

Closure of Walkways Procedure

Procedure Author	General Manager – City Assets
Date of next review	January 2025

1 Purpose

This procedure supports the Sale and Disposal of Land and Other Assets Policy in outlining the process to assess the closure of walkways.

2 References and Supporting Documentation

This Procedure is to be read in conjunction with the Sale and Disposal of Land and Other Assets Policy.

- Open Space Strategy 2018-2028
- Surveyor-General's Guidelines - *Roads (Opening and Closing) Act 1991*
- Closure of Walkways Guideline

3 Application

Senior Manager City Property	Will make a determination on the recovery of costs.
Manager Sport and Property	Oversee the correct implementation of procedures when employees are assessing a walkway closure request.
Land and Property Officers	Undertake the procedures in a fair and consistent manner for the best possible community outcome when assessing a walkway closure request.

4 Procedure

The process for the closure of a walkway is subject to the *Roads (Opening and Closing) Act 1991*.

Walkway closures are generally instigated by an adjoining property owner of the walkway submitting a request for closure due to antisocial behavior occurring in the walkway or to acquire the land for private purposes.

The closure of walkways will be supported unless strong reasons can be shown for keeping the walkway open.

The following procedure outlines the steps in processing a walkway closure, which are supported by internal Closure of Walkways Guidelines.

4.1 Closure/Disposal Considerations

4.1.1 A walkway will be considered for closure and disposal if:

- a) It is no longer required as a thoroughfare;
- b) It is not required for public utility provision, (e.g. for electricity mains, storm water, floodway) and infrastructure can be removed, or if appropriate access to services can be maintained by an easement;
- c) It attracts an unsatisfactory level of antisocial behavior; and
- d) Adjoining landowners have an interest in acquiring the land.

4.2 Types of Walkway Closures

4.2.1 Closure and Transfer of Land to Adjoining Property Owners:

A walkway may be offered for closure by transfer of land to the adjoining property owners. This will be dependent on consultation with public utilities and internal Council stakeholders.

4.2.2 Closure by Installation of Gates:

Where a walkway is unable to be closed by transfer of land and major public utility infrastructure is located within the walkway, which still requires access by the public utility company, as a last resort Council may make the decision to install gates at each end of the walkway.

4.3 Public Utilities and Internal Consultation

4.3.1 Consultation will be held with public utilities (i.e. power, gas, water, NBN & Telstra) in relation to the assessment of the walkway closure.

4.3.2 When assessing a walkway closure, internal Council stakeholder consultation will be undertaken to seek feedback in regards to issues such as traffic management, walkway maintenance, impact on local community accessing bus stops, reserves, shops and schools and anti-social behaviour.

4.4 Transfer of Land to Adjoining Property Owners

4.4.1 Each adjoining property owner to a proposed walkway closure will be invited to consent or oppose the closure and make an offer to share in the costs of the closure of the walkway or decline.

4.4.2 In the case where four or more owners adjoin a walkway, there must be at least two owners willing to have the land amalgamated with their allotment, one owner from each end of the walkway, for Council to consider an application to close the walkway.

4.4.3 In the event that there are easements within the walkway land, only two adjoining owners are able to purchase the land (one from either end).

- 4.4.4 Public consultation will be undertaken as per the Council's Community Engagement Policy, which will include (but not limited to):
- Letters to property owners within the local area of the walkway;
 - Erect signs at the entrances to the walkway informing of proposed closure;
 - Notices on Council's website;
 - Advertise intention to close walkway in local newspapers and Government Gazette.
- 4.4.5 If no objections received during consultation period, then a Road Process Order will be approved for lodgment and the closure process will proceed in accordance with the *Roads (Opening and Closing) Act 1991* and associated Survey-General's Guidelines.
- 4.4.6 If an objection is received during the consultation period and cannot be resolved, a report must be submitted to an Ordinary Council Meeting seeking a Council resolution on the walkway closure. If Council endorses the closure, a Road Process Order will be approved, alternatively if the decision is not in favour of closing the walkway, all adjoining property owners will be notified in writing.
- 4.4.7 The Road Process Order, once signed by Council, must be lodged with the Surveyor-General within 3 months.
- 4.4.8 Once the Minister has approved the Road Process Order, the Surveyor-General will instigate a notice for the order and its confirmation will be published in the Government Gazette.
- 4.4.9 Property owners who are acquiring the closed walkway land will be notified in writing that the process has been completed and that new Certificate of Titles have been created.

5 Feedback

Your feedback on the procedure is invited and can be directed to the Manager Governance via email to governance@playford.sa.gov.au or by calling the Customer Contact Team on 8256 0333.

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Version history

Version no.	Approval date	Approval by	Change
1	25 May 2021	Ordinary Council Resolution No. 4612	New Procedure
