



Council Agenda

NOTICE OF MEETING

Notice is hereby given that an ordinary meeting of Council will be held in the

**Council Chamber – Glenelg Town Hall
Moseley Square, Glenelg**

Tuesday 8 October 2013 at 7.00pm

Justin Lynch
CHIEF EXECUTIVE OFFICER

Please note: This agenda contains Officers' reports and recommendations that will be considered by the Council. Any confidential items listed on the agenda will be circulated to Members separately.



Ordinary Council Meeting Agenda

1. OPENING

His Worship the Mayor will declare the meeting open at 7:00pm.

2. KAURNA ACKNOWLEDGEMENT

We acknowledge Kaurna people as the traditional owners and custodians of this land.

We respect their spiritual relationship with country that has developed over thousands of years, and the cultural heritage and beliefs that remain important to Kaurna People today.

3. PRAYER

Heavenly Father, we pray for your presence and guidance at our Council Meeting.

Grant us your wisdom and protect our integrity as we carry out the powers and responsibilities entrusted to us on behalf of the community that we serve.

4. APOLOGIES

4.1 Apologies Received

4.2 Absent

5. ITEMS PRESENTED TO COUNCIL

6. DECLARATION OF INTEREST

If a Council Member has an interest (within the terms of the Local Government Act 1999) in a matter before the Council they are asked to disclose the interest to the Council and provide full and accurate details of the relevant interest. Members are reminded to declare their interest before each item.

7. CONFIRMATION OF MINUTES

Motion

That the minutes of the Ordinary Meeting of Council held on 24 September 2013 be taken as read and confirmed.

Moved Councillor _____, Seconded Councillor _____

Carried

8. QUESTIONS BY MEMBERS

8.1 **Without Notice**

8.2 **With Notice - Nil**

9. MEMBER'S ACTIVITY REPORTS - Nil**10. PUBLIC PRESENTATIONS**

10.1 **Petitions - Nil**

10.2 **Presentations**

10.2.1 **Reg Sprigg's Diving Chamber**
Dr Richard Harris from the Hyperbaric Medicine Unit at the Royal Adelaide Hospital will make a presentation to Council for 15 minutes.

10.2.2 *Barry Heffernan, the Shed Coordinator at the William Kibby VC Veterans Shed which is being established at Kibby Reserve, Glenelg North for the use by all men (and women for occasions) who have put on a uniform and served in some capacity. The shed has just commenced construction. Barry will make a 5 minute presentation to Council.*

10.2.3 **KESAB National Clean Beaches Finalists 2013**
Council has received a nomination from KESAB as a finalist in the National Clean Beaches 2013.

10.3 **Deputations - Nil**

11. MOTIONS ON NOTICE - Nil**12. ADJOURNED MATTERS - Nil****13. REPORTS OF MANAGEMENT COMMITTEES, SUBSIDIARIES AND THE DEVELOPMENT ASSESSMENT PANEL****14. REPORTS BY OFFICERS**

14.1 Items in Brief (Report No: 331/13)

14.2 Transfer of Portion of Closed Road to Owners of 11 Salisbury Street Somerton Park (Report No: 332/13)

14.3 Information Report – Southern Region Waste Resource Authority – 23 September 2013 (Report: 333/13)

14.4 Salsa's Fresh Mex Grill – Trial Period Review (Report No: 334/13)

14.5 Regulated Tree Removal – Partridge Street, Glenelg (Report No: 335/13)

15. RESOLUTIONS SUBJECT TO FORMAL MOTIONS

Presented for the information of Members is a listing of resolutions subject to formal resolutions, for Council and all Standing Committees, to adjourn or lay on the table items of Council business, for the current term of Council.

16. URGENT BUSINESS – Subject to the Leave of the Meeting

17. CLOSURE

**JUSTIN LYNCH
CHIEF EXECUTIVE OFFICER**

Item No: **14.1**
Subject: **ITEMS IN BRIEF**
Date: 8 October 2013
Written By: Personal Assistant
General Manager: Corporate Services, Mr I Walker

SUMMARY

These items are presented for the information of Members.

After noting the report any items of interest can be discussed and, if required, further motions proposed.

RECOMMENDATION

That the report be noted and items of interest discussed.

COMMUNITY PLAN

A Place that Provides Value for Money

COUNCIL POLICY

Not applicable

STATUTORY PROVISIONS

Not applicable

REPORT

14.1.1 Kauri Parade Sporting and Recreational Precinct Project

On August 15 2013 the Federal Government announced \$5 million towards the Kauri Parade Sporting and Community Precinct, to be funded under the Liveable Communities program, which supports local projects that build stronger, more prosperous communities. This announcement followed the recent sale of the Aboyne Avenue tennis courts, which also provides significant funding for the project and contributes towards the establishment of new tennis courts at the precinct.

An immediate priority for administration is to prepare and submit an application for additional funding through the State Government's Community Recreation and Sports Facilities Program (CRFSP). This funding application is due on 14 October 2013 and notice will be given to successful and unsuccessful applicants in approximately February 2014. The Seacliff Sports Club, Hockey and Tennis clubs, and state sporting organisations (Tennis SA and Hockey SA) are providing support towards this funding application and also being extensively consulted regarding progressing the project. A more detailed plan, based on the Kauri Parade and John Mathwin Master Plan and secured funding/budget, will be developed prior to any construction in 2014.

14.1.2 Local Government Association – Attitudes to Corruption, Misconduct and Maladministration in Local Government

Council has received correspondence from the Local Government Association of South Australia seeking our participation in an independent study by the University of Adelaide exploring "Attitudes to Corruption, Misconduct and Maladministration in Local Government". A copy of the letter is attached.

The online and hard copy (by request) survey will be available from the end of this month and will take approximately 15-20 minutes to complete. The identify of participants will be anonymous. Members of the public will be asked to participate in a similar survey.

Further information will be provided for Members who are interested in participating as it becomes available.

Refer Attachment 1

14.1.3 2013 LGA President's Luncheon Series

This is to inform Elected Members that the Chief Executive Officer has given approval for Mayor Rollond to attend the 2013 LGA President's Luncheon Series with Hon Leon Bignell MP who will speak on issues that are relevant to Local Government in relation to his portfolio areas of Tourism and Recreation and Sport. This luncheon is being held on Tuesday 8 October 2013 at a cost to Council of \$80.

14.1.4 Great Night Out Campaign

The Sammy D Foundation, with the assistance of State Government grant funding, has launched the Great Night Out campaign. The campaign seeks to address such social issues as public intoxication and alcohol related anti-social behavior. The campaign emphasises and supports an individual's right to an enjoyable night out without the threat of violence or intimidation, and encourages responsible alcohol consumption, good-decision making and the prevention of crime and victimisation.

The campaign will run from October 2013 until March 2014 with a targeted demographic of young people aged between 16 and 30 years.

The key feature of the campaign that sets it apart from other such outreach programs is the inclusions of a hands on *Blog-a-Van*. The *Blog-a-Van* is a retrofitted bus that has a video blogging booth where people can share their experiences and

thoughts on what they believe a 'Great Night Out' constitutes. The bus also offers young people an opportunity to: speak directly with experienced youth workers; access useful information on ways to remain safe; as well as the opportunity to record a video blog to share any experiences that relate to first hand alcohol-related violence. Additionally, the bus will also offer a range of fun educational games and activities with prize giveaways.

The *Blog-a-Van* will attend a range of locations and events across South Australia's metropolitan and regional areas, and in conjunction with Councils' LLCSO and Regulatory Services has been scheduled for its first visit to Holdfast Bay on **Sunday 13 October 2013** where it will attend Seacliff beach (adjacent to Angus Neill Reserve) and Brighton beach.

Further dates of attendance will occur during the campaign.

14.1.5 Adelaide Shores Development Plan Amendment – public consultation

On Thursday 26 September 2013, the Minister for Planning released the Adelaide Shores Development Plan Amendment (DPA) for community consultation. The consultation period is for eight weeks and closes 20 November 2013.

Adelaide Shores (the business name for West Beach Trust) requested a Ministerial DPA process to ensure that Development Plan policies are more consistent and flexible. Currently the site is located in five separate zones across three Development Plans including:

- West Torrens
- Charles Sturt
- Land not Within a Council Area (offshore).

While the DPA **does not** include any land located within the City of Holdfast Bay, the council boundary abuts the southern boundary of the Adelaide Shores site at Anderson Avenue, Glenelg North.

The area affected by the DPA is 228 hectares at West Beach, bounded by Tapleys Hill Road to the east, West Beach road to the north, Anderson Avenue to the south and the metropolitan coastline to the west. It comprises several land holdings, including the Adelaide shores site (135ha) and 50 hectares of Commonwealth land which is leased to the Adelaide Airport.

Proposed Changes

The Minister is proposing to amend the affected Development Plans to introduce more uniform zoning across the area with more flexible policy to ensure the operators get best use of the site. The DPA proposes to reduce the number of zones, policy areas and precincts. Some of the notable changes include:

- A new Adelaide Shores Zone that covers existing areas used for recreation sporting and tourist uses

- More flexible policies for retail and commercial uses providing they are ancillary to recreation, sporting and tourism facilities
- Making most forms of development Category One (no notification) unless where adjacent residential development
- Land under the care and control of Adelaide Airport has now been incorporated into an Airfield Zone
- Updates to coastal development policies in the Coastal Marina Zone.

Consultation

Advertisements regarding the release of the DPA were placed in The Advertiser and Government Gazette. The Department of Planning, Transport and Infrastructure (DPTI) has also advised that it will be writing to Glenelg Ward Councillors during the consultation period.

A community open day will be held by DPTI on Saturday 19 October 2013 between 10am and 2pm at the Adelaide Shores Administration and Works Depot, Military Road, West Beach. A public meeting will also be held at the conclusion of the consultation period on 10 December 2013 at the Glenelg Pier Hotel.

An information sheet providing further detail regarding the DPA and public consultation process is attached.

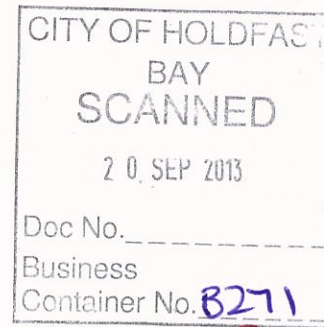
Refer Attachment 2



Our Reference: ECM 577511 WC:JK

19 September 2013

Mr Justin Lynch
Chief Executive Officer
City of Holdfast Bay
PO Box 19
BRIGHTON SA 5048



Dear Justin

**INDEPENDENT STUDY BY UNIVERSITY OF ADELAIDE
“Attitudes to Corruption, Misconduct and Maladministration in Local Government”**

As you are no doubt aware, in December 2012 South Australia passed legislation to introduce an Independent Commissioner Against Corruption (ICAC), which opened its doors on 2 September this year. The ICAC is charged with identifying, investigating, preventing and minimising corruption, misconduct and maladministration in public administration. The legislation specifically applies to Council Members of a Local Government body and officers or employees or Local Government bodies, including the LGA.

The LGA, together with Councils, has already undertaken a number of initiatives to develop a better understanding of the new framework. As part of its response to the legislation, the LGA Board has approved funding from the Local Government Research & Development Scheme of an independent survey by the University of Adelaide into attitudes towards, and the perceptions of, corruption, misconduct and maladministration at the Local Government level.

Developing an understanding of the current attitudes and behaviour to those within Councils and their constituents will provide an empirical base from which the sector can tailor education and training programs to improve government administration and compliance with the new ICAC framework. This research will form part of a longitudinal study of perceptions and attitudes that follows the implementation of the ICAC to determine the extent to which it has achieved a change in governance culture, specifically within the Local Government context. This research follows similar research conducted in New South Wales when their ICAC was introduced in the 1990s.

All Council Members and staff across South Australia will be invited to participate in the survey. We will also be asking members of the public to participate in a similar survey. It is important to note that the survey will be general in nature and not elicit specific examples of perceived corruption, misconduct or maladministration but rather present a series of hypothetical scenarios and statements about corruption and ask participants to respond to them.

.../2



The survey will be available for 2 months from the end of September 2013 and be available online and in hard copy (by request). It will take approximately 15-20 minutes to complete. The identity of participants will be anonymous. Data collected in the project will be stored securely.

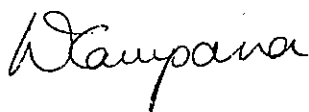
The LGA and the researchers at the University of Adelaide extend an invitation for you and your Council to be involved in the project. Promotion of the survey by Councils to their Council Members and staff, and also to the public, will be a key part of its success.

The LGA will also release information publicly about the work we are undertaking.

The final report of the survey will not recognise individual Councils but will identify the key issues along with recommendations to address them. The LGA is happy to provide to Councils information on the data that comes out of their Council in comparison to the data across the State. The LGA will also provide specific training and support to Councils participating to workshop the contents of the report with the appropriate functional areas of the Council.

If you are happy to be part of the project, please contact Dr Gabrielle Appleby to discuss further how the survey might be promoted. Her email address is gabrielle.appleby@adelaide.edu.au, or phone (08) 8313 0874 or 0401 325 505.

Yours sincerely



Wendy Campana
Chief Executive Officer

Telephone: 8224 2022
Email: wendy.campana@lga.sa.gov.au

Adelaide Shores Development Plan Amendment

Proposed planning changes for public consultation



community information

The Minister for Planning has proposed a development plan amendment (DPA) for the Adelaide Shores site at West Beach to allow for the continued development of sporting, recreation, tourism and related commercial and retail activities. The DPA would ensure greater consistency across the three development plans affected - Charles Sturt Council, West Torrens Council and Land Not Within a Council Area (Metropolitan) by having the same zone apply to areas with similar or compatible land use. This will support the site's ongoing role as a significant recreation, sporting and tourism precinct offering unique experiences for a wide and diverse range of people.

The land area affected is shown on the back page of this information sheet.

What is a development plan amendment?

Development plans contain the planning controls that guide what can and cannot be developed in council areas. Planning authorities use these planning controls to assess new development proposals.

A development plan amendment (DPA) is a document that describes proposed changes to a development plan.

DPA's must be prepared according to certain processes set out by legislation (the *Development Act 1993* and associated Regulations). DPA's may be undertaken by councils or, under circumstances identified in section 24 of the Act, by the Minister for Planning. This DPA has been prepared by the Minister and is known as a Ministerial DPA.

What changes are being proposed?

The DPA will ensure greater consistency across the three development plans by:

- locating all the areas where recreation, sporting and tourism uses occur in a new Adelaide Shores Zone (West Torrens and Charles Sturt development plans)
- locating both onshore and offshore areas where boating related activities occur in a Coastal Marina Zone (West Torrens and Land Not Within a Council Area (Metropolitan) development plans)
- locating all land under the care and control of Adelaide Airport in the Airfield Zone (West Torrens and Charles Sturt development plans).

This DPA would also:

- > support retail and commercial uses that are ancillary to the recreation, sporting and tourism uses in the new Adelaide Shores Zone
- > introduce public notification requirements to residential areas immediately adjacent the site
- > introduce a strategic transport overlay on Tapleys Hill Rd in the West Torrens development plan to protect the safety and efficiency of a strategic freight route
- > introduce a Concept Plan that provides broad direction for land use, pedestrian and cycle access and indicates physical elements such as the Patawalonga Creek.

Background

The DPA supports several objectives of *The 30-Year Plan for Greater Adelaide* by developing policy that facilitates the future development of a vibrant area for tourism, recreation (as a key area of the Metropolitan Open Space System) and sporting activities and facilities (hub for state significant outdoor sports facilities).

The Plan seeks to balance population and economic growth with the need to preserve the environment and protect the character of Greater Adelaide, and to create inclusive, vibrant and liveable communities while sustaining natural resources.

Want to know more?

You can view the DPA document online at: www.sa.gov.au/planning/ministerialdpas.

You can view the Charles Sturt Council, West Torrens Council and Land not Within a Council Area (Metropolitan) Development Plan(s) online at:

www.sa.gov.au/developmentplans.

You also can view these documents in hard copy by visiting, during office hours:

- > City of Charles Sturt Offices
72 Woodville Rd, Woodville
8:30 am – 5.00 pm Monday to Friday
Phone: 8408 1111

- > City of West Torrens Offices
165 Sir Donald Bradman Drive, Hilton
8:30 am – 5.00 pm Monday to Friday (except Thursdays 9.00 am-5 pm)
Phone: 8416 6333

- > Department of Planning, Transport and Infrastructure offices
Level 5, 136 North Terrace, Adelaide
9.00 am – 5.00 pm Monday to Friday
Phone: 8303 0791.

Open Day

Attend the **Community Open Day** to learn more about the proposed changes, ask questions and talk with staff from the Department of Planning, Transport and Infrastructure:

- > **Saturday 19 October 2013**
10.00 am to 2.00 pm
Adelaide Shores Administration and Works Depot
Military Road, West Beach

How to have your say

Public consultation process

Consultation on Ministerial DPAs is managed by the Development Policy Advisory Committee (DPAC), an independent statutory committee which provides advice to the Minister on planning and development issues.

As part of the consultation process, you may:

- > comment on the DPA by making a written submission to the committee, and
- > attend a public meeting if you wish to be heard by the committee or raise any matter not previously raised in your written submission.

Public consultation period

The proposed DPA is under consultation for eight weeks from **26 September to 20 November 2013**.



Making written submissions

You can make a written submission on the DPA anytime before the closing date, which is **5 pm on 20 November 2013**.

Submissions should be marked *Adelaide Shores DPA* and sent to:

The Presiding Member, DPAC, c/- Department of Planning, Transport and Infrastructure:

- > by post: GPO Box 1815, Adelaide SA 5001, or
- > by email: dpac@sa.gov.au, or
- > by fax: 08 8303 0627.

Please clearly indicate on your written submission if you wish to be heard at the public meeting.

Viewing submissions

All submissions received from the public are public documents and will be made available for viewing from the closing date until the conclusion of the public meeting at:

- > www.sa.gov.au/planning/ministerialdpas and
- > the offices of the Department of Planning, Transport and Infrastructure, Level 5, 136 North Terrace, Adelaide, during office hours.

Please note: The posting of submissions on sa.gov.au may be undertaken progressively over a day or more if a large number of submissions are received.

Public meeting

DPAC has scheduled a public meeting as follows:

- > **Tuesday 10 December 2013 at 7.00 pm**
Beachside Rooms, Glenelg Pier Hotel
18 Holdfast Promenade, Glenelg

Public meetings provide an opportunity for anyone to be heard by the committee or to verbally raise any matter not previously raised in their written submission.

Please note: DPAC may not hold any public meetings if no one requests to be heard. Please check the status of meetings on www.dpac.sa.gov.au or www.sa.gov.au/planning/ministerialdpas before the scheduled date.

What happens next?

Following the consultation process, DPAC prepares a report for the Minister on the matters raised during the consultation.

The Minister then considers the matters and makes a decision to either:

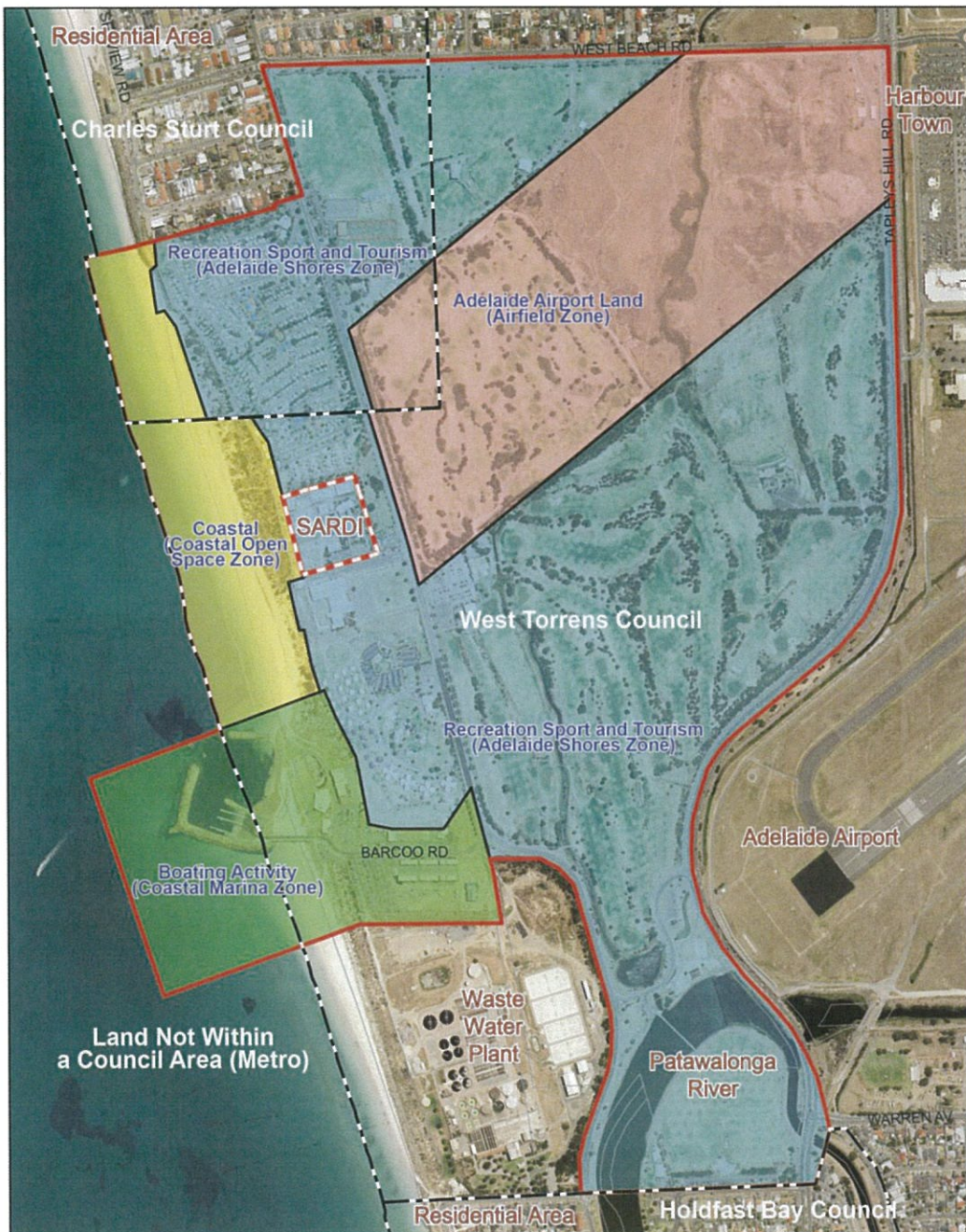
- > approve the DPA (as released for consultation), or
- > approve the DPA with changes, or
- > not approve the DPA.

If the Minister approves the DPA, notice is given in the South Australian Government Gazette and the development plan is amended accordingly.

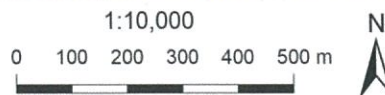
All approved DPAs must be reviewed by the State Parliament's Environment, Resources and Development Committee (ERDC). The ERDC may request the Minister to consider changes to a DPA as a result of its review. Notice of any subsequent change is made in the Gazette and the development plan is amended accordingly.



Area affected by the proposed DPA



- Area Affected
- SARDI site
- Development Plan Boundaries



Further information:

Call: Kym Gerner, (08) 8303 0787

Email: kym.gerner@sa.gov.au

Visit: www.sa.gov.au/planning/ministerialdpas



Government of South Australia

Department of Planning,
Transport and Infrastructure

Item No: **14.2**

Subject: **TRANSFER OF PORTION OF CLOSED ROAD TO OWNERS OF 11 SALISBURY STREET SOMERTON PARK**

Date: 8 October 2013

Written By: Technical Engineer

General Manager: City Assets, Mr S Hodge

SUMMARY

Council has been approached by the owner of a property at 11 Salisbury Street Somerton Park to annex a small portion of land (which is land locked between properties) to their title.

RECOMMENDATION

That Council approves the transfer of a section of closed road at the rear of 11 Salisbury Street Somerton Park to the property owners of 11 Salisbury Street, and that the Mayor and Chief Executive Officer be authorised to execute the Memorandum of Transfer.

COMMUNITY PLAN

A Place that is Well Planned
A Place that Provides Choices and Enhances Life

COUNCIL POLICY

Council has in the past sought to rationalise the property it owns for the benefit of the community and Council.

STATUTORY PROVISIONS

Real Property Act 1886

BACKGROUND

There are no previous reports to Council in relation to this matter. The property owners of 11 Salisbury Street made an approach to Council to acquire a strip of land at the rear of 11 Salisbury Street, from Council.

REPORT

The strip of land is a portion of closed road. The strip of land has Certificate of Title Volume 6115 Folio 739.

The matter was given due consideration and the property owner Ms Duncan was advised that Council would have no objection to the strip of land being attached to the title of land known as 11 Salisbury Street Somerton Park. This was because of the lack of amenity of the strip to Council or the community and because in the past the area has been fenced and maintained by the property owner.

Refer Attachment 1

Council's conveyancer at the expense of the property owner has expedited the transfer process and the details associated with the transfer and the Memorandum of Transfer are attached.

Refer Attachment 2

BUDGET

There is no budget required for the land transfer, and the property owner has agreed to meet all of the costs associated with the transfer of the land. The property owner will not be required to pay Council for the land.

LIFE CYCLE COSTS

These will be reduced, since Council will not have to pay towards fencing off the strip of land which would then become inaccessible to anyone, or need to contribute to its maintenance.



holdfast.sa.gov.au

Brighton Civic Centre 24 Jetty Road, Brighton SA 5048
PO Box 19 Brighton SA 5048

P 08 8229 9999 F 08 8298 4561

Glenelg Customer Service Centre and Library
2 Colley Terrace, Glenelg SA 5045

Attachment 1

23 August 2012

Ms Kaye Duncan
11 Salisbury Street
Somerton Park SA 5044

Dear Mrs Duncan,

Strip of Council owned land adjacent to 11 Salisbury Street, Somerton Park

Thank you for your request for the option of annexing the strip of Council owned land abutting your property.

Councillor Tim Looker has passed your details and a request to Council staff with the view to progressing your request to take official ownership of the land.

In recognition of the past history of this piece of land and the lack of amenity provided to Council or the community as a whole, and the fact that you have fenced the area and maintained the land at your own expense Council would have no objection to the said strip of land being attached to the title of the land known as 11 Salisbury Street, Somerton Park.

However this annexure would be dependent on you agreeing to pay all the costs associated with the transfer of the land ie., Lands Title fees, conveyancing, possible survey and fence adjustment if deemed necessary.

Please contact me by return mail if you wish to proceed with the transfer of the land on the terms outlined above.

Thank you for your concerns and comments regarding this matter.

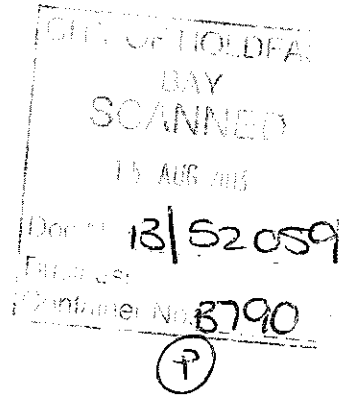
Yours sincerely,

Steve Hodge
General Manager
City Assets

cc. Councillor T Looker



J11



File ref: D5057

12 August, 2013

Steve Hodge
City of Holdfast Bay
PO Box 19
Brighton SA 5048

A Hachmont 2.

Dear Steve

**Sale of Portion of closed road to the Kaye Duncan - 11 Salisbury Street
Somerton Park 5044**

I have now received the Certificate of Title Volume 6115 Folio 739 for the above land in the name of City of Holdfast Bay (copy attached). As agreed with the Duncans please have Council execute the enclosed Memorandum of Transfer and return to our office as soon as possible.

If you have any queries relating to the above, please feel free to contact this office.

Yours faithfully

Don Markwick
Registered Conveyancer

CERTIFICATE OF TITLE

REAL PROPERTY ACT, 1886



VOLUME 6115 FOLIO 739

Edition 1

Date Of Issue 06/08/2013

Authority VM 11955442

South Australia

I certify that the registered proprietor is the proprietor of an estate in fee simple (or such other estate or interest as is set forth) in the land within described subject to such encumbrances, liens or other interests set forth in the schedule of endorsements.

A handwritten signature in black ink, appearing to be 'B. P.' or similar.



REGISTRAR-GENERAL

REGISTERED PROPRIETOR IN FEE SIMPLE

CITY OF HOLDFAST BAY OF PO BOX 19 BRIGHTON SA 5048

DESCRIPTION OF LAND

ALLOTMENT 153 FILED PLAN 8748
IN THE AREA NAMED SOMERTON PARK
HUNDRED OF NOARLUNGA

EASEMENTS


NIL

SCHEDULE OF ENDORSEMENTS

NIL

WARNING: BEFORE DEALING WITH THIS LAND, SEARCH THE CURRENT CERTIFICATE

MEMORANDUM OF TRANSFER

LAND DESCRIPTION The whole of the land comprised in Certificate of Title Register Book <p style="text-align: center;">Volume 6115 Folio 739</p>	
ESTATE AND INTEREST Estate in Fee Simple	ENCUMBRANCES NIL
TRANSFEROR (Full Name and Address) CITY OF HOLDFAST BAY of PO Box 19 Brighton SA 5048	
CONSIDERATION (Words and Figures) For no consideration and a desire to transfer	
TRANSFeree (Full Name, Address and Mode of Holding) PETER DOUGLAS CORNWALL AND KAYE LYNETTE DUNCAN of 11 Salisbury Street Somerton Park SA 5044	
THE TRANSFEROR ACKNOWLEDGING RECEIPT OF THE ABOVE CONSIDERATION TRANSFERS TO THE TRANSFeree THE ESTATE AND INTEREST SPECIFIED IN THE LAND ABOVE DESCRIBED SUBJECT TO THE ABOVE ENCUMBRANCES <p style="text-align: center;">DATED THE DAY OF 20</p>	
EXECUTION The Common Seal of the City of Holdfast Bay was hereunto affixed in the presence of MAYOR  CHIEF EXECUTIVE OFFICER	
..... Signature of TRANSFeree Signature of TRANSFeree Signature of WITNESS - Signed in my presence by the TRANSFerees who are either personally known to me or have satisfied me as to their identity.* Print Full Name of Witness Address of Witness Business Hours Telephone Number.....	

*N.B. A penalty of up to \$2000 or 6 months imprisonment applies for improper witnessing

LANDS TITLES REGISTRATION
OFFICE
SOUTH AUSTRALIA

MEMORANDUM OF TRANSFER

FORM APPROVED BY THE REGISTRAR-GENERAL

**BELOW THIS LINE FOR OFFICE &
STAMP DUTY PURPOSES ONLY**

Prefix
T
Series No.

BELOW THIS LINE FOR AGENT USE ONLY

<p>CERTIFIED CORRECT FOR THE PURPOSES OF THE REAL PROPERTY ACT 1886</p> <p>_____ Registered Conveyancer DON MARKWICK (Ref: D5057)</p>

AGENT CODE

Lodged by:

Correction to: **MCD2**

TITLES, CROWN LEASES, DECLARATIONS ETC. LODGED WITH
INSTRUMENT (TO BE FILLED IN BY PERSON LODGING)

- 1.....
- 2.....
- 3.....
- 4.....

PLEASE ISSUE NEW CERTIFICATE(S) OF TITLE AS FOLLOWS

- 1.....
- 2.....
- 3.....
- 4.....

DELIVERY INSTRUCTIONS (Agent to complete)
PLEASE DELIVER THE FOLLOWING ITEM(S) TO THE
UNDERMENTIONED AGENT(S)

ITEM(S)	AGENT CODE

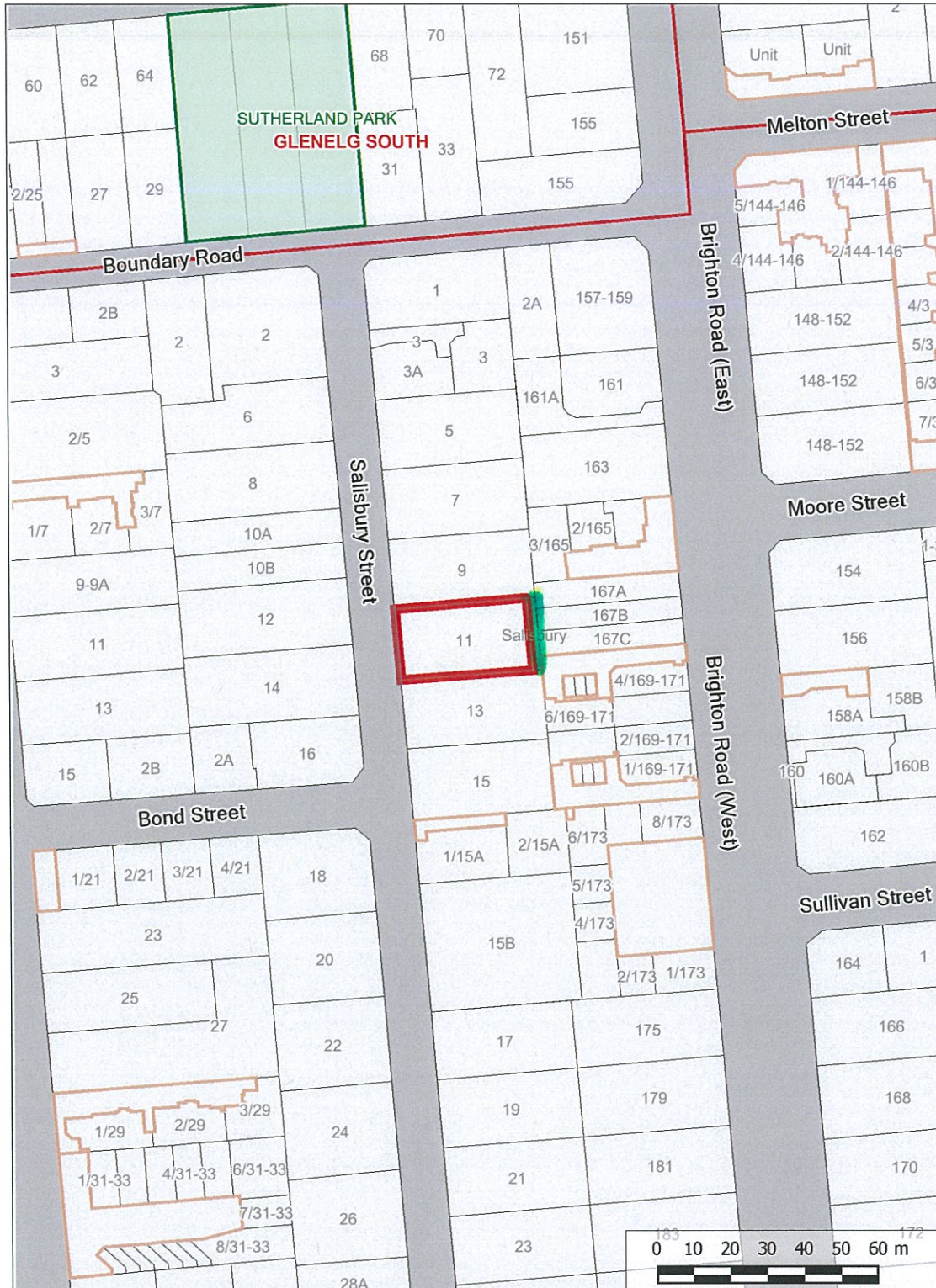
<p>RevenueSA – Stamp Duty – ABN 19 040 349 865 © RevNetID/PRA Bundle No: _____ Orig/Copy _____ of/ with _____ copies Consideration/Value/Security: \$ _____ SA Proportion (if applicable): \$ _____ SD: \$ _____ LTO Fees: \$ _____ Int: \$ _____ Pen/Add Tax: \$ _____ Signature: _____ Date: ___/___/___</p>

CORRECTION	PASSED
<p>REGISTERED</p> <p>REGISTRAR-GENERAL</p>	

City of Holdfast Bay

11 Salisbury Street Somerton Park

Map Scale: 1:1,713
 Created by user
 Monday, 30 September



About this Document	Disclaimer
This map has been created for the purpose of showing basic locality information and is a representation of the data currently held by The City of Holdfast Bay. This information is provided for private use only.	While every effort has been made to ensure the accuracy of the product, Council accepts no responsibility for any errors or omissions. Property boundary line network data is supplied by State Government.

Item No: **14.3**

Subject: **INFORMATION REPORT – SOUTHERN REGION WASTE RESOURCE AUTHORITY – 23 SEPTEMBER 2013**

Date: 8 October 2013

Written By: Personal Assistant

General Manager: Corporate Services, Mr I Walker

SUMMARY

Southern Region Waste Resource Authority (SRWRA) is a regional subsidiary established by the Cities of Onkaparinga, Marion and Holdfast Bay (the “constituent councils”), pursuant to Section 43 of the Local Government Act, 1999.

Under its charter, SRWRA is responsible for providing and operating waste management services on behalf of the constituent councils and ensuring that a long term waste management strategy exists in the southern region of Adelaide.

RECOMMENDATION

That the information report of the Southern Region Waste Resource Authority for its meeting held 23 September 2013 be received and noted.

COMMUNITY PLAN

A Place that Provides Value for Money

COUNCIL POLICY

Not applicable.

STATUTORY PROVISIONS

Local Government Act 1999

BACKGROUND

Pursuant to its charter all agendas, reports and minutes remain confidential, unless the Board resolves that the document is to be available to the public. Presented for the information of Elected Members' is the information which the SRWRA Board has released from its meeting held on 23 September 2013.

Refer Attachment 1

BUDGET

Not applicable.

LIFE CYCLE COSTS

Not applicable.

SUMMARY REPORT

SRWRA BOARD MEETING

23rd September 2013

Annual General Meeting

The Annual General Meeting of the SRWRA was held at SRWRA's City of Holdfast Bay on Monday 23rd September 2013.

Audited Financial Statements 2012-13

The Audited Financial Statements for 2012-13 were adopted. Each Constituent Council has been provided with a copy of the Financial Statements.

Executive Officer Overview

The Southern Region Recycling development started a trial initiative at the start of September with the support and guidance from our joint ventures partners, IWS. The trial was put in place to mimic the future recycling initiative on a smaller scale. The results so far have shown that we are able to extract as much as 50% of recyclable waste that would have normally gone to landfill. Due to the success of this trial we are implementing the work as standard practice, which will show considerable savings moving forward in relation to EPA levy.

SRWRA have also been exploring the options available in relation to selling both virgin and recovered aggregates from the landfill. At the moment we have potential to release as much as 200,000 tons of product to the market. This has an estimated value exceeding \$1.5 million dollars* on provision of certification and testing and the purchase select crushing equipment. The purchase of the crushing equipment will assist with offsetting our current need to hire this equipment.

*Please note that the aggregate will require an element of associated works therefor the figure noted above is only a broad indication at this stage.

As part of our product recovery plan which will encompass our environmental management plan, we are also looking at preparing and certifying our Mulch/Compost. Currently we have a stock reserve in the region of 2000 x tons, which based on a potential levy rebate and profit from sales, we could be looking at a potential gain of up to \$100k from this reserve of material.

Our view with the recovered products, would be to offer a range of materials to our council to aid with construction and building projects within the council's constituencies.

SRWRA have recently completed the planting works on our Northern Area, and will be due to complete our Cell 2 Area in October. Both these areas have been planted and seeded with over 7000 native species of plants and trees.

Item No: **14.4**

Subject: **SALSA'S FRESH MEX GRILL - TRIAL PERIOD REVIEW**

Date: 8 October 2013

Written By: Liquor Licensing and Community Safety Officer

General Manager: City Assets, Mr S Hodge

SUMMARY

At its meeting held Tuesday 9 October 2012 Council endorsed a Restaurant Liquor Licence application (resolution No.: C091012/683) for 'Salsa's Fresh Mex Grill' (R.T.B.C Pty Ltd).

Subsequently, based on Council's recommendations, on 15 October 2012 the Liquor and Gambling Commissioner granted a Restaurant Licence for the premises to serve liquor in accordance with section 34(1)(a)(b)&(c); and to provide entertainment in accordance with section 105 of the Liquor Licensing Act 1997; subject to a twelve (12) month trial period.

As the twelve (12) month trial period expires on 15 October 2013, the Administration has undertaken a review of this licence and associated licence conditions. As no official complaints have been received during the trial period, it is suggested that the Office of Liquor and Gambling Commissioner be notified that Council hold no objection to the trial period restrictions being removed.

RECOMMENDATION

That Council advises the Office of the Liquor and Gambling Commissioner that it does not object to the trial period restrictions being removed from Restaurant Liquor Licence No.: 50624715.

COMMUNITY PLAN

A Place that is Safe and Secure

COUNCIL POLICY

Liquor Licensing Policy (2011)

STATUTORY PROVISIONS

Liquor Licensing Act 1997

Development Act 1993

BACKGROUND

Previous Reports and Decisions

Report to City of Holdfast Bay (Report No.: 375/12; Item No.: 14.5) 9 October 2012: Restaurant Licence Application — Trial Period - Resolution No.: C091012/683:

That Council advise the Office of the Liquor and Gambling Commissioner that it supports the approval of a Restaurant Licence to sell and/or supply liquor in accordance with section 34(1)(a),(b)&(c); and to provide entertainment in accordance with section 105 of the Liquor Licensing Act 1997 subject to the following conditions:

Restaurant Liquor Licence

1. *That no liquor shall be supplied between the hours of 2:00am and 5:00am on any day;*
2. *That no liquor shall be supplied in the external area between 11:00pm and 7:00am on any day;*
3. *That the sought section 34(1)(c) exemption be in line with the hours indicated in Council's current Liquor Licensing Policy for licensed premises located within 100metres of a residential property and be in conjunction with the 'standard' approval granted by the OLG:*
 - a) *Monday to Saturday between the hours of 5:00am and 12:00midnight*
 - b) *Sunday between the hours of 11:00am and 8:00pm*
4. *The licensee shall maintain a clear path across the front of the premises for pedestrian traffic.*
5. *That the licensee frequently monitors and ensures the management of the external trading area due to the vicinity's abutting Dry Area.*
6. *Council reserves the right to cancel, suspend or revoke a licensed premises outdoor dining permit if it is deemed upon reasonable grounds that the areas' condition, maintenance or use by the licensee and/or a patrons is abused or in a manner that is contrary to maintaining the amenity of the area.*

Entertainment Consent

7. *That the licensee shall not advertise any entertainment to be provided within the premises by way of posters or any other advertising material on Council land.*

8. *That no entertainment is to be provided in the outdoor area (in accordance with Council By-laws No: 12 & 13).*
9. *That no loudspeakers are to be placed on the fascia of the premises, or adjacent to the outdoor area or footpath (in accordance with Council By-laws No.: 12 & 13).*
10. *That live entertainment shall not be permitted beyond 12:00 midnight on any trading day.*
11. *That all live entertainment be restricted to Acoustic Music/Acoustic Live Entertainment; defined as: "the composition of music played with acoustic instruments (an acoustic guitar, an acoustic bass etc)".*
12. *All Acoustic Music/Acoustic Live Entertainment played will be limited to a maximum of a duet.*
13. *Measures must be taken by the licensee to ensure that the noise emanating from the licensed premises is not excessive and that the noise from the premises (including live or recorded entertainment, singing, patron noise or similar) when assessed at the nearest noise sensitive location shall be less than 8dB(A) above the level of the background noise in any octave band of the sound spectrum.*

REPORT

On 15 October 2012 the Liquor and Gambling Commissioner granted a Restaurant Licence for 'Salsa's Fresh Mex Grill' (R.T.B.C Pty Ltd), located at 16 Jetty Road Glenelg. The interim licence permitted the licensee to serve liquor between the hours of 7:00am and 11:00pm on any day; and provide entertainment on:

Monday to Saturday	between the hours of 7:00pm and 11:00pm
Sunday	between the hours of 3:00pm and 11:00pm
Christmas Eve	between the hours of 7:00pm and 11:00pm
New Year's Eve	between the hours of 8:00pm and 11:00pm
Days preceding public holidays	between the hours of 7:00pm and 11:00pm

The section 34(1)(c) exemption granted for this licence also allows the licensee to serve liquor to a person seated at a table without the provision of a meal between the hours of 7:00am and 11:00pm on any day.

***It should be noted that these approved hours are less than originally applied for by the applicant.

On 15 October 2013 the approved twelve (12) month trial period for licence no.: 50624715 expires. As a result, Council's Liquor Licensing Officer has undertaken an assessment of the licence conditions and licensee conduct.

It can be confirmed that to date Council has not received any complaints about the licensed premises, liquor consumption within the premises (including the outdoor dining area) or the general operation of Salsa's Fresh Mex Grill.

As such it is suggested that the Office of Liquor and Gambling Commissioner be notified that Council has no objection to any trial period restrictions being removed.

BUDGET

An annual budget allocation is provided to the Development Assessment Unit to deal with matters concerning Liquor Licence proposals. This budget involves engaging the use of legal advisers, if and when required.

LIFE CYCLE COSTS

At this stage, there are no additional costs to Council associated with that contained within this report.

Item No: **14.5**

Subject: **REGULATED TREE REMOVAL – PARTRIDGE STREET, GLENELG**

Date: 8 October 2013

Written By: Technical Arboriculture Officer

General Manager: City Assets, Mr S Hodge

SUMMARY

Council is requested to consider the removal of one regulated tree in Council's car park on the eastern side of Partridge Street, Glenelg. The 20 meter high mature *Corymbia citriodora* – Lemon Scented Gum is regulated under the Development Act 1993 (Amendment), and is not a native South Australian tree species.

RECOMMENDATION

That the subject tree *Corymbia citriodora* – Lemon Scented Gum be removed. With the inability for reduction pruning, removal is an option that will eliminate the risk of limb failure.

Plantings of offset trees with potential to become significant will also be required as a part of Council policy and also required by the Development Act 1993 (Amendment). Native open space plantings nearby will be allocated as the offset. All costs involved to be met by Council.

COMMUNITY PLAN

A Place that is Safe and Secure
A Place that Values its Natural Environment
A Place that Manages its Environmental Impacts

COUNCIL POLICY

Street Tree Policy

STATUTORY PROVISIONS

Development Act 1993 (Amendment)
Local Government Act 1999

BACKGROUND

A previous report (Report No: 81/12 Item 14.7) was submitted to Council on 27 March 2012. The outcome was to have the tree remain.

Since the last decision was made, a fallen limb caused damage to a car on 23 June 2013. This has since raised concern, hence the resubmission of the report for considerations.



Damage caused from fallen limb on the 23 June 2013 in Partridge Street Car Park.

Council has investigated a tree in the car park space on Partridge Street, Glenelg. The tree is classed as “regulated” under the Development Act 1993 (Amendment). As per Council policy, an independent Arborist report has been obtained before consideration of the removal of any regulated/significant tree. In context of the Development Act requirements, the regulated tree is of fair health, presents a risk from sudden limb failure without any possibilities of remedial pruning to reduce risk.

After Council consideration, the required Development Application forms will be completed. This process includes public consultation with surrounding residents, submission and consideration of any public comment and subsequent decision notification for development approval.

REPORT

Council has now commissioned three separate Arborist reports on this regulated *Corymbia citriodora* – Lemon Scented Gum. All three reports have recommended removal of the tree.

Refer Attachments 1, 2 and 3

Due to the associated location danger, removal should be carefully considered. The recent example of the City of Burnside not undertaking appropriate action to tree assessments should also be taken into account. An incident occurring on 9 January 2010 unfortunately resulted in the death of a 20 year old woman. In hindsight this tragic accident may have been prevented. This situation should reiterate the fact that such decisions can result in severe outcomes that Council holds a responsibility for.

The tree is 20 meters high by 20 metres wide. The trunk circumference 1 metre from the ground is 2.45 metres, therefore makes this tree a “regulated” specimen under the Development Act 1993 (Amendment). The reports acknowledge that the tree is free of decay, with no signs of insect damage, and that the trunk is in good shape, typical of the species. However, there is some weak branch growth and all independent Arborists agree that there is insufficient structure to allow pruning to improve structure. In addition, the report notes that due to the amount of surrounding hard surface and therefore the potential for inadequate watering, there is a risk of sudden limb failure.

In terms of Section 245 of the Local Government Act 1999 – Liability for injury, damage or loss caused by certain trees, issues of concern or risk have not been raised by the owner or occupier of the property adjacent to the tree.

As the tree is in a prominent location, if Development Approval is granted, it is proposed that signs are erected in the area explaining the reasons for the tree’s removal, with a focus on works being undertaken in response to Council’s responsibility for public safety. Offset plantings will be undertaken as part of Council policy and also as required by the Development Act amendment.

BUDGET

All costs for removal should be met by Council and will be absorbed within the Street Tree Maintenance recurrent budget. The tree will be replaced with trees to become significant at a nearby reserve. The cost of signage will be absorbed into current budget lines.

LIFE CYCLE COSTS

As with all tree plantings ongoing maintenance is required and is provided for in the operational budget and long term financial plan.

CONCLUSION

The mature regulated tree has the potential of sudden limb failure, with proximity to cars and pedestrians. The structure of the tree cannot be improved via pruning.

Recommendations have now been provided via three separate reports to eliminate the associated risk. If removal process was to be endorsed, the Lemon Scented Gum will be replaced with trees with the potential to become significant in a nearby reserve.

Attachment 1

Council

Regulated Tree Removal – Partridge Street, Glenelg

25th September 2013

project GREEN



Tree Assessment

3 September 2013

S1484

Prepared for:

City of Holdfast Bay

Site Details:

Council Owned Car Park

Partridge Street
Glenelg SA 5045

Prepared by:

Project Green Pty Ltd

25-27 Ceafield Road
Para Hills West SA 5096

ABN: 78 088 402 706

ACN: 088 402 706

Tel: (08) 8283 1300

Fax: (08) 8258 1933

admin@projectgreen.net.au

1 INTRODUCTION

Project Green was commissioned to provide a report on a 'Regulated Tree' located adjacent to Partridge Street in Glenelg, South Australia, being a large *Corymbia citriodora* (Lemon Scented Gum).

It was reported that a limb recently fell from the tree damaging a car, with another limb falling since this incident. The limb failures have raised concerns in relation to public risk and an independent assessment was requested to provide advice in regards to future management options for the tree.

The species, although contributing environmentally to the area, is recognised as a species that can drop limbs without notice. There are limited practical arboricultural options available to limit this risk and as such, due to the tree's location, it is recommended that the tree be removed in the interest of public safety.



Photo 1 Showing subject tree (south side of tree)

Sudden Branch Drop (SBD) The failure and collapse of live, usually horizontal branches, seemingly without any noticeable cause in calm hot, dry weather conditions generally after rain. Explanations for Sudden Limb Drop consider branch size and weight, branch extension and taper, internal cracking and environmental factors. (Draper and Richards 2009; Shigo, 1986)

Regulated Tree Any tree in metropolitan Adelaide which has a trunk circumference of two metres or more – or, in the case of trees with multiple trunks, that have trunks with a total circumference of two metres or more and an average circumference of 625mm or more – measured at a point one metre above natural ground level.

3 METHODOLOGY

The following actions were undertaken to produce this report:

- Site inspection conducted on 27 August 2013.
- Visual inspection of the subject tree.
- Tree trunk measurements recorded to establish regulated tree status.
- Assessment of the tree under the Regulated tree provisions of the *Development Plan Holdfast Bay (City), Consolidated – 21 March 2013*.

3.1 Limitations

The tree was inspected visually from the ground only. An aerial, subsurface or invasive inspection was not performed and no soil or plant samples were laboratory tested. Due to plant hybridisation some species can be difficult to accurately identify.

Information contained in this report is based on observations taken on the day of inspection and material provided only. It is possible that changes in environmental conditions or subsequent information may affect these findings.

This report has been prepared on behalf of and for the exclusive use of the Project Green client.

4.2 Subject Tree

Tree Species	<i>Corymbia Citriodora</i>	
Location	Lot 60, Partridge St Glenelg SA 5045 Lat -34.58'51.45"S Long 138.31'5.83"E	
Assessment Date	27 August 2013	
Size (m)	Height 20 Width 20	
Age	Mature 30+ years	
Useful Life Expectancy	Short - < 10 years	
Live Crown Ratio	50%	
Trunk Circ. (at 1m)	2.45 metres	
Legislative Status	Tree is recognised as being a 'Regulated Tree' under the South Australian <i>Development Act 1993</i> .	
Health	Average – Tree shows healthy new foliage throughout most parts of the canopy, however there is evidence of some mild terminal leaf chlorosis within the upper canopy and a history of small branch (<30mm diameter) dieback. There is also evidence of some epicormic atypical growth likely to be a result of the poor root growing environment.	
Structure	Reasonable – Single trunk to 2 metres then dividing with a well formed union. Lateral branch unions well formed. Canopy is broad domed and open. Structure is typical for the species. Several failures evident in mid canopy (3 x 80-100mm diameter). Evidence of recent pruning throughout crown.	
Environment	Tree is growing in an isolated area, centrally located within a car park. There is a small 2.5 x 2.5m garden area surrounding the trunk. Root growing environment sealed with asphalt.	

4.3.1.2 Consequence - (Significant Injury/Damage)

Due to the size of potential limbs that may fall should a branch succumb to failure, it is likely this would result in significant personal injury and/or damage to property.

4.3.2 Hazard Mitigation

There are limited arboricultural actions that could be undertaken to reduce the likelihood of branch failure based on the hazards identified above. Some reduction pruning and dead-wooding could be performed, however this would not eliminate the risk of Sudden Branch Drop.

Separating the target area by excluding public access under the tree would address the hazard issues identified and would benefit the health of the tree, however due to the recognised limitation of available car parking spaces in the local area, this option is likely to not be supported by the broader community and therefore not in the public interest.

6 DISCUSSION

Corymbia citriodora, or Lemon Scented Gum, is a large growing tall tree from temperate and tropical eastern Australia. It is seen growing as an ornamental tree in all states of Australia, exhibiting tolerances to arid and tropical climates. The form of this tree is often wide-spreading with very little internal growth which can make crown reduction problematic. The species is often seen planted in positions with limited space for development, which it then outgrows. The tree is a species recognised as prone to sudden limb drop.

The subject tree is growing in isolation, centrally located within a frequently occupied urban car park area. It has been reported that the tree has recently dropped two branches with one of these causing damage to a car. There is evidence that the poor root growing environment is having an adverse effect on the health of the tree. Poor tree health may increase the likelihood of further limb failure. The tree is considered as having a low Useful Life Expectancy. Whilst it is a common species, it is not endemic to the area and not well suited to its current growing environment. It would be better suited to an open garden area. The subject tree does provide environmental benefit in the form of habitat, aesthetic contribution to the local area and shade to users of the car park. However, the tree's location, coupled with a history of limb failure, exposure to winds and poor root growing environment, presents an unacceptable risk to public users of the area.

There are limited arboricultural measures to reduce the recognised risk with the most effective being the exclusion of public from accessing the area directly below the tree. However the public benefit of retaining the tree does not outweigh the loss when considering the scarcity of parking in the area. Therefore excluding public use directly under the tree is not likely to be a practical option. The only remaining arboricultural option to reduce risk is tree removal.

7 RECOMMENDATIONS

Based on the findings of this assessment, it is recommended that an application be submitted for removal of the subject tree.

APPENDIX B - Site Photos



Image 1 Showing subject tree (eastern site)



Image 3 Showing restricted root growing environment

Attachment 2

Council

Regulated Tree Removal – Partridge Street, Glenelg

25th September 2013

ATTACHMENT 2.0

R.D.Z.



AU-0271A

TREE REPORT

Prepared by Gordon Sykes

Horticultural & Arboricultural Consultant

4 Hereford Lane, Woodcroft SA 5162

83818593 or 0448369565

gordon.sykes@bigpond.com

for

The City of Holdfast Bay

6-12 Partridge Street, Glenelg SA.

Development number 110/00028/12



Above image is looking north-west from the car park.

Dear Robert,

As requested I have undertaken an inspection of the significant tree growing in the car park to the west of the shopping centre at 6-12 Partridge Street, Glenelg.

The purpose of this report is to provide an independent and qualified opinion on the health, safety and longevity of this tree. The tree was inspected on Monday 23 January 2012.

The tree in question has been assessed against the Principles of Development Control set by the City of Holdfast Bay that relates to a Regulated tree as per the Development (Regulated Trees) Act 2009 and the Development (Regulated Trees) Variation Regulations 2011.

Regulated Trees

Objectives

- 1 The conservation of regulated trees that provide important aesthetic and environmental benefit.
- 2 Development in balance with preserving regulated trees that demonstrate one or more of the following attributes:
 - (a) significantly contributes to the character or visual amenity of the local area
 - (b) indigenous to the local area
 - (c) a rare or endangered species
 - (d) an important habitat for native fauna

Principles of Development Control

- 1 Development should have minimal adverse effects on regulated trees.
- 2 A regulated tree should not be removed or damaged other than where it can be demonstrated that one or more of the following apply:
 - (a) the tree is diseased and its life expectancy is short
 - (b) the tree represents a material risk to public or private safety
 - (c) the tree is causing damage to a building

(d) development that is reasonable and expected would not otherwise be possible

(e) the work is required for the removal of dead wood, treatment of disease, or is in the general interests of the health of the tree.

- 3 Tree damaging activity other than removal should seek to maintain the aesthetic appearance and structural integrity of the tree.

The Species: *Corymbia citriodora* "Lemon Scented Gum" A large tree which is endemic to subtropical areas of eastern Queensland and northern New South Wales, and has been planted extensively in South Australia as a feature tree.

The bark is smooth, white, coppery or pink, often powdery, shedding in large curling flakes. All leaves are lemon-scented narrow and long and the same colour on both sides (concolorous), juvenile leaves are 'hairy' and wider than adult leaves.

Flowers are creamy-white and appear during spring in SA, the buds are club-shaped with a conical cap; fruits are stalked, urn-shaped about 1.5mm in size.

Lemon Scented Gums are well known to drop branches especially during dry conditions without showing any visual signs of damage. Pruning to reduce branch length only causes the tree to produce weakly attached epicormic growth. These trees have an extensive root system that is opportunistic and will seek moisture from any source which leads to damage of pipes, paving and concrete house footings.

Lemon Scented Gums are stately trees but due to their size, branch failure potential and the damage they cause are not suitable for home gardens.

The individual: This tree is located in the central area of the car park in a small non irrigated garden bed less than 5² metres in size, this area is not mulched and is compacted by car park and shopping centre users.

The tree has an estimated height of 13 metres with a symmetrical crown spread of 9 metres radius, although only 5 metres to the north due to pruning from over the buildings. The trees circumference measured one metre above the ground is 2.40 metres which classifies this tree as 'regulated'.

Observations: The trees basal area is free of decay and open cavities; and there are no signs of insect damage such as borers or termites. The trees trunk has an adequate taper which is typical of the species.

The root system is compromised as the entire TPZ radius of 8.78 metres is under bitumen and any available moisture is directed to storm water outlets by the car park design, this has placed the tree under stress and increased the risk of sudden branch failures.

ATTACHMENT 2.3

BPZ



This image shows the subject tree as viewed from the north-west.

The union where the trees trunk bifurcates approximately 3 metres above the ground is free of bark inclusions and the angle of separation is adequate.



This image is from the southern side of the car park and shows that is an isolated tree exposed to the elements.

Both images clearly show the very weak branch growth, most branches lack taper and are end weighted (lion's tailing).

Several branches are growing in a less than horizontal manner and there are several small dead branches throughout the trees crown.

Summary: This Lemon Scented Gum is in reasonable condition although its foliage is chlorotic and sparse. It does not have the structure to allow pruning which may encourage better growth. It is a risk of suffering from sudden branch failures which will increase as the hotter months and dry conditions continue.

The tree does not provide any habitat value and nests were not present at the time of inspection and it only provides minimal shade to car park users (due to the sparse foliage).

This tree does prevent reasonable development of the site as it would require a Tree Protection Zone of 242² metres.

Recommendation: That this tree be removed.

Regulated Trees – Assessment.

Objectives

1. The conservation of regulated trees that provide important aesthetic and environmental benefit.	<i>This tree is not visually pleasing and provides minimal environmental benefits.</i>
--	--

2. Development in balance with preserving regulated trees that demonstrate one or more of the following attributes:

(a) significantly contributes to the character or visual amenity of the local area	<i>This tree does not contribute to either</i>
(b) indigenous to the local area	<i>This tree is from NSW and Queensland</i>
(c) a rare or endangered species	<i>This species is very common</i>
(d) an important habitat for native fauna	<i>This tree provides no habitat value</i>

Principles of Development Control

1. Development should have minimal adverse effects on regulated trees.

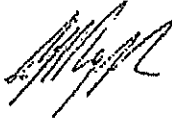
2. A regulated tree should not be removed or damaged other than where it can be demonstrated that one or more of the following apply:

(a) the tree is diseased and its life expectancy is short	<i>The safe life expectancy of this tree is limited due to its poor structure</i>
(b) the tree represents a material risk to public or private safety	<i>This tree is a hazardous tree to persons within its vicinity</i>
(c) the tree is causing damage to a building	<i>No</i>
(d) development that is reasonable and expected would not otherwise be possible	<i>This tree restricts the development of the site</i>
(e) the work is required for the removal of dead wood, treatment of disease, or is in the general interests of the health of the tree.	<i>N/A</i>

3. Tree damaging activity other than removal should seek to maintain the aesthetic appearance and structural integrity of the tree. *N/A*

I trust this report provides the City of Holdfast Bay with sufficient information to make a decision relating to the tree and if I can assist in any other way please contact me.

Yours Sincerely



Gordon Sykes
23 January 2012

*Internationally Certified Arborist
Advanced Diploma of Horticulture
Diploma of Arboriculture
Visual Tree Assessment Certificate*

*Member International Society of Arboriculture (ISA), Member Arboriculture Australia,
Life Member South Australian Society of Arboriculture (SASA).*

*References; Evaluation of Hazard Trees in Urban Areas – Matheny & Clark.
Eucalyptus – Brooker & Kleinig
Dictionary for Managing Trees in Urban Environments – Danny B Draper
& Peter A Richards.*

Disclaimer:

All inspections are visual and comments are based on faults that can be seen, touched or inferred from the ground.

The report and associated recommendations are made in good faith on the basis of what information is available at the time.

Achievement of objectives set out in the report will depend among other things on the actions of the client, council, contractors and the environment over which this consultant has no control.

Notwithstanding anything contained in the report, the consultant will not, except as the law may require, be liable for any loss or other consequences arising out of the services rendered by the Consultant.

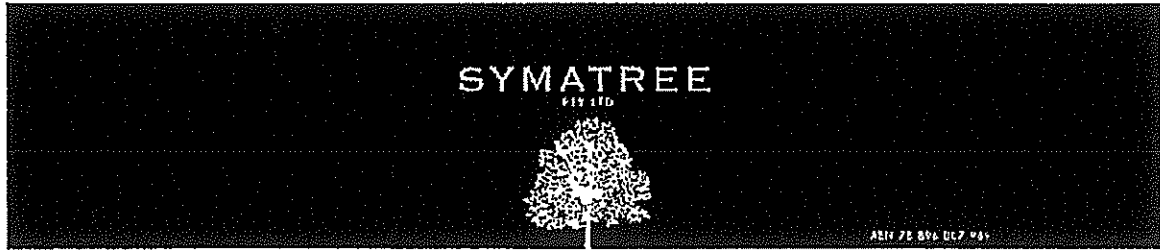
Trees are living things that, like any other living thing, are subject to sudden change often caused by unseen or unrecognisable factors which may have detrimental affects on the tree and surrounding environment.

Attachment 3

Council

Regulated Tree Removal – Partridge Street, Glenelg

25th September 2013



TO: DANIEL JELLINGS

FROM: SAM CASSAR
Cert. (Hort), Ass. Dip. (Hort), B.App. Sc (Hort), Grad. Dip. Design (Land.)
Member Arboriculture Australia.

DATE: 1ST MARCH 2012

SUBJECT: REGULATED TREE – PARTRIDGE STREET CAR PARK

I was requested to assess a mature *Corymbia citriodora* located within the Partridge Street Car Park in Glenelg (refer Figure 1).

I provide the following information on the basis of an inspection I conducted of the site and surrounds on the 1st March 2012.

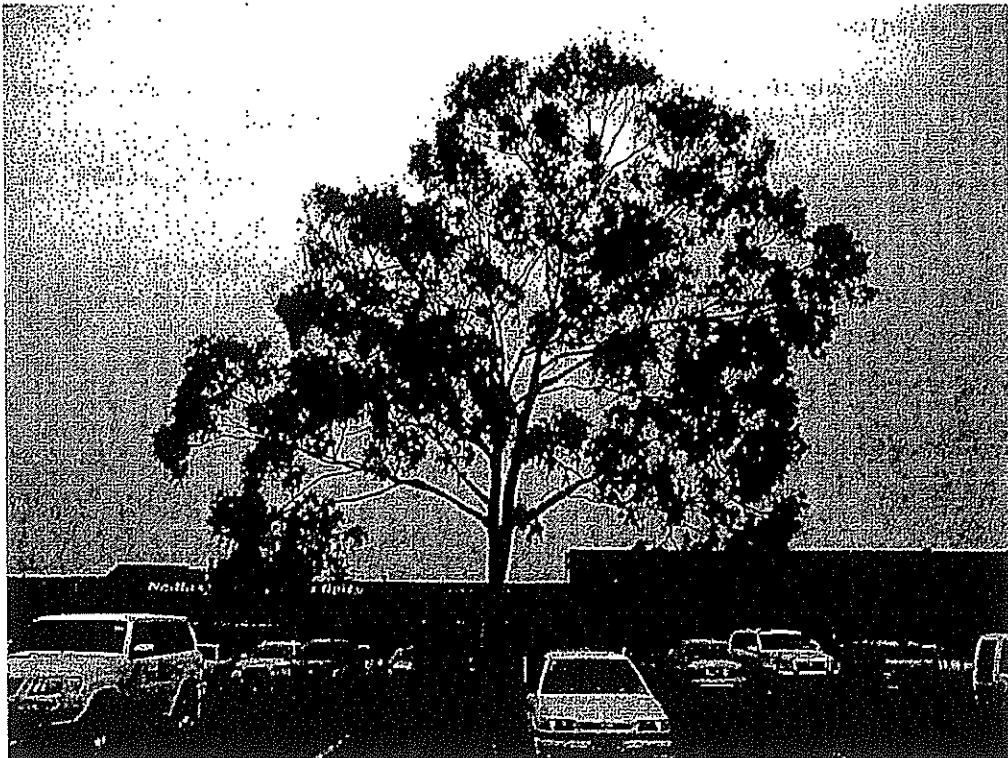


Figure 1 –Subject tree, viewed from the south

- This tree qualifies as a Regulated tree under the Development Act 1993. The tree comprises a single vertical trunk with a circumference of 2.28 metres when measured 1 metre from ground.

- The tree's height (approximately 20 metres), spread of crown (approximately 16 metres in a north/south direction and 20 metres in a east/west direction) gives this tree a strong visual presence within the locality allowing it to be viewed from a number of vantage points from within surrounding streets. It is a large, mature tree - making it a prominent feature in the landscape.
- The tree is in fair-to-poor health. This is indicated by localised die back, some yellowing foliage and low density and vigour throughout. In addition recently emerging epicormic growth is evident along some mid-canopy secondary lateral branches. All these symptoms indicate tree related stress.
- The tree is located within a relatively small planting hole within the car park. The tree's root zone is consists of bitumen hard surface. This is not conducive to long term healthy tree growth.
- The subject tree consists of a single main stem to a height of 3 metres from ground from which point a central and southern main stems arise to form an open broad spreading crown. The main attachment point appear sound.
- The tree displays an ongoing history of small diameter branch failure. The failures observed appear to be the result of poor form in regards to lateral branch over-extension relating back to poor taper and excessive end weight. These defects are repeated elsewhere throughout the crown.

Risk Management

The tree extends over 16 car parking spaces and access roads. All of these areas are within the target zone of the subject tree if further branch failure were to occur.

I suggest the car parking spaces would be considered to be frequent use targets with vehicles parked on a casual basis during shopping hours.

Applying the risk assessment method (Matheny and Clark model) a score of 10 was calculated. A hazard rating of 12 represents the most severe hazard and 3 the least severe. A score of 10 would represent a high level of risk.

Formula: Failure Potential + Size of Part + Target Rating = Hazard Rating

Hazard Rating for the subject tree: 4 + 3 + 3 = 10

Failure potential: 1-low; 2-medium; 3-high; 4-severe
 Size of part: 1- (15cm); 2- (15-24cm); 3- (45-75cm); 4- (75 cm)
 Target rating: 1-occasional use; 2 intermittent use; 3-frequent use; 4- constant use

Risk reduction could include the exclusion of parked vehicles and pedestrians from under the canopy of the subject tree.

Aside from complete removal, reduction pruning is the only other way of alleviating the risk of future branch failure/s to acceptable levels. Unfortunately the lack of internal branching structure makes reduction pruning ineffective in the long term. It is my view the subject tree will continue to pose an ongoing risk to property (parked vehicles) and public safety if retained.

Conclusion

This tree is considered to be in declining health of poor form. The tree is exhibiting a number of defects that would suggest further branch failure/s is highly likely and the health of the tree is expected to continue to decline.

Unfortunately, there are no acceptable pruning or management techniques that might be employed in this case to improve tree form and health in the long term with ongoing branch failure and declining tree health expected in the future.

Frequent use targets are under the canopy of the tree, putting them at risk if further branch failure/s occurs. A risk hazard rating of 10 out of 12 was calculated.

On the basis of the factors outlined, I consider that this regulated tree is not worthy of retention and **removal is supported**.

If the tree were to be retained then I highly recommend cars and pedestrian traffic are restricted from parking and moving beneath the canopy of the subject tree.

It is my view changes to the tree's growing environment to improve tree health – removal of the bitumen from beneath the canopy, aeration, additional watering during dry times, mulching may improve tree health. However, I suspect this improvement will only be for a relatively short period. The risks associated with branch failure, unless significant hazard pruning is implemented will still remain. The hazard pruning required will significantly modify the natural form of the subject tree.

I believe the funds that would be needed to improve the health of the tree and reduce the risks to acceptable levels would be better spent in greening the car parking area with tree shrub species better suited to the locality.

Thank you for the opportunity in providing this report. Should you have any questions or require further information, please do not hesitate in contacting me.

Yours sincerely



Sam Cassar