



Port of Port Fairy Delegated Committee Meeting

Minutes

Date: Tuesday 16 May 2023

Time: 3.30pm

Venue: Seacombe House, Sackville Street Port Fairy

Committee Members

Cr Jordan Lockett (Chair)
Cr James Purcell
Mr Peter O’Keeffe
Mr Russell Allardice
Mr Garry Stewart
Mr Daniel Hoey

Officers (non-voting attendees)

Mr Kane Church – Coordinator Environmental Services
Mr Colin McKane – Acting Manager Environment and Reegulatory Services
Mr Cameron Brown – Port of Port Fairy Coordinator
Ms Edith Farrell – Director Infrastructure and Environment
Ms Myra Murrhiy – Executive Administration (Minutes)

Apologies

Mr John Sproal
Mr Rex Grady

Acknowledgment of Country

The Chair 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.

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

Reccommendation:

That the Minutes and Confidential Minutes of the previous Port of Port Fairy Delegated Committee meeting held on 7 February 2023 be confirmed.

Moved: Peter O'keefe

Seconded: Dan Hoey

Carried 6:0

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:](#)

Nil on 16 May 2023

1. Business Arising from Previous Meeting/Actions

Item	Meeting Date	Action item	Responsible Officer	Comments
1	22/11/2022	Continue to work towards removal of Mary S from the Port.	Port Coordinator	IN-PROGRESS Letter issued 5 May awaiting response within 28 days. If Mary S removed no recovery of outstanding fees.
2	27/05/2021	Budget bid through Tourism Department for media centre at bait shed. ACTION: Follow up next meeting with progress ACTION: Manager to follow-up with Heritage Victoria	Sub Committee	IN-PROGRESS – noted in draft budget S17B Crown Licence Agreement for current use under investigation TBA
3	22/11/2022	Port of Port Fairy Training wall assessment ACTION: Manager to begin RFQ process to assess the report and see if it is still valid, and if not, what changes are required	Port Coordinator	IN-PROGRESS – Seeking quotes Engage an engineer to review 2009 assessment of training walls and engage with Heritage Victoria
4	11/10/2022	Battery Hill Signage requires updating	Port Coordinator	TBA - Coordinator has tried to contact no reply as yet Suggestion from Community Bank of Sponsorship of interpretive signage.
5	11/10/2022	Landscaping footbridge pathway, Rotary Club	Port Coordinator	Rotary willing to undertake maintenance and inductions. Working through ongoing maintenance requirements with parks and gardens.
6	11/10/2022	Fender replacement	Port Coordinator	COMPLETED
7	22/11/2022	Continue pylon wrapping with unspent funds	Port Coordinator	IN-PROGRESS Exemption request granted and quote to complete 20 pylons within budget. Contractor to be engaged in near future
8	22/11/2022	Obtain costing for historic lifeboat slipway replacement	Port Coordinator	IN-PROGRESS Reviewed plan indicates use of timber, Historic Life Boat Committee has agreed to utilise steel as timber no longer viable. Will require redesign with engineer for steel specifications. Budget allocated for replacement is \$50,000

9	7/02/2023	Further investigate options for Kayak access	Port Coordinator	IN-PROGRESS Consultant has indicated \$3,000-\$5,000 to further investigate options to reduce scope. However, design will likely be above budget allocated (\$30,000). Warrnambool Council just installed DDA ramp and pontoon with cost in the order of \$400,000
10	7/02/2023	Officers to investigate if there is an option to use the BBV funding for kayak access.	Port Coordinator	TBA
11	7/02/2023	The consultant completing the fender replacement will also inspect the red buoy.	Port Coordinator	COMPLETE - Awaiting consultant report
12	7/02/2023	Manager to follow-up review for tender for dredging	Port Coordinator	IN-PROGRESS Will require purchase exemption as no tenderer appointed.
13	7/02/2023	Round bollard assessment	Port Coordinator	IN-PROGRESS Report under review

Item 3:

Motion: Engage WDA Consultants to undertake assessment of \$30k

Moved: Peter O'keefe

Seconded: Dan Hoey

Carried 6:0

Peter O'keefe left the meeting at 3.43pm

Peter O'keefe returned to the meeting at 3.47pm

Item 9

Action: Officers to look at alternate options for design & contact Better Boating to explore any potential funding.

Item 12

Action: Investigate size of dredge that would be required for Port Fairy. Investigate the cost of purchasing our own dredge & look into funding options.

Cr Lockett left the meeting at 4.09pm

Cr James Purcell assumed the position of Chair

2. Correspondence In/Out

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

The Port of Port Fairy Delegated Committee noted this report

3. Port Quarterly Operations Report

Overview: This report contains information relating to the operation and management of the Port of Port Fairy for the period February 2023 to May 2023.

Reccommendation:

That the Port of Port Fairy Delegated Committee note and receive the Port of Port Fairy Operations Report for the period February 23 to May 2023.

Moved: Russell Allardice

Seconded: Gary Stewart

Carried 5:0

Action: That the Quarterly Operations Report go out once every quarter, between PoPF committee meetings.

Action: Port Coordinator to reply to DTP in regards to proposed Operational Services Agreement to query the intended proposal that the Bait Shed become a Council asset.

4. Berthing Prices Adjacent to Marina

Reccommendation:

That the Port of Port Fairy Delegated Committee deem the vessels berthed between the marina and the training wall to be alongside berths (yellow shaded area) rather than marina pen berths and charge berthing fees accordingly from next quarter.

Moved: Gary Stewart

Seconded: Dan Hoey

Carried 5:0

5. Port of Port Fairy Budget Update

Recommendation

That the Port of Port Fairy Delegated Committee received the update for the 2022-2023 budget

Moved: Peter O'keefe

Seconded: Dan Hoey

Carried 5:0

6. General Business

Update regarding visit from Minister for Local Government, Ports and Freight and Roads – Mellissa Horne MP & Member for Western Victoria Jacinta Ermacora MP

- *Update provided by Edith Farrell & Cameron Brown on the Ministers visit to the Port of Port Fairy.*
- *Noted that Delegated Committee members to be invited to any future ministerial visits.*

Economic Development Advisory Committee's request for meeting to discuss future commercial opportunities at the Port of Port Fairy. **Action:** *Invite Darby Lee, Manager Economic Development & Customer Experience, to the next Port of Port Fairy meeting to provide an update. Sorry Myra cant get it to format like below – can you fix it please?*

Dan Hoey advised that the Fuel pump at the wharf doesn't supply a receipt and the price is an additional 50c/litre more than the service station.

- *Cameron Brown advised that the person that can amend the pricing has been off work for an extended period. He is now back from leave and will address the issue.*

Action: Prioritise amending the per litre price on the port bowser & restoring receipt printing functionality.

Action: Develop and provide to the Port of Port Fairy Committee members thoughts going forward on how fuel pricing at the Port bowser is to be set.

Action: Additional berthing options to be investigated by officers as part of the Port of Port Fairy Masterplan.

Next Meeting

Tuesday 08 August 2023

Meeting Close

Meeting closed at 5.17pm

Meeting Minutes Confirmation

Minutes Confirmed this _____ day of _____, 2023
(day) (month)

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Chair, Cr Jordan Lockett