

### 1. INTRODUCTION

Pedestrian Access Ways (PAWs) were originally established as part of land subdivision as a means of providing for the unimpeded movement of pedestrians and cyclists in and around residential neighbourhoods, following the change from traditional grid pattern road layouts to designs based on cul-de-sac and loop roads. PAWs are also often used to locate public infrastructure such as reticulated water, sewer and gas pipes, and electrical cables.

Although the purpose of PAWs is to provide safe pedestrian and cycle access to local facilities, they are also used for criminal activity, vandalism and other forms of anti-social behaviour and as such, the City receives requests for the closure of PAWs security and amenity grounds.

In response to the growing number of PAW enquiries, the City undertook a Study to evaluate all PAWs within the City, to establish a coordinated assessment tool or guide to use in its consideration of applications to close PAWs which takes into account all relevant issues. In February 2010, Council adopted a Pedestrian Access Way Strategy (Strategy) to provide recommendations on which PAWs are essential, should be retained, and those that are not essential and may be closed. In December 2010, the Western Australian Planning Commission (WAPC) endorsed the Strategy.

Planning Bulletin No.57/2009A sets out the process to be followed by a Local Government in processing PAW closure requests. There are also certain matters not dealt with by this Planning Bulletin which has prompted the Council to establish its position. These matters can be summarised as follows:

- The City's administrative costs;
- The costs associated with land purchase, creation of easements and/or relocation or removal of services; and
- The creation of a 'Public Utilities Services Reserve' versus purchase by landowners.

This Planning Procedure has been prepared based upon the Strategy and the PAW closure procedures in Planning Bulletin 57/2009A.

**Note 1:** Refer to Appendix 1 for a copy of WAPC Bulletin No.57/2009A – 'Planning Guidelines for Pedestrian Access Ways'. The Pedestrian Access Way Strategy can be viewed on the City's Website.

### 2. STATEMENT OF INTENT

The purpose of this Planning Procedure is to detail the process to be followed by the City in processing applications to close PAWs. The City's position is also provided in respect of administration costs, direct closure costs and the creation of a 'Public Utilities Services Reserve' versus outright purchase by landowners. This Planning Procedure also provides a guide to applicants on the matters that City will take into consideration, before an application is made to close a PAW.

### 3. PLANNING PROCEDURE

#### 3.1 Pedestrian Access Way Strategy

The Strategy emphasises the need to maintain good accessibility to facilities, schools, shops, parks and surrounding neighbourhoods for the community, which is of paramount importance when considering the merits or otherwise of PAW closures. While it is clear that some PAWs and neighbouring properties are subjected to abuse and vandalism by some PAW users, this needs to be balanced against the retention of PAWs where they are well used and important to the pedestrian/cycle network.

#### 3.2 Classification

The Strategy applies a classification system which relates to connectivity only - to individually 'classify' each of the PAWs and the other access ways. This system has also been endorsed by the WAPC as follows:

E (Essential)	The PAW should be retained and kept open, as it forms an essential or important function in the local pedestrian and cycle movement network.
R (Retain)	The PAW should preferably be kept open, as it has some significance in the local pedestrian and cycle movement network. Closure <i>may</i> be acceptable, however, if prompted by significant local community support and clear evidence of considerable anti-social and/or criminal behaviour associated with the PAW.
NE (Non-essential)	The PAW could be closed without significantly affecting the local pedestrian and cycle movement network. Few residents would be disadvantaged.
NP (No path)	The PAW does not contain a path. Therefore the PAW could be 'closed' without any disruption to the local pedestrian and cycle movement network.

**Note 2:** Refer to Appendix 3 for a copy of the Council's adopted Classification for each PAW.

### 3.3 Management Outcomes

In accordance with the Strategy, the following approach will be applied when considering an application to close a PAW:

- (i) PAWs classified as Essential ('E') will not be closed by the City.
- (ii) PAWs classified as Retain ('R') will only be considered for closure subject to substantial justification and evidence of anti-social behaviour. If the City is satisfied that the PAW contributes to anti-social behaviour, it will proceed to be advertised for public comment prior to being referred to the Council for determination.
- (iii) PAWs classified as Not Essential ('NE') or No Path 'NP' will be considered for closure by the City upon request.

### 3.4 PAW Closure Procedure

Planning Bulletin No.57/2009A - 'Planning Guidelines for Pedestrian Access Ways' details the process to be followed by the City in processing PAW closure requests listed in 'Option A: PAW closure request is in accordance with a WAPC endorsed Pedestrian and Cycle Access Plan'. The Strategy satisfies the general requirements of a WAPC endorsed pedestrian and cycle access plan.

The steps in seeking closure of PAWs classified 'NE', 'NP' or 'R', if supported, are as follows:-

#### Step 1 (Initial Request)

The City receives a request for closure of a PAW supported by one or more adjoining landowners and, after exploring all reasonable management options, outlined in WAPC's Planning Guidelines - *Reducing Crime and Anti-Social behaviour in Pedestrian Access Ways*, progresses the request by preparing a closure report, which justifies the closure by referencing the Strategy.

For PAW's classified as Retain 'R' the City requires a request for closure to be supported by substantial justification and clear evidence of considerable anti-social and/or criminal behaviour associated with the PAW.

#### Step 2 (Adjoining Landowner Support)

The City will refer the request for closure, together with the closure report, to all abutting landowners seeking:

- Written support for the closure request;
- Written agreement as to how the land is to be divided; and

- 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 the possible relocation of infrastructure and registration of easements, removal of improvements from the PAW, and cost of reinstatement of kerbing.

### Step 3 (Advertising - Government Agencies)

The City will refer the request for PAW closure, together with the closure report, to all infrastructure providers that have an interest in the PAW, and requests their comments and advice in writing.

### Step 4 (Advertising - Public)

The City will advertise PAWs classified as 'R', 'NE' and 'NP' for a 35 day public comment period with a notice being provided in a local newspaper circulating in the area and notification letters being sent to owners and occupiers within 400m of the PAW.

### Step 5 (Referral - Department of Planning)

The closure report and confirmation that the proposed closure is in accordance with the Strategy will be submitted by the City to the Department of Planning (DoP).

### Step 6 (DoP Response)

The DoP receives the City's request and confirms, in writing, that the proposed closure is in accordance with the Strategy.

### Step 7 (Council Consideration)

If the Council formally resolves to proceed with the PAW closure, the matter will be referred to State Land Services (Department of Regional Development and Lands) for processing, under section 87 of the *Land Administration Act 1987*, together with:

- The closure report (amended to include an assessment of the responses received from the DoP, infrastructure providers and abutting landowners);
- A copy of the letter received from the DoP confirming that the proposed closure is in accordance with the Strategy;
- Copies of all letters received from infrastructure providers;
- Copies of all public submissions received during advertising for PAWs classified as 'R';
- Copies of all letters received from abutting landowners; and
- A sketch showing the proposed disposition of the closed PAW among adjacent properties.

### Step 8 (State Land Services)

State Land Services will then:

- Assess the application to determine whether PAW closure and disposal, or any alternative arrangement, can proceed;
- Arrange the offer and acceptance documentation;
- Provide information regarding the requirements for the survey and plan preparation (in limited circumstances State Land Services will arrange for the preparation of survey and graphic); and
- Close the PAW and effect disposal of the subject land.

### **3.5 Direct Closure Costs**

When a PAW closure application is successful, it is normal practice that the closed PAW is amalgamated with the adjoining properties and the landowners are required to pay for the land cost and any associated transaction fees and charges.

The sale price for a closed PAW will normally be market value as assessed by the Valuer General's Office and the associated transaction fees and charges are calculated and administered by State Land Services. Payment of these costs is the responsibility of the landowners, who have previously indicated agreement to have portion of the closed PAW amalgamated with their property.

Where the PAW accommodates service infrastructure, which is required to be relocated, removed or protected by way of easement, the affected landowners are also responsible for the costs involved which are determined by the servicing agencies.

### **3.6 Creation of a 'Public Utilities Services Reserve' versus Outright Purchase by Landowners**

The reclassification of a PAW to a 'Public Utilities Services Reserve' is an alternative to formal closure. In such cases, access to the PAW is restricted by the placement of fencing and/or lockable gates at either end, thereby preventing community access, yet still providing access to servicing authorities, emergency services and for maintenance.

Where the creation of a 'Public Utilities Services Reserve' is the only method of closure, State Land Services will require the Council to accept a Management Order over the Reserve.

The reclassification of a PAW to a 'Public Utilities Services Reserve' is generally not favoured by the City for the following reasons:

- Whilst the creation of a 'Public Utilities Services Reserve' and the associated fencing/gates prevents movement through the PAW to the general community, there is no guarantee that this method of closure will prevent those individuals intent on vandalism and crime from accessing the Reserve;
- All costs associated with the creation of a 'Public Utilities Services Reserve' are borne by the City. That is, the initial costs of installing fencing and gates and the ongoing maintenance, which would include regular mowing; and
- The presence of the fencing and gates can have a negative impact on the residential streetscape.

Accordingly, the Council will only support the creation of a 'Public Utilities Services Reserve' when this is the only feasible way of closing a particular PAW.

### **3.7 State Land Services**

The role of State Land Services is to give effect to the request for closure of a PAW under section 87 of the Land Administration Act 1987 and undertake formal sale and conveyance of the subject land. State Land Services has developed more procedural guidelines to outline the process involved in the closure of a PAW and should be referred to for more advice on the closure process through the Land Administration Act 1987.

### **3.8 Information required at lodgement**

Prior to an application to close a PAW being lodged with the City, applicants must first identify the classification of the PAW in the Strategy.

If the PAW classification is (NP) No Path, (NE) Non-Essential or (R) Retain, residents seeking to have a PAW closed are required to provide the following information:

- (i) Make a request in writing for the PAW to be closed. The request must be supported by justification for the closure (e.g. details of nuisance experienced) and signed by at least two of the owners or occupiers adjoining or abutting the PAW;
- (ii) Provide written advice from the owners adjoining or abutting the PAW that should the proposal be agreed to by the Council, they will be prepared to purchase the land at a cost established by State Land Services, together with all costs associated with its closure, including an administration fee as set out in the City's Fees and Charges;

- (iii) For PAW's classified as Retain 'R' the City requires request for closure to be supported by substantial justification and clear evidence of considerable anti-social and/or criminal behaviour associated with the PAW. (refer to the WAPC Planning Guidelines - *Reducing Crime and Anti-Social behaviour in Pedestrian Access Ways* for a range of designing out crime strategies).

#### **4. INTERPRETATIONS**

For the purposes of this Planning Procedure, the following terms shall have the same meaning as in Town Planning Scheme No.2:

*Council means the Council of the City of Rockingham*

For the purpose of this Planning Procedure, the following terms are defined as follows:

*DoP means Department of Planning*

*State Land Services means Department of Regional Development and Lands*

*WAPC means the Western Australian Planning Commission constituted under the Planning and Development Act 2005*

#### **5. ADMINISTRATION COSTS**

The City charges an Administration Fee and an Advertising Fee in accordance with its Schedule of Fees which is to be paid by the landowner/s seeking the PAW closure, prior to the application being formally initiated.

#### **6. ADOPTION**

This Planning Procedure was adopted by the Council at its ordinary Meeting held on the 24 March 2009.

#### **7. AMENDMENT**

This Planning Procedure was amended by the Council at its ordinary Meeting held on the 26 June 2012.

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#### **Appendices**

1. WAPC Planning Bulletin No.57/2009A - 'Planning Guidelines for Pedestrian Access Ways'
2. WAPC 'Procedure for the Closure for Pedestrian Access Ways - Planning Guidelines' 2009
3. Pedestrian Access Way Strategy 2010 - PAW List

**Note1:** The Appendices do not form part of this Planning Procedure and are included for information purposes only.

**Note2:** Refer to the City's website [www.rockingham.wa.gov.au](http://www.rockingham.wa.gov.au) for a copy of the City's Pedestrian Access Way Strategy.

## 1 Purpose

This planning bulletin outlines two planning guidelines: *Procedure for the Closure of Pedestrian Access Ways* and *Reducing Crime and Anti-Social Behaviour in Pedestrian Access Ways* recently endorsed by the Western Australian Planning Commission (WAPC).

The guidelines have been prepared with the Office of Crime Prevention and are based on the recommendations of the State Government Interagency Working Group which was established in 2005 to address a variety of concerns relating to pedestrian access ways. The Working Group comprised representatives from the Department of the Premier and Cabinet, Department for Planning and Infrastructure, Western Australian Local Government Association, Department of Housing and Works and local government.

This bulletin supersedes *Planning Bulletin 57 Closure of Pedestrian Access Ways - Planning Considerations* (May 2003) and *Planning Bulletin 57/2009 Draft planning guidelines for pedestrian access ways* (April 2009).

## 2 Background

In April 2009, the draft planning guidelines were released for public comment for a two month period concluding on 12 June 2009. There were 12 submissions received from metropolitan local governments. The majority of submissions supported the introduction of the new guidelines and several submissions recommended amendments to improve the guidelines.

Following careful consideration of all of the issues raised in the submissions, the WAPC resolved to adopt the two planning guidelines *Procedure for the Closure of Pedestrian Access Ways* and *Reducing Crime and Anti-Social Behaviour in Pedestrian Access Ways* in September 2009, subject to minor modifications.

## 3 Content of the new guidelines

*Procedure for the Closure of Pedestrian Access Ways* sets out a new procedure for the closure of pedestrian access ways, as follows:

- A new, simplified procedure for dealing with the closure of pedestrian access ways, based upon section 87 of the *Land Administration Act 1997* rather than the subdivision provisions of the *Planning and Development Act 2005*.
- The closure procedure establishes a clear, timely and transparent decision-making process for the closure or retention of pedestrian access ways.
- The closure procedure is based on the concept of a pedestrian and cycle access plan and a suggested methodology for the preparation of a pedestrian and cycle access plan is provided in appendix 1.
- Temporary pedestrian access ways closures are provided to address serious emergent problems.

*Reducing Crime and Anti-Social Behaviour in Pedestrian Access Ways* has been prepared as a supplement to the *Designing Out Crime Planning Guidelines* set out in the WAPC's *Planning Bulletin 79 Designing Out Crime*. In particular, it enhances the material contained in "section 5.18 pedestrian routes, laneways, alleyways and access ways" of the guidelines by outlining an approach for developing and refining designing out crime best practice to reduce crime and anti-social behaviour in pedestrian access ways.

The guidelines contain: -

- A situational crime prevention assessment for pedestrian access ways to assist in the crime risk assessment and management process.
- A suite of designing out crime strategies to assist local governments to address crime and anti-social behaviour in pedestrian access ways.

## 4 Further information

Further information, any enquiries or correspondence on this planning bulletin should be directed to:

Director  
Policy Coordination and  
Development  
Department of Planning  
Albert Facey House  
469 Wellington Street  
Perth WA 6000

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website: [www.planning.wa.gov.au](http://www.planning.wa.gov.au)  
email: [corporate@planning.wa.gov.au](mailto:corporate@planning.wa.gov.au)

tel: 08 9264 7777  
fax: 08 9264 7566  
TTY: 08 9264 7535  
info: 1800 626 477

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# Procedure for the Closure of Pedestrian Access Ways Planning Guidelines



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Albert Facey House  
469 Wellington Street  
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internet: [www.planning.wa.gov.au](http://www.planning.wa.gov.au)  
email: [corporate@planning.wa.gov.au](mailto:corporate@planning.wa.gov.au)

tel: 08 9264 7777  
fax: 08 9264 7566  
TTY: 08 9264 7535  
infoline: 1800 626 477

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# Purpose of the guidelines

These planning guidelines:

- Set out a new, simplified procedure for the closure of pedestrian access ways following a review of current processes and procedures and the associated enabling legislation.
- Explain the role of the Department of Planning (DoP) (Statutory Area Teams), the Department of Regional Development and Land (RDL) (State Land Services) and the Western Australian Planning Commission (WAPC) in the new procedure.
- Outline the issues associated with pedestrian access ways closure and the information required to accompany an application for closure.
- Explain the procedure to close pedestrian access ways on a temporary basis where permanent closure is not desirable.

The guidelines supersede *Planning Bulletin 57 Closure of Pedestrian Access Ways - Planning Considerations* which was released in May 2003.

## Background

Pedestrian access ways were originally established as part of land subdivision in accordance with section 20A of the, then, *Town Planning and Development Act 1928*. They were seen as a means of providing for the unimpeded movement of pedestrians and cyclists in and around residential neighbourhoods following the change from traditional grid pattern road layouts to designs based on culs-de-sac and loop roads. Pedestrian access ways are also often used to locate public infrastructure such as water, sewer and gas pipes, and electrical cables.

There has been much concern expressed by the community about property damage, anti-social behaviour, drug abuse and burglaries associated with pedestrian access ways. This is because they are often narrow and have poor surveillance therefore providing opportunities for people to gather in an enclosed environment and can facilitate easy access into properties, with little or no passive surveillance. The problem is compounded where pedestrian access ways are poorly maintained and poorly lit, have inadequate paving and signage, and the associated fear of crime discourages legitimate use.

Pedestrian access ways are a part of an historical subdivision design practice. Contemporary urban design principles encourage the creation of permeable, accessible and sustainable street networks, with the aim of reducing car dependence by promoting non-car-based transport modes like walking, cycling and public transport. The principles also recognise the links between the increase in car use, obesity due to inactivity, and global climate change as a result of vehicle emissions.

Despite this, there are ongoing requests for the closure of pedestrian access ways on security and amenity grounds. However, existing pedestrian access ways provide access to essential services; and provide pedestrian and cycle access both in 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 access to facilities and public transport, and concerns regarding security and amenity.

# New, simplified procedure for the closure of pedestrian access ways

The new, simplified procedure for dealing with the closure of pedestrian access ways is based on section 87 of the *Land Administration Act 1997* which sets out a self-contained process by which an amalgamation of remnant Crown land may be achieved.

Amalgamation of Crown land under section 87 of the *Land Administration Act 1997* is not considered a subdivision. For the purposes of section 87, deposited plans do not require the consent of the WAPC because they are not created for the purpose of satisfying the requirements of the *Planning and Development Act 2005*.

The new closure procedure is based on the concept of a pedestrian and cycle access plan.

More information on pedestrian and cycle access plans, including a suggested preparation methodology is set out in appendix 1.

Prior to considering a pedestrian access way closure, a local government may request the submission of information from a landowner to determine the level of support for the closure from all adjoining landowners (similar to the information outlined in option A, step 3 and option B, step 5). Support for the closure from adjoining landowners of the pedestrian access way is essential for a local government to formally investigate the closure. Landowners should contact their local government to discuss the pedestrian access way closure process, including possible application and advertising fees.

Local governments may also consider imposing a three year limit on the reconsideration of an individual pedestrian access way closure, unless significant new information is presented.

## **Option A: Pedestrian access ways closure request is in accordance with a WAPC-endorsed pedestrian and cycle access plans**

Step 1: The local government receives a request for closure of a pedestrian access way and, after exploring all reasonable management options<sup>1</sup>, resolves to progress the request by preparing a closure report which justifies the closure by referencing a WAPC-endorsed pedestrian and cycle access plan.

Step 2: The local government refers the closure report to all infrastructure providers that have an interest in the pedestrian access way, and requests their comments and advice in writing.

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<sup>1</sup> See the related planning guidelines *Reducing Crime and Anti-Social Behaviour in Pedestrian Access Ways* for a range of designing out crime strategies.

The infrastructure providers should be asked:

- to confirm that they have infrastructure located in the pedestrian access way;
- whether that infrastructure is proposed to be relocated at some stage in the future or will remain in situ;
- whether they have any objection to the closure; and
- if they have no objection to the closure, what their requirements are in relation to service relocation and easements.

*Note: Infrastructure providers that have an interest in the pedestrian access way will have been identified in step 6 of the pedestrian and cycle access plan preparation process set out in appendix 1.*

Step 3: The local government refers the request for closure, together with the closure report, to all abutting landowners seeking:

- written support for the closure;
- written agreement as to how the land is to be divided; and
- written agreement from those wishing to purchase a portion of the pedestrian access way that they are prepared to meet all costs associated with the closure including the possible relocation of infrastructure and registration of easements, removal of improvements from the pedestrian access way, and cost of reinstatement of kerbing.

Step 4: The local government submits the closure report, together with a written request for confirmation that the proposed closure is in accordance with a WAPC-endorsed pedestrian and cycle access plan, to the DoP Statutory Area Teams.

Step 5: The DoP Statutory Area Teams receives the local government's request and confirms, in writing, that the proposed closure is in accordance with a WAPC-endorsed pedestrian and cycle access plan.

Step 6: The local government formally resolves to proceed with the closure, and refers the request, together with:

- the closure report (amended to include an assessment of the responses received from the DoP Statutory Area Teams, infrastructure providers and abutting landowners);
- a copy of the letter received from the DoP Statutory Planning Division confirming that the proposed closure is in accordance with a WAPC-endorsed pedestrian and cycle access plan;

- copies of all letters received from infrastructure providers;
- copies of all letters received from abutting landowners; and
- a sketch showing the proposed disposition of the closed pedestrian access way among adjacent properties

to RDL State Land Services for processing under section 87 of the *Land Administration Act 1987*.

## **Option B: Pedestrian access way closure without a pedestrian and cycle access plan**

Step 1: The local government receives a request for closure of a pedestrian access way and, after exploring all reasonable management options<sup>2</sup>, prepares a closure report which addresses the range of matters set out in steps 3-9 of appendix 1, with appropriate amendments made to the methodology in recognition of the fact that a single pedestrian access way is involved.

Step 2: The local government refers the closure report to all relevant infrastructure providers and any other agencies that may have an interest in the pedestrian access way, and requests their comments and advice, in writing.

The infrastructure providers, in particular, should be asked:

- whether there is any infrastructure located in the pedestrian access way;
- whether that infrastructure is proposed to be relocated at some stage in the future or will remain in situ;
- whether they have any objection to the closure; and
- if they have no objection to the closure, what their requirements are in relation to service relocation and easements.

*Note: Infrastructure providers and agencies that may have an interest in the pedestrian access way are identified in steps 6 and 10 of the pedestrian and cycle access plan preparation process set out in appendix 1. The comments of the infrastructure providers and agencies are essential in determining each provider's and agency's willingness to alter existing arrangements in the case of a pedestrian access way proposed to be closed. There is little point in pursuing a closure where infrastructure providers or agencies are unwilling to support the closure.*

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<sup>2</sup> See the related planning guidelines *Reducing Crime and Anti-Social Behaviour in Pedestrian Access Ways* for a range of designing out crime strategies.

Step 3: The local government consults the community likely to be affected by the proposed closure (including all abutting landowners) using two or more of the following methods, and seeks their comments in writing:

- placement of signs at either end of the pedestrian access way advising of the proposal to close the pedestrian access way;
- press release and advertisement in the local newspaper and other media;
- direct mail out to households likely to be affected by the closure;
- liaison with local community groups;
- stakeholder workshops;
- information sessions and discussion groups;
- questionnaire surveys;
- public displays.

Step 4: The local government assesses any comments and advice received from infrastructure providers, agencies and the community and determines whether to close the pedestrian access way, or retain it and keep it open.

Step 5: If the local government resolves to close the pedestrian access way, it advises all abutting landowners of its decision and seeks:

- written support for the closure;
- written agreement as to how the land is to be divided; and
- written agreement from those wishing to purchase a portion of the pedestrian access way that they are prepared to meet all costs associated with the closure including the possible relocation of infrastructure and registration of easements, removal of improvements from the pedestrian access way, and cost of reinstatement of kerbing.

Step 6: The local government submits a written request to close the pedestrian access way to the WAPC together with:

- the closure report (amended to include an assessment of the responses received from the infrastructure providers, agencies, abutting landowners and other members of the community);
- copies of all letters received from infrastructure providers; and
- copies of all letters received from abutting landowners.

*Note: The local government is not required to supply the WAPC with copies of all letters received from other members of the community. These will be summarised in the closure report.*

Step 7: The WAPC assesses the proposal taking into account the:

- range of matters set out in steps 3-9 of appendix 1; and
- comments of infrastructure providers, agencies, abutting landowners and other members of the community and makes a decision to either endorse or not endorse the proposal, and communicates its decision to the local government.

*Note: There is no right of review available in relation to a WAPC refusal to endorse a proposal for a pedestrian access way closure. Despite this, and depending on the particular circumstances, the WAPC may be asked to reconsider its decision.*

Step 8: On receipt of the WAPC's endorsement, the local government proceeds with the closure, and refers the request, together with:

- the closure report (amended to include an assessment of the responses received from the WAPC, infrastructure providers, agencies, abutting landowners and other members of the community);
- a copy of the letter of endorsement received from the WAPC;
- copies of all letters received from infrastructure providers;
- copies of all letters received from abutting landowners; and
- a sketch showing the proposed disposition of the closed pedestrian access way among adjacent properties;

to RDL State Land Services for processing under section 87 of the *Land Administration Act 1987*.

## **Timeframes for the consideration of closure**

The DoP will endeavour to provide comments to a local government regarding a pedestrian access way closure request within:

- 90 days - assessment of a pedestrian and cycle plan;
- 30 days - assessment of a pedestrian access way closure through option A (where a pedestrian and cycle plan has been endorsed); and
- 60 days - assessment of a pedestrian access way closure through option B (without a pedestrian and cycle plan).

## **The role of RDL State Land Services**

The role of RDL State Land Services is to give effect to the request for closure of the pedestrian access way under section 87 of the *Land Administration Act 1987*, and undertake formal sale and conveyancing of the subject land.

State Land Services has developed more detailed procedural guidelines to outline the process involved in the closure of a PAW and should be referred to for more advice on the closure process through the *Land Administration Act 1997*.

## Information required at lodgement

As a general rule, the local government should ensure that all issues associated with the closure of a pedestrian access way are resolved between the various parties involved before the request for closure is lodged with State Land Services. In this regard, at the time the request for closure is lodged, the local government will need to:

- provide evidence that the WAPC or DoP Statutory Area Teams, infrastructure providers, other agencies, and abutting landowners who have agreed to purchase a portion of the pedestrian access way support the closure in the manner proposed; and
- ensure that all infrastructure provider comments have been provided, including details as to service relocation costs or requirements for easements.

Prior to commencing the formal process of preparing an application for closure, State Land Services will, where asked to do so by the local government, provide the local government with the purchase price of the pedestrian access way (both the conditional up-front price, and later final price).

If State Land Services needs clarification on any matter related to the closure, it will contact the local government for information and advice.

The local government will be responsible for liaising with abutting landowners regarding advising likely costs, and reaching agreement on the proposed disposition of the pedestrian access way after it has been closed. Final formal sales agreement, liaison with landowners associated with final settlement, and conveyancing, will be attended to by State Land Services.

## Administrative actions

State Land Services will then:

- assess the application to determine whether closure and disposal, or any alternative arrangement, can proceed;
- arrange the offer and acceptance documentation<sup>3</sup>;
- provide information regarding the requirements for the survey and plan preparation (in limited circumstances State Land Services will arrange for the preparation of survey and graphic); and
- close the pedestrian access way and effect disposal of the subject land.

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<sup>3</sup> In the event of a strata company's involvement, the strata company's agreement (form 13) will be obtained as part of the offer and acceptance process.

## Alternatives to permanent pedestrian access way closure

The *Reducing Crime and Anti-Social Behaviour in Pedestrian Access Ways* guidelines include a range of designing out crime strategies and a number of alternatives to permanent pedestrian access way closure, based on improvements to safety and security within the pedestrian access way.

Longer term redevelopment opportunities may also be worth exploring in some situations. Appendix 2 provides an example of the possible redevelopment of lots adjoining an essential pedestrian access way. In this example, the adjoining land is up-coded, the pedestrian access way is widened and dedicated as a public road and a pedestrian island provided to prevent through traffic. The benefit of this option include maintaining pedestrian access and increasing surveillance of the pedestrian thoroughfare, which could assist in reducing antisocial behaviour.

## Temporary pedestrian access way closure

The temporary closure of a pedestrian access way may be considered as an alternative to permanent closure where:

- other methods of dealing with safety, crime and anti-social behaviour have proven to be unsuccessful; and
- permanent closure is not desirable due to the possible need for future access.

The procedure set out in option A or B (whichever is relevant) should also be followed for temporary pedestrian access way closures, with appropriate amendments to reflect the temporary nature of the proposed closure.

Should the WAPC or DoP Statutory Area Teams agree to the temporary closure, such closure shall be valid for a period agreed between the WAPC, DoP (Statutory Area Teams) or RDL (State Land Services) and the local government.

In some cases the subject land can retain its existing tenure as freehold in the name of the State (where the land is vested in the Crown under section 20A of the former *Town Planning and Development Act 1928*) or reserved without a management order (where the land is vested under section 152 of the *Planning and Development Act 2005*), and simply be fenced provided that the local government agrees to continue managing the pedestrian access way or right of way as 'an otherwise unvested facility' in accordance with section 3.53 of the *Local Government Act 1995*.

However, where the local government prefers formal management, or wishes to lease the subject land to adjoining landholders for management purposes, State Land Services will arrange the issue of a management order, with power to lease. Alternative agreed management arrangements can also be established.

The responsible local government or other management body such as an infrastructure provider can then:

- arrange for the temporary closure of the pedestrian access way by means of fencing, gates or such other temporary means considered appropriate by the local government;
- ensure the pedestrian access way is maintained;
- ensure infrastructure providers retain access to any services in the pedestrian access way.

Subject to the agreement of State Land Services, the pedestrian access way may be leased to the adjoining owners for the agreed period subject to the same conditions as mentioned above in the dot points.

Once a temporary closure period has expired, the pedestrian access way must be reopened or a request submitted to WAPC to consider a further temporary closure in accordance with option A or B.

# Appendix 1

## Preparation of a pedestrian and cycle access plan

### Introduction

A pedestrian and cycle access plan, as the name suggests, is a comprehensive strategic and action plan that identifies existing and future pedestrian and cycle access ways, and includes a classification system to identify the relative importance of each access way in the local movement system.

Pedestrian and cycle access plans provide a framework to assist decision-making, including:

- Determining the impact on access if a particular pedestrian access way is closed, which should negate the need to do a complete assessment for each individual pedestrian access way closure application.
- Determining which pedestrian access ways need to be upgraded and improved which, in turn, can assist in prioritisation of capital and maintenance expenditures and works programming.
- Determining where additional public access is needed which can assist in identifying land that may need to be acquired for public purposes.

The preparation of pedestrian and cycle access plans requires community consultation to ensure the needs of the community are reflected in the plan ultimately adopted by the local government. Such community involvement should ensure more representative decision-making – particularly decisions involving the closure of pedestrian access ways where the biased views created by localised issues can be balanced with broader community views and needs.

### Preparation of a pedestrian and cycle access plan

The work involved in the preparation of a pedestrian and cycle access plan can be quite extensive – both in terms of gathering and analysing information and in facilitating community participation.

Local governments may choose to use an external consultant to prepare a pedestrian and cycle access plan or, alternatively, use their own in-house resources. In either case, the following methodology is suggested as the generic basis for the preparation of such plans.

#### **Step 1: Define the plan area**

Local governments vary in size, and it may not be reasonable to cover the whole local government area in a single plan.

The area of coverage of a pedestrian and cycle access plan could be:

- the whole local government area
- the central business district
- a selection of centres/townships (particularly in the case of rural local governments)
- a district within the local government area
- a neighbourhood within the local government area.

The definition of the plan area will be guided by the available resources and the project's budget.

Successive pedestrian and cycle access plan projects may need to be undertaken on a staged basis to have complete coverage of the local government.

## **Step 2: Research and review**

A literature review should be undertaken. This should include an examination and analysis of:

- relevant State and Federal government planning documents (eg designing out crime planning guidelines);
- relevant local government planning documents (eg local planning scheme, local planning strategy, structure plans, detailed area plans, local access plans, local planning policies);
- local government disability and access policies and reports;
- relevant design standards;
- previous submissions to the local government seeking closure of pedestrian access ways in the plan area;
- future infrastructure needs in the plan area;
- new subdivisions in and abutting the plan area;
- existing cycling networks and safe route to schools plans.

## **Step 3: Pedestrian access way mapping**

All existing pedestrian access ways in the plan area should be identified, coded to a common legend or classification system, and plotted on maps.

*Note: The Office of Crime Prevention has had a large number of pedestrian access ways throughout Western Australia mapped and added to Landgate's Shared Land Information Platform's WA Atlas map viewer as a WMS layer (see "Public Access Ways" in the "Administrative and Political Boundaries" category)<sup>4</sup>.*

<sup>4</sup> Landgate's Shared Land Information Platform's WA Atlas map viewer can be accessed at: <https://www2.landgate.wa.gov.au/idelve/bmvi/app/waatlas/>.

#### **Step 4: Community facility mapping**

All relevant community facilities in the plan area should be plotted on maps. Community facilities include:

- schools and other educational establishments
- shops
- parks and recreation facilities
- community facilities (eg libraries)
- employment nodes
- public transport services, including bus stops and train stations
- aged person facilities
- other land uses or facilities likely to generate pedestrian or cycle traffic.

#### **Step 5: Connectivity assessment**

An assessment of the connectivity of areas around each community facility should be carried out based on a walkable catchment with a radius of 400 metres. This radius should be increased to 800 metres in the case of large-scale community facilities such as town centres, train stations, bus stations, schools, district open space or other facilities likely to attract large numbers of people.

The walkable catchment (ped shed) technique is explained fully in appendix 3 of the WAPC's *Liveable Neighbourhoods*.

#### **Step 6: Infrastructure provider identification**

Pedestrian access ways are often used to locate private and public infrastructure such as water, sewer and gas pipes or electrical cables.

Infrastructure providers that may have an interest in a particular pedestrian access way should be identified using the *Dial Before You Dig Services* website<sup>5</sup> and recorded.

#### **Step 7: Pedestrian access way inspection and assessment**

Each pedestrian access way should be visited and an assessment of the following matters carried out:

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<sup>5</sup> The Dial Before You Dig Services website is available at: <http://www.dialbeforeyoudig.com.au/>.

**Physical assessment**

- location
- design characteristics (width, length, geometry, topography, presence of bollards)
- level of casual surveillance from adjacent properties along its length, at its entrance and at its exit
- condition
- fencing attributes
- paving
- landscape/vegetation
- lighting
- presence of infrastructure (to visually confirm the information obtained from step 6)
- connectivity (to identify the role the pedestrian access way plays in the local movement system and the likely impact of its closure, and to verify the results of the assessment carried out in step 5)
- appropriateness of alternative routes available (assessment of resulting travel paths if the pedestrian access way is closed).

**Usage assessment**

- main uses of the pedestrian access way (pedestrians, cyclists or other)
- main groups using the pedestrian access way (local neighbourhood users or users from outside the neighbourhood or both)
- level, and distribution, of use.

**Step 8: Connectivity assessment**

Each pedestrian access way should be visited and an assessment of its safety and security carried out using the situational crime prevention assessment methodology for pedestrian access ways that is set out in the planning guidelines *Reducing Crime and Anti-Social Behaviour in Pedestrian Access Ways*.

*Note: Steps 7 and 8 could be carried out concurrently.*

### **Step 9: Preparation of assessment report and draft pedestrian and cycle access plan**

The information obtained from steps 1-8 should be assembled and analysed in an assessment report and a draft pedestrian and cycle access plan prepared in response. The plan should, at the very least, identify all existing pedestrian access ways and classify the role of each in terms of its functionality, using the following criteria:

*Essential (E)* - the pedestrian access way *should be retained and kept open* because it plays an essential role in the local movement network.

*Non-essential (NE)* - the pedestrian access way *could be closed without causing significant disadvantage to local residents* because it is not essential to the local movement network.

The draft pedestrian and cycle access plan may also:

- identify which pedestrian access ways need to be upgraded and improved; and
- identify where additional public access is needed in terms of the local movement system.

NB: If a pedestrian access way is identified as 'essential' it does not mean that the access way must be upgraded in accordance with the *Reducing Crime and Anti-Social Behaviour in Pedestrian Access Ways* guidelines.

### **Step 10: Consultation with other agencies**

Other agencies that may have an interest in the movement network in the plan area should be contacted for their comments on the assessment report and draft pedestrian and cycle access plan.

Agencies that may have an interest will include, but not be limited to, the DoP Statutory Area Teams, Public Transport Authority, the Office of Crime Prevention, the Department of Education and Training, and the Disability Services Commission.

### **Step 11: Consultation with the community**

The community likely to be affected by the draft pedestrian and cycle access plan should be consulted using one or more of the following methods:

- press release and advertisement in the local newspaper and other media;
- direct mail out to households in the plan area;

- stakeholder workshops;
- information sessions and discussion groups;
- questionnaire surveys; and
- public displays.

### **Step 12: Review of draft pedestrian and cycle access plan in response to agency and community consultation**

Any comments received from agencies and the community should be assessed and, if needs be, the assessment report and draft pedestrian and cycle access plan modified in response.

### **Step 13: Finalisation of pedestrian and cycle access plan and adoption by local government**

The completed assessment report and pedestrian and cycle access plan should be submitted to Council, and the plan formally adopted.

### **Step 14: Submission of pedestrian and cycle access plan to WAPC for endorsement**

The formally adopted pedestrian and cycle access plan should be submitted to the WAPC for endorsement.

The adopted pedestrian and cycle access plan should be accompanied by:

- the assessment report; and
- copies of all submissions received from infrastructure providers, agencies and the community during steps 10 and 11, together with the local government's analysis and final decision in respect of each submission.

*Note: There is no right of review available in relation to a WAPC decision to refuse to endorse a pedestrian and cycle access plan. Despite this, and depending on the particular circumstances, the WAPC may be asked to reconsider its decision.*

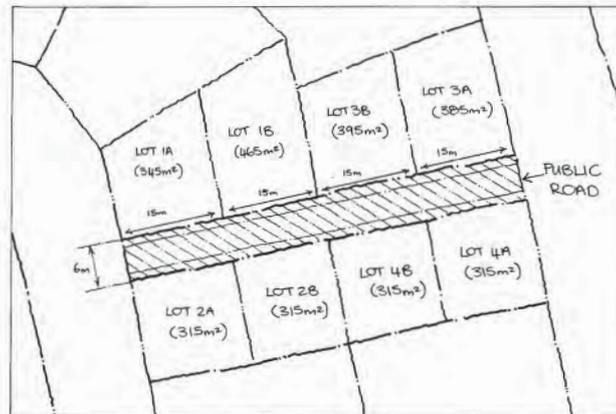
## Appendix 2

# Redevelopment opportunity as an alternative to pedestrian access way closure



### 1. BEFORE

An alternative to pedestrian access way closures



### 2. SUB-DIVISION

An alternative to pedestrian access way closures



### 3. AFTER

An alternative to pedestrian access way closures

# PEDESTRIAN ACCESSWAY STRATEGY

*for the*

## City of Rockingham

January 2010



Chris Antill Planning & Urban Design Consultant  
25 Robinson Street Nedlands WA 6009  
PO Box 1298 Subiaco WA 6904  
Tel. Tel 9386.1316

# PEDESTRIAN ACCESSWAY STRATEGY for the City of Rockingham

January 2010

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**Appendix 1** - WAPC Planning Bulletin No. 57/2009A (WAPC October 2009)

**Appendix 2** - "Procedure for the Closure of PAWs Planning Guidelines" (WAPC October 2009)

**Appendix 3** - "Reducing Crime and Anti-social Behaviour in PAWs Planning Guidelines"  
(WAPC October 2009)

**Appendix 4** - Sample of a completed survey/assessment sheet

**Appendix 5** - Maps showing PAW classifications

# PEDESTRIAN ACCESSWAY STRATEGY for the City of Rockingham

January 2010

## 1.0 INTRODUCTION

This report has been prepared by Chris Antill Planning and Urban Design Consultant for the City of Rockingham (“the City”).

The consultancy was commissioned in September of 2008 to undertake a study into the pedestrian accessways (PAWs) that were created as an integral part of the original subdivisions that took place over a period of time within the City.

## 2.0 BACKGROUND

### 2.1 Study Initiation

Many older suburbs throughout the City of Rockingham rely on PAWs to provide pedestrian and cycle access between culs-de-sac and streets. Their presence encourages trips by foot and bicycle, while making motor vehicle use less necessary.

These PAWs can play a critical role in the pedestrian/cycle network, however they can also sometimes attract anti-social behaviour, and generally suffer from a lack of regular maintenance. This sometimes results in pressure from parts of the community (particularly adjoining residents) to close the affected PAW, which could result in a loss of connectivity for pedestrians and cyclists.

In response to the growing number of enquiries regarding the possible closure of PAWs, it was considered necessary by the City to undertake a study to evaluate all PAWs within the municipality to establish a co-ordinated assessment tool or guide that the Council can use in its consideration of applications to close PAWs which takes into account all relevant issues.

### 2.2 WAPC Directions

The Western Australian Planning Commission (WAPC) is the final determining authority in regard to PAW closure requests, and **not** the City of Rockingham.

In May 2003 the WAPC adopted Planning Bulletin No. 57 (PB 57), entitled “Closure of Pedestrian Access Ways – Planning Considerations”. The Bulletin set out the issues associated with PAW closures, and detailed the procedures involved in progressing closures. The following excerpt from the Bulletin provides an introduction to the purpose of PAWs, and the important function that they can perform as part of any pedestrian/cycle movement network.

*“Pedestrian Access Ways (PAWs) have in the past been created as part of the subdivision of land under S. 20A of the Town Planning and Development Act 1928 (TP&D Act) as an alternative means of access between Gazetted streets and for servicing. Many of those created in the past are narrow and have poor surveillance.*

*There are ongoing requests for the closure of PAWs on security and amenity grounds. However PAWs provide access to essential services, and provide pedestrian and cycle access 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 access to facilities and public transport, and concerns regarding security and amenity.”*

The procedures to be followed by local governments in progressing a closure application under PB 57 were lengthy and cumbersome. There was also no right of appeal by an affected local government against a decision of the DoP to reject a request to close a PAW.

Partly as a result of difficulties experienced in administering the requirements of PB 57, the WAPC has recently reviewed the policy and replaced it by Planning Bulletin 57/2009A, which outlines two new planning guidelines: “Procedure for the Closure of Pedestrian Access Ways” and “Reducing Crime and Anti-social Behaviour in Pedestrian Accessways” (both endorsed by the WAPC in October 2009). (See **Appendices 1, 2 & 3.**)

“Procedure for the Closure of Pedestrian Access Ways” sets out a new procedure for the closure of PAWs, described by the WAPC as follows:

- A new, simplified procedure for dealing with the closure of PAWs, based upon section 87 of the “Land Administration Act 1997” rather than the subdivision provisions of the “Planning and Development Act 2005”;
- The closure procedure establishes a clear, timely and transparent decision-making process for the closure or retention of PAWs;
- The closure procedure is based on the premise that each local authority will develop a pedestrian and cycle access plan<sup>#</sup>, and a suggested method for the preparation of such a plan is provided in the guidelines.
- Temporary PAW closures are provided to address serious emergent problems.

**NOTE #:** This directive from the WAPC was made in October 2009. At that time the draft City of Rockingham PAW Strategy had already been completed. Instead, the draft and final Strategy document contains a series of maps showing the classification of each PAW. These classifications have been arrived at after consideration of numerous factors (as discussed later in this document), including the City’s adopted bicycle plan.

Appendix 1 of “Procedure for the Closure of Pedestrian Access Ways” sets out a suggested method for preparing a pedestrian and cycle access plan containing 14 steps.\*

**NOTE \*:** In compiling the City’s PAW Strategy document the author has used a study and analysis method closely resembling the WAPC’s suggested method. In some areas this method was more comprehensive. The author’s method was formulated well before the issuing of PB 57/2009A.

“Reducing Crime and Anti-social Behaviour in Pedestrian Access Ways” was prepared by the WAPC as a supplement to the “Designing Out Crime Planning Guidelines” set out in the WAPC’s PB 79 – “Designing Out Crime”. In particular, it enhances the material contained in “section 5.18 pedestrian routes, laneways, alleyways and access ways” of the guidelines by outlining an approach for developing and refining designing out crime best practice to reduce crime and anti-social behavior in pedestrian access ways.

The guidelines contain:

- A “situation crime prevention assessment” for PAWs to assist in the crime risk assessment and management process;
- A suite of “designing out crime” strategies to assist local governments to address crime and anti-social behaviour in PAWs.

These guidelines are referred to in the recommendations contained in Section 11.0 of this Strategy.

### **2.3 City of Rockingham’s Existing Policy on PAW Closures**

The inclusion of PAWs as part of original subdivision designs was generally based on the concept of maintaining pedestrian permeability, which had been reduced as a consequence of the change from the traditional gridiron road layout to designs based on culs-de-sac and loop roads. However, in some instances PAWs do not appear to have been planned as part of a comprehensive network, and while linkages were sometimes included to address specific access needs, others appear to have little rationale. In many instances these PAWs have been provided primarily to carry services (water or sewer pipes, electric cabling, gas pipes, etc.).

The City of Rockingham has a Planning Policy – “Closure of Pedestrian Accessways”, which details the Council’s position in relation to:

- Administrative costs;
- The costs associated with land purchase, creation of easements and/or relocation or removal of services; and
- The creation of a “Public Services Utilities Reserve” versus purchase by the landowner.

### **2.4 Affect of PAWs on Adjoining Property Values**

It is acknowledged in some instances that the presence of an adjacent PAW may affect the amenity and possibly also the value of adjoining residential properties. However, such effects are an integral part of the property market, and the opportunity for property owners to benefit financially from a PAW closure should not by itself be seen as a justification for closure action.

A parallel can be drawn with properties located on busy roads, whereby the presence of high volumes of traffic can potentially reduce the value of a residential property. Some planners and real estate agents argue that this situation is acceptable because it provides cheaper housing for those residents who otherwise may not normally be able to afford to purchase a dwelling in that particular locality.

## **3.0 STRATEGY AIMS & OBJECTIVES**

The City of Rockingham wishes to move forward in an effort to streamline the assessment process for PAW closure requests, and to reach an “up-front” understanding with DoP as to the relative importance of existing PAWs in terms of their access value to local residents.

The primary aim of this study therefore is to develop a WAPC-endorsed Strategy that informs the Council in its decision-making with respect to applications to close PAWs, and provides the Council with recommendations on the manner in which PAWs could be

upgraded and maintained in an effort to address the concerns which are commonly raised.

It is not proposed as part of the Strategy that actions would be initiated by the City to effect closures, although the review provides the basis for assessment of any requests for such closures in the future.

The objectives of the study are:

- To provide a co-ordinated strategy to guide Council's future decision-making in relation to requests for PAW closures;
- To ensure that PAWs remain appropriate and relevant to the surrounding land uses and pedestrian/cyclist user groups;
- To ensure essential PAW links to schools, commercial facilities, transport routes etc. are retained;
- To provide recommendations on prioritising PAWs for retention and closure;
- To develop recommendations for the improvement, upgrading and maintenance of PAWs; and
- To identify and provide recommendations to improve anti-social behaviour and address negative impacts on surrounding residents.

#### **4.0 STRATEGY AREA**

The study area has been identified as the whole of the municipality of Rockingham, with the greatest emphasis being placed on the localities of:

- Baldivis
- Cooloongup
- Golden Bay
- Hillman
- Port Kennedy
- Rockingham
- Safety Bay
- Secret Harbour
- Shoalwater
- Singleton
- Waikiki, and
- Warnboro

There are approximately 270 PAWs located within these areas. The great majority of them are located within the localities of Rockingham, Safety Bay, Cooloongup, Hillman and Waikiki.

## 5.0 SCOPE OF WORK

The consultant's brief set out the following scope of work:

- (i) to identify the PAW networks in each of the localities, with reference to the function and level of usage of individual PAWs and their relationship with the existing road (footpath) network;
- (ii) to evaluate individual PAWs with reference to their design characteristics, condition, level of casual surveillance, fencing attributes, paving, bollards, landscaping/vegetation and lighting;
- (iii) to assess the potential impact of closure of individual PAWs, with reference to pedestrian/cycle accessibility to neighbouring facilities, including:
  - schools,
  - shops,
  - parks and recreation facilities,
  - community facilities,
  - bus stops,
  - train stations.
- (iv) to determine the impact of use and abuse of PAWs in terms of vandalism, crime, nuisance and reduced privacy and amenity for adjoining property owners and occupiers;
- (v) to comment on the practicality and acceptability of alternatives to closure, with respect to those PAWs which provide significant links in the pedestrian/cycle network, including:
  - provision of, or improvements to, lighting,
  - fencing improvements and/or ongoing maintenance,
  - redevelopment of PAWs to include improvements to existing paving and installation of landscaping.
- (vi) to consult with key stakeholders, government bodies and organisations and the general public as agreed by the City's project management team;
- (vii) to consolidate the required information in the form of a report and plan which :
  - addresses the abovementioned requirements and gives a ranking or grading to each PAW in terms of its suitability for closure; and
  - addresses the assessment criteria contained within the (now superseded) WAPC Planning Bulletin No. 57.

## 6.0 STUDY METHOD

In order to fulfill the investigative requirements of the study brief, the following research was undertaken:

### 6.1 PAW Identification

All PAWs within the study area were identified by the Department of Land Administration, and marked on base maps supplied by the City.

An identification coding system was established by the City, whereby each PAW was given a number, prefixed by a letter relevant to their locality. (e.g., those PAWs in Waikiki were prefixed WK – such as WK 419. Those in Rockingham were prefixed R – such as R 250.)

### 6.2 Community Facility Mapping

Through site surveys and desk-top research, all relevant community facilities (schools, shops, parks, recreation facilities, community facilities, designated dual use and recreation paths, and bus stops) within the study area were identified and marked on the working field maps.

### 6.3 Research of City of Rockingham Files

All the relevant City files were researched by City staff to determine which PAWs have been the subject of previous requests to close. The resultant information was noted on the individual PAW data sheets.

### 6.4 Individual PAW Site Inspections & Survey Sheets

Each PAW was visited at least once to determine their design characteristics and level of usage. This occurred over a seven month period. A sample survey sheet is attached to this report as **Appendix 4**. The data collected for each PAW included:

- location,
- map reference,
- design characteristics (width, length, geometry, topography, presence of bollards),
- condition,
- level of casual surveillance,
- fencing attributes,
- paving,
- landscape/vegetation,
- lighting,
- level of usage,
- presence of services (see Section 6.5),
- connectivity to facilities or other nearby PAWs.

Each PAW was photographed, usually twice - once from each end. Any unusual aspects of a particular PAW (obstructions, damage, etc.) were also photographed and documented.

### 6.5 Presence of Services

Basic services information was provided by the individual authorities who supply water/sewerage, gas and electricity, and the presence of these services was then recorded on each PAW survey sheet.

**Note:** This information has been provided by the public authorities in digital format, over which the City has laid cadastral information and the PAW locations. While every care has been taken in attempting to identify the various services which are laid within each PAW, it would be prudent for the City to ensure the currentness of this information through a specific request to the “Dial Before You Dig” agency at the time when a particular PAW may be the subject of a request to close. There may also be additional below ground services in the area, such as fibre optic cabling, telephone, etc.

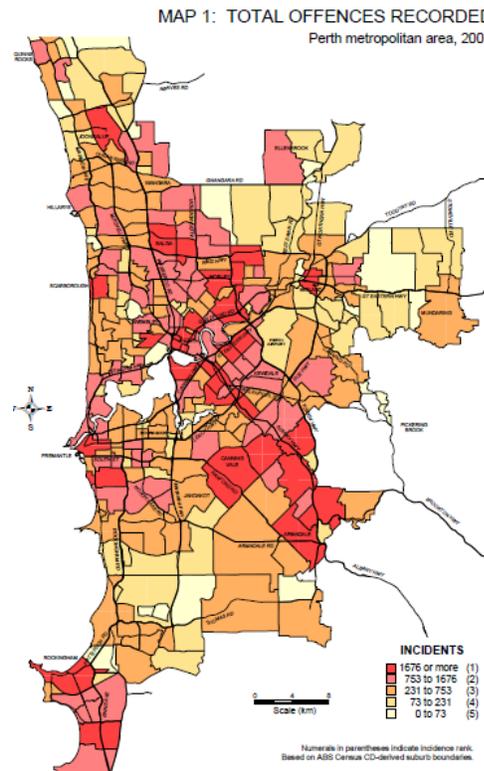
## 6.6 Community Consultation

Community consultation was carried out at the draft Strategy stage. The proposed PAW classifications were advertised and public submissions sought.

Further details concerning the consultation method, and the results obtained from the advertising period, are set out in detail in Section 10.0 of this document.

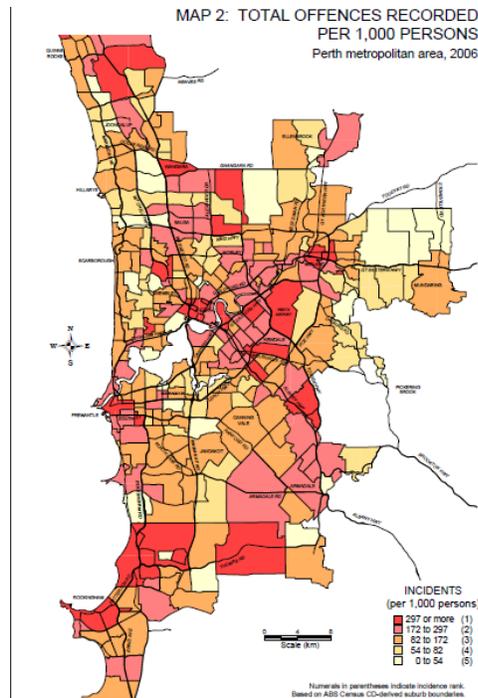
## 6.7 Crime Statistics

General crime statistics for all suburbs and localities within the metropolitan area are freely available through police and University of WA websites (see **Figures 1 & 2** over page), However, specific data relating to individual PAWs and their immediate surrounds is not.



**FIGURE 1: Total Offences Recorded, Perth Metropolitan Area 2006**

*Source: “Crimes Reported to Police Western Australia 2006” UWA Crime Research Centre June 2008*



**FIGURE 2: Total Offences Recorded Per 1,000 Persons, Perth Metropolitan Area 2006**

*Source: "Crimes Reported to Police Western Australia 2006" UWA Crime Research Centre June 2008*

Figures 1 and 2 show the suburbs of Rockingham and Warnbro rank highly in the incidence of crime when compared to other metropolitan suburbs. (This issue and its relevance to PAWs is discussed further in Section 10.3 of this report.)

Enquiries to the Police Service Information Release Manager regarding crime data specific to PAWs and their immediate surrounds resulted in the following response:

*"In regard to (your) more detailed request relating to PAWs this data is not available from a Police Service standard report and requires a significant amount of research and police systems data extraction programming. Even then, the information may not be all that accurate as offence reports are entered onto the systems based on address details. Unless specific addresses are provided the offence reports will not be able to identify PAWs."*

Requests to the police service for information require the enquirer to complete a four page form for each site, and to cover the police staff costs incurred. As completing an application form for each PAW would be an extremely time-consuming and costly exercise, with no guarantee that the accuracy of the results would prove to be useful, it was decided not to pursue this line of enquiry any further at this stage.

However, requests for crime statistics relating to some specific PAWs may be justified at some future stage in order to verify individual residents' claims of criminal and anti-social behaviour.

## 6.8 Liaison with DoP Staff

A senior planner with DoP with overall responsibility for PAW assessments and issues was consulted at the outset of the study. Support was received for the City's approach.

Upon near completion of the Strategy a meeting was arranged between the responsible DoP staff members, the consultant and the two City of Rockingham staff members who participated in, and oversaw the development of, the study and Strategy production.

Support was received for the City's work, and verbal advice given that the WAPC's endorsement of the Strategy would likely be forthcoming, once it has been endorsed by Council and forwarded to the Commission.

## 7.0 WAPC PREFERRED STANDARDS FOR PAW CONSTRUCTION

An important aspect of this study is the attitude towards PAWs adopted by the WAPC. The WAPC does not favour the construction of PAWs as part of new residential subdivisions. "Liveable Neighbourhoods (Community Design Code)" places a strong emphasis instead on providing footpaths and cycle paths within Gazetted road reserves, fronted by dwellings that overlook the paths and which provide high levels of user-security through casual surveillance. "The primary pedestrian network is the street system, which is detailed to support pedestrian movement." PAWs are not specifically mentioned in the Liveable Neighbourhoods document.

The Commission's current Policy No. DC 2-6 addresses the issue of PAWs in the following manner :

*"3.6.8 In the past, narrow pedestrian accessways (3m) have been introduced between lot boundaries linking nearby roads. This arrangement has been particularly popular in linking adjoining culs-de-sac in the loop road and cul-de-sac type of residential layout. Local authorities, however, have increasingly sought the closure of these kind of pedestrian accessways following complaints from adjacent landowners experiencing anti-social behaviour, damage to property, loss of privacy and general disturbance.*

*3.6.9 The design of new subdivisions should, therefore, avoid narrow pedestrian accessways between property boundaries. Alternative design solutions should be sought using the road network and public open space linkages to provide direct, pedestrian-friendly connections between residential areas and public facilities such as shops, schools and bus routes.*

*Where pedestrian links between property boundaries are unavoidable, the design of the pedestrian accessway should limit the opportunities for anti-social behaviour. For this reason, the width of the pedestrian accessway should not be less than 8m (author's emphasis) and the design should be straight and open to view from other residences, street or public open space."*

## 8.0 INITIAL STUDY FINDINGS – General Observations

- Nearly all the PAWs within the municipality are “sub-standard” in terms of their width. While the WAPC requires new PAWs to be at least 8m in width, nearly all PAWs within the City of Rockingham are 3 – 5 metres in width. The WAPC would not approve of their construction if they were part of a new subdivision application.
- Many PAWs do not have a street light at each end. Some have no street lights.
- In a number of instances side fences have been extended in height by residents, apparently in an effort to protect the visual privacy of their back yards and to deter rubbish being tossed over the fence by some users of the PAWs.
- Paving within the PAWs varies greatly. Some retain the original old narrow concrete slab paths laid in the centre, with sand and weeds filling in the path margins.
- Many PAWs are in need of more regular maintenance – such as the removal of rubbish, weeding, cutting back of overhanging vegetation and the obliteration of graffiti.
- Graffiti on side fences is common.
- In general terms, the wider the constructed path, the better the condition of the PAW.
- There appears to be a strong correlation between PAW condition and the level of usage. The greater the usage, the poorer the condition in terms of graffiti, rubbish and adjacent fence damage.
- Most PAWs have bollards in varying configurations placed at each end, with the aim of deterring cyclists (and motorcyclists) from speeding through.
- A very small number of PAWs are “gated”.
- Almost all PAWs have underground services lying within them, usually belonging to the Water Corp.

During site visits to individual PAWs, it soon became apparent that there are more pedestrian accessways within Rockingham than have been identified by DOLA. While these accessways have all the visual appearance of a PAW (3 to 4 metres in width, constructed path, bollards at one or both ends), these are not formally recognised PAWs, but are instead classified in some other way.

It is clear that the community would not be interested in this subtle distinction between “real” PAWs and “faux” PAWs, and would see them all as the same. It was therefore decided to conduct further investigations and site inspections with the aim of identifying, as far as possible, all these additional accessways. Consequently the consultant’s brief was extended to cover this situation.

These additional accessways (33 in number) were identified and assessed in the same manner as the “real” PAWs, and have been marked on the maps in a different manner and given identifying reference numbers such as F1R, F2R (Rockingham), and F19PK and F20PK (Port Kennedy).

## 9.0 INITIAL STUDY FINDINGS - Specific

Superseded WAPC Planning Bulletin 57 set out seven criteria against which local governments had to assess requests for PAW closures.

The first four criteria – considered the most important by DoP and the WAPC – related directly to various aspects of connectivity, and the potential negative impacts a possible closure would have on local pedestrian and cyclist movements. The other three criteria related to (i) the incidence of crime and anti-social behaviour, (ii) the views of adjoining landowners in relation to the closure and their level of commitment to purchase, and (iii) evidence that the local government had considered other alternatives to closure.

Experience has shown that DoP and the WAPC continue to place a strong and consistent emphasis on the need for local governments to retain PAWs wherever possible and to maintain existing pedestrian/cyclist networks, and this is an understandable position to take. Incidents of criminal and/or anti-social behaviour taking place within and adjacent to a particular PAW are viewed as secondary considerations. These latter aspects are rarely seen by DoP as sufficient reason on their own for a PAW to be closed.

This is a principle that some residents who are significantly affected find hard to accept.

With this in mind, a classification system – which relates to connectivity only - was used to individually 'classify' each of the PAWs and other accessways. This system is explained as follows:

- E (Essential)** The PAW/accessway should be retained and kept open, as it forms an essential or important function in the local pedestrian and cycle movement network.
- R (Retain)** The PAW/accessway should preferably be kept open, as it has some significance in the local pedestrian and cycle movement network. However, closure *may* be acceptable if prompted by significant local community support and clear evidence of considerable anti-social and/or criminal behaviour associated with the PAW.
- NE (Non-essential)** The PAW/accessway could be closed without significantly affecting the local pedestrian and cycle movement network. Few residents would be disadvantaged.

However, closure under any of these three classifications would still depend upon:

- (i) adjoining landowners agreeing to purchase the closed PAW/accessway;
- (ii) relocation of existing services and/or the establishment of appropriate service easements, to the satisfaction of the affected service authorities, and at no cost to the affected service authorities;
- (iii) reimbursement of specified Council costs;

- (iv) general acceptance of the closure by the immediately affected community after appropriate public advertising has taken place; and
- (v) final approval by the Department of Planning.

**NP (No path)**

The PAW/accessway does not contain a path. Therefore the PAW/accessway could be 'closed' without any disruption to the local pedestrian and cycle movement network.

(Note: This classification system is generally consistent with the WAPC guide for preparing a pedestrian and cycle access plan.)

Maps showing the classifications of all PAWs and other accessways are attached to this document as **Appendix 5**.

The individual assessment sheets for each of the PAWs and accessways also make comment on other negative aspects associated with each facility, such as poor lighting, poor paving, the presence of graffiti or rubbish, and makes note of situations where requests have been made previously by residents for PAW closures due to anti-social or criminal behaviour, malicious damage, etc. These comments can be drawn upon by the City in future considerations regarding individual PAWs if the need arises. (A sample of a completed survey/assessment sheet is attached to this report at **Appendix 4**.)

The individual PAW assessment sheets are retained in hard copies and digital format by the City's Planning staff. Although not physically attached to this Strategy document, the assessment sheets are nevertheless an integral part of the Strategy.

## 10.0 COMMUNITY CONSULTATION

### 10.1 Introduction:

The public advertising period for the draft PAW Strategy was 11 November 2009 to 23 December 2009 (42 days).

Newspaper advertisements were placed as follows:

**Week 1**

*Sound Telegraph* - Wednesday 11<sup>th</sup> Nov. (Public Information Session Advertisement)

*Weekend Courier* – Friday 13<sup>th</sup> Nov. (Public Information Session Advertisement)

**Week 2**

*Sound Telegraph* – Wednesday 18<sup>th</sup> Nov. (Public Information Session Advertisement)

*Weekend Courier* – Friday 20<sup>th</sup> Nov. (Public Information Session Advertisement)

**Week 3**

*Sound Telegraph* – Wednesday 25<sup>th</sup> Nov. (Public Information Session Advertisement)

*Weekend Courier* – Friday 27<sup>th</sup> Nov. (Public Information Session Advertisement)

*Weekend Courier* – Friday 27<sup>th</sup> Nov. (Rockingham Council News Column December)

City of Rockingham Website

Submission forms, maps and information sheets were made available on the City's website.

Public Display

Submission forms, maps and information sheets were on display, and available at the City's Administration Offices.

#### Public Information Sessions

- (i) Tuesday 1<sup>st</sup> December 2009 (6pm – 8pm) (Rockingham, Safety Bay)
- (ii) Thursday 3<sup>rd</sup> December 2009 (6pm – 8pm) (Shoalwater, Coo롱gup, Hillman, Waikiki)
- (iii) Tuesday 8<sup>th</sup> December 2009 (6pm – 8pm) (Warnbro, Baldivis, Secret Harbour, Port Kennedy, Singleton and Golden Bay)

City of Rockingham staff and the consultant attended the three public information sessions. A total of 11 members of the public attended the three sessions.

### **10.2 Summary of Community Responses, and Reassessment of Some PAW Classifications**

The City received 16 submissions during the advertising period. The submissions related to four PAWs.

- (i) SH361 – one submission.
- (ii) H69 – one submission
- (iii) SB334 – ten submissions
- (iv) W523 – four submissions

#### SH361 – one submission.

Request for closure on grounds of anti-social behaviour and property damage caused by users. The proposed classification was 'E' – Essential.

Recommendation: Change to an 'R' (Retain) classification can be justified.

#### H69 – one submission

The proposed classification was 'NE' – Non-essential. Request to classify as 'E' Essential as local children and residents use the PAW daily.

PAW H69 is poorly designed and unsafe. There is a public street (Doradeen Close) which lies parallel to the PAW which should be promoted for pedestrian/cycle access instead.

Recommendation: Classification should remain.

#### SB334 – ten submissions

Request for closure on grounds of anti-social behaviour and property damage caused by users. The proposed classification was 'NE' – Non-essential.

Recommendation: The proposed classification should remain. Closure could be supported.

#### W523 – four submissions

Request for closure on grounds of anti-social behaviour and property damage caused by users. The proposed classification was 'E' Essential.

A complaint and request to close was received by the City about 2006. This was refused due to the essential nature of the PAW. However, a spot light was erected at the end of the PAW as a result.

This PAW is an essential part of the local pedestrian and cycle system. It connects with Knowle Way to provide an important and direct north-south link from Okehampton Road feeding south into the controlled pedestrian (lollypop man) crossing over Axminster Street to the primary school.

Recommendation: The proposed classification should remain.

### **10.3 General Observations (questionnaire responses and community information sessions)**

The small number of people who attended the information sessions, and the small number of submissions, was disappointing. This is despite the draft Strategy and the information sessions being widely publicised.

Only one submitter supported retention of a particular PAW. Other submitters and attendees at the information sessions expressed concern and anger over problems of anti-social behaviour and vandalism occurring in their neighbourhoods, and associated with particular PAWs.

As explained in some detail earlier in this report, maintenance of good accessibility to facilities, services and surrounding neighbourhoods for residents of a community is of paramount importance when considering the merits or otherwise of PAW closures.

While it is clear that some PAWs and neighbouring properties are subjected to abuse and vandalism by some PAW users, it is also obvious that many of these PAWs are located in areas with higher levels of crime, compared to other suburbs in the metropolitan area (see previous Figures 1 & 2).

Discussions with attendees at the public information sessions revealed general dissatisfaction, anger and frustration at the levels of crime and anti-social behaviour being experienced in their areas. This is understandable. Some of this behaviour may be directly attributed to people using some of the PAWs, however attempts to claim that closing PAWs will somehow eradicate crime and anti-social behaviour throughout a neighbourhood are not supportable.

Similarly, recommending closure of essential pedestrian/cycle access routes which would result in a large number of other residents being greatly inconvenienced is also not supportable. Implementation of the WAPC's recommended "designing out crime" strategies as documented in this report's appendices is proposed instead.

\* \* \*

## 11.0 RECOMMENDATIONS

### 11.1 Proposed Classifications

Baldivis	Cooloongup	Golden Bay	Hillman	Port Kennedy	Singleton
B574,575 – E	C1 – R	GB45 – E	H55 – NE	PK84,87 – E	S379 – R
B580 – E	C2 – R	GB47 – R	H56 – NE	PK103 – E	S380 – E
B582 – E	C4 – R	GB48 – R	H57,H60 – E	PK105,107 – E	S381 – E
	C7 – R	GB49 – R	H58,H61 – E	PK108 – E	S382 – R
	C8 – R	GB50 – NE	H59 – NE	PK109,110 – NE	S383 – E
	C10 – R	GB51 – NE	H62 – E	PK130 – R	S384 – R
	C11 – R	GB52 – R	H63,65,66 – E	PK132 – R	
	C13 – R	GB54 – NE	H64 – E	PK133 – NE	
	C14,15 – E		H67 – E	PK160,161 – E	
	C16 – R		H69 – E/NE	PK163 – R	
	C17 – R		H68 – NE	PK174,175 – E	
	C19 – NP		H70 – R	PK179,181 – E	
	C21 – R		H71 – E	PK184,185 – E	
	C22 – R		H73 – R	PK198 – E	
	C23 – R		H74 – E	PK203 – NE	
	C24 – R		H75 – NE		
	C25 – NE		H76 – NE/R		
	C26 – E		H77 – E		
	C27 – E		H78 – E		
	C28 – NP		H79 – E		
	C29 – R		H80 – E		
	C30 – R		H81 – NE/R		
	C31 – E		H82 – E		
	C32 – R		H83 – R		
	C33 – E				
	C34 – R				
	C35 – R				
	C36 – R & NE				
	C37 – NE				
	C38 – R				
	C39 – E				
	C40 – R				
	C41 – NE				
	C42 – R				
	C43 – NP				

**Key:** E = essential, R = retain, NE = non-essential, NP = no path

Waikiki	Warnbro	Rockingham	Safety Bay	Safety Bay (Cont.)
WK389 – R	W463 – NE	R204 – E	SB276 – R	SB333 – NE
WK392 – E	W468 – R	R205 – R	SB277 – R	SB334 – NE
WK393 – NE	W469 – R	R206 – NP	SB278 – R	SB335 – R
WK394 – R	W477 – E	R207 – E	SB279 – R	SB338 – E
WK395 – E	W484 – R	R208 – R	SB280 – E	SB339 – R
WK396 – NE	W485 – R	R209 – R	SB281 – E	SB340 – R
WK397 – E	W486 – E	R210 – E	SB282 – E	SB341 – R
WK398 – NE	W499 – R	R211 – NE	SB283 – E	SB342 – E
WK399 – E	W511 – NE	R212 – R	SB284 – E	
WK401 – R	W513 – E	R213 – E	SB285 – E	
WK402 – R	W520 – R	R214 – NE	SB286 – E	
WK405 – E	W521 – R	R215 – R	SB287 – R	
WK414 – R	W522 – NE	R216 – NE	SB288 – NE	
WK415,418 – NE	W523 – E	R217 – NE	SB289 – E	
WK416,417 – E	W524 – R	R218 – R	SB290 – R	
WK419 – NE	W525 – R	R220 – R	SB291 – NE	
WK421 – R	W527 – NE	R223 – E	SB292 – R	
WK422 – R	W533 – NE	R229 – R	SB293 – NE,NP	
WK423 – R	W541,546 – E	R230 – R	SB294 – E	
WK424,426 – E	W544 – E	R231 – E	SB295 – R	
WK431 – R	W555 – E	R232 – E	SB296 – E	
WK432 – R	W557 – E	R233 – E	SB297 – E	
WK433 – NE	W562 – E	R234 – NP	SB298 – E	
WK436 – E	W566 – E	R237 – E	SB299 – NE	
WK447 – NE		R238 – E	SB300 – R	
WK448 – E		R239 – NE	SB301 – E	
WK449 – E		R240,242 – E	SB302 – NE	
WK450 – E		R243 – E	SB303 – E	
WK452 – R		R244 – E	SB304 – E	
WK453,456 – NE		R245 – E	SB305,306 – E	
WK454 – R		R246 – E	SB307 – R	
WK455 – R		R247 – NE	SB308 – E	
WK457 – E		R248,253,258 – E	SB309 – R	
WK458 – R		R249 – E	SB310 – E	
WK459 – R		R250 – E	SB311,314 – E	
		R251 – E	SB313 – E	
		R252 – R	SB316 – E	
		R254 – E	SB317 – E	
		R255 – R	SB318 – E	
		R256 – E	SB319 – R	
		R257 – E	SB320 – R	
		R259 – E	SB321 – R	
		R261 – NE	SB322 – NP	
		R262 – NE	SB323 – R	
		R263 – E	SB325 – NP	
		R264,266 – E	SB326,332 – R	
		R265 – E	SB327 – R	
			SB328 – R	
			SB329 – R	
			SB330 – NE	
			SB331 – NE	

**Key:** E = essential, R = retain, NE = non-essential, NP = no path

Secret Harbour	Shoalwater	Faux PAWs
SH361 – R	SW375 – E SW376 – NE	F1R – NP F2R – NE F3SB – NE F4SB – E F5R – NE F6R – R F7R – E F8R – E F9R – R F10C – NE F11SB – R F12WK – R F13WK – NE F14SB – R F15W – R F16W – NE F17W – NE F18W – E F19PK – R F20PK – R F21H – E F22C – NE F23C – R F24C – R F25C – R F26C – R F27C – R F28W – NE F29S – R F30S – E F31S – E F32S – E F33R – R

**Key:** E = essential, R = retain, NE = non-essential, NP = no path

The classifications are illustrated on the maps contained in **Appendix 5**.

### 11.2 PAW Assessment Sheets:

The assessment sheets for each of the PAWs, together with all the service information, are contained on a number of computer disks. While the assessment sheets are not physically attached to this report, they nevertheless form an integral part of this Strategy.

Each sheet contains “Additional Comments”, which relate to various matters such as required physical improvements like paving, lighting, vegetation removal, bollard replacement etc., and, where appropriate, the importance of retaining nearby specific PAW(s) which may link in with the subject PAW and provide significant connectivity benefits. (An example of an assessment sheet is shown at **Appendix 4**.)

### 11.3 Possible Closures :

The PAWs or accessways classified as “Non-essential”, and which may be suitable for closure, are listed below.

Baldivis	Cooloongup	Golden Bay	Hillman	Port Kennedy	Singleton
Nil	C25 C36 – R & NE C37 C41	GB50 GB51 GB54	H55 H56 H59 H69 – E/NE H68 H75 H76 – NE/R H81 – NE/R	PK109,110 PK133 PK203	Nil

Waikiki	Warnbro	Rockingham	Safety Bay	Secret Harbour	Shoalwater
WK393 WK396 WK398 WK415,418 WK419 WK433 WK447	W463 W511 W522 W527 W533	R211 R214 R216 R217 R239 R247 R261 R262	SB288 SB291 SB293 – NE,NP SB299 SB302 SB330 SB331 SB333 SB334	Nil	SW376

Faux PAWs
F2R F3SB F5R F10C F13WK F16W F17W F22C F28W

It is stressed that closure of these PAWs should only be initiated if a specific request is received, and closure is supported by the local community. If a PAW is currently operating satisfactorily, with few problems of damage and anti-social behaviour, and no complaints are being officially registered, then the City should not move prematurely to have the PAW closed.

### 11.4.1 General Comments on PAW Networks and Classifications in the Individual Localities

#### Rockingham

The suburb of Rockingham contains 51 PAWs. Many of these link adjacent loop roads & culs-de-sac. Only 8 are considered to serve little access purpose, or duplicate the role of other nearby PAWs or roads. These have been classified 'NE'.

2 of the PAWs have no footpath within them.

A total of 30 (59%) are regarded as "Essential" to the local pedestrian/cycle network.

Rockingham PAWs generally range in condition from very poor to good.

#### Safety Bay

The suburb of Safety Bay contains 62 PAWs. Many of these link adjacent loop roads and culs-de-sac. Only 8 are considered to serve little access purpose, or duplicate the role of other nearby PAWs or roads. These have been classified 'NE'.

One PAW is non-essential and has no path.

Two other PAWs have no footpath within them.

A total of 27 (44%) are regarded as "Essential" to the local pedestrian/cycle network.

Safety Bay PAWs generally range in condition from very poor to good.

#### Warnbro

The suburb of Warnbro contains 25 PAWs. Many of these link adjacent loop roads and culs-de-sac. Only 5 are considered to serve little access purpose, or duplicate the role of other nearby PAWs or roads. These have been classified 'NE'.

A total of 11 (44%) are regarded as "Essential" to the local pedestrian/cycle network.

Warnbro PAWs generally range in condition from very poor to good.

#### Waikiki

The suburb of Waikiki contains 39 PAWs. Many of these link adjacent loop roads and culs-de-sac. Only 10 are considered to serve little access purpose, or duplicate the role of other nearby PAWs or roads. These have been classified 'NE'.

A total of 14 (36%) are regarded as "Essential" to the local pedestrian/cycle network.

Waikiki PAWs generally range in condition from poor to good.

### Cooloongup

The suburb of Cooloongup contains 36 PAWs. Many of these link adjacent loop roads and culs-de-sac. Only 3 are considered to serve little access purpose, or duplicate the role of other nearby PAWs or roads. These have been classified 'NE'.

One PAW has sections classified 'R' and 'NE'.

3 of the PAWs have no footpath within them.

A total of 7 (19%) are regarded as "Essential" to the local pedestrian/cycle network.

Cooloongup PAWs generally range in condition from poor to fair.

### Baldivis

The suburb of Baldivis contains 4 PAWs.

All are regarded as "Essential" as their primary function is to act as firebreaks/fire access tracks.

### Golden Bay

The suburb of Golden Bay contains 8 PAWs. Three are considered to serve little access purpose, or duplicate the role of other nearby PAWs or roads. These have been classified 'NE'.

Only one PAW is regarded as "Essential" as it acts as a firebreak/fire access track.

### Hillman

The suburb of Hillman contains 28 PAWs. Many of these link adjacent loop roads and culs-de-sac. Only 4 are considered to serve little access purpose, or duplicate the role of other nearby PAWs or roads. These have been classified 'NE'.

Three PAWs have split classifications (E/NE and NE/R).

A total of 17 (61%) are regarded as "Essential" to the local pedestrian/cycle network.

Hillman PAWs generally range in condition from poor to fair.

### Port Kennedy

The suburb of Port Kennedy contains 22 PAWs. Many of these link adjacent loop roads. Only 4 are considered to serve little access purpose, or duplicate the role of other nearby PAWs or roads. These have been classified 'NE'.

A total of 15 (68%) are regarded as "Essential" to the local pedestrian/cycle network.

Port Kennedy PAWs generally range in condition from poor to fair.

### Singleton

The suburb of Singleton contains 6 PAWs. None have been classified 'NE'.

Half of the PAWs are regarded as "Essential", and two of these are firebreaks/fire access tracks.

Singleton PAWs generally range in condition from very poor to good.

#### Secret Harbour

The suburb of Secret Harbour contains 1 PAW. This has been classified 'R' and is in very poor condition.

#### Shoalwater

The suburb of Shoalwater contains 2 PAWs. One is classified 'E' and the other 'NE'.

One is in poor condition, the other in good condition.

### **11.4.2 “Faux” PAWs**

There is a total of 33 other accessways within the City of Rockingham, although there may be more which were not picked up during the field and desk-top surveys.

They vary greatly in condition, with most being in the poor to fair range. Eight (24%) are considered to be essential to the local pedestrian/cycle networks. A further 9 (27%) are considered to be non-essential.

Some of the faux accessways are used as part of the City's designated dual use path system

As these accessways are not classified as Pedestrian Accessways, but some other forms of Crown land, the City of Rockingham would seem to have little, if any, responsibility for their future upkeep.

### **11.5 Alternatives to PAW Closures**

The WAPC's "Procedures for the Closure of Pedestrian Access Ways" and "Reducing Crime and Anti-social Behaviour in Pedestrian Access Ways" set out recommended alternatives to PAW closures.

#### **11.5.1 Alternatives to Permanent PAW Closure**

Section 4 (page 12) of "Reducing Crime and Anti-social Behaviour in Pedestrian Access Ways" provides a range of "designing out crime" strategies specific to PAWs. These include:

- clearly defining the ownership and use of PAWs (rapidly removing graffiti, quickly repairing damage, upgrading walking surfaces),
- improving surveillance (improved lighting, safety mirrors, clearing shrubs and overhanging vegetation, electronic surveillance, deploying CCTV cameras),
- setting rules and defining activities (installing signs),
- hardening adjacent properties against damage and illegal access (installing density matting and/or climbing plants on blank walls to reduce graffiti, removing physical objects that would aid illegal access),
- controlling access (with bollards or using gates to deny access at vulnerable times such as sunset to sunrise),
- applying additional security measures for PAWs with significant crime problems (deploying CCTV cameras, police/security patrols), and
- other "generic" designing out crime issues/solutions.

These measures are described in more detail in Section 4 of the WAPC's planning guidelines.

Longer-term solutions, such as up-coding the lots located adjacent to PAWs to allow widening of the PAW and appropriate redevelopment of the adjacent lots to increase surveillance of the PAW, are also described and illustrated.

### 11.5.2 Temporary PAW Closures

The WAPC's "Procedure for the Closure of PAWs" (page 8) suggests that temporary closure of a PAW may be considered as an alternative to permanent closure where:

- other methods of dealing with safety, crime and anti-social behaviour have proven to be unsuccessful, and
- permanent closure is not desirable due to the possible need for future access.

Should the WAPC or DoP Statutory Area Teams agree to the temporary closure, such a closure would be valid for an agreed period. The PAW could be fenced, or leased to adjoining landholders for an agreed period for management purposes.

Once a temporary closure period has expired, the PAW must be reopened, or a request made to the WAPC to consider a further temporary closure.

### 11.5.3 Comments

- Temporary PAW closures can be used as a trial to determine if removing the subject PAW for a determined period (say 3 months) has any significant impact on local movements. Permanent closure could then be initiated, or rejected, depending upon community reactions after the trial period ends. (This solution could be most appropriate for those PAWs classified 'R' – 'preferably retain'.)
- Simple safety and security improvements can be initiated, depending upon available funding resources, but this will not necessarily prevent damage and anti-social behaviour occurring, as improvements such as lighting will not necessarily deter the more brazen individuals, who know that most nearby residents will have retreated behind their closed doors at night time. In addition, much of the damage and anti-social behaviour takes place during daylight hours (as testified by many residents during the community information sessions). However, improved lighting, active graffiti removal, and regular repairs and maintenance of PAWs and fences should go some way to improving security for users and adjacent residents, improving the appearance of the PAWs, and developing or increasing community pride. For a local authority to do nothing in the face of community criticism and demonstrated concerns would be, at the least, neglectful.
- The use of gates to restrict access at night has so far not been initiated within the City of Rockingham. This is an initiative which could be useful in certain circumstances, but may be physically difficult to achieve in the great majority of instances – particularly if the side and front fences of adjoining properties are too low, or if high wire gates and side fences are totally inappropriate in a streetscape. In addition, fences and gates are costly to construct, require local authority staff resources to unlock and lock them "after hours", and, of course, they deny "after hours" access to legitimate PAW users. (It is noted that the City does not favour the "gating" of PAWs in its current policy which deals with the closure of PAWs.)
- The WAPC suggests that one long-term initiative may be to increase the R-Coding on lots adjacent to "problem" PAWs through a density bonus, which would have the potential benefit of achieving PAW improvements (widening of the PAW, greater casual surveillance of the PAW by re-orientating adjacent dwellings) through the eventual redevelopment of the adjoining lots. It is suggested that this option has limited

application. It may be practical in some localities where land values are high and redevelopment is almost certain to be viable to the landowner, however, this is unlikely to be achieved within much of the study area. In addition, being a long-term solution, immediate or even medium-term relief for suffering adjacent residents will not occur.

(NOTE: The City of Armadale has provisions in its TPS to increase the R-Coding up to R40 for properties abutting a PAW in an endeavour to encourage appropriate redevelopment.)

More pro-active remedial measures exist for dealing with “problem” PAWs, such as more frequent patrols by police and/or private security agencies, and the installation of security cameras and closed circuit TV monitoring. The latter measures in particular are an expensive proposition, and although difficult to justify on a wide-spread basis, may be appropriate for specific “problem” PAWs with demonstrated significant crime problems.

One option available to local authorities confronted with a situation where closure of a PAW is approved, but adjacent landowners won't or cannot buy the closed PAW, is to reclassify the PAW as a “Public Utilities Services Reserve”, which means the land is fenced and gated, and is only accessible to the public service authorities concerned. Once again, the City's planning policy for PAWs does not favour this option. However, there are a small number of instances where this initiative has been undertaken.

## 11.6 Implementation Strategy

A recommended strategy for implementing the results of this study is as follows:

- (i) the City of Rockingham to adopt this report and the PAW classifications to provide direction when considering future applications for PAW closures, and to provide greater certainty for affected residents and landowners;
- (ii) this report and its findings to be forwarded to the DoP/WAPC for endorsement by the WAPC; and
- (iii) the City of Rockingham to adopt a structured, ongoing programme for upgrading priority PAWs (their priority being determined by their level of usage, the quantity and form of complaints received from adjacent landowners, the design characteristics/shortcomings of the PAWs, and their condition.).

In addition, the City may choose when next reviewing the operations of its town planning scheme to provide a density bonus for properties abutting some “problem” PAWs, in an endeavour to encourage appropriate redevelopment and to achieve a widened PAW. This is, of course, a long-term solution to upgrading PAWs, and is only likely to prove successful in situations where land values are higher, and re-subdivision and development for a higher density would be viable.

## 11.7 Ongoing Programme of Upgrading and Maintenance

### 11.7.1 General

Specific to part (iii) of the above strategy, it is recommended that the City adopt an ongoing programme whereby, depending upon the available budget, PAWs are progressively upgraded in terms of their condition, and safety/security.

In regard to the condition of PAWs, this should include as a minimum the following measures:

- repave with concrete, preferably to a width of 2.5m minimum,
- repair and maintain fencing and promptly remove graffiti,
- remove weeds and rubbish,
- prune or remove vegetation hanging over side fences and obscuring PAW entrances,
- erect signs to set rules and define acceptable activities,
- install effective lighting, and
- erect appropriately designed bollards to prevent PAWs being used by motor cyclists.

An increase in security patrols in selected areas could also be warranted.

The City should also consider the principle of permitting landowners abutting a PAW to erect high (i.e., higher than is normally permitted) side fences, to deter PAW users from looking over the fence, or throwing rubbish over the fence into back yards. While this measure could be considered contrary to the principle of encouraging “casual surveillance” of PAWs from the windows or yards of neighbouring properties, the fact of the matter is that throughout much of the municipality almost all dwellings abutting PAWs are single storey, and this casual surveillance from the houses does not occur now. In addition, a greater problem currently results from PAW users looking over side fences into private backyards and invading domestic privacy.

### 11.7.2 Specific

While it is acknowledged that virtually all the PAWs within the municipality require some form of upgrading (and these actions are noted on the individual assessment sheets for each PAW), there are a number of PAWs requiring priority attention such as repairs and remedial work. These are:

- Cooloongup 21, 22, 23, 24, 34, 40, 42
- Hillman 83
- Port Kennedy 184/185, 179/181
- Waikiki 405
- Warnboro 469, 484, 486, 524
- Rockingham 207, 209, 212, 213, 215, 218, 230, 244
- Safety Bay 276, 277, 278, 279, 281, 282, 283, 284, 285, 289, 290, 292, 297, 298, 339
- Secret Harbour 361

These PAWs are all classified as either ‘E’ or ‘R’, and are in poor or very poor condition.

PAWs in poor or very poor condition, but classified ‘NE’, have not been included in the list above, as it is likely they will be the subject of closure applications sooner rather than later.

The degree to which the PAWs are upgraded in condition, safety and security will depend upon the budget made available by Council.

“Problem” PAWs (classified as either ‘E’ or ‘R’) with significant crime problems should ideally have mobile CCTV installed, together with signage informing the public of its presence. Police or security patrols should be established to provide routine and regular surveillance of the PAW at times designated to be the most problematic. Alternatively, a PAW could be closed using gates at vulnerable times (e.g., sunset to sunrise).

## 12.0 CONCLUSIONS

### 12.1 The Next Steps

- (i) City of Rockingham to adopt this Strategy document;
- (ii) City of Rockingham to refer the document to agencies such as public Transport Authority, the Office of Crime Prevention, the Department of Education and Training, and the Disability Services Commission, for information and comment;
- (iii) City of Rockingham to refer the document to the WAPC with a request for endorsement; and
- (iv) City of Rockingham to develop a detailed, costed strategy to upgrade the City’s PAWs over a nominated time period. Priority should be given to the PAWs listed under preceding Section 11.7.2. Subsequent priority to be given to the remaining PAWs classified ‘E’ and ‘R’, their priority being determined by their level of usage, the quantity and form of complaints received from adjacent landowners, the design characteristics/shortcomings of the PAWs, and their relative condition.).

### 12.2 Concluding Comments

- The City’s first responsibility regarding PAWs within the study area is to retain access where it has been demonstrated that the particular PAW has some access significance, and has been classified as either ‘E’ or ‘R’.
- The City should retain all ‘R’ classified PAWs, unless circumstances change and community support for their retention is reversed, and/or public safety issues escalate to a point where accessibility and convenience must become secondary.
- The PAW ‘NE’ classifications will require the endorsement of the DoP/WAPC;
- Where particular ‘problem’ PAWs must be left open to maintain important community access, then the City should assist those residents and landowners most affected by adopting physical improvements and safety protection measures to ameliorate those problems, bearing in mind the limited resources the City has available to it.
- This study has produced a large body of resource material, which should prove useful to the City in its ongoing programme of monitoring and improving PAWs.

This Strategy is put to the City of Rockingham for its adoption.

\* \* \*

## **APPENDICES FOLLOWING :**

- Appendix 1** - WAPC Planning Bulletin No. 57/2009A (WAPC October 2009)
- Appendix 2** - “Procedure for the Closure of PAWs Planning Guidelines” (WAPC October 2009)
- Appendix 3** - “Reducing Crime and Anti-social Behaviour in PAWs Planning Guidelines”  
(WAPC October 2009)
- Appendix 4** - Sample of a completed survey/assessment sheet
- Appendix 5** - Maps showing PAW classifications

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