

**28 February 2006**

**ASSOCIATION OF BAYSIDE MUNICIPALITIES (ABM) –  
APPOINTMENT OF A NEW COUNCIL REPRESENTATIVE**

**Committee**    Finance and Corporate Performance

**Presenter**    Cr Shanahan

**Purpose**

1.    For Council to:
  - 1.1.    note that Cr Brindley wishes to step down as the City of Melbourne’s Councillor Representative on the Association of Bayside Municipalities (“ABM”); and
  - 1.2.    outline the City of Melbourne’s current involvement in the ABM and recommend Council appoint a technical officer as its representative.

**Consideration at Committee**

2.    As a result of consideration at Committee, paragraphs 3.2 and 3.3 of the attached Management Report were deleted and a new paragraph 3.2 inserted as detailed below.

**Recommendation**

3.    That Council:
  - 3.1.    accept Cr Brindley’s resignation as Councillor Representative on the Association of Bayside Municipalities; and
  - 3.2.    appoint a technical officer (a member of Council’s staff) as Council’s representative to the Association of Bayside Municipalities.

**Council Report Attachment:**

1.    Finance and Corporate Performance Committee, Agenda Item 5.6, 7 February 2006

7 February 2006

**ASSOCIATION OF BAYSIDE MUNICIPALITIES (ABM) –  
APPOINTMENT OF A NEW COUNCILLOR REPRESENTATIVE**

**Division** Assets & Services

**Presenter** Geoff Robinson, Group Manager Engineering Services

**Purpose**

1. To note that Cr Brindley wishes to step down as the City of Melbourne's Councillor Representative on the Association of Bayside Municipalities (ABM).
2. To outline the City of Melbourne's current involvement in the ABM and recommend Council cease to be a member of the ABM.

**Recommendation**

3. That the Finance and Corporate Performance Committee recommend that Council:
  - 3.1. accept Cr Brindley's resignation as Councillor Representative on the Association of Bayside Municipalities;
  - 3.2. pursuant to clause 9.3 of the Charter of the Association of Bayside Municipalities, give notice of the City of Melbourne's withdrawal as a member of the Association of Bayside Municipalities; and
  - 3.3. in giving the notice referred to in the previous subclause, advise the Association of Bayside Municipalities that whilst the City of Melbourne will no longer be represented at meetings of the Association of Bayside Municipalities, it remains fully supportive of the charter and acknowledges the value of the work undertaken by the Association of Bayside Municipalities.

**Key Issues**

4. The Association of Bayside Municipalities exists to coordinate a regional approach to coastal management by all ten Councils with a coastal frontage to Port Phillip Bay.
5. The ABM Charter (see Attachment 1) and the Strategic Plan (see Attachment 2) provide an outline of the issues the ABM will be focussing on over the next couple of years. Of these issues the priorities are: stormwater management, channel deepening, beach protection and community access to the coast (the focus on the Bay Trail).
6. The City of Melbourne is a member of the Association as it has a small frontage to the Bay in the Fishermens Bend/Port Melbourne dock area.

### **Member Requirements**

7. As a member of the ABM, the City of Melbourne is required to be represented by both:
  - 7.1. a Councillor Representative - some Councils choose to appoint a Councillor Representative and an alternative Councillor Delegate to share the role; and
  - 7.2. a Technical Officer - a member of staff, with the level of representation - ie Manager or officer - to be determined by each Council.
8. The City of Melbourne's Councillor Representative is currently Cr Brindley and Council's Technical Officer is an officer from the Engineering Services Group.

### **Attendance at Meetings**

9. The ABM asks that Councillor and Technical Officer Representatives attend all General Meetings which are held every two months on the second Thursday of each month. The location of meetings is rotated amongst member Councils. Only the Councillor Representative has voting rights at the General Meetings.
10. Technical Officer Meetings are held on the alternate month to the General Meeting at the MAV (60 Collins Street Melbourne). These meetings are attended by the Technical Officer representative.

### **Appointment of a New Councillor Representative**

11. Councillor Brindley wishes to step down as the City of Melbourne's Councillor Representative for the ABM. According to Council's agreement with the ABM, a new Councillor Representative must be elected if Council is to continue as a member.
12. The ABM is holding an induction event for ABM representatives on 2 February at Port Melbourne Yacht Club to give new and existing members an overview of the Association before the start of the meeting cycle.
13. The next General Meeting is scheduled for Thursday 9 February at Mornington Peninsula Shire.

### **Time Frame**

14. Councillor Brindley has indicated that he wishes to resign as Councillor Representative. A replacement is required before his resignation is tendered with the ABM unless Committee resolves to discontinue the membership.

### **Relation to Council Policy**

#### **City Plan 2010:**

15. Strategic Direction 1.1 - Ensure that the City's transport infrastructure is world-competitive and supports the Victorian economy, whilst minimising its impact on local neighbourhoods.
16. Specific Opportunities include:

*"Subject to minimisation of environmental impact, enhance Port Phillip Bay's shipping channels to facilitate an increased freight handling capacity within the Port of Melbourne".*

17. Strategic Direction 4.2 - Encourage improved water quality, reduced water consumption and sustainably manage waste in the City of Melbourne.
18. Specific Opportunities include:

*“ . . .designing and managing our urban environment to minimise its impact on the urban water cycle (from rain to rivers and bay to sky) and to maximise water efficiency will assist in the reduction of water consumption, reduce stormwater and improve waterway quality, minimise waste water and assist sustainable groundwater management.”*

**Council Plan 2005-2009:**

19. Strategic Objective 4 - Environmentally Responsible City.
20. Four Year Strategy 4.2 - Sustainably manage waste in the city of Melbourne and encourage improved water quality and reduced water consumption:

*“4.2.03 Develop and maintain partnerships with agencies to help manage stormwater and waterway quality”.*

**Annual Plan:**

21. Activities and Initiatives for 2005/2006:

*“Continue implementation of the Total Watermark Strategy, including developing design options for implementing water sensitive urban design in major capital works projects.”*

22. Total Watermark – includes actions to improve the quality of stormwater which eventually makes its way to Port Phillip Bay.
23. Notwithstanding the several references to port environs, the City of Melbourne is well placed to pursue these policy matters irrespective of our involvement with the ABM.

**Finance**

24. As a member of the Association of Bayside Municipalities, the City of Melbourne is required to contribute to the financing of the activities of the ABM by paying an annual membership fee which changes each year and is calculated according to the following formula:
  - 24.1. 50 percent of budgeted cost evenly shared between the members; and
  - 24.2. 50 percent distributed on basis of population.
25. For the 2005/06 financial year, the City of Melbourne’s contribution was \$4113.31 (incl GST). This figure is provided for within the Engineering Services Group budget.

**Legal**

26. Pursuant to clause 9.3 of the charter of the ABM, a member Council may withdraw as a member by giving not less than 12 months notice.

## **Sustainability**

27. Council's involvement in the ABM is minimal, although the outcomes from the ABM are significant and contribute to the protection of financial, environmental and social qualities of Port Phillip Bay.

## **Background**

### **Association of Bayside Municipalities (ABM)**

28. The Association of Bayside Municipalities exists to enhance the effectiveness of Local Government's management of Port Phillip Bay.
29. Its purpose is to identify, resolve and advise on matters of common interest to the bayside Councils and to improve the overall management of the coastal environment, of which they are a key stakeholder and decision maker. The Association seeks to provide a regional (or 'baywide') approach to coastal management.
30. ABM works in partnership with key agencies to identify coastal management issues, opportunities and solutions. It does so by engaging all its members and facilitating the development of sustainable, integrated and consistent coastal policies at all Government levels.
31. More information about ABM can be found on their website at: [www.abmonline.asn.au](http://www.abmonline.asn.au).

## **Membership**

32. The ABM is comprised of the 10 Councils that have coastal frontage to Port Phillip Bay, that is:
  - 32.1. City of Melbourne;
  - 32.2. Bayside;
  - 32.3. Frankston;
  - 32.4. Greater Geelong;
  - 32.5. Hobsons Bay;
  - 32.6. Kingston;
  - 32.7. Mornington Peninsula;
  - 32.8. Port Phillip;
  - 32.9. Queenscliffe; and
  - 32.10. Wyndham.

## **Recent issues considered by the ABM**

33. Information about some of the current issues which the ABM has had input into relating to coastal management and Port Phillip Bay can be found at Attachment 3.

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### **Attachments:**

1. Association of Bayside Municipalities Strategic Plan
2. Association of Bayside Municipalities Charter
3. Current Issues Association of Bayside Municipalities has had input into



## ASSOCIATION OF BAYSIDE MUNICIPALITIES CHARTER 2005

### 1. OBJECTIVES

The Association is an unincorporated, non-profit-making body with the following objectives:

- 1.1 Develop and implement policies and programs that benefit the sustainable use of Port Phillip Bay and in particular, its foreshore areas. Foreshore areas shall be broadly defined as *the near foreshore environment, usually about 600m seaward of the high water mark, the coastal strip and private land abutting and having a direct impact on the coast and its waters.*
- 1.2 Review and investigate government initiatives that influence management of Port Phillip foreshore areas.
- 1.3 Meet regularly with the Minister for Environment and/or the Minister's advisers and with other State Ministers as appropriate, to discuss issues and recommend actions on coastal matters.
- 1.4 Influence decision makers on initiatives that affect the management of Port Phillip foreshore areas. The support for the submissions may also include the soliciting of support by parliamentary representatives and other interested organisations.
- 1.5 Make presentations to State and Federal departments to seek external funding for maintenance and/or improvements to foreshore areas.
- 1.6 Formulate policy guidelines for the planning, control and operation of foreshore areas in standard format, for adoption at the discretion of member councils.
- 1.7 Review and co-ordinate programs for future public leisure facilities, including passive and active recreation.
- 1.8 Develop, implement and review three-year Strategic Plans which identify agreed key result areas of the Association.

### 2. DEFINITIONS

- 2.1 **Members** shall mean the Municipalities comprising the Association.
- 2.2 **Delegate** and **Alternate** shall mean the duly appointed representative and alternate representative of each Member Council. These will normally be councillors but could be other official appointees.
- 2.3 **Vote** on substantive issues shall be one vote per Member, regardless of whether both the delegate and alternate are present at the meeting.

### **3. MEMBERS**

#### 3.1 Member Municipalities are:

City of Bayside  
City of Frankston  
City of Greater Geelong  
City of Hobsons Bay  
City of Kingston  
City of Melbourne  
Shire of Mornington Peninsula  
City of Port Phillip  
Borough of Queenscliffe  
City of Wyndham

3.2 Additional Members may be admitted by unanimous vote of all delegates present at a general meeting. An eligible municipality shall have part of its boundary abutting Port Phillip. Five days written notice of the proposal to admit an additional member shall be given to all Members.

3.3 Representatives of appropriate government departments, authorities and other instrumentalities may be invited to attend Association General Meetings in a non-voting capacity.

### **4. MEETINGS**

4.1 Five days written notice of all meetings shall be given and such notice shall state the general nature of the business to be transacted. With the consent of all Members, notice of a meeting may be abridged or waived.

4.2 The Association will hold General Meetings on alternate calendar. The Association may meet as it sees fit.

4.3 There will be an Annual General Meeting of Members each year, normally held as one of the regular General Meetings of the Association.

4.4 Special General Meetings may be called by the President of the Association or two or more Members.

4.5 Executive Committee meetings will be held bi-monthly in the months alternate to the General Meetings. These meetings shall progress ongoing Association business, taking action on all but substantive matters, which shall be referred to the next General Meeting.

**5. ASSOCIATION**

- 5.1 The Association shall consist of Delegates representing the Members.
- 5.2 Delegates and Alternates of the Members shall be nominated by each of the Member councils at their statutory annual meeting to serve until their next statutory annual meeting, or their appointment of a new Delegate.
- 5.3 Staff members of each Member and the Executive Officer shall attend meetings to report, advise and assist Delegates with their deliberations.
- 5.4 Working parties may be established to investigate, report and recommend action on matters of interest to the Association.

**6. RULES OF THE ASSOCIATION**

- 6.1 The Association shall elect a President and Vice President at the Annual General meeting. The Vice President will normally be the President-elect for the following year.
- 6.2 The Association is supported by an Executive Officer currently provided on a part-time basis by MAV.
- 6.3 The responsibilities of the President and Executive Officer are listed in Attachment 1 to this document.
- 6.4 The Executive Committee shall consist of the President, the Vice President, the immediate past President plus any other Delegate the President nominates with the agreement of the Members.
- 6.5 The quorum for General Meetings of the Association shall be five Members, represented by the Delegate, Alternate or their proxy. Each Member represented shall have one vote and the President shall have a casting vote.
- 6.6 General Meeting venues will rotate among Member municipalities.
- 6.7 Minutes of all meetings shall be kept, recording decisions in appropriate detail.
- 6.8 These rules shall remain in force unless altered by resolution of a majority of Members at a General Meeting at which at least five days notice has been given.

**7. ADDRESS**

- 7.1 The address of the Association shall be the mailing address of the MAV – GPO Box 4326PP, MELBOURNE 3001, Victoria.



**8. FINANCES**

- 8.1 The financial year for the Association shall be 1 July to 30 June.
- 8.2 A budget shall be proposed prior to 1 July to fund the next year's Action Plan. The budget will be approved by the members at a General Meeting.
- 8.3 Each Member shall contribute to the financing of the activities of the Association by payment of an annual amount. The amount payable by each Member shall be determined in accordance with the formula detailed in Attachment 2 to this document.
- 8.4 The President and Executive Officer shall be the joint signatories of the Association's bank account. A third (alternate) signatory to cover for long absences may be appointed at the President's discretion.
- 8.5 The Association is registered for GST purposes. The quarterly ABS returns shall be made by the Executive Officer.

**9. TERMINATION**

- 9.1 This Charter shall remain in force until terminated or replaced by unanimous agreement of all Members.
- 9.2 Any members may withdraw from the Association by giving not less than 12 months written notice.
- 9.3 Any Member not contributing to the finances of the Association within four months of receiving an invoice may lose voting and financial rights.
- 9.4 Should the Association cease to exist for any reason, its assets shall be distributed in accordance with the formula detailed in Attachment 2 to this document to the then financial Members of the Association.

Adopted at the General Meeting on 14 April 2005

## Attachment 1: Position Responsibilities

### 1. President

- Provide direction to and leadership of the Association
- Chair the General and Executive Committee meetings
- Lead the delegation at meetings with the Victorian Minister for the Environment and/or Advisers and represent the Association at coastal meetings and functions
- Make public statements on behalf of the Association, where a spokesperson has not been determined by the Association
- Direct and monitor performance of the Executive Officer
- Initiate development of prioritised Annual Action Plan from Association's three-year Strategic Plan. Convene workshop or similar for update upon expiry of latter
- Initiate compilation of Annual Budget commensurate with Annual Action Plan.
- Overview Association finances, approve payments and sign cheques
- Approve strategic direction for Association projects and monitor/review progress/outcomes
- Rewrite as necessary ABM Charter and position responsibilities

### 2. Executive Officer

- The Executive Officer will report directly to the ABM President and provide support to both the Executive Committee and Technical Officers' Group.

The Executive Officer will undertake the following responsibilities:

#### Administration

- Prepare and issue agendas for General and Executive Committee meetings
- Attend above meetings, prepare draft minutes for President's approval and issue
- Manage all correspondence including preparing drafts of letters for President's signature
- Manage ABM events including Annual Dinner and workshops
- Provide leadership and direction to the Technical Officers group
- Chair the Technical Officers' meetings and ensure meeting notes are distributed thereafter

- Provide support and back-up to the President including feedback on member municipality issues
- Update ABM website every two months
- Manage the compilation, printing and distribution of an ABM Newsletter, three issues per year
- Organise Association document printing requirements, ensuring standard ABM logo, colours and font are used

### **Finance**

- Manage Association bank account, payments and countersign cheques
- Prepare financial statements for ABM Executive and General meetings

### **Policy**

- Research and report on Victorian and Federal government coastal policy initiatives and recommend Association action
- Draft technical submissions to government utilising input from Technical Officers and others as appropriate
- Obtain information on state and Federal grants available for coastal and related projects and recommend Association action
- Provide support and back-up to the President including feedback on government and technical issues
- Network with all levels of government and market ABM strategies and initiatives

### **Projects**

- Prepare Association grant applications where appropriate, in accordance with issues identified in the Strategic Plan, and liaise with member municipalities making individual applications. Follow-up with authorities.
- Manage assigned projects including reporting and budgets
- Report to Executive Committee and General meetings on status of grant applications and projects status

**Attachment 2: Basis for Annual Member Contribution**

1. **Formula for calculation is 50% of budgeted cost evenly shared between the Members and 50% distributed on basis of population**

**2. Population**

Population shall be taken from the most recent census figures

Melbourne	52,023
Port Phillip	81,540
Bayside	90,717
Wyndham	86,107
Hobsons Bay	83,562
Morn.Peninsula	127,254
Geelong	191,018
Queenscliffe	3,418
Kingston	135,251
Frankston	<u>113,618</u>
	964,500

Source: MAV 2001

**3. Member percentage of total budgeted cost**

	<u>%</u>
Melbourne	7.7
Port Phillip	9.2
Bayside	9.7
Wyndham	9.4
Hobsons Bay	9.4
Morn. Peninsula	11.6
Geelong	14.9
Queenscliffe	5.2
Kingston	12.0
Frankston	<u>10.9</u>
	<u>100.0</u>

# Strategic Plan 2004 to 2007

## KEY DIRECTIONS

### Community Access to the Coast

Promote equitable and affordable access for all users of the Bay, while protecting the environmental values.

Matters to be addressed include recreational boating, access for all, beach use, maintaining visual connections, and recreation on the foreshore.

Some specific matters for attention are:

- Boating Coastal Action Plan
- Equitable Access
- Pedestrians and cyclists
- Parking and traffic
- Beach renourishment



### Channel Deepening

This major project has such environmental, social, and economic significance for the Port Phillip region that ABM must take a leadership role to promote and protect members' interests.

Matters to be addressed include:

- Respond to the Environmental Effects Statement
- Onshore impacts and economic justification
- Compensating ameliorative measures
- Media liaison and response



### Environmental Health of Bay

The health of Port Phillip Bay is a critical factor for the sustainability of Melbourne.

As stewards of the foreshore, ABM members have a role in protecting the health of the Bay, through management of foreshore land and coastal drainage, and advocacy for environmental sustainability.

Some specific matters for attention are:

- Stormwater projects
- Catchments and institutional arrangements
- Climate change
- Cliff erosion / stabilization
- Beach cleaning

### Vegetation Management

Foreshore vegetation plays a key role in protecting the stability of the coast, landscape quality and biodiversity. ABM members are the key managers of foreshore vegetation.

Some specific matters for attention are:

- Community education resource for foreshore vegetation
- Flora and fauna management



### Appropriate Development

The amenity and attractiveness of the bayside are threatened by inappropriate and unsympathetic development. While the bayside contains some defined activity nodes, the majority of fringing development around the bay is one or two storey residential.

Specific matters for attention are:

- containment of major development within Melbourne 2030 Activity Centres
- appropriate supporting infrastructure, transport, carparking and access for all
- promoting sustainable development on both public and private land
- protection against privatisation of the coast and implementation of old approvals that are now contrary to community values.

### Governance

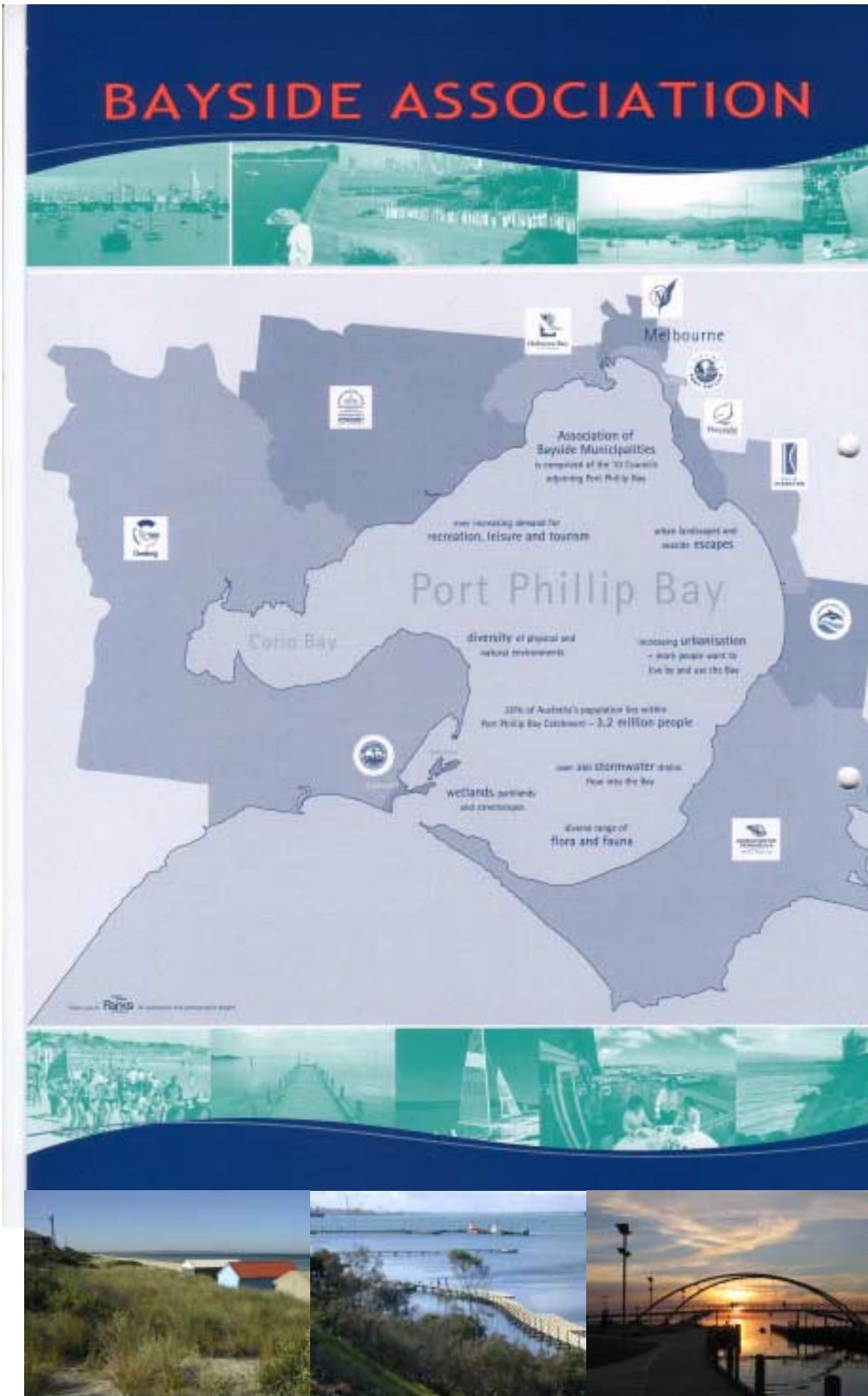
To ensure good governance, the key directions of the ABM, as well as existing programs, will be progressed with an emphasis on leadership and advocacy; strategic alliances; and operations and resources.

### Leadership and Advocacy

- Ensure ABM's programs reflect the interests of each member and to encourage them to actively contribute to the success of ABM
- Develop policy positions that express members' views and strongly advocate these to State and Commonwealth Government and the community
- Maintain ABM's high profile as the voice of bayside municipalities on coastal issues
- Develop and foster strategic alliances with key policy and decision-making bodies.

### Operations and Resources

- Ensure adequate funding to address issues in the Strategic Plan, and provide for the implementation of outcomes
- Identify opportunities for continuous improvement of ABM's structure, resources and activities.



# Strategic Plan 2004 to 2007



## VISION

The Association of Bayside Municipalities [ABM] will continue to be recognized as the voice of local government in relation to the coastal management of Port Phillip Bay.

It will do so by strengthening partnerships and providing leadership in advocacy, coastal policy development, and delivering demonstration projects for sustainable, integrated and appropriate development for the use of 'our bayside'.

The outcomes achieved by the ABM will provide value to all members and maintain its position as a pacesetter on coastal planning and management issues.

## VALUES

- Sustainable use of the Bay and its environs.
- Improving outcomes through a fully informed and collective approach to issues.
- Sharing knowledge and experience
- Ensuring benefits for all members



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**RECENT ISSUES CONSIDERED BY THE ABM**

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The ABM has had input into the following issues relating to coastal management and Port Phillip Bay (information taken from their website at [www.abnonline.asn.au](http://www.abnonline.asn.au)):

1. **Draft Coastal Action Plan** – The ABM is currently coordinating the Local Government response to this important State Government document.
2. **Channel Deepening** – On 31 March the State Government released the Independent Panel’s report into the Channel Deepening EES. The ABM welcomed the release of the report and the State Government’s decision to seek further expert analysis on the environmental impact of proposed deepening of shipping channels in Port Phillip Bay. The ABM is now focussing on ensuring the process is undertaken in an open and transparent manner, and that environmental issues raised by the Panel are addressed in supplementary studies. The ABM response to the Panel Report is available on their website at [www.abmonline.asn.au/reports.cfm](http://www.abmonline.asn.au/reports.cfm). The Panel Report and Government response are available on the DSE website at [www.dse.vic.gov.au](http://www.dse.vic.gov.au)
3. **Beach Protection** - The ABM is developing a policy and economic case for a sustainable recurrent beach protection program following on from the damage to bayside beaches after the February 2005 storms. Preliminary findings suggest approximately \$5 million is required each year for beach renourishment and cliff stabilisation projects around the Bay. The ABM has also identified at least \$10 million of beach protection works within Port Phillip Bay required now to make up for the shortfall in maintenance since the late 1990s. When this work is finalised the ABM will seek a meeting with Minister Thwaites to discuss options for a recurrent beach protection program.
4. **Clean Stormwater Framework** - The ABM held two final Clean Stormwater seminars for local government in mid-March 2005, at Mornington Peninsula Shire Council and Wyndham City Council. The seminars were attended by representatives from ABM, metropolitan, interface and rural councils. Attendees received the following presentations:
  - 4.1. ABM (Crs Barry Priestley and Ken Beadle) provided the background to the project,
  - 4.2. Chris Chesterfield (Melbourne Water) discussed the unsustainability of current stormwater management,
  - 4.3. Dr Tony Wong (Report Author) outlined water sensitive urban design techniques and their application in both urban and greenfield sites, as well as how to use the tools in the ABM report,
  - 4.4. Esther Kay (Report Author) discussed how the planning scheme can be used to deliver stormwater management, and the planning tools available in the ABM report.

**FINANCE AT TACHMENT**

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Funding of \$4,113 (inc. GST) has been paid to the Association of Bayside Municipalities in 2005/06.

**Joe Groher**  
Manager Financial Services



**LEGAL ATTACHMENT**

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**ASSOCIATION OF BAYSIDE MUNICIPALITIES (ABM) – APPOINTMENT OF A NEW  
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Pursuant to clause 9.3 of the charter of the ABM, a member Council may withdraw as a member by giving not less than 12 months notice.

**Alison Lyon**  
Manager Legal & Governance