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BACKGROUND NOTES

1. This policy brings together in one document all those policies of the Commission which are not included in the Residential Road Planning Policy DC 2.6 and which apply generally to the planning of all roads. Consistent with the approach taken in Policy DC 2.6, this policy also refers to the functional road classification system established in Policy DC 1.4 Functional Road Classification for Planning.
2. The Commission has recently released the Liveable Neighbourhoods Community Design Code to help make the State's suburban areas more sustainable and offer a wider range of housing and employment to support changing community needs and preferences. The code has been released for an initial period of 12 months to test and refine aspects in practice. This policy will be modified where appropriate following the review and refinement of Liveable Neighbourhoods.
3. The Commission formally revised the policy in June 1998.
4. Related policies are:
 - Policy No. DC 1.3 - Strata Titles
 - Policy No. DC 1.4 - Functional Road Classification for Planning
 - Policy No. DC 2.2 - Residential Subdivision
 - Policy No. DC 2.6 - Residential Road Planning
 - Policy No. DC 4.1 - Industrial Subdivision
 - Policy No. DC 5.1 - Regional Roads (Vehicular Access)
 - Planning Bulletin No. 18 - Developer Contributions for Infrastructure.

1. INTRODUCTION

The policy establishes requirements for land contributions and the construction of various categories of roads and outlines principles that apply to aspects of the planning and provision of all types of roads. It also clarifies the role of roads as service corridors for public utilities. The policy reflects the Commission's responsibility for planning and protecting regional road reserves in accordance with the Metropolitan Region Scheme and providing adequate road access to individual lots via the subdivision process.

2. POLICY OBJECTIVES

- ❑ To promote the planning of road networks throughout the State which maximise efficiency, safety and amenity.
- ❑ To provide a consistent approach for contributions towards the provision of roads from the subdivision and development of land.

3. POLICY MEASURES

3.1 Road Widening

3.1.1 The Commission may require that land for road widening be ceded free of cost as a condition of approval for subdivision/amalgamation in either of the following circumstances:

- i) where the subdivision/amalgamation and associated development will result in additional traffic movements, including those by vehicles that may require special access considerations which give rise to the need to widen the road;
- ii) where the subdivision creates a number of new individual frontages to a road increasing the potential for turning movements and movements to and from the land.

The Commission may also require that land for road widening be ceded free of cost as a condition of subdivision/amalgamation where parts (i) and (ii) do not apply, providing it is justified in the particular circumstances.

3.1.2 The Commission may require that land for road widening be ceded free of cost prior to

approving a sketch of strata subdivision by means of a separate application for freehold subdivision where the associated development will result in additional traffic movements, including those by vehicles that may require special access considerations that give rise to the need to widen the road.

3.1.3 Where the provisions of the Metropolitan Region Scheme require development to be determined by the Commission, land for road widening may be required where the development will have an impact on regional road planning. Where the development is a significant traffic generator or is serviced by vehicles with special access requirements which give rise to the need to widen the road, the Commission may impose a condition requiring that land for road widening be ceded free of cost.

3.1.4 Where the provisions of the Metropolitan Region Scheme require development to be determined by the Commission, there may be circumstances where the Commission considers it is unreasonable to request land to be ceded free of cost for road widening, particularly where it is not required immediately. In these circumstances a condition may be imposed to require the applicant to execute an agreement with the local government or the Commissioner of Main Roads or Western Australian Planning Commission, to effect the sale of the land required for road widening provided that the survey costs additional to those generated by the subdivision or development itself are met by the authority requiring the road widening.

3.1.5 In the case of land required for road reservations under the Metropolitan Region Scheme, such land may be required to be set aside as a separate lot pending acquisition by the appropriate authority. This is subject to the Commission being satisfied that adequate access is maintained to the original lot for vehicles and public utilities.

3.1.6 Provisions relating to road widening may be included in approved town planning schemes and the Commission will have regard to such provisions when making a decision on subdivision.

3.2 Upgrading and Construction of Existing Roads

3.2.1 Existing roads shall be required to be constructed or upgraded as a condition of subdivision, where the Commission and the road authority agree that the subdivision should not proceed unless the construction or upgrading occurs. In imposing this condition the Commission and the road authority should be satisfied that the existing roads are either substandard or inadequate to accommodate the additional traffic generated from the subdivision and associated development.

3.2.2 The condition will normally require the applicant to enter into satisfactory arrangements with the road authority for the construction/upgrading of the relevant road. The responsibility for the design and construction of the works is a matter for negotiation between the applicant and the road authority.

3.2.3 If the road authority is not in a position to immediately carry out the construction or upgrading, the subdivider must undertake either of the following to allow the subdivision to proceed:

- carry out the works to the satisfaction of the road authority; or
- contribute to the cost of the works by either cash payment or other means acceptable to the road authority (e.g. bank guarantee). The contribution should be based upon an amount equal to the road authority's estimated cost to undertake the works at the date of clearance of the road upgrading/construction condition by the local government.

Alternatively the subdivider may wait until the road authority is able to construct or upgrade the road before proceeding with the subdivision.

3.2.4 Provision exists under Section 28A of the *Town Planning and Development Act, 1928* (as amended) to enable a subdivider to claim a portion of the cost of providing an existing road from subsequent subdividers that abut the road. This is providing the subsequent subdividers have not already contributed to the cost of providing the road.

3.3 Contributions for Major Roads (Other than Subdivisional Roads)

3.3.1 This section applies to primary and district distributors which are not subdivisional roads as determined by the Commission. These include regional roads reserved in the Metropolitan Region Scheme.

3.3.2 The Commission will normally require as a condition of subdivision that major subdivisions, particularly in broadacre areas released on the urban fringe, cede land for district distributor roads to the Crown free of cost and contribute to the construction of these roads. This condition will be required where district distributors abut, or are included within, the area of the subdivision. The Commission may also require this condition to provide for the connection of these district distributor roads with existing major roads outside the immediate area of the subdivision, where the connecting district distributor is necessary to provide adequate access and the road alignment is in the same land holding.

3.3.3 The Commission may require the ceding of land to the Crown free of cost for primary distributor roads in special circumstances such as where superlots are created on the urban fringe to rationalise land holdings for future residential subdivision.

3.3.4 The construction contributions for district distributor roads will normally include the earthworks for the whole road reserve, the construction of one carriageway (two lanes) and associated drainage facilities. In addition grade separated pedestrian crossings and a dual-use path along one side of the road may be required where these facilities accord with proposals for the overall structure planning for the area.

3.3.5 To achieve equitable land and road construction contributions between landowners the following mechanisms may be used:

- Development agreements between the local government and landowners.
- Private agreements between landowners.
- Town planning development schemes.

3.3.6 Where the land has already been secured for the primary and/or district distributor road system a contribution may be required towards road construction or upgrading in the manner outlined in Section 3.2.

3.4 Rights-of-Way

- 3.4.1 It may be necessary for a subdivider to set aside land for a public right-of-way where it has been identified for a road which is not required immediately and/or cannot be constructed until additional land has been obtained from other land holdings in the locality.
- 3.4.2 Under such circumstances, a condition of subdivision will be imposed for the required land to be shown on a plan or diagram of survey as a right-of-way to be vested in the Crown under Section 20A of the *Town Planning and Development Act*.
- 3.4.3 Where the area of the public right-of-way has been set aside for a future road, the conditions of the subdivision approval will not normally require that it be constructed or that a portion of the cost of its construction be paid by the subdivider. Limited opportunities may exist for claims for reimbursement, to provide for proportional contributions by each subdivider, under Section 28A of the *Town Planning and Development Act*.

3.5 Closure of Private Streets

- 3.5.1 Section 52 of the *Land Administration Act, 1997* provides the Commission with the opportunity of commenting on any proposals to close private streets (commonly known as narrow laneways at the side or rear of lots in established areas).
- 3.5.2 In commenting on proposals to close private streets, the Commission will not normally object to such closures except where they are located at the side or rear of lots in the following circumstances:
- In established residential areas particularly where lots have a narrow frontage, they provide an opportunity for urban consolidation by enabling access to infill dwellings at the rear of existing residences. In addition, these private streets avoid the need for vehicle parking in front of the front setback line enabling it to be reduced.
 - Where they provide an opportunity for alternative access to improve traffic flow and safety for lots that abut primary or district distributor roads, including regional roads reserved in the Metropolitan Region Scheme.
- In these circumstances the Commission may support the construction of private streets and dedication for public use.

3.6 The Role of Road Reserves as Service Corridors for Public Utilities

- 3.6.1 In addition to the transportation function of roads, the Commission recognises that road reserves are also important for the distribution and protection of public utilities. It is important, therefore, to ensure that road design takes into account the accommodation of such services in the most efficient and cost-effective way. The servicing agencies should be consulted at an early stage so that their requirements can be ascertained before detailed road layouts and designs are prepared.
- 3.6.2 Residential subdivisions are often planned to incorporate sewers in private lots. The presence of a sewer within a property boundary can create difficulties, particularly for small lot subdivisions, because prospective purchasers are often unaware of the sewer and corresponding development restrictions on the lot. The Water Corporation has also experienced difficulties in obtaining access to sewers in private properties for maintenance and operational purposes.
- 3.6.3 Current Water Corporation policy requires that, in small lot subdivisions (less than 600m²), wherever possible sewers should be contained within road reserves. Sewers may, however, be contained within residential lots providing that:
- an easement is recorded on the certificate of title; and
 - the net lot area (excluding the easement) is not less than 450m² for land coded R20 and below; and, for land coded above R20, is not less than the minimum lot size specified in the Residential Planning Codes.
- 3.6.4 Providing the location of public utilities will not be compromised the Commission may require the identification and protection of vegetation within existing or proposed road reserves, where considered necessary by the local government, as a condition of subdivision.

3.7 Truncations

- 3.7.1 In order to ensure that sight distances at street junctions are adequate and sufficient land is available to accommodate services in the street verge, the Commission may require that a suitable truncation be ceded free of cost from corner blocks. Such truncations refer to a line

joining the points equidistant from the intersection of the street reserve boundaries.

3.7.2 Truncations may be required in the following circumstances:

- where land is proposed to be subdivided in developing areas;
- where existing traffic movements in established areas will be significantly affected and/or where there is a need to improve intersection sight lines as a result of:
 - subdivision/amalgamation of land; or
 - a development which requires determination by the Commission under the provisions of the Metropolitan Region Scheme.

3.7.3 The functional road classification system outlined in Policy DC 1.4 in this manual provides a basis for the application of flexible performance-based truncation standards for each road category in new areas and in established areas where the road hierarchy can be clearly identified. Where a lower and higher order road in the hierarchy intersect, the truncation requirements of the higher order road shall apply to the intersection.

- a) Primary Distributor - Truncation requirements are to be determined by the authority responsible for this category of road (Main Roads Western Australia or local government) based on the design needs in each case.
- b) District Distributor - An 8.48 metre truncation (6m x 6m) will generally be required for this category of road except in industrial and commercial areas and other areas where large vehicles need to be accommodated. In these situations truncations are to be determined by the authority responsible for this category of road (Main Roads Western Australia or local government) based on design needs in each case. A minimum truncation of 14 metres (10m x 10m) will normally be required in industrial areas.
- c) Local Distributor - A truncation of 4.24 metres (3m x 3m or half truncation) is generally suitable for this category of road subject to agreement from the local government. The 4.24 metre truncation is based upon the minimum curved radii that underground telephone and power cables must follow and is consistent with

the principles of Policy DC 2.6 Residential Road Planning which remove excessive standards for residential roads to suit more closely the needs of local residents.

- d) Access Roads - A truncation of 4.24 metres is also generally suitable for this category of road subject to agreement from the local government. A truncation dimension of less than 4.24 metres may be acceptable with the agreement of the local government and servicing authorities.

These truncation standards apply generally to intersections that meet at 90 degrees. More acute or obtuse angles and the need for channelisation and/or traffic control measures may require variation.

3.7.4 To improve vehicle access and safety of private streets which may be required in established areas, a 2.8 metre truncation (2m x 2m) may be required where two private streets intersect or where a private street intersects with a public street. In these circumstances truncations may be required as a condition of subdivision/amalgamation or development in accordance with clause 3.7.2 of this section.

3.7.5 It is recognised that some roads in established urban areas may not clearly fit within the road categories of the functional road classification system. In addition the functional road classification system, except for the primary and district distributor road categories, does not apply to non-residential areas (e.g. in industrial, commercial and rural areas). In these two situations a truncation of no less than 8.48 metres is generally required unless the local government agrees to a reduced truncation.

3.7.6 The truncation requirements of this policy may be reduced or deleted in established areas in order to retain significant aspects of heritage value or streetscape. This is subject to the authority responsible for the category of road being satisfied that:

- adequate sight distances are provided at the intersection where no regulatory traffic control devices are installed; or
- where regulatory traffic control devices are installed at the intersection, these are adequate to enable safe vehicle movements.