
Ordinary Council Meeting (Supplementary Business Paper)

Tuesday 28 June 2022

Seating Plan for Council meetings



Statement of ethical obligations

Obligations	
Oath [Affirmation] of Office by Councillors	I swear [solemnly and sincerely declare and affirm] that I will undertake the duties of the office of councillor in the best interests of the people of Randwick City and the Randwick City Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment.
Code of Conduct conflict of interests	
Pecuniary interests	<p>A Councillor who has a pecuniary interest in any matter with which the council is concerned, and who is present at a meeting of the council at which the matter is being considered, must disclose the nature of the interest to the meeting.</p> <p>The Councillor must not be present at, or in sight of, the meeting:</p> <ol style="list-style-type: none"> a) at any time during which the matter is being considered or discussed, or b) at any time during which the council is voting on any question in relation to the matter.
Non-pecuniary conflict of interests	A Councillor who has a non-pecuniary conflict of interest in a matter, must disclose the relevant private interest in relation to the matter fully and on each occasion on which the non-pecuniary conflict of interest arises in relation to the matter.
Significant non-pecuniary interests	A Councillor who has a significant non-pecuniary conflict of interest in relation to a matter under consideration at a council meeting, must manage the conflict of interest as if they had a pecuniary interest in the matter.
Non-significant non-pecuniary interests	A Councillor who determines that they have a non-pecuniary conflict of interest in a matter that is not significant and does not require further action, when disclosing the interest must also explain why conflict of interest is not significant and does not require further action in the circumstances.



Notice is hereby given that an Ordinary Council meeting of Randwick City Council will be held in the Prince Henry Centre, 2 Coast Hospital Road, Little Bay on Tuesday, 28 June 2022 at 7pm

Mayoral Minute

MM22/22 Passing of Community Volunteer - Margaret Vazey 1

Late Director City Services Report

CS31/22 Clovelly Flood Study (Part of Waverley LGA Flood Study) - Flood Plain Risk Management Committee 3

Confidential Mayoral Minute

MM21/22 Senior Staff - Personnel Matter

This matter is considered to be confidential under Section 10A(2) (a) Of the Local Government Act, as it deals with personnel matters concerning particular individuals (other than Councillors).

Therese Manns
GENERAL MANAGER

Mayoral Minute No. MM22/22

Subject: Passing of Community Volunteer - Margaret Vazey

Motion:

That:

- a) Council sends its condolences to the Vazey family on the passing of Margaret Vazey;
- b) a minute's silence be observed as a mark of respect for the late Margaret Vazey; and
- c) after consultation with Margaret's family and The Friends of Malabar Headland, Council make a \$500.00 donation of suitable plants and also assist in planting if appropriate.

Background:

It is with great sadness that I inform Council of the passing of Margaret Vazey. Flowers have been sent to the funeral from Council. Margaret was an extraordinary community volunteer who gave her time generously to art and the environment.

She was a volunteer oil painting teacher at the Coast Centre for Seniors for over 10 years and played a key role in annual art exhibitions and special projects.

Margaret was also the co-founder and a dedicated member of the Friends of Malabar Headland and worked tirelessly to have the National Park declared. Margaret was an active bushland regenerator for almost 3 decades employing her love of native flora to inspire her artwork and to teach and impart her love of native vegetation to her students.

Margaret was recognised for a Randwick 'Community Service Award' in 2014 for her lifelong dedication to public issues and the generosity with which she has given her time as a volunteer in the community.

Randwick City has lost one of its finest residents and environmentalists. Council extends its deepest sympathies to Margaret's family. Council will observe one minute's silence at tonight's meeting as a mark of respect for the late Margaret Vazey.

Attachment/s:

Nil

Responsible officer: Pearl D'Mello, Executive Assistant to the Mayor

File Reference: F2005/00266

Director City Services Report No. CS31/22

**Subject: Clovelly Flood Study (Part of Waverley LGA Flood Study) -
Flood Plain Risk Management Committee**

Executive Summary

- In 2021, Waverley Council undertook a Flood Study covering the whole Waverley local government area (LGA). The Waverley LGA Flood Study includes the Clovelly catchment and part of Coogee within the City of Randwick.
- Following several meetings with Waverley's Floodplain Committee, Waverly Council proceeded to undertake the public exhibition process separate to Randwick City Council. Based on the exhibition results Waverley Council has endorsed the Waverly LGA Flood Study.
- Following Waverley's decision in late 2021, Council exhibited the draft study to our community.
- As a result of this exhibition period, Council has received a number of submissions from resident owners seeking additional technical clarification and information.
- Approval is sought to convene a new "Flood Plain Risk Management Committee" for the Clovelly Study (CFPRMC) and proceed to technical consideration and response to feedback received through the exhibition period.

Recommendation

That Council:

- a) Endorse the development of the new Clovelly Floodplain Risk Management Committee; and
- b) Endorse the three (3) North Ward Councillors as the nominated elected representatives to sit of the Clovelly Floodplain Risk Management Committee.

Attachment/s:

Nil

Randwick Council previously worked with Waverley Council in the development of the draft flood study. Council representatives have attended Waverley Council facilitated Floodplain Management Committee meetings and contributed to the oversight and guidance in development of the draft flood study.

Following several meetings with Waverley's Floodplain Committee, Waverley Council proceeded to undertake the public exhibition process separate to Randwick Council. Based on the exhibition results Waverley Council has endorsed the Waverley LGA Flood Study.

Subsequent to Waverley's decision, at its ordinary meeting on the 27th of July 2021, Council resolved:

RESOLUTION: (Andrews/Hamilton) that Council:

- a) *endorse the Draft Waverley LGA Flood Study (incorporating Clovelly and part of Coogee) to be placed on public exhibition for 28 days;*
- b) *organise community drop-in sessions accordingly;*
- c) *a report on the outcome of the public exhibition be brought back to Council noting any changes that would require amendment to Waverley's Flood Study; and*
 - c) *the Planning Certificate – Section 10.7 (2)-7A Flood related development controls information be updated for the properties identified as a flood control lot in the catchment.*

Flood Study Exhibition Period

The Flood Study was placed on public exhibition from 7th March 2022 until the 9th of April 2022. Letters were delivered to 546 residents with details of how to contact Council and lodge submissions.

Council held on-line drop-in sessions on 7th & 8th April 2022 to allow flood affected property owners the opportunity to meet on-line with council staff and consultants and ask any questions relating to the flood study and reflect on issues associated with their particular property. These sessions were generally of 20 mins duration for each interested resident (18 calendar bookings were made but not all parties attended their committed booking). Following these sessions Council received 12 separate written submissions. Council received a few complaints that the earlier Public Exhibition advice letters had not been received. It was revealed that letters had been addressed generically to each property and not specifically by name to the property owner. Some of the written submissions questioned the validity of the technical flood study in relation to tagging of specific properties and their known flood history. Accordingly, it was decided to extend the exhibition period until 14th June 2022 to allow time for further submissions.

As a result of community feedback received during the exhibition period and considering the prior adoption of the study from Waverley Council, procedural advice was sought from the Department of Planning and Environment (DPE). It was recommended that the process is reported to Council's Floodplain Risk Management Committee to provide comment on the draft study and community consultation program.

As the Study was originally developed by Waverley Council, Randwick at the time was not required to develop at Floodplain Risk Management Committee. In lieu of Waverley's decision, the response to the recently completed consultation exercise and DPE's advice it is recommended that a new Randwick City Council specific "Flood Plain Risk Management Committee" for the draft Clovelly Flood Study is convened.

Draft Clovelly Floodplain Risk Management Committee (CFPRMC)

Randwick City Council is responsible for local land use planning in its Local Government Area. Council is studying flood behaviour in accordance with the process presented in the Floodplain Development Manual (NSW Government) ("the Manual"). It allows Council and other stakeholders to be better informed and to better manage flooding in storm events.

The Manual outlines, the needs, objectives, responsibilities, processes, and composition of a Floodplain Risk Management Committee:

“The management committee acts as both a focus and forum for the discussion of technical, social, economic, environmental, and cultural issues and for the distillation of possibly differing viewpoints on these issues into a management plan. It achieves this by ensuring that all stakeholders (often with competing desires) are equally represented. As such the composition and roles of committee members are matters of key importance.” (Appendix D, D-1)

The manual provides guidance into the composition for the committee to include:

- Elected members of Council,
- Council Staff (engineering, planning and environmental disciplines as applicable),
- Community Representatives (e.g., local flood affected landholders, chambers of commerce and environmental groups),
- Relevant Industry Bodies
- Representative from the Department Planning and Environment (DPE)
- Representative from the State Emergency Service (SES)

It should be noted that the management committee does not have any formal powers, rather performs an advisory role to Council.

It is recommended that the three (3) North Ward Councillors be endorsed to formulate the new CFPRMC. Following this council endorsement, Expressions of Interest will be sent to local flood affected landholders to seek interest in involvement in the new committee as “community representatives.” It is suggested that Council’s Manager Technical Services acts as the “Chair” of the new committee.

Next Steps

As a result of this exhibition period, Council has received a number of submissions from resident owners seeking additional technical clarification and information. In order to appropriately address these submissions a further technical assessment is proposed to be undertaken. This assessment may result in an update of the draft study and maps of flood affected properties.

Following the activation of the new CFPRMC in July 2022, it is intended to re-exhibit the draft Flood Study and hold further public consultation sessions in the September/October 2022. In this regard, all affected property owners will be contacted by mail advising of the further exhibition period and consultation session dates. We are currently in the process of finalising the new timeline for the mentioned intended activities.

After careful consideration of all submissions and following the completion of the proposed exhibition period, a final report will be submitted to Council in November 2022 to determine the status of the Clovelly Flood Study (Part of the Waverly Flood Study).

Strategic alignment

The relationship with the City Plan is as follows:

Outcome/Direction	Delivery Program actions
Outcome	10. A healthy environment.
Direction	10b. Policies and programs are developed and implemented in response to environmental risks and their potential impacts.

Resourcing Strategy implications

Funding is available in the 2021-22 Operational Plan and Budget to undertake public exhibition and to finalise the draft Waverley LGA Flood Study.

Policy and legislative requirements

NSW State Government's Flood Prone Land Policy
NSW State Government – Floodplain Development Manual
Environmental Planning and Assessment Act 1979
Local Government Act 1993

Conclusion

In 2021, Waverley Council adopted the Waverley Flood Study. As part of this study encapsulated the northern area (Clovelly and Coogee) of the Randwick LGA, Council placed the draft study on exhibition for community feedback. Council has received a number of submissions from resident owners seeking additional technical clarification and information. In order to appropriately address these submissions a further technical assessment is proposed to be undertaken. This assessment may result in an update of the draft study and maps of flood affected properties.

It is recommended that a new committee of Council be formed, the Clovelly Floodplain Risk Management Committee (CFPRMC) to oversee the review and next stages of the Flood Study adoption process.

Responsible officer: Todd Clarke, Director City Services

File Reference: F2010/00108