



Inner West Council

Flood Management Advisory Committee
Terms of Reference

August 2016

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| Title: | Flood Management Advisory Committee Terms of Reference |
| Date of Issue: | 31 August 2016 |
| Date of Adoption: | 23 August 2016 |
| Version: | Adopted |
| Contact Officer: | Director of Major Projects & Engineering |
| Main Legislative or Regulatory References: | Local Government Act NSW 1993; Local Government (General) Regulations NSW 2005; NSW Government's Flood Prone Land Policy and the Floodplain Development Manual (2005). |
| Amendment History: | - |
| Review Dates: | July 2020 |

1. ROLE

The Inner West Council Flood Management Advisory Committee is an advisory Committee established to assist Council in the preparation of floodplain management studies and plans for the Inner West local government area.

The Committee acts as both a focus and forum for the discussion of technical, social, economic and environmental matters, and for the distillation of possibly differing viewpoints on these matters into a management plan.

The Committee is established in accordance with the NSW Government's Flood Prone Land Policy and the Floodplain Development Manual (2005).

2. OBJECTIVE

The principal objective of the Flood Management Advisory Committee is to assist the Council in the preparation of Floodplain Risk Management Plans for the Inner West Council local government area which will:

- Reduce the impact of flooding and flood liability on the community.
- Reduce private and public losses resulting from flooding.
- Recognise floodprone land as a valuable resource which should not be necessarily sterilised.
- Take into account social, economic, ecological and cultural factors.

3. FUNCTIONS/SCOPE

The function and scope of the Committee will include but not be limited to the following:

- To assist Council in the development of Flood Studies and Floodplain Risk Management Studies and Plans for the Inner West Council local government area.
- To provide a link between Council and the local community.
- To assist in the collection of necessary information.
- To identify objectives and strategies related to the improvement of the management of the floodplain.
- To monitor and review the implementation of flood planning in the Inner West Council local government area.
- To provide input into known flood behaviour as part of the flood study.
- To co-ordinate with catchment management boards, emergency management boards and other advisory bodies.
- To actively coordinate, promote and implement Floodplain Risk Management Plans through local planning processes, works programs and education campaigns seeking cooperation and encouraging community participation.

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

4. MEMBERSHIP AND APPOINTMENTS

4.1 Membership of the Committee

The Committee comprises representatives from the local community, elected representatives of Council, representatives of various NSW State Government departments / authorities / corporations, Council staff, and specialist consultants as engaged by Council.

Membership on the Committee is voluntary and by invitation from Inner West Council. Council recognises committee members as valuable partners in the management of the floodplain.

The number of voting and non-voting members is outlined below. Membership can be altered at any time by Council resolution.

| Voting Members | | |
|---|---------------|------------------------------|
| Representative | Number | Method of appointment |
| Elected representatives of Inner West Council | up to 3 | As per Terms of Reference |
| Community Representatives | up to 8 | As per Terms of Reference |
| NSW State Emergency Service | up to 2 | Nominated by SES |

| Non-voting Technical Advisory Members | | |
|--|---------------|--|
| Representative | Number | Method of appointment |
| Inner West Council | up to 12 | Relevant Engineering, Planning and Environment Staff |
| Sydney Water | 1 | Nominated by Sydney Water |
| Roads and Maritime Services | 1 | Nominated by RMS |
| NSW Office of Environment & Heritage | 1 | Nominated by OEH |
| NSW Department of Planning and Environment | 1 | Nominated by DPI |
| Sydney Catchment Authority | 1 | Nominated by SCA |

Where other Councils or Government Agencies are impacted by a Flood study or Floodplain Risk Management Study and Plan being undertaken by Inner West Council, an officer from the relevant Council or Government Agencies shall be invited to be a Technical Advisory member of the committee.

Additional observers can be invited to committee meetings by the Committee at the Committee's discretion.

4.2 Appointment of Chairperson and Deputy Chairpersons

Up to three elected representatives of Council may be members of the committee. The elected representatives of Council to serve on the committee shall be nominated by Council.

The Chairperson and Deputy Chairpersons of the Committee shall be nominated by Council from the nominated elected representatives unless determined otherwise by Council.

If neither the Chairperson nor the Deputy Chairpersons of the Committee is able or willing to preside at a meeting of the Committee, the Committee may elect a member of the Committee to be acting chairperson of the Committee for that meeting.

For the purposes of this charter the term “elected representatives” includes elected members of Council and, where there are no elected members of Council, persons that have been nominated by Council as members of Local Representation Advisory Committees.

4.3 Appointment of Community Representatives

Up to eight Community Representatives may be members of the committee, with a maximum of one member from each of the eight catchments.

Expressions of interest for Community Representatives will be called for at intervals as required. Advertising for expressions of interest will be on Council's website and in a minimum of one local newspaper.

Expressions of interest must be in writing. Expressions of interest will be prioritised by relevant Council staff.

Recommendations for appointment to the Committee will be prioritised based on the following selection criteria:

- Residence or property ownership or business operator within Inner West LGA.
- Representation across all Council's catchments.
- Knowledge of local catchment flooding issues.
- Commitment to represent the interests of the Inner West community concerning floodplain management issues.
- Ability to attend Committee meetings and public meetings within LGA as required.
- Ability to commit to a long term membership of the Committee.
- Preparedness to observe Council's Code of Conduct.

Successful applicants will be notified in writing and appointments of Community Representatives to the Committee will be reported to Council by the committee.

Community Representatives membership may be determined for up to two terms of Council (or remainder thereof).

Community Representatives shall serve on the Committee in a voluntary capacity.

4.4 Casual Vacancies

Any member of the Committee may, by giving notice in writing addressed to the Committee, resign his/her office as a member.

Membership on the Committee shall cease if:

- A member resigns in writing to the Committee;
- If a member (or representative) is absent without notification of absence for three (3) consecutive Committee meetings; or
- Upon resolution of Council to remove a member from the Committee.

In the event that a casual vacancy is caused by the resignation of a member, the Committee Facilitator will advise the Committee at its next meeting that a vacancy has arisen, and will provide a report to the next available Council meeting concerning a prospective replacement having regard to the following:

- If the member was nominated as a representative of an organisation, then the organisation shall be invited to nominate a replacement representative.
- If the member was nominated as a Community representative, then the Committee Facilitator will review original expressions of interest received and ascertain if any of the individuals who previously nominated are prepared to be considered as a member of the Committee.
- If there are no previous or current nominations then an expression of interest will be called.
- Should a vacancy occur within six (6) months of the end of term of the current Council, the vacancy will not be filled until the first term of the new Council.

5. RESPONSIBILITIES OF MEMBERS

5.1 Code of Conduct

Each member of the Committee will be bound by Inner West Council's Code of Conduct.

Each member of the Committee will be supplied with a copy of Council's Code of Conduct, Charter and any related Policy applicable to the operation of the Committee.

The conduct of each Committee member will be consistent with the principles outlined in these documents.

5.2 Understanding and Contribution

Members of the Committee are expected to:

- Understand the relevant legislative and regulatory requirements appropriate to Inner West Council
- Contribute the time needed to study and understand the papers provided.
- Apply objectivity and good judgment.
- Express opinions frankly, ask questions that go to the fundamental core of issues.
- Members of the Committee are not permitted to speak to the media as a representative of the Committee unless approved by Council. General information with regard to purpose and objective of the Committee is available on Council's website

5.3 Conflict of Interest

Committee members must declare any conflicts of interest at the start of each meeting or before discussion of a relevant agenda item or topic. Details of any conflicts of interest should be appropriately minuted.

Where members or invitees at Committee meetings are deemed to have a real or perceived conflict of interest, it may be appropriate they be excused from Committee deliberations on the issue where the conflict of interest may exist. The final arbiter of such a decision is the Chair of the Committee.

5.4 Role of the Chairperson

The Chairperson is responsible for:

- Preparing the agenda for the meeting with the assistance of the Committee Facilitator;
- Determining the most effective way of dealing with the issues raised and making the necessary arrangements to achieve this;
- Allocating times to be devoted to agenda items and ensuring that these times are observed;
- Opening the meeting and following the agenda;
- Encouraging all members of the Committee to express their point of view;
- Summarising the progress of the discussion and degree of consensus reached at the end of each agenda items, and confirming this with the Minute taker before moving on;
- Closing the meeting and confirming the date, time and place of the next meeting; and
- Liaising and reporting to the Council.

5.5 Committee Facilitator

The designated Committee Facilitator is the Director of major Projects and Engineering or their nominee.

The Committee Facilitator is responsible for:

- Establishing the meeting agenda in conjunction with the Chairperson;
- Ensuring the agenda and minutes are published;
- Ensuring that relevant matters are brought before the Committee; and
- Ensuring that the input and decisions of the Committee are incorporated into Council activities.
- Booking venues;
- Assisting in the preparation and distribution of the agenda;
- Taking accurate minutes in the format determined by the Committee; and
- Distributing the minutes.

6. MEETINGS

6.1 Frequency

It is anticipated that the Committee will meet at least two times in a calendar year. More regular meetings will be called as business demands and if there are pressing issues to be put forward to the Committee.

The meetings of the Committee are to be called by the Chairperson.

The proposed date, time, location and business to be transacted at each meeting will be notified to all members of the Committee at least seven days prior to the meeting.

6.2 Quorum

The quorum for a meeting of the Committee will be 50% of the current voting members.

6.3 Meeting procedures

The following procedures shall apply during meetings:

- Meetings of the Committee shall be conducted under the Council's Code of Conduct.
- The Chairperson may call a special meeting if, in the Chairperson's opinion, there are matters of urgency that require attention.
- The Committee may invite people to attend meetings to observe, make representation or provide expert or technical advice.
- Provision shall be made on each agenda for General Business to be raised at each meeting.
- The agenda for the meetings shall be issued on the week preceding the Committee meeting.
- Council's role is to note the Committees minutes and to consider recommendations made by the Committee. Such recommendations will be highlighted for the attention of Council.
- The minutes shall be drafted and distributed after each meeting to Committee members.

7. DELEGATION

The Committee is advisory in nature providing recommendations to Inner West Council. The Committee has not been delegated authority by Council. Any recommendations of the Committee must be ratified by resolution of Council and implemented by a member of Inner West Council staff with an appropriate delegation.

The Committee does not have any power to incur expenditure or to bind the Council to any decision upheld by the Committee.

8. SUB-COMMITTEES

The Committee may establish sub-committee(s) to work on particular matters in relation to its advisory role to the Council.

9. DISSOLUTION

The Committee may at any time be dissolved and disbanded by resolution of Council.

10. CHANGING OF THE TERMS OF REFERENCE

The Terms of Reference may only be amended by Council resolution.