

6 December 2019

Carolyn McNally and Erin Flaherty
Sydney Harbour Federation Trust Review
GPO Box 787
CANBERRA ACT 2601

Dear Carolyn McNally and Erin Flaherty

Re: Independent review of the Sydney Harbour Federation Trust

I am writing in response to your invitation to provide input into the review of the Sydney Harbour Federation Trust (the Harbour Trust). The review was considered by Council at its meeting on 3 December 2019 when it was resolved to endorse this submission.

Mosman Council is a key stakeholder of the Harbour Trust, not only as a valued collaborative partner but also as the manager/lessee of land controlled by the Trust, including Georges Heights Oval, Middle Head Oval and the Mosman Drill Hall precinct. In the twenty years since the work of the Harbour Trust began the land now known as the Headland Park has been transformed, providing public access, new and improved recreational and cultural opportunities, certainty of tenure, and conservation of heritage assets. This land is significant and important to people, as well as providing habitat for many flora and fauna species.

Council and the Harbour Trust have developed a good working relationship resulting in the delivery of many projects that have benefitted the community, such as the restoration and enhancement of the Drill Hall precinct and the joint delivery of numerous cultural initiatives. Council has been an active participant in working with the Harbour Trust, providing input on its plans of management and other projects to help ensure good outcomes.

With such significant investment of time and money, and recognising the high level of community interest in the future of the Harbour Trust, Council is well placed to provide input into your review – particularly as it relates to land at Headland Park. It is the Council's view that given the Harbour Trust's achievements and management of the land, it should continue to operate to complete rehabilitation of sites and re-purpose them as appropriate, and should be funded as necessary to undertake this work. This acknowledges the provision in the *Sydney Harbour Federation Trust Act 2001* (the Act) for the Harbour Trust to operate until at least 2033. It is considered that the Harbour Trust should continue as an ongoing entity as it is best placed to manage the diverse range of activities it is responsible for.

The terms of reference for your review include four matters in particular that you will advise government on – governance, completion of outstanding work, partnerships and community aspirations. The next section of this submission will address each of these:

1. Governance

The current governance arrangements for the Harbour Trust sites and the operation of the Trust itself are quite unique. They recognise the special significance of the sites as well as community and Government expectations around the management and ownership of the sites. The overall Comprehensive Plan and site specific plans of management have provided a framework that gives certainty to the future direction of Trust land as well as a structure to the work of the Harbour Trust in implementing the plans. It is important to recognise the extensive community input that the Trust invites as well as the input given by the community in developing these plans. This relationship takes time to build and should not be dismantled by legislative amendments without careful consideration.

The Act confers powers on the Harbour Trust in order for it to carry out its functions. These powers are more extensive than those afforded to local government and this contributes to the effectiveness of the Trust in delivering timely outcomes. Co-operating with councils is a legislated object of the Harbour Trust, and it continues to do this with Mosman Council. Successful negotiation on the management of sites, such as the Drill Hall precinct is testament to this.

This legislative framework together with the approvals and planning process that sit outside the NSW system for which surrounding land is subject to, could be seen as anomalous, however, it is considered that it properly recognises the national historic importance of these sites to indigenous Australians and to the defence of Australia.

Regardless of the outcome of this review, it is imperative that legislation prohibits, in perpetuity, the sale of any Harbour Trust land.

2. Completion of rehabilitation of sites

It is considered that the Harbour Trust should receive adequate funding to enable it to complete its mission, including the rehabilitation of outstanding sites. It should also be provided with sufficient resources to continue with its strategic planning for all its land, including updating the plans of management and the Comprehensive Plan. The rehabilitation, conservation and management of these significant sites should not be reliant on the Harbour Trust self-funding its operations. A sustainable operational model that includes sites being self-funded is a difficult one to maintain. The Trust aims to balance financial return with public access and ownership of the sites, as well as conservation, rehabilitation, improving amenity and other non-tangible elements which are difficult to place a monetary value on.

3. Partnership opportunities

Mosman Council routinely partners with various organisations and individuals, including State and Federal agencies, private industry, philanthropists and the community, to deliver arts, cultural and leisure activities in the local area. Cultural partnerships with the Harbour Trust and others at Headland Park have delivered some exceptional results for residents and visitors to Mosman in recent years and there are opportunities to further expand cultural and artistic partnerships under the management of the Harbour Trust.

As you are aware Headland Park is a significant place of documented Aboriginal heritage and occupation. It is nationally significant as the site of Bungaree's Farm, representing the first return of land to Aboriginal people in Australia by colonial authorities in 1815. Council has worked in partnership with the Harbour Trust on several major site specific contemporary arts projects, with Aboriginal artists, curators, historians and activists interpreting the site of Bungaree's Farm and its legacy. Council supports the ongoing activation and interpretation of Headland Park as a site of Aboriginal significance through partnership arrangements.

4. Community aspirations

The establishment of Headland Park was the result of a community campaign to protect the land from development. It has been the subject of Council and the local community's opposition to some proposals in more recent times which demonstrates the continued passion that surrounds maintaining the land in public ownership for public access.

Engaging with the community has been a pillar of the Harbour Trust's work. Ensuring community aspirations for the Trust's sites are properly considered should be reinforced in legislation that governs the management of these sites.

Conclusion

While it is Council's view that the Harbour Trust should continue operating, if in the future the Government decided to hand over land at Headland Park to others to manage the following points should be considered:

- Headland Park is a significant place of documented Aboriginal heritage and occupation. Most notably, Headland Park is nationally significant as the site of Bungaree's Farm, representing the first return of land to Aboriginal people in Australia by colonial authorities. There are multiple traditional sites of significance within the park, and these sites should be conserved, respected and interpreted.
- The built environment of Headland Park provides a direct link to the former long-term use of the site for military purposes, and, although the buildings have been adapted for other uses, provides a type of living museum of this military heritage. Council continues to work with the Harbour Trust on arts projects exploring the military heritage of the area (most notably on the Camouflage Fuel Tank site) and supports continued community access and enjoyment of this living museum of restored military buildings and facilities.
- Headland Park provides for the access and public enjoyment of some of the most precious natural landscapes in Australia. Complementing the adjoining Sydney Harbour National Park the network of walking tracks and viewing areas provide expansive views of the Harbour entrance and access to bushland areas. Mosman Council supports continued community access and enjoyment of the Headland Park environment and sees it as a key link in Sydney's Coastal Walk network.
- There are other assets on lands managed by the Harbour Trust at Headland Park that are significant in terms of heritage value and/or their contribution to present-day arts and cultural practice. These include the Terminal 10 buildings, the Georges Heights Tunnels, the Landship Gallery and Artists Precinct, and numerous public art installations. Careful ongoing planning and management in relation to these assets is essential and Council seeks to be part of ongoing conversations regarding their future.
- Mosman Council currently leases or otherwise manages certain lands in Headland Park including Middle Head Oval and surrounds, Georges Heights Oval and surrounds, and the Mosman Drill Hall Precinct. The Council has a sound track record of effective management of these sites and has made significant financial investments, for example construction and ongoing management of Marie Bashir Mosman Sports Centre, upgrade of community and amenities buildings, provision of new sports courts and oval maintenance and renewal. In relation to these sites, at least, Council is well equipped to accept more permanent tenure.

- There are other specific sites and facilities within Headland Park for which Council would be interested in discussing future tenure or management arrangements, including but not limited to the artists precinct.
- Any transition period should be of sufficient time to allow for new governance arrangements, implementation of appropriate approval processes, adequate funding model and sufficient management handover.
- The cost implications to Council of maintaining not just Headland Park assets but other infrastructure that supports visitation to the site (including local roads, traffic and parking management) should be given due consideration.

Thank you for the opportunity to provide input to the review. Council would like to maintain an open dialogue regarding the future of the Harbour Trust and ensuring ongoing public access and ownership of all land currently under its management.

Yours sincerely

Cr Carolyn Corrigan
Mayor