



Floodplain Risk Management Committee

Terms of Reference (As amended by the Committee 12/5/22)

1. Name

Floodplain Risk Management Committee

2. Background

The NSW Government's **Floodplain Development Manual** and the **Flood Prone Land Policy** guide local government in managing flood risk in their communities.

The main objective of the Policy is to reduce the impact of flooding and flood liability on owners and occupiers of flood-prone property and reduce public and private losses. The Policy recognises the benefits of use, occupation and development of flood-prone land. The Policy is incorporated into the NSW Floodplain Development Manual, which emphasises the importance of developing and implementing floodplain risk management plans. The purpose of a floodplain risk management plan is to evaluate all factors (including social, economic, ecological and cultural impacts and flood risk) that affect the use of flood prone land and address existing, future and continuing flood risks in a comprehensive manner through a range of different management measure.

The Manual supports the Policy and guides councils through the floodplain risk management process. The Manual helps councils develop and implement local floodplain risk management plans and outlines the technical assistance provided by the NSW Government.

The **Floodplain Risk Management Guidelines** complement the Manual to help councils to fulfil their role in developing and managing flood-prone land while reducing damage from floods.

The purpose of a **Floodplain Risk Management Plan** is to provide input into the strategic and statutory planning roles of councils. It does not, by intent, purport to be the only document relevant to development of flood prone land. The Plan provides the type of information necessary for adequate forward planning for flood prone land.

The first formal step in the process is the formation of a committee chaired by Council. It is advisory in nature as responsibility for planning matters lies with Council as a whole. Therefore, the committee should report directly to Council.

3. Scope

The principal objective of the Committee is to assist Council in the development and implementation of a Plan for the area(s) under its jurisdiction. However, the Committee also assists in:

- formulating objectives (in accordance with ecologically sustainable development principles), strategies and outcomes sought from the process;
- providing a link between the local community and Council;
- Identifying the flood problem to be assessed and the study areas;
- considering and making recommendations to Council on appropriate development controls for use until the Plan is completed, approved and implemented;
- supervising the collection of necessary data and supervising and monitoring the progress and findings of studies being undertaken in the various stages of the Plan;
- providing input into known flood behaviour as part of the flood study;
- identifying management options and providing input into their consideration as part of the management study;
- identifying implementation strategies for the Plan;
- monitoring and assessing the effectiveness of the Plan during and after its implementation;
- coordinating and monitoring the public education programs essential to the long-term viability of the Plan; and
- coordinating with other relevant agencies.

Once the Committee has completed the prime task of developing a Plan and associated implementation strategy, and Council has adopted these, a limited group, including community representatives, to be defined by Council will remain to oversee implementation.

4. Limitations

- The Committee does not have any formal powers, as it has an advisory role.
- The Committee is unable to commit Council to any expenditure or specific course of action.
- Committee members are not authorised to speak or issue media releases on behalf of the Committee or Council.

5. Membership of the Committee

The Committee consists of:

- A minimum of two (2) Lismore City Councillors (with the Chair of the Committee to be the Mayor or the Mayor's nominee).
- 1 technical specialist from Lismore City Council;
- 1 technical specialist from Rous County Council;
- 1 technical specialist from Southern Cross University;
- 1 representative from DPE; and
- 1 representative from SES.

And up to 6 community members as follows:

- 1 community member from North Lismore;
- 1 community member from South Lismore;
- 1 other community member (not geographically specific)
- 1 First Nation's community member
- 1 community member representing business owners; and
- 1 community member representing environmental groups.

Representatives from the following organisations will be invited as advisory members to the committee but will not be included as formal members of the committee for the purpose of establishing quorum:

- Northern Rivers Reconstruction Corporation; and
- CSIRO

Technical specialist and representative positions on the Committee will be nominated by their relevant organisations. In accordance with the **Floodplain Development Manual**, State and Federal Government agency representatives do not have voting rights but provide advice in relation to their area of expertise and departmental function. The Lismore City Council staff position will also not have voting rights.

Community member positions on the Committee are to be filled following an Expressions of Interest process and selection by Council.

The selection criteria for community representatives will be as follows:

- Demonstration of connection and links to their geographic community or community of interest (as appropriate) and;
- Demonstration of awareness in relation to flood risk management issues.

5.1 Technical Sub-Committee

The Committee should also maintain a specialist Technical Sub-Committee to deal with complex technical issues. The role of the Sub-Committee is to provide technical assistance and advice to enable the Committee to fulfill its advisory role to Council efficiently, confident that studies and option assessments are technically adequate, and the options proposed are practical and feasible.

The Sub-Committee includes membership from Council, Rous County Council and the Department of Planning and Environment (DPE) and other technical experts as required. A representative of SES is also included when the Sub-Committee is considering emergency management issues.

5.2 Term of the Committee

- Membership of the Committee is for a period commencing from the date of selection by Council, to be within six months of the most recent general election and continuing until six months after the next general election, or as soon as otherwise practicable.
- The Committee may be dissolved or established by Council resolution.
- Casual vacancies on the Committee may be filled by Council resolution.
- A Committee member will cease being a member of the Committee if:
 - (a) the Committee is dissolved by Council resolution;
 - (b) a written notice of resignation is provided by a member;
 - (c) a member is absent for three consecutive meetings; or
 - (d) if a technical specialist or representative, a member ceases working for or representing their relevant organisation.

6. Meeting Protocol & Procedure

- Meetings of the Committee will follow the Agenda.
- Agenda items will be requested when a meeting is called.
- Members will speak through the Chairperson.
- Members will be respectful of each other and not interrupt a speaker.
- Professional or specialist advisers may be invited to address Committee meetings from time to time as required.
- Matters will be decided by show of hands. Proxy votes will not be accepted.
- Members of the public will be welcomed to meetings of the Committee but shall not vote on matters before the Committee. Members of the public may

request to make representations to the Committee or to raise questions at the discretion of the Chairperson.

- Members of the public cannot make audio or video recordings of the meetings. Notes can be taken.
- Minutes will be taken at each meeting, and they will be made available to Committee members and the public when they become available.
- Minutes will be reported to the next scheduled Council meeting for consideration and adoption.

7. Meeting Frequency

The Committee will meet as needed during the preparation of the Floodplain Risk Management Plan as directed by the Chairperson.

8. Quorum

Quorum consists of half the currently appointed members plus one.

9. Conflict of Interest

Committee members are required to disclose any potential conflict of interest and appropriately manage any conflict to the satisfaction of Council.