CHECKLIST - COUNCIL ROAD CLOSING

Actions required by Council prior to lodgement of council road closing application with NSW Trade & Investment (Crown Lands):-

☐ Carry out a full status check of the road to confirm dedication as a council public road and its public use and construction, required to verify its status as vesting in Council on closing. Please note: If the road is an unconstructed Council road please refer to the Frequently Asked Questions under the heading of Information for Councils on the Crown Lands Website at http://www.lpma.nsw.gov.au/crown_lands/roads

☐ Advertise an intention to close the council public road in a local paper circulating in the same area as the intended closing – refer to ‘Advertising Template’.

☐ Send notification of the proposal to all affected parties and authorities - should be sent at the time of placing advertising (or prior) noting the 28 day submission period. Refer to ‘Adjoining Landowner Notification Template’, ‘Authority Notification Template’ and ‘Authority Reference List’.

☐ Council consider all submissions received and take action to resolve any objections – where there is concern as to the validity of any objections advice can be sought from the Business Centre Crown Lands.

☐ Once all submissions/objections have been resolved or Council forms the opinion that no further progress can be made, Council prepare a report with a summary and assessment of the submissions/objections, with a recommendation and options (if required).

When the above pre-lodgement actions are completed, Council lodges a road closing application with NSW Trade & Investment (Crown Lands) and includes the following:-

☐ A completed Public Road Closure application (Council).

☐ The required fee of $476.90.

☐ A status report of the proposed road closing with copies of the following:
  o Plan and / or Instrument which created the road.
  o Gazette confirming public dedication
  o Certificate of Title (if road is contained in a title residue)
  o Any plans / dealings / gazettes relating to easements which impact upon or adjoin proposed road closure
  o Details of any relevant proposals affecting Council road
  o Evidence of current or prior road construction and / or maintenance of the public road supporting any pre-application determination of vesting.

☐ A diagram or a survey plan of the proposed closing – to be effected in accordance with the Surveyor General’s Directions, Surveying and Spatial Information Regulation
Conveyancing (General) Regulation 2013 and the Registrar General’s Direction for Plans.

- Signed report and statement indicating that all statutory requirements have been met. Attached documentation must include the following:
  - Copies of all notices sent and submissions/objections received
  - Copies of all correspondence regarding the resolution of any objections.

- All information should be sent to:
  
  NSW Trade and Investment  
  Manager Business Centre, Crown Lands  
  P.O Box 2155  
  Dangar NSW 2309

**Upon lodgement of council road closure application NSW Trade & Investment (Crown Lands) will:**

- Receipt application and create an account.

- Undertake a review of the report and documentation within 60 days of receipt of application.

- If it is considered that valid objections remain unresolved, notify Council of opportunity to undertake further negotiation and provide updated report.

- Upon receipt of **all final documentation**, determine and consider the report and advise Council of decision within 60 days.

- If application is refused, give Council 14 days to provide any additional comment or evidence prior to the application being terminated.

- If approved in principle is given, advise Council of decision and return the following:
  - Checked and authorised survey plan with relevant documents for title issue.

**Following approval in principle Council will:**

- Arrange for the plan of road closing, and relevant documentation to be registered at LPI.

- Advise NSW Trade & Investment (Crown Lands) when the plan and documents have been registered, providing the Deposited Plan number.

**Following plan registration NSW Trade & Investment (Crown Lands) will:**

- Arrange for gazettal of the road closure.

- Provide a copy of gazette and advise Council of completion of final action.