



### DRAFT MINUTES

Meeting held Monday 11 September 2023 at the Clarence Valley Council Grafton Chambers, 2 Prince Street Grafton.

#### **ITEM 1 INTRODUCTION: WELCOME AND APOLOGIES**

Meeting opened at 09:04 by Cr. Novak with an acknowledgement of country paying respects to past, present and emerging elders from the Bundjalung, Gumbaynggirr and Yaegl people.

#### **Attendance:**

Voting: Cr Deb Novak (Chair), Ross Farlow (On-Line), Bill Paterson, Belinda Devine (SES – On line), Mark Sekulic (SES)

Observers: Cr Pickering (arrived 09:15)

DPE: Toong Chin (On-Line), Mikayla Ward (On-line)

CVC Officers: Greg Mashiah, Stephen Timms, Murray Lane (On-Line), Robyn Monk

Presenters: Daniel Rodgers – JBP (Online)

Apologies received from:

Name	Committee Role	Organisation / Role
Sue Chapple	Committee member	SES
Des Harvey	Committee member	Community
Nathan Cameron	Committee member	Community
Deanna Fernance	Committee member	Community
Cr Ian Tiley	Councillor	CVC

**Quorum:** 7 (currently 13 committee members).

**Total Members at todays CV FPRMC: 5** Quorum reached – **Yes / No**

A quorum was not present, so the meeting proceeded with consensus recommendations to Council. Attendees introduced themselves. Bill Paterson was welcomed as a new member and gave a brief outline of his background in flood management.

#### **ITEM 2 DECLARATIONS OF INTEREST**

- Nil

#### **ITEM 3 CONFIRMATION OF PREVIOUS MINUTES**

**MOTION:** That the minutes of the Clarence Valley Floodplain Risk Management Committee meeting of 15 May 20 be confirmed.

**Moved: Ross Farlow Seconded: Mark Sekulic CONSENSUS**

#### **ITEM 4 BUSINESS ARISING FROM THE MINUTES**

FRMC Meeting Frequency –*the FRMC request was noted by Council; under its Terms of Reference the FRMC sets its meeting frequency.*

#### **ITEM 5 WOOLI FLOODPLAIN RISK MANAGEMENT STUDY AND PLAN**

*Daniel Rodgers from JB Pacific gave the attached PowerPoint presentation.*

*Questions and comments from the Committee:*

- BP – Copyright notice in report – Bill will provide previous advice he has

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received regarding the copyright notice

- BP – Pluviometers in the catchment – *Greg Mashiah advised he was aware of 3 BoM pluviographs - Wooli, Minnie Water and Pillar Valley. The Pillar Valley pluviograph is paid for by CVC.*
- BP – Data used for tailwater levels – *The MHL gauges at Caravan Park and entrance*
- BP – report did not include a list of recorded floods at the Caravan Park and the ranking of those floods? *A Flood Frequency Analysis (FFA) for Wooli to be undertaken.*
- BP – question on notice re 10 metre scour of entrance? *Dan Rodgers to provide additional information in response, noting that the 1995 study indicated a similar scour.*
- BP – does modelled road closures match Council's record road closures? *Greg Mashiah to advise*
- BP – option in FRMP of maintaining status quo? *Option to be included*
- TC – Is freeboard to be additional to recommended flood level in Recommendation 2? *Freeboard requirements will be included in the proposed DCP amendments which will be discussed in Item 6.*

**MOTION The FRMC recommends to Council that:**

1. **The draft Wooli Flood Study be adopted, subject to the addition of a Flood Frequency Analysis,**
2. **For exhibition purposes the Wooli Flood Planning level be the 2100 RCP4.5 1% AEP event, with freeboard to be determined through the Development Control Plan process**
3. **The Wooli Floodplain Risk Management Study and Plan be placed on public exhibition for 28 days (with the addition of a status quo option) and, subject to there being no submissions that change the intent of the plan, it be adopted.**

*Moved: Bill Paterson Seconded: Ross Farlow*

**CONSENSUS**

**ITEM 6****LOWER CLARENCE FLOOD STUDY 2022 UPDATE**

*Questions and comments from the Committee:*

- BP – should the Flood Study be publicly exhibited due to the changes in flood levels in Grafton? *Murray Lane outlined the proposed exhibition process moving forward. Until the Department of Planning advice was received, it was proposed public exhibition would be via the planning proposal. A two-step public exhibition process is now recommended. Firstly exhibition of the new flood heights and reporting any submissions to Council, and a second step is to publicly exhibit the proposed changes to the Development Control Plans.*
- BP – The FFA in the flood study is an annual series rather than a partial series. This may impact the FFA. The current gauge at Prince Street was installed in the late 1940s and the height of earlier floods may not be as reliable? *A partial series FFA to be undertaken*
- BP – Can the peer review report be released to the FRMC members? *Will be included as an attachment to the minutes.*
- DN – Is there a conflict of interest between the same flood consultant working for Council and working for developers? *Murray Lane advised that it is up to the Consultant firm to manage. BMT is preparing flood impact assessments for developers which gives consistency with Council's flood model. For West Yamba developments, Consultant WMA is peer reviewing the BMT flood assessments.*
- BP – concern that the proposed 300mm freeboard in the officer recommendation is lower than the general NSW practice of 500mm. *The committee discussed the interim flood planning level freeboard and agreed*

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to change to 500mm.*

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**MOTION**

**That the Floodplain Risk Management Committee:**

1. Notes concurrence from the Department of Planning & Environment that the high level peer review and validation of the Lower Clarence Flood Model 2022 Update did not significantly alter the model and therefore the model and associated maps has been adopted and placed on Council's website.
2. Note the Council endorsed 1% AEP Climate Change 1 (RCP 4.5) scenario and use these as the basis for establishing interim Flood Planning Levels (habitable floor levels), inclusive of North Grafton, to properly manage risk from flooding until final Flood Planning Levels are resolved through a new Floodplain Risk Management Study and incorporated into a Floodplain Risk Management Plan.
3. Recommends to Council that it:
  - a. publicly exhibit proposed interim Flood Planning Levels (as contained in the adopted Lower Clarence Flood Model Update 2022) for a minimum of 28 days, being:
    - i. 1% AEP Climate Change 1 (RCP 4.5) scenario as the Defined Flood Event + 500mm Freeboard
  - b. consider any submissions received during exhibition on the interim flood planning levels before adopting the finalised interim Flood Planning Levels.
4. Recommends to Council that it commence the process of modifying Floodplain Management Controls in Council's Development Control Plans to align with the interim Flood Planning Levels, including:
  - a. Controls that require all new residential development to have a primary habitable floor level above the 1% AEP Climate Change 1 (RCP 4.5) scenario as the Defined Flood Event + 500mm Freeboard
  - b. Removal of clauses that permit Primary Habitable Floor Levels in North Grafton below the interim Flood Planning Levels.
  - c. Include Objectives and Controls that permit habitable floor levels below the Flood Planning Level in limited circumstances, such as being limited to alterations and additions to existing dwellings.
  - d. Update controls that any development below the Flood Planning Level must be constructed from Flood Compatible Building Components.
  - e. Any other necessary amendments to effect these changes.
  - f. Reporting the draft amendments to Council for endorsement before exhibition.

**Moved: Bill Paterson Seconded: Ross Farlow      CONSENSUS**

**ITEM 7****NORTHERN RIVERS RECOVERY & RESILIENCE PROGRAM (NRRRP)**

1. Tranche One funded project - "Install box culverts through levee near North Street (Grafton) to improve local drainage prior to floodgates closing" (\$615,734).

*This project was ranked 9 out of 11 in Council's priority list and was recommended in a 1984 PWA Drainage Study of Grafton. All information Council has on this project has been passed on to the consultant project managing the NRRRP, and the project will be delivered by NRRRP.*

2. Tranche Two funded projects:

- A budget allocation is yet to be determined for the nominated projects*
- a. Investigate flood free access to Junction Hill (Grafton) via The Summerland Way

*This project was included in the 2007 Lower Clarence Floodplain Risk Management Study but has very limited detail.*

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*The project was based on raising the Pine Street levee (west of the railway line) and possibly the Alummy Creek (Westlawn) levee. the project will be delivered by NRRRP.*

## b. Flood Pumps Maclean and Grafton

*This project will implement the outcome from project ‘d’ and will be delivered by Council*

## c. Construct stock mounds

*Council staff have suggested to NRRRP that the requirement is for stock evacuation rather than stock mounds and noted there are various issues with stock mounds on private property. A list of known Crown Land flood refuges was provided to NRRRP; only one of these is managed by Council (Townsend) with the others either directly by Crown Lands or various reserve trusts. RF advised an issue with stock mounds will be fencing and maintenance of the fencing. RF has spoken with the project manager for NRRRP re stock evacuation and has given him contacts with property owners at Ulmarra and Lawrence/Southgate. While existing property owners are aware of stock evacuation requirements, there is an issue with knowledge of new property owners. Cr Novak asked about using the Grafton salesyards for triage? Greg Mashiah to raise with NRRRP,*

## d. Review internal drainage strategy – Maclean

*This project will investigate reducing the requirement for portable pumps by redirecting drainage to permanent flood pumps, and will be delivered by Council.*

DN – are communities aware that power would be cut off when Maclean and Grafton levees are overtopped? MS (SES) – *general antipathy from community so likely unaware. Information on power outages not currently included in SES literature. GM – when power is turned off sewerage services will not be available for the remainder of the towns (above the flood level) as all sewerage from Maclean and Grafton is pumped to the Sewer Treatment Works, so raw sewage would surcharge into the flood waters.*

**ITEM 8****VOLUNTARY HOUSE RAISING (VHR)**

There is no funding for Northern Rivers Councils under the DPE VHR scheme as all VHR (and voluntary purchase) is being undertaken by the Northern Rivers Reconstruction Corporation’s Resilient Homes Program (RHP). Council had received approximately 70 unsolicited VHR Expressions of Interest (EoI) and when the RHP was announced Council wrote to all owners submitting EoI suggesting they apply to the RHP. As the format of future VHR funding is not known, at its meeting of 22 August 2023 Council resolved to rescind its current VHR policy. Council has advised all owners who submitted EoI that the VHR policy has been rescinded and they will need to contact the RHP.

**ITEM 9****CVC UPDATES**

Greg Mashiah updated the Committee on CVC Floodplain projects:

1. CLIRP grant – upgrading of Wherrett Park and Essex Drain – *New Essex Drain pump installed, impeller still to be changed out of original pump. Wherrett Park pump upgrade complete. The downstream development is causing a flow restriction and this has been raised with the developer.*
2. DRRF grant - Real Time Remote Monitoring of Flood Pumps - *Essex Drain, Wherrett Park, McNaughton Place are complete, others coming on line as labour and materials become available*
3. NDRA Part D funding – Bacon Street and Ardent Street flood pumps – *Bacon Street is complete; Ardent Street pump has arrived and quotes*

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- for slab to house pump currently being sought.
4. Floodplain Management Program 2022-23 - Esk River Flood Monitoring Project – *Project will have automatic warning signs at Woombah and Iluka but not camera. Some delays due to long lead time for components. Warning system scheduled to be installed and operational before Christmas.*
  5. National Flood Mitigation Infrastructure Program 2021-22 - Alice Street Levee Rehabilitation Project – *Tenders have closed and are currently being evaluated.*
  6. North Street Flood Pump Station - *Advice was received last week that the Infrastructure Betterment Fund application was unsuccessful. Options are currently being assessed.*
  7. Public Works Authority - Flood Levee Repair and Maintenance Program NSW PWA - *detailed surveys, engineering assessments for all urban levees have been completed and the Multi-Criteria Analysis Framework confirmed. A defect list and details will be provided with the final audit summary report.*
  8. Alummy Creek Rehabilitation Project – *a consultant has been engaged to complete a hydraulic assessment and review of environmental factors to enable the project to proceed.*

**ITEM 10 DRAINAGE RESET PROGRAM**

At its meeting of 22 August 2023 Council resolved to adopt a list of projects (in no priority order), and funding applications have been submitted. Council also resolved to make representations to the Minister for Agriculture regarding the recommendations of John Culleton's Floodplain Agricultural Drainage Review. *RF – concern re whether and how many of the recommendations in the Culleton Report will be implemented. Bipartisan support from local members regarding implementing the review.*

**ITEM 11 GENERAL BUSINESS AND DISCUSSION**

- DPE Flood Recovery Water Quality Advisory Committee (email circulated to committee on 29/08) – this invitation has also been sent to the Coast & Estuary Committee members.
- How can Council acquire more floodplain funding? *RF – Ministers have indicated that increase in maintenance funding is unlikely. DN – is there information available on the rationale for flood mitigation. RF – in Tweed much of role undertaken by CVC is undertaken by Drainage Trusts; Drainage Trusts in the Clarence were disbanded with responsibilities transferred to CRCC. DN – what is the best pitch to use for increasing funding? RF – suggests publicise funding shortfall through the media.*
- RF – information on ML/hour output of Essex Drain? *(Post Meeting advice – with both pumps running and the river elevated 41kL/min or 2.5ML/hr)*
- RF - Maclean Levee mowing east of Goddards Lane not being undertaken – *GM to investigation and include in maintenance program.*
- BP – Rumours re emergency service changes? *MS – rumours are incorrect. SES will continue to be flood combat agency and is focusing on flood rescues including training additional community members for flood rescue.*

**ITEM 12 NEXT MEETING**

*Following Flood Planning Level exhibition – Late Nov. or early Dec. 2023.*

**ITEM 11 CLOSE OF MEETING**

11:30

**Attachments:** Presentation from JBP