



ELECTED MEMBER POLICY

Title	CLOSING OF RESIDENTIAL LANEWAYS		
Responsible Director	Director, Technical Services		
Adoption Date	29/10/2018	Review Date	2022

1 Purpose

This policy provides guidelines for Council to consider requests from residents to close a laneway or part of a laneway. It also addresses transfer of ownership of a laneway to adjoining landowners upon a laneway being closed.

2 Policy Background

Council has the care, control and management of a network of laneways/walkways within the Alice Springs council area. From time to time, it receives requests from residents, business owners and other stakeholders to close certain laneways. The reason for a request is generally with a view to reduce anti-social activity in the vicinity. The closure of a laneway gives adjoining landowners the opportunity of acquiring part of the laneway.

3 Statement of policy

Council will fairly and equitably respond to the requests of residents, business owners and other stakeholders to close particular laneways in the Alice Springs council area. In so doing, Council is committed to working with the community to address antisocial issues associated with laneways.

A request may be to temporarily close a laneway, for a period of time or in the evenings, or to permanently close a laneway. However, a request to permanently close a laneway will only be considered if:

- (a) sufficient adjoining landowners have agreed to acquire proportionally the whole of the land constituting the laneway; and
- (b) Council has received a deposit of \$4,000 (or as otherwise determined by Council) to be applied towards fees and costs for permanently closing the laneway and its subdivision into separate parcels of land

Council will consider a request to close a laneway but only after consultation with surrounding residents and receipt of a report from Director Technical Services. In considering the request, Council will have regard to the following laneway categories:

- Category A – regarded as essential laneways that would either impose a significant access impact on the community if closed or laneways that are designed as stormwater overflows
- Category B – of less strategic value than essential laneways and may be considered for closure in some circumstances



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- Category C – regarded as non-essential laneways that may be closed without significant access impact on the community.

Council will retain laneways having community value in terms of access and amenity for people with special needs, pedestrians, cyclists and vehicles.

A Council resolution to permanently close a laneway is always subject to the process provided for in section 187 of the *Local Government Act*, including Ministerial approval. On its vesting in Council and subsequent subdivision (to be effected by Council), freehold title to part of the laneway will be transferred to the landowner who has agreed to acquire it.

The costs of permanently closing and subdividing a laneway (including survey, legal and registration fees) will be borne by Council by applying the deposit received. Any remaining funds will be refunded proportionally to the acquiring landowners. The acquiring landowners will not be required to pay any further sum for the land except proportionally where the closing and subdivisional costs exceed the deposit. Each acquiring landowner will pay their own conveyancing costs, stamp duty and registration fees and be required to consolidate the land acquired with their adjoining land.

4 Council policies superseded

This policy supersedes all previous versions of policies 147 Laneway Policy and 407 Laneway Disposal or Retention.