



**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, 24 August 2018**

**Council Chambers, Corporate Centre,  
273 Main Street, Bairnsdale**

**1 PM**

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# PROCEDURAL

## 1. PROCEDURAL

### 1.1 ATTENDANCE

#### Committee Members Present

Cr Richard Ellis (Chair)	East Gippsland Shire Council
Bill Newcomen	Metung Marina
Neil Hopkins	
Geoff Cross	Chinamans Creek Marina
John Underwood	Slip Bight Marina
Larry Field	
David Griffiths	

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

Paul Holton, Director Development	EGSC
John Morton, Manager Economic Development	
Kris Wain, Commercial Business Coordinator	
Angela Printz, Commercial Business Operations Officer	

#### Minute Taker

Angela Printz

### 1.2 APOLOGIES

Councillor Colin Toohey

Liz Collins, Executive Manager Finance

### 1.3 DECLARATIONS OF CONFLICT OF INTERESTS

Nil

### 1.4 CONFIRMATION OF MINUTES

27 April 2018

*Bill Newcomen*

**THAT THE MINUTES OF THE EAST GIPPSLAND SHIRE COUNCIL MARINA CONSULTATIVE COMMITTEE MEETINGS HELD ON 27 APRIL 2018 BE CONFIRMED.**

**CARRIED UNANIMOUSLY 24/08/18**

## 1.5 FUTURE MEETINGS

The next Marina Consultative Committee Meeting to be held Friday 19 October 2018  
The Annual Berth Holder Meetings to be held on Saturday 20 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

Director Development spoke to the report presented at the meeting, noting it is still an interim report, however, it is very close to finalisation.

Overspend on Operations and maintenance at Slip Bight was due to the marina mesh for the next refurbishment arriving early and therefore being processed prior to the end of the 2017/2018 financial year. Overspend on operations and maintenance at Metung was due to maintenance costs required to be undertaken to maintain the marina no matter the occupancy – occupancy of 52% results in less operations and maintenance revenue.

Overall the marinas showed a \$166K surplus.

John Underwood asked about the status of the Marketing Plan. Council Officers advised the fees required ministerial sign off before we could proceed any further.

David Griffiths questioned the high amount assigned to corporate overheads, asking if the 15% is realistic. Paul Holton advised he would direct the question to the Executive Manager Finance.

There was further discussion regarding the auditing process, and confirmation that the surplus on licence fees was not paid to the State, but used by Council as Committee of Management on the development of foreshores.

**Action Required :** Paul Holton to request the Executive Manager Finance provide an explanation of the 15% corporate overheads.

**Action Taken :** Advice from Executive Manager Finance.  
“On numerous occasions in the past the Committee have been provided with information regarding the application of Corporate Overheads as part of the requirement to report the operations of the Marinas for Cost Neutrality purposes. Council's corporate costs are shown to be approximately 15% of total expenditure. These costs include a share of all management expenses, facilities that are used, customer services, property administration for the berth holder fees, financial services etc. The application of the corporate overhead 15% is part of the costings to ensure the operations of the marinas are reported in a format that complies with cost neutrality reporting.

It would be appreciated if there were matters relating to the finance reports that members sought further information on, then those matters could be forward to the Manager Economic Development prior to the meeting to enable the information to be available at that time.

Whilst the Executive Manager Finance is not required to attend the meeting, she is happy to provide information to relevant Council officers to present at the meeting."

REPORT NOTED

## 2.2 MAINTENANCE REPORT

Commercial Business Operations Officer

Angela Printz presented the Maintenance Report, noting the completed works for the entire financial year had been covered in previous meetings and spoke to the works scheduled for the 2018/2019 financial year as well as some items for further investigation to be assessed for suitability to proceed.

Bill Newcomen questioned what was included in the scope of the hard stand jetty refurbishment. Paul Holton advised Council were sourcing quotes for the jetty to be extended for improved launch and retrieval and include wave attenuation.

Bill Newcomen requested Councils position on improvements to the floating jetty. Paul Holton responded that Superior Jetties recommended installation of stern piles and the end of the fingers and installation of underwater columns as attenuation at the southern end.

Angela Printz presented a statistical analysis of occupancy for the past 3 months.

Kris Wain reported the scope of works for the refurbishment of the Metung Marina amenities block was underway and he would present ideas to the next committee meeting.

**Action Required:** Kris Wain to present a report on Metung amenity block ideas to the next meeting.

**Action Taken:** Added to Agenda

REPORT NOTED

## 2.3 MARINA ORGANISATION CHART

Commercial Business Coordinator

Kris Wain reported on the Marina organisation chart which was an action item from the Subcommittee meeting. Although marinas are a commercial enterprise within the Development Directorate, there is a governance function managed by the Corporate Directorate. Other areas of Council undertake works for marinas, however, they are considered more like a service provider under the direction of the Commercial Business Unit.

Bill Newcomen raised the issue of emergency response. Kris Wain advised the On-Call Duty Officer was the point of contact for all after-hours calls for all areas of Council. The incident at Metung Marina highlighted a gap in knowledge by the on-call officer on this occasion and we have since provided them with updated emergency contact numbers. In

further learning from the incident at Metung Marina we have worked with our internal OH&S to develop Working Alone Policies, Emergency Response procedures, and implement emergency kits in each of the vehicles with contact lists and items required in emergencies, such as ropes, fenders, signage and hard copies of all emergency documentation. Bill added that the CFA in Metung now have a Marine Unit for fuel leaks, etc. and praised Council for taking action from the learnings.

There was some discussion regarding communication during and after the Metung Marina event. All communications were undertaken individually, by phone and email, in order of priority for those directly affected followed by a bulk email notification to all berth holders. Kris advised automated SMS notification was to be investigated.

Larry Field questioned if there would be any come back on the constructors of the Marina. Paul Holton responded that the insurer will assess this and address accordingly. GPM engineers certified the design was fit for purpose, therefore any findings to the contrary will fall under indemnity insurances. Paul Holton added they were provided with weather observations for the area and that user demand determined that a floating jetty was preferred.

REPORT NOTED

## **2.4 DEED OF VARIATION – SLIP BIGHT MARINA AGREEMENT**

Director Development

Paul Holton spoke to this report advising the agreement was prepared in 2012 and required sign off from several authorities such as Minister for Environment, Gippsland Ports, CEO EGSC. It was assumed at time of the deed of variation being created, all signatures had been provided for endorsement. However, it was later identified one Minister's signature was missing. As part of the sub-committee actions the deed of variation is to be reviewed by DELWP and the subcommittee. Most likely at the end of fire season.

REPORT NOTED

## **2.5 DEFINITION OF A TRANSIENT VESSEL**

Commercial Business Coordinator

Kris Wain reported on the definition of a transient vessel which was another action item from the Sub-committee meeting, clarifying that a transient vessel is one not authorised by way of a Council agreement document, to moor at a Council marina.

REPORT NOTED

## **2.6 COUNCIL MARINA POWER POLICY PROCEDURE**

Commercial Business Coordinator

Kris Wain presented the Council Marina power policy procedure for policing the Policy which was endorsed 27/4/18. Prior arrangements previously mentioned for allowing use of power whilst unattended could not be found in Council systems. Berth holders who believe they have such approval should provide it to Council for consideration. Other berth holders, including those using sea-pens, can request short term use of power whilst not in attendance, but are to provide their request in writing to Council for consideration on a case

by case basis with date to be provided for rectifying their requirements for power whilst not in attendance - there are solar options available. A tagging of leads for approved extensions will be implemented. Berth holders will be made aware of the policy via the Marina Newsletter and at the Annual Berth Holder's meetings. Berth holders will be given email advice regarding commencement of the policing procedure.

Several berth holder representatives questioned Council's actions being 'too soft' as the rules and regulations clearly state power is not to be used whilst not in attendance.

Kris Wain responded by identifying that without an appropriate policy and procedure to manage such rules and regulations, council officers are restricted in enforcing regulations. Paul Holton added as an example, if a grievance goes to an ombudsman the first thing they ask for is the council policy and procedure related to the topic being debated. Without the document action is always in favour of the offending berth holder.

John Underwood added that there should be some education regarding the risk of batteries exploding. This will be included in the Marina Newsletter.

**Action Required:** Information regarding the risk of batteries exploding to be included as a newsletter item.

**Action Taken:** Added to next newsletter

REPORT NOTED

## 2.7 MINUTES – SLIP BIGHT MARINA SUB-COMMITTEE MEETING 22/6/18

Director Development

Paul Holton presented the action items register for the Slip Bight Marina Sub-committee meeting. Several items have been covered off here in previous items and work will continue. The current document remains in place until a new agreement is in place, most likely a Section 17B Agreement. John Underwood noted section 8.3 states all documents are to be audited annually and proposed auditors should be made aware of the requirement.

**Action Required:** Paul to arrange for Executive Manager Finance to advise auditors.

**Action Taken:**

REPORT NOTED

## 2.8 MARINE BNB PROPOSAL

John Underwood

Paul Holton advised although this Australian Maritime Safety Authority (AMSA) proposal is up for approval, Council will not be adopting it in Council marinas. Confirmation of Councils stance to be provided via newsletter.

**Action Required:** Re-iterate Councils stance against vessels in Council marinas being rented out as accommodation.

**Action Taken:** Item to be included in the Marina Newsletter

# ITEMS

## 3. ITEMS (VERBAL)

### 3.1 METUNG MARINA UPDATE

Bill Newcomen advised all concerns from his report had been addressed in previous discussions at this meeting, specifically the installation of stern piles being critical and implementation of the Emergency Management procedure. The Committee was advised that the insurer had received three quotes and were in favour of the local repairer. Approval to be provided on the clarification of a couple of items with this provider. David Griffiths questioned the payment of excess. Paul Holton advised the excess would be waived where costs are recovered from the other party.

**Action Required:** Paul to report an update at the next meeting

**Action Taken:** Item added to next Agenda

### 3.2 MARINA MARKETING STRATEGY

Kris Wain advised the committee feedback had been added and the document has been submitted to the Communications Unit. When fees are signed off, we can commence actions such as media, etc.

SHORT BREAK TAKEN

### 3.3 STANDARD FOR DECKING

David Griffiths stated that there were gaps between decking boards which posed a risk of trips and falls, and suggested anything 15mm should be filled. Angela advised there was no reference in the Australian standards for Marina Design, but felt 30mm was more realistic until new mesh decking is installed, as it will eliminate the issue completely.

**Action Required:** Australian Standard for boardwalk to be considered.

**Action Taken:** Item added to next agenda.

### 3.4 DISCUSSION FOR ALLOWABLE OWNER MODIFICATIONS TO MARINA STRUCTURE

David Griffiths voiced his concern regarding unsafe modifications and suggested they should be removed. Berth holder agreement states they are allowed with Council approval. Angela has conducted an audit and has been unable to source any formal requests from the current berth holders.

**Action Required:** Report back next meeting

**Action Taken:** Added to Agenda



## **4. OTHER BUSINESS**

### **4.1 Unpaid Berth holders**

Larry questioned the status of unpaid berth holders. Paul responded for Slip Bight Marina, one berth holder had paid the debt in full, one was still in the hands of the court system, and the one impounded had been donated to the Paynesville Men's Shed. The one from Metung Marina has been paid in full with the owner removing it from the marina.

### **4.2 Unused Operations and maintenance budget**

John requested a response from finance on why unused operations and maintenance budget is not carried forward.

**Action Required:** Report back next meeting.

**Action Taken:** Added to Agenda

### **4.3 Onus for the cost in installing stern piles**

Neil questioned why the Metung Marina designer wasn't financing the installation of stern piles. Paul will follow up with the insurer.

**Action Required:** Report back next meeting

**Action Taken:** Added to Agenda

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

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