



SYDNEY HARBOUR FEDERATION TRUST

176th MEETING OF THE TRUST

Meeting in Private held via videoconference

Wednesday 16 October 2024 at 1.30pm - 5.00pm

MINUTES

True & Correct Record of the 176th Meeting of the Trust

Professor Tim Entwisle, Chair

Minutes of the 176th meeting of the Sydney Harbour Federation Trust held on Wednesday 16 October 2024.

Present

Professor Tim Entwisle	Chair
Ms Alison Page (<i>partial attendance</i>)	Deputy Chair
Mr Terry Bailey	Member
Professor Helen Lochhead AO	Member
Mr Brad Manera	Member
Ms Alex O'Mara	Member
Ms Ann Sherry AO	Member

Apologies

There were no apologies for this meeting.

In Attendance

Ms Janet Carding	Executive Director
Mr Graham Izod (<i>partial attendance</i>)	Director Assets and Parklands
Ms Bernadette Or (<i>partial attendance</i>)	Chief Operating and Financial Officer
Mr Daniel Sealey (<i>partial attendance</i>)	Director Planning
Ms Annie Hazelton (<i>partial attendance</i>)	Strategy Officer
Ms Rosemary Southcombe	Secretariat

The meeting commenced at 1.30pm and was held in private due to confidential matters on the agenda.

1. Welcome (Agenda Item 1)

The Chair, Professor Tim Entwisle, opened the meeting by acknowledging the traditional owners and custodians of the lands on which the meeting was being held, and paid respects to elders, past and present. The Chair acknowledged the deep feelings of attachment, and relationship, of Aboriginal and Torres Strait Islander peoples to Country and waters. The Chair also acknowledged the cultural authority of all Aboriginal and Torres Strait Islander people with whom the Harbour Trust engages.

Attendees were welcomed.

a) Apologies

There were no apologies for this meeting.

b) Declarations of Interest

Members of the Trust were requested to advise if any amendments to the declarations of interest provided with the papers for this meeting were required -

- Professor Entwisle: Remove end date for President, International Association of Botanic Gardens (term continuing)

c) New Members introduction

The Chair welcomed the two newly appointed Members of the Trust – Professor Helen Lochhead AO and Mr Bradley Manera. Professor Lochhead and Mr Manera introduced themselves and provided a brief outline of their professional backgrounds and their particular areas of interest in relation to the work of the Harbour Trust.

2. Action Items from previous Meetings of the Trust (Agenda Item 2)

All action items from previous meetings have been completed or are in progress –

- i) Review of delegations as part of the 2024-25 budget process –
Ms Bernadette Or (Chief Operating and Financial Officer) has suggested that with the review of delegations completed and the budget in place, that the Executive Director’s delegations remain as they are. It was confirmed that anything requiring Ministerial approval will come to the Members of the Trust first. It is recommended that this action be closed off.
- ii) DCCEEW Audit & Risk Committee (ARC) minutes:
It was requested at the August Meeting of the Trust that the minutes from the ARC be included with the papers for Trust Meetings. The minutes (‘outcomes’) from the ARC meeting held on 20 September 2024 had not yet been received from DCCEEW. The outcomes from the September 2024 meeting will be included with the papers for the next Trust Meeting.

The Members of the Trust:-

- AGREED that the delegations item on the action items list be closed.
- NOTED the outcomes from the ARC meeting held in September 2024 will be included with the papers for the next Meeting of the Trust.

3. Starred items on the agenda | Items to be unstarred / Resolution to note starred items which will not be discussed at the meeting (Agenda Item 4)

Members of the Trust were able to request prior to or during the meeting that any starred agenda item be unstarred for discussion.

The following agenda items were unstarred:

- Executive Director’s report (Agenda Item 5): to allow discussion on the staff engagement/ psychosocial report.
- WHS Quarterly Report (Agenda Item 13): to allow questions and discussion. It was agreed that WHS quarterly reports would not be starred in future.
- Community Advisory Committee and First Nations Advisory Group Update (Agenda Item 16): to allow Ms Page (Chair of the First Nations Advisory Group) to report on the group’s meeting which was held immediately prior to this meeting.

The remaining starred items on the agenda were taken as read and noted accordingly.

The Members of the Trust:-

- NOTED the starred items on the agenda.

4. Chair’s verbal report (Agenda Item 5)

- The Chair provided a confidential update on the recruitment in progress for the vacant position on the Trust.
- The Chair reported that he had suggested to the Members of the Trust that the Strategy Day scheduled for 13 November 2024 be postponed until early next year. It is hoped this will enable the yet to be appointed Trust Member for the remaining vacant position to participate in the Strategy Day.

There will be a strategic discussion at the December Meeting of the Trust (in private) in relation to the budget for 2025-26.

- The Chair spoke about the Harbour Trust's role in hosting delegates from the Global Nature Positive Summit at two sites - North Head Sanctuary and Cockatoo Island / Wareamah – on 10 October 2024. The Chair met with the delegates who visited North Head Sanctuary, and Ms Page met with the delegates who visited Cockatoo Island / Wareamah. Ms O'Mara was also involved in the summit as a delegate. It seemed to be a very successful event for the Harbour Trust to be involved in and feedback from the attendees will be forthcoming from the summit organisers.
- The planned visit by the Hon Tanya Plibersek MP, Minister for the Environment and Water, to Cockatoo Island / Wareamah has been rescheduled to 18 October 2024*. The Minister will unveil the Living Seawalls, the partnership project between the Harbour Trust and Sydney Institute of Marine Science (SIMS) to restore the marine environment at the island. The Minister will also announce that the Cockatoo Island / Wareamah master plan has been published (it will be published on the Harbour Trust website on the day of the Minister's visit). The Chair advised that unfortunately he will be unable to attend.

* Subsequently rescheduled to 24 October 2024.

- The next Community Advisory Committee meeting is scheduled for 4 December 2024. The Chair asked if there were Trust Members who would be able to attend. Mr Bailey indicated he would be able to join on line and Mr Manera indicated he would be willing to attend. Ms Sherry agreed to stay on as the Chair of the Tenant Selection Committee for the time being. When the Trust has a full complement of Members, representation on Trust committees / subcommittees will be reviewed and formalised.

The Members of the Trust:-

- NOTED the Chair's verbal report.

5. Executive Director's Report (Agenda Item 5)

The report covered major matters and operations of the Harbour Trust since the Meeting of the Trust held on 15 August 2024.

Ms Carding highlighted the following:

- *Night at the Barracks* held at North Head Sanctuary was very successful, with an additional 10,000 tickets sold compared with last year. A multi-year agreement is now in place. There was discussion about the NSW legislation in relation to music festivals. The Harbour Trust is not subject to NSW legislation unless the event is considered high risk. *Night at the Barracks* is not considered high risk, whereas *Mode* (festival held on Cockatoo Island / Wareamah) is considered high risk. High-risk events require a higher level of policing, resulting in a higher cost to the event organiser.

Ms Page suggested that a meeting with Mr Michael Rodrigues, 24-hour Economy Commissioner would be beneficial. Ms Page offered to e-introduce Mr Rodrigues to the Executive Director.

- Securing the Lead Design Services Consultant for Middle Head / Gubbuh Gubbuh is taking longer than expected due to the value of the tenders received exceeding estimates. A revised approach to market will be required and it is likely that the required referral to the Minister under the EPBC Act will take place in early 2025.

Staff engagement survey -

Ms Carding reported on progress with the staff engagement survey action plan, including: higher duties procedures have been approved and are now in place; Learning and Development procedures for all staff were approved in principle by the Executive team at their October meeting; the Executive Director has met with all teams to discuss the impact of the master plans; and 'lunch and learns' are now taking place.

The Trust Members noted that it will be important to communicate with staff the positive outcomes from the action plan implementation so far.

‘People at Work’ - psychosocial survey

The first psychosocial survey with staff was undertaken three years ago. The results of the survey undertaken earlier this year show there has been improvement.

While noting the overall results, the Trust Members expressed concern about the incidents of bullying reported via the survey. 34% of workers reporting they had experienced workplace bullying in the previous six months. There were two reports of bullying by members of the public; and seven reports relating to co-workers. It was agreed there needs to be a deeper dive into the statistics as it is unknown, for example, whether the source of the seven reports of bullying was one individual or whether it was seven different staff members.

The Rangers have undertaken de-escalation training to deal with incidents that can arise with members of the public.

Ms Carding reported that at the staff workshop earlier in the year there was a session on ‘internal customers’ with the aim of staff workshopping the concept of other teams within the organisation being ‘customers’. An ‘Internal Customer Charter’ has been developed from the outcomes from this session and will be launched at the next staff meeting.

Trust Members requested that they be kept informed of progress with action plans in relation to staff engagement and areas for improvement that have been highlighted in the psychosocial survey.

The Members of the Trust:-

- NOTED the Executive Director’s report.

6. Cockatoo Island Cranes project (Agenda Item 6)

Mr Graham Izod and Ms Bernadette Or were in attendance for this agenda item.

Mr Izod spoke to the report prepared for this agenda item and provided some background information about the cranes on Cockatoo Island / Wareamah. 17 cranes survive, most of which carry high heritage value. Several of the smaller cranes have been restored whereas seven of the large cranes have had little or no maintenance for over 30 years. These cranes are generally in poor condition and at risk of structural failure. The hazardous materials they contain means that there are high risk environmental pollutants in the public domain. Until repaired, areas around some of the cranes must be fenced off to ensure public safety.

Approval is sought from the Members of the Trust for a reprioritisation of \$6.8 million from the \$45.2 million Maintenance & Infrastructure Renewal (M&IR) funding to enable longer-term conservation works for the cranes. A request to the Minister would be required to approve the transfer of funds and to enter into a contract to deliver the cranes conservation project.

Since the report for this agenda item was prepared, the Parliamentary Public Works Committee has approved the proposed cranes project and requested a site visit to Cockatoo Island. With the Trust’s approval of the request, a submission would then be prepared seeking the Minister’s approval for the reprioritisation and entering into a contract with the preferred tenderer.

The Trust Members queried a number of issues in relation to this request, including what is the heritage value of the cranes and whether all seven cranes needed to be conserved; how it will be determined which works will be deferred with the reprioritisation; and if the works are undertaken, will the cranes need to be restored again in 25 years.

The Trust Members were advised that the master plan for Cockatoo Island indicates that all cranes will be retained due to their heritage values. All the cranes on the island are different from each other and

together they make up a unique collection. There was previously a public campaign when there was a suggestion of one of the cranes being removed. A risk-based approach would be used to determine which of the other funded works would be postponed (e.g. small-scale maintenance works such as replacing grouting).

If approval is not granted it will be necessary to dismantle the cranes in the interests of public safety – and if this were to occur, it is unlikely they would be reassembled.

The Trust Members indicated their approval of a submission to the Minister for the reprioritisation of \$6.8 million for the conservation, repairs and safety works on the seven heritage cranes, with the view that the project does not extend beyond the \$6.8 million and that costs will be carefully tracked.

Ms Carding will review the risk profile and the heritage profile in the conservation management plan and to ensure the most important cranes are remediated first.

The Members of the Trust:-

- NOTED that the Projects team has conducted extensive research and tested the market to establish the cost to conserve the 7 large cranes
- NOTED that a submission has been made to the Parliamentary Standing Committee on Public Works as the cranes project is a medium works requiring notification to them prior to the awarding of a contract
- APPROVED a request to Minister Plibersek be submitted for the reprioritisation of \$6.8 million of funds from the Maintenance & Infrastructure Renewal (M&IR) program to the cranes project
- APPROVED a request to the Minister Plibersek be submitted to enter into a contract at \$11.9 million which is above the threshold of \$6.87 million requiring ministerial approval.

7. Asset Management and Accounting Policy (Agenda Item 7)

Ms Bernadette Or, Chief Operating and Financial Officer was in attendance for this agenda item. As a starred item, the report prepared for this item was taken as read.

Following its audit of the Harbour Trust, the Australian National Audit Office (ANAO) identified that the Harbour Trust did not have detailed asset accounting policies which describe the approach that will be taken regarding the capitalisation of assets, designation of repairs and maintenance, impairment and the controls which need to exist in the process, such as regular asset stocktakes.

This audit finding remained open at the time of the FY2024 Financial Audit. In responding to the audit finding the Harbour Trust committed to the development and implementation of an Assets Management and Accounting Policy from October 2024.

The draft policy was included with the papers for this meeting.

The Members of the Trust:-

- APPROVED the Draft Asset Management and Accounting Policy.

8. Cost Recovery Implementation Statement 2024-25 (Agenda Item 8)

Mr Daniel Sealey, Director Planning; and Ms Annie Hazelton, Strategy Officer were in attendance for this agenda item.

The Cost Recovery Implementation Statement (CRIS) provides information about how the Harbour Trust implements cost recovery for Liquor Permit and Planning Permit applications. It also reports financial and non-financial performance information for these activities and contains financial forecasts for 2024-25 and three forward years.

This is an annual requirement for the Harbour Trust.

The draft 'CRIS Statement Fees for applications for Liquor Permits and Planning Permits 2024-25' was included with the report for this agenda item. A minor amendment to the draft statement was suggested at the meeting, namely replacing the reference to 'the department' to 'the Minister' (page 3 of the statement).

The Members of the Trust:-

- APPROVED the draft Cost Recovery Implementation Statement 2024-25.

9. Internal and External Audit Findings – Progress Report

Ms Bernadette Or, Chief Operating and Financial Officer was in attendance for this agenda item.

At the August 2024 Meeting of the Trust it was requested that regular reporting be provided to the Members to enable monitoring and oversight of internal and external audit findings.

Tables summarising the status and progress to date of both internal and external audit findings were included with the report for this agenda item, indicating that audit recommendations are being progressively attended to.

As noted in Agenda Item 2, minutes ('outcomes') from the DCCEEW Audit & Risk Committee (ARC) will be included with the papers for Trust Meetings, however, the outcome from the September ARC have not yet been received and will be included in the papers for the December Meeting of the Trust.

It was suggested that the regular reports be included in the Executive Director's report rather than a separate report.

The Members of the Trust:-

- NOTED the Internal and External Audit Findings – Progress Report.

10. November Strategy Day agenda (Agenda Item 10)

As discussed in the Chair's verbal report, the Strategy Day will be rescheduled to early in 2025.

11. Correspondence regarding Middle Head Oval (Agenda Item 11)

The Chair advised that he had received correspondence from two community stakeholders expressing their concerns in relation to Mosman Council's planning application for Middle Head Oval. The correspondents have also written to the Minister.

The letters were included in the papers for this meeting.

The Chair will respond advising the correspondents that the wide range of issues and concerns raised in submissions received will be carefully considered by the Harbour Trust in its assessment of Mosman Council's proposal.

The Members of the Trust:-

- NOTED the correspondence addressed to the Chair regarding Mosman Council's planning application for Middle Head.

12. Finance Report – September 2024 (Agenda Item 12)

Ms Bernadette Or, Chief Operating and Financial Officer was in attendance for this agenda item.

As a starred item, the report prepared for this agenda item was taken as read. No discussion was required for this agenda item.

The reported informed the Members of the Trust that as at the end of September, the operating deficit was \$2.1 million, \$4.2 million better than the budgeted deficit of \$6.2 million. Excluding the impact of depreciation, the Harbour Trust reported a cash/operating deficit of \$872K, \$4.3 million better than that in the budget for the quarter.

The revenue result was less than budgeted for the first quarter. However, there are opportunities to catch up in the next two quarters when seasonal trends are factored in.

Total expenditure for the first quarter was significantly behind budget with funded site services and maintenance programs experiencing delays in delivery.

The Members of the Trust:-

- NOTED the Finance Report.

13. WHS quarterly report (Agenda Item 13)

Ms Bernadette Or, Chief Operating and Financial Officer was in attendance for this agenda item.

There was discussion about the lost time injury reported in relation to a Harbour Trust staff member. The Members of the Trust were advised that corrective actions have been put in place.

There was also discussion about a 'near miss' incident with an external person cutting through what could have been a live electrical wire. A comprehensive review of this 'near miss' has been undertaken and has led to rapid cultural change given the potential serious outcome that could have occurred.

Previous Members of the Trust have had a health and safety legal briefing from an external consultant. It was agreed to organise a briefing for the current Members to take place early in 2025.

It was agreed that WHS quarterly reports would appear on future agendas as an unstarred item.

The Members of the Trust:-

- NOTED the WHS quarterly report.

14. Major Projects Report (Agenda Item 14)

As a starred item, the report prepared for this agenda item was taken as read. No discussion was required for this agenda item.

The report provided the Members of the Trust with a progress report on -

- Master planning for Cockatoo Island / Wareamah
- Progress on Backlog Capital Works
- Progress on Middle Head / Gubbuh Gubbuh
- Progress on Sub Base Platypus Torpedo Factory
- Progress on Repairs & Maintenance Program
- Progress on Maintenance & Infrastructure Renewal Program.

The Members of the Trust:-

- NOTED the Major Projects Report.

15. Community Advisory Committee and First Nations Advisory Group Update (Agenda Item 15)

This agenda item was unstarred to allow Ms Page (Chair of the First Nations Advisory Group) to report on the group's meeting which was held immediately prior to this meeting.

Ms Page reported that there is still some work to do on the First Nations strategy. First Nations Advisory Group members have been asked to review the strategy and provide feedback. A final draft will be

circulated to the advisory group members and it will also be provided to the Members of the Trust for review. It was noted that the First Nations Strategy will be in place of the Reconciliation Action Plan which the Harbour Trust had developed in previous years.

Coast History's report on the Macquarie Lightstation was also discussed at the First Nations Advisory Group meeting. The report focused on the future interpretation and the importance of culturally appropriate storytelling for the site.

The Chair advised that at the Global Nature Positive Summit, people had remarked to him about the absence of a whole of harbour approach to First Nations culture and history. The Harbour Trust is well placed to address this concept and there is an opportunity for the First Nations Strategy to be incorporated into a whole of harbour approach.

The Members of the Trust:-

- NOTED the Community Advisory Committee and First Nations Advisory Group Update report and Ms Page's verbal update.

16. Meeting Planner 2024 (Agenda Item 16)

As a starred item, the Meeting Planner prepared for this agenda item was taken as read. No discussion was required for this agenda item.

The Members of the Trust:-

- NOTED the Meeting Planner for 2024.

17. *In camera* session (Agenda Item 16)

The Members of the Trust held an *in camera* session. There were no staff in attendance.

Board performance was discussed, including options for a more formal annual assessment. It was agreed the Chair would work with the Executive Director to consider whether a questionnaire and/or consultant would be appropriate, taking into account suggestions provided by other Members*.

*A decision was made out-of-session to proceed with a questionnaire early in 2025, with consideration of a more formal review when the full Trust has been in place for a longer period.

Meeting closed at 5.00pm.