

**So, you want to permanently close a road reserve? This information note should answer any queries.**

## **What process is involved in permanently closing a road reserve**

The land contained within public roads (ie “dedicated” roads) is Crown land, administered by the Department of Lands (DoL) with responsibility for care and maintenance delegated to Local Government.

In certain cases, where a public road or portion of a public road is no longer required it may be permanently closed in accordance with Section 58 of the Land Administration Act, 1997. If closed, the land within the road reserve becomes unallocated Crown land and can be disposed of by DoL (generally at market value) to an adjoining lot, or lots.

Before consideration of the application or advice by the DoL of the cost of purchase of the land, the following steps take place:

### **Step 1. Consideration by the Shire**

Initially, a written application is submitted to the Shire outlining the reason for the road reserve closure request. There is a fee required when the application is being submitted. The Shire’s engineers and planners consider the road closure application taking into account the following:

- The reason for the request to close the road reserve
- Whether the road reserve is needed in the Shire’s future plans for the road
- Whether the road reserve closure is detrimental to traffic movement or safety
- Whether the application complies with planning principles.

The applications will not be progressed if the above criteria are not satisfied.

### **Step 2. Consultation with service authorities**

Service authorities such as ATCO Gas, Telstra, Western Power and the Water Corporation, are consulted to determine whether they object to the road reserve closure and if there are services (pipes and/or cables) located within the portion of road reserve being considered for closure. The Shire will ask the service authorities if services can be modified, removed or relocated if necessary, what costs are involved and any conditions that they wish to be applied. The Shire then forwards this information to the applicant to see if he/she wishes to proceed now that most of the costs are known. It should be noted that, on occasions, services and servicing plants are too costly to modify or the service authority will not allow it and therefore the application cannot proceed.

### **Step 3. Advertising for public comment (35 days)**

If the service authorities do not object, the proposed road reserve closure is advertised for public comment for a period of 35 days. Advertising involves writing to all adjoining landowners to the road reserve requesting comments and an advertisement in the local newspaper. The costs of all advertising are to be paid by the applicant. The advertising period allows residents to submit an objection or support for the proposal.

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## **Contact Us**

### **Enquiries**

Call: (08) 9526 1111

Fax: (08) 9525 5441

Email: [info@sjshire.wa.gov.au](mailto:info@sjshire.wa.gov.au)

### **In Person**

Shire of Serpentine Jarrahdale

6 Paterson Street, Mundijong WA 6123

Open Monday to Friday 8.30am-5pm (closed public holidays)



[www.sjshire.wa.gov.au](http://www.sjshire.wa.gov.au)



**Step 4. Consideration by Council**

A report is prepared for consideration by Council following after the advertising period. Comments from all submissions are included in this report. If Council does not support the application, the closure cannot proceed.

**Step 5. Action by Department of Lands (DoL)**

If Council supports the application, the Shire will forward the request and documentation to DoL for consideration by the Minister for Lands (Minister). If the Minister does not support the application for closure, the application cannot proceed.

If the Minister grants the request, formal actions are commenced by DoL to close the road reserve and the applicant is contacted directly by DoL for this purpose. DoL will provide a cost for the purchase of the portion of road to be closed.

For further information, please contact the Shire on 9526 1111.