

## Floodplain Management Advisory Committee

The Floodplain Management Advisory Committee was re-established by resolution of MidCoast Council on 9 March 2022.

### Background

The NSW Government Flood Prone Land Policy and NSW Government Floodplain Development Manual require council to:

- develop and implement floodplain risk management plans across the local government area of Mid Coast Council,
- ensure that the future development of flood affected areas is carried out using procedures which recognise the nature of flooding, and
- ensure that the risk to residents and consequent flood damages to property are identified and not increased.

The floodplain management advisory committee:

- advises Council on the development and implementation of floodplain risk management processes for flood affected areas within its local government area,
- provides a forum for the discussion of technical, social, economic, environmental and cultural issues,
- creates the opportunity for the views of key stakeholders to be identified and captured through the development of floodplain management plans, and
- acts a consultative form for the development and implementation of floodplain management plans.

NSW Government Flood Prone Land Policy is included within the NSW Floodplain Development Manual available here - [Floodplain manual | NSW Environment and Heritage](#)

### Purpose

The purpose of the Floodplain Management Advisory Committee is to advise Council on the development and implementation of Floodplain Risk Management Plans for the Mid Coast Council local government area. Floodplain risk management plans provide specific advice in relation to how to:

- reduce the impact of flooding and flood liability on the community
- reduce private and public losses resulting from flooding
- recognise flood prone land as a valuable resource which should not be necessarily sterilized
- take into account social, economic, ecological and cultural factors.

## Key tasks

The Floodplain Management Advisory Committee shall provide advice to Council on:

- collection of flood data and commissioning of studies
- preparation of floodplain risk management plan
- establishment of development controls
- purchasing or raising properties
- structural mitigation measures
- flood education
- flood warning and emergency response.

The committee does not consider specific development issues proposals/applications but focuses on broader catchment wide management issues, council policies and strategies affecting flood prone lands.

## Roles & responsibilities

### Membership

The membership of the Reference Group shall comprise:

- up to two Councillors (Chair and Deputy Chair)
- Local SES Controller or nominee
- One representative from the Office of Environment and Heritage
- Up to eight community representatives – who have an interest on expertise in local catchment flooding issues who may represent the following areas:
  - Wingham / Taree
  - Harrington / Manning Point
  - Lansdowne / Coopernook
  - Forster / Tuncurry
  - Bulahdelah
  - Stroud / Karuah
  - Tea Garden / Hawks Nest
  - Gloucester
- Manager Transport Assets
- Team Leader Coastal, Flooding and Drainage
- Coastal and Flooding Engineer
- Manager Landuse Planning
- Local Emergency Management Officer (minute taker)
- From time to time, other people who have clearly defined interest in topics being pursued by the Committee

A member's appointment may be ended on the basis of one of the following:

- resignation of a member,
- regular non-attendance at meetings (note: members shall be considered to have vacated their position if they have been absent from three consecutive meetings without an apology), or
- failure to respect the protocols and confidentiality requirements (set out below).

## **Chairperson**

The committee shall be chaired by the nominated Councillor. If the nominated Councillor is not available the replacement Chair shall be the Deputy Chair, or if unavailable, the staff representative.

## **Committee members**

The members of the Committee will be appointed by Council following a publicly advertised process. Members shall be expected to bring diverse knowledge, skills, experience and meet the following criteria.

- Currently or have previously resided in the nominated catchment area; and
- Have an interest in floodplain management, including planning or flood emergency management.

A nomination form must be completed by interested representatives and all nominations will be assessed against their stated knowledge, experience, skills and responses to the criteria relevant to the Floodplain Management Advisory Committee.

## **Council support**

To enable the committee to operate effectively Council shall provide:

- any relevant and available technical/management studies and mapping
- regular updates on project management of existing projects, including copies of budget reports prepared for grant management or Council
- expert advice from Council staff as required
- relevant draft documents (as agenda items), and the opportunity to discuss open and transparent communication; and
- secretariat services and venues for meetings;
- appropriate insurance cover for Committee members when undertaking tasks as agreed by the Committee and Council staff.

## **Dissolution**

Council may determine to dissolve the Committee. This may be initiated for the following reasons:

- the Committee has achieved its purpose for establishment;
- the Committee has become unproductive;
- the Committee can no longer maintain membership in line with its terms of reference;
- Council has determined the Committee no longer services the priorities and/or core business of Council; or
- Legislation has changed the roles and responsibilities of Council.

## **Commitments**

### **Confidentiality**

From time to time, members may be required to review and comment on draft documentation that has not been formally considered by the Council's decision-making body.

In these circumstances, it is crucial members understand the status of any documentation and the importance of maintaining confidentiality if they wish to have preliminary input. Discussion may take place on matters subject to State or Federal Government protocols that need to be adhered to.

Members may also be privy to financial, legal or personal landowner information, which cannot be disclosed outside of the committee.

Each member is required to agree to the confidentiality requirements of membership.

## **Meetings**

The group shall meet a minimum of three times a year at an agreed time and location, for a maximum of 3 hours.

A quorum for attendance shall be a:

- minimum of half of the membership plus one, and
- minimum of half of the Council and Government agencies representatives.

The following meeting protocols shall apply:

- members shall respect the role of the Chair in the conduct of the meetings
- members shall respect the right of every member to speak and put forward their views
- members shall respect the Chair's decisions (if a consensus is not able to be reached) in relation to agenda items and timeframes
- meetings are generally run through consensus, however, should the need arise for a vote, only the Councillors and community members shall participate, having one vote each. Where there is an opposing view the members can choose to have their name recorded in the minutes stating their position
- agenda and supporting documentation will be distributed electronically (by email) at least five working days prior to the meeting date
- minutes, providing an overview of discussions and actions to be progressed, shall be taken at each meeting and made available to members within two weeks of the meeting. Minutes will be maintained electronically and distributed to members via email. Minutes shall be made publicly available on Council's website, however, it is recognised that confidential items are not to be made public.
- Where possible, members shall be notified in advance of any confidential items.

## **Additional meetings**

It is agreed that items requiring discussion or decision outside of the agreed meeting will be provided to members via email for information and where necessary, discussion and comment. Should any decisions be made outside of normal meeting, then this will be documented for all members electronically and referenced in the next meeting agenda and minutes.

In addition to the routine meetings, extra ordinary meetings may be held to address specific items.

## **Limitations**

While the Floodplain Management Advisory Committee may provide guidance to Council on key issues such as corporate policy, strategic objectives and floodplain management priorities, the committee may not:

- on Council's behalf agree to any acquisitions of land;
- incur expenditure by Council;
- make any payment to members of the Committee;
- accept public liability risk from another organisation;
- make grant applications dependent on or committing Council to expenditure, either initial or ongoing;
- bind Council; or

- become involved in the day to day operations of Council activities.

### **Code of conduct & Conflict of interest**

All members are required to comply with Council's Code of Conduct (copy attached to this document) and participate in Code of Conduct training and an induction provided by Council.

In accordance with the Code, a member of the Reference Group who has a financial, commercial or economic interest in any matter before the group must disclose the nature of the interest to the meeting and must leave the meeting while the matter is being considered.

### **Contact with the media**

Media enquiries relating to the work or operation of the committee are to be referred to and managed by Council's Communications team. Media statements cannot be made by members of the committee.

Where a member considers that there needs to be a media comment in relation to any items discussed by the committee, the member must bring the matter to the attention of the Council staff representative.

### **Review**

An annual summary report, which captures the actions of the group, is to be provided each year for inclusion in Council's Annual Report. Additional reports to Council may also be necessary when key milestones are reached, or to progress elements of a specific project or specific recommendations to Council.

The membership and these Terms of Reference are to be reviewed at the end of the Council term, within three months of the Council election.

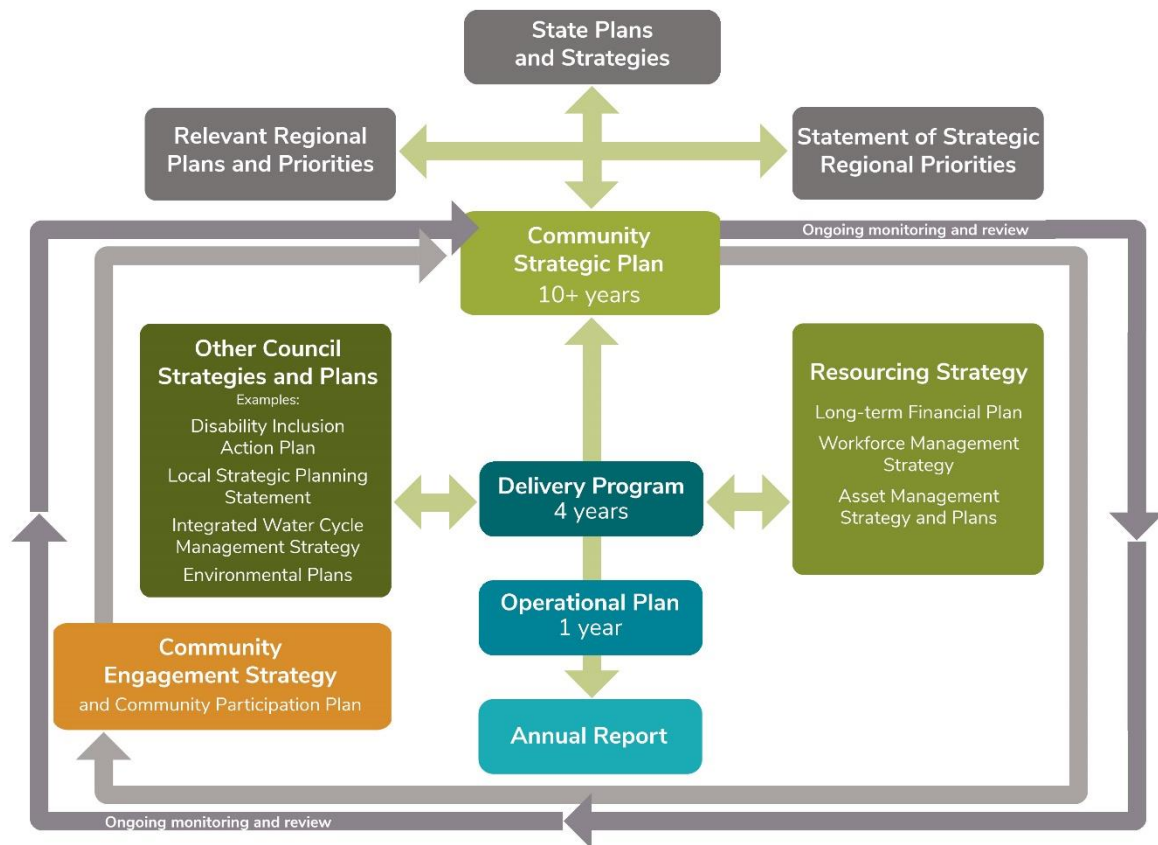
### **Governance**

#### **Integrated planning & reporting requirements of Local Government**

The group supports achievement of Delivery Program and Operational Plan strategies, focus areas and actions associated with floodplain management.

This aligns with the Integrated Planning & Reporting Framework (shown below and outlined in the Local Government Act). All of the activities of the committee need to align with the outcomes in the Community Strategic Plan and subsequent endorsed Council strategies.

## Integrated Planning and Reporting Framework



### Attachments - [Policies Library - MidCoast Council \(nsw.gov.au\)](https://www.nsw.gov.au/policies-library)

- MidCoast Council Code of Conduct
- Gifts and Benefits Policy