Executive Director.

The aim of such delegation was to ensure policies are approved, implemented, and if necessary amended, in a timely manner and remove the need for Members of the Trust to review and approve minor decisions that are administrative rather than decision-making in nature.

The report also recommended that updates at least once every six months be provided to the Members of the Trust for any policies that had been approved by the Executive Director during the previous reporting period.

Following discussion, the Members of the Trust did not agree to the recommendations in the report. To avoid delays, policies which require approval will be sent out of session and approved by circular resolution.

The Members of the Trust:-

- DID NOT APPROVE delegating the approval and implementation of policies relating to operational matters to the Executive Director

13. Tenant Selection Committee - requests for approval (Agenda Item 11)

Due the end of Ms Jean Hay AM's term as a Trust Member on 30 June 2021, there is currently no Trust Member (or Trust Members' nominee) on the Tenant Selection Committee (TSC) as is required by the TSC's Terms of Reference. Consequently, the TSC meeting scheduled for 21 July 2021 has been postponed until the position is filled.

Three TSC papers requiring urgent decisions were included in the papers for this meeting.

The Members of the Trust:-

- APPROVED the recommendations of TSC21037 for Middle Head, Building 7, Suite A & B, ASOPA
- APPROVED the recommendations of TSC21038 for Georges Heights, Building 32, Suite D, Oval Ventures
- APPROVED the recommendations of TSC21039 for Sub Base Platypus, Tenancy 1007, Building 10 Fleet Workshops

14. Sub Committee appointments – for discussion and decision (Agenda Item 12)

The end of terms as Trust Members for Mr Garth Callender, Ms Jessica Keen and Ms Jean Hay AM, have created vacancies for the Trust Member representation on the committees/sub-committees –

- Portfolio Audit Committee (and Financial Statements Sub-Committee)
- Reform Steering Committee
- Tenant Assistance Sub-Committee

The Members of the Trust:-

- REQUESTED that a list of the committees/sub-committees that require Trust Member representation be prepared and circulated to Trust Members with vacancies highlighted.

Due to time constraints, at 12.35pm it was agreed to pause the meeting and reconvene on Thursday 5 August 2021 for the following agenda items -

- Agenda Item 13 - Financial Budget 2021-22
 - Agenda Item 14 - Corporate Plan
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The 149th Meeting of the Trust reconvened on Thursday 5 August 2021 at 4.30pm.

Present

Mr Joseph Carrozzi AM	Chair
Ms Sandra Hook	Member
Mr Tim James	Member
Mr Bradley Manera	Member
Ms Carolyn McNally	Member
Mr Michael Rose AM	Member

In Attendance

Ms Linda Ward	Interim Executive Director
Mr Justin Bock	Director Strategic Reform
Mr Nick Lawry	Chief Financial & Commercial Officer
Ms Kathryn Roberts	Director Marketing & Visitor Experience
Ms Rosemary Southcombe	Secretariat

The Chair:-

- NOTED all Members of the Trust were in attendance.

15. Corporate Plan 2021-2025 (Agenda Item 14)

The report prepared for this agenda item was taken as read and Mr Bock spoke to it.

A draft of the Corporate Plan was presented to the Members of the Trust at their meeting on 23 June 2021. Feedback from Trust Members and Management, together with design updates and the inclusion of the full-year performance measures have been incorporated into the final draft.

The Harbour Trust is required to provide the 2021-2025 Corporate Plan to the Minister for the Environment as well as to the Finance Minister for noting, as soon as practicable after completion and before it is published on the Harbour Trust website (which must occur by the end of August 2021).

Approval from the Members of the Trust, as the Accountable Authority, is required before the Corporate Plan can be published.

The Members of the Trust:-

- APPROVED the Corporate Plan being provided to the Minister for the Environment and the Finance Minister for noting.

Moved: Mr Joseph Carrozzi

Seconded: Mr Tim James

16. Budget 2021-2022 (Agenda Item 13)

Mr Nick Lawry spoke to the report prepared for this item.

A draft budget was presented at the Trust Meeting on 23 June 2021. At that meeting, Trust Members directed Management to incorporate an estimate of the cost of implementing the outstanding recommendations of the Independent Review and investigate the feasibility of providing for those costs in FY21.

An updated draft budget and presentation were prepared for this meeting. Following comprehensive discussion about the updated draft budget, including the proposed operating deficit and the Markham Close funds, Management was requested to provide additional information particularly for the benefit



of the two new Trust Members. It was suggested that an executive summary be prepared to clarify the assumptions that underpin the proposed operating deficit.

The Members of the Trust:-

- REQUESTED that further information be provided on the assumptions that underpin the draft budget and that this be provided either as an out of session paper or at the Trust Meeting scheduled for 22 September 2021.

Meeting closed 5.20pm