

Minutes of the Floodplain Management Committee Meeting held Friday 28 October 2022

Venue:

Murwillumbah Council Chambers

Time:

9.30am

Present:

Chris Cherry (Mayor), Danny Rose (TSC), Leon McLean (TSC), Mathew Greenwood (TSC), Felicia Cecil (FC), Robert Quirk (RQ), Steven Smith (SS), Max Boyd (MB), Samuel Dawson (SD), Thomas Rehfeld (TR), Jenna Ford (JF), Jennifer Kidd (JK), David Bartlett (DB), Martin Rose (MR- Virtual DPE), Peter Mair (PM - SES), Taya Williams (TSC - minutes officer)

Agenda Items:

1. Acknowledgment of Country (DR)

Tweed Shire Council wishes to recognise the generations of the local Aboriginal people of the Bundjalung Nation who have lived in and derived their physical and spiritual needs from the forests, rivers, lakes and streams of this beautiful valley over many thousands of years as the traditional owners and custodians of these lands which we are meeting on today

2. Welcome and Introductions (DR)

Steven Smith – Member of the Tumbulgum Community Association

Felicia Cecil – Member of the Chinderah District Residents Association

Chris Cherry – Mayor

Jennifer Kidd – Member of the Tumbulgum Community Association (Alternate for Steven Smith)

Max Boyd – Dulguigan resident since 1933, former Mayor

Robert Quirk – Part of the local sugar industry

David Bartlett – Manager of Citi Farm and local cane grower (Alternate for Robert Quirk)

Peter Mair – Tweed Byron Commander with State Emergency Services (SES)

Jenna Ford – Member of the Tyalgum District Community Association

Thomas Rehfeld – Member of the Cabarita Beach Bogangar Association Flood Mitigation Committee

Samuel Dawson – Caldera Environment Centre

Martin Rose – Department of Planning & Environment (DPE) – Senior Floodplain Engineer

Danny Rose – TSC Manager Roads & Stormwater

Leon McLean – TSC Engineer - Flooding & Stormwater

3. Apologies and Previous Minutes (DR)

David Oxenham – TSC Director Engineering

Angie Cousens – TSC Engineer – Infrastructure

Discussion on Business Arising was deferred to General Business.

Minutes of Previous Meeting:

Moved: Steven Smith

Seconded: Max Boyd

RESOLVED that the Minutes of the Floodplain Management Committee meeting held Wednesday 8 December 2021 be accepted as a true and accurate record of the proceedings of that meeting.

4. Council Code of Conduct (MG)

Issued prior to meeting to all Committee members.

Committee members agree to report any conflicts of interest to Danny Rose, and aware these will be noted in the minutes.

Confidential items will be clearly noted in agenda attachments and minutes.

5. Committee Terms of Reference (DR)

Issued to Committee members.

The objective of the Committee is to advise Council on the development and implementation of the New South Wales floodplain risk management process across the various catchments within the Tweed Shire.

Committee is to be made up of up to 8 community members, 1 Councilor and a delegate each from Department of Planning & Environment and the SES. Council staff in attendance will provide advice, information and the administration of the committee, but have no voting rights. The Chair is to be elected by the committee community members.

Confirmed Committee members will receive a copy of the minutes to be supported. Once supported by Committee, these will be submitted to the TSC Executive Leadership Team, and if approved these will be submitted to Council for endorsement.

DR clarified the "Strategic Link" in the document refers to Council's adopted Community Strategic Plan. It is not able to be amended.

FC to nominate an alternate delegate via emailing Danny Rose. All committee members were welcomed to nominate and alternate prior to the next meeting. This can be endorsed by formally by Council via the minutes.

DB queried membership /delegate membership.

DR committed to quarterly meetings of the Committee at a minimum.

MB noted his appreciation of the Mayor being part of the committee.

MB requested discussion of Kingscliff Gales land regarding development to be included on the next meeting agenda.

6. Election of Committee Chair (DR)

Under new Terms of Reference TSC employees are no longer able to be the Chair.

Voting for Chair and Deputy Chair made by committee:

Chair - Robert Quirk - unanimous vote.

Deputy Chair - Max Boyd - unanimous vote

7. Break

8. Introduction to the Floodplain Management Process (DR)

DR explained the Floodplain Management Process.

* Floodplain Development Manual 2005 – Owned by DPE (a draft manual is currently going through review process and will need to be gazetted before implemented).

The current (2005) manual can viewed here : <https://www.environment.nsw.gov.au/research-and-publications/publications-search/floodplain-development-manual>

The draft updated manual can be viewed here:

<https://www.environment.nsw.gov.au/topics/water/floodplains/flood-risk-management-manual-update>

* Flood Prone Land Policy.

* Components and Governance

* Legal indemnity - Section 733 Local Government Act

* A Risk Based Approach –

Flood Modification – levees, floodgates, pumps etc

Property Modification – Voluntary House Purchase, Voluntary House Raising

Emergency Response – Flood warning/alerts, evacuation planning/routes

MB – Flood Prone Land Policy – flood prone land is a valuable resource that should not be sterilised by unnecessarily precluding development. Considers that this needs urgent government and council review in light of the recent catastrophic floods and losses by the community. DR clarified that the intent of the presentation was to outline the current floodplain management framework and government policies. This can be discussed in detail in future meetings, such as in the context of the Flood Inquiry recommendations.

RQ- Are FMC able to review the Floodplain Development Manual Draft Update?

DR/MR – the document has already been exhibited and was not put to the committee. The draft is awaiting ministerial approval and consists of an updated manual and a host of new guidelines to address the issues of concern to the committee.

DR recommended that committee members review the vast body of work Tweed has completed to date in the Floodplain Management space

<https://www.tweed.nsw.gov.au/property-rates/floods-stormwater/flood-risk-management> This will be discussed further at the next meeting

9. General Business

RQ described impact on productive cane land believed to be due to changed drainage caused by industrial land development on the Stainlay land that is now managed by DB in South Murwillumbah, and requested this be discussed at a future meeting. DB extended an invitation for the Mayor to visit the property.

Business Arising from meeting 8 December 2021:

Murwillumbah Levee Spillway Upgrade -

Not gone on exhibition yet due to events of 2022. More work is required before we put it out – aiming for 2023.

Overtopping was minimal in 2022 event and levee held strong. Some maintenance work required. Grant funding to come for implementation the spillway, ideally maintenance and implementation completed at the same time. PWA project for Levee Works. Also working towards pump upgrades in CBD of Murwillumbah – to be a subject of a future FMC meeting.

Mooball Designated Flood Levels – Council requested a Workshop to understand the issues. Committee would like to be invited. After that, select community members be invited to Floodplain Management Committee meeting to help understand the impacts of these planning decisions.

Murwillumbah Leagues Club - went to Council 27 October 2022 and was supported.

Recommendation: *1. Adopts the drainage strategy outlined in the Murwillumbah Leagues Club Drainage Study, which is attached to the report noting that a pump will not eliminate all flooding from the Club but will reduce its frequency and severity. 2. Actively pursues external grant funding opportunities to facilitate the installation of a stormwater pumping station behind the Dorothy/William Streets levee.*

Active grant with DPE for works.

Tweed Valley Flood Study – is currently being updated, and the scope to include the 2022 weather events. It is expected a draft copy will be put to public exhibition mid-2023. Interim updates will be provided to the committee in future meetings.

Flood Alert System – Trial for new flash flood alert system launched for Burringbar, Mooball and Crabbes Creek. If successful, this model could be rolled out through other flash flood catchments.

Flood Monitoring Cameras – Supporting policy went to Council 27 October 2022, now to go on exhibition. Camera footage planned to be released publicly upon adoption to increase awareness and warning times.

Voluntary House Purchase, Voluntary House Raising – to be discussed at next meeting. Announcements from Government this week on funding.

Wardrop Valley – Next meeting. MB : Request for mapping and information regarding the land identified to be put aside for residential development / land swaps. Will be expanded to cover more of the local area.

Bray Park Weir – Sam has been contacted by local resident, concerned about potential flooding impacts of weir raising – To be updated at next meeting.

West Kingscliff Drainage – DR described the process that has commenced to conduct a joint flooding and drainage study with the developer, via a deed of agreement. Will update committee as it progresses. RQ requested masterplan of Gales land and flooding/drainage to be brought to the next meeting.

TR: Commented on the community's fear of a further flood event and the need for urgent action by Council to provide confidence.

Minutes

MB : Greenhills Lodge Aged Care home – Council donated the land for Greenhills, but has had to close due to riverbank erosion and landslip in Feb 22. Any assistance from the Reconstruction Corporation? DR and LM to raise with them.

MB – tabled a submission of his observations following the 22 floods, and recommendations that the committee and council need to consider urgently to be added to next agenda

Resilient Homes Fund Announcement 28 October 2022 - <https://www.nsw.gov.au/regional-nsw/northern-rivers-reconstruction-corporation/resilient-homes-fund>

Next Meeting:

The next meeting of the Floodplain Management Committee will be held 24 November 2022.

The meeting closed at 12.02pm.

EXECUTIVE LEADERSHIP TEAM'S COMMENTS:

EXECUTIVE LEADERSHIP TEAM'S RECOMMENDATIONS: