

## 1.19 Public (Pedestrian) Accessway Closure Policy

### Purpose

The purpose of this policy is to:

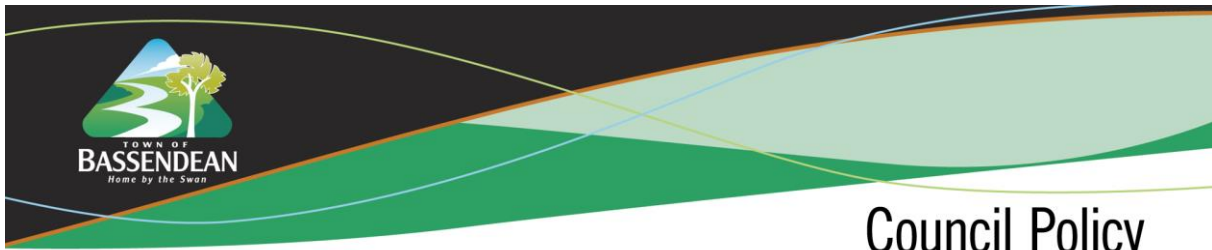
1. State the matters that Council is required to take into consideration when assessing requests to close pedestrian accessways; and
2. Ensure that Council's policy is integrated with the policies of the Western Australian Planning Commission (WAPC) and the Department of Land Administration (DOLA), both of which are involved in pedestrian accessway closure requests.

### Background

Pedestrian accessways have been created as a requirement of the Western Australian Planning Commission (WAPC) as part of the subdivision of land, to provide an alternative means of access between gazetted streets and to make provision for the location of services. Many pedestrian accessways created between the 1970s and 1990s are narrow and have poor surveillance.

There are ongoing requests for the closure of pedestrian accessways on security and amenity grounds. However pedestrian accessways provide cycle and pedestrian accessibility both within neighbourhoods and to local and district facilities, including public transport, schools, shops, parks and community facilities. In considering closure requests a balance needs to be found between resident accessibility to facilities and public transport and security and amenity.

Guidelines for Closure of pedestrian accessways were first developed in consultation with Local Government and adopted by DOLA in 1992. This policy updates closure information and process requirements, and uses information prepared by DOLA as a basis for this. It incorporates a number of changes consequent to contemporary planning (eg, the "Liveable Neighbourhoods" project of WAPC), and the new requirement for amalgamation of Crown and freehold land to be referred to the WAPC for approval. It encourages a higher level of consideration of broader planning issues, and wider consultation with affected parties.



This policy applies to all requests to close pedestrian accessways within the Town of Bassendean.

The policy will also be used in any pedestrian accessway closure requests referred to Council for comment from neighbouring Councils.

### **Relationship to the Western Australian Planning Commission and the Department of Land Administration Policies**

This policy is consistent with Western Australian Planning Commission and the Department of Land Administration policies on the closure of pedestrian accessways.

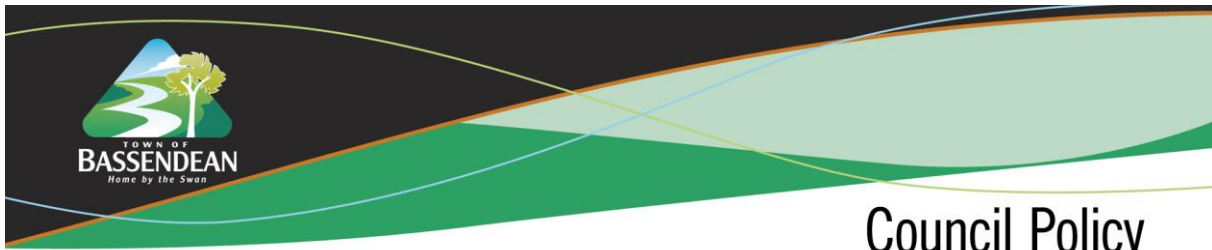
### **Objectives**

Council recognises that pedestrian accessways are frequently an essential component of pedestrian accessibility in the Town. The objective of this policy is to ensure that the closure of pedestrian accessways does not result in the reduction of pedestrian accessibility in the Town.

### **Principles**

Closure of a pedestrian accessways shall not proceed without:

- a) consideration of equity of access, particularly with regard to disability, age and young children;
- b) agreement being reached for either acquisition and inclusion of the subject land in adjoining properties, or for other acceptable land management arrangements;
- c) evidence that arrangements have been made to protect or relocate any public services located within the pedestrian accessway;
- d) evidence that reasonable objections by adjacent property owners and owners and residents of properties served by the pedestrian accessway have been satisfactorily addressed;



- (e) evidence that relevant transport and planning considerations have been taken into account and issues raised by Department for Planning and Infrastructure and other relevant government departments have been properly considered;
- (f) referral to, and preliminary agreement by, the Department for Planning and Infrastructure;
- (g) referral to service agencies; and
- (h) A resolution from Council recommending closure.

Amalgamations of Crown land with adjacent freehold properties must be effected by subdivisional plan, which requires approval by the WAPC. Where the WAPC opposes amalgamation, closure cannot proceed.

As a general principle, each adjoining landowner should have an opportunity to share equally in the land in a closed pedestrian accessway. This principle does not apply where services requiring easements dictate unequal land allocations for good planning reasons.

## **Policy Provisions**

### **Preliminary Assessment**

Each request to initiate closure action of a pedestrian access way shall be reported to Council to enable the Council to decide whether the request should be supported and to allocate a work priority to that request.

### **Initial Assessment**

Where Council decides that a request to initiate closure action of a pedestrian access way should be progressed, Council officers will carry out an assessment of the proposal including:

- a) consideration of the impact of closure of the accessway on local pedestrian/cycle connectivity - that is, the additional distance required to be travelled to get from one end of the pedestrian accessway to the other after closure - as well as the impact on traffic and activity on remaining pedestrian accessways;

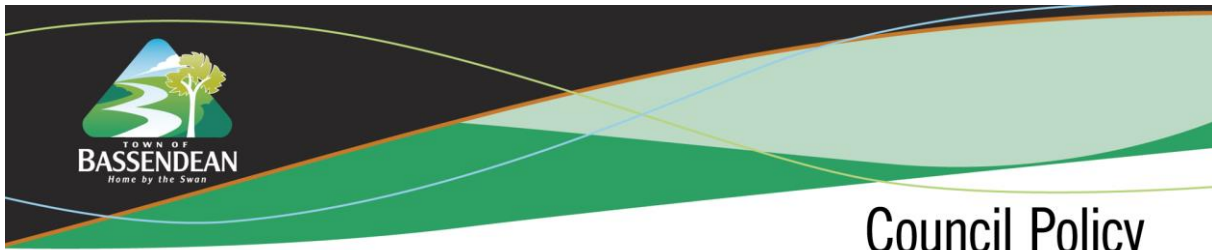
- b) consideration of the impact of closure of the PAW on safe access to neighbourhood and district facilities, including:
- \* schools and other educational facilities,
  - \* shopping facilities,
  - \* parks and recreation facilities,
  - \* community facilities,
  - \* employment,
  - \* public transport services, including bus stops and train stations, and
  - \* aged person and disabled facilities.
- c) consideration of the length of alternative routes and their safety, extent of surveillance, amenity, useability, gradient and convenience of use, especially for the disabled and elderly;
- d) consideration of the role of the pedestrian accessway as part of a wider pedestrian/cycle network or continuous access routes as reflected in any local access plan or in any Local Planning Strategy;
- e) consideration of the crime/social difficulties being experienced by the adjoining landowners. This should be documented and supporting evidence provided;
- f) the views of the adjoining landowners in relation to the pedestrian accessway closure and a general commitment to purchase. The application will not proceed unless the land can be sold or reserved;
- g) assessment of alternatives to PAW closure, including improvements to safety and security, eg, lighting, active graffiti removal where funding is available;

This assessment will be documented in a report which will include a walkability assessment (“ped shed”) analysis, notionally for all affected areas within 400m of neighbourhood facilities (listed above) and bus stops, and for all affected areas within 800 metres of a town centre, rail station, arterial bus route, high/technical school and district open space.

Where the Town proceeds with the closure request, the following actions will occur in parallel:

### **Preparation of Information Report**

An Information report shall be prepared for public inspection during the advertising period that summarises those matters listed above. (An example is given at Appendix 1 to this policy).



## **Placement of Signs**

Signs shall be placed at each end of the pedestrian accessway stating that closure is being considered, that an Information Report outlining issues relating to closure is available for public inspection during the advertising period, and that submissions should be made to Council by a specified date.

## **Advertisement**

An advertisement shall be placed in a community newspaper and an advisory letter will be delivered to residents and/or establishments within the affected area as indicated by the “ped-shed” analysis.

## **Department for Planning & Infrastructure Referral**

Council will provide the DPI with a full copy of the Information Report. Where there is objection from the DPI, the DPI will liaise with Council to afford the DPI a better awareness of local issues, and discussions should occur between the two parties toward achieving resolution.

It should be noted that where the approval of the WAPC cannot be obtained, the closure cannot proceed.

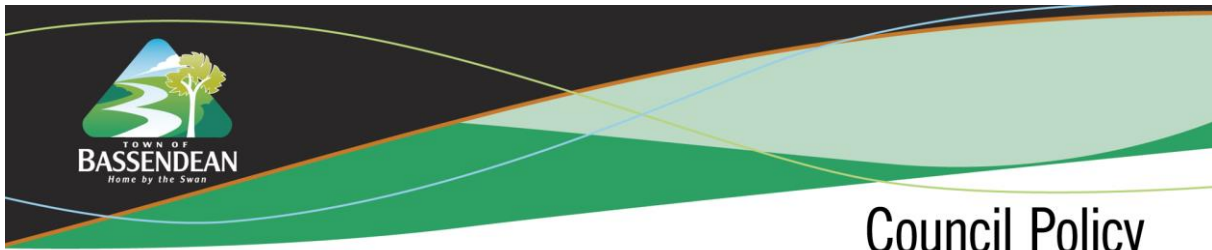
## **Other Referrals**

Comments will be sought from other relevant public authorities and parties including:

- \* Service agencies, with regard to service relocation and easement requirements;
- \* Other Government agencies, where closure will affect access to facilities (eg Department of Education, Disability Services Commission); and
- \* School principals and P&C committees, if a school is likely to be affected by the proposed closure.

## **Purchase and Disposal Arrangements**

During the preliminary stages, Council staff will request DOLA to provide an upfront conditional purchase price based on market values in the absence of service relocation or easement costs, so that the adjoining landowners can be



informed as soon as possible. The purchase price may be reduced depending on the impact of any easements or costs to relocate services.

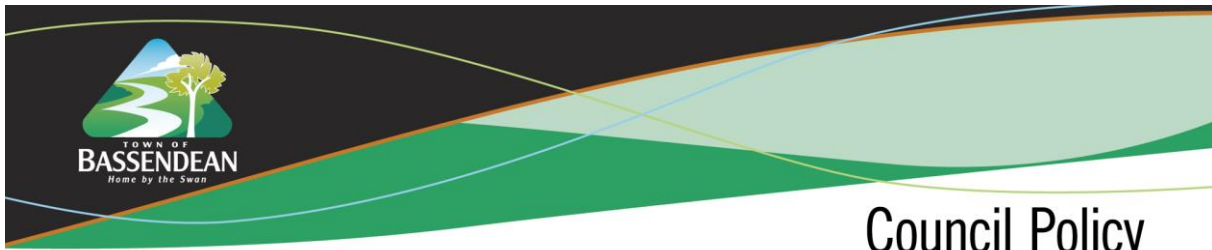
### **Town of Bassendean's Considerations**

In forming its view on a proposed closure; Council will have due regard to:

- a) factors driving the proposed closure, such as anti-social or criminal behaviour;
- b) the impacts of closure as outlined in the Information Report;
- c) the advice of relevant public authorities and parties; and
- d) relevant transport, planning and disabilities policy considerations; in particular, the need to give special consideration to maintain pedestrian links:
  - \* within 800 metres of a town centre, railway station, arterial bus route, high/technical school, and district open space;
  - \* within 400 metres of shops, parks, schools, bus stops, community facilities and aged persons and disabled facilities; and
  - \* where a pedestrian accessway forms a strategic element of Council's pedestrian and cycle network plan as incorporated in the Local Planning Strategy or similar, or in the absence of such a plan/strategy, a pedestrian accessway determined by the DPI or Council to be part of a strategic network.

### **Administration Fee**

Council will charge the applicant a deposit, which will be used to meet closure costs incurred by Council and must be paid prior to Council carrying out its initial assessment. Expenses over and above the deposit will be invoiced to the applicant and must be paid prior to Council's final resolution for closure. Any unused monies shall be returned to the applicant. The amount of the deposit is included in Council's Schedule of Fees and Charges and shall be reviewed annually and updated in relation to the CPI, if necessary.



## **Application Procedure**

### **The applicant shall provide:**

1. Documentary evidence that anti-social or criminal behaviour is occurring as a result of the existence of the pedestrian accessway, and that behaviour cannot be eliminated by other means;
2. A statement from the landowners adjoining the pedestrian accessway that they agree with the proposed land distribution and agree to meet the costs of acquisition, including any relocation of services; and
3. The administration fee.

### **Advice to DOLA and finalisation of Closure**

Council shall confirm its recommendation to DOLA. Where Council's recommendation is to support the closure request DOLA will finalise the matter with the affected landowners.

### **Advice to Adjoining Landowners and Objectors**

Council will advise the adjoining landowners by letter of its recommendation to DOLA in relation to closure. Any objectors shall be advised of Council's recommendation and the reason for it.

## APPENDIX 1

### EXAMPLE OF INFORMATION REPORT

This should also include details of the other matters listed under 'Initial Assessment', eg, access to facilities, alternatives considered, and the views of those adjoining.

#### **REQUEST FOR PAW CLOSURE**

#### **PAW LOCATION (REFER ATTACHED PLAN)**

*Between Smith Street and Jones Road, Placeville.*

#### **LOCAL CONNECTIVITY**

*Additional walking distance from one end of PAW to the other once closed:*

*375 metres using other PAWs*

*450 metres using the street system*

*Will divert pedestrian cycle traffic predominantly to PAWs rather than street system.*

#### **QUALITY OF ALTERNATIVE ROUTES**

*Shortest alternative access also through PAWs with poor surveillance, especially along Walter Park boundary.*

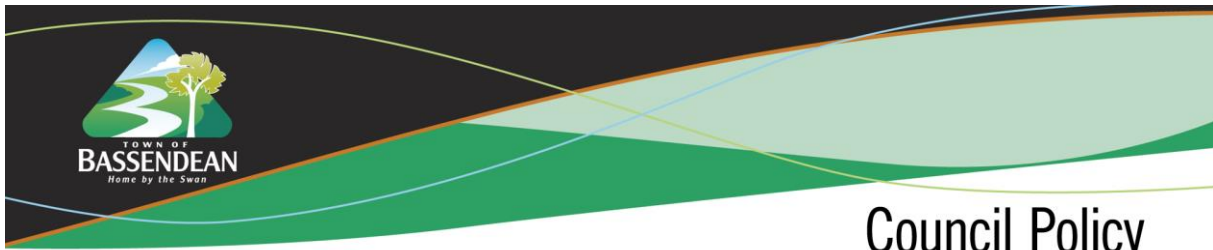
*No footpath on west side of Brown Boulevard.*

*Brown Boulevard route involves steep uphill section heading north.*

#### **IMPACT OF CLOSURE ON ALTERNATIVE ROUTES**

*Closure will increase use of two PAWs in Smith Street to access Walter Park*





# Council Policy

## ACCESS TO FACILITIES

Walter Park (local park) within 400 m of PAW  
 No of houses within 400m walkable access if PAW open: 142  
 No of houses within 400m walkable access if PAW closed: 83  
 % reduction in access: 41%

## RELATIONSHIP TO STRATEGIC CYCLE/ PEDESTRIAN NETWORK

Strategic cycle network on Brown Boulevard  
 PAW shown in Pedestrian Network Plan within Local Planning Strategy as a local route as it serves a local park.

## SOCIAL DIFFICULTIES

Statement attached from landowners regarding anti-social behaviour in PAW.

## Application

Responsibility for the implementation of this policy rests with the Mayor, Councillors, Council delegates and Chief Executive Officer. The Policy is to be reviewed every three years.

<p><b>Policy Type:</b> Strategic Policy</p>	<p><b>Responsible Officer:</b> Chief Executive Officer and Manager Development Services</p>
<p><b>Link to Strategic Community Plan:</b> Town Planning and Built Environment</p>	<p><b>Last Reviewed:</b> March 2014 <b>Version 2</b>  <b>Next Review due by:</b> December 2016</p>