



**EAST GIPPSLAND SHIRE COUNCIL  
MARINA CONSULTATIVE COMMITTEE**

**CONFIRMED MINUTES**

NOTICE IS HEREBY GIVEN THAT A MEETING OF THE  
**East Gippsland Shire Marina Consultative  
Committee**

**WAS HELD ON**

**Friday, 2 August 2019**

**Mitchell Room, Corporate Centre,  
273 Main Street, Bairnsdale**

**1 PM**

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# PROCEDURAL

## 1. PROCEDURAL

### 1.1 ATTENDANCE

#### Committee Members Present

Cr Dick Ellis (Chair) Cr Colin Toohey	East Gippsland Shire Council
Bill Newcomen Neil Hopkins Geoff Cross	Chinaman's Creek & Metung Marinas
John Underwood David Griffiths	Slip Bight Marina

#### Officers / Visitors present (who are not Committee Members)

Liz Collins, Executive Manager Finance	EGSC
John Morton, Manager Council Enterprises	
Kris Wain, Commercial Business Coordinator	
Angela Printz, Commercial Business Operations Officer	

#### Minute Taker

Angela Printz

### 1.2 APOLOGIES

Aaron Hollow, Acting General Manager Place and Community  
Alan Jackson

### 1.3 DECLARATIONS OF CONFLICT OF INTERESTS

Nil

### 1.4 CONFIRMATION OF MINUTES

24 August 2018

*John Underwood/ Cr Toohey*

**THAT THE MINUTES OF THE EAST GIPPSLAND SHIRE COUNCIL MARINA CONSULTATIVE COMMITTEE MEETINGS HELD ON 24 AUGUST 2018 BE CONFIRMED.**

## **1.5 FUTURE MEETINGS**

Marina Consultative Committee Meeting to be held Friday 4 October 2019 and Annual Berth Holder Meetings to be held on Saturday 19 October 2018.

## **1.6 ACTION ITEMS REGISTER**

Separate notes taken for action items register document. Each action was considered and updated.

# **REPORTS**

## **2. REPORTS**

### **2.1 STATEMENT OF FINANCIAL PERFORMANCE**

Executive Manager Finance spoke to the interim Financial Year to 30 June 2019.

Kris Wain summarised the overspend for Slip Bight of \$40K was for an order of mesh carried over from the previous year noting it was an underspend of the 17/18 budget due to timing. The overspend of \$185K for Metung was the repairs and will be reimbursed by Councils insurer.

John Underwood questioned whether the report had been audited as a requirement of the 1988 Deed of Agreement document. Liz advised all Council finances were audited annually, however, she was unaware of the requirement for a separate audit of Consultative Committee financial documents stating marinas were the only area of Council to have a separate report provided. John Morton added DELWP are happy with the way Council accounts are audited, however, he will check the wording of the document and report back.

Liz provided clarifications regarding price neutrality, corporate overheads, return on investment and depreciation.

David asked how the percentage of corporate overheads is apportioned to marinas. Liz answered that it is the same for all commercial enterprises, it is a standard percentage of direct costs – rule of thumb 15%. The cost of governance is approximately \$14 in each \$100 spent.

Liz advised depreciation is calculated in accordance with accounting principles for the life of the asset. Neil asked for clarification around assets being re-valued then depreciation starting again. Liz clarified assets are revalued every 5 years, where there is a change in value and/or change in remaining life, there may be an increase or decrease which will result in an adjustment for each year of the remaining life. Depreciation has to be based on the current replacement cost. All changes in current asset value are recorded in the asset revaluation reserve. Geoff asked who conducts the valuations. Liz advised there are internal asset management for assets such as roads, bridges, etc, however specialised assets such as marinas, seawalls, etc, are conducted by external experts and valuations for rates are now conducted by the Valuer General. There were concerns that the value of the piles was greatly overstated. The previous valuer was appointed after difficulties

sourcing a valuer and, due to inexperience, the overstatement was not identified. We will source the right valuer for the task next time.

Liz will ensure she attends one meeting a year as a minimum, more when time permits. Specific questions can be directed to John as they arise to be answered no later than the next meeting.

**Action Required:** John to follow up on audit requirements stated in the DELWP agreement and report back to next meeting.

**Action Taken:** Added to Agenda

REPORT NOTED

## 2.2 MAINTENANCE REPORT

Commercial Business Operations Officer

Angela Printz presented the Maintenance Report, noting the works completed for the 2018/2019 financial year include:

- Slip Bight - Jetty 4 refurbishment, purchase refurbishment materials for Jetty 1, annual cleaning and servicing, new chairs and vacuum;
- Metung - storm damage repairs to floating jetty, upgrade RCD at security gate, additional security mesh panels and Perspex, annual jetty clean and serving, crane servicing and purchase of a replacement baggage trolley;
- Chinaman's Creek - replacement of solar lights and annual clean and service;
- both Metung and Slip Bight also underwent Logix Survey for stray current.

Angela Printz also presented a statistical analysis of occupancy for the past 12 months showing Slip Bight staying around the 90% mark with minimal room to improve as only small berths were available and there was little demand; Chinaman's Creek increased from 91% to 100% due to a clean-up of unused berths being reissued; and Metung increasing from 57% to 70% with no waiting list to draw from except unserviced berths which have no current vacancies.

Kris Wain added that the control of managing administration for the marinas is shared with Council's property team.

REPORT NOTED

## 2.3 COUNCIL COMMERCIAL MARINAS POWER POLICY

Commercial Business Coordinator

Kris Wain spoke to the Marina Power Policy advising that after feedback from Council's Risk and Safety Officers as well as Council's insurer, the power policy should proceed as written. From an operational view, with no on-site staff, we can't eliminate the risk. Just recently we had an outlet ripped out of the pedestal by the movement of a vessel plugged into the power outlet whilst not in attendance. Also, a contractor working on vessels identified several high-risk batteries swelling whilst plugged into power for trickle charging.

After an incident this week, where someone disconnected power leads to approximately 10 vessels, John Underwood suggested Council should advise all berth holders that Council will not pull out plugs. Angela advised all berth holders affected were contacted by phone and are aware it was not conducted by Council. All other berth holders will see from the Policy that Council will not disconnect power without notice. John Morton added Council are taking the risk and therefore seek MCC support for berth holders to abide by the Policy. John Underwood asked can the risk be transferred to the berth holders? John Morton responded that Council are included when lawyers seek compensation for damages. Kris Wain added the cost of increasing the inspections would require an additional staff member \$61K plus resources such as vehicle, phone, etc and doesn't stop someone coming along after staff leave. John Morton also added that none of the berth holders who believed they were permitted to have 24/7 power, came forward with documented proof of an agreement.

Bill Newcomen asked what this means for berth holders with sea-pens? Kris Wain advised all berth holders with sea-pens requiring 24/7 power have been advised they will have to seek a solar option.

There was further discussion where individual requests for exemptions will be managed on a case-by-case basis and if approved will have their lead tagged with the exemption end date and will need to provide an electrical compliance certificate, etc.

#### **MOTION**

***That the Marina Power Policy be endorsed by the East Gippsland Shire Marina Consultative Committee and recommend it be presented to Council for formal consideration.***

***THAT THE MOTION BE ENDORSED***

***John Underwood/ Bill Newcomen***

***CARRIED UNANIMOUSLY 02/08/19***

#### **2.4 BERTH HOLDER COMPLAINT – MR FRANK ADAMS**

Commercial Business Coordinator

John Morton advised the complaint is in two parts, his issue with access to power will be handled by Council officers. The other issue is that he doesn't want the committee representing him and wants to deal directly with Council. The process is that Council consult on marina issues with the committee representatives. He is welcome to apply for vacant positions as they become open to nominations alternating every 3 years.

REPORT NOTED

#### **2.5 NOTES MEETING WITHOUT QUORUM 22 FEBRUARY 2019**

Cr Ellis ensured everyone had read the notes and there were no questions.

REPORT NOTED

## 2.6 NOTES MEETING WITHOUT QUORUM 7 JUNE 2019

Cr Ellis ensured everyone had read the notes and there were no questions.

REPORT NOTED

# ITEMS

## 3. ITEMS (VERBAL)

### 3.1 POWER POLICY

David Griffiths noted he had emails from two berth holders in regard to the power policy and had forwarded them to Council for consideration for exemption.

### 3.2 ACCESSING MARINA WITHOUT FOB ACCESS

David Griffiths had previously advised how people were accessing and Angela confirmed we will be installing Perspex panels to prevent this happening, the action has been temporarily delayed as we investigate the requirement for Perspex document holders at each gate for contractor sign in which may resolve both issues.

### 3.3 UPDATE ON MATTER OF OUTSTANDING FEES

John Morton advised there are currently no fees outstanding.

### 3.4 METUNG MARINA REPAIRS AND INSTALLATION OF STERN PILES

John Morton advised the piles have arrived at Bury Slipway and are undergoing sizing and attachment preparation works prior to being installed late September to early October.

### 3.5 THEFT FROM VESSELS – METUNG MARINA

Kris Wain advised that a risk assessment had been conducted. Suggestions for security improvements have been investigated. A Security Drive by is too expensive to add on to the existing agreement and will be considered when the agreement is up for renewal/re-tender. Council IT are currently reviewing Councils overall CCTV requirements, costs, etc including Council Marinas. It was discussed that 90% of vessel break-ins are from water. Council are unable to eliminate this however are considering improved lighting as a deterrent, as well as CCTV.

Bill Newcomen asked about the Metung gate. Kris Wain advised we have installed additional mesh panels including at the gap and are now looking to install flashing to eliminate access.

Neil Hopkins asked whether CCTV will assist with berth holders chocking the gates open and breaches of the Power Policy. Kris Wain responded CCTV footage is not watched live and we need to formally request access to footage for specific times/dates.

**Action Required:** An update on IT's CCTV review to be provided next meeting

**Action Taken:** Added to Agenda

### **3.6 EXPRESSION OF INTEREST – VACANT POSITION SLIP BIGHT**

John Morton advised Alan Jackson won the ballot to fill the vacant position, unfortunately he was unable to attend today's meeting.

### **3.7 COUNCIL STAFF RESTRUCTURE**

John Morton advised the committee of the restructure stating Council's four Directorates had been restructured into three areas – Business Excellence, Place and Community, and Assets and Environment. We fall under Place and Community with the General Manager Stuart McConnell just announced this week to commence in September – Aaron Hollow will be acting in that role until then. John Morton will stay on as Manager Council Enterprises which encompasses marinas, caravan parks, and livestock exchange as well as recreation facilities and the Forge Theatre and Arts Hub. There is no change to Kris and Angela's positions.

### **3.8 METUNG HARDSTAND EXTENSION**

Angela Printz advised we have met with CrossCo for a quote for a concept design. Next step will be to arrange a consultation session with key stakeholders and local users to define the scope of the project before we source a detailed design and construct. An update will be provided next meeting.

Geoff Cross advised when the hard stand was first created, it was set up as a work place for all of the Marina users however with the fence and gate now locked, it is only accessible for non dry-berth holders by water.

**Action Required:** An update on Metung Hardstand Extension to be provided next meeting

**Action Taken:** Added to Agenda

### **3.9 UPDATE ON SECURITY CAMERA OPTIONS**

Item discussed at 3.5

## **4. OTHER BUSINESS**

### **4.1 DRAFT MARINA AND COASTAL POLICY**

Cr Ellis advised the Policy is out for public feedback and suggested members review the documents provided at the Engage Victoria website. John Morton forwarded the link to the website to all members during the meeting. The purpose of the policy is to ensure better management of Crown land assets. Coastal assets are Council responsibility as committee of management – Council apply to DELWP to upgrade assets.

John Morton advised in the short term the proposed policy would have no effect on Council's Marinas, however, there may be an impact on the replacement of infrastructure in the future. These issues will be raised by the relevant Council department. Berth holders can submit



their concerns as a group or individuals to give more strength to their concerns when being assessed. Closing date for submissions is 15/8/19.

John Underwood asked on the status of the sub-committee. John Morton responded the 17D with variation was currently sitting with lawyers with approval expected in 2 months. John Morton added that Rod Croft was seconded out of DELWP for 12 months and added the day to day staffing at DELWP was often affected by emergency works away from office tasks.

#### **4.2 COMMITTEE MEMBER TENURE DATES**

3 year tenure expires for a couple of committee members at the end of this year, Bill Newcomen requested a list of expiry dates be provided at the next meeting.

**Action Required:** An update on tenure dates for MCC representatives to be provided next meeting

**Action Taken:** Added to Agenda

#### **4.3 METUNG MARINA AMENITIES BLOCK**

John Morton advised he had discussions with Brandon Kibby on behalf of the Metung Yacht Club regarding the possibility of a joint arrangement within the Yacht Club facilities. This was a second discussion with the yacht club after no agreement could be reached the first time. Brandon advised John that the yacht club was not interested in opening the facility to public access. Council have had a capital bid for funding in for some time for upgrading the public toilets. Funding will not be made available to a facility without public access. Kris advised the concept design is good to go for design this year and construct 20/21.

#### **4.4 EMAIL CONTACT FOR ISSUES BETWEEN MEETINGS**

David Griffiths raised the request for consideration of items via email rather than waiting for scheduled meeting dates. John Morton advised this can be done.

### **5. MEETING CLOSED 3:30 PM**

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