



City of Nedlands

# ***Agenda***

## ***Special Meeting of Electors***

***3 December 2020***

A City of Nedlands Special Electors Meeting will be held on Thursday, 3 December 2020 at Adam Armstrong Pavilion, Beatrice Road, Dalkeith commencing at 7 pm.

Mark Goodlet  
Chief Executive Officer  
26 November 2020

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**City of Nedlands**

**Notice of City of Nedlands Special Electors Meeting to be held at Adam Armstrong Pavilion, Beatrice Road on Thursday, 3 December 2020 at 7 pm.**

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**Special Electors Meeting Agenda**

**Declaration of Opening**

Mayor de Lacy will declare the meeting open at 7 pm and will draw attention to the disclaimer below.

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It is noted that the advertisement calling the meeting was published in the POST Newspaper on 14 November 2020 together with notices displayed at the Administration Centre and Libraries, and on the City's Website.

**1. Present and Apologies**

No apologies as at distribution of this agenda.

**2. Procedural Matters**

Mayor de Lacy will outline the procedures of the meeting.

**3. With or without amendment, as approved by the special electors meeting – a local planning policy which requires at least the following:**

1. Immediate deferral of all development applications for more than 4 or more residences on one lot or site, pending the implementation of the following actions and the outcome of the City of Nedlands comprehensive traffic management policies and studies.

City of Nedlands Administration Comment

The City has received previous legal advice that precludes it from placing a moratorium on development applications on the basis that there is no legal mechanism to allow this. All development applications must be assessed in accordance with the Planning and Development Act 2005 and provisions of the Local Planning Scheme, State Planning Policies and in accordance with the Planning and Development (Local Planning Schemes) Regulations 2015.

2. A mandatory requirement for development applications in the City of Nedlands for 4 or more residences at a site to bond funds with the City of Nedlands, for the City to commission an independent cumulative traffic assessment for the locality.

City of Nedlands Administration Comment

The City does not have any statutory ability (need / nexus) to require mandatory bonds for such traffic assessment. An applicant is required to provide Transport Impact Assessment for development applications in accordance with the WAPC Guidelines. There is no statutory nexus between what is being asked for and what can be applied in accordance with the current statutory planning framework.

The City is however developing a contributions policy which has the potential to deal with elements of congestion and parking in the built up areas. A contributions policy requires developers to pay for future infrastructure needs which arise through the impacts of increased density. Refer to the following link for further details on Contributions Policies (<https://www.dplh.wa.gov.au/getmedia/77de8ae0-031a-4871-bc59-2279ec666dc9/draft-SPP-3-6-July-2019> ). Local Planning Scheme 3 provides for cash-in-lieu of parking, and where this is linked to a contributions policy, the City then has the ability to take contributions and build facilities. A similar approach can be made for traffic increases. Where modelling shows a road upgrade projection from local to minor distributor for example, capital costs can be determined and included in a contributions policy.

3. For the proposed developments which would be put to a Joint Development Assessment Panel, the City would require the independent cumulative traffic assessment be undertaken, with the independent assessment then made available to the ratepayers in advance of the Council's consideration of the proposed development application.

City of Nedlands Administration Comment

As per Answer 2, there are not statutory requirements for applicants to provide cumulative traffic assessments, unless required in accordance with the WAPC Guidelines for transport impact assessment. Please be reminded that the Local Government is not the determining authority for JDAP items.

Traffic impact assessments are required for developments and depending on the scale of the development different levels of assessment are required by the Department of Planning, Lands and Heritage (<https://www.dplh.wa.gov.au/policy-and-legislation/state-planning-framework/fact-sheets,-manuals-and-guidelines/transport-impact-assessment-guidelines> ). A summary of the traffic assessment requirement for various development types is shown below (Volume 1).

**Table 1: Level of TIA required by land use and size**

LAND USE	MODERATE IMPACT	HIGH IMPACT
	Transport Impact Statement required	Transport Impact Assessment required
	10 – 100 vehicle trips in the peak hour	> 100 vehicle trips in the peak hour
Residential	10–100 dwellings	>100 dwellings
Schools	10–100 students	>100 students
Entertainment venues, restaurants, etc.	100–1000 persons (seats) OR 200–2000 m <sup>2</sup> gross floor area	>1000 persons (seats) OR >2000 m <sup>2</sup> gross floor area
Fast food restaurants	50–500 m <sup>2</sup> gross floor area	>500 m <sup>2</sup> gross floor area
Food retail/Shopping centres with a significant food retail content	100–1000 m <sup>2</sup> gross floor area	>1000 m <sup>2</sup> gross floor area
Non-food retail	250–2500 m <sup>2</sup> gross floor area	>2500 m <sup>2</sup> gross floor area
Offices	500–5000 m <sup>2</sup> gross floor area	>5000 m <sup>2</sup> gross floor area
Service Station*	1–7 refuelling positions	>7 refuelling positions
Industrial/Warehouse	1000–10,000 m <sup>2</sup> gross floor area	>10,000 m <sup>2</sup> gross floor area
Other Uses	Discuss with approving authority	Discuss with approving authority

Volume 4 details the requirements for Transport Impact Statements and Transport Impact Assessments for developments.

- Proposed development;
- Vehicle access and parking;
- Provision for service vehicles;
- Hours of operation (if applicable);

- Daily traffic volumes and vehicle types;
- Traffic management on frontage streets;
- Public transport access;
- Pedestrian access;
- Cycle access and end of trip facilities;
- Site specific issues; and
- Safety issues

The Transport impact assessment (TIA) does provide a technical assessment of the traffic impacts. The TIA should cover all parts of the transport network that would be likely to be materially affected by the proposed land uses. The TIA also deals with non-car modes.

- Existing situation
- Development proposal
- Committed developments and other transport proposals
- Changes to surrounding transport networks
- Integration with surrounding area
- Assessment years and time periods
- Development generation and distribution
- Design traffic flows
- Analysis of development accesses
- Impact on surrounding roads
- Impact on intersections
- Impact on neighbouring areas
- Road safety
- Public transport access
- Pedestrian access/amenity
- Cycle access/amenity
- Analysis of pedestrian/cycle networks
- Safe routes to school (where appropriate)
- Parking and parking management
- Traffic management plan (where appropriate)

In summary the future looking component of Transport Impact Statements are not well captured, although the more complex Traffic Impact Assessment does look to the future and considers the impact on the future traffic loading. The work the City is doing currently in terms of a comprehensive traffic study will need to supplement the requirements for the TIS in particular so that cumulative impacts can be assessed and the developer made responsible for their fair share of impacts.

4. Annually, The City of Nedlands would review and report on to the Council:
  - a. The overall stat of larger developments – what has been built in the past year, what is a pending application and what is foreseeable or prosed (announced publicly or mentioned);
  - b. The likely “marco” traffic impact within the roads and main arterial roads and highways of the City of Nedlands; and
  - c. Desirability of any necessary measures that can be put in place to reduce traffic increase in any localities (such as footpath or bike-path, car-free development conditions, street parking limitations, annual levies on the high-rise residences which funs are specifically put to private shuttle services to key areas).

City of Nedlands Administration Comment

- a) The City can produce a report to Council which would stipulate what applications have been approved for “Complex” development, and of those developments which ones have received building permit / occupancy permits.
- b) The City is finalising a comprehensive traffic model for Stirling Highway and Broadway. Following its completion Administration will be able to present a report for Council that outlines City’s current network capacity and future demand projections using LPS3 land use data.
- c) The development of a Development Contributions Plan will seek to capture developer contributions which will be programmed for the contribution towards community infrastructure, this may include road and public realm upgrades and can consider transport linkages for modes other than vehicles. These will then form part of the Long-Term Capital Works program. A report was presented to Council 27 October 2020 proposing Local Planning Scheme No.3 – Infrastructure Contributions. Council resolved as follows:

**Council Resolution / Recommendation to Council**

**Council:**

- 1. instructs the CEO to commence preparation of an Infrastructure Contributions Framework under Local Planning Scheme 3;**
- 2. allocates funds of \$40,000 to enable work to commence on the Infrastructure Contributions Framework under Local Planning Scheme 3, with a budget adjustment to be made in the 2020-21 midyear budget review;**

- 3. considers allocating \$50,000 in the 2021-22 budget for the completion of the Infrastructure Contributions Framework under Local Planning Scheme 3; and**
- 4. instructs the CEO to arrange a Councillor workshop prior to Council's consideration of the report to formally initiate the Local Planning Scheme Amendment to introduce the Infrastructure Contributions Frameworks**

**4. Such Other Related Business Arising**

**Declaration of Closure**

There being no further business, Mayor de Lacy will declare the meeting closed.