



**POLICY NO. LPP 5.5**

**PEDESTRIAN ACCESSWAYS**

**PURPOSE**

To formalise the City's position on, and approach to dealing with, requests to close Pedestrian Accessways (PAWs).

**POLICY STATEMENT**

**1. APPLICATION OF POLICY**

This Policy applies to all requests to close PAWs that exist within the district.

**2. OBJECTIVES**

The objectives of this Policy are:

- To clarify the City's position on the closure of PAWs.
- To establish criteria to determine whether a closure request should be supported.
- To formalise the City's response to issues of anti-social behaviour within PAWs.

**3. DEFINITIONS**

The following terms are used throughout this Policy:

*Closure* means any works that cause a PAW to no longer function as a pedestrian link, and includes formal closure and/or the implementation of physical barriers.

*Pedestrian Accessway* or *PAW* means a pedestrian link, vested with the Crown under Section 20A of the (then) *Town Planning and Development Act 1928* or Section 152(1)(c) of the *Planning and Development Act 2005*.

**4. ACCOMPANYING INFORMATION**

Applications for approval to close a PAW must be accompanied by the following information:

- (a) Written support for the closure of the PAW from all owner(s) abutting the PAW and written agreement as to how the land is to be divided.
- (b) Written agreement from those wishing to purchase a portion of the PAW that they are prepared to meet all costs associated with the closure, including possible relocation of infrastructure, registration of easements, administration fees, removal of improvements from the PAW and the cost of reinstatement of kerbing.

**5. POLICY**

5.1 The City will only accept requests to close a PAW where they are accompanied by the appropriate application fee.

5.2 The City will not support a proposed closure where:

- (a) The PAW is located within



- a 800m radius of a railway station;
- a 400m radius of an activity centre;
- a 400m radius of a school;
- a 200m radius of a bus stop; and
- a 200m radius of an area of Local Open Space.

or

- (b) The proposed closure of the PAW will result in a longer pedestrian journey from any residence to any railway station, activity centre, school, bus stop or area of Local Open Space. In this regard, reference to a longer pedestrian journey shall not have regard to any temporary barrier (such as a fence) that has previously been implemented, and shall assume the PAW is open for normal use.
- (c) The PAW accommodates essential drainage, sewerage, power, gas and/or telecommunication infrastructure, unless the relevant servicing authority consents to the closure.

- 5.3 An application seeking approval to close a PAW will be advertised to infrastructure providers that have an interest in the PAW, and the community likely to be affected by the closure.
- 5.4 The City will prepare a closure report to be considered by Council. Should Council resolve to proceed with the PAW closure, the matter will be referred to the Department of Planning Lands and Heritage for processing under section 87 of the Land Administration Act 1997.
- 5.5 In the event that the City receives a written complaint regarding the inappropriate use of a PAW, the complainant will be referred to the Western Australian Police, to enable the said behaviour to be reported and investigated.

**GOVERNANCE REFERENCES**

<b>Statutory Compliance</b>	Land Administration Act 1997
<b>Industry Compliance</b>	WAPC's Procedure for the Closure of Pedestrian Access Ways - Planning Guidelines (October 2009)
<b>Organisational Compliance</b>	
<b>Process Links</b>	

**LOCAL PLANNING POLICY ADMINISTRATION**

<b>Directorate</b>		<b>Officer Title</b>		<b>Contact:</b>	
Planning & Development		Manager Future Planning		9397 3000	
<b>Risk Rating</b>	Low	<b>Review Cycle</b>	Triennial	<b>Next Due:</b>	2021
<b>Version</b>	<b>Decision To Advertise</b>	<b>Decision to Adopt</b>		<b>Synopsis</b>	
1.	OCM 279/26/06/2012	OCM 478/09/10/2012		To provide guidance on the assessment of applications proposing the closure of a PAW.	
2.		OCM 201/10/07/2018		New accompanying information section, insert addition clauses 5.3 and 5.4.	
3.					