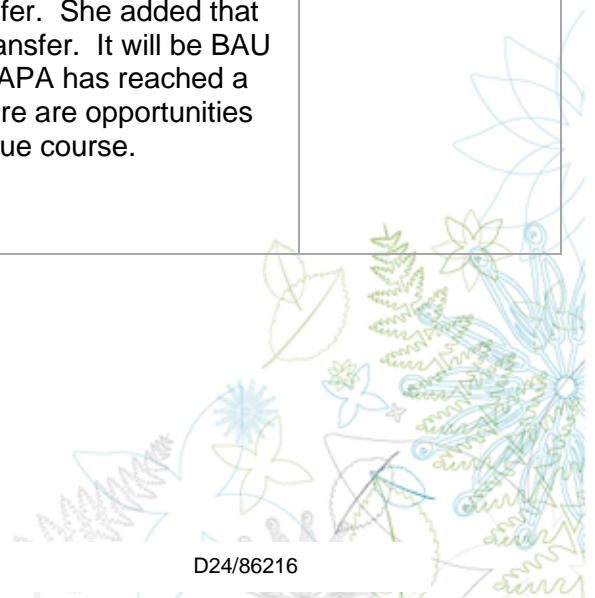


MINUTES.

Thursday 9 May 2024

Time: 12 - 1 pm

1.	<p>ATTENDEES: Lisa Mills – GORCAPA Brigid Isaac - GORCAPA Gary Summers – Apollo Bay Sailing Club Peter Biddle – Apollo Bay Ocean Rescue Nick Polgeest – Apollo Bay Fishermen’s Coop Bill Gross – Apollo Bay Community Representative John Marriner – Apollo Bay Community Representative Russell Frost – Community - Commercial Fishers</p> <p>David Butterfield/Andrew Tenni/Fiona Waddington/Marcus Pola – Colac Otway Shire, Cr Graham Costin – Councillor Colac Otway Shire, Cr Chris Potter – Councillor Colac Otway Shire.</p>
2.	<p>APOLOGIES Wayne Diffey Anthony Alfirenko</p>
3.	<p>MINUTES FROM LAST MEETING Minutes accepted. Reference made to the committee’s terms of reference - working principles and protocols. The expectation of appropriate behaviour in meetings.</p>
4.	<p>PROGRESS OF TRANSITION OF PORT TO GORCAPA DB provided an update. An MOU is in place regarding transfer of records and data. Staff/people – HR process for transfer of staff is in progress. Assets – 98% of the assets have been ratified for the transfer on 1 July. There are some minor issues to resolve. Projects – the sheet pile wall (structure D) will be incomplete on 1 July. After this date COS will manage completion of the project. The defects liability period will be maintained by COS. The port team will report directly to Lisa Mills after the transfer. She added that port management will not be materially different after the transfer. It will be BAU (business as usual). No changes will be made until GORCAPA has reached a good level of understanding of operations at the port. If there are opportunities for improvement/efficiency, changes will be considered in due course.</p>



5.	<p>UPDATE ON BASS STRAIT FREIGHT PROPOSAL</p> <p><u>An update</u></p> <p>AT provided an update in relation to a proposed livestock freight service between King Island and Apollo Bay by Bass Strait Freight (BSF).</p> <p>There are legal proceedings in progress in relation to the proposal.</p> <p>An engineering report has been obtained to assess the suitability of the port's infrastructure and general arrangement to enable all aspects of the proposed operation. The report was provided by maritime engineers Wallbridge Gilbert Aztec (WGA).</p> <p>A risk assessment workshop was held on 19 April 2024. It was attended by representatives from Safe Transport Vic, Ports Victoria, Dept of Transport, Gippsland Ports, Ports Victoria and Agriculture Victoria. The workshop highlighted additional issues and risks.</p> <p>The resulting risk register in relation to the proposal has highlighted work that needs to be done if port management decides that the risks would be able to be mitigated to an acceptable level.</p> <p>BSF have provided a response to the engineering report by WGA, which raised some questions regarding the proposed operations. BSF's response has recently been reviewed by WGA; a draft report was received today for consideration by COS and other stakeholders.</p> <p>JM noted that there are currently semi-trailers that access the wharf (fuel truck and some fish transport trucks). He emphasized that it is obvious that the wharf is strong enough to withstand the weight of a semi-trailer.</p> <p>FW clarified that the ability of the wharf to support a semi-trailer has never been of great concern, although the poor condition of structure A (the western rock wall) was limiting the trafficable area for manoeuvres. The remediation of structure A is now complete, and the barricaded area has been reopened to traffic. The wharf and paved area of the western rock wall was load-tested in 2021 in planning for installation of the new 30,000 litre on-wharf diesel supply tank. The test was performed with a fully laden diesel truck of 47 tonnes to ascertain the ability of the area to withstand the activity needed to refill the tank. The wharf was found to be suitable for trafficking of a 6-axle semi-trailer vehicle of up to 47 tonnes. The proposed 'cattle trucks', which are also 6-axle semi-trailers are within the limit of the load test.</p> <p>FW highlighted that the safe navigation, berthing, loading and unloading of livestock from the vessel are far more complex issues (unresolved) than that of the ability of the wharf to support a semi-trailer driving onto the wharf.</p> <p>The pertinent issues for port management are safety, infrastructure and environment.</p> <p>The direction that applies to the vessels Matthew Flinders 3 and Matthew Flinders 4 (MF3 and MF4) is still in place. Neither of the vessels are permitted to enter the POAB unless risk issues can be resolved.</p> <p>The scheduled date in May for appeal by BSF's lawyers was deferred to June and by BSF. The June date has been paused. Confirmation of a new date is pending. BSF have stated that there is no urgency now.</p>
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Transport of hay from Victoria to King Island.

NP asked about the recent request to transport hay to King Island to relieve the drought induced feed shortage.

500 tonnes of hay and pelletised stock feed has been made available by a charity 'Need for Feed' in Victoria. BSF proposed to ship it from Apollo Bay using MF4. COS has assisted with the coordination of the transport operation with other port managers in Victoria.

The POAB is not suitable for an operation of this scale.

It was noted that there has been a considerable amount of bad media coverage regarding COS causing reputational damage. PB and NP noted that they have had contact from people at King Island criticising the lack of cooperation from the people of Apollo Bay in aiding with this important drought relief initiative.

BG mentioned that COS had been criticised by the charity organisation for being slow to respond to the request. AT clarified that the COS CEO responded immediately but the email address that was used to send the request was not monitored. Some time was spent by COS in trying to locate the contact for the charity contact person, Graham Cockerell, who sent the request. After some time, contact was made. It is unfortunate that this delay occurred, but it was not due to any fault by COS.

It has been arranged that the vessel King Islander (owned by Eastern Line) will ship the hay and pelletised feed from Port Welshpool later this month. It is estimated that the loading operation with approximately 30 trucks, including semi-trailers and B-doubles) will take around 12 hours at Port Welshpool's RORO ramp. It is understood there will be media coverage of the event by ABC.

BSF's vessels will not be involved, although Port Welshpool is a port that they currently regularly use.

It was noted by BG and GC and other committee members that they consider the request to ship hay from Apollo Bay by BSF to have been a manufactured public relations exercise by BSF, a means of 'getting a foot in the door' to Apollo Bay with the hay.

NP added that the hay would be a pathway to the original cattle freight proposal. NP added that there is only a small difference in road distance to move the hay to Port Welshpool or to Apollo Bay from northern Victoria. The distance by sea is greater though.

BG noted that he has been in contact with Port Welshpool and that there is a history of incidents of cattle euthanasia there with the vessel 'Statesmen' some years ago.

BG also noted that the proposed discharge of effluent at 3nm from land from the vessel as proposed in BSF's environmental management plan is illegal. He has received confirmation from AMSA that the required distance for discharge (MARPOL Annex IV) is 12nm, not 3nm. He noted that if BSF have contravened the law at other ports (such as Bridport or Port Welshpool), the penalty is approx. \$21 million.

	<p>CP asked whether general freight could be managed if some changes were made to the wharf. This possibility can be considered in the context of the risk register and ability to mitigate risks.</p> <p>GC asked whether the urgent need to get cows off King Island earlier this year had been met.</p> <p>FW said that Port Welshpool had received approx. 18,000 head of cattle to the end of March. This is the normal annual average at Port Welshpool. Port Welshpool's port manager has recently indicated that the urgency has diminished.</p> <p>JM asked about COS's plans to introduce the set aside in relation to commercial vessels and cargo management. AT replied that the outcome of the legal proceedings will inform and guide the timing of the introduction of the set-aside.</p>	
6.	<p>PROPOSAL TO INTRODUCE PERMITS FOR ON-WHARF STORAGE AND PARKING FOR COMMERCIAL FISHERMEN</p> <p>The port team leader (operations) has recently suggested that the on-wharf storage area (informal) in the middle of the fishermen's wharf could be made formal. The model proposed is to define that area (the raised kerbed area) using a set-aside determination to make it available for use by commercial fishers for storage of equipment such as cray pots as currently occurs. This activity has occurred historically and is enabled by cooperation by fishermen. To define the area with a set-aside would secure future use of the area for commercial fishers. A permit system would allocate defined allotments to permit holders. FW proposed that a nominal fee and terms and conditions would apply for a permit. Feedback from committee members was that permits could define terms and conditions but that a fee should not be necessary.</p>	
7.	<p>LOCAL KNOWLEDGE CERTIFICATE FOR APOLLO BAY</p> <p>Unlike other local ports in Victoria there is no requirement for Local Knowledge Certificates (LKC) for masters of commercial vessels to enter POAB. Safe Transport Vic issues LKCs and is currently reviewing the process for issue of LKC's. Currently LKC's are widely used (e.g. Gippsland Ports) and the requirements for issue are quite stringent.</p> <p>To include Apollo Bay in the review process, a safety case could be considered in relation to larger commercial class 1 and 2 vessels as well as larger class 3 (fishing) vessels. Currently the LKC requirement in Victoria applies to class 1 and 2 vessels larger than 12 metres and class 3 (fishing) vessels greater than 35 metres. This doesn't apply to any of the fishing vessels currently using the port. The feedback from the committee was that more bureaucratic process is not helpful in the event of a vessel needing to enter a safe harbour. The relevance of LKC to current users of the port was not appreciated by the group.</p>	
8.	<p>UPDATE ON PORT CONDITION AND CURRENT PROJECTS AT THE PORT</p> <p>Remediation of Structure A – project completed recently. The barricades on the wharf have been removed. During the works, the contractor identified further voids in the rock wall (west-facing wall behind the fishermen's landing) as well as undermining of the foundation (toe). This is in the area close to the entry onto</p>	

	<p>Mothers' Beach. Further remedial work will be needed in due course to remediate the areas that have been highlighted.</p> <p>Sheet pile wall (Structure D) remediation – works have commenced and are progressing as planned. The project is scheduled for completion in August 2024.</p> <p><u>VFA funded projects:</u></p> <p>Boat ramp toilets, Fish Cleaning tables, Ocean Rescue storage shed. These 3 projects remain paused due to MACA planning issues. The funding provider will need to decide whether to novate the funding agreements and funding to GORCAPA to allow progression of the projects by GORCAPA once the MACA consent issues are clarified.</p>	
9.	<p>SAFETY – RISKS, ISSUES AND INCIDENTS.</p> <p>A recent minor injury to one of the contract workers for the sheet pile wall structure D project. He has recovered and is back at work.</p>	
10.	<p>GENERAL BUSINESS.</p> <p>Future of POABCC post transition to GORCAPA – discussed. CP acknowledged the work done at the port and that the POABCC has played a pivotal role in improved port management. LM and BI confirmed that GORCAPA will retain the POABCC a consultative forum post transfer. Membership will remain unchanged during the transfer.</p> <p>The next formal meeting will be in August as normal, with a review of terms of reference by GORCAPA to be an agenda item. It was suggested that the membership should be reviewed soon after the transfer (COS governance approved an extension of the term of the current members in early 2023, beyond the 2-year term defined in the T.O.R. due to the transfer of port management to GORCAPA). Current membership has not been reviewed since early in 2021. An informal meeting has been suggested for late June to update the POABCC and acknowledge the transfer.</p> <p>JM suggested that a rock wall could be constructed at the end of the golf course/boat ramp carpark. This could be backfilled with sand from dredge spoils to replace the sand that has been removed from this area and relocated to Marengo recently. The sand could be then used for other future renourishment projects. LM replied that the MACA doesn't recommend the use of 'structures' on the coast. JM suggested the use of sand filled bags instead. FW added that a discussion between COS, GORCAPA and DEECA is impending regarding port management's consent to dredge under the Marine and Coastal Act. The subject of use and location of dredged sand will be included in the discussion, which will inform a new application for consent to dredge by the port under GORCAPA management.</p> <p>LM informed the group that Anthony Alfirenko's position has been made redundant and he is no longer working with GORCAPA. NP acknowledged that Anthony was very supportive of Apollo Bay's needs during his employment with GORCAPA. GC suggested a letter from the POABCC to acknowledge AF's work.</p>	

	Fiona Waddington's resignation from the role of Port Manager was announced. Her last day will be 27 May. Simon Hunnam (COS) will act in the role of port manager until the transfer to GORCAPA on 1 July 2024. GORCAPA will appoint a PM post-transfer.	
11.	ITEMS FOR FUTURE MEETINGS Review of terms of reference Review/recruitment of membership of POABCC	
12.	NEXT MEETING Informal meeting in late June – to be arranged. Regular formal meeting – Tuesday 6 August 2024 - TBC	David Butterfield Lisa Mills

