

# LUP 3 – Road Access to New Development Policy

## 1 Policy

The granting of approval for the development of land (and the subsequent construction of that development) that at the time does not have constructed road access is not a sign of commitment by the Shire that such access will be constructed. Prospective purchasers of land need to take this policy into account when contemplating the purchase of land that has either no gazetted road access or the fronting gazetted road is not constructed.

There are numerous existing lots in the Shire either without frontage to a gazette road or only with frontage to an unconstructed road. Current practice by the Shire is to advise owners of land without legal access that the provision of access to their land is not a Shire responsibility and they are to make arrangements with adjacent land owners (rights of carriageway, etc) or Department of Environment and Conservation (where access through State Forest is required) to formalise their access arrangements. Where the land fronts an unconstructed road the practice is to advise those land owners that if the road is not identified on a road construction program there is no commitment by the Shire to construct the road and construction of a dwelling will not bind the Shire into fast tracking inclusion of the road on future road construction programs.

Based on the above, Planning Approval for outbuildings or single dwellings is not withheld on the grounds of the subject land having inadequate access. It is up to the applicants to satisfy themselves that their access is appropriate. However where proposals for non-residential development such as holiday accommodation or other tourist related development (including bed & breakfast accommodation) are received, planning approval may be withheld if satisfactory evidence of legal access can not be provided. This may require upgrading of the road by the affected land owner if in the opinion of the Shire its existing construction is inadequate to cater for the expected increase in traffic volume generated by the new development. Alternatively, where no road frontage is available it may require the creation of a formal right of carriageway across adjoining private property or the agreement of Department of Environment and Conservation where access through State Forest either currently exists or is proposed.

## 2 Applicable Legislation and Documents

<b>Act</b>	Part 5 <i>Planning and Development Act 2005</i> – Local planning schemes s.6.7.1 Shire of Bridgetown-Greenbushes Town Planning Scheme 3 and s 7.6.1 Shire of Bridgetown-Greenbushes Town Planning Scheme 4 – In order to assist in the implementation of the Scheme, the Council may make Town Planning Scheme Policies relating to one or more of the aspects of the control of development and land use.
<b>Regulation</b>	N/A
<b>Local Law</b>	N/A
<b>Shire Policies</b>	N/A
<b>Related Documents</b>	N/A

Related Procedure	N/A
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### 3 Administration

Original Adoption Date	24 July 1992
Last Reviewed	26 November 2020
Scheduled Reviewed Date	30 June 2023