

Engineering Technical Services – Temporary and permanent Road Closures

Department: Engineering Technical Services	Next review: As required
Reviewer: ETO	Adopted: N/A
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Temporary Road closures - Local Government:

Section 3.5 of the Local Government Act 1995 (LGA) makes provision for local governments to close certain thoroughfares to vehicles. An extract of section 3.5 is shown below outlining the Shire's responsibilities and obligations when creating road closure orders:

- (1) *A local government may close any thoroughfare that it manages to 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) *deleted*]
- (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; and*
- (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 local public notice is given.*
- [(7) *deleted*]
- (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.*

Temporary road closure requests can be sent via email at info@capel.wa.gov.au.

Permanent Road Closures - Land administration Act 1997

Section 58 of the Land Administration Act 1997 (LAA) makes provision for local governments to permanently close a road within its district via a request to the minister, an extract of section 58 is shown below.

- (1) When a local government wishes a road in its district to be closed permanently, the local government may, subject to subsection (3), request the Minister to close the road.
- (2) When a local government resolves to make a request under subsection (1), the local government must in accordance with the regulations prepare and deliver the request to the Minister.
- (3) A local government must not resolve to make a request under subsection (1) until a period of 35 days has elapsed from the publication in a newspaper circulating in its district of notice of motion for that resolution, and the local government has considered any objections made to it within that period concerning the proposals set out in that notice.
- (4) On receiving a request delivered to him or her under subsection (2), the Minister may, if he or she is satisfied that the relevant local government has complied with the requirements of subsections (2) and (3) –
 - (a) by order grant the request; or
 - (b) direct the relevant local government to reconsider the request, having regard to such matters as he or she thinks fit to mention in that direction; or
 - (c) refuse the request.
- (5) If the Minister grants a request under subsection (4) –
 - (a) the road concerned is closed on and from the day on which the relevant order is registered; and
 - (b) any rights suspended under [section 55\(3\)\(a\)](#) cease to be so suspended.
- (6) When a road is closed under this section, the land comprising the former road –
 - (a) becomes unallocated Crown land; or
 - (b) if a lease continues to subsist in that land by virtue of [section 57\(2\)](#), remains Crown land.

Permanent road closure requests can be sent via email at info@capel.wa.gov.au.

Traffic Management Road Closures:

Main Roads WA has delegated to Local Government the management of works on roads and it is a requirement that each traffic management plan be assessed by the Local Government prior to the commencement of any works that may affect a thoroughfare within its district.

To encourage uniform, safe and appropriate temporary traffic management, the Shire of Capel requires all temporary traffic management for roadworks to be in accordance with all applicable statutory and policy requirements including but not limited to the **Occupational Safety and Health Act 1984**, the **Road Traffic Act 1974**, the **MRWA Traffic Management for works on road Code of practice, Australian Standard 1742.3** and any other relevant Acts, Regulations, Codes, Specifications and Guidelines.

Traffic Management Plans are to be submitted in PDF format via email at info@capel.wa.gov.au.

For any queries regarding this listing please contact the Engineering Technical Services Department on:



T: (08) 9727 0222 • E: info@capel.wa.gov.au • F: (08) 9727 0223 • W: capel.wa.gov.au
PO Box 369, CAPEL WA 6271

We wish to acknowledge the Wadandi people who are the traditional custodians of this land. We wish to acknowledge and respect their continuing connection to the land, waters and community. We pay our respects to all members of the Aboriginal communities and their culture; and to Elders past and present, their descendants who are with us today, and those who will follow in their footsteps.