

2.3: PUBLIC NOTICE OF CLOSURE OF CLYDESDALE ROAD AT SOUTH COAST HIGHWAY

Proponent	: Main Roads WA
Owner	: City of Albany
Attachments	: Detailed Map showing area of closure : Copies of Submissions
Councillors Workstation	: Albany Transport Model : Traffic Overview Report – Riley Consulting (Appendix 4 of McKail Local Structure Plan)
Responsible Officer	: Acting Executive Director Planning and Development Services (S Lenton)

Maps and Diagrams:



IN BRIEF

- The local public notice of closure of a thoroughfare being the southern end of Clydesdale Road at South Coast Highway. The closure has previously been approved by Council as part of the McKail Local Structure Plan.
- The item was deferred from the October 2011 Ordinary Council Meeting.

ITEM 2.3: PROCEDURAL MOTION BY COUNCILLOR DUFTY

MOVED: COUNCILLOR DUFTY
SECONDED: COUNCILLOR BOSTOCK

THAT this item lay on the table until Council have reviewed the traffic overlay.

LOST 5-7

ITEM 2.3: RESOLUTION

VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED: COUNCILLOR SUTTON
SECONDED: COUNCILLOR GREGSON

THAT Council in accordance with Section 3.50 of the *Local Government Act 1995*, proceed with the closure of Clydesdale Road at its intersection with South Coast Highway and advise all landowners in the vicinity of the closure.

CARRIED 8-4

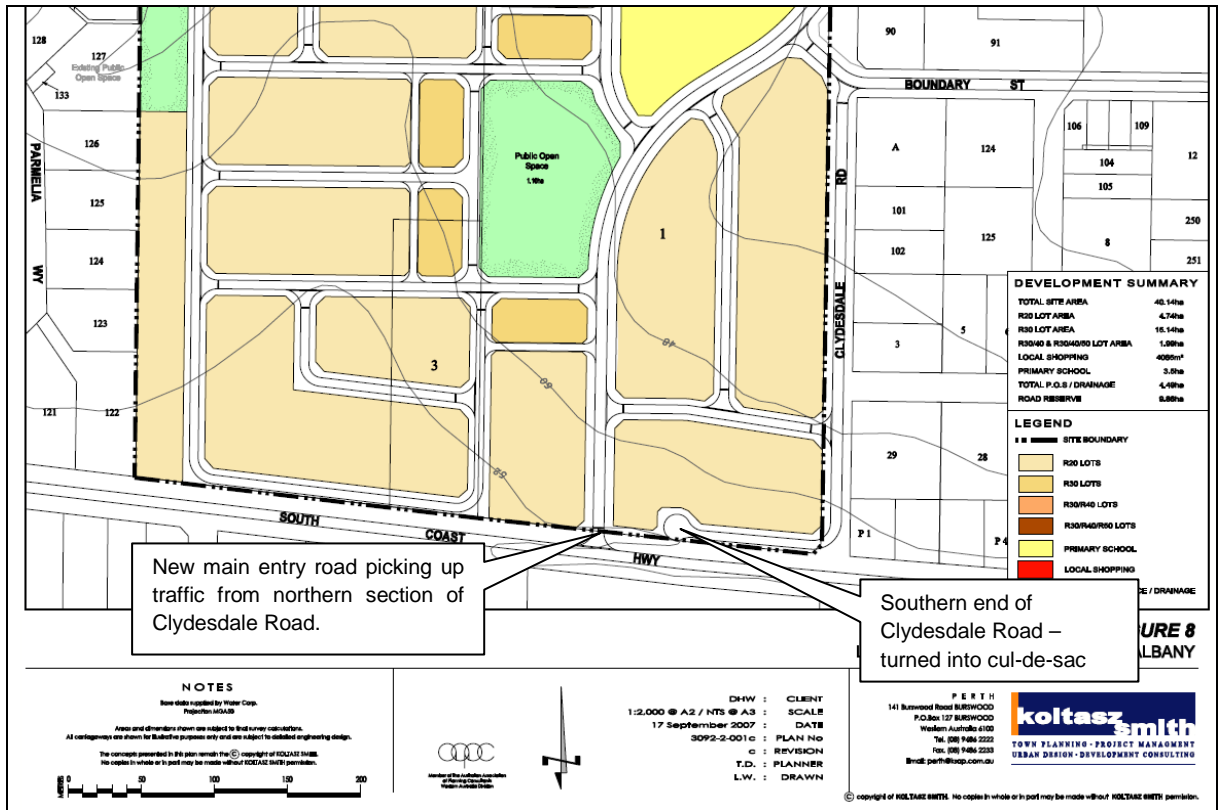
Record of Vote

Against the Motion: Councillors Dufty, Bostock, Hammond and Stocks

BACKGROUND

1. At its meeting dated 11 October 2011 Council considered the above proposal and resolved:

THAT this item lay on the table for a period of two months to allow for further consideration by Council.
2. As part of the approved subdivision works being undertaken by the Department of Housing in McKail, Main Roads Western Australia have conditioned that the access from South Coast Hwy to Clydesdale Road be closed off and a new staggered T-intersection and access road (Englehart Drive) be constructed. This was proposed for traffic safety reasons.
3. This proposed closure was identified in the McKail Local Structure Plan for Lots 1, 2 and 3 South Coast Highway, McKail. This Plan was advertised and subsequently adopted by Council at the March 2010 Ordinary Council meeting (as per below) and endorsed by the Western Australian Planning Commission.



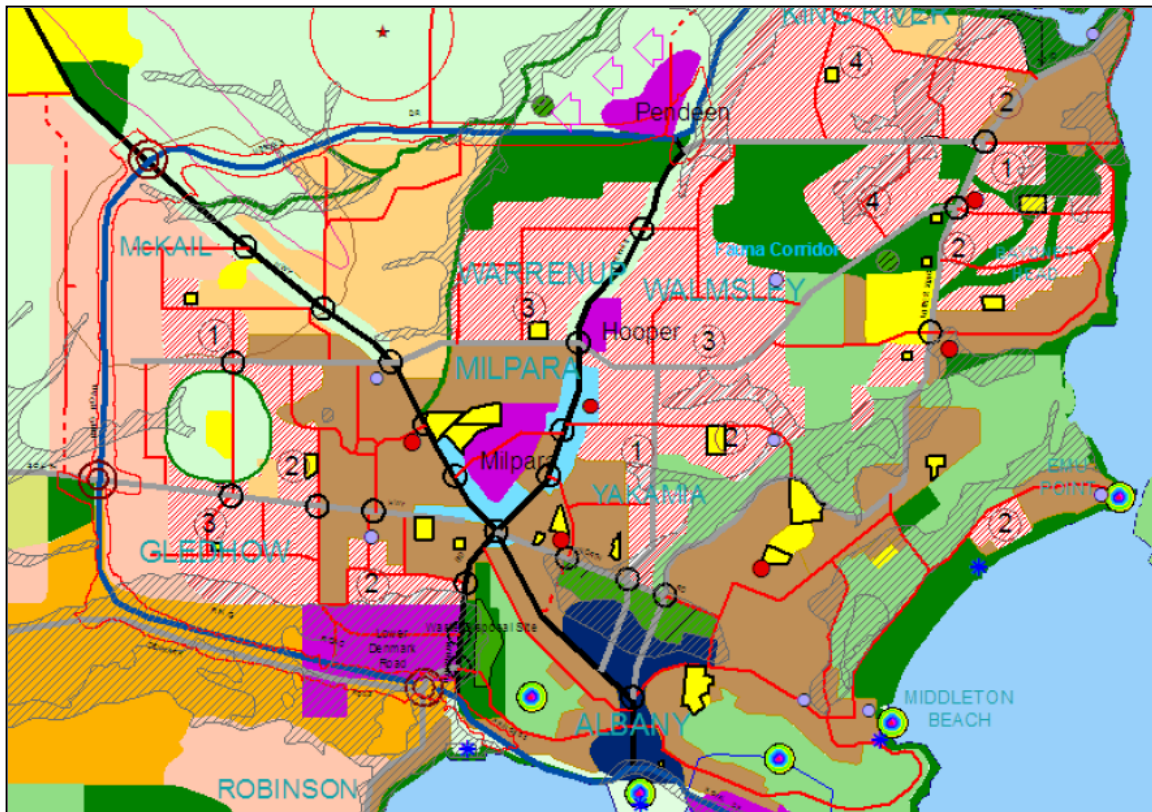
4. At the June 2011 Council meeting, Council resolved:

“THAT this Item lay on the table for a period of one month for public consultation.”

DISCUSSION

5. As part of the development of the McKail Structure Plan a traffic study was undertaken. The following comment was made in that study: *“The removal of the existing four-way intersection in South Coast Highway is considered to be a major safety benefit for the highway.”* The results of this study are incorporated into the road layout in the Structure Plan.
6. In accordance with Council’s June 2011 resolution, the proposal to close the access from South Coast Hwy to Clydesdale Road was advertised in the local newspaper, with a deadline for comments set at 1 September 2011. Only two submissions were received, one supportive with the other objecting to the proposal.
7. The road closure will turn the existing four way intersection of South Coast Highway, Balston Road, and Clydesdale Road into a three way intersection approximately 150 metres further west. This should improve road safety and traffic flow at the intersection.
8. Some traffic travelling between Pegasus Boulevard and South Coast Highway (east) may decide to use alternative routes, including Boundary Road and Costigan Street rather than Engleheart Drive. Traffic counts will be undertaken on these roads before and following the closure to determine the extent of this.

9. The newly constructed three way intersection should also provide access for traffic to the new subdivision areas around McKail.
10. Main Roads WA is able to close access to South Coast Highway from Clydesdale Rd under its own legislative powers. However, because Clydesdale Road is a local road, the City should ensure compliance with the *Local Government Act 1995* notifying the public of the closure.
11. Council has adopted a *Conceptual District Structure Plan* (Local Planning Policy No. 1) as part of its recent policy review. This plan identifies the future road hierarchy for the City and does identify that a four way intersection at Balston Road / Clydesdale Road with South Coast Highway. Main Roads WA have advised that whilst a four way intersection may be appropriate in the longer term, when Balston Road carries more north-south traffic and South Coast Highway no longer carries through to Albany Highway, the safest intersection treatment in the interim period is a staggered T-intersection. The proposed cul-de-sac can be reinstated to a four way intersection should it be required in the future.



GOVERNMENT CONSULTATION

12. Main Roads WA has been sent a copy of the contents of the notice of closure as required by Section 3.50 of the *Local Government Act, 1995*.
13. Notification has been given to other Government agencies that may be affected by the closure including Police, Fire Services, Ambulance Services, Water Corporation, and Western Power.

PUBLIC CONSULTATION / ENGAGEMENT

14. Public consultation occurred as part of the finalisation of the Local Structure Plan for Lots 1, 2 and 3 South Coast Highway McKail. To comply with the specific requirements of the *Local Government Act* on closure of thoroughfares, a 35 day public submission period was advertised in local newspapers, closing on 1 September 2011.
15. Two submissions were received –
 - a. One supported the proposed closure, and
 - b. One opposed the proposal, preferring the City use improved road signage to control traffic.

STATUTORY IMPLICATIONS

16. Section 3.50 of the Local Government Act, 1995, -

“3.50 Closing certain thoroughfares to vehicles

(1) A local government may close any thoroughfare that it manages for the passage of vehicles, wholly or partially, for a period not exceeding 4 weeks.

(1a) A local government may, by local public notice, order that a thoroughfare that it manages is wholly or partially closed to the passage of vehicles for a period exceeding 4 weeks.

(2) The order may limit the closure to vehicles of any class, to particular times, or to such other case or class of case as may be specified in the order and may contain exceptions.

[(3) repealed]

(4) Before it makes an order wholly or partially closing a thoroughfare to the passage of vehicles for a period exceeding 4 weeks or continuing the closure of a thoroughfare, the local government is to-

(a) give local public notice of the proposed order giving details of the proposal, including the location of the thoroughfare and where, when, and why it would be closed, and inviting submissions from any person who wishes to make a submission:

(b) give written notice to each person who-

(i) is prescribed for the purposes of this section; or

(ii) owns land that is prescribed for the purposes of this section; and

(c) allow a reasonable time for submissions to be made and consider any submissions made.

(5) The local government is to send to the Commissioner of Main Roads appointed under the Main Roads Act 1930 a copy of the contents of the notice required by subsection (4)(a).

(6) An order under this section has effect according to its terms, but may be revoked by the local government, or by the Minister, by order of which the local public notice is given.

(7) repealed]

(8) If, under subsection (1), a thoroughfare is closed without giving local public notice, the local government is to give local public notice of the closure as soon as practicable after the thoroughfare is closed.

(9) The requirement in subsection (8) ceases to apply if the thoroughfare is reopened.”

STRATEGIC IMPLICATIONS & ALIGNMENT TO CORPORATE PLAN

17. This item directly relates to the following elements of the City of Albany Strategic Plan 2011-2021:

Key Focus Area

Lifestyle and Environment

Community Priority

Road Improvements

Proposed Strategies

Advocate to Main Roads for improvements to South Coast Highway.

POLICY IMPLICATIONS

18. Council has adopted Local Planning Policy No. 1 – Conceptual District Structure Plan which identifies a future 4-way intersection. However the more specific traffic analysis as part of the McKail Local Structure Plan by qualified traffic engineers identified a staggered T-intersection as being appropriate.

RISK IDENTIFICATION & MITIGATION

19. The risk identification and categorisation relies on the City's Risk Management Framework.

Risk	Likelihood	Consequence	Risk Rating	Mitigation
Clydesdale Rd remains open and the 4 way intersection results in traffic accidents	Possible	Medium	High	Close Clydesdale Rd
A significant amount of traffic uses other local roads to access McKail rather than Engleheart Rd	Possible	Medium	High	Compare traffic counts before and after the closure. Investigate traffic management measures if a problem.

FINANCIAL IMPLICATIONS

20. All costs involved with the closure of the intersection are to be borne by the Department of Housing.

LEGAL IMPLICATIONS

- 21. The McKail Structure Plan which has been adopted by Council, and endorsed by the Western Australian Planning Commission on 17 February 2011, sets the subdivision pattern for the locality. It provides guidance for future subdivisions and ensures they are in accordance with the intentions and objectives approved by Council.
- 22. The McKail Structure Plan seeks to provide the necessary planning framework for a 40 hectare portion of land bounded by Gregory Road, Clydesdale Road, South Coast Highway and the special residential development contiguous with the western boundary of the subject land.
- 23. Should the proposed closure of Clydesdale Road not be implemented, then the Council approved land use and infrastructure requirements detailed in the McKail Structure Plan would be compromised.

ALTERNATE OPTIONS

24. Decline to close Clydesdale Road at its intersection with South Coast Highway. This will likely cause Main Roads WA to use its powers to close the road.

SUMMARY CONCLUSION

25. The Council has previously adopted the Local Structure Plan for Lots 1, 2 and 3 South Coast Highway McKail which requires the closure of Clydesdale Road at South Coast Highway. Little community objection has been received to this proposed closure.

File Number (Name of Ward)	ODP012 (Kalgan Ward)
Previous Reference	OCM 16/03/10 - Item 13.5.1; OCM 21/06/11 - Item 5.5 OCM 11/10/11 - Item 5.2