

Northern Beaches Flood Management Committee

Terms of Reference

2017/537886

1 PURPOSE

The purpose of the Northern Beaches Flood Management Committee (the Committee) is to provide advice to Northern Beaches Council on matters concerning the development, implementation, and review of Floodplain Risk Management projects. The Committee provides a forum for discussions between Council, the community, interest groups, and government authorities on technical, social, economic, environmental and cultural issues throughout the various stages of the Floodplain Risk Management Process.

2 OBJECTIVES

The objective of the Committee is to bring together the expertise and diverse community knowledge needed to address floodplain risk management matters relating to Floodplain Risk Management on flood prone land on the Northern Beaches.

The Committee is to provide a safe and equitable forum where all members have equal opportunity to contribute. This approach should provide an integrated, balanced, responsible, sustainable and adaptable system of management focusing on priority issues for the local government area affected by flooding.

The Committee is to recognise the risk-based management approach provided by the Floodplain Risk Management Process as detailed in the NSW Floodplain Development Manual (2005) which requires Councils to exercise their duty of care to effectively manage the real risk to people and property from flooding to meet the NSW Flood Prone Land Policy.

The Committee is to fulfil the functions of a Floodplain Risk Management Committee as specified in Appendix D of the NSW Government Floodplain Development Manual (2005).

The Committee will receive reports and advice from Project Working Groups that are overseeing individual flood risk management projects. The Committee will typically be asked to provide a recommendation to Council once these projects reach key milestones such as the public exhibition of a draft study or plan, or the adoption of final reports. Such Working Groups will be established and managed by staff directly.

3 COMMITTEE CHARTER

Each Committee operates according to these Terms of Reference and to their relevant Charter (refer Attachment 1). Terms of Reference and Committee Charters are adopted by resolution of Council and may also be amended by Council from time to time.

4 MEMBERSHIP

The membership composition is detailed in the attached Charter and discussed in brief below.

Community Representatives

The role of community representatives is to highlight issues of importance to the local community in relation to the preparation of Floodplain Risk Management Procedures. They provide a linkage between the Committee and the broader community. They are responsible for identifying the preferences and priorities as they are expressed by the

community. Community representatives should also make formal representation to the Committee on behalf of the public.

State Government Representatives

The Committee typically includes representatives from State Government Authorities such as the NSW Office of Environment and Heritage and the NSW State Emergency Service. The role of these representatives is to provide: Advice on broad policy objectives, specialist technical advice, provide advice on experience from dealing with common issues at other locations, assistance with funding applications, and advice to the Committee regarding any changes in State floodplain policy.

Responsibilities of Members: All members of this Committee have an obligation to:

- act in accordance with these Terms of Reference and the Model Code of Conduct
- represent the views of the stakeholders they represent in an unbiased way
- communicate and seek feedback with their network
- review relevant documents and provide feedback to the Committee where necessary
- objectively consider and actively participate in group deliberations by:
 - attending all meetings and facilitated workshops scheduled for the Committee
 - make a positive contribution on behalf of the community and actively engage members of the community about Committee deliberations, and
 - participate in other workshops that may be attended by the broader community.

5 ELIGIBILITY

All Councillors are eligible to nominate for membership on the Committee. Appointments will be determined and endorsed by Council.

Community representatives and other members of groups / associations must possess such skills, expertise, experience or special affiliation as detailed in the attached Charter.

6 SELECTION PROCESS

- a) Council will advertise nominations for community representation on the Committee.
- b) The selection of members will be undertaken in accordance with Council's Policy for Appointment of Community and Stakeholder Representatives on Committees.
- c) Should a representative vacancy occur during the terms of appointment, a new representative will be selected from eligible applications received from the original call for Expressions of Interest.

If no suitable alternative representatives can be found from the original Expressions of Interest, vacancies would be filled via a further call for Expressions of Interest.

7 TERM OF OFFICE

To assist with maintaining effectiveness and the continuity of knowledge within the Committee the terms of councillors and community members have been staggered. The aim is for established members to provide assistance to incoming Councillors after the council election and 12 months later, reciprocally from Councillors to incoming community members.

- a) The term of Councillors on the Committee is two (2) years following the election of a

new Council.

- b) The term for other members on the Committee is four (4) years commencing within 12 months after the election of Council.
- c) All Councillor memberships will cease during the election care taker period. New Councillors should be appointed to Committees at the earliest opportunity following the election.
- d) The terms above are subject to the conclusion of the Committee, when all memberships cease.

8 SUPPORT PROVIDED

- a) Council will provide necessary resources to the Committee. This will include the venue and administrative support such as facilitating and running the meeting, preparation and distribution of the notice of meeting, agenda and the recording of the minutes.
- b) The Natural Environment and Climate Change business unit is responsible for managing the Committee and will be the main point of contact for members on committee related matters. Specialist staff in floodplain management will provide:
 - Specialist technical advice to assist members consider Committee reports
 - Advice on the floodplain risk management planning process
 - Advice on broad State and Council policy settings
 - Consolidating feedback from community consultation and working groups for Committee consideration

9 TIMETABLE FOR MEETINGS

- a) The Committee is to meet quarterly (four (4) times) throughout the year.
- b) A meeting will be limited to a maximum of two (2) hours duration unless (in exceptional circumstances) the Committee resolves to extend the meeting to a particular time or until the completion of business.
- c) The schedule of meeting dates and venues will be provided to the members in advance and an agenda will be provided at least 7 days prior to meeting.

10 ATTENDANCE AT MEETINGS

- a) All members are expected to attend the meetings, or otherwise tender their apologies to either the Chair or Committee liaison person.
- b) No member should be absent for more than two (2) consecutive meetings without first seeking, and being granted leave by the Chair. Without being granted such leave in these circumstances, the person's membership will be re-evaluated.
- c) While other Councillors may attend Committee meetings as observers, the meetings will not be open to other members of the public.
- d) Technical advisors and other State Government agency representatives may be invited to attend meetings at the discretion of the Chair where it assists in the deliberations of the Committee.

11 MEETING PRACTICES AND PROCEDURES

- a) The Council will ensure that each meeting is properly recorded with the use of minutes, which will be reported to Council.
- b) The quorum for each meeting will be one half plus the Mayor or another Councillor. If a quorum is not present within 30 minutes within the commencement time of the meeting, it will become an informal meeting with no recommendations or decisions made.
- c) A Councillor or Mayor is the Chair of the Committee. In the event that neither member is available, a senior member of Council staff will assume the role of chair for that meeting. NB: The Committee may also be invited to participate in workshops that may be facilitated by an independent facilitator.
- d) The Chair directs the progress of the Committee meeting including facilitating orderly presentations from guest speakers, workshop facilitators etc. and ensuring the focus of the meeting is on strategic floodplain risk management.
- e) Subject to any determination by the Chair, each item is to be dealt with in the order in which it appears on the agenda. The Deputy Chair performs this role in the absence of the Chair.
- f) The Chair's role is to facilitate the conduct of the meetings and ensure the Committee focuses on its primary goal and objectives.
- g) This Committee is advisory in purpose and should have the intention of reaching consensus when endorsing items and recommendations. It has no authority to make decisions on behalf of Council, or speak publicly on behalf of Council.
- h) It will be at the discretion of the Chair when a matter is to be put to the vote. In such circumstances voting is to be by way of a show of hands. For a vote to be carried the matter must be supported by a majority of members present, with the Chair having a casting vote in the event the vote is tied.

12 MODEL CODE OF CONDUCT FOR COMMITTEES/WORKING GROUP

- a) All members of the Committee are required to observe the adopted Model Code of Conduct and any other policy or requirement applicable to the proper functioning of the committee.
- b) Members shall act in a professional and responsible manner with the information they obtain.
- c) Members must respect each other (often despite differences) and work together to create an open and trusting atmosphere. The group requires openness and honesty in order to function well and members should feel free to express their opinions and views without fear of recrimination.
- d) A breach of the Terms of Reference or Model Code of Conduct may lead to the member being removed from the Committee by the Chair.
- e) Members of Committee do not have the authority to make representations to the media on Council or the Committee's' behalf. In accordance with Council's Media Policy, the Mayor is the only person permitted to speak to the media on behalf of the Council and the Committee.
- f) Conflicts of Interest: Council recognises that community representatives join such Groups and Committees because of special interests they may have, and Council welcomes their expertise. Nevertheless, it is important that Council understands the basis of advice it receives from the Groups, so members will be requested to declare any organisation they may represent. Disclosures of Conflicts of Interest, particularly pecuniary interests need to be made by members of the Group and recorded in the minutes in accordance with section 442 and 443 Local Government Act 1993.

- g) Confidentiality and Privacy: Members may have contact with confidential or personal information retained by Council. If so, members are required to maintain the security of any confidential or personal information and not access, use or remove any information, unless the member is authorised to do so.

13 COUNCIL VALUES

All members of the Committee and all meeting attendees are expected to observe Northern Beaches Council Values outlined below:

- **Trust:** Because being open brings out our best.
- **Integrity:** Because we are proud of doing what we say.
- **Teamwork:** Because working together delivers.
- **Service:** Because we care as custodians for the community.
- **Respect:** Because valuing everyone is how we make a difference.
- **Leadership:** Because everyone has a leading role.

CHARTER: NORTHERN BEACHES FLOOD MANAGEMENT COMMITTEE

<p>Established: December 2017</p>	<p>Function:</p> <p>The purpose of the Committee is to provide advice to Northern Beaches Council on matters concerning the development, implementation, and review of Floodplain Risk Management projects. The Committee provides a forum for discussions between Council, the community, interest groups, and government authorities on technical, social, economic, environmental and cultural issues throughout the various stages of the Floodplain Risk Management Process.</p>
<p>Term: Councillors: Appointment for 2 Years or until election care taker period.</p> <p>Community and Stakeholder Representatives: Appointment for 4 years including one year following council election All memberships cease when project concludes.</p>	
<p>Quorum and Voting</p> <ul style="list-style-type: none"> • The quorum for each meeting will be one half plus the Mayor or another Councillor. If a quorum is not present within 30 minutes within the commencement time of the meeting, the meeting shall become an informal meeting with no recommendations or decisions made. • The Committee should have the intention of reaching consensus when endorsing items and recommendations. 	<p>Composition/Membership</p> <p>The Chair is the Mayor or the nominated Councillor delegate on this Committee.</p> <p>Membership of the Committee comprises of up to 11 members representing the following interests:</p> <ul style="list-style-type: none"> • Chair (or delegate) • 2 appointed Councillors • Up to 6 community/business representatives with expertise and/or experience in one or more of the following areas: <ul style="list-style-type: none"> - Live in a flood affected area - Operate a business in a flood affected area - Floodplain risk management expertise - Land use planning expertise - Local environmental knowledge - Emergency response experience • NSW Office of Environment & Heritage representative • NSW State Emergency Services representative
<p>Reporting Procedures:</p> <ul style="list-style-type: none"> • Minutes of meetings to be reported to Council 	
<p>Meetings:</p> <ul style="list-style-type: none"> • The Committee are to meet quarterly (four (4) times) throughout the year. • The schedule of meeting dates will be distributed at the formation of the Committee. • Agenda items, time and venue will be provided to the members in an agenda at least 7 days prior to the meeting. 	
<p>Ex Officio Advisors: Officers of State and Local Government or other advisors as required.</p> <p>Lead Council Officer: Executive Manager, Natural Environment and Climate Change (or delegate)</p> <p>Business Unit: Natural Environment & Climate Change</p>	<p>Council Members Appointed:</p> <ul style="list-style-type: none"> • Cr McTaggart (Chair) • Cr Warren • Cr Heins