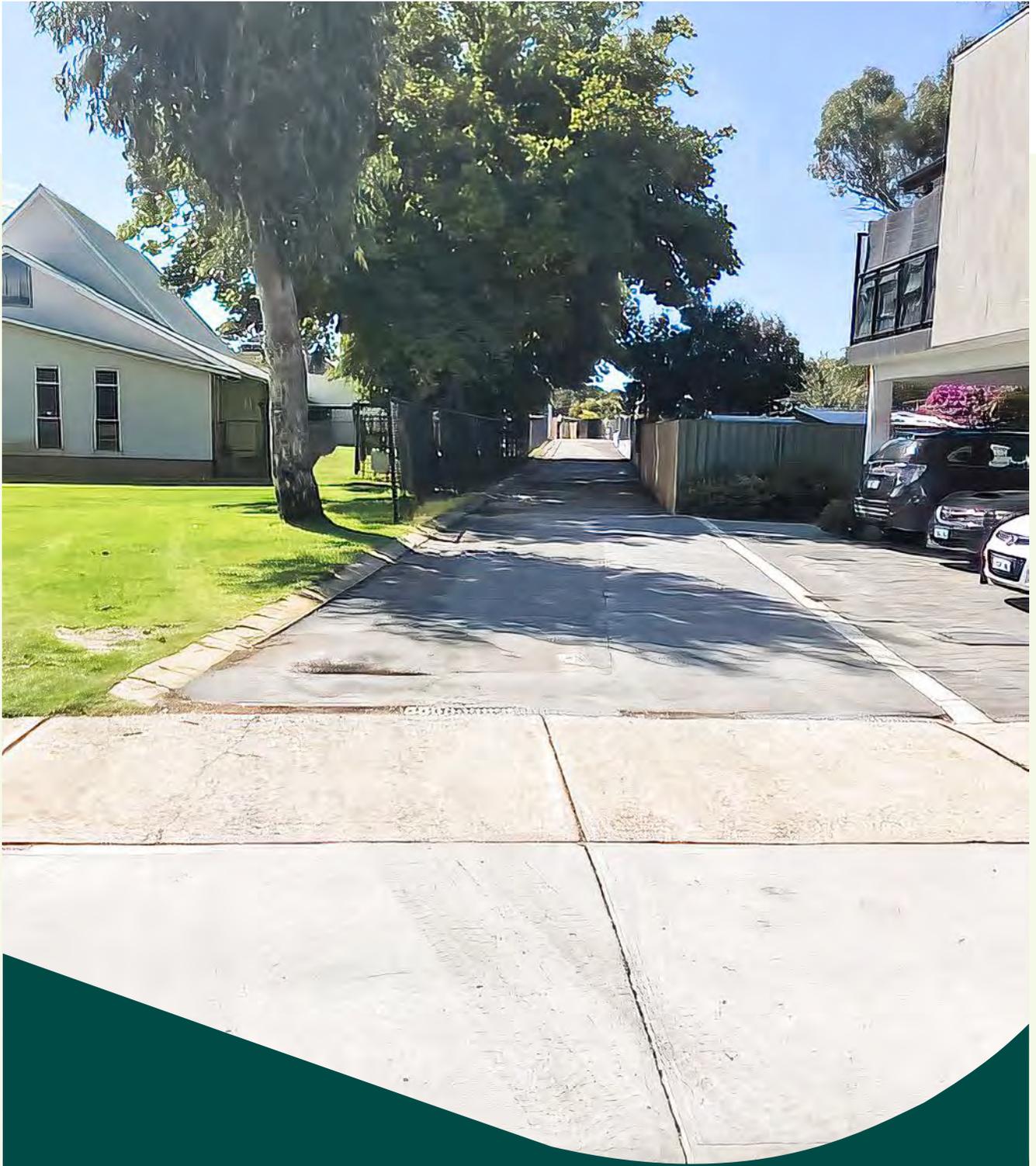


Rights of Way Strategy

March 2022





HOME BY THE SWAN

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1.0 Introduction



Rights of Way (ROW) are parcels of land that were originally created to facilitate sanitary collection at the rear of properties prior to reticulated sewerage.

ROWs generally remained in the ownership of the original subdivider after the lots were sold, and the ROWs on a Certificate of Title can still be registered against a deceased person or defunct company. In many cases, the ownership of the private ROWs is unclear and assumed to the Town. Consequently, many issues have arisen which predominantly affect residents adjacent the ROWs as follows:

- Overgrown vegetation and fire risk;
- Vandalism and antisocial behavior;
- Reduced amenity;
- Illegal dumping and storage of materials; and
- Overall lack of management of ROWs, including fencing disputes.

Within the Town, there are 22 ROWs (made up of 29 individual parcels), with a total length of 4.9km. A list of each of the ROWs is contained as Attachment 2.

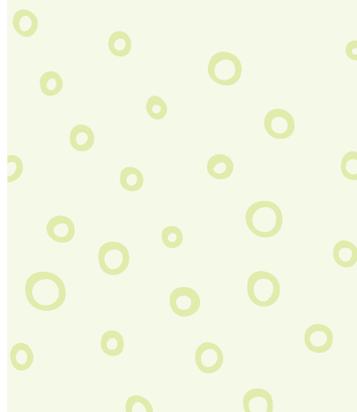
Ownership of ROWs throughout the Town is highly fragmented. Despite the majority of ROWs being privately owned, tenure and management responsibility confusion have led to some being in poor condition, creating social and amenity issues. The community increasingly views these ROWs as public and look to the Town to resolve such issues. The placement of important utilities, such as water and sewerage infrastructure further complicates their usage and management.

This ROW Strategy has been prepared to determine the ongoing use and management of ROWs within the Town based on the size, condition, tenure, access arrangements, usage, service infrastructure and safety.

It has been formulated with regard to the Town's vision to create a more sustainable community both in terms of housing diversity and asset management. The objectives that help to guide the focus of this review are detailed on the right.

The objectives of the Strategy are:

- To provide a coordinated strategy to guide future decision-making in relation to ROW closures and upgrades;
- Maximise the use of ROWs, including providing access for infill developments where appropriate to reduce crossovers to local roads;
- Ensure ROWs that contribute to a permeable street network are retained;
- Identify ROWs that are appropriate for closure based on limited benefits to the wider community;
- Identify opportunities to improve passive surveillance and safety within ROWs;
- To rationalise the land tenure of all ROWs;
- To provide a framework for landowners to financially contribute to the capital cost of upgrading their abutting ROWs; and
- To inform a ROW specific Local Planning Policy.





2.0 Context and Background

2.1 Types of ROWs

This Strategy deals with two different types of ROWs; being (i) public or Crown ROWs and (ii) Private ROWs.

Crown ROWs were created by the Minister for Lands under the *Land Act 1933* or earlier legislation. Under the *Land Administration Act 1997*, Crown ROWs have the same meaning as 'roads', which are defined as:

“being land dedicated at common law or reserved, declared or otherwise dedicated under an Act as an alley, bridge, court, lane, road, street, throughfare or yard to the passage of pedestrians or vehicles or both.”

They are not subject to private access rights in favour of adjoining landowners under section 167A of the *Transfer of Land Act 1893*.

Private ROWs are effectively a private road, which under the *Land Administration Act 1997*, is defined as:

“an alley, court, lane, road, street, throughfare or yard on alienated land, or a right of way created under section 167A(1) of the Transfer of Land Act 1893, which –

- is not dedicated, whether under a written law or at common law, to use as such by the public; and*
- is shown on a plan or diagram deposited in an instrument lodged with the Registrar,*

and which –

- forms a common access to land, or premises, separately occupied; or*
- once formed or was part of a common access to land, or premises, separately occupied, but no longer does so; or*

- is accessible from an alley, court, lane, road, street, throughfare, yard or public place that is dedicated, whether under a written law or at common law, to use as such by the public; or*
- once was, but is no longer, accessible from an alley, court lane, road, street, throughfare, yard or public place that was dedicated, whether under a written law or at common law, to use as such by the public”.*

A private road is freehold land over which persons have a right of entry and access to from adjoining properties. This right of access may or may not be subject to terms and conditions.

2.2 Ongoing Use

Despite the current problems associated with ROWs, it is recognised that some ROWs have the potential to offer strategic benefits to the wider community, including:

- Alternative vehicle access, reducing traffic onto major roads and reducing the need for crossovers;
- Reducing dependence on 'battle-axe' style subdivisions;
- Providing alternative access in the case of emergencies;
- Retention of existing dwellings as 3–4m vehicle access to the side of the property is not required where alternative access is available;
- Infill development, including alternative housing typologies with direct access from the ROW; and
- Increase security via upgrades to laneways.

3.0 Strategic Alignment

3.1 Strategy Community Plan 2020–2030

This Strategy addresses the Community’s Vision for the future and specifically the following Priority Areas contained within the Town’s *Strategic Community Plan 2020–2030*:

Priority Area 1: Strengthening and Connecting our Community

Direction	Potential Strategies	What Success Looks Like
Creating an environment where people feel welcome and safe	<ul style="list-style-type: none"> • Create public spaces and transport routes that encourage people to linger, interact and enjoy (including evening use) • Encourage the adoption of a collective responsibility towards safety 	<ul style="list-style-type: none"> • Increased use of public transport by different demographics • Increased active transport by different demographics • Reduced antisocial incidents

Priority Area 3: Creating a Vibrant Town and Precincts

Direction	Potential Strategies	What Success Looks Like
Support the town centre to thrive	<ul style="list-style-type: none"> • Advocate for economic growth of our Bassendean town centre • Engage potential government and private sector development partners to realise opportunities within the Town of Bassendean 	<p>LONG TERM</p> <ul style="list-style-type: none"> • Increased number of developments within the town centre • Increased population within the Town • Improved retention of existing businesses • Increased number and retention of new businesses • Increased local employment
Increase the residential population close to centres and train stations	<ul style="list-style-type: none"> • Ensure planning and development strategies and policies align with the desire to focus future development around centres and train stations 	<p>LONG TERM</p> <ul style="list-style-type: none"> • Meet obligations under State population targets • Appropriately located development • Increased dwelling numbers and diversity of dwelling types • Enhanced quality of development outcomes



Priority Area 4: Driving Financial Suitability

Direction	Potential Strategies	What Success Looks Like
Ensure there is sufficient, effective and sustainable use of assets	<ul style="list-style-type: none"> Assess assets (including review of portfolio, landholdings and facility condition, use and capacity) to optimise and rationalise Ensure financial planning has a long-term outlook and a focus on land asset rationalisation 	<p>SHORT TERM</p> <ul style="list-style-type: none"> All Town-owned buildings increased in their utilisation Defined position and strategy of when buildings need renewal <p>LONG TERM</p> <ul style="list-style-type: none"> Consolidated infrastructure footprint Enhanced sustainability footprint Clear indications of whole-of-life costs
Ensure community facilities are accessible to and well utilised by a diverse range of community members	<ul style="list-style-type: none"> Community Infrastructure Strategy (use of community spaces, shared or individual hubs, appropriate number of facilities) Leasing, Licensing and Hiring Strategy 	<p>SHORT TERM</p> <ul style="list-style-type: none"> Increased use of facilities Increased shared use of spaces/diversity of use

3.2 One Planet Living

This Strategy aligns with the One Planet Living framework, specifically aligning with the following principles:

Goal	Principle	Alignment
Health and happiness	<ul style="list-style-type: none"> Encouraging active, social, meaningful lives to promote good health and wellbeing 	<ul style="list-style-type: none"> Use of ROWs provides an alternative path of travel, supporting pedestrian movements.
Equity and local economy	<ul style="list-style-type: none"> Creating safe, equitable places to live and work which support local prosperity and international fair trade 	<ul style="list-style-type: none"> Maintaining, upgrading or closing ROWs can assist in rectifying antisocial behaviour that is commonly associated with ROWs. Effective use of the ROWs will support a diverse dwelling typology.



4.0 Planning and Policy Context

The provision and development of the Strategy has been informed by the following legislation, strategies, policies, and position and guidance statements:

4.1 Strategic Framework

Document	Details	Alignment
<i>Perth & Peel @3.5million</i>	<ul style="list-style-type: none"><i>Perth and Peel @ 3.5 Million</i> is the overarching report to the <i>South Metropolitan Peel Sub Regional Planning Framework</i> informed by the key principles of <i>Directions 2031</i>	<p>The Strategy aligns with the following principles:</p> <ul style="list-style-type: none">The provision of infill development in contributing to housing diversity and affordabilityPromoting shared infrastructure corridors for transport, community, social and service infrastructureThe provision of land use development and mutually compatible infrastructureEfficient use and value-add of existing and planned service and social infrastructure



4.2 Statutory Framework

Document	Details	Alignment
<i>Planning and Development Act 2005</i>	<ul style="list-style-type: none"> An Act to provide for a system of land use planning and development in the State and for related purposes 	<ul style="list-style-type: none"> Enables land to be vested to the Crown for the purpose of a ROW through conditions in a subdivision approval and sets the provisions to widen ROWs (ss. 152, 168)
<i>Land Administration Act 1997</i>	<ul style="list-style-type: none"> An Act to provide a system for the dealings with Crown land including the compulsory acquisition of land 	<ul style="list-style-type: none"> Provides the legal mechanisms to close a ROW, dedicate a ROW to become public roads or acquire ROWs as Crown Reserves (ss. 52, 56)
<i>Transfer of Land Act 1893</i>	<ul style="list-style-type: none"> The statute governing the registration in WA of titles to Freehold land and dealings with those titles 	<ul style="list-style-type: none"> Determines the rights of landowners that abut ROWs (s. 167a)
<i>Local Government Act 1995</i>	<ul style="list-style-type: none"> An Act to provide for a system of local government in WA 	<ul style="list-style-type: none"> Provides the premise for the Council to prepare the Activities and Trading in <i>Thoroughfares and Public Places Local Law 2010</i> (applies only to public ROWs) and the <i>Parking Local Law 2019</i> that regulates parking in ROW.
<i>Planning and Development (Local Planning Schemes) Regulations 2015</i>	<ul style="list-style-type: none"> Regulations made under the <i>Planning and Development Act 2005</i> that cover local planning schemes and local planning strategies. 	<ul style="list-style-type: none"> An objective of this Strategy is to create a ROW specific Local Planning Policy to implement the future development standards of subdivision and development applications for properties abutting ROWs. This Local Planning Policy will be made under Schedule 2 of the Regulations.

4.3 Policy Framework

Document	Details	Alignment
<i>State Planning Policy 7.0 – Design of the Built Environment</i>	<ul style="list-style-type: none"> • <i>State Planning Policy 7.0 (SPP 7) – Design of the Built Environment</i> sets out the objectives, measures, principles and processes which apply to the design and assessment of built environment proposals through the planning system 	<ul style="list-style-type: none"> • The Strategy aligns with the following SPP 7 design principles: • Functionality and build quality: good design meets the needs of users efficiently and effectively, balancing functional requirements to perform well and deliver optimum benefit over the full life-cycle • Legibility: good design results in buildings and places that are legible, with clear connections and easily identifiable elements to help people find their way around • Safety: good design optimises safety and security, minimising the risk of personal harm and supporting safe behaviour and use
<i>Liveable Neighbourhoods</i>	<ul style="list-style-type: none"> • <i>Liveable Neighbourhoods (LN)</i> is a Western Australian Planning Commission (WAPC) operational policy for the design of urban development. LN applies to structure planning in greenfield areas and brownfield development in urban infill areas, and includes requirements for laneways 	<ul style="list-style-type: none"> • Provides the design criteria for laneways (effectively ROWs) which has been incorporated into the design criteria of this Strategy where ROWs are to be retained/ upgraded
<i>Planning Bulletin No. 33</i>	<ul style="list-style-type: none"> • A WAPC bulletin establishing the practice and procedures regarding residential and commercial development and subdivision adjoining existing ROWs 	<ul style="list-style-type: none"> • Outlines the WAPC’s stance on a range of matters and issues associated with ROWs including landowner rights, design standards and processes for local government to undertake ROW redevelopments
<i>Designing Out Crime Planning Guidelines</i>	<ul style="list-style-type: none"> • The designing out crime planning guidelines are intended to provide local government, government agencies, town centre management, the development industry and planning and design practitioners with an understanding of the principles of designing out crime 	<ul style="list-style-type: none"> • The recommendations of this ROW Strategy aligns with the principles of designing out crime, specifically those around: <ul style="list-style-type: none"> – Surveillance – Territorial reinforcement – Management and maintenance – Urban structure – Building design, including boundary definition – Lighting – Sight lines and way finding – Predictable routes and spaces safe from entrapment



5.0 Consultation

The Town liaised with relevant service and state agencies to inform the recommendations contained within the Strategy, with that preliminary summarised below:

5.1 ATCO Gas

ATCO Gas provided high level comments indicating that it has infrastructure existing in some of the ROWs, with some positioned alongside other utilities. Dial Before You Dig (DBYD) revealed these are generally servicing pits, located in 21 ROWs, as well as some ROWs being in close proximity to high pressure gas pipes. ATCO Gas has indicated that its preference is to have the subject ROWs dedicated into roads to enable the design and installation of its infrastructure.

5.2 Department of Fire and Emergency Services

The Department of Fire and Emergency Services (DFES) have indicated that it is not aware of any DFES owned infrastructure in the ROWs. None of the ROWs are situated in designated bushfire prone areas in accordance with the *Fire and Emergency Services Act 1998*. Some ROWs granted a limited number of dwellings primary vehicle access—expected to increase in the future, consistent with infill development. DFES requested that ROWs that provide primary vehicle access are to be upgraded to a public road standard to ensure DFES primary emergency vehicle access.

5.3 NBN Co.

DBYD analysis revealed three ROWs that had NBN Co. infrastructure (cables) intersecting the ROW. NBN Co. was provided the opportunity to comment, however no response was received. NBN Co. will be consulted prior to any works on these three ROWs.

5.4 Telstra

DBYD analysis revealed four ROWs that had Telstra infrastructure (cables) intersecting the ROW. Telstra was provided the opportunity to comment, however no response was received. Telstra will be consulted prior to any works on these four ROWs.

5.5 Water Corporation

A variety of Water Corporation assets existed within the ROWs including wastewater, water supply and drainage. There were 19 ROWs with existing wastewater (sewerage) assets. The Water Corporation generally requires easements over the parcel of land to protect sewerage infrastructure. In some cases, easements already exist over the sewerage infrastructure. Relocation of sewerage infrastructure is at the developer's expense and is optional in cases where easements will not satisfy the need of the development.

There were six ROWs with existing drainage assets and the Water Corporation objects to closures or relocations where drainage infrastructure exists.

No ROWs had existing water supply assets. If a ROW is closed, the portion with Water Corporation water supply assets would need to be rezoned to Public Purposes Reserve and vested to the Town, or easements placed over the land to ensure access to the infrastructure in perpetuity.

5.6 Western Power

Western Power directed the Town to their Clearance Assessment Mapping Tool, which indicated that none of the Western Power clearance zones (that applies to the existing electrical infrastructure network) were located within any of the ROWs. The intersection of the ROW entry/exit with the road reserve/street network were the only instances where the ROWs were in proximity to the clearance zones.

The DBYD analysis revealed three ROWs that had either a low voltage cable or are within very close proximity to a power pole. Western Power recommends consulting with their engineering experts case by case where it is suspected that development will encroach on electrical assets.



5.7 Department of Planning, Lands and Heritage

In accordance with the WAPC's *Planning Bulletin 33/2017*, the Town must formally notify the Department of Planning, Lands and Heritage (DPLH) of ROW reviews, Strategy and any ROW specific local planning policies. The Town has notified DPLH of the ROW Strategy accordingly.

The Department has confirmed that it would consider supporting the dedication of ROWs less than 6 metres wide. The Department further advised that dedication of ROWs less than 5 metres would be subject to individual investigations following advice from the Land Use Planning Division team within the Department and would potentially require measures to counter the narrow width such as one way access and passing lanes.

The Department also advised that it would not support the widening of ROWs beyond the 6 metres prescribed in the WAPC's *Planning Bulletin 33/2017 – Rights-of-Way or Laneways in Established Areas*, unless the requirement forms part of WAPC endorsed Local Planning Strategy. It should be noted that the Town's ROW Strategy does not intend to do this.

The Strategy will be used to inform recommendations and advice to the WAPC on future subdivision applications.



The Town liaised with relevant service and state agencies to inform the recommendations contained within the Strategy...

6.0 Analysis and Findings

This study identified 22 ROWs (a total of 4.9km) in the Town's jurisdiction (Attachment 2). Some ROWs were made up of multiple parcels of land, with a total of 29 individual parcels of land identified as being part of a ROW. ROW characteristics, tenure and service infrastructure were identified via:

- Land tenure investigations via mapping, Certificates of Title searches and State Records documents;
- On-site inspections of the existing conditions of the ROWs;
- Dial before you dig (DBYD) desktop analysis;
- Preliminary feedback from service agencies;
- Physical site inspections; aerial imaging analysis; and
- Liaising with the Department of Planning, Land and Heritage (DPLH), service agencies and Landgate (as set out in Section 5.0)

Physical site inspections were undertaken for each ROW, which were evaluated based on size (length and width), surface material and condition, tenure, access arrangements, use, service infrastructure assets and safety. In assessing each ROW (particularly whether it should remain open or be closed), each ROW was assessed as to whether it:

- Abuts lots that also have access to a Primary or Other Regional Road under the Metropolitan Region Scheme;
- Provides rear access to narrow lots with limited street frontage;
- Is constructed;
- Provides the only means of vehicle access to an approved garage or carport;
- Has the potential either now or in the future to be used to facilitate the development of infill dwellings at the rear of existing residences.

The results of the assessments for each individual ROW are contained in Attachment 1 and further discussed in the following sections. The following sections present a summary of the outcomes of the investigations of the ROWs.

6.1 Tenure

The following is the land tenure of the 22 ROWs within the Town:

14 are privately owned, 12 of which are deceased estates (with 10 of those held by the same deceased estate); and

Eight are in public tenure by the Town, the State of WA, or the Water Corporation.

In respect to the 10 held in the same deceased estate, the Department of Lands has confirmed that the probate search undertaken for these ROWs will be sufficient to meet the requirements of section 52(3)(a)(i) of the *Land Administration Act 1997*, which requires all reasonable steps being taken to give notice to the owner of the land prior to dealings with the land.

As part of this Strategy, it will be recommended that actions be taken to ensure no ROWs remain held in deceased estates, so as to rectify the current confusion around ROW management responsibility. Recommendations are contained within the Strategy to either close these ROWs, dedicate them as public roads or amalgamate the portions of ROW into adjacent lots.

6.2 Size

In accordance with policy requirements, the optimum width for ROWs is 6.0m, which enables sufficient width for safe vehicle maneuverability from a garage/carport at right angles into the ROW, and safe bicycle and pedestrian access arrangements.

Whilst many existing ROWs meet the preferred width, others are as narrow as 3.0m and some only have portions of the ROW that are 6.0m. Whilst all retained ROWs could potentially be widened to 6.0m, this Strategy does not recommend that approach, but rather, that any detailed upgrade incorporate, if necessary, alternative pedestrian access arrangements, increased setbacks of garages and carports and one-way traffic.

6.3 Surface Material and Condition

The most common surface material in the ROWs was soil and/or grass, with some displaying evidence of neglect and overgrown grass. Some portions of ROWs had established crossovers or portions that had been bitumenised. The constructed portions showed signs of cracking and being in generally poor condition. A limited number of ROWs were comprised of high quality bitumenised portions, being sealed, kerbed and drained.

Where recommended for upgrades, ROWs will need to be upgraded to the Town's specifications. A coordinated approach to upgrades is recommended to avoid ad hoc upgrades of sections of ROWs. Wholly acquiring the required portions of ROW via ceding of land at the subdivision/development stage is therefore recommended before upgrades occur. This will optimise the asset management of the ROW.

6.4 Access and Connectivity

12 ROWs provide a connection from one public road to another with the other 10 not providing such a through-route. In those cases, there is limited opportunity to provide an improved through-connection due to existing subdivision and development pattern.

14 ROWs provided direct (primary or secondary) vehicle access to lots and associated dwellings; evidenced by existing garages/carports as well as tyre-tracks. In addition 9 ROWs had pedestrian access gates located within them.

It is considered that ROWs with two separate access points to the broader road network offer reduced opportunity for antisocial and unauthorised activity as the ROW would function as more thoroughfare than those ROWs that have a single access point. As such, the ROWs that have good connectivity are generally favoured for retention and upgrading (if required) whereas those with poor connectivity are generally favoured for closure.

6.5 Service Infrastructure Assets

An overview of the service level infrastructure within each ROW is contained in Section 9.0 of this strategy. ROWs recommended for upgrade generally displayed no service infrastructure that is entirely prohibitive of future development. Where closures or upgrading are recommended, the Town will liaise directly with the service provider through the closure/upgraded processes to determine appropriate means of asset access/protection.

6.6 Antisocial and unauthorised activity

In many cases the ROWs are not maintained and although a high proportion are in private ownership, they have still been prone to antisocial behaviour. Evidence of antisocial and/or unauthorised activity in the ROWs included:

- Graffiti;
- Littering;
- Illegal parking and vehicle access arrangements;
- Illegal private usage (ie. unauthorised fencing off of the land); and
- Illegal dumping and storage it is not clear if these activities are undertaken by the abutting residents or the wider public)

Due to non-permeable fencing, adjoining landowners also have minimal surveillance onto the ROWs, further enabling antisocial and unauthorised activity. Increasing surveillance onto the ROWs will increase public safety and encourage optimal usage.

6.7 Housing Opportunities

Where ROWs are created as public roads, the Town will be able to investigate the opportunity to enable alternative housing on lots abutting ROWs, subject to appropriate design criteria and access from the ROWs. This matter could potentially be formalised via separate amendments to the local planning scheme and the establishment of area specific local planning policies, if required.

7.0 Strategy Options

For each ROW, there are broadly two options, being to close the ROW or to retain it. For the latter, there is the subsequent option of upgrading so as to offer an improved level of service and functionality. These are discussed in the following sections.

7.1 Closure

In proceeding with the closure of a ROW, the following are matters that are required to be addressed:

- Agreement between landowners for the acquisition and amalgamation of the portion of ROW into adjoining properties;
- Arrangements being made to protect or relocate any public services located within the ROW;
- Reasonable objections by adjacent property owners and occupants of properties served by the ROW being satisfactorily addressed; and
- Comments raised by service agencies being addressed.

Section 52 of the *Land Administration Act 1997* provides the premise for a local government to request the Minister for Lands to acquire certain land as Crown land. Following acquisition, the land can then be disposed of via sale to adjacent landowners and subsequent amalgamation of the relevant portion of ROW into the adjacent lot. The process is summarised below:

1. The local government must provide notice to the current owner, the adjoining landowners and all utility providers and provide them with a sketch plan showing the proposed future disposition of the subject land after it has been acquired.
2. The local government must advertise the proposal and invite submissions for a period of not less than 30 days.
3. The local government must provide the Minister for Lands with:
 - written confirmation that Council has resolved to make the request;
 - justification as to why the local government proposes to acquire the ROW;
 - a sketch plan showing the proposed

future disposition of the subject land after it has been acquired;

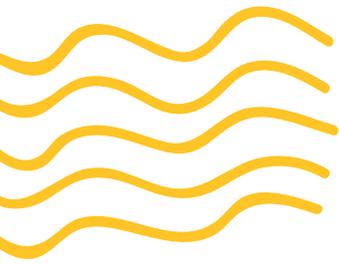
- any submissions occurring through the advertising period, including local government commentary on such submissions; and
 - written advice that the local government has taken all reasonable steps to identify the current holder of the freehold estate.
4. The Valuer-General determines the value of the land. Should the purchaser/s disagree with the value, an independent valuation of the land can be obtained by the purchaser/s.
 5. If and when the purchaser/s accepts the offer, a land transaction is made from the Crown to the purchaser.
 6. The land is amalgamated into one or more adjoining lots with any easements required by service being provided on the deposited plan.

7.2 Retention

7.2.1 Dedication Process

Retaining ROWs requires them to be dedicated as public roads where applicable. Section 56 of the *Land Administration Act 1997* provides the local government the ability to request the Minister for Lands dedicate ROWs as a public road. Dedication of land as a road can occur in the following instances:

- The land is reserved or acquired for use by the public, or is used by the public, as a road under the care, control and management of the local government.
- In the case of land comprising a private road constructed and maintained to the satisfaction of the local government –
 - the holder of the freehold in that land



applies to the local government, requesting it to do so; or

– a request is made by either:

- a) all of the owners with rateable property abutting the ROW; or
 - b) the owners from over half the sum of the rateable value of the properties abutting the ROW.
- The land comprises a private road of which the public has had uninterrupted use for a period of not less than 10 years, and that land is described in a plan of survey, sketch plan or document.

The process is summarised below:

1. The local government must provide notice to the current owner (if in private ownership), the adjoining landowners and all utility providers.
2. The local government must advertise the proposal and invite submissions for a period of not less than 30 days.
3. The Town is to prepare and deliver a request to the Minister for Lands. The local government must provide the Minister with:
 - written confirmation that Council has resolved to make the request;
 - sufficient information in a plan of survey or sketch plan;
 - a copy of the application of the request to the local government (if applicable);
 - written confirmation that the ROW has been had uninterrupted use for a period of 10 years or more, including the sections of the public that have used it and a description of how the ROW is constructed (if applicable); and
 - any submissions occurring through the advertising period, including local government commentary on such submissions.

7.2.2 Upgrading of ROWs

To ensure ROWs are suitable for vehicle use, some require upgrading to ensure a trafficable surface is provided to an appropriate standard, which includes such elements as drainage, kerbing, marking and lighting.

A coordinated approach to upgrades is recommended to avoid piecemeal upgrades of sections of ROWs and associated ongoing assessment management issues. It is therefore recommended that the Town prepare the engineering designs for the upgrades.

Whilst it is open to Council to wholly fund the upgrades from municipal funds, the Town can seek contributions towards the cost of upgrading the ROWs from adjacent landowners via conditions of subdivision or development approval, where a relevant need and nexus is demonstrated between the proposed development and the upgrades.

Detailed cost estimates for the works based on the Town's engineering designs can be used to form the basis of any financial contributions via subdivision/development conditions, with these estimates updated annually to reflect cost changes and included in Council's adopted Schedule of Fees & Charges.

Given the cost implications associated with upgrading ROWs and benefits generally only experienced by those abutting landowners, this Strategy recommends that funds are sourced from developer contributions before undertaking the necessary upgrades, in lieu of pre-funding the works via municipal funds. Where substantial development has already occurred abutting ROWs, the Town cannot retrospectively seek contributions from adjacent landowners and in these instances, municipal funds will be required for portions of the upgrades.

7.2.3 Access Restriction

Where the ROW is in public ownership or dedicated as a public road, access to the ROW can be obstructed via gates or bollards to restrict public access. This may be an appropriate action to prevent anti-social behaviour and illegal dumping where the ROW is unable to be formally closed due to service infrastructure or lack of agreement between adjoining owners to purchase the land.



7.3 Local Planning Policy

It is open to Council to develop a new Local Planning Policy (LPP) in accordance with Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. Such a policy could support the objectives of the strategy by addressing relevant planning matters as follows.

- Provide a clear and coordinated approach to the management of ROWs in the Town;
- Prescribe the Council design standards for development and subdivision that abuts a ROW;
- Facilitate sufficient access from ROWs, including the use of building setbacks for swept paths for vehicles;
- Support a greater diversity of dwelling typology in the Town through alternative pedestrian and vehicle access arrangements;
- Promote high quality urban design by diverting vehicles off street frontages via rear access arrangements; and
- Utilise the currently underutilised ROW assets in the town and give them their own unique ROW streetscapes sympathetic to the local environment.

A LPP dealing with ROW-related matters will also form part of the statutory basis for imposing conditions requiring financial contributions to the cost of upgrading the ROW to a suitable standard (i.e. trafficable surface, drainage, lighting etc.).

8.0 Conclusion

The Town has a diversity of ROWs that present an opportunity to deliver an integrated transport and housing typology network. The audit and review of the statutory framework contained within this Strategy has outlined some of the key issues associated with ROWs and approaches that can be used to facilitate effective management of individual ROWs. The actions of this Strategy support a long-term approach to the ongoing use and/or upgrades to ROWs for better connectivity and safety within the Town, or closure where required.

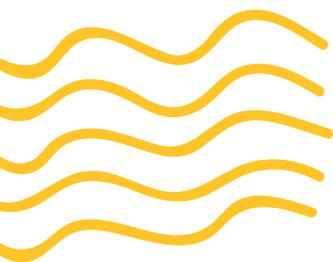
Progression of the actions recommended within the Strategy will provide appropriate guidance for the design of and development abutting ROWs.

The findings of this Strategy recommended that some ROWs be retained as is, some be retained and upgraded and some be closed.

9.0 Strategy Recommendations

9.1 General

Action No.	Action	Timeframe	Responsibility
1	Prepare engineering drawings for ROWs identified for upgrading in section 9.2.	Short	Town
2	Upgrade ROWs that have been identified for upgrading in section 9.2.	Medium	Town
3	Progress the closure of ROWs that have been identified for closure in section 9.2.	Medium	Town/DPLH
4	Prepare a ROW-specific local planning policy to guide subdivision/development abutting ROWs as well as to providing a means of collecting contributions towards ROW upgrades at the subdivision/development stage.	Short	Town
5	Incorporate Crime Prevention Through Environmental Design (CPTED) principles for the development of the ROWs and abutting development.	Ongoing	Town
6	Investigate the merits of an amendment to the local planning scheme for alternative housing typologies abutting ROWs.	Long	Town/WAPC
7	Prepare easements where required to facilitate the ongoing retention and protection of service infrastructure where ROWs containing infrastructure are proposed for closure.	Long	Town/Service Authorities





9.2 ROW-specific

Row No.	Location	Recommendation
ROW1	Lot 60: lot bounded by Walter Road East (north), First Avenue (east), Anzac Terrace (south) and Ivanhoe Street (west)	Retain subject to future planning investigation areas
ROW2	Lot 61: lot bounded by Walter Road East (north), Second Avenue (east), Anzac Terrace (south) and First Avenue (west)	Upgrade
ROW3A	Lot 62: lot bounded by Anzac Terrace (north), First Avenue (east), Railway Parade (south) and Ivanhoe Street (west)	Upgrade
ROW3B	Lot 53: lot bounded by Anzac Terrace (north), First Avenue (east), Railway Parade (south) and Ivanhoe Street (west)	Upgrade
ROW4	Lot 63: lot bounded by Anzac Terrace (north), Second Avenue (east), Railway Parade (south) and First Avenue (west)	Retain subject to future planning investigation areas
ROW5	Lot 54: lot bounded by Broadway (north), Iolanthe Street (east), Scaddan Street (south) and Penzance Street (west)	Partial retention from 62 Scaddan Street westwards and closure of the balance
ROW6	Lot 503: bounded by Broadway (north), Ida Street (east), Scaddan Street (south) and Iolanthe Street (west)	Closure
ROW7	Lot 52: bounded by Broadway (north), Railway Parade (east), Scaddan Street (south) and Ida Street (west)	Retain and partial upgrade
ROW8	Lot 100: bounded by Kathleen Street (east), Palmerston Street (south) and Guildford Road (west)	Retain as is
ROW9	Lot 100: bounded by Guildford Road (north), Kenny Street (east), Palmerston Street (south) and Kathleen Street (west)	Retain as is
ROW10	Lot 66: bounded by Old Perth Road/ Guildford Road (north), Parker Street (east) and Palmerston Street (south)	Closure
ROW11	Lot 66: bounded by Old Perth Road (north), Wilson Street (east), Palmerston (south) and Parker Street (west)	Closure
ROW12	Lot 251: bounded by Old Perth Road (north), Rosetta Street (east), Devon Road (south) and West Road (west)	Retain and undertake minor repair

Row No.	Location	Recommendation
ROW13	Lot 67: bounded by Old Perth Road (north), Briggs Street (east), Devon Road (south) and Rosetta Street (west)	Retain and upgrade
ROW14	Lot 66: bounded by Guildford Road (north), Geraldine Street (east), Cyril Street (south) and Shackleton Street (west)	Retain and undertake minor repair
ROW15	Lot 33: bounded by Palmerston Street (north), Parker Street (east), Bridson Street (south) and Kenny Street (west)	Closure
ROW16	Lot 108: bounded by Guildford Road (north), Shackleton Street (east), Cyril Street (south) and Chapman Street (west)	Upgrade and Bollard Installation at Guildford Rd Intersection
ROW17A	Lot 108: bounded by Cyril Street (north), Chapman Street (east), Cyril Street (south) and Fisher Street (west)	Retain and upgrade
ROW17B	Lot 50: bounded by Cyril Street (north), Chapman Street (east) Reid Street (south) and Fisher Street (west)	Retain (not dealt with by Town)
ROW18	Lot 56: bounded by Shackleton Street (north), Kathleen Street (east), Chapman Street (south), Eileen Street (west)	Retain and upgrade
ROW19	Lot 50: bounded by Bridson Street (north), Hatton Court (east), Chapman Street (south) and Kenny Street (west)	Closure
ROW20	Lot 13656: enclosed into Hatton Court	Retention as road reserve and local open space
ROW21A&B	Lot 7497 & 500: bounded by Guildford Road (north), French Street (east), Maidos Street (south) and Pearson Street (west)	Retain and upgrade
ROW22A&B	Lot 133 & 500: bounded by Guildford Road (north), Colstoun Road (east), Maidos Street (south) and French Street (west)	Retain and upgrade

Attachment 1 ROW Assessments

The findings of this Strategy recommended that some ROWs be retained as is, some be retained and upgraded and some be closed.



ROW1			
Location	Lot 60: lot bounded by Walter Road East (north), First Avenue (east), Anzac Terrace (south) and Ivanhoe Street (west)		
Tenure	Deceased estate	Volume/Folio	436/88
Zoning	R20/40 - Residential	Plan	P002813 60
Proposed Future Zoning	R20 – Residential & Drainage		
Adjoining Zoning	R20/40 – Residential & Public purposes (drainage) (LPS) Urban & Other regional roads (MRS)		
Photograph			
Length	453m		
Width	4m		
Area	1,821m ²		
Materials	40m of sealed, constructed road on the northern side. The remainder is unconstructed vegetation with established trees.		
Condition	Constructed road section in good condition, vegetation is overgrown (up to 0.5m) in some sections.		
Infrastructure	1 ATCO Gas servicing pit, NBN cable intersection, Town drainage pipes, WC open drain adjoining & drainage and sewerage infrastructure running south from open drain.		
Connectivity	Obstructed by gates put in to section off a WC open drain.		
Recommendation			
Retain subject to future planning investigation areas	<p>This ROW has good connectivity to the road network, providing five dwellings with primary vehicle access off Walter Road East in addition to secondary vehicle access off Anzac Terrace. The southern portion also has approved structures with the only access off the ROW. It is recommended that only the northern 40m be retained and the southern 75m portion upgraded.</p> <p>The presence of a WC open drain intersecting the ROW, in addition to drainage and sewerage pipes within, presents a development obstruction for the entire ROW to be upgraded to the required 6.0m width, as the current width is non-conductive to upgrades.</p>		

ROW2			
Location	Lot 61: lot bounded by Walter Road East (north), Second Avenue (east), Anzac Terrace (south) and First Avenue (west)		
Tenure	Deceased estate	Volume/Folio	436/88
Zoning	R20/40 - Residential	Plan	P002813 61
Proposed Future Zoning	R20 – Residential		
Adjoining Zoning	R20/40 – Residential (LPS) Urban & Other regional roads (MRS)		
Photograph			
Length	436m		
Width	4m		
Area	1,822m ²		
Materials	Unconstructed & vegetated		
Condition	Extensively overgrown vegetation with sections grown up to 1m high.		
Infrastructure	1 ATCO Gas servicing pit & WC sewerage infrastructure.		
Connectivity	Unobstructed (permanently), however existing vegetation comprises a temporary accessibility barrier.		
Recommendation			
Upgrade	Although there is significant overgrown vegetation in this ROW, there is no permanent development obstruction. The ROW has good connectivity to the street network, provides one dwelling with primary vehicle access, in addition to multiple others with secondary vehicle access.		

ROW3A			
Location	Lot 62: lot bounded by Anzac Terrace (north), First Avenue (east), Railway Parade (south) and Ivanhoe Street (west)		
Tenure	Deceased estate	Volume/Folio	436/88
Zoning	R20/40 - Residential	Plan	P002813 62
Proposed Future Zoning	R20, R40, R60 & R100 – Residential, Private Clubs & Institutions and Place of Worship		
Adjoining Zoning	R20/40 – Residential (LPS) Urban (MRS)		
Photograph			
Length	410m		
Width	4m		
Area	1,616m ²		
Materials	44m constructed sealed road on the southern side, unconstructed sand/ grass with one bitumen crossover on the northern side.		
Condition	Constructed section in good condition, minor cracks on crossover & sparse grass/weed coverage on the northern side. General gradual slope downward from south to north.		
Infrastructure	WC drainage and sewerage infrastructure at northern end, WC sewerage infrastructure southern end.		
Connectivity	Unobstructed.		
Recommendation			
Upgrade	The ROW has unobstructed access to the street network and through its connection to ROW3B, facilitates primary vehicle access to three dwellings. There are no development obstructions.		

ROW3B			
Location	Lot 53: lot bounded by Anzac Terrace (north), First Avenue (east), Railway Parade (south) and Ivanhoe Street (west)		
Tenure	Deceased estate	Volume/Folio	1,791/537
Zoning	R20/40 - Residential	Plan	P003262 53
Proposed Future Zoning	R20, R60 & R100 – Residential & Mixed Use		
Adjoining Zoning	R20/40 – Residential (LPS) Urban (MRS)		
Photograph			
Length	102m		
Width	4m		
Area	496m ²		
Materials	Sealed constructed road.		
Condition	Good condition with an isolated area of damage. Level road sloping east to west with a cross fall south to north.		
Infrastructure	WC sewerage infrastructure.		
Connectivity	Unobstructed.		
Recommendation			
Upgrade	The ROW has good connectivity to the road network and provides primary vehicle access to three dwellings, in addition to secondary pedestrian access to an adjoining childcare centre. There are no development obstructions.		

ROW4			
Location	Lot 63: lot bounded by Anzac Terrace (north), Second Avenue (east), Railway Parade (south) and First Avenue (west)		
Tenure	Deceased estate	Volume/Folio	436/88
Zoning	R20/40 - Residential	Plan	P002813 63
Proposed Future Zoning	R20 & R60 – Residential		
Adjoining Zoning	R20/40 – Residential (LPS) Urban (MRS)		
Photograph			
Length	375 m		
Width	4 m		
Area	1,614 m ²		
Materials	Majority is unconstructed with areas of informal construction.		
Condition	Informal construction sections are moderately degraded, unconstructed sections have sparse grass and weed coverage.		
Infrastructure	1 ATCO Gas servicing pit & WC sewerage infrastructure, drainage infrastructure intersects horizontally.		
Connectivity	Obstructed.		
Recommendation			
Retain subject to future planning investigation areas	<p>Approximately 170m in the northern portion of ROW 4 has been illegally fenced off. One property has raised an adverse possession claim.</p> <p>There are multiple abutting properties with garage/carport structures approved from the Town, that rely on the southern portion of the ROW for access. Further, the ROW is within 400m of the Bassendean train station, which under the Town's Draft Local Planning Strategy, is well located to facilitated transit orientated development. Upgrades can also ensure anti-social behaviour is mitigated, through increased passive surveillance, lighting and incorporation of Crime Presentation Through Environmental Design (CPTED) principles within the ROW specific local planning policy.</p>		

ROW5			
Location	Lot 54: lot bounded by Broadway (north), Iolanthe Street (east), Scaddan Street (south) and Penzance Street (west)		
Tenure	Deceased estate	Volume/Folio	436/88
Zoning	R20 - Residential	Plan	P003262 54
Proposed Future Zoning	R20 – Residential		
Adjoining Zoning	R20 – Residential (LPS) Urban (MRS)		
Photograph			
Length	201m		
Width	5m		
Area	1,011m ²		
Materials	Unconstructed vegetation.		
Condition	Moderate grass/ weed coverage. Minor downwards slope from west to east.		
Infrastructure	1 ATCO Gas servicing pit & WC sewerage infrastructure.		
Connectivity	Unobstructed.		
Recommendation			
Partial retention from 62 Scaddan Street westwards and closure of the balance	<p>ROW 5 sits outside the 400m trigger point for transit orientated development. The Draft Local Planning Strategy proposes to retain lower densities in the suburb areas. The development potential of 13 out of the 20 abutting lots has been fulfilled at the R20 coding. There are no proposed changes to the coding of these lots proposed under the Draft Local Planning Scheme No. 11, or in the near future. Therefore, there is limited opportunity to put conditions on future subdivisions.</p> <p>There is currently one property using ROW 5 for rear caravan access. The Strategy recommends that the formal closure of ROW 5 be delayed until this property redevelops.</p>		

ROW6			
Location	Lot 503: bounded by Broadway (north), Ida Street (east), Scaddan Street (south) and Iolanthe Street (west)		
Tenure	Deceased estate	Volume/Folio	436/88
Zoning	R20/40 - Residential	Plan	P073906 503
Proposed Future Zoning	R20 – Residential		
Adjoining Zoning	R20/40 – Residential (LPS) Urban (MRS)		
Photograph			
Length	40m		
Width	5m		
Area	200m ²		
Materials	Unconstructed vegetation.		
Condition	Moderate grass/ weed coverage.		
Infrastructure	WC sewerage infrastructure & close proximity to an ATCO Gas high pressure pipeline.		
Connectivity	Obstructed.		
Recommendation			
Close	The ROW has poor connectivity to the road network and development obstructions that prevent future connectivity prospects. The only current use is for secondary pedestrian access. The width is non-conducive to upgrades.		

ROW7			
Location	Lot 52: bounded by Broadway (north), Railway Parade (east), Scaddan Street (south) and Ida Street (west)		
Tenure	Deceased estate	Volume/Folio	436/88
Zoning	R20/40 - Residential	Plan	P003262 52
Proposed Future Zoning	R60 – Residential & Public Purposes		
Adjoining Zoning	R20/40 – Residential (LPS) Urban (MRS)		
Photograph			
Length	215m		
Width	5m		
Area	1,087m ²		
Materials	2 short sections (~15m) constructed, sealed and drained road, with the remainder unconstructed showing sand and vegetation.		
Condition	Constructed segments in excellent condition, moderate grass/ weed coverage on the unconstructed portions with minor undulations/ corrugations due to vehicle traffic.		
Infrastructure	WC sewerage infrastructure & close proximity to an ATCO Gas high pressure pipeline.		
Connectivity	Unobstructed.		
Recommendation			
Partial Upgrade & Partial Retention	This ROW has a good connection to the transport network, connected to Railway Parade, providing primary vehicle access to three dwellings and experiencing an additional high volume of traffic displayed through tyre marks on the unconstructed portions. There are no development obstructions.		

ROW8			
Location	Lot 100: bounded by Kathleen Street (east), Palmerston Street (south) and Guildford Road (west)		
Tenure	Deceased estate	Volume/Folio	408/119
Zoning	R20 - Residential	Plan	P054415 100
Proposed Future Zoning	R20 & R100 – Residential		
Adjoining Zoning	R20/30; R20 – Residential (LPS) Urban (MRS)		
Photograph			
Length	89m		
Width	5m		
Area	478m ²		
Materials	Constructed sealed road with partial kerbing.		
Condition	Good condition with isolated areas of degradation, sparse weeds at edges.		
Infrastructure	1 ATCO Gas servicing pit, WC sewerage infrastructure & NBN Co. cable intersecting at the south west.		
Connectivity	Unobstructed.		
Recommendation			
Retain	This ROW has a good connection to the transport network, having a state road number and providing primary vehicle access to six dwellings and secondary vehicle access to others abutting the ROW, including a commercial workshop. The areas of degradation should be monitored with works triggered if it worsens.		

ROW9			
Location	Lot 100: bounded by Guildford Road (north), Kenny Street (east), Palmerston Street (south) and Kathleen Street (west)		
Tenure	Deceased estate	Volume/Folio	408/119
Zoning	R20 - Residential	Plan	P054415 100
Proposed Future Zoning	R20, R40 & R100 – Residential		
Adjoining Zoning	R20; R40 – Residential (LPS) Urban (MRS)		
Photograph			
Length	123m		
Width	5m		
Area	626m ²		
Materials	Constructed sealed road with kerbing.		
Condition	Good condition with minor weeds/ grass on the edges.		
Infrastructure	1 ATCO Gas servicing pit, NBN Co. cable intersecting the southern section, Telstra cables intersecting the southern section.		
Connectivity	Obstructed.		
Recommendation			
Retain	This ROW is an obscure shape and has poor connectivity to the transport network, with the only entrance at Kathleen Street. The ROW provides an important function of providing 10 dwellings with primary vehicle access. The ROW has a significant amount of service infrastructure within it.		

ROW10			
Location	Lot 66: bounded by Old Perth Road/ Guildford Road (north), Parker Street (east) and Palmerston Street (south)		
Tenure	Private ownership	Volume/Folio	1637/657
Zoning	DA2 – Local shopping	Plan	D007094 66
Proposed Future Zoning	R100 – Residential & Town Centre		
Adjoining Zoning	DA2 – Local shopping (LPS) Urban (MRS)		
Photograph			
Length	40m		
Width	3m		
Area	122m ²		
Materials	Partial informal road construction.		
Condition	Poor condition, showing moderate undulations from surface degradation with a general downward slope from east to west.		
Infrastructure	1 ATCO Gas servicing pit & WC sewerage infrastructure.		
Connectivity	Obstructed.		
Recommendation			
Close	This ROW has poor connectivity with the only access off Parker Street. It provides vehicle access to the rear of the commercial buildings along Old Perth Road. The ROW is in poor condition, small and has development obstructions adjacent that prevent future connectivity to the road network.		

ROW11			
Location	Lot 66: bounded by Old Perth Road (north), Wilson Street (east), Palmerston (south) and Parker Street (west)		
Tenure	Private ownership	Volume/Folio	1220/295
Zoning	DA2 – Local shopping	Plan	D023783 66
Proposed Future Zoning	Town Centre		
Adjoining Zoning	DA2 – Local shopping (LPS) Urban (MRS)		
Photograph			
Length	17m		
Width	3m		
Area	54m ²		
Materials	Paved red brick.		
Condition	Moderate condition, kerbing slightly cracked with moderate grass and weeds growing through the bricks.		
Infrastructure	1 ATCO Gas servicing pit.		
Connectivity	Unobstructed.		
Recommendation			
Close	This ROW has poor connectivity with the only access off Wilson Street. It has bollards which prevent any vehicle access or parking. It is an extension of the adjoining footpath and commercial building. There is no useful community development potential.		

ROW12			
Location	Lot 251: bounded by Old Perth Road (north), Rosetta Street (east), Devon Road (south) and West Road (west)		
Tenure	State of WA	Volume/Folio	4/47
Zoning	R20 - Residential	Plan	P057132 251
Proposed Future Zoning	R20 & R100 – Residential		
Adjoining Zoning	R20 - Residential (LPS) Urban (MRS)		
Photograph			
Length	33m		
Width	3m		
Area	66m ²		
Materials	Constructed sealed road with kerbing.		
Condition	Good condition with one isolated pothole.		
Infrastructure	1 ATCO Gas servicing pit & WC sewerage infrastructure.		
Connectivity	Obstructed.		
Recommendation			
Retain	<p>This ROW has poor connectivity with the only access off Rosetta Street and current development obstructing future road connectivity prospects, however provides primary vehicle access to one dwelling, in addition to secondary vehicle access to a commercial parking area. The ROW is also flagged as providing primary vehicle access to a proposed high density (R100) residential area in the future.</p> <p>The ROW is in good condition, with only one isolated pothole at the intersection of the ROW with Rosetta Street. The Town will rectify this damage.</p>		

ROW13			
Location	Lot 67: bounded by Old Perth Road (north), Briggs Street (east), Devon Road (south) and Rosetta Street (west)		
Tenure	Deceased estate	Volume/Folio	4/47
Zoning	R20 - Residential	Plan	P001599 67
Proposed Future Zoning	R60 – Residential		
Adjoining Zoning	R20 - Residential (LPS) Urban (MRS)		
Photograph			
Length	22m		
Width	3m		
Area	66m ²		
Materials	Unconstructed vegetation.		
Condition	Moderate grass coverage.		
Infrastructure	1 ATCO Gas servicing pit, WC sewerage infrastructure & WP low voltage cable intersecting west portion.		
Connectivity	Obstructed.		
Recommendation			
Upgrade	<p>This ROW has poor connectivity with the only access off Rosetta Street and current development obstructing future road connectivity prospects. Although this ROW only provides primary vehicle access to one dwelling, it has been flagged as providing primary vehicle access to a proposed high density (R60) residential area in the future. Given the ROW displays undulations from frequent vehicle access on an unconstructed surface, it will need to be upgraded to support predicted high vehicle traffic.</p>		

ROW14			
Location	Lot 66: bounded by Guildford Road (north), Geraldine Street (east), Cyril Street (south) and Shackleton Street (west)		
Tenure	Deceased estate	Volume/Folio	465/146
Zoning	R20 - Residential	Plan	P002792 66
Proposed Future Zoning	R20 - Residential		
Adjoining Zoning	R20 - Residential (LPS) Urban (MRS)		
Photograph			
Length	173m		
Width	5m		
Area	848m ²		
Materials	Constructed sealed road.		
Condition	Moderate condition. Areas of cracking and potholing present with evidence of patch working works having been completed before. Weed growth on edges.		
Infrastructure	Close proximity to medium/ high pressure ATCO Gas pipe & WC sewerage infrastructure.		
Connectivity	Unobstructed.		
Recommendation			
Retain	This ROW has good connectivity to the road network and has a state road number. The ROW provides primary vehicle access to 15 dwellings. The cracking and potholing should be monitored and upgraded if further degradation occurs.		

ROW15			
Location	Lot 33: bounded by Palmerston Street (north), Parker Street (east), Bridson Street (south) and Kenny Street (west)		
Tenure	Water Corporation	Volume/Folio	1079/961
Zoning	R20 - Residential	Plan	P005964 33
Proposed Future Zoning	R20 – Residential		
Adjoining Zoning	R20 - Residential (LPS) Urban (MRS)		
Photograph			
Length	218 m		
Width	3 m		
Area	676m ²		
Materials	15m partial construction in the southeast corner with the remainder unconstructed vegetation.		
Condition	The concrete section is aged but in relatively good condition.		
Infrastructure	1 ATCO Gas servicing pit & WC sewerage infrastructure.		
Connectivity	Obstructed.		
Recommendation			
Close	<p>This ROW has poor connectivity to the road network due to properties illegally fencing off portions adjoining their property boundaries for private use. The fragmentation is a development obstruction. The ROW is owned by WC with an existing easement.</p> <p>WC should be consulted with respect to ongoing ownership, or whether WC is supportive of disposal to the adjoining landowners, given it is mostly encapsulated into adjacent properties.</p>		

ROW16			
Location	Lot 108: bounded by Guildford Road (north), Shackleton Street (east), Cyril Street (south) and Chapman Street (west)		
Tenure	Town of Bassendean	Volume/Folio	1711/578
Zoning	R20 - Residential	Plan	P043232
Proposed Future Zoning	R20 – Residential		
Adjoining Zoning	R20/30 - Residential (LPS) Urban & Primary Regional Road (MRS)		
Photograph			
Length	96 m		
Width	6m		
Area	580m ²		
Materials	Unconstructed vegetation.		
Condition	Mulch and grass coverage with moderate grass and weed coverage.		
Infrastructure	1 ATCO Gas servicing pit, close proximity to high pressure pipes & WC sewerage & drainage infrastructure.		
Connectivity	Unobstructed.		
Recommendation			
Upgrade and Bollard Installation at Guildford Rd Intersection	<p>Two structures (identified through the public submissions) approved by the Town have ROW 16 as their sole access. Additionally, one property that has their driveway onto Guildford Road uses the ROW for vehicle access to Cyril Street to avoid direct access onto Guildford Road. Guildford Road is a primary regional road. Acknowledging this, vehicle access points to Guildford Road should be limited in accordance with the State Planning Framework. The connectivity of the ROW to Guildford Road is therefore not considered to be safe. Bollard installation at the ROW 16/Guildford Road intersection is therefore recommended.</p> <p>Additionally, the width of ROW 16 is already conducive to upgrades.</p>		

ROW17A			
Location	Lot 108: bounded by Cyril Street (north), Chapman Street (east), Cyril Street (south) and Fisher Street (west)		
Tenure	Town of Bassendean	Volume/Folio	1711/578
Zoning	R20 - Residential	Plan	P043232 108
Proposed Future Zoning	R20 – Residential		
Adjoining Zoning	R20/30 - Residential (LPS) Urban & Public purposes (high school) (MRS)		
Photograph			
Length	347m		
Width	6m		
Area	2,096m ²		
Materials	Unconstructed vegetation.		
Condition	Extensive grass and weed coverage.		
Infrastructure	1 ATCO Gas servicing pit & WC sewerage infrastructure.		
Connectivity	Unobstructed.		
Recommendation			
Upgrade	<p>This ROW has good connectivity to the road network and runs adjacent to the Cyril Jackson Senior High School and property residential boundary. The ROW appears to be currently unused and has the potential to provide an alternative access point for surrounding dwellings. The width is conducive to upgrades.</p> <p>The ROW will potentially require an easement prior to upgrades.</p>		

ROW17B			
Location	Lot 50: bounded by Cyril Street (north), Chapman Street (east), Reid Street (south) and Fisher Street (west)		
Tenure	Water Corporation	Volume/Folio	1711/578
Zoning	R20 – Public purposes (high school)	Plan	P054419 50
Proposed Future Zoning	R20 – Drainage		
Adjoining Zoning	R20 – Public purposes (high school & drainage) (LPS) Public purposes (high school) (MRS)		
Photograph			
Length	494m		
Width	3m		
Area	1,521m ²		
Materials	Unconstructed vegetation.		
Condition	Grass coverage from oval.		
Infrastructure	1 ATCO Gas servicing pit, WC sewerage & WP power pole intersecting.		
Connectivity	Unobstructed.		
Recommendation			
Retain	<p>This ROW has good connectivity to the road network, however its sole purpose is to provide vehicle access to the Cyril Jackson Senior High School oval. The ROW is owned by WC with an existing easement.</p> <p>Given this ROW is encapsulated within the Education Department, the Town will not address this ROW (retain as-is for now) and allow WC and the Education Department to proceed with their deemed appropriate course of action.</p>		

ROW18			
Location	Lot 56: bounded by Shackleton Street (north), Kathleen Street (east), Chapman Street (south), Eileen Street (west)		
Tenure	Deceased estate	Volume/Folio	1002/31
Zoning	R20 – Residential	Plan	P046646 56
Proposed Future Zoning	R20 – Residential & Drainage		
Adjoining Zoning	R20 – Residential & Public purposes (drainage) (LPS) Urban (MRS)		
Photograph			
Length	80 m		
Width	6 m		
Area	497m ²		
Materials	Unconstructed vegetation.		
Condition	Moderate grass and sand coverage.		
Infrastructure	1 ATCO Gas servicing pit, NBN Co. cable intersecting east and west of sections, Telstra cable intersecting east and west sections, WC sewerage & adjoins the Chapman St North Comp Basin.		
Connectivity	Unobstructed		
Recommendation			
Upgrade	<p>This ROW has good connectivity to the road network and appears to be currently unused. The width is conducive to upgrades. There is a significant amount of service authority infrastructure located in this ROW.</p> <p>The ROW will potentially require an easement prior to upgrades.</p>		

ROW19			
Location	Lot 50: bounded by Bridson Street (north), Hatton Court (east), Chapman Street (south) and Kenny Street (west)		
Tenure	Water Corporation	Volume/Folio	1002/31
Zoning	R25 – Residential	Plan	P046646 56
Proposed Future Zoning	R20 – Residential		
Adjoining Zoning	R20 & R25 – Residential (LPS) Urban (MRS)		
Photograph			
Length	59m		
Width	3m		
Area	178m ²		
Materials	Unconstructed vegetation.		
Condition	Moderate grass and sand coverage.		
Infrastructure	1 ATCO Gas servicing pit & WC sewerage infrastructure.		
Connectivity	Obstructed.		
Recommendation			
Close	<p>This ROW has poor connectivity to the road network and is completely obstructed by current development. Adjoining landowners have illegally fenced off portions adjoining their property boundaries for private use. The width is not conducive to upgrades. WC already appear to have created an easement over the ROW.</p> <p>WC should be liaised with to determine if it would like to retain ownership, or dispose of to the adjoining land owners, given it is completely fenced off.</p>		

ROW20			
Location	Lot 13656: enclosed into Hatton Court		
Tenure	State of WA	Volume/Folio	1658/40
Zoning	R20 – Residential	Plan	P194939 13656
Proposed Future Zoning	R20 – Residential & Parks and Recreation		
Adjoining Zoning	R20 & R25 – Residential (LPS) Urban (MRS)		
Photograph			
Length	88 m		
Width	8–16 m		
Area	914 m ²		
Materials	Partially constructed Hatton Court spur, with unconstructed vegetation for the remainder.		
Condition	Constructed road is in good condition, grass coverage on unconstructed.		
Infrastructure	1 ATCO Gas servicing pit, ATCO Gas offline service line, NBN Co. cables intersecting south, Telstra cables intersecting south, WC sewerage infrastructure, WP high voltage cable.		
Connectivity	Obstructed.		
Recommendation			
Retention as road reserve and local open space	Part of this ROW is a registered road with a state road number. The ROW has poor connectivity to the wider transport network, with only access off Hatton Court. The ROW provides primary vehicle access for two dwellings. The unconstructed portion intersects Hatton Court Reserve. There is evidence of vehicles using the unconstructed portion. The width is conducive to upgrades. There is ample service infrastructure located within the ROW.		

ROW21A & 21B			
Location	Lot 7497 & 500: bounded by Guildford Road (north), French Street (east), Maidos Street (south) and Pearson Street (west)		
Tenure	State of WA & Town of Bassendean	Volume/Folio	LR3151/612; 2648/556
Zoning	R20 – Residential	Plan	R 26466; P054385 500
Proposed Future Zoning	R20 – Residential		
Adjoining Zoning	R20 – Residential (LPS) Urban (MRS)		
Photograph			
Length	191m		
Width	8m		
Area	1,536m ²		
Materials	Unconstructed vegetated.		
Condition	Moderate grass and weed growth throughout.		
Infrastructure	2 ATCO Gas servicing pits, within close proximity to an ATCO Gas high pressure pipeline & WC sewerage infrastructure.		
Connectivity	Unobstructed.		
Recommendation			
Upgrade	<p>This ROW has good connectivity to the road network. The width is highly conducive to development and there are no development obstructions. This ROW is made up in-part of a reserve parcel.</p> <p>The ROW will potentially require an easement prior to upgrades.</p>		

ROW22A & 22B			
Location	Lot 133 & 500: bounded by Guildford Road (north), Colstoun Road (east), Maidos Street (south) and French Street (west)		
Tenure	Town of Bassendean	Volume/Folio	1202/448
Zoning	R20 – Residential	Plan	D006229 133; P054385 500
Proposed Future Zoning	R20 & R100 – Residential & Mixed Use		
Adjoining Zoning	R20; R20/30 – Residential & R60 – Local Shopping (LPS) Urban (MRS)		
Photograph			
Length	201m		
Width	8m		
Area	1,627m ²		
Materials	Partial construction in the middle of ROW with unconstructed portions to the west (~80m) and east (~50m).		
Condition	Construction section is in moderate to good condition with cracking noticeable. Moderate grass and weed coverage on the unconstructed portions.		
Infrastructure	3 ATCO Gas servicing pits & WC sewerage infrastructure.		
Connectivity	Unobstructed.		
Recommendation			
Upgrade	<p>This ROW has good connectivity to the road network. The width is highly conducive to development and there are no development obstructions.</p> <p>The ROW will potentially require an easement prior to upgrades.</p>		

The actions of this Strategy support a long-term approach to the ongoing use and/or upgrades to ROWs for better connectivity and safety within the Town, or closure where required...



Attachment 2

Town of Bassendean ROWs



Town of Bassendean ROWs

