



## SLIP BIGHT MARINA ANNUAL BERTH HOLDER MEETING NOTES

9 April 2016

Venue: Paynesville Community Hall

2:05 pm

### 1. Staff and Councillor(s) Introduction

Cr Dick Ellis chaired the meeting and introduced Council staff present.

#### Apologies

Tim Ellis, Manager Economic Development  
Judy Taylor  
Peter Bennett  
Ian Kennedy  
Glen Kennedy

#### East Gippsland Shire Councillors present

Name	Position
Cr Richard Ellis	Chair, Marina Consultative Committee
Cr Michael Freshwater	Marina Consultative Committee

#### East Gippsland Shire Council Staff present

Name	Position
Paul Holton	Director Development
Johanne Toohey	Commercial Business Coordinator

## Berth Holders Present

John Underwood	Berth Holder and Marina Consultative Committee berth holder representative
David Mason	Berth Holder and Marina Consultative Committee berth holder representative
Bob Cove	Berth Holder and Marina Consultative Committee berth holder representative
Peter Hackman	Berth Holder
Mike Kotrba	Berth Holder
Johannes De Zwart	Berth Holder
Geoff Easdown	Berth Holder
Tony Dodson	Berth Holder
June Dodson	Berth Holder
Andrew Pinter	Berth Holder
Gerald Droog	Berth Holder
Chikita Pinter	Berth Holder
Christine Hardy	Berth Holder
Bev Wearne	Berth Holder
Jill Mills	Berth Holder
Paul Wearne	Berth Holder
Marshall Mills	Berth Holder
Larry Field	Berth Holder
Gary Chadwick	Berth Holder
Penny Harris Jennings	Berth Holder
Merilyn Chadwick	Berth Holder
John Jennings	Berth Holder
Bill Daly	Berth Holder
Reb John Hall	Berth Holder
Marilyn Daly	Berth Holder

Alan Jones	Berth Holder
Barry Wood	Berth Holder
Don Olssen	Berth Holder
Michelle Bourke	Berth Holder
Leigh Collings	Berth Holder
Rebecca Mattis	Berth Holder
Alistair Benson	Berth Holder
Alastair Russell	Berth Holder
Barbara Hackman	Berth Holder

### **Explanation of NCP (National Competition Policy)**

Council advised that Councils Marinas were run as commercial operations and subject to the principles of the National Competition Policy.

The National Competition Policy seeks to establish a level playing field where governments are operating facilities in competition with the private sector.

In the circumstances cost such as Corporate Overheads; Salaries, Wages and a notional amount for rates to be considered before calculation any return on investment.

Council explained that the *Crown Land Management Act* requires that any return on investment derived from marine assets on Crown Land must be re-invested in foreshore management, maintenance and development across the East Gippsland Shire for example boat ramps and amenities.

### **2014-2015 Annual Budget Performance Report**

Slip Bight Marina has an asset value of \$6.6M, providing a ROI (Return on Investment) of 4.4% (\$291,590) in 2014-15. This financial result takes into account the direct costs of operating the marina as well as a portion of Council overheads as required by the National Competition Policy.

### **2014-2015 Operations and Maintenance Financial Summary**

Council advised that there was a small O&M (Operations and Maintenance) surplus for the 2014/15 year.

The O&M expense breakdown was presented, showing the primary areas of expenditure relating to the operations of the marina.

Council advised that a forward maintenance plan has been developed.

## **2016-2017 Fees and Charges**

Council reported the proposed 2016-17 Fees and Charges have been prepared and will be presented at the Special Council Meeting on 13 April 2016. At that time it is anticipated that Council will release the proposed budget for public comment. Berth holders are encouraged to provide comment via the budget process.

The proposed fee increase for marinas is in the order of 4% in line with Council policy of CPI + 1%.

## **Operations and Maintenance Report**

Council provided a report detailing maintenance works completed in the past 12 months and planned future maintenance works.

### **Planned Maintenance**

Council provided a list of planned future maintenance and advised that one of the items, the installation of a new floor in the shower room at the berth holder facilities, would be completed before the end of this financial year.

### **Consultative Committee Achievements**

Council provided an overview of the achievements of the current East Gippsland Shire Council Marina Consultative Committee.

### **General Business**

A berth holder enquired whether the planned inspection of stern piles would include the capping. Council confirmed that the inspection would be of the entire piles including the capping.

A berth holder requested advance notice of the period that the berth holder shower area would be unavailable due to the floor repairs. Council confirmed this would be provided.

A berth holder requested the installation of two hooks on each stern pile.

A berth holder asked a question regarding the return on investment under NCP. Whose investment was it? Council advised it was the Council's investment in the marina assets that was used in the calculation. The berth holder asked a follow up question regarding the reason for the differential in berth prices between Gippsland Ports and EGSC. Council advised that the pricing strategy was established by Council.

A berth holder asked if the marina financials could be provided to berth holders. Council advised that the numbers could be provided.

A berth holder advised that he has queried the marina financial results with the Auditor General and would like detailed numbers. He further enquired what percentage of Slip Bight berth holder fees go to foreshore management. A Consultative Committee member explained that the surplus of marina fees are applied to foreshore management, it is not a specified percentage. The O&M fee recovered from Slip Bight Marina is quarantined for works at Slip Bight Marina.

A berth holder enquired why there had been no advertising for the annual berth holder meeting. Council advised that in addition to the letter to all berth holders that the meeting had been advertised in the local Bairnsdale newspapers for a number of weeks leading up to the meeting. Cr Ellis advised he would follow up the matter.

A berth holder explained to those present that berth holders do not own their berths, they only lease them. He expressed his thanks to the Marina Consultative Committee and feels it is a great vehicle for feeding questions through to Council. He enquired would the annual meetings now be more regular? Council advised that the meetings would return to an annual schedule.

A berth holder requested that Council set a date for annual meetings and not change it as happened in 2014.

A berth holder reported that the marina lights are sometimes not working and suggested that Council conduct inspections at night to check the lights. Council advised that the problem with the lights had been investigated and found to be the result of berth holders turning the lights off. If berth holders find this to be the case they can turn the lights back on. Reporting of maintenance issues should be made to Council at the time they occur in order for the issues to be addressed in a timely manner. The berth holder queried why decking boards were repaired last year and now being replaced with mesh. This seems to be poor planning. Council advised that the decking boards had to be replaced at that time. The introduction of mesh is in response to feedback. The berth holder asked what percentage of fees is being spent on cleaning as she feels that they are being overcharged. Cr Ellis advised that the Marina Consultative Committee has asked Council officers to review cleaning costs and complaints. The berth holder advised that the Shire contact numbers sign on the Jetty 3 gate has blown away. Council advised that a comments book would be installed in the berth holder facility.

A berth holder reported that they were present at the berth holder facilities one Friday following the cleaners and that the facility was left very clean. Upon returning to the facility later in the day, after it being accessed by a group, that the facility was filthy.

A Consultative Committee member reported that some berth holders have been leaving the door to the berth holder facilities blocked open. Berth holders need to take accountability for their visitors whilst in the facility.

A berth holder advised that the facilities have not been very clean in the last three months and over the long weekends there has been a lack of paper, etc. Cr Ellis advised that he and Cr Freshwater had requested a broader review of cleaning contractors across the Shire.

A berth holder suggested Council organise additional cleaning visits over long weekends. Council advised that marinas would be included in the cleaning services review.

A berth holder asked whether during the floor repairs could alternative access be granted to the showers at the Cruiser Club. The berth holder advised that two chairs needed to be repaired. Council advised that the chairs would be removed and replaced.

A berth holder asked if the shower layout would be changed when replacing the floor. Council advised it is not part of the current plans.

A berth holder commented that the existing number of showers is sufficient and to change the showers would be a big job. The shower curtains currently sit outside the shower, could a tile line or drip line be installed? Cr Ellis advised he would take this suggestion on board.

A berth holder asked if Councillors would respond to a written list of questions? Cr Ellis advised he would respond but that his responses would be his own and not representative of Council's position. The berth holder then asked a series of questions on notice of Cr Ellis, Cr Freshwater and Paul Holton:

1. What was the name of the Councillor who moved the Deed of Variation in 2005 for Slip Bight Marina? Did Cr Ellis vote on the motion? Cr Ellis advised this should be in the Council meeting minutes on Council's website. Cr Ellis could not recall his vote on the matter and would have to check the minutes. Cr Freshwater could not recall his vote on the matter and would have to check the minutes.
2. Will Cr Ellis move to review the Deed of Variation? Cr Ellis advised he could not answer the question, he would have to review the original decision.
3. Did the former CEO or a Director instigate the Deed of Variation? Cr Ellis advised he could not answer the question. Paul Holton advised that possibly Matt Youell had been involved as a Director at the time.
4. Do you know who moved the Deed of Variation at the time? Paul Holton advised no he did not, it was before he worked for Council.
5. Surely you should have reviewed them? Paul Holton advised he had no reason to.
6. What was the name of the staff member who closed the Slip Bight berth holders bank account? Paul Holton advised he did not know.
7. Why was Matt Youell's contract terminated? Paul Holton advised his contract was not terminated, he had obtained another job.

The berth holder presented Cr Ellis with a written list of questions and requested a response in 30 days.

A berth holder queried the legality of the Deed of Variation. Council advised that all responsibilities under the Local Government Act are fulfilled.

A Consultative Committee member advised that he had volunteered to participate on the steering committee that had been created by a berth holder however was denied due to a view that he would have a conflict of interest. The three Consultative Committee representatives are in the positions to represent berth holders.

A berth holder referred to a copy of the old agreement ("Heads of Agreement") that had existed with the old Shire of Bairnsdale. Council advised that subsequent to that agreement there had been Council amalgamation and changes to Council practices. The berth holder asked a question on notice, is Council still required to provide separate audited accounts for the marina.

A berth holder advised he was awaiting a response from Council on a list of issues that he had passed via a member of the Consultative Committee. Cr Ellis advised that he will ensure that the Consultative Committee operates for the benefit of the berth holders. He has requested that meeting minutes go on the website. He advised that the list of questions was passed to Council officers to respond and are being or have been addressed. The berth holder asked Cr Ellis a question on notice, will the meeting minutes be returned to the website?

A berth holder asked if the public can fish from the bank near the marina? Could signs be installed prohibiting this? Council advised that Local Laws would have to be reviewed and that this matter would be placed on the Consultative Committee agenda. A Consultative Committee advised he did not believe Gippsland Ports ban fishing, that it is up to the marina operator if they wish to ban fishing in the precinct.

A berth holder reported that the 6 parking spaces for Jetty 5 are continually filled by fishermen. Council agreed to review the possibility of signage in the parking area.

A berth holder asked could Council prevent small fishing boats entering the marina area such as happened during the recent fishing competition.

A berth holder queried whether Council has considered installing CCTV on the marinas? Cr Ellis advised that the Consultative Committee has discussed the matter, with initial estimates suggesting an almost \$1million cost. Alternatives are now being considered.

A berth holder asked who cares if the jetty gates are left open? If they see them open they will close them.

A berth holder asked if an alarm could be installed on the gates.

A berth holder asked about personal safety in the berth holder facilities if the doors are left open.

A berth holder advised that if attendees would like to see the list of questions he had presented to Cr Ellis in the meeting could they see him after the meeting.

A berth holder asked if Council could provide a couple of keys to contractors so that they could access the jetties. A berth holder responded that registered contractors could obtain a key for \$50 per annum. if they provided the appropriate information to Council.

A berth holder asked the Consultative Committee to obtain clarification on power leads being left plugged and to provide the response via the newsletter.

A berth holder advised that he had tried to get his own dedicated power installed and was told there is insufficient power cables. Council officers to review whether private power is available.

A Consultative Committee member suggested berth holders review the fine print of their insurance policies.

Cr Ellis advised in his capacity as Chair of the Gippsland Coastal Board that Government is going to replace the *Coastal Management Act*. He advised that community consultation sessions are coming up and asked berth holders as boat users to be aware of the changes and prepare submissions if they would like to. Further information is available from the Gippsland Coastal Board and East Gippsland Catchment Management Authority websites.

Cr Ellis closed the meeting at 3.30 pm

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