

Developer contributions not required for Margaret River Perimeter Road

28 May 2020

2 min. read

Worthwhile read for: Developers, Town Planners

[main roads](#) / [wa](#) / [western australia](#)

HopgoodGanim welcomes the decision of the WA Minister for Planning on 27 May to refuse approval of Amendment No. 36 to the Shire of Margaret River Local Planning Scheme No. 1. Under Amendment No. 36, the Shire of Margaret River had called for developers in the proposed East Margaret River development area to make developer contributions for the construction of the Margaret River Perimeter Road (**the bypass**). The bypass diverts traffic and, in particular, heavy haulage from travelling through the main street of Margaret River town centre. It was funded by the WA State Government, constructed by Main Roads WA in two stages and completed in 2019.

The Minister refused the amendment after determining the principle purpose for construction of the bypass was to divert heavy haulage traffic away from the Margaret River town centre. The Minister noted that while *“some use of the Perimeter Road can be attributed to the proposed East Margaret River development area, the need for the Perimeter Road primarily arises from regional traffic demand”*.

In refusing the amendment, the Minister stated that draft State Planning Policy 3.6 (which provides a framework for infrastructure contributions) was seriously entertained and that the contributions sought by the Shire were inconsistent with the draft policy. Under the draft policy, a need and nexus for the infrastructure needed to be established between the development and the proposed infrastructure and contributions need to be equally distributed between identified stakeholders. As the primary purpose of the bypass was to divert traffic from the town centre, the Minister found that an adequate nexus and need had not been established between the bypass and the proposed East Margaret River development area and further, the contributions were not equally distributed between the stakeholders and therefore the draft policy did not apply.

If you would like further information about developer contributions or the draft State Planning Policy 3.6, please contact our [Planning and Development](#) team.

28 May 2020

[main roads](#) / [wa](#) / [western australia](#)

[Previous article](#) [Next article](#)