

Brungle Flood Risk Management Committee Terms of Reference

ToR No: SVC-TofR-044-01

1. NAME

The name of the committee is the Brungle Flood Risk Management Committee.

2. LEGAL STATUS

Council delegates its authority to the committee to act on its behalf in line with the Committee's *Terms of Reference*. As a result, legally, the committee is part of "Council" and any action the committee undertakes is conducted under Council's authority. Committees do not act in their own right and their actions are not legally independent of Council. Council delegates its authority to the committee to act on behalf of the Council and can withdraw this delegation at its discretion.

The committee cannot change this name and/or title without advising the Council of the intention to adopt a new name and/or title, nor can a committee merge with another party/committee without prior notice and input from Council.

Committee members must act in the interests of Council. This includes not:

- Acting contrary to any direction from Council, which includes a direction from the General Manager,
- Director, Manager or appointed delegate
- Acting contrary to Council's policies
- Advising any person that they may have a legal right or action against Council or any
- Councillors, Council employee or Council contractor exercising a function of Council
- Making any admission of liability or accepting liability on behalf of Council or the committee
- Acting contrary to Council's *Code of Conduct*
- Acting outside the limits of the committee's delegation
- Acting or presenting the committee as independent of Council.

3. DELEGATION

The Brungle Flood Risk Management Committee will provide advice, feedback, and support to Council in developing, implementing, and monitoring flood studies and flood risk management studies and plans and associated projects for Brungle and its environs.

4. PURPOSE

The purpose of the committee is to:

- Assist Council to develop a Flood Study and a Flood Risk Management Study and Plan for Brungle in accordance with the NSW Flood Risk Management Manual 2023 and adopted guidelines.
- Monitor and evaluate the implementation of the Brungle Flood Risk Management Plan.

- Assist in the development of suitable strategies to address floodplain management issues, communication and access to flood information and education by community members.
- Develop a better understanding of floodplains and identify issues that may be required to be addressed through development of strategies, studies, plans or works.

5. OBJECTIVES

The objective of the Brungle Flood Risk Management Committee is to support the completion of the Flood Risk Management Studies including the implementation and review of these studies where appropriate for catchments that impact on the Brungle Community within the Snowy Valleys Local Government Area.

6. MANAGEMENT AND OPERATION OF THE COMMITTEE

a) MEETINGS

The committee should meet on a regular basis quarterly as required. Meetings shall be held within the Local Government Area of the Snowy Valleys Council. To ensure ongoing accountability and accessibility meetings can be in person or via video link.

b) MEMBERSHIP

The membership shall consist of:

- A maximum of two (2) Councillors, one of which will be elected as the Chair by the elected Council.
- Council staff from engineering / planning / environmental disciplines to service the committee and oversee the technical requirements of the study.
- Representatives from State Government Departments and Agencies including the Department of Climate Change, Energy, the Environment and Water (DCCEE), NSW State Emergency Service (NSW SES), WaterNSW, Transport for NSW and the Department of Planning, Housing and Infrastructure (DPHI).
- One (1) Representative from the community with knowledge of historical flood behaviour in the catchment.
- One (1) representative from flood action groups or neighbourhood forum groups.

Guest are deemed necessary to:

- Provide specialist advice outside of the capabilities of the committee members (for example the Bureau of Meteorology).
- Sharing of experiences of flood impacts (for example local residents or businesses that have been impacted by floods).

A quorum will normally consist of members equal to the number that is half the committee plus one. If a quorum is not present within half an hour after the appointed starting time, the meeting will be adjourned and rescheduled to a later date.

Voting rights should only be for Councillors and local community representatives on the committee. Council staff and external agencies are in attendance only in a technical/advisory capacity.

c) CHAIRPERSON

The elected Council shall resolve to appoint a chairperson to the committee being one of the two Councillors appointed to the committee. In the absence of the Chairperson, the other Councillor on the committee shall be the acting Chairperson for the duration of the absence of the Chair.

d) SECRETARIAT

A staff member from the Snowy Valleys Council shall perform the Secretariat duties for the committee.

e) PECUNIARY INTERESTS AND CONFLICTS OF INTEREST

Members of the Committee when becoming aware of a conflict of interest can arise when a member of the committee has other involvements or interests, which make it difficult for them to always remain impartial when involved in discussions and decision-making. If a conflict of interest arises, the Chairperson and staff delegate must be notified. In addition to the Code of Conduct there is the '*At a Glance' guide for Council Committee Members and Delegates*' guide published by the Office of Local Government that can be used as a reference.

Members of the Brungle Flood Risk Management Committee in performing their duties shall:

- Act honestly and in good faith
- Declare all actual and perceived conflicts of interest
- Perform their duties in a manner that ensures public trust in the integrity, objectivity and impartiality of the committee.
- Comply with Council's code of conduct

f) ATTENDANCE OF NON-MEMBERS

Staff and other professionals / members of the community may be invited to attend and participate at meetings as required.

g) CONFIDENTIALITY

Members of the Committee should appreciate that the working group may, from time to time, deal with sensitive matters of a confidential nature. The confidentiality of such information should be respected by all members.

7. AMENDING THE TERMS OF REFERENCE

Recommendations for amendments to the Terms of Reference can be made at any time. Any amendments to the Terms of Reference must be adopted by Council.

8. HISTORY TABLE

Version No	Approval Date	Resolution Number	Date to be Reviewed
SVC-Tof-044-01	15/05/2025	M131/25	30/06/2028