



Ku-ring-gai Council

Flood Risk Management Committee

Terms of Reference

Name

Ku-ring-gai Floodplain Risk Management Committee

Interpretation

“Committee” means Flood Risk Management Committee.

“Council” means Ku-ring-gai Council.

“Member” means a member of the Committee.

“The Policy” refers to the NSW Government’s Flood Prone Land Policy

“The Manual” refers to the NSW Government’s Floodplain Development Manual (2005)

Introduction

The NSW Government has prepared its Flood Prone Land Policy and Floodplain Development Manual (2005) to guide councils in managing the risks associated with floods and flooding. It achieves this through a floodplain risk management process which involves the development of flood studies, flood risk management studies and flood risk management plans. The manual indicates that responsibility for the management of flood risks remains with local government and it assists councils to balance the conflicting objectives of the floodplain through a risk management process. The establishment of a Flood Risk Management Committee as an advisory committee of Council is an important step in the floodplain risk management process.

The Committee acts as both a focus and forum for the discussion of technical, social, economic and environmental matters relating to floodplain management and for the distillation of possibly differing objectives and viewpoints on these matters. The Committee is tasked with seeking solutions to existing, future and continuing flood risk issues, not solely on addressing the past.

Delegations

The Flood Risk Management Committee, established in accordance with the Policy and Manual, does not have any formal decision-making powers but rather performs as a review committee with an important advisory role through recommendations to Council. Recommendations determined as substantially “operational” in nature can be dealt with by the relevant Director/Manager.

The Committee does not have the power to incur expenditure or to bind the Council.

Objectives of the Committee

The Floodplain Risk Management Committee's main objective is to assist Council in developing and implementing flood risk management plans. The plans are to be developed for catchments within the Council's area of responsibility.

To achieve this, the Committee will focus on:

- formulating objectives, strategies and outcomes sought from the process;
- acting as a liaison between the local community and Council and advising Council regarding matters involving flooding that can be included within the flood risk management studies and plan;
- acting to increase awareness within the Council and the community regarding flooding;
- identifying the flood problems to be assessed, including prioritisation;
- ensuring that the flood management studies and plans are developed and implemented in accordance with the Manual;
- monitoring the progress and findings of studies being undertaken in the various stages of the risk management plan;
- considering and making recommendations to Council on appropriate development controls;
- determining and advising on appropriate options for the management of flood risk;
- identifying implementation strategies for flood risk management plans; and
- monitoring and assessing the effectiveness of the flood risk management plans during and after implementation.

Options that could be considered include (but are not necessarily limited to) land use planning options, engineering works and planning for emergency and evacuation works. Any options presented will have regard to the role of other authorities involved in floodplain management.

In addition to flood risk management, the Committee may also be required to provide advice on other stormwater programs run by Council. Such advice will be incorporated into the Committees' agenda as required and topics will match the technical skills of the Committee members.

Membership

The Membership of the Committee shall comprise:

- two Councillor Representatives (voting members) – Chairperson and Deputy Chair appointed by Council. All other Councillors are welcome to attend (non-voting members);
- up to six residents from the local community (voting members) – representing local community, business and industry (preference for 1 when nominated) and environmental interests (preference for 1 when nominated) associated with the floodplain;
- two Council staff (voting members) - Manager Technical Services and Manager Environment and Sustainability;
- representative(s) from NSW Department of Planning, Industry and Environment (DPIE) (only one voting member) – Floodplain Engineer;
- representative(s) from the NSW State Emergency Services (SES) (only one voting member) – Northern Region SES and Ku-Ring-Gai SES;

- four Council staff (non-voting members) - Team Leader Natural Areas, Team leader Development Engineers, Water and Catchments Program Leader and Drainage Assets Engineer;
- representative(s) from Sydney Water (only one voting member);
- representative(s) from Roads and Maritime Services (RMS) (only one voting member);
- representative(s) from National Parks and Wildlife Service (NP&WS) (only one voting member); and
- ex-officio members (non-voting members) as required.

The term of the Committee is typically four (4) years or until the end of the Council term, unless the Committee is dissolved by Council resolution. This Committee will cease at the time of the next Local Government elections and members would be eligible for re-appointment at the start of the new Council term.

Council staffs' role is mainly coordination and provision of local specialist advice. The recommended final Flood Risk Management studies will require significant input from staff before submission to Council.

Technical sub-committees may be established within the Committee structure on an as needs basis to complete tasks emanating from the deliberations of the Committee. Each Technical sub-committee will be led by a member of the Committee and provide the communication link between the Committee and the technical sub-committee.

Ex-officio members may be called upon to assist the Committee from time to time, because of their expertise or knowledge in a specific area. They may attend meetings and provide input, papers or presentations in the meetings.

Council's elected representatives to the Committee and representatives of the community shall be reviewed following each General Election of Council or upon a vacancy occurring on the Committee. In the case of Council's elected representatives, the selection of new members shall be by Council resolution.

Expressions of interest for community representatives will be sought by public advertisement in local newspapers and Council's website and by personal invitation. Selection (if required) will be made in accordance with Council's Code of Conduct for Community Representatives and the selection criteria.

The selection criteria are as follows:

- ability to represent either community, business or environmental interests in matters related to floodplain management;
- a broad interest and understanding of flooding and floodplain risk management;
- ability and preparedness to attend and actively participate in regular meetings which may be during business hours or in the evenings; and
- commitment to floodplain management in the Ku-ring-gai LGA;

Committee members will be asked to consider potential "Conflict of Interest" when nominating for a role on the Committee.

Meetings

The committee will meet as necessary to provide input into the floodplain risk management process. It is anticipated that meetings, limited to a maximum of two (2) hours), will be

required approximately every two to three months (i.e. 4 to 6 meetings per year). The location, date and starting time for meetings will be advised on the agenda. .

The Committee shall meet in Council premises although some site inspections may be required. Where meeting in Council premises is not practical, councillors and staff shall be able to attend and participate by audio visual links where it is reasonably practicable to do so.

Proposed meeting arrangements shall be in line with the requirements of any NSW Office of Local Government Circulars relating to attendance by councillors and others at council and committee meetings that are current at the time.

Special meetings may be called at the discretion of the Chairperson provided that at least seven days written notice is first given to members.

The outcome of meetings shall be reported to Council after each meeting.

Code of Meeting practice

The administrative provisions of Council's adopted Code of Meeting Practice shall apply subject to any amendment by the Terms of Reference.

Quorum

A quorum shall be a simple majority of the full membership of the Committee including at least one Councillor.

Online Forum

To complement the face- to-face meetings of the Committee, an online forum may be established for increased accessibility and dialogue amongst Committee members.

This forum would provide a web-based, communication avenue for Committee members to answer questions, post comments and review important information. The forum would be available only to Committee members and would be regularly moderated by Council staff.

Agendas

The Notice of Meeting (meeting venue, times, date and agendas) and Business Papers shall be provided to members at least seven (7) days prior to the meeting. Any items or reports for inclusion into the Business Papers are to be given to the Minutes Secretary at least 10 days before scheduled meeting dates. Matters of a "General Business" nature may be identified for discussion at the following meetings, so that more detailed reports can be prepared on specific issues. Matters of a more urgent nature not identified on meeting agendas may be discussed under "General Business", or at special meetings.

Chairperson

The Committee shall be chaired by one of the Councillors, as nominated by the Council.

Minutes

Secretarial resources for the Committee shall be provided by Council's employees.

Minutes shall be distributed to all members of the Committee within 10 days of the date a meeting is held.

Conflicts of Interest

Committee members shall abide by Council's adopted Code of Conduct during all meetings of the Committee and in all matters relating to their participation on the Committee.

Voting

The Committee shall operate in a democratic manner keeping formalities to a minimum. However, should a matter require a formal recommendation to Council, the matter shall be put to members in the form of a Motion, which must be seconded and then voted upon. A simple majority vote, by members present, shall carry the Motion. The Chairperson shall have a casting vote in the event of a tie but should first consider these Terms of Reference and the "status quo".

Any member dissenting to make a recommendation to Council may have their name recorded if they so wish.

Reporting

The minutes and recommendations of the Flood Risk Management Committee will be reported to Council.