



Port of Port Fairy Delegated Committee Meeting

Agenda

Date: Tuesday 22 November 2022

Time: 3.00pm

Venue: Port Fairy Office – Old Council Chambers



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CONFIDENTIAL AGENDA ITEMS

6. Debtors/Finance Report
7. Discussion Mary S

Committee Members

Cr Jordan Lockett (Chair)
Mr Daniel Hoey
Mr Rex Grady
Mr John Sproal
Mr Russell Allardice
Mr Garry Stewart
Mr Peter O'Keeffe

Officers (non-voting attendees)

Mr Robert Gibson – Manager Environment and Regulatory Services
Ms Edith Farrell – Director Infrastructure and Environment

Ms Brett Anders – Personal Assistant I & E Directorate (Minutes)

Acknowledgment of Country

The Chair will read the following:

We begin by acknowledging the Traditional Custodians of the land on which we meet today and pay our respects to their Elders past and present. We extend that respect to Aboriginal and Torres Strait Islander peoples here today.

Recording of Delegated Committee Meetings

The Chair will read the following:

Please note that today's meeting is being recorded on zoom and will be uploaded to Council's website. By participating in and addressing those present at the meeting, you consent to any information you disclose (including any personal information or sensitive information) being recorded and uploaded to the website.

Declarations of Conflict Interest

Reference: Local Government Act 2020 – Sections 130 (1)(a) and 130(2) Disclosure of Conflict of Interest in respect of a matter to be considered at a Council Meeting

A relevant person who has a conflict of interest in respect of a matter must:

- a) disclose the conflict of interest in the manner required by the Council's Governance Rules [Refer to Governance Rules – Division 2 Councillor conflict of interest disclosures] and
- b) exclude themselves from the decision making process in relation to that matter, including any discussion or vote on the matter at any Council meeting or delegated committee, and any action in relation to the matter.

Members of Staff

If a member of Council staff has a conflict of interest in a matter which they are providing advice to Council:

- a) if the advice is included in a report, the report must disclose the conflict of interest
- b) if the officer is speaking in the Council meeting, the officer must disclose the conflict of interest before speaking on the matter.

Confirmation of Minutes

Recommendation

That the Minutes and Confidential Minutes of the previous Port of Port Fairy Delegated Committee meeting held on 11 October 2022 be confirmed.

Attachment(s)

Attachment 1 – Minutes of 11 October 2022 PoPF Delegated Committee Meeting

Attachment 2 – Confidential Minutes of 11 October 2022 PoPF Delegated Committee Meeting



Port of Port Fairy Delegated Committee Meeting

Minutes

Date: Tuesday 11 October 2022

Time: 3.00pm

Venue: Port Fairy Office – Old Council Chambers

Committee Members

Cr Jordan Lockett (Chair)

Cr Jim Doukas

Mr Daniel Hoey

Mr Rex Grady

Mr John Sproal

Mr Russell Allardice

Mr Garry Stewart

Mr Peter O’Keeffe

Officers (non-voting attendees)

Mr Kane Church – Acting Manager Environment and Regulatory Services

Ms Brett Anders – Personal Assistant I & E Directorate (Minutes)

Apologies

Ms Edith Farrell – Director Infrastructure and Environment

Acknowledgment of Country

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Members of Staff

If a member of Council staff has a conflict of interest in a matter which they are providing advice to Council:

- a) if the advice is included in a report, the report must disclose the conflict of interest
- b) if the officer is speaking in the Council meeting, the officer must disclose the conflict of interest before speaking on the matter.

Confirmation of Minutes

Mr John Sproal moved, Cr Jim Doukas seconded that the Minutes and Confidential Minutes of the previous meeting held on 31 May 2022 be confirmed.

Carried 8:0

Public Participation

Refer to Governance Rules - Division 5 – Clause 62 Public Participation/Clause 63 Public questions/Clause 64 Public statements

62. Public participation in scheduled meeting

The agenda for every scheduled meeting must include provision for public participation.

The Council must suspend standing orders for the period of public participation.

Public participation in a Delegated Committee meeting may include:

- (a) questions from members of the public in accordance with clause 63; or
- (b) statements from members of the public in accordance with clause 64.

Unless an extension is granted by a ruling of the Delegated Committee Chair, a member of the public asking a question or making a statement under this Division must not speak for more than five minutes.

If the Delegated Committee Chair considers that a member of the public is making comments that are offensive or defamatory when given an opportunity to ask a question or make a statement:

- (a) the Delegated Committee Chair must direct the person to cease speaking; and
- (b) the meeting must proceed to the next matter.

63. Public questions

A member of the public may ask a question at a delegated committee meeting if they comply with this clause.

A person wishing to ask a question must, no later than 12 noon on the business day before the scheduled meeting, give the Delegated Committee Chair:

- (a) their name and address; and
- (b) the text of the question they wish to ask.

The Delegated Committee Chair may reject a question that is offensive or defamatory of any person, including of a Councillor or a member of Council staff.

At the discretion of the Delegated Committee Chair a question may be answered by the Delegated Committee Chair or a member of staff nominated by the Delegated Committee Chair.

If a question cannot be answered at the meeting, the Delegated Committee Chair must provide a written response to the question as soon as is practicable to:

- (a) the person asking the question; and
- (b) the Delegated Committee.

64. Public statements

A member of the public may make a statement at a delegated committee meeting if they comply with this clause.

A person making a statement may:

- (a) speak on behalf of themselves or another person or group of persons;
- (b) speak to a matter on the agenda for the scheduled meeting; or
- (c) speak on any other matter that falls with responsibilities.

A person wishing to make a statement must, no later than 12 noon on the business day before the scheduled meeting, give the Delegated Committee Chair:

- (a) their name and address;
- (b) the name of any person or group they wish to represent; and
- (c) a general description of the statement they wish to make.

The Delegated Committee Chair may reject a request to make a statement if it appears to be:

- (a) offensive or defamatory of any person, including of a Delegated Committee member or a member of Council staff; or
- (b) not a matter that falls within the responsibilities of the Council.

[Public Participation attendees for this meeting:](#)

Ashley King - succession planning for Committee members, shipwrights courses, and a proposal for enhanced signage and pathways.

1. Business Arising from Previous Meeting/Actions

Action item	Responsible Officer	Comments
Continue to work towards removal of Mary S from the Port.	Port Coordinator	ONGOING – Suggestion to create a memorial for Mr Rodgers, plaque to recognize, boat submerged out to sea as artificial reef. Another suggestion to remove the boat from the water and place in King George Square (look at feasibility of this or another vessel).
Budget bid through Tourism Department for media centre at bait shed.	Sub Committee	COMMENCED
Request DOT/AMSA lighthouse lumens upgrade	Port Coordinator	COMMENCED
Pursue outstanding debtors	Port Coordinator	COMMENCED
Port of Port Fairy Training wall assessment	Port Coordinator	ONGOING Investigate options for repair, action plan and report required.
Funding for Boat Ramp	Director Infrastructure and Environment	Outcome from masterplan. Committee unaware of Minister visit to announce funding.
Griffiths Street footpath, from rivers edge to boat ramp for safety	Director Infrastructure and Environment	Has path been scoped? Costings to be presented to Nov meeting.
Battery Hill Signage requires updating	Port Coordinator	Suggestion from Community Bank of Sponsorship of interpretive signage.
Landscaping footbridge pathway, Rotary Club	Port Coordinator	Offer by Rotary to undertake landscaping of area beside footbridge path

Action item	Responsible Officer	Comments
Pilon repairs – Fenders replacement	Port Coordinator	Replacement of fenders required on pilons. To be investigated.
Follow up on funding allocation from Better Boating Vic and circulate details with Minutes.	Director of Infrastructure and Environment	

2. Port Quarterly Operations Report

Overview: This report contains information pertaining to the operation and management of the Port of Port Fairy for the period from May 2022 to August 2022.

Mr Peter O’Keeffe moved, Mr Russell Allardice seconded that the Port of Port Fairy Delegated Committee note and receive the Port of Port Fairy Quarterly Operations Report for the period from May 2022 to August 2022

Carried 8:0

3. Correspondence In/Out

Overview: Update of correspondence in and correspondence out since the last Port of Port Fairy Delegated Committee meeting.

Cr Jim Doukas moved, Mr Daniel Hoey seconded that the Port of Port Fairy Delegated Committee note and receive that no correspondence in has been received and no correspondence out has been sent since the last delegated committee meeting.

Carried 8:0

4. Port of Port Fairy Annual Report DRAFT

Overview: Update of Port of Port Fairy Draft Annual Report for 2021-2022

Mr Peter O’Keeffe moved, Cr Jim Doukas seconded that the Port of Port Fairy Delegated Committee note and receive the Port of Port Fairy DRAFT Annual Report for 2021-2022, with correction of typo errors.

Carried 8:0

5. Port of Port Fairy Budget Update

Overview: Update of the Port of Port Fairy 2021-2022 Budget actuals, and adopted 2022-2023 Budget.

Cr Jim Doukas moved, Mr John Sproals seconded that the Port Delegated Committee note and receive the Port of Port Fairy 2021-2022 budget actuals and the adopted 2022-2023 budget

Carried 8:0

6. General Business

- Better Boating Victoria (BBV) in participation with the Victorian Government is investing more than \$33 million in the Better Boating Fund, making recreational boating cheaper and more accessible for Victorians to enjoy.

The Department of Transport and Better Boating Victoria will manage the fund’s distribution. In the first year of the fund, the \$33 million investment will contribute to enhanced infrastructure and facilities, maintenance and management, improved access, safer waterways, boating destinations, enhanced data, and boating promotion.

Council has met with the Director of Better Boating Victoria to discuss the extent of funding and opportunities for improvements and works in conjunction to Councils PoPF Master Plan. The Master Plan has been issued to BBV, which outlines the intended improvements for the Port, subject to funding.

An invitation has been extended to the Director of BBV to outline the funding criteria to Council. BBV have been invited to attend the next PoPF Delegated Committee meeting, to present information on the funding scheme.

Action: Follow up with Edith/Robert on funding allocation, circulate details with Minutes.

Next Meeting

Tuesday 22 November 2022 at 3pm

Mr John Sproals moved Mr Peter O’Keeffe seconded that the Port of Port Fairy Delegated Committee meeting be closed to consider confidential items.

Confirmed this 22nd of November 2022

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Chair, Cr Jordan Lockett

Public Participation

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Public Participation attendees for this meeting:

Nil

1. Business Arising from Previous Meeting

Meeting Date	Action item	Responsible Officer	Comments
11/10/22	Continue to work towards removal of Mary S from the Port.	Port Coordinator	ONGOING – Suggestion to create a memorial for Mr Rodgers, plaque to recognize, boat submerged out to sea as artificial reef. Another suggestion to remove the boat from the water and place in King George Square (look at feasibility of this or another vessel).
27/05/21	Budget bid through Tourism Department for media centre at bait shed.	Sub Committee	COMMENCED
15/02/22	Request DOT/AMSA lighthouse lumens upgrade	Port Coordinator	COMMENCED
15/02/22	Pursue outstanding debtors	Port Coordinator	COMMENCED
15/02/22	Port of Port Fairy Training wall assessment	Port Coordinator	ONGOING Investigate options for repair, action plan and report required.
11/10/22	Funding for Boat Ramp	Director Infrastructure and Environment	Outcome from masterplan. Committee unaware of Minister visit to announce funding.
11/10/22	Griffiths Street footpath, from rivers edge to boat ramp for safety	Director Infrastructure and Environment	Has path been scoped? Costings to be presented to Nov meeting.

Meeting Date	Action item	Responsible Officer	Comments
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11/10/22	Pylon repairs – Fenders replacement	Port Coordinator	Replacement of fenders required on pylons. Concerns with boats trapped under the pylons. To be investigated.
11/10/22	Follow up on funding allocation from Better Boating Vic and circulate details with Minutes.	Director of Infrastructure and Environment	

2. Port Quarterly Operations Report

Overview: This report contains information relating to the operation and management of the Port of Port Fairy for the period from October 2022 to November 2022.

Officers' Recommendation

That the Port of Port Fairy Delegated Committee note and receive the Port of Port Fairy Operations Report for the period from October 2022 to November 2022

PoPF Quarterly Operations Report Overview

- A second attempt at recruiting a Coordinator for the Port of Port Fairy is underway with interviews having been conducted during the week of 7 November 2022. Formal notification of the result of this process will be provided to the committee once the process is finalised.
- Sureside consulting has been engaged to develop a concept design for the unpowered vessel (kayak) launching facility. Once received it will be presented to the Committee for consideration. MACA approval will be required and advice is being obtained on the requirement for Heritage Victoria approval.
- Maintenance Concepts has been engaged to replace failing fenders throughout the port. Approximately 50 fenders will be replaced over the course of a week sometime between now and the end of the year.
- Farren Group has been engaged to undertake a hydrographic survey of the Moyne River within the confines of the port. This survey is expected to be completed by the end of November 2022.
- A Request for Quote has been prepared to engage a contractor to dredge sediment from within the port early in the New Year. The previous contract has expired. The RFQ will be released immediately following receipt of the hydrographic survey as this will form part of the RFQ documentation.
- An electrical contractor has been engaged to repair a malfunction in the lighting on itinerant berthing jetty.

3. Correspondence In/Out

Overview: Update of correspondence in and correspondence out since the last Port of Port Fairy Delegated Committee meeting.

Recommendation

That the Port of Port Fairy Delegated Committee note and receive correspondence in and correspondence out since the last delegated committee meeting.

Attachment(s)

Attachment – Correspondence Peter O’Keeffe Responsibilities of Board Members.

- December 20, 2019

10 Basic Responsibilities of Board Members

- Written by [Lena Eisenstein](#)

All organizations are unique in their own right. Even so, every board of directors has some of the same basic fundamental responsibilities. Organizations may operate for profit or charity. They may be membership-based or non-membership based. Organizations may be new or long-standing. They may have a strong financial base or they may be a struggling start-up. These are the types of characteristics that determine the manner in which the board fulfills its responsibilities. The board’s role also varies based on the organization’s purpose and vision. As organizations grow and evolve, and the world they operate in grows and changes, the board is responsible for reviewing the changes and making adjustments that are in the best interests of the organization.

Regardless of an organization’s health, type, or status, boards have the following 10 basic responsibilities:

1. **Establish the organization’s vision, mission, and purpose.**

The organization’s [vision](#) is the founding members’ view of what they want the organization to be and what purpose it serves. The board is also responsible for writing a mission statement, which is what the organization intends to do to fulfill the vision. The board should consider the vision while doing its strategic planning to ensure that their planning continually aligns with the vision. Everyone who is directly or indirectly connected with the organization should be aware of the vision and the board plays a large role in that.

2. ~~Hire, monitor, and evaluate the chief executive.~~

~~Boards have the task of identifying, recruiting, and appointing the most qualified individual they can find to serve as the chief executive. In addition, the board [writes the chief executive’s job description](#). Before conducting an executive search, the board needs to consider the organization’s needs, strengths, and weaknesses in considering the skills and abilities that a leader can bring to help the organization move forward. The new leader should be clear on what the board expects for his or her first year of service.~~

3. **Provide proper financial oversight.**

Board directors work together to establish a budget and ensure that there are proper internal controls in place for incoming and outgoing funds. Even small companies and startups should have an audit committee and do an internal audit every year.

4. **Ensure the organization has adequate resources.**

Every organization needs resources and it’s the board’s responsibility to ensure that every part of the organization has [adequate resources for the organization](#) to meet its obligations and fulfill its mission. Boards need to carefully consider the best way to allocate money and other resources for the benefit of the organization and its stakeholders. Nonprofit board directors should expect to make regular donations to the organization and use their personal and professional network to advance the mission of the organization.

5. **Create a strategic plan and ensure that it’s followed.**

Boards set goals and objectives according to a strategic plan so that they have a guide for how to meet the organization’s goals and needs applicable to [nonprofit board positions](#). A SWOT (strengths, weaknesses, opportunities, and threats) analysis is usually part of the strategic planning process. The [strategic plan](#) may be done every year or every few years.

Strategic planning should account for short and long-term goals. Boards monitor progress on the goals based on reports received from management.

6. Ensure legal compliance and ethical integrity.

All organizations have to abide by rules and laws. Board directors have a fiduciary duty to ensure that their organization is in full compliance with its legal obligations. Board directors should behave in a truthful, ethical manner and thus, set an example for others. Legal compliance also entails setting up policies to establish acceptable behavior such as the Whistleblower policy, Code of Conduct, and Code of Ethics.

7. Manage resources responsibly.

Board directors are accountable to many individuals and groups. For this reason, boards need to ensure that they’re protecting the organization’s assets and managing them responsibly. Board directors have a legal duty to be transparent and accountable for their actions and inactions. Board directors are generally protected from liability for judgment errors as long as they act responsibly and in good faith and do proper due diligence when making decisions.

8. Recruit and orient new board members and assess board performance.

The board is responsible for recruiting, nominating and appointing new board directors that have the right mix of skills and abilities to help the organizations fulfill and advance its mission. Boards need to be as objective as they can be about their own performances. Most boards do a [self-evaluation](#) every year with the goal of identifying their weaknesses and forming a plan to improve the board’s performance.

9. Enhance the organization’s public standing.

Reputation is an important factor in an organization’s functioning. The board serves as a link between the company and its stakeholders. Every interaction with stakeholders presents opportunities to share the organization’s culture, mission, accomplishments, and goals. Stakeholders expect boards to be transparent and accountable. Organizations that operate openly and honestly enjoy the benefit of having a trusting relationship with their stakeholders. It’s important for boards to have a designated spokesperson who can effectively articulate the organization’s good work or answer to stakeholders in times of crisis.

10. Strengthen the organization’s programs and services.

Boards decide which programs most exemplify the organization’s mission. By factoring the organization’s resources and demands, boards can make decisions about whether their current and proposed programs and services align with the organization’s mission and purpose. When programs compete for funds and other support, boards have to make tough decisions about priorities.

Having a list of [responsibilities](#) is a great tool for boards to assess their own performances. A [BoardEffect](#) board management software program is another valuable tool for board directors. It streamlines the processes for creating meeting agendas and meeting minutes while cutting costs compared with compiling paper board books. The program also has a built-in survey tool so that boards can complete their annual board self-evaluations to monitor their progress year after year. These 10 basic board responsibilities will get boards off to a great start and they should consider them a starting point for developing their own, customized expectations for board directors.



4. Port of Port Fairy Budget Update

Overview: Update of the Port of Port Fairy 2022-2023 Budget.

Recommendation

That the Port of Port Fairy delegated committee received the update for the 2022-2023 budget

Attachment(s)

Attachment – 2022-23 Port of Port Fairy Financials as of 1 November 2022 (to be tabled)

5. General Business

- Better Boating Victoria Presentation - Duncan Hill: Funding opportunities and possible projects.

Next Meeting

Tuesday 7 February 2023

Tuesday 9 May 2023

Tuesday 8 August 2023

Tuesday 7 November 2023

Meeting Close