

## POLICY MANUAL

<b>Title:</b>	<b>Developer Contributions for Road and Footpath Upgrading</b>
<b>Previous No:</b>	<b>new</b>
<b>File No:</b>	<b>ADM 0224</b>
<b>Statutory Environment:</b>	<b>Clause 8.7 of Town Planning Scheme No. 3</b>
<b>Minute No:</b>	<b>10.02.11.01</b>
<b>Last Updated:</b>	
<b>Review Date:</b>	<b>June 2013</b>

### **Purpose**

This policy sets the basis for seeking contributions for the upgrading of the Shire's road and footpath network as a result of the subdivision or development of land. The policy will allow a consistent approach to be applied to all subdivisions and relevant development and will provide guidance on Council's decision making. The policy will also provide certainty to the community in estimating the costs of the subdivision and development process.

### **Authority to prepare and adopt a planning policy**

The Shire of Brookton, pursuant to Clause 8.7 of the Shire of Brookton Town Planning Scheme No.3, hereby makes this Town Planning Scheme Policy regarding subdivision and development contributions for road and footpath upgrading throughout the Shire of Brookton. This policy will be incorporated into future schemes when Town Planning Scheme No.3, or greater, is revoked.

### **Objectives**

- To provide a basis for seeking financial contributions to the upgrading of the road and footpath network as a result of the subdivision process.
- To provide a basis for seeking financial contributions to the upgrading of the road and footpath network as a result of development proposals.
- To ensure consistency in the recommendations made to the Western Australian Planning Commission on subdivision applications.
- To provide clear and consistent advice to the community on the Shire's expectations for road and footpath upgrading.

## **Definitions**

'Road' shall have the definition applied to it under the Road Traffic Act 1974 which includes any highway, road or street open to, or used by, the public and includes every carriageway, footpath, reservation, median strip and traffic island thereon.

'Footpath' shall mean any land or thoroughfare used by pedestrians and/or cyclists and shall include pathways, dual use paths and any other walkway designed for this use.

## **Statutory powers**

This Policy relates to determinations made by the Western Australian Planning Commission under the Planning and Development Act 2005. This Act gives the Commission the power to require developer contributions as part of the subdivision of land.

Where a development proposal requires the upgrading of the road and/or footpath network, Council may require developer contributions under Clause 7.5.1 of the Shire of Brookton's Town Planning Scheme No. 3.

This Policy has regard to the information contained within the Western Australian Planning Commission's State Planning Policy 3.6 – Development Contributions for Infrastructure. The objectives of the policy are:

- To promote the efficient and effective provision of public infrastructure and facilities to meet the demands arising from new growth and development;
- To ensure that development contributions are necessary and relevant to the development to be permitted and are charged equitably among those benefiting from the infrastructure and facilities to be provided;
- To ensure consistency and transparency in the system for apportioning, collecting and spending development contributions; and
- To ensure the social well-being of communities arising from, or affected by development.

This Policy adopts and implements these principles for seeking developer contributions as part of the subdivision and development process.

## **Policy**

1. All applications for subdivision or development approval made within the Shire of Brookton, where there is an identified nexus between the requirement for a road and/or footpath upgrade, will be subject to the provisions of this policy. This policy does not supersede or influence any other requirement for developer contributions as part of the subdivision or development approval process toward other facilities or infrastructure, such as public open space, community facilities, etc.
2. In making recommendations to the Western Australian Planning Commission on applications for subdivision where at least two additional lots will be created from the parent lot/s, the Council will consider seeking a financial contribution to be made towards the upgrading of the road and/or footpath network.
3. When determining a development application, if in the opinion of Council the development generates the requirement for a road and/or footpath upgrade, the Council will seek a financial contribution to be made towards the upgrading of the road and/or footpath network.
4. Contributions towards the upgrading of the road and footpath network will be based on the standards contained in Table No 1 of this policy. The standards will be

reviewed as part of Council's periodic review of the Shire of Brookton's Policy Manual. Thereby allowances can be made for changing community expectations.

5. The road and footpath upgrading contribution will be a pro-rata calculation of 50% of the road/footpath as contained in Table No 1, based on the per kilometre / per metre frontage of the parent lot/s to the road. Where a secondary street exists, the Council reserves the right to seek a contribution for the secondary street in addition to the primary street frontage, however the Council will take into account traffic movements and existing rights of entry.
6. If a subdivision requires that the created lots be provided with constructed road access that does not currently exist, this policy shall not supersede any requirements for the developer to pay the full construction costs to provide this road access.
7. Nothing in this policy shall prohibit Council from seeking the construction of a footpath network within a subdivision at the developer's expense.
8. In terms of the expenditure of the financial contributions made as part of the subdivision of land, the following principles shall apply:
  - a) The upgrading of the road network shall comply with the Shire's Works Program; and
  - b) The upgrading of any footpath network shall occur within three (3) years following the completion of all subdivisions affecting a particular area, or prior to this date as determined by Council.
9. The Council may vary the requirements of this policy, where it is considered that full compliance with the policy is impractical or such variation is warranted in the circumstances of the subdivision or development.
10. This Policy does not apply to main roads.

TABLE NO. 1		Standard		
Zone	Road Width (metres)	Road Surface	Kerbing/ Drainage	Comment
Residential R5 and above	6	Prime and seal	Yes	The sealing coat will be laid one year after the laying of the prime coat
Residential R2.5 and below	6	Prime and seal		The sealing coat will be laid one year after the laying of the prime coat
Rural Townsite	6	Prime and seal		The sealing coat will be laid one year after the laying of the prime coat
Commercial	As appropriate	Asphalt	Yes	
Industrial	7	Asphalt	Yes	Kerbing to be provided if appropriate
Rural Residential	7	Prime and seal	Yes	Kerbing to be provided if appropriate
Farming	9.6	Gravel – Standard Roads 150mm thick Heavy Routes 300mm thick		A sealed road standard may be required in specific circumstances.
Footpaths where identified in strategy or structure plan	1.6	Brick Paving – 75mm Road Base Hot Mix – 100mm Road Base		

All construction shall be to Austroads standards or in compliance with drawings submitted by an appropriately qualified engineer and approved by the Shire.