



Bayside Council

Serving Our Community

Bayside Floodplain Risk Management Committee Terms of Reference

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Bayside Floodplain Risk Management Committee Terms of Reference

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1 Purpose

The purpose of the Bayside Floodplain Risk Management Committee is to provide advice on the development and implementation of floodplain risk management studies, and plans throughout the Bayside Council area in accordance with the NSW Floodplain Development Manual 2005.

These terms of reference outline the Committee's function, structure, authority and reporting requirements.

2 Interpretation

For the purpose of this document:

Member means a member of the Committee.

Committee means Floodplain Risk Management Committee.

Council means Bayside Council.

Chairperson / Chair means the chairperson of the Committee or Sub-Committee.

Elected members means the elected Councillors of Bayside Council.

3 Status of Committee

The Committee operates as an 'advisory committee' of Council, as defined in Council's Code of Meeting Practice.

4 Delegations

Bayside Advisory Committees may make recommendations to Council on all matters before it. These recommendations are submitted via the minutes of each meeting to Council for consideration.

Substantial recommendations (including any requiring the expenditure of Council funds) are accompanied by a separate report to Council from the appropriate Council officer.

The Committee's recommendations, which are determined by the General Manager to be purely or substantially 'operational' in nature, will be dealt with by the relevant Director and any action or lack thereof reported to the Committee.

Advisory Committees do not have the power to incur expenditure, nor do they have the power to bind Council.

5 Key issues

The Committee considers key issues such as the following:

- State Government policy for floodplain risk management.

- Flood studies and network analysis.
- Floodplain risk management studies, including priorities for management initiatives.
- Floodplain risk management plan implementation, including oversight of floodplain risk mitigation works projects.
- Floodplain risk management learning and development opportunities, and conferences.
- Priorities for future study and analysis.
- Other matters within the role of the Committee as outlined in the NSW Government's Floodplain Development Manual.

6 Membership

6.1 Overview

The Committee may comprise Councillors, Council staff, local community representatives, local industry and / environmental body representatives and government agency representatives – it is supported by Council officers.

6.2 Elected members of Council

Council appoints up to three (3) Councillors to be members of the Committee.

All other Councillors are welcome to attend meetings of the Committee as observers and contribute to discussions but are not entitled to vote.

If no Councillors are appointed as members, the General Manager or nominee represents the elected members.

Elected members (or their representative) are entitled to vote.

6.3 Council staff representatives

The General Manager appoints four (4) Council staff in different disciplines as members of the Committee.

Appointed Council staff members provide a mix of specialist professional advice in engineering, strategic planning, development assessment and environmental management. Appointed Council staff representatives have voting rights.

6.4 Local community representatives

Following an expression of interest process, the General Manager appoints a maximum of two (2) local community representatives that meet the following criteria:

- a broad interest, and understanding of floodplain management
- a commitment to floodplain management in the Bayside Council area
- resident or business person living or working in or near a flood prone area.

Local community representatives have voting rights.

6.5 Government agency representatives

The General Manager (or nominee) invites the following State Government agencies to nominate one (1) representative each:

- Office of Environment and Heritage, NSW Department of Premier and Cabinet
- NSW State Emergency Services
- Sydney Water Corporation.

The nominated agency representatives provide advice in relation to their functions and areas of expertise and have voting rights.

6.6 Chair and Deputy Chair

The Chair of the Committee is one of the elected members (or their representative).

In the absence of the nominated Chair at a particular meeting, the meeting elects a Chair of the meeting.

6.7 Term of office

Elected members (or their representative) continue as members of the Committee until the next ordinary election of the Mayor, or the next general election of Council, or until the Committee is disbanded or completes its purpose in accordance with these Terms of Reference.

Other members continue until the Committee is disbanded or completes its purpose in accordance with these Terms of Reference.

Any casual vacancy in elected members is filled by Council appointment. Any other casual vacancy is filled by the General Manager.

7 Other attendance

7.1 Elected members

Apart from the appointed Councillor members, all other Councillors are welcome to attend meetings of the Committee as observers and may contribute but are not entitled to vote.

7.2 Specialists

The Chairperson and/or the General Manager may invite community representatives, consultants and/or technical specialists to specific meetings of the Committee in order to assist the Committee in the consideration of matters before it.

Invited specialists do not have voting rights.

Such community representatives attend at the invitation of the Chairperson, are not entitled to vote, and may be requested to leave the meeting if confidential matters are before the Committee.

7.3 Council staff

Additional staff may be invited to attend meetings but do not have voting rights.

7.4 General public

The Committee meetings are not open to the public.

8 Support

8.1 Sub-committees

The Committee may establish a technical sub-committee in order to provide assistance to enable the Committee to fulfil its advisory role efficiently.

8.2 Specialist support

Council provides specialist advice and information in the areas of interest of the Committee. Such information includes:

- Proposed strategic issues for consideration by the Committee.
- Background research on issues relevant to the Committee.
- Reports on issues to be considered in Committee meetings.

8.3 Administrative support

Council provides administrative support as determined by the General Manager to assist the Committee in their deliberations. Such support includes:

- Preparing and publishing notices of meeting, agendas and minutes.
- Liaising with Council officers of any reports and actions required.
- Arranging meeting venues and refreshments.

9 Meeting practices and procedures

9.1 Meeting schedule

The location, date and time for meetings may be decided by the Chair in consultation with the General Manager or nominee.

9.2 Quorum

The quorum for a meeting of the Committee is four (4) members. If a quorum is not present within 30 minutes of the scheduled commencement time, the meeting lapses.

9.3 Voting

In general, it is expected that the Committee, and any sub-committee, will develop recommendations by consensus. If however, a voting is required, the Chair has a casting vote.

9.4 Proceedings

The administrative provisions of Council's Code of Meeting Practice apply, in addition to any higher standard imposed by these Terms of Reference.

The General Manager arranges for the Notice of Meeting, along with the business paper to be issued to members in accordance with Council's Code of Meeting Practice.

The proceedings of each meeting are recorded in minutes of the meeting, including those present, apologies, conflict of interests, and recommendations on matters before the Committee.

General business matters may be raised by members at any meeting without notice, however if it is a substantial issue, a report is to be prepared and included on the agenda at a future meeting.

The minutes of each meeting are submitted to the next available Council Meeting with a view to the Committee's recommendations being considered.

10 Code of Conduct

10.1 General

All members of the Committee are required to observe the provisions of the Bayside Council's Code of Conduct and any other policy or requirement applicable to the proper functioning of the Committee.

A breach of the Code of Conduct may lead to the member being expelled from the Committee.

10.2 Confidentiality and privacy

Committee members may come in 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.

Should a member become aware of any breach of the security, or misuses of Council's confidential or personal information please contact the Public Officer.

All members of Council Committees are required to observe the provisions of the Bayside Council Privacy Management Policy relating to their access to personal information.

10.3 Media protocol

Members are not to speak to the media in their capacity as a member of the Committee.

11 Administrative Procedures

The appropriate Council manager may approve administrative procedures that support these Terms of Reference. The procedures may address such issues as:

- Agendas, reports, and minutes arrangements
- Council officer responsibilities.

12 Document control

12.1 Review

These Terms of Reference are reviewed at least at the commencement of each term of Council.

Apart from any inconsequential editing, substantial amendments to these Terms of Reference are approved by the Council.

12.2 Version history

| Version | Release Date | Author | Reason for Change |
|---------|--------------|--------------------------|-------------------|
| 1.0 | 09/05/2018 | Zoran Sarin, Bruce Cooke | New document |