

**Phillips Landing Community Association DP No. 270051  
247 Burwood Road Concord NSW 2137**

**Minutes of Executive Committee Meeting  
Wednesday 20 September 2006 at 7.00pm**

<b>Present</b>	Robert Larizza, John Musgrave, Alan Trafford, Jim Walsh, & David Tuskan (Premier Strata Management).
<b>Apology</b>	Joe Abate
<b>Chairman</b>	Robert Larizza
<b>Quorum</b>	It was noted that a quorum was present.
<b>Minutes</b>	It was RESOLVED that the Minutes of the Executive Meeting held on 9 August 2006 be confirmed & adopted with the correction that the pre-AGM meeting was scheduled for 18 October & not 18 November.
<b>Correspondence Out</b>	Letter to David Webster, 18/08/06, acknowledging the committee's appreciation for his affixing recycling notices to the walls of the garbage rooms.
<b>Correspondence In</b>	Email from Sharon Pedersen, 10 Bligh, 18/08/06, suggesting the use of off-white globes in community areas as they improve the ambience & character of the area without impacting the illumination.  It was RESOLVED that the suggestion be deferred to a future meeting. (OI 283).
<b>Preparation for AGM (OI 278)</b>	David Tuskan ADVISED that the particular information requested at the 9 August meeting will be available.
<b>Illegal Parking</b>	It was NOTED that Mediation Sessions, under the Chairmanship of a Mediator appointed by the NSW Office of Fair Trading, are scheduled for 25/09/09 & 09/10/06.  It was RESOLVED that the secretary contact relevant PLCA members in an effort to identify the owners of vehicles which have been noted as being regularly parked in visitor spaces to enable the MA to send letters &, if necessary, initiate Mediation Proceedings. (OI 284).  It was RESOLVED that the MA enquire about the appropriateness of seeking a legal opinion re the legality & process of having vehicles towed away that are illegally parked (1) on the roadway & (2) in visitor spaces. (OI 285).
<b>Unapproved Air Conditioner (OI 286)</b>	It was RESOLVED that the secretary, after further consultation with the strata representative, request the strata MA to write to the owner/s of 11 Barrington asking them to complete an <i>Application for Building or Landscaping Modifications</i> form & advising that the installation must conform with the Code.

<b>Pergola Eastern Pool (OI 287)</b>	It was RESOLVED that DAS' quote of 04/09/06 for \$3 707.00 incl. GST to repair the pergola be accepted. FURTHER that, after repair, the MA to arrange painting.
<b>Cleaning of Pathways (OI 275)</b>	Quote from Leonello Enterprises of 21/08/06 for approx. \$2 860.00 incl. GST was tabled.  It was RESOLVED that the MA & Robert Larizza obtain alternative quotes.
<b>Creek Maintenance (IO 288)</b>	It was RESOLVED that the recommendation from INCA, as per their invoice 20881 of 22/08/06, be accepted & FURTHER that the MA obtain a quote to clean the two pools in the creek.
<b>Shading in Pool Areas (OI 212)</b>	Quote from Alfresco Shade of 13/09/06 for \$12 700 incl. GST for the installation of two retractable cantilever umbrellas was tabled. It was NOTED that the PVDF Skin carries a 10 year warranty.  It was RESOLVED that the MA obtain an alternative quote from Absolute Shade.
<b>Tree Preservation Order (OI 264)</b>	Canada Bay Council's <i>Tree Preservation Order Policy</i> was TABLED by the MA.  It was RESOLVED that the secretary issue with the Minutes.
<b>PLCA Members' Privacy (OI 276)</b>	While respecting the privacy of PLCA members it was AGREED that minimum contact details need to be available; thus it was RESOLVED that the following Motion be put to the AGM:  "THAT, in order for the PLCA to carry out its function, it is a condition of election as a strata representative that a member be willing to have their name, address & at least one phone number published to other members & the Managing Agent, & placed on the notice board/s of their own strata."
<b>External Painting of Stratas (OI 186)</b>	It was RESOLVED that, consequent to Murobond's demonstration, their <i>Mineral Silicate Flat Finish</i> product be approved in addition to their <i>Murobond</i> product. FURTHER that the secretary update Code #5.
<b>Other Open Issues</b>	It was RESOLVED that other open issues be dealt with as per the Open Issues List dated 20 September 2006.
<b>Open Issues Closed</b>	It was RESOLVED that the following Open Issues be closed: 223, 235, 240, 244, 258, 261, 262, 264, 266, 271 & 282.
<b>Next Meeting</b>	Wednesday 18 October 2006 at 7.00om..
<b>Closure</b>	The meeting closed at 9.42pm.

Jim Walsh  
Hon. Secretary  
1 October 2006.

Attachment: Canada Bay Council's *Tree Preservation Order Policy*.

# TREE PRESERVATION ORDER POLICY



City of Canada Bay Council

This order is made by the City of Canada Bay under authority conferred by the *Environmental Planning and Assessment Act 1979* and pursuant to Clause 8 of the *Environmental Planning and Assessment Model Provisions 1980*, which is adopted by the environmental planning instruments in the City of Canada Bay.

This order was adopted by the City of Canada Bay Council on 31<sup>ST</sup> January 2006.

## 1. Aim of The Order

The aim of the Tree Preservation Order is to conserve and enhance the tree scape and environmental amenity of the City of Canada Bay.

## 2. The Order

This Tree Preservation Order applies throughout the local government area of the City of Canada Bay.

By this order, the Council prohibits the ring barking, cutting down, lopping, removing, injuring or wilful destruction of any tree, or any part of the tree, if:

- (a) The tree has a height of, or greater than, four (4) metres;
- (b) The tree has a trunk girth of, or greater than, 500mm at any point; or
- (c) The tree is a cycad or mangrove, irrespective of its dimensions

except with the express written consent of the Council.

## 3. Exemptions

A person will be exempt from the prohibition with respect to particular tree works if the person establishes that:

- (a) The tree was dead or that the works were limited to the removal of dead branches;
- (b) The tree was one of the following exempt species (provided the tree is not listed as a Heritage Item in an environmental planning instrument – in which case the prohibition applies):

▪ <i>Alnus jorullensis</i>	Evergreen Alder
▪ <i>Bambusa spp</i>	Bamboo
▪ <i>Celtris occidentalis</i>	Sugarberry
▪ <i>Erythrina x sykesii</i>	Indian Coral
▪ <i>Erythrina crista-galli</i>	Coral Tree
▪ <i>Ficus elastica</i>	Rubber Tree
▪ <i>Ligustrum spp</i>	Privet
▪ <i>Nerium oleander</i>	Oleander
▪ <i>Olea Africana</i>	African olive
▪ <i>Populus spp</i>	Poplar
▪ <i>Salix spp</i>	Willow
▪ <i>Schefflera spp</i>	Umbrella Trees
▪ <i>Syagrus romanzoffianum</i>	Queen/Cocos Palm
▪ <i>Toxicodendron spp</i>	Rhus Tree

- *Cinnamomum camphora* (Camphor Laurel) or *Liquidamber spp* (Liquidamber) where the outside edge of the trunk of such tree is located within 3 metres of any single storey dwelling (not being an out building eg. Garage, carport, shed, etc).
  - *A fruit tree grown for the purposes of fruit or fodder production except Acmena spp (Lilly Pilly), Syzygium spp (Lilly Pilly) or Elaeocarpus spp (Blueberry Ash).*
- (c) The tree is a declared noxious weed in the local government area of the City of Canada Bay under the Noxious Weed Act 1993.
- (d) The tree works were limited to the maintenance of a minimum clearance of five hundred (500) millimetres from domestic service leads as specified by Energy Australia, provided that the works were carried out by a qualified or experienced Arborist or Tree surgeon, in accordance with the Australian Standards for the Pruning of Amenity Trees AS 4373-1996.

**4. The prohibition does not apply to with respect to the following works:**

- (a) Emergency Works- any works carried out by Council, the State Emergency Services, the Rural Fire Service of NSW, or a public authority in response to an emergency;
- (b) Works carried out by State and Federal Government departments or Authorities under current legislative requirements;
- (c) Tree works carried out by Council or its agents on land owned or under the care and control of Council, provided that assessment of the tree work has been carried out in accordance with the City of Canada Bay Council Tree Preservation Order Policy;

**5. Definitions**

- “Council” means the City of Canada Bay Council or any officer or delegated authority authorised to act on behalf of Council.
- “Injuring” includes the administration to any part of a tree of any chemical or compound or substance which has the potential to harm the tree, irrespective of whether it actually harms the tree; “injuring” also includes altering the ground level in the near vicinity of the tree; “injuring” also includes changing the level of the water table so as to adversely affect the tree.
- “Removal” and “Cutting down” means the cutting down of a tree so that the tree, including its branches, foliage, trunk, stump and root system will not regrow. This includes the poisoning of the stump and/or roots and/or removal or grinding out of its remains to prevent regrowth. “Transplanting” is “Removal” when a tree is relocated from one property to another.
- “Tree” means a perennial plant with at least one self-supporting woody or fibrous stem.