



Public Questions In Writing

Ordinary Council Meeting – 28 October 2025

Matthew Morgan - Bayswater

Item 10.3.2 Garratt Road, Stone Street and Frinton Street Intersection Signalisation

Question 1

LCURS is only installing traffic calming on Traylen Road that slow cars down and will not deter the high volume of cars. With this proposed Signalised intersection relevant to this item number, Northbound Garratt Road Rat Runners now have extra incentive to turn left on Stone Street on a green light left turn to avoid a straight red light on Garratt Road.

Why is the council not considering a Cul-de-sac or one-way-only exit Traylen Road option as a deterrent for these anticipated Rat Runners?

Response 1

A cul-de-sac or one-way-only exit Traylen Road option is not being considered as the City is not expecting there to be an increase in north-bound Garratt Road traffic left turning into Stone Street as a rat-run opportunity. This is based on there being no left turn slip lane at the proposed signalised intersection.

Question 2

There have been serious child road safety concerns raised at Maylands Peninsula Primary school (“MPPS”) P&C meetings. Despite numerous deputations from the MPPS P&C; all Elected Members unanimously voted contrary to motion 19 at 2025 AGM that would have addressed their concerns; and voted in support of the Officer’s recommendation.

Can Council explain why this decision was made?

Response 2

The reason for Council not adopting original motion 19 from the Annual General Meeting is recorded in the minutes of the Ordinary Council Meeting held on 29 April 2025.

Item 10.3.3 of the current Council agenda (28 October 2025) recommends that Council proceeds with the implementation of LCURS treatments in the Maylands Peninsula Precinct.

Question 3

Traylen Road, Bayswater is listed on the Long-Term Cycle Network (LTCN). Traylen Road is a known ‘rat run’ with no bicycle infrastructure and the 85th percentile are driving at dangerous

speeds (tabled in December 2024 Ordinary Meeting). Why did the Council not pass the original motion 20, 2025 AGM motion to improve LTCN infrastructure for Traylen Road?

Response 3

The reason for Council not adopting original motion 20 from the Annual General Meeting is recorded in the minutes of the Ordinary Council Meeting held on 29 April 2025.

Ross Jutras-Minett - Noranda
Subject: Morley Markets Pylon Sign

Question 1

The community have made it clear via social media outlets that they value and cherish the Morley Markets and are saddened by its loss. The pylon sign is a marker of its social value and the community would like to see this saved and preserved. Can the City investigate the heritage value of the sign and report back to Council?

Response 1

The City had not included a heritage assessment process for the Morley Markets sign as a part of this year's work plan. This work can be undertaken if identified as a priority of Council.

Question 2

Can the City please advise if this sign has the necessary characteristics to be listed on the City's Local Heritage List, and that it can be provided some level of protection from demolition.

Response 2

The City's Heritage Places Guidelines recommends that any new heritage place be reviewed by a suitably qualified heritage consultant or similar and for them to prepare a heritage assessment. Prior to advising if the sign can be considered for the local heritage list a heritage assessment by a heritage consultant would need to be undertaken.

Subject: Local Planning Policy Tree Retention

Question 3

In regard to the exemption clauses of the Policy, is the Council aware of the unintended consequences of exempting the protection of regulated trees that are not subject to a redevelopment or subdivision application?

Response 3

The review and development of this local planning policy has been subject to extensive consultation with Council and the community, who have provided consistent feedback that single dwellings should be exempt from the requirements of this policy (i.e. where no other development or subdivision is proposed).

The exemptions, as written, in the adopted *Tree Retention Local Planning Policy* have been included to clarify this position of Council following WASAT 77.

Question 4

Prior to the adoption of this policy, the removal of substantial vegetation from a private property was considered development under the Planning and Development Act 2005, and this was confirmed by WASAT decision of Zorzi vs Town of Cambridge in July 2025. The LPP as adopted exempts land owners from development approval to remove substantial trees which may have significant social, environmental and property value. Does this Council by virtue of adopting this policy and its exemption clauses endorse the removal of substantial trees prior to applying for development or subdivision approval?

Response 4

The Council-endorsed objectives of the *Tree Retention Local Planning Policy* include to “preserve and enhance neighbourhood amenity, character and sense of place by retaining trees and planting new trees”, to “prioritise the retention and protection of existing regulated trees and trees worthy of retention”, and to “mitigate the negative practice of clearing mature trees as part of subdivisions and new developments by promoting and facilitating tree preservation at the earliest possible stage in the planning and development process.” The City recommends pre-lodgement discussion to identify opportunities for tree retention as part of the site planning for subdivision and new development and the LPP includes incentives for tree retention, including the waiver of fees for written planning advice, variation to development standards, and encroachment of trees within outdoor living areas/primary garden areas.

In addition to the *Tree Retention LPP*, *Town Planning Scheme No.24* includes provisions related to the Significant Tree Register. The City’s *Significant Tree Register LPP* and Guidelines include similar incentives for Significant Trees, which are those with outstanding size, aesthetic, botanic, ecological, historical, cultural or social values.

Question 5

What is the consequence of a developer clear felling a site with large trees on their property, prior to applying to subdivide or develop under the provisions of this Policy and does the Council believe that this is sustainable and meeting the objectives of its own Environment and liveability framework? If yes please explain how.

Response 5

The *Tree Retention LPP* exempts the removal of a ‘regulated tree’ where the works are not proposed as part of a development application or subdivision application. Therefore, the policy exempts the works described.

The LPP provides development incentives for the retention of trees as part of development and subdivision. It supports the Environment and Liveability Framework by balancing the retention of vegetation with ongoing growth of the City, by supporting more sustainable and higher density housing along with the retention of trees.

Nana Maeshinjo

Subject: Traffic Calming Maylands Peninsula Primary School (MPPS)

Question 1

Maylands Peninsula Primary school (“MPPS”) raised deputations for motion 19 2025 AGM to improve dangerous intersections that LCURS failed to address. This was rejected by Council

due to funds that “need to be accounted for under the City’s forward capital works”. At the same meeting, council approved \$5 million capital works for Bayswater City Soccer Club. Can Council explain why this decision was made?

Response 1

The Frank Drago facilities project and its funding sources are separate to, and not related to, the delivery of road safety initiatives such as the Low-Cost Urban Road Safety Program.

Question 2

Susan street has recently been road resurfaced and is in the School Zone for Maylands Peninsula Primary school. The road is not subject to LCURS funding. When the road was resurfaced, there were no changes made to the road layout design. There are many safety improvements for this road that could of been implemented by your Engineering department and incorporated into new resurfacing works. Was this a missed opportunity to install raised platform asphalt road treatments or to narrow road crossings?

Response 2

Road resurfacing and installation of traffic calming devices are undertaken under separate programs and cannot be interchanged. If required, raised platforms and/or nibs can be added on top of the new surfaces with no impact on the works already undertaken.

Question 3

The Mayor has previously received remuneration from EMRC. The Mayor has a fiduciary responsibility to the residents of Bayswater. Why is this not a conflict of interest?

Response 3

The receipt of a local government or regional local government allowance is not considered a conflict of interest because it is a formal payment for the official duties of a council member, not a personal gift or benefit intended to create an obligation or improperly influence decision-making.

An Elected Member can hold fiduciary responsibilities to both a local government and a regional local government because each role involves distinct duties tied to separate corporate entities that serve overlapping but different constituencies. Under the *Local Government Act 1995*, Elected Members may be required to serve on both their own local government and a regional local government. This is the case for the City of Bayswater where Elected Members are appointed by the Council to represent its interests on the East Metropolitan Regional Council.

Kristie Lapworth – Morley

Subject: Concerns about the ongoing situation at [property address has been redacted for privacy]

Question 1

Residents have reported these issues multiple times, but there has been little visible action or improvement. The ongoing lack of enforcement has left the community feeling unsafe, ignored, and frustrated. What specific actions has the City taken to date to investigate and address the ongoing issues at [property address has been redacted for privacy]?

Response 1

The City's Development Compliance and Environmental Health Officers have inspected and monitored the property on several occasions over the past 12 months to determine compliance with relevant planning, building and health legislation and the matters identified are being pursued with the property owner.

Question 2

Residents have submitted numerous complaints without meaningful action. What further measures will the City implement to ensure compliance with local laws, planning regulations, and community safety standards?

Response 2

An inspection of the property on Wednesday 22 October 2025 by City staff revealed that the number of occupants at the property has decreased, however there are still outstanding matters that need to be addressed by the property owner and further action is being taken in accordance with relevant planning legislation.

Question 3

What steps will the City take to prevent people from sleeping at Boxhill Reserve Park and to restore safety and amenity to the surrounding neighbourhood?

Response 3

Community Safety officers have attended the area on multiple occasions throughout 2025 to investigate potential breaches of the City's Local Laws. In collaboration with the Environmental Health and Compliance teams, ongoing patrols are being conducted to collect evidence and address any observed breaches of applicable Local Laws, including the *Parking and Parking Facilities Local Law 2016* and the *Local Government Property Local Law 2016* (as amended).

Wendy Garstone

Subject: Tree pruning by Western Power recently in the City

Question 1

How many trees have been pruned in the City by Western Power during its current pruning program?

Response 1

The City is aware of approximately 25 trees that have been lopped by Western Power to date this financial year and reported by residents or City staff.

Question 2

How many more trees will be pruned by Western Power in its current pruning program?

Response 2

The City has its own annual tree pruning program which is currently in progress. How many more trees will be lopped by Western Power is unknown.