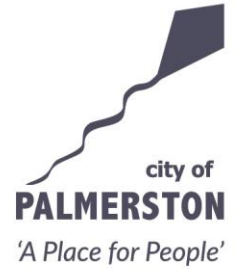


LANEWAY MANAGEMENT



COUNCIL POLICY

PURPOSE

This Policy outlines the criteria for preserving the network of laneways within the City, and guides decision making where a request to implement or remove a form of treatment of a laneway is received.

PRINCIPLES

The principles that apply to the management of laneways are:

- Council recognises the purpose and function that laneways were created and where practicable, will retain laneways as a component of the pathway network.
- Council will act on Laneway Applications in line with the laneways given category.
- Council will advocate for the engagement of all relevant government agencies that may impact on social behaviour issues and influence community responses and views.
- The occurrence of anti-social and criminal behaviour is a community issue that may not be practical to address by laneway treatments or closures.
- A laneway that provides an overland stormwater flow path will not be considered for permanent closure.
- Council recognises that community expectations over time may change and that there will be different views within the community at any one time.
- Wherever possible Council will seek to respond to the broad interests of the community when determining any treatment or closure of a laneway.
- The permanent closure of a laneway within the road reserve requires the consent of the Minister for Local Government and the Minister responsible for the *Control of Roads Act*.

DEFINITIONS

For the purposes of this Policy, the following definitions apply:

TERM	DEFINITION
Active transport	Relates to physical activity undertaken as a means of transport between points of interest. It includes travel by foot, bicycle, motorised scooters, and non-motorised vehicles.

TERM	DEFINITION
Community	Public, residents, or rate payers
Fees and charges	Charges outlined in City of Palmerston's Fees and Charges.
Full time closure	The closure of the laneway with locked gates with the duration of closure as determined by Council.
Laneway	A laneway provides connectivity between roads and/or public open space. It could exist as road reserve or as part of a lot. It is typically less than 10m in width.
Laneway application	A request to implement or remove a form of treatment of a laneway.
Laneway category (transport category)	A method to calculate the significance of the laneway for Active Transport based on the level of disruption to points of interest and desirable destinations.
Laneway transport category – Essential	High significance for active transport options.
Laneway transport category – Less essential	Moderate significance for active transport options.
Laneway transport category – non-essential	Low significance for active transport options.
Overland stormwater flow path	Where the laneway provides overland flow paths to mitigate the risk of property inundation in a major storm rainfall (1:100 yr) event.
Part time closure or night closure	Typically involves daily closing of a laneway with locked gates, typically between the hours of 9:00pm and 6:30am with the duration of the daily closing as determined by Council. The time of closure will be assessed to suit the circumstances of the laneway.
Permanent closure	The closing of a laneway by the creation of a new lot that is defined by the boundaries of the abutting properties, with the intent to dispose of the lot and consolidate into abutting properties.
Public Utility Easement (Linear or Transverse)	An easement established in the interest of a public utility provider for the purpose of protecting an underground service/s located within (linear) or across (transverse) a laneway.
Relevant Government Agencies	NT Police Force, Territory Housing, Territory Families, and other agencies involved with the provision of social services.



POLICY STATEMENT

1.1. Rationale

- 1.1.1 The retention of laneways to enable active transport options is Council's preferred option.
- 1.1.2 Where social issues associated with anti-social or criminal activity are occurring within the vicinity of a laneway the initial response is to engage with relevant government agencies to identify reactive and proactive intervention options, prior to considering the use of laneway treatments.
- 1.1.3 The permanent closure of a laneway will be considered by Council in special circumstances where the closure of the laneway does not unreasonably impact on active transport options within the vicinity of the laneway. The impact assessment includes several information sources outlined in the Policy.

1.2. Laneway application

- 1.2.1. For Council to consider treatment of a laneway, a Laneway Application Form must be completed and submitted by the owner of a property adjacent the laneway.
- 1.2.2. The form will include the following to be accepted by Council:
 - All abutting property owners' signatures, with the acknowledgment of cost applied.
 - Reasons for requesting the proposed treatment, with supporting documentation.
 - Indication of the proposed laneway treatment, being temporary part time closure, temporary full-time closure, permanent closure, or laneway opening.
 - Details of incidents reported to NT Police with dates, times, and promise/report numbers.
 - Period of occupancy of the property owner.
 - A non-refundable fee will be paid to Council once it determines the actions from the proposed Laneway Application in accordance with the Fees and Charges.
 - Acknowledgement that payment to City of Palmerston is required for the portion of the closed laneway that may be amalgamated with their property prior to undertaking the permanent closure following Ministerial consent for permanent closure (where required).
- 1.2.3. The amendment of an existing laneway treatment will be considered by Council in the form of a laneway application, the submission must contain or have attached relevant documents to support the proposed change in treatment or removal of treatment.
- 1.2.4. Where a request has been previously considered Council, a further application will not be considered for twelve months, unless there is a demonstrable and significant change in circumstances from the original request.

Note:

- Council will respond to a Laneway request no later than three (3) months from receipt of a conforming Laneway application.
- The implementation of a treatment can take up to 12 months to apply.
- Where an abutting property owner is the Northern Territory Government, Council will liaise directly with the relevant agency.



1.3. Laneway assessment

Where a completed application for closure has been received, Council will undertake the following actions in line with the laneway transport category.

1.3.1. Essential

Laneways categorised as Essential are not automatically considered to meet the requirements for laneway treatment. Requests for treatment of Essential laneways will be presented to Council for consideration of treatment prior to community consultation or extensive data gathering.

Preliminary investigation

- Assess the laneway in respect of stormwater function.
- Obtain information on underground services within the laneway.
- Request information from NT Police relating to the vicinity of the laneway covering the most recent quarterly reporting period.
- Request information from relevant government agencies and non-government organisations on local issues.
- Report to Council to determine whether to proceed to detailed investigation.

Detailed investigation

- Survey a minimum 20 properties within the immediate vicinity of the laneway.
- Install a CCTV camera at one end of the laneway for a period of not less than three (3) weeks to obtain laneway usage data.
- Report to Council.
- If treatment approved, relevant fee (if applicable) to be paid to Council in accordance with the City of Palmerston fees and charges.

1.3.2. Less essential

Laneways with a category of less essential may meet the requirements for laneway treatment, subject to consultation and investigation.

Preliminary investigation

- Four (4) week localised consultation through signage at the Laneway to seek feedback from the community.
- Assess the laneway in respect of stormwater function.
- Obtain information on underground services within the laneway.
- Request information from NT Police relating to the vicinity of the laneway covering the most recent quarterly reporting period.
- Request information from relevant government agencies and non-government organisations on local issues.
- Report to Council whether to proceed to detailed investigation.

Detailed investigation

- Install a CCTV camera at one end of the laneway for a period of not less than three (3) weeks to obtain laneway usage data.
- Report to Council.



- If treatment approved, relevant fee (if applicable) to be paid to Council in accordance with the City of Palmerston fees and charges.

1.3.3. Non-essential

Laneways with a category of non-essential are considered to have the highest potential for treatment to be applied.

- Assess the laneway in respect of stormwater function.
- Obtain information on underground services within the laneway.
- Request information from NT Police relating to the vicinity of the laneway covering the most recent quarterly report period.
- Request information from relevant government agencies and non-government organisations on local issue.
- Four (4) week localised consultation through signage at the Laneway to seek feedback from the community.
- Report to Council for decision.
- If treatment approved, relevant fee (if applicable) to be paid to Council in accordance with the City of Palmerston fees and charges.

1.4. Criteria for permanent closure of a laneway

1.4.1. Permanent closure of a laneway will only be considered where all of the following criteria are satisfied:

- The laneway does not provide an overland stormwater flow path.
- Agreement with abutting landowners ensures that the whole of the laneway will be disposed of through amalgamation with the abutting properties.
- The abutting landowners have acknowledged and agreed to the contribution to costs for the closure of the laneway and the payment for the portion of closed laneway (inclusive of easements where applicable) to be amalgamated with their property.
- The laneway does not form part of an emergency access or escape.
- Service Authorities agree to the closure of the laneway with appropriate easements in place (where relevant).

Note: The purpose of the policy is to avoid the retention of small and isolated parcels of land held by Council that serve no long-term benefit or purpose for the community.

1.5. Amending existing laneway treatment (not permanent closed)

1.5.1. Council may consider amending an existing laneway treatment, Council requires the following:

- Completed laneway application with proposed new treatment; and
- Supporting documentation, the submission must contain or have attached relevant documents to support the proposed change in treatment.

1.5.2. Council will consider the Laneway Application and supporting documents for decision.

1.5.3. Council will determine if alterations will be applied to the laneway treatment.

1.5.4. Council will not consider changes to laneway treatment under 12 months after a Council decision has already been implemented, amended, or declined.



1.6. Review process for existing laneway treatment

- 1.6.1. Laneways with active treatments applied will continue indefinitely until Council approves a change in treatment.
- 1.6.2. Laneways that have a treatment in place will be reviewed for alignment to the Policy each Council term.

1.7. Landowner contribution and purchase of land

- 1.7.1. All associated costs relating to the amalgamation of the laneway is the responsibility of the applicant or absorbing landowners.
- 1.7.2. A deposit will be required prior to actioning public consultation for the proposed permanent closure, in accordance with Council's fees and charges.
- 1.7.3. The deposit may be used as part of the amalgamation cost, with any unused funds returned if the land transfer doesn't proceed.
- 1.7.4. Where a landowner has agreed to amalgamate a portion of the closed laneway with their property, the value of the closed portion will be calculated as follows:
 - The value of the original property will be determined,
 - The combined (original plus portion of laneway) property will be calculated,
 - The amount to be paid will be the difference between the two (2) values.
- 1.7.5. The land values and cost will be determined by a Certified Practicing Valuer and subject to review by the Valuer General where required.

ASSOCIATED DOCUMENTS

- City of Palmerston Laneway Category Flow Charts.

OWNER	CEO	RESPONSIBLE OFFICER	General Manager Infrastructure
APPROVAL DATE	15 October 2024	NEXT REVIEW DUE	October 2028
RECORDS NUMBER	610573	COUNCIL DECISION	10/1572

