

Pedestrian Access Ways - Closure



What is a Pedestrian Access Way?

Pedestrian Access Way's (PAW's) have, in the past, been included in certain subdivision plans to facilitate pedestrian access through to areas such as shopping centres, schools, public transport routes or as part of a strategic link to a main road etc. Service authorities such as Water Corporation and Telstra also utilise PAW's as an economical means of linking services from one street to another.

The land contained within a PAW is not owned by the Shire of Kalamunda. It is owned by the Crown and under the control of the Department of Planning and Infrastructure.

Problems associated with Pedestrian Access Ways:

Whilst the theory behind the installation of pedestrian access ways are sound, bearing in mind the subdivision design of the areas in which they are installed, they have in many instances, facilitated social problems for adjoining neighbours who are exposed to noise, littering, vandalism, break-ins and general antisocial behaviour. Newer subdivisions have much wider PAW's where the adjoining houses face towards the laneway therefore providing surveillance of the PAW's.

Closing a Pedestrian Access Way:

Council will maintain PAW's within the Shire of Kalamunda but will consider closure where there is strong community support and if it is satisfied that pedestrian access in the locality will not be adversely affected.

Council will consider closing a PAW where:

- it does not form a strategic neighbourhood link (ie. It is not part of a chain of pedestrian access ways or it does not lead to a school, shop, bus route, park etc). In this respect 'safe routes' identified by local schools should be taken into account as these routes may also contain 'safety houses'.
- Alternate safe access is conveniently available.
- There is evidence of a significant reduction in amenity of those residents abutting the pedestrian access way.
- The whole of the land from the PAW can be sold to and amalgamated with adjoining lots.
- The applicant(s) agree to pay all costs associated with the purchase of the land and relocation/modification to any services as required.
- There are no substantial community objections.

Closure of a PAW generally takes between nine and fifteen months.

Procedure:

Initially a written request must be submitted to the Shire of Kalamunda. This should provide details of the reason for the request and level of support from other adjoining neighbours. Prior to submitting a request please be aware of the information provided in this document.

Once this request is received Council will seek advice from the Department for Planning and Infrastructure and any service authorities who have services within the PAW, and seek details regarding market value of the land within the PAW and also the cost of relocation or modification required to any services.

These quotes will be forwarded to the adjoining owners and at this stage the owners will need to agree to the costs and are required to pay Council's advertising fee.

The proposal will then be advertised by Council calling for public submissions for a period of 30 days.

At this stage the proposal is presented to Council for consideration. If council resolves to refuse the application, the closure will not proceed. Should Council support the closure, the matter is referred to the Department for Planning and Infrastructure for consideration and the Minister's decision. (Note: The Minister for Planning and Infrastructure makes the ultimate decision on the closure of a PAW)

The Department for Planning and Infrastructure considers the proposal and if closure is agreed to, State Land Services (department of DPI) liaises directly with adjoining owner(s) regarding purchase of the land. Following this, Council will coordinate payments to servicing authorities.