



# Draft Terms of Reference

for the

Lithgow Floodplain Risk Management Committee

Lithgow City Council

May 2020

### **Committee Name**

The committee shall be known as the 'Lithgow Floodplain Risk Management Committee'. Further reference to the Lithgow Floodplain Risk Management Committee within this document will be referred to as the 'Committee'

### **Delegations**

The Committee has no delegations from the Council.

### **Financial Arrangements**

Unless expressly resolved by Council the Committee has no powers to commit nor expend any Council funds.

### **Committee's Responsibilities**

The objective of the Committee is to provide advice to Council on floodplain risk management issues facing the Farmers Creek and Marrangaroo Creek catchment areas in accordance with Appendix D of the *NSW Floodplain Development Manual (2005)*.

In particular the Committee shall oversee the following items completed in accordance to the Lithgow Floodplain Risk Management Study and Plan Brief:

- Floodplain Risk Management Study.
- Floodplain Risk Management Plan.
- Interim development controls within the floodplain area.
- Floor Level Survey.
- Community Consultation material.
- Property Spreadsheet of potential flood affected properties.

The role of the Committee is advisory to:

- Discuss the technical, social, economic and ecological issues and for the distillation of possibly differing viewpoints on these issues;
- Assist Council by providing direction through the process of preparation and implementation of Floodplain Risk Management Planning.
- Foster partnerships and collaboration between the local community and Council.

### **Committee Membership**

Membership of the Committee shall be comprised of:

- Councillors – 2 (With 1 being an alternate should the primary councillor be unavailable) as determined by Council resolution
- Local SES Controller or nominee
- Representative of the Department of Planning, Industry and Environment
- Community representatives - up to 2 whom have an interest in local catchment flooding issues who are located within the Farmers Creek or Marrangaroo Catchment Areas.
- Planning staff – 1 from development assessment and 1 from strategic planning.

- Infrastructure Services staff - 2

The Council reserves the right to determine the appointment of all members and member Organisations, Community or Interest Groups.

### **Membership Selection**

Councillors, Council staff, and Agency representatives shall be nominated by Council Resolution, the General Manager or the respective agency as appropriate.

Community representatives are to be recruited through a public expression of interest process which will be advertised in the local media, and on Council's website and Facebook page. Selection will be based primarily on:

1. The location of the applicant's property within the flood planning area.
2. The period of time the applicant has lived or owned property within the flood planning area.
3. The applicant's knowledge of historical flood events.

### **Membership Tenure**

Councillors will be appointed for the Term of the Council unless otherwise resolved by the Council.

All other Committee member's appointment may be ended on the basis on one of the following:

- Resignation of a member;
- Regular non-attendance (missing three (3) consecutive meetings); or
- Failure to adhere to the protocols set out below.

Should the committee agree by consensus, the committee may appoint additional members or fill in any vacant positions. Should the committee be in consensus, a position may be left permanently vacant.

Committee membership is to be dissolved or renewed as required to serve the needs of dealing with the matters before the Committee.

## **MEETING PRACTICE**

### **Code of Meeting Practice**

The meeting procedures outlined in the Council's Code of Meeting Practice shall guide the meeting procedures of the Committee unless otherwise outlined below:

### **Chairperson**

A designated Council Staff member will act as chairperson and is required to form a Quorum.

### **Executive Officer**

The Executive officer shall:

- provide executive support to the Committee
- be responsible for preparing the agenda and minutes of the Committee meetings
- be responsible for preparing report to Council containing the minutes
- be responsible for providing the Committee members with the resolutions of Council regarding Committee recommendations.

### **Other Attendees**

- Guest speakers/observers may be invited as required and as determined by the Committee.
- There may be a need to establish temporary sub-committees or working groups to meet certain criteria or to pursue specific issues

### **Responsibilities of Members**

Should a member be unable to attend a meeting, an apology or notification must be made to the Secretary prior to the meeting.

Members will have no power or delegations to make decisions on behalf of Lithgow City Council or allocate funds.

Members must follow meeting protocols. The following meeting protocols are as followed:

- 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 comply with the chair's decisions in relation to agenda items and timeframes.
- Meetings shall be run through consensus. Where there is an opposing view, members can choose to have their name recorded in the minutes stating their position.
- Minutes shall be taken each meeting and distributed to each member via email, providing a summary of issues discussed and actions to be progressed.
- Any confidential items brought up in the meetings shall not be made public.
- Members are to declare any potential conflict of interest that may arise in the considerations of the committee and at such a time where a conflict of interest is established, remove themselves from any relevant discussions.

### **Frequency of Meetings**

The Committee shall meet at staged intervals as per the Lithgow Floodplain Risk Management Study and Plan Brief at Council offices at a mutually agreed time. Meeting frequency will vary depending on the business and release of information from the consultant undertaking the study and plan.

### **Quorum**

A quorum for attendance shall be satisfied following that **half the membership of the committee plus one** is in attendance.

### **Notice of Meeting and Agenda/Business Paper**

A notice of an agenda for every meeting of the committee will be forwarded to all committee members at least five (5) working days prior to the date of each meeting.

Any items submitted for inclusion by any committee members are to be lodged with the Committee's nominated secretary a minimum of two (2) weeks prior to the meeting to allow time to prepare information on the matter.

Minutes of a meeting will be taken by a Council officer and distributed to all Committee members within ten (10) days of the meeting.

### **Voting and Decisions**

Decisions made by the committee will be based on a voting system. The proposition which receives the majority of votes (more than half in attendance) will be the decision of the committee.

Each member on the committee will be entitled to a single vote.

Should a decision be equally voted for, the chairperson presiding at the meeting shall have another vote in addition to their original vote.

Should the Committee make a recommendation which may require further consideration by Council's Executive and/or Council, Council officers will refer the consideration to the appropriate body.