CAMPBELLTOWN
CITY COUNCIL

Confidential Item

For Council meeting to be held on

Tuesday 15 March 2022 at 7.00 pm

Refer Item 11.17

Confidential Item

11.17 Manresa Court Road Closure

Senior Transport Officer Clive Harrington and Manager Assets & Engineering, Wade Della Torre's Report

Purpose of Report

To advise Council of the road opening and closing process for Manresa Court, Athelstone for the purposes of facilitating a land swap with St Ignatius College to facilitate public continuity with Fifth Creek.

Strategic Plan Link

Focus Area 1.4.1 Promote and support Community health and wellbeing

Focus Area 2.2.1 Protect and enhance natural areas, creeks, flora and fauna, habitat and biodiversity

Focus Area 2.2.2 Improve the quality of public green space (eg, parks, reserves, trees, streetscape and landscaping)

Previous Council/Committee Resolution

Nil.

Background

Manresa Court is the main access to St Ignatius College, Senior Campus. The Athelstone campus enrolments are currently 862 students – about 50 more students than 10 years ago (811 students in 2011). St Ignatius's junior School in Norwood has recorded a significant increase in recent years and assuming they continue through to high school, its expected that enrolments at the Athelstone Campus will exceed 900 by 2023.

Traffic becomes very congested daily during school drop off and pick up times and the closure of Manresa Court will provide a number of new options for parking and pick-up/drop-off zones within St Ignatius College's property.

St Ignatius's masterplan includes the development of a major sports centre, and possibly consideration for a new Indigenous garden and some student artwork/sculptures. In the short-term, the College would make Gorge Road the main entrance with gates and possibly a brick wall similar to Penfolds Winery Complex. This will also improve the security of the campus after hours and on weekends.

Manresa Court also provides vehicle access to 13 properties from its intersection with Gorge Road, refer to Figure 1 below. St Ignatius College occupies approximately 70% of Manresa Court road frontage. Manresa Court originally connected to Maryvale Road and Addison Avenue, however, following a fatal car accident at this four way intersection, Manresa Court was closed to through traffic west of Maryvale Road in the early 1970's.

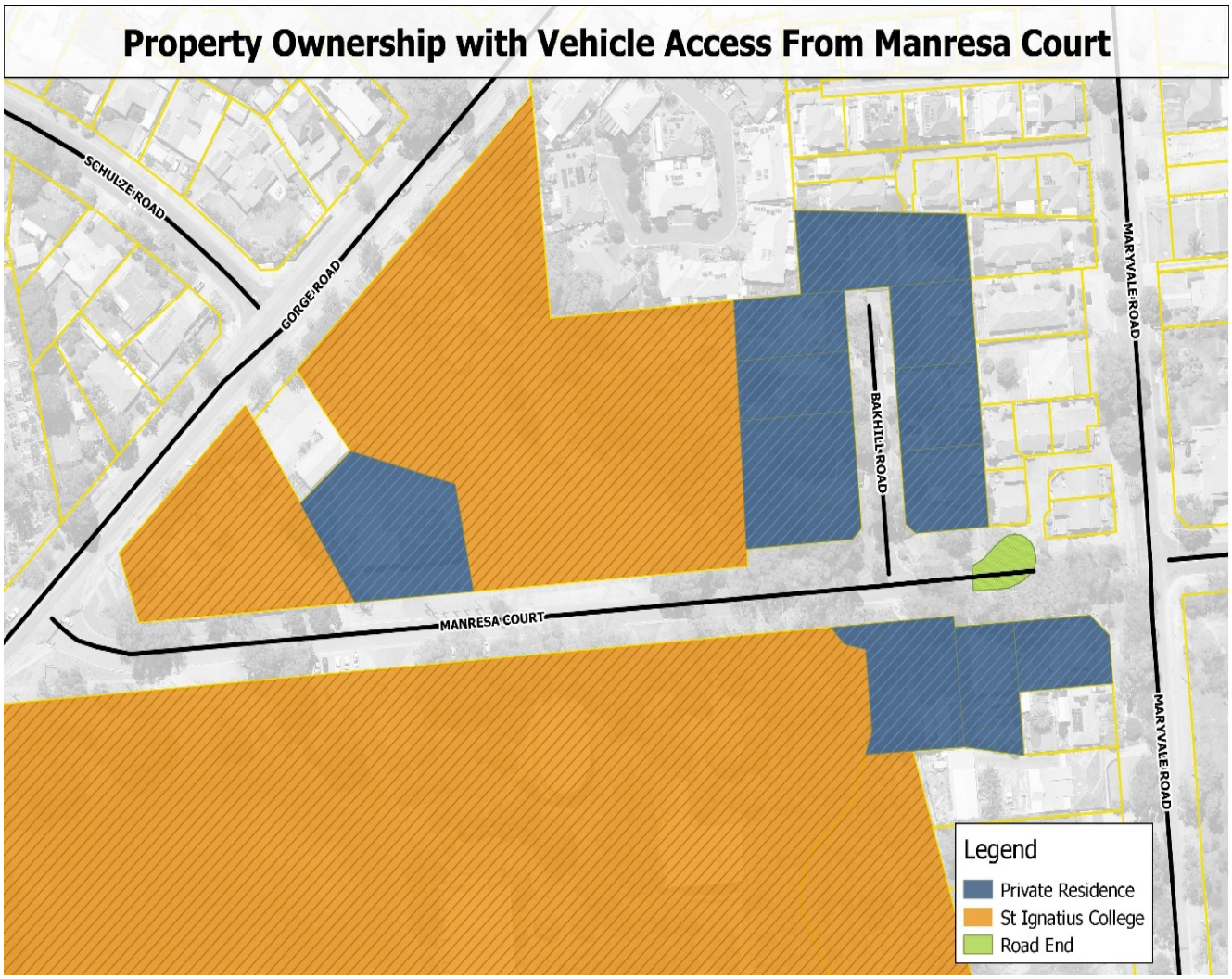


Figure 1 Map of property ownership at Manresa Court and Bakhill Road

Vehicles accessing private properties at the eastern end of Manresa Court (Bakhill Road) have to negotiate Manresa Court traffic congestion during the school drop off and pick up times. School traffic also congests the intersection of Gorge Road and Manresa Court during these periods. The proposal to change the intersection of Maryvale Road Addison Avenue and Manresa Court will provide a less congested link for these residents to Council's external road network.

Currently parts of Fifth Creek, downstream of Maryvale Road Athelstone, flows through private land, owned by St Ignatius College. This is one of the few sections of the Fifth Creek, which is not under the ownership of Council. Figure 2 below shows the location of the Fifth Creek downstream from Maryvale Road to Gorge Road.

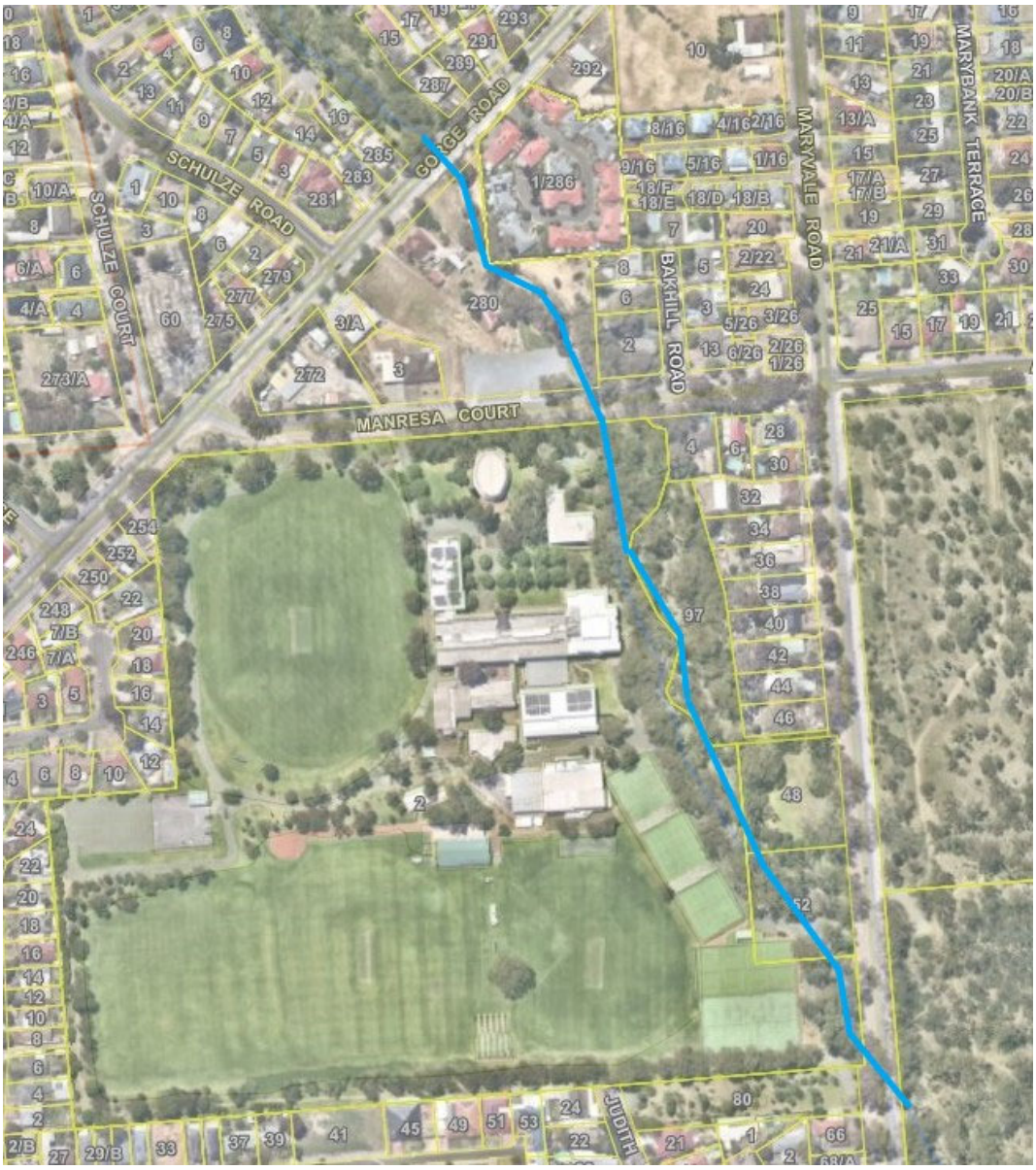


Figure 2 Location of Fifth Creek between Maryvale Road and Gorge Road

Currently the Fifth Creek trail is diverted along Manresa Court as Council does not have access to the land owned by St Ignatius College between Manresa Court and Gorge Road, refer to Figure 3 below.



Figure 3 Fifth Creek Trail is diverted along Manresa Court

Discussion

To facilitate community access to the Fifth Creek corridor, Staff have had preliminary discussions with St Ignatius College, proposing a land swap between the Council and St Ignatius College. Figure 4 below, and Attachment A, shows a plan detailing the proposal.

The current arrangement has vehicles accessing private properties at the eastern end of Manresa Court from Gorge Road, meaning they need to negotiate Manresa Court traffic congestion during the school drop off and pick up times. School traffic also congests the intersection of Gorge Road and Manresa Court during these periods. The proposal to change the intersection of Maryvale Road, Addison Avenue and Manresa Court will improve vehicle and pedestrian safety by providing a less congested link for these residents to Councils road network and providing the College with better parking solutions.

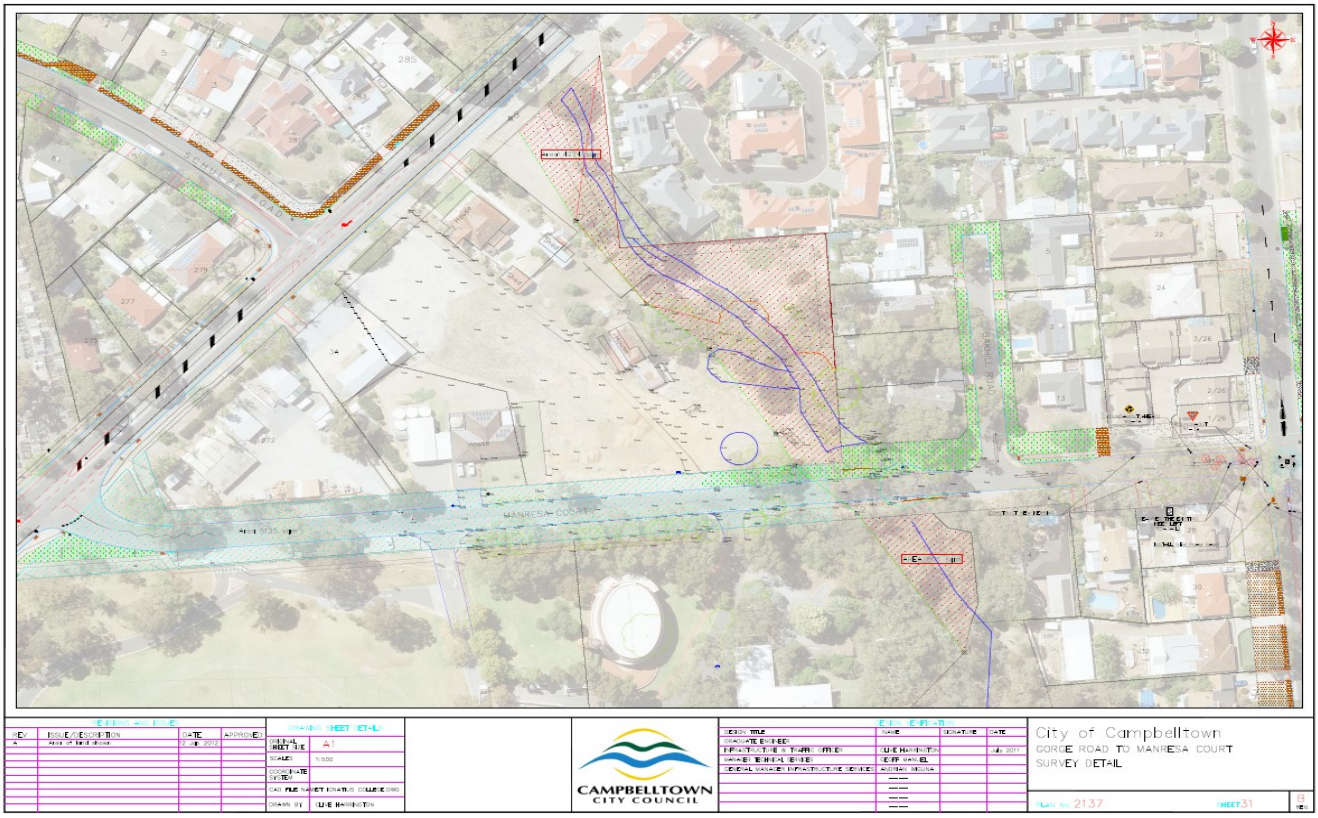


Figure 4 Land Swap Proposal

It is proposed to swap a section of the road reserve of Manresa Court Athelstone, totalling approximately 5,125 square metres, (shaded blue), with two part allotments with a combined approximate total of 5,080 square metres, (shaded red). This will provide St Ignatius College with exclusive use of portion of Manresa Court and the Community access along these portions of Fifth Creek.

To facilitate these land ownership changes and following legal advice, the following preferred process needs to occur:

- Council permanently closes, as a road, the relevant portion of the Manresa Court. This can occur by way of a road process order under the *Roads (opening and Closing) Act* 1991 (*the ROC Act*) to close the road, together with an order under section 17(d) of the ROC Act that the resultant parcel of land be retained by the Council not as Community Land and a Certificate of Title be issued to the Council. The Council is then free to grant a lease or licence to the School over the resultant parcel of land as it sees fit and the service utilities and property at 3 Manresa Court, retain access to their services through an agreement with Council. This approach is a similar approach that Council initiated for the lease agreement with Paradise Mazda located at George Street, Paradise.

- For the School agreeing to provide the Council with rights to facilitate public access to portions of the Fifth creek land, an overarching Deed can be entered into between the Council and the School to formalise this arrangement (ie whereby the Council grants the School a lease/licence in consideration of the School providing the Council with rights to access relevant portion of Fifth Creek land).

- Finally, any physical changes to Manresa Court (ie moving the current physical barrier at the intersection with Maryvale Road closer to Fifth Creek, can be carried out pursuant to Section 212 of the Local Government Act, noting that any traffic control devices (line markings/roundabouts) can only be installed on the Road pursuant to the requirements under the Road Traffic Act. There are statutory consultation and notification requirements attached to this process.

If the proposed land swap process is endorsed the physical road barrier would be moved from the intersection with Maryvale Road to the eastern side of the intersection with Fifth Creek. To improve safety along Maryvale Road a roundabout would be proposed at the intersection of Manresa Court. Staff have undertaken preliminary survey and design works at this intersection refer to Figure 5 below and Attachment B. Staff have estimated these costs to be in the order of $500,000 and believe these works could be funded through the Strategic Land Purchases allocation, as the works are only being undertaken to obtain additional open space. If the process is endorsed, Staff would confirm costings and report back to Council on proposed transport safety improvements along Maryvale Road. Furthermore, the installation of this roundabout would also have the added advantage of slowing down traffic along Maryvale Road.

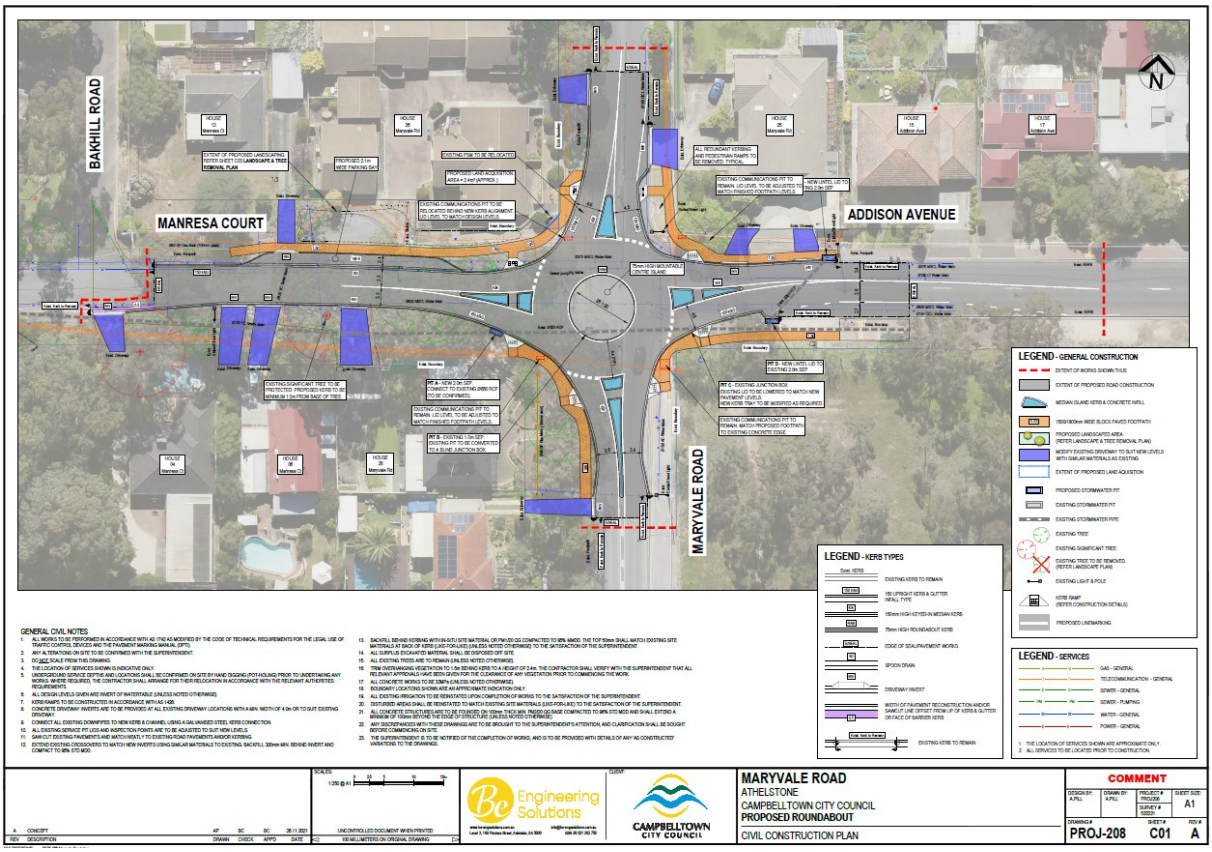


Figure 5. Concept Design Roundabout Manresa Court / Maryvale Road intersection.

Social Implications

Trails through the Campbelltown Council area, like the Fifth Creek Trail, provide our residents with natural walking trails promoting walking and social wellbeing for the Community.

Environmental / Climate Change Implications

Council ownership of the Fifth Creek will offer greater protection for the creek and the surrounding land including the existing significant trees. Figure 5 below.



Figure 5 View of Fifth Creek within St Ignatius property looking towards Gorge Road

Increasing Council ownership (or care and control) of watercourses within the Council area improves connectivity and capacity to coordinate weed control, improve the quality and biodiverse plantings, outcomes and creek restoration work where required.

The benefits will include increased green canopy area on public land under Council control, providing habitat for wildlife and reducing Council's heat island effect.

It will enable improvements to be undertaken consistent with the Fifth Creek Management Plan which identifies some potential areas along this section of the creek and to provide a continuous creek trail along Fifth Creek that connect the River Torrens Linear Park with Black Hill

It also aligns with the Focus Area in the Environment Plan: 'Invest in, maintain and expand green infrastructure' in particular 'Strategic and opportunistic acquisition of open space to improve greening and connectivity'.

Asset Management Implications

There are no asset management implications in relation to this report.

Governance / Risk Management

Council needs to comply with relevant sections of the *Roads (opening and Closing) Act* 1991 and to ensure that it is able to enter into a long term lease with St Ignatius College, Council should also determine that the closed road will not be classified Community Land.

Community Engagement

There are statutory consultation and notification requirements attached to creating a road process order under the *Roads (Opening and Closing) Act 1991*.

Furthermore, should Council consider creating a lease arrangement with the College beyond five year, a community consultation needs to be undertaken.

Regional Implications

There are no regional implications in relation to this report.

Economic Development Implications

There are no economic development implications in relation to this report.

Financial Implications

The cost to commence the road opening and closing is in the order of $15,000 and this can be funded from the existing recurrent budget.

Recommendation

That Council request Staff to commence the process for creating a road order under the *Roads (Opening and Closing) Act 1991 for* Manresa Court, Athelstone for the purpose of swapping part of Manresa Court with land containing Fifth Creek under the ownership of St Ignatius College and if the road is closed, Council endorse that the closed road is not classified Community Land.