



## APPLICATION TO CLOSE A PORTION(S) OF PUBLIC ROAD RESERVE

### Road Reserve details:

Street Name ..... Suburb ..... Road No. ....

Pin No ..... Plan No..... Diagram No..... Lot Area (m<sup>2</sup>).....

To Road Reserve – closest or adjoining Lot No.....

Nearest Street Intersection.....

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### Amalgamation (property 1)

#### Adjoining land details:

Lot No/s.....House/Street No.....Location No.....Diagram or Plan.....

Certificate of Title: Volume.....Folio.....Lot Area (m<sup>2</sup>).....

Street Name.....Suburb.....

Registered proprietor/s name.....

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### Amalgamation (property 2)

#### Adjoining land details:

Lot No/s.....House/Street No.....Location No.....Diagram or Plan.....

Certificate of Title: Volume.....Folio.....Lot Area (m<sup>2</sup>).....

Street Name.....Suburb.....

Registered proprietor/s name.....

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(Please attach a separate sheet if there is more than 2 properties being the subject of amalgamation)

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**Applicant Details:**

Name.....

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Address.....

Phone (Work).....(Home).....(Mobile).....

Fax.....Email address.....

\*Please attach the payment as listed in the attached fees and charges schedule

Signature..... Date.....

Agreement to the proposed road closure and amalgamation is required in writing from **all** the adjoining owners shown on their respective Certificates of Title for each property. A Strata Titled property will require a letter from the Body Corporate in agreement to the closure and amalgamation. You may wish to consult a conveyancing specialist to co-ordinate the application on your behalf.

All property owners wishing to purchase a portion of a closed road/ROW must agree to pay all costs involved in the process. Such as;

- City of Bunbury Application Fee \$170.00
- City of Bunbury Service Provider Fee \$200.00
- Licensed Surveyor
- Licensed Property Valuers Fee
- Advertising
- Legal Costs
- Document Creation \$107.00
- Landgate Lodgement \$160.00
- Easements, if required \$500.00 plus
- Purchase Price
- Cost of Survey.



**Applicants comments:**

Please describe the purpose and future use of the proposed purchase of public road reserve.

A large rectangular box containing 25 horizontal dotted lines for writing.



## CITY OF BUNBURY

### PUBLIC ROAD CLOSURE PROCESS

A partial or full road closure is initiated through Section 58 of the Land Administration Act 1997 (“Act”). To amalgamate the land with an adjoining freehold property(s) – Section 87 of the Land Administration Act 1997 is applied. Road Reserves are owned by the Crown or State Government with Local Government allocated the care, control and management of the minor roads. Under the Act, Local Government must begin the road closure process on behalf of the applicant/s and State Land Services (SLS), an office within the Department of Regional Development and Lands.

The City of Bunbury process is detailed below:

1. **Applicant/s** to complete the attached Land Admin form 1.1 titled “Application to Close a Portion(s) of Public Road Reserve”. You may wish to consult a conveyancing specialist to co-ordinate the application on your behalf. Also attached is the Adjoining Property Owners Agreement Form to be completed by ALL adjoining Private Road Property Owners.

The application must include a sketch or survey drawing of the area and any other relevant plans, diagrams or certificate of titles describing the subject portion of road reserve.

Include the \$170.00 (non-refundable) application fee payable to the City of Bunbury.

Supply the City of Bunbury with a letter of agreement to pay all costs involved in the closure and amalgamation process. The letter must be signed by all adjoining land owners who propose to amalgamate a portion of the road reserve with their property. A Strata Titled property will require the agreement of the Body Corporate.

2. The formal application will be circulated to Service Providers and council officers for preliminary comments and investigation, this will incur a fee of \$200.00 payable by the applicant (non-refundable).
3. Should there be no objections from the relevant Service Providers or the City then a council resolution will be sort to advertise a partial or full road closure in accordance with the Act. The **applicant** will be required to **pay all advertising costs**.

The proposed closure is advertised in a local paper for a 35 day public comment period, the City’s public notice boards and the City’s website.

4. A second Council resolution is required to:

Report back to Council with all comments from the public and utility services.

If Council approves the proposal – the applicant/s will be required to provide the City with a Deposited Plan from a licensed surveyor approved by SLS.

Council to forward the following to the Department of Regional Development and Lands:

- (a) Council Resolution (including indemnity from Council to Department of Regional Development and Lands).
- (b) Small location plan.
- (c) All responses including adjoining Property Owners wishing to purchase part or the entire portion.
- (d) WAPC comments.
- (e) Service Providers Comments.

The City will then apply to SLS to close the road in accordance with the Council resolution and the Act.

5. A copy of the Deposited Plan and all other relevant information is sent to SLS for the Ministers approval. **This ends the role of Local Government** – the applicant will be dealing directly with the Western Australian Planning Commission (WAPC), SLS and Landgate from this point onward. The amalgamation is treated as a subdivision by the WAPC (fees and statutory charges apply), the following are estimates only;
  - Document Creation \$107.00
  - Landgate Lodgement \$160.00
  - Easements, if required \$500.00 plus
  - Purchase Price
  - Cost of Survey.
6. SLS then forward the application to the Valuer Generals office where a market valuation is provided for the applicant/s. The applicant/s surveyor will submit all survey details including the new Deposited Plan to the WAPC and liaise with SLS and Landgate.
7. SLS will provide the applicant/s with an Offer and Acceptance (OA) requesting payment of the subject land including statutory charges. The OA's will require stamping (the payment of stamp duty) by the applicant at the Office of State Revenue in Perth.
8. The applicant/s must make an application for a new Certificate of Title at the Landgate Office in Midland. Landgate fees and charges apply. In the case of Strata Lot owners the amalgamated land will be merged into the common property rather than the owner's individual lots. Further steps are required to transfer the amalgamated land from the common property into an individual lot.