

Deputation List

Agenda Briefing Forum – 18 March 2025

Deputations will be heard at the Agenda Briefing Forum at **7pm, Tuesday 18 March 2025**.

The items will then be considered by Council at its Ordinary Council Meeting, scheduled for **7pm, Tuesday 25 March 2025**.

The procedure for making a deputation is available on the City's website:

[Petitions and Deputations - City of Bayswater](#)

Deputations may be made in person or in writing.

In-person deputations

The following people have registered to make in-person deputations:

Deputee Name(s)	In Support / Not in Support of the Recommendation or Motion
10.3.2 Future Use of 476 Guildford Road, Bayswater	
Ramdas Sankaran (spokesperson) and Leonard Alvarez	In support <i>Has provided their deputation notes which are attached below.</i>
10.5.1.4 Planning Policy Review: Significant Tree Register for Private Land Policy and Associated Guidelines	
Gary Warne	Not in support

Written deputations

The following deputations have been received in writing and are attached:

Deputee Name(s)	In Support / Not in Support of the Recommendation or Motion
10.5.1.4 Planning Policy Review: Significant Tree Register for Private Land Policy and Associated Guidelines	
Michael Manganaro	Not in support
Wendy Garstone	Not in support
Gregg Moxham	In support

10.3.2 Future Use of 476 Guildford Road, Bayswater

Ramdas Sankaran
Multicultural Services Centre

Good evening All

Thank you very much for the deputation opportunity to speak about our bid to lease 474-476 Guildford Road, Bayswater. In the email that I sent you very early this morning I conveyed that should the Council endorse the recommendation of the Officer Panel; our Centre would be very pleased accept the offer that ensues. I take this opportunity to convey my humble apologies for the Freudian error in referring to the Olive Tree House recommendation in that email.

As indicated in my email, suitable affordable office accommodation in the City of Bayswater is scarce and we wish to emphasise that we are in urgent need of such accommodation to fulfil our funding contractual obligations to provide Settlement services.

I also wish to emphasise that our plans for the property include other activities as outlined in Attachment A, of the written deputation, besides the range of services, shown on Page 182 of the Council Agenda, and it will be provided, by three agencies, Our Centre, Ishar and Youth Futures.

It is very difficult to estimate the exact number of CaLD CoB residents who will benefit from our Plans for the Guildford Road property, as the Census data is very dated. But given the number of high-density buildings in and around this corridor and the diversity of the planned activities, we will be addressing several unmet needs of CoB residents especially those living in and around the Guildford road corridor. The service location will also benefit residents of Midland, Bassendean, Mt Lawley and East Perth who reside in and around this corridor.

Despite its age and condition, the 476 Guildford Road property is ideally located from a public transport perspective for us to fulfil the aforementioned obligation and so we have no issues with the proposed lease recommendation i.e. it being subject to the conditions outlined in the officer's recommendation, namely

- (a)** The lease being in accordance with the Community Facility Lease and Licence/User Agreement Policy, as per Category 4 Large Not-for Profit Organisations, State and National Clubs/Associations;
- (b)** A tenancy term of two years, with the option to extend for a further two-year period; and
- (c)** A market valuation to determine rental amount (40% of market valuation).

So, when the Council considers this recommendation, we would be most grateful if it endorses the same. Should the Council endorse the recommendation, we propose to undertake, at our cost repairs and upgrades involving 8 items, approximate dollar value of \$25,000, as conveyed in my email. Whilst we would be most grateful, if the Council is willing to consider a rent which is less than 40% of market valuation, we will pay the rent based on 40% of market valuation, if it is unable to do so.

From the feedback received, we understand that the tender process was very competitive. So, although our proposal represents value for money especially given the repairs/upgrades we propose to undertake at our cost, we still consider ourselves very fortunate to be the recommended lessee.

We look forward to the Council accepting the recommendation to lease 474-476 Guildford Road, Bayswater to MSC and on behalf of our board and staff, I thank all of you in advance for the same.

I will conclude by emphasising that we will ensure the fulfilment of everything that we have committed to in our EOI. Thanks again for the opportunity make this presentation.

10.5.1.4 Planning Policy Review: Significant Tree Register for Private Land Policy and Associated Guidelines

Michael Manganaro

I do not support the suggested amendments to the significant tree register policy for reasons I will outline below

Lack of community support

Despite general and social media content covering the suggested policy amendments being biased in favor of the change, community feedback shows overwhelming community opposition with 63% not supportive of the changes, and only 10% partially supportive. If feedback on this policy was conducted via mailout to all residents and ratepayers and put to vote, I believe it is likely the percentage not supporting would likely have been higher.

The council must listen to what the community wants in this case and not vote in favor of these policy changes.

Lack of necessity

The City of Bayswater has done a commendable job with its tree planting program, planting 44,000 new trees over the past several years with 32,000 more planned over the next 10 years. Despite a very small recent drop in tree canopy coverage, largely due to large scale infrastructure projects, over the long term the City's canopy is actually growing. Current conservative projections see it growing from 14.48% coverage in 2024 to 17.02% in 2030 (ref: 27th August 2024).

With ongoing plantings and maturing of newer trees it is inevitable this number will grow much higher. Although this means the City will likely miss its target of 20% by 2030, this does not justify allowing the City to gain further control over what people can do with trees on their private property.

It is unclear to me why the City has failed to mention long term projections and growth for the two policies under review as part of the public consultation process. General media coverage has also only focused on the recent short term small drop in coverage. This has created a perception there is a tree canopy crisis within the City of Bayswater when there is in fact not.

Private property owner rights

The concerns expressed by some councilors in recent meetings and media regarding clear felling of blocks for subdivision is understandable. However, the way the amended policies are written target all property owners. This could impact people who simply want to make modifications or expand onto their family home to accommodate different phases of life, or even mitigate the potential for property damage as the tree grows larger and root system grows. Preventing people from doing this is over reach by the City into people's private lives.

Poor performance from the council regarding issues with property damage

My own personal experiences provide insight into what can go wrong when City policies regarding trees are poorly implemented or not protective of the rights of property owners.

My property had a large verge tree straddling the crossovers between myself and my neighbour's property. The tree was a Camphor Laurel, a registered weed in Western Australia and a known

highly invasive species. The tree continued to grow over time with its root structure causing damage to crossovers and invading into mine and my neighbour's property causing damage to retaining walls, driveways and other structures.

The City was contacted about these issues several years ago and initial efforts were focused on saving the tree and repairing the crossovers. The City again were called out in 2023 and were again reluctant to remove the tree. Attempts were made to put in a root barrier which failed.

My neighbours and I had to pay for a structural engineer to prove the tree was causing damage to our property for the City to then agree to remove it. The damage caused by the tree is in the tens of thousands of dollars. Our case is now before LGIS to claim for damages, a very long and slow process in which it is unclear if we will ever get a fair and satisfactory outcome from this process.

Existing and proposed new policies state trees are not to be protected if they are a weed. The City has not even followed its own policy in this case. The amount of time, money and effort expended by the City trying to save this highly invasive weed on my verge could have gone towards planting more trees in an appropriate location and species, if they had just dealt with it properly in the first place, rather than drag the issue out to what was always going to be an inevitable outcome.

Instead, the City pursued a path of effectively willfully causing damage to my property, for the sake of saving a weed for a few more years, which should never have been planted anywhere in Australia. This approach defies logic and common sense. How can the City be trusted to make right decisions regarding privately owned trees on private property if they cannot even make correct decision on its own trees.

If a property owner reports property damage from a registered private tree will the City wait for the damage to become serious before allowing the owner to take action? Will the property owner have to pay for a civil engineer and arborist to prove it? Will LGIS provide compensation? Has the City sought legal advice on any of this?

Suggestions

Instead of the proposed amendments to these two policies I suggest the City undertake the following actions:

- Be open and honest about the City's tree canopy projections (increasing to at a **conservative** estimate 17% by 2030), making the information clearly and easily available for people to see, before any consultation process suggesting amendments to the policy
- Conduct modelling to demonstrate projections of tree canopy growth past 2030, considering the tens of thousands of new trees planted on City managed land in the past several years and into the future. This modelling should demonstrate to residents and other stakeholders the increase in the city's tree canopy in 5, 10, 20 and 30 years time, alleviating concerns about losses to our tree canopy in future.
- Continue on the current path of planting trees on council owned land to increase tree canopy coverage
- Implement greater protections for private property owners where trees are causing damage or risk of damage. This will involve intervening sooner and ensuring adequate compensation for any damages

- Take action sooner to address issues with trees which are identified as weeds and/or highly invasive species. Dealing with and removing these types of species sooner will save time and money that can be dedicated to planting more appropriate species in more appropriate locations.
- Implement other measures to mitigate urban heat island effect such as expanding the use of cool paving throughout the city in town centres and footpaths, installing more shading in town centres, and encouraging and incentivizing green roofs for commercial premises (the Galleria redevelopment would be a good candidate for this whenever that happens).

10.5.1.4 Planning Policy Review: Significant Tree Register for Private Land Policy and Associated Guidelines

Wendy Garstone

I appreciate the work being done by Admin and Councillors to encourage the community to recognise and protect mature trees on private property. However, I think the policy does not address the facts regarding tree canopy coverage in the Perth Peel area in 2025.

- We have a tree canopy crisis, therefore protecting ALL mature trees should be our focus.
- Health experts state that 30% canopy coverage is the liveable level for communities. By the City planning to protect only those trees that offer aesthetic, social and cultural value rather than ALL healthy mature trees is not planning for healthy communities.
- In February 2025 the State Government announced their tree canopy coverage target of 30% by 2040. The City is struggling to reach its target of 20% by 2030. However this policy review does not include any data on the number of mature trees on private property in the City, what percentage of these could be assessed as 'significant', and no research on how many ratepayers would consider nominating a tree.
- WALGA spent three years developing a policy to protect all trees on private property. This was informed by a working party comprised of representatives from several LGAs including the City of Bayswater. I believe the WALGA policy would be simpler to operate than this one and far more effective in achieving the vision of this policy. The effectiveness of this policy is a gamble. I encourage councillors to move towards the vision of a Tree City. The term 'Garden City' reflects the City's origins and it is time we planned for the future.

10.5.1.4 Planning Policy Review: Significant Tree Register for Private Land Policy and Associated Guidelines

Gregg Moxham

Dear Mayor and Councillors,

I appreciate the opportunity to provide this written deputation in support of the revised Significant Tree Register for Private Land Policy and its associated guidelines. This policy is a vital step in ensuring the protection of significant trees within our community while maintaining a fair and balanced approach to landowner rights.

Importance of the Policy

Trees provide essential environmental, social, and economic benefits. They contribute to biodiversity, improve air quality, reduce urban heat, and enhance community well-being. Importantly, private land comprises a significant portion of the City's tree canopy, making it crucial that we have a structured policy that encourages the retention and protection of significant trees.

The proposed policy aligns with the City of Bayswater's Urban Forest Strategy and long-term sustainability objectives. Without proactive measures, we risk losing mature trees that take decades to replace, impacting the character and liveability of our suburbs.

Key Strengths of the Revised Policy

A Balanced Approach to Landowner Rights

The revised policy ensures that landowners must provide consent before a tree is assessed, addressing concerns about government overreach.

Affected neighbours will be consulted during the assessment process, ensuring transparency and fairness.

Encouraging Tree Retention Without Undue Restriction

The revised assessment criteria allow trees to be nominated based on their merits while maintaining a high standard for what qualifies as "significant."

The inclusion of optional categories ensures that trees with unique environmental, historical, or aesthetic value can still be considered.

Providing Incentives for Landowners

Fee waivers and development concessions make it easier and more appealing for property owners to retain significant trees.

Maintenance grants of up to \$2,000 per property help mitigate financial concerns related to tree upkeep.

My motivation for applying for the tree on my verge to be included on the register was due to my concern for its future health. I have noticed that several Peppermint trees (*Agonis flexuosa*) in the area seem to have been adversely affected by the pruning that they had received from the contractor. The trees seemed to suffer from too much pruning reducing its ability to grow after excessive amounts of branches had been removed or possibly been contaminated through the spreading of disease by the tree loppers who didn't seem to take necessary precautions.

The statement “approved works must be undertaken by a qualified arborist, to the satisfaction of the City.” will assist in the tree being looked after properly.

Addressing Opposition Concerns

Landowner Autonomy

Some concerns have been raised about government interference. However, no tree can be registered without landowner consent. This policy does not force anyone to protect a tree against their will.

Impact on Property Values and Development

Evidence suggests that mature trees enhance property values rather than diminish them.

The policy includes reasonable provisions for removing trees in cases of safety risks, disease, or infrastructure damage.

Preventing Pre-Emptive Clearing

Some argue that property owners may remove trees before they can be nominated. However, the incentives built into this policy encourage retention, making tree preservation beneficial rather than burdensome.

Final Call to Action

I strongly urge Council to adopt the revised Significant Tree Register for Private Land Policy and associated guidelines. This policy strikes a necessary balance between conservation and property rights while ensuring that Bayswater continues to lead in urban tree protection.

Preserving significant trees is not just about the present; it is a legacy we leave for future generations. I commend the Council for taking this proactive approach and trust that these well-considered amendments will be supported.

Thank you for your time and consideration.

Yours sincerely,

Gregg Moxham