

Council Meeting

AGENDA NO. 3/10

Meeting Date: Tuesday 9 March 2010
Location: Council Chambers, Level 6
Time: 7.30pm

Note: *This meeting will be recorded on audio tape for minute-taking purposes as authorised by the Local Government Act 1993*

NOTICE OF BUSINESS

Item	Page
1 MOTIONS PUT WITHOUT DEBATE	1
2 REMOVAL OF TREES - Strangers Creek Rehabilitation	2
3 COUNCIL'S PLANT & FLEET - Mayoral Vehicle	8
4 COUNCIL/COMMITTEE MEETING AGENDAS - Availability to Councillors and Public.....	11

CONFIDENTIAL ITEMS

5 ADVICE ON COURT ACTIONS	14
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PRECIS OF CORRESPONDENCE FOR CONSIDERATION

There are no Precis of Correspondence for Consideration

NOTICES OF MOTION

There are no Notices of Motion

NOTICES OF RESCISSION

There are no Notices of Rescission

1 MOTIONS PUT WITHOUT DEBATE**File No.:** GRP/10/3/001/6 - BP10/90

In accordance with Council's Code of Meeting Practice, Council can determine those matters on the agenda that can be adopted without the need for any discussion.

RECOMMENDATION:

That the recommendations in respect of items 2 to 5 inclusive, as submitted to Council Meeting 03/10, be adopted with the exception of items as determined by the Council.

2 REMOVAL OF TREES - Strangers Creek Rehabilitation

Report prepared by: Senior Civil Engineer; Co-ordinator Natural Areas

Report dated: 15/02/2010

File No.: GRP/10/1/001/6 - BP10/63

Report Summary

To request approval of the removal of fifteen (15) trees and tree ferns along Strangers Creek, Field of Mars Reserve in conjunction with the creek rehabilitation works reported to Council on 11 August 2009. These trees would be replaced by appropriate tree species local to the area.

RECOMMENDATION:

That the two (2) Silky Oaks (*Grevillea robusta*), one (1) Norfolk Island Pine (*Araucaria heterophylla*), one (1) Liquidambar (*Liquidambar styraciflua*), eight (8) Melaleucas (*Melaleuca linariifolia*) and three (3) Tree Ferns (*Cyathea cooperi*) beside Strangers Creek, Field of Mars Reserve be removed and replanted with tubestock of a more appropriate species from the local ecological plant community as outlined in this report.

ATTACHMENTS

There are no attachments for this report.

Report Prepared By:

Rob Lenferna
Senior Civil Engineer

Adam Smith
Co-ordinator Natural Areas

Report Approved By:

Kim Woodbury
Group Manager - Public Works

Simone Schwarz
Group Manager - Community Life

ITEM 2 (continued)**Background**

Strangers Creek is a tributary of Buffalo Creek and is located within the Lane Cove River catchment. The upper reaches of Strangers Creek are now a piped drainage system, servicing a 15ha suburban catchment consisting of medium density dwellings and a school.

On 11 August 2009, Council received and noted the report of the Senior Civil Engineer entitled "STRANGERS CREEK REHABILITATION – Status Report". Council also approved the implementation of the concept rehabilitation options for Strangers Creek recommended in the report, in line with the priorities identified by the local community. This report detailed the concept creek rehabilitation and water quality improvement options for Strangers Creek, as well as the results of a formal community consultation process regarding these options.

The section of Strangers Creek that is the subject of this report extends from a stormwater drainage headwall at the base of Tyrell Park to a point approximately 500 metres downstream, opposite Nos.18 and 20 Finch Avenue, North Ryde.

A budget of \$300,000 has been allocated in Council's Management Plan 2009-2013 for the rehabilitation of Strangers Creek to improve:

- the vegetation, structure, water quality and hydrology of Strangers Creek;
- the valuable environmental asset that provides habitat for native fauna;
- passive recreational space for the local community; and
- access along the northern bank of the creek for pedestrians, as well as maintenance and emergency vehicles.

Report

The rehabilitation of Strangers Creek will indirectly impact on the trees indicated in Table 1.



Table 1: Trees and ferns over 5m to be removed

No.	Common Name	Botanical Name	Height (m)	Trunk Dia. (m)	Spread (m)
1	Silky Oak	<i>Grevillea robusta</i> *	10	0.5	12
2	Silky Oak	<i>Grevillea robusta</i> *	16	0.5	12
3	Norfolk Island Pine	<i>Araucaria heterophylla</i>	7	0.2	5
4	Liquidambar	<i>Liquidambar styraciflua</i> *	10	0.5	16
5	Tree Fern	<i>Cyathea cooperi</i>	8	0.4	8
6	Tree Fern	<i>Cyathea cooperi</i>	8	0.3	8
7	Tree Fern	<i>Cyathea cooperi</i>	5	0.3	8

* Exempt species

ITEM 2 (continued)

		
<p><u>TREE 1 and 2:</u> Silky Oaks (<i>Grevillea robusta</i>) Removal requested by Coordinator Natural Areas</p>	<p><u>TREE 3:</u> Norfolk Island Pine (<i>Araucaria heterophylla</i>) Removal requested by Coordinator Natural Areas</p>	<p><u>TREE 4:</u> Liquidambar (<i>Liquidambar styraciflua</i>) Removal requested by Coordinator Natural Areas</p>
		
<p><u>TREE 5:</u> Tree Fern (<i>Cyathea cooperi</i>) Removal due to creek rehabilitation/access improvement</p>	<p><u>TREE 6:</u> Tree Fern (<i>Cyathea cooperi</i>) Removal due to creek rehabilitation/access improvement</p>	<p><u>TREE 7:</u> Tree Fern (<i>Cyathea cooperi</i>) Removal due to creek rehabilitation/access improvement</p>

	
<p>4 of 8 Melaleucas (<i>Melaleuca linariifolia</i>) Removal due to bioretention basin</p>	<p>4 of 8 Melaleucas (<i>Melaleuca linariifolia</i>) Removal due to bioretention basin</p>

ITEM 2 (continued)

The two (2) Silky Oaks and one (1) Liquidambar are exempt species within the City of Ryde's Tree Preservation Order. The three (3) tree ferns are *Cyathea cooperi* which are NOT local to the area and were noted in Biosphere's Flora and Fauna report (2006) for the Field of Mars Reserve as becoming a weed species. The tree ferns will be relocated to another park if feasible.

One (1) Norfolk Island Pine (*Araucaria heterophylla*) is located on the embankment of the creekline within the work zone. Norfolk Island Pines are also not a local native species.

There are also eight (8) recently planted Melaleucas (*Melaleuca linariifolia*) at the top of the creekline proposed to be removed as they will be adversely affected by the development of the retention basin. All are under five (5) metres in height and are therefore exempt from the City of Ryde's Tree Preservation Order.

An independent Review of Environmental Factors (REF) for the Strangers Creek Rehabilitation supports the removal of the above trees and replacement with more appropriate native species. This is also supported by the Field of Mars Reserve Plan of Management which recommends the removal of non-native species through bush regeneration works.

To compensate for the removal of the above trees, the rehabilitation works involve the planting of 7,340 native grasses, shrubs and trees, including tree species that are appropriate to the Sydney Turpentine Ironbark Forest and Sydney Sandstone Gully communities.

All of the tubestock will be supplied by a local nursery and grown from seed collected from the Field of Mars Reserve. This ensures the planting species are appropriate and the endemic integrity of the bushland is maintained.

Representatives from the Ryde-Hunter's Hill Flora and Fauna Preservation Society have been consulted and the reasons for removal of each of these trees and ferns has been discussed with them.

Consultation

Internal Council business units consulted included:-

- Parks

Internal Workshops held:-

- Not Applicable

City of Ryde Advisory Committees consulted included:-

- Not Applicable

ITEM 2 (continued)

External public consultation included:-

- Ryde-Hunter's Hill Flora and Fauna Preservation Society
- Local residents through a formal community consultation process
- Local bushcare volunteers
- National Parks and Wildlife Services
- DECCW (NSW Office of Water)

Comments

The Co-ordinator Natural Areas was consulted and supports the removal of these trees, especially the inappropriate and exotic species, given their proximity to the Field of Mars Reserve.

The results of the consultation with the community, Ryde-Hunter's Hill Flora and Fauna Preservation Society and local bushcare volunteers was discussed in the previous Status Report, i.e. on the whole the community were supportive of the proposed works, and recognised the need to remove trees that are not native to the area.

The state government departments did not provide any feedback directly related to the tree removal.

Critical Dates

There are no critical dates or deadlines to be met.

Financial Impact

This project, including removal of the trees, is provided for in the current budget (2009/10 CP21020).

The on-going cost of establishing the new trees will be included as a 2-year maintenance period within the Tender for the works.

Policy Implications

There are no policy implications through adoption of the recommendation.

Other Options

No options were considered

Conclusion

The two (2) Silky Oaks (*Grevillea robusta*), one (1) Norfolk Island Pine (*Araucaria heterophylla*), one (1) Liquidambar (*Liquidambar styraciflua*) and three (3) Tree Ferns (*Cyathea cooperi*) beside Strangers Creek, Field of Mars Reserve are all inappropriate species to be growing directly adjacent to the Field of Mars Reserve.

ITEM 2 (continued)

There are also up to (8) recently planted Melaleucas (*Melaleuca linariifolia*) to be removed as they will be adversely affected by the development of the retention basin. All are under five (5) metres in height and are, therefore, exempt from the City of Ryde's Tree Preservation Order.

The proposal is to remove all these plants and replace them with a far greater number of tree species grown from seed collected from the local ecological community.

3 COUNCIL'S PLANT & FLEET - Mayoral Vehicle

Report prepared by: Manager - Waste & Fleet

Report dated: 1/03/2010

File No.: GRP/10/1/001/6 - BP10/92

Report Summary

The Mayor's current vehicle a Holden Statesmen Caprice V6 is due for changeover at the end of March 2010.

The Toyota Camry Hybrid has now become available for Council to utilise in it's vehicle fleet and can be procured from State Government Contract. The Toyota Camry is already an approved vehicle in Council's vehicle fleet, the General Manager has approved the use of the new model Hybrid and this vehicle has now been included on Council's list of approved vehicles for staff.

The Mayor has indicated that a suitable vehicle option for the mayoral vehicle would be the Toyota Camry Hybrid Level 2. The recommendation will not change Council's current Motor Vehicle Policy.

RECOMMENDATION:

The existing Mayoral vehicle be replaced with a Toyota Camry Hybrid Level 2 when due for changeover in March 2010.

ATTACHMENTS

There are no attachments for this report.

Report Prepared By:

George Dedes
Manager - Waste & Fleet

Report Approved By:

Kim Woodbury
Group Manager - Public Works

ITEM 3 (continued)**Background**

Prior to 2005, the Mayoral vehicle had been a Holden Caprice (6 cylinder engine) or Ford LTD (8 cylinder engine). These vehicles are categorised as luxury vehicles.

At its meeting on 25 November 2005, Council resolved:

“That the Motor Vehicle Policy be amended to specify that 6-cylinder/V6 engines be the maximum engine capacity used in Council’s passenger vehicle fleet. “ and

“That an objective of the Motor Vehicle Policy be, where possible, that preference be given to the acquisition of Australian assembled vehicles.”

Since then, the Mayoral vehicle has been the Holden Caprice.

On 11 November 2008, Council resolved:

“That the General Manager report to Council on the alternatives available in respect of the Mayoral motor vehicle, giving particular consideration to economic performance and environmental impact issues and also taking into account the status of the position of Mayor.”

Report

The list below compares the current vehicle and the option of the Toyota Camry Hybrid, taking into account the status of the position of Mayor and the vehicle’s economic and environmental impacts. This vehicle is environmentally friendly with better green house ratings, fuel efficiency, purchase cost and is assembled in Australia.

Vehicle	Price (Ex. GST)	Engine Size	Options	Green Rating	Fuel Economy L/100km	Whole of Life Cost/ Week (3 year turn over)
Holden Caprice	\$ 49,303	3.6Lt/V6	Luxury	3.5	10.3	\$345
Toyota Camry Hybrid Level 2	\$ 35,602	2.4Lt /4cy	Level 2	5	6.0	\$215

The Toyota Camry Hybrid has also been included on Council’s list of approved vehicles for staff. Both models will be made available as per Council’s Motor Vehicle policy.

The Mayor under Council’s current Motor Vehicle policy is eligible to select a Holden Caprice or any of the vehicles offered to staff.

Policy Implications

There are no policy implications.

ITEM 3 (continued)**Critical Dates**

The following deadlines are required to be met:

- 27 March 2010 is the due changeover date for the Mayor's vehicle

Financial Impact

This program as listed in the management plan forms part of the 2009/2010 Fleet Capital Budget.

Conclusion

The Mayor is eligible under Council's Motor Vehicle Policy to select a Holden Caprice or any other vehicle offered to staff. Replacing the Mayoral vehicle with a more environmentally friendly vehicle like the Toyota Camry Hybrid and including the model as an option for staff will give better economic and environmental outcomes for Council. This will help meet the Council's key outcomes of reducing air pollution, green house gas and carbon dioxide gas emissions by motor vehicles and will demonstrate to the public Council's commitment towards these goals. The recommendation will not change Council's current Motor Vehicle Policy.

4 COUNCIL/COMMITTEE MEETING AGENDAS - Availability to Councillors and Public

Report prepared by: Group Manager - Corporate Services

Report dated: 1/03/2010

File No.: GRP/10/3/001/6 - BP10/88

Report Summary

This report recommends that Council endorse increasing the time that both Councillors and the general community have in accessing Council and Committee meeting agendas prior to meetings. It is proposed to commence this initiative with Council's agenda for its meeting on Tuesday 27 April 2010.

RECOMMENDATION:

- (a) That Council endorse the proposed timetable as detailed in this report, which increases the time Councillors and the general community have in accessing Council and Committee meeting agendas prior to meetings.
- (b) That Council endorse the introduction of the proposed timetable, as detailed in part (a) of the recommendation, for Council's meeting on 27 April 2010.

ATTACHMENTS

There are no attachments for this report.

Report Prepared By:

Roy Newsome
Group Manager - Corporate Services

Report Approved By:

John Neish
General Manager

ITEM 4 (continued)**Background**

Following feedback from Councillors, in having agendas circulated to Councillors and the general community earlier, a review has been undertaken with the goal to increase the period of time Councillors and the general community have in accessing and reading Council and Committee meeting agendas prior to meetings.

Included in this review was confirmation of the procedure for notices of motion and late reports.

Report

Council currently distributes the Council and Committee meeting agendas on the Friday prior to Council or Committee meetings scheduled for the following Tuesday, four (4) days prior to the meeting.

After a review of the business paper process, the following timetable is proposed;

Friday – close of business (11 days prior to meeting)	Councillors will receive an electronic summary of the Business Paper on the Councillor Portal. This summary will include the Index of items on the Agenda, Report summaries and the Recommendations for each report.
Monday – close of business (8 days prior to meeting)	Councillor Portal will be updated with full agenda. Agenda will be made electronically available to staff.
Tuesday evening (7 days prior to meeting)	Councillors will receive a hard copy of their Agenda for the next week's meeting.
Thursday – close of business (5 days prior to meeting)	Agenda is updated on Council's website and distributed to Press.

The above timetable reflects a significant increase in the notice provided to both Councillors and the general community of meeting agendas.

As Council has a recess in its schedule of meetings from 30 March 2010 to 20 April 2010 it is recommended that this timetable be introduced for Council's meeting on 27 April 2010. This would mean that Councillors would be able to access the Councillors' Portal from Monday 19 April 2010 in accessing the agenda for the 27 April 2010 meeting, and receive their hard copy of the agenda at the Committee of the Whole meeting on 20 April 2010.

ITEM 4 (continued)

In proposing the above timetable the following items have also been taken into consideration.

Notices of Motion

With the proposed timetable for the agenda distribution, submission of Notices of Motion needs to be confirmed. As Councillors would be aware, Notices of Motion are required to be submitted by 5pm on the Thursday prior to Council meetings.

It is proposed to maintain this deadline, with Notices of Motion distributed to Councillors through the Councillors' Portal, and the updating of the website for the general community on the Friday prior to the meeting.

Therefore, if Council accepts the above arrangement, no change to Council's Code of Meeting Practice is required.

Late Reports

Any late reports to Council and Committees are currently provided for in Council's Code of Meeting Practice.

There is no intention to have an increase in late reports as a result of implementing this revised timetable. However, there will be notices of motion, as detailed in this report and there may be some other items that are regarded as urgent, that may be required to be distributed as late reports especially in the transition period.

Critical Dates

The introduction of the proposed timetable is scheduled to commence for Council's meeting on 27 April 2010.

Financial Impact

There is no financial impact as a result of the recommendations made in this report.

Policy Implications

There are no policy implications.

Other Options

Council may either not accept, or amend the proposed timetable.

Conclusion

This report proposes an increase in the period of time Councillors and the general community will have in accessing agendas for both Council and Committee meetings. This is a significant improvement to the current arrangements.

It is recommended that the proposed timetable detailed in this report be endorsed by Council.

CONFIDENTIAL ITEMS

5 ADVICE ON COURT ACTIONS

Confidential

This item is classified CONFIDENTIAL under Section 10A(2) of the Local Government Act, 1993, which permits the meeting to be closed to the public for business relating to the following: (g) advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

This matter is classified confidential because it contains advice concerning legal matters that are:-

- (a) substantial issues relating to a matter to which the Council is involved.
- (b) clearly identified in the advice, and
- (c) fully discussed in that advice.

It is not in the public interest to reveal all details of this matter as it would prejudice Council's position in any court proceedings.

Report prepared by: General Counsel

Report dated: 1/03/2010

REPORT SUMMARY

This report contains updated advice on court actions.

PRECIS OF CORRESPONDENCE FOR CONSIDERATION

There are no Précis of Correspondence for Consideration

NOTICES OF MOTION

There are no Notices of Motion

NOTICES OF RESCISSION

There are no Notices of Rescission