

Roads (Opening and Closing) Act, 1991 Guidelines

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Introduction

The following information regarding requirements and procedures under the Roads (Opening and Closing) Act, 1991, is available for guidance to users, and complies with the Act, Regulations and Administrative Instructions issued by the Surveyor-General.

Councils should note that the provisions of the Land Acquisition Act 1969 apply to every authorised acquisition of land in the State, and have thus been assimilated with those parts of the Roads (Opening and Closing) Act, 1991, that deal with new road and other land acquisitions.

A council will normally undertake the road process. In specific circumstances laid down in the Act the Development Assessment Commission (DAC), or the Minister for Infrastructure shall be the relevant authority to make the road process order. The Minister has special power to close roads pursuant to section 6 and Part 7A of the Act. This power extends to any superfluous roads out of council districts.

If further guidance is required regarding these procedures please consult the Roads Unit of the Land Services Group on 82263910.

1. PRELIMINARY PROCEDURES

Prior to making a Road Process Order to open or close road pursuant to the Roads (Opening and Closing) Act, 1991 Council shall comply with and complete (where necessary) the following procedures:

1.1. Agreements:

If it is proposed to make a road process order for the exchange of land subject to road opening for land subject to road closure, or for the transfer of land subject to road closure, an agreement for such purpose may be made with the owner of the land in fee simple, the lessee under a Crown lease, or the purchaser under an agreement to purchase from the Crown, of the adjoining land. The agreement must state whether or not an amount is agreed to be paid for equality of exchange or in consideration of such transfer or other dealing. (APPENDIX B, APPENDIX C, Administration Instruction 9)

1.2. Applications for documents of Title:

Where land subject to road closure is to be:

- retained by a council,
- sold for use for some public, charitable or beneficial community purpose.
- retained for sale by public auction or tender following confirmation, or
- transferred to the proprietor of land which is held in trust, and no agreement for exchange or transfer has been made,

an application for such purpose is required to be executed and lodged with the Surveyor-General. (APPENDIX D)

1.3. Public roads:

Any road proposed to be closed must be public road within the meaning of Section 3 of the Act. A diligent search to establish the estate of affected roads shall be undertaken prior to lodgement of the preliminary

plan. The authority for public road declaration, eg Notification No., Gazette date, Plan No. etc, is to be cited beneath the declaration. Any road process which is rendered invalid by virtue of its non-compliance with this requirement will be subject to re-lodgement and payment of new fees. In any case where council declares land as public road by a notice published in the Gazette pursuant to the Local Government Act for the purpose of subsequent closure, the council and Registrar-General are relieved from any duty involved in registration of the vesting in the council, unless the road closing process is discontinued - a copy of such Gazette notice should be supplied to the Surveyor-General at the time of lodging the preliminary plan.

1.4. Disposals to other than adjoining owners:

Where it is considered that land subject to road closure may be used separately from other land, the council may sell the land by public auction or tender to the person who, in the opinion of the council, offers the best price, or may sell or transfer the land for use for some public, charitable or beneficial community purpose. Any sale by auction or tender may only be effected after confirmation of the road process order by the Minister. In accordance with section 25(4) of the Act, these transactions must be completed within 12 months from publication of the notice of confirmation, or the Minister may take action to vest the land in the Crown.

1.5. Width of roads:

Subject to Section 38 of the Act, no road to be opened may be less than 12 metres wide in any place, except where the new road is the continuation of another road of the same width, and no road may be closed in part so that it is less than 12 metres wide in any place. The Surveyor-General may however fix a lesser width, by instrument in writing, upon application by the council (at any time up to the lodgement of the road process order). Reasons for such a declaration must be supplied, together with payment of the relevant fee.

2. PRELIMINARY DOCUMENTS

The council shall lodge with the Surveyor-General, at Adelaide, the following documents and fees, together with advice as to which relevant authority shall make the road process order (determined in accordance with section 3 of the Act):

2.1. Preliminary Plan

2.1.1. Description of a Preliminary Plan

A preliminary plan of the proposed road process detailing all parcels of land to be opened as new road, all roads or portions of roads to be closed, and the tenure of all lands affected, prepared in accordance with specifications set out in the Plan Presentation Guidelines section 15.2 and certified by the council.

2.1.2. Certificate by a Licensed Surveyor

Any proposal plan containing roads to be closed shall bear a certificate by a licensed Surveyor that such roads are public roads within the meaning of Section 3 of the Act.

2.1.3. Disposition advice

Advice of the intended disposition of roads when closed, whether to be exchanged, sold, transferred to (vest in) the Crown, or retained etc.

2.2. Schedule of Owners and Occupiers:

A schedule showing the names and addresses of the owners and occupiers of, and any other person that has an interest in, land subject to or adjoining a road process, and including any other person who would be substantially affected by the process who can be identified by reasonable enquiry. (APPENDIX E)

2.3 Statement of Prescribed Public Utilities and Authorities:

A statement of Public Utilities and Public Authorities prescribed by Regulations 4 and 5, Roads (Opening and Closing) Act Regulations 1991 in the form shown in Appendix F. (APPENDIX F, Administrative Instruction 4)

2.4. Other Documents:

Any other document or advice as instructed by the Surveyor-General from time to time by administrative bulletin.

2.5. Fees:

All relevant fees as prescribed by Regulation.

3. NOTIFICATION PROCEDURES:

Following the lodgement of the preliminary documents with the Surveyor-General as described in 2. above notification of the proposal must be given to the general public and the persons affected.

3.1. Public Notice:

After compliance with the above, the council (where it is the relevant authority in relation to the road process) or the Surveyor-General (in any other case) shall give public notice of the proposal in the manner and form prescribed in the Regulations. (APPENDIX A)

3.2. Notice to persons affected:

At the same time as the public notice is published, copies shall be forwarded by the council or the Surveyor-General, as the case may be, to all persons (so far as can be identified by diligent search) who is a "person affected" in relation to the proposed road alterations. Where the relevant authority is the council, the council must lodge a copy of the notice with the Surveyor-General, at Adelaide.

3.3. Acquisition of land:

Where a road process is or includes a proposed road opening, or is an acquisition of land in addition to the land required for a proposed road opening, a notice of intention to acquire is to be served by the relevant authority on any person who has an interest in that land. These notices of acquisition should be served at the same time as giving public notification. (Administrative Instruction 2)

3.4. Protection of public interest:

In any road opening proposal affecting land under the Real Property Act, the council may, upon commencement of proceedings, lodge a caveat with the Registrar-General forbidding any dealing with the land without the consent of the council. In any road opening proposal affecting N.U.A. land, the council may lodge a copy of the public notice of the proposal at the General Registry Office, and may serve notice in writing on any person in possession of the land to deliver up to the Registrar-General any instrument evidencing the person's interest in the land.

3.5. Objection or application for easement:

Any person may, within 28 days of the date of the public notice, deliver to the relevant authority a notice of objection or a notice of application for an easement to a proposed road process, in the manner and form stated in the public notice (as prescribed by Regulation). A copy of same must, within the same period, be delivered to the Surveyor-General, at Adelaide.

3.6. Notification of meeting to consider objections:

Where a person makes an objection or application, the relevant authority must notify that person, in writing, of a time and place at which a meeting will be held to consider the objection or application. The person may, personally or by representation, attend the meeting or any subsequent adjournment thereof, and may make submissions in support of the objection or application.

4. NOTIFICATION REQUIREMENTS:

Following the publication of a public notice a copy must be forwarded to the Surveyor-General in accordance with Section 10 and Regulation 6 of the Act. (APPENDIX A)

5. PROCEDURES RELATING TO THE ROAD PROCESS ORDER:

Following notification and consideration of any representations the Road Process Orders can be made. (Administrative Instruction 1, APPENDIX G)

5.1. Making a Road Process Order:

The relevant authority must, as soon as practicable after the expiration of the time allowed for receiving representations, or at the meeting (or any adjournment thereof) held to enable consideration of representations received, make or decline to make a road process order in relation to all or part of the proposed road process. In determining whether to make a road process order, the relevant authority must give proper consideration to the criteria as set down in section 16 of the Act. If it is determined not to make the order, notice of same must be given in writing to the Surveyor-General, any person who lodged an objection or application for easement, or any person with an interest in the land affected. An order may be made to vary an advertised proposal so as to exclude any portion of the original proposal, but may not be made to include additional land or road in the road process.

5.2. Provision for disposal of land:

Where an order includes the closure of a road or portion of a road, the order must make provision for the disposal of all of the land subject to road closure, in accordance with section 17 of the Act. Details of agreements entered into for transfer or exchange should be specified in the road process order.

5.3. Easements:

The road process order shall also include any order for the granting of an easement/underlease over land subject to road closure, as determined by the relevant authority in accordance with section 18 of the Act.

5.4. Notification of a Road Process Order:

As soon as the road process order has been made, notice in writing of the making of the order must be given to any person who lodged a notice of objection or application and to any person with an interest in the land. A copy of the minutes of any meeting relating thereto, certified in accordance with section 19(c) of the Act, must be delivered to the Surveyor-General, at Adelaide. The minutes shall state clearly whether any objections or applications were made, and if so, how dealt with.

5.5. Council to be Notified:

In any case where the council is not the relevant authority, two copies of the order shall be delivered to the council for the area.

5.6. Lodgement of Orders:

Within three months from the making of the road process order, the council must lodge with the Surveyor-General, at Adelaide, the documents and fee referred to under 6. Failure to comply with this requirement within the period specified may cause the road process order to lapse. (Administrative Instruction 7)

5.7. Notice of Discontinuance:

If a road opening proposal lapses or a portion of road to be opened referred to in the notice is not included in the road process order a notice of discontinuance will have to be served. (Administrative Instruction 2)

At the time of lodgement, a preliminary check will be carried out to ensure that the documents and plan are satisfactory – these may be rejected if not in accordance with requirements.

6. LODGEMENT OF DOCUMENTS:

Documents to be supplied to the Surveyor-General following the making of the road process order are-

6.1. Road Process Orders:

Two copies of the road process order, in the form prescribed by the Surveyor-General describing all land to be opened as new road and/or all roads to be closed, and specifying the disposition of all land subject to road closure, including any order for the granting of an easement/underlease. (Administrative Instruction 1, APPENDIX G)

6.2. Survey Plan:

A survey plan prepared to specifications laid down in Chapter 7 of the Manual of Survey Practice Volume 1, and containing all new allotments of land to be created by virtue of the road process order, being-

- each parcel of land to be opened as new road,
- each parcel of land to be formed by the amalgamation of a piece of closed road with contiguous land,
- each parcel of road to be closed and retained, sold or transferred as a separate parcel, and
- each balance piece of land to remain as a result of a road opening (subject to the single allotment provisions applicable under the Real Property Act).

Consideration should be given to various options available due to contiguous land ownership.

6.3. Certified Plan:

A paper copy of the survey plan containing a certificate of approval by the council in the form set out in Plan Presentation Guidelines section 15.1.

6.4. Agreements or application for Title:

A copy of any agreement entered into for transfer or exchange of roads to be closed, or any application for a document of title for a road to be closed fully executed by all persons concerned. The copy of the agreement, or the application, must be appropriately endorsed by the Commissioner of Stamps and must state all details of purchase-moneys paid or agreed to be paid. (APPENDIX B, APPENDIX C, APPENDIX D)

6.5. Duplicate Titles:

All applicable documents of title required to be amended etc by the Registrar-General as a consequence of confirmation of the road process order.

6.6. Council Minutes:

A copy of the minutes of all council/DAC meetings held in relation to the process certified by the chief executive officer/delegate for DAC;

6.7. Other Documents:

Any other document or advice as instructed by the Surveyor-General from time to time by administrative bulletin;

6.8. Fees:

All relevant fees as prescribed by Regulation.

7. CONFIRMATION OF ROAD PROCESS ORDERS

The following procedures relate to the review and confirmation of the Road Process Order

7.1. Review of Road Process Order:

Following receipt of the above, the Surveyor-General will review the road process order. (In practice, a review of the proposal will commence upon public notification). The Surveyor-General may seek such expert advice on any aspect of the order as deemed necessary, and may, in consultation with the relevant authority, correct any error of deficiency in the order. Notice in writing of any amendment shall be given by the Surveyor-General to the relevant authority, which in turn, must notify any person affected.

7.2. Examination of Survey:

At the same time as the Surveyor-General carries out the review of the order, examination and approval of the survey plan will be processed by the Lands Titles Division. This process will include the surveyor attending to errors or deficiencies in the plan and data, if any.

7.3. Report and Recommendation to the Minister:

As soon as the review of the order has been completed, the Surveyor-General will forward both copies of the road process order and make a report and recommendation to the Minister as to whether the order should be confirmed (conditional on approval and deposit of the survey plan by the Registrar-General, in any case where examination and approval of the plan has not been completed) by the Minister. If the Minister declines to confirm the order, the Surveyor-General must give notice in writing of that decision to the council, which must in turn notify any person affected. Where the discontinuance affects a proposed road opening, a notice is to be served on any person who has an interest in that land.

7.4. Confirmation of the Road Orders by the Minister:

Upon confirmation of the order by the Minister, and fulfilment of any condition of the confirmation, ie approval and deposit of the survey plan by the Registrar-General, a notice of the order and its confirmation will be published in the Gazette by the Surveyor-General, and thereupon the order shall become effective, and the subject lands will vest in accordance with Section 25 of the Act. Where a new road is opened, a notice of the gazettal of the confirmation of the order and an Offer of Compensation are to be served by the Council on any person who has an interest in that land (except where a power of making roads is reserved or where the new road is the subject of an exchange under the Act). If land in addition to the new road is acquired, a notice of acquisition in respect of that land is to be served by the council in accordance with the provisions of the Land Acquisition Act, 1969 and Section 33(3) of the Roads (Opening and Closing) Act, 1991. Where a road is opened over land under the Real Property Act, the Surveyor-General must forthwith notify the Registrar-General, who must in turn remove any caveat lodged by the council.

7.5. Closed Road Title Certificate:

After publication of the confirmation in the gazette, the Minister shall issue a closed road title certificate to the Registrar-General for the issue of any documents of title (whether a consolidated or separate title, as the case may be) for closed roads for which agreements or applications have been received.

In practice, preparation of these documents of title will commence at the time of confirmation by the Minister (whether conditional or not) so that they may be ready at the same time as formal deposit of the survey plan by the Registrar-General. At the same time, the Minister shall take whatever other action is required to give effect to the order.

8. REQUIREMENTS FOLLOWING CONFIRMATION OF A ROAD PROCESS ORDER

If closed road is to be sold by public auction or tender an application for Certificate of Title must be executed and lodged with the Surveyor-General within 12 months of confirmation of the Road Process Order or the Minister may vest the land in the Crown.

APPENDIX A

SUGGESTED FORMAT FOR PUBLIC NOTICES PURSUANT TO SECTION 10 OF THE ROADS (OPENING AND CLOSING) ACT, 1991

ROADS (OPENING AND CLOSING) ACT 1991 Road Opening and [or] Closing – [location]

NOTICE is hereby given, pursuant to section 10 of the Roads (Opening and Closing) Act 1991, that the [*name of Council*] proposes to make a Road Process Order

to open as road [*land description where land is to be opened*] more particularly delineated and numbered '[*number*]' on Preliminary Plan [*PP number*]

and

to close and merge with [*description of the land to be merged with the closed road*] the whole of/portion of the public road adjoining [*description of land adjoining road to be closed*] more particularly delineated and lettered '[*letter*]' on Preliminary Plan [*PP number*] in exchange for land taken for new road

and/or

to close and merge with [*description of the land to be merged with the closed road*] the whole of/portion of the public road adjoining [*description of land adjoining road to be closed*] more particularly delineated and lettered '[*letter*]' on Preliminary Plan [*PP number*].

and/or

to close and merge with [*description of the land to be merged with the closed road*] the whole of/portion of the public road adjoining [*description of land adjoining road to be closed*] more particularly delineated and lettered '[*letter*]' on Preliminary Plan [*PP number*].

and/or

to close and vest in the Crown the whole of/portion of the public road adjoining [*description of land adjoining road to be closed*] and add to [*description of land held under a Crown Lease or Agreement to Purchase*] more particularly delineated and lettered '[*letter*]' on Preliminary Plan [*PP number*].

and/or

to close and vest in the Crown the whole of/portion of the public road adjoining [*description of land adjoining road to be closed*] more particularly delineated and lettered '[*letter*]' on Preliminary Plan [*PP number*].

and/or

to close, vest in the Crown and add to [*describe adjoining dedicated land*] which land is dedicated under the Crown Lands Act 1929 for [*describe purpose for which the adjoining land is dedicated*] the whole of/portion of the public road adjoining [*description of land adjoining road to be closed*] more particularly delineated and lettered '[*letter*]' on Preliminary Plan [*PP number*].

and/or

to close and retain for addition to the adjoining Council owned land the whole of/portion of the public road adjoining [*description of land adjoining road to be closed*] more particularly delineated and lettered '[*letter*]' on Preliminary Plan [*PP number*].

and/or

to close and retain for Council purposes the whole of/portion of the public road adjoining *[description of land adjoining road to be closed]* more particularly delineated and lettered *[letter]* on Preliminary Plan *[PP number]*.

and/or

To close and sell by public auction or tender the whole of/portion of the public road adjoining *[description of land adjoining road to be closed]* more particularly delineated and lettered *'[letter]'* on Preliminary Plan *[PP number]*.

and/or

To close and sell/transferred to *[name of public, charitable or community service]* for public/community purposes the whole of/portion of the public road adjoining *[description of land adjoining road to be closed]* more particularly delineated and lettered *'[letter]'* on Preliminary Plan *[PP number]*.

A copy of the plan and a statement of persons affected are available for public inspection at the offices of the *[name and address of Council]* and the Adelaide Office of the Surveyor-General during normal office hours.

Any application for easement or objection must set out the full name, address and details of the submission and must be fully supported by reasons. The application for easement or objection must be made in writing to the *[name and address of Council]* WITHIN 28 DAYS OF THIS NOTICE and a copy must be forwarded to the Surveyor-General at GPO Box 1354, Adelaide 5001. Where a submission is made, the Council will give notification of a meeting at which the matter will be considered.

Dated

[name] Chief Executive Officer/City Manager

APPENDIX B

AGREEMENT FOR TRANSFER

MADE PURSUANT TO THE ROADS (OPENING AND CLOSING) ACT 1991

BETWEEN the undersigned Council [*name of council*] of [*address of council*] of the one part and [*name of applicant*] of [*address of applicant*] of the other part and WHEREAS the said COUNCIL is the owner and the public is the occupier of the piece of road lettered '*[letter]*' in the Preliminary Plan [*preliminary plan number*].

It is considered expedient that the LAND above described shall be TRANSFERRED and added to [*description of applicants land*] held in [*title of applicants land*].

It is HEREBY AGREED that such TRANSFER shall be made and that the [*name of applicant*] pay/has paid TO THE SAID COUNCIL IN CONSIDERATION OF SUCH TRANSFER THE SUM OF \$.....

(IN THE CASE OF NIL CONSIDERATION THE FOLLOWING CERTIFICATION IS REQUIRED)
I CERTIFY THAT THE VALUE OF THE PIECE MARKED '[letter]*' DOES NOT EXCEED \$*

CHIEF EXECUTIVE OFFICER

PROVIDED that if no Road Process Order shall be made and confirmed in the manner prescribed by the said Act, this Agreement shall be void.

Dated the day of 20

.....

.

.....

APPLICANT/S

.....

MAYOR

"Owner" means the owner in fee simple, the lessee under a Crown Lease or Agreement to purchase pursuant to the Crown Lands Act.

The appropriate endorsement by the Commissioner of Stamps in accordance with the Stamp Duties Act 1923 is required.

COMMENT

The Roads (Opening and Closing) Act 1991 requires Agreements for Transfer or Exchange to be made where road to be closed is to be disposed of to an adjoining owner/Crown lessee or exchanged for other land required for new road. A copy of the Agreement, properly endorsed with Stamp Duty payable in respect thereof, is sufficient application for the issue and merger of certificates of title, or registration in the Register of Crown leases, by the Registrar-General.

This application is to be used where no agreement for transfer or exchange has been made, and where the applicant is :

- (a) the purchaser of the land by auction or tender
- (b) the purchaser of the land (may be for no consideration) to be used for some public, charitable or beneficial community purpose
- (c) the council
- (d) the proprietor of adjoining land held in trust under the Crown Lands Act 1929
- (e) a Minister of the Crown or an instrumentality of the Crown (Section 34 of the Act)
- (f) the purchaser or otherwise by possession (Section 37 of the Act).

NOTES

1. Applicant(s) full name and address to be given.
Where applicant is also proprietor of adjoining land, the name must be exactly the same as that registered.
If the address has changed, also show 'formerly of(The new address will appear on the title to issue unless otherwise directed).
2. May be identified as shown on the Preliminary Plan - attach a copy.
3. Describe Crown lease/Agreement to Purchase, and trusts, if applicable.
Where a Separate Title is requested by council, written reasons why such application should be approved must be attached to the application (Administrative Instruction issued by the Surveyor-General).
4. It is envisaged that this statement will only apply in exceptional circumstances.
5. To be used where a consolidation of land in title(s) into broadacre format is being requested.
6. Must show full name of, and be signed by, all applicants.
Where the applicant is the council, the Certificate as to payment should be struck out, but the value of the land must be stated to allow assessment of any Stamp Duty payable.

APPENDIX E

STATEMENT TO PLAN DEPOSITED UNDER ROADS (OPENING AND CLOSING) ACT 1991

SCHEDULE OF OWNERS, OCCUPIERS AND ENCUMBRANCES AFFECTED

HUNDRED AND
DESCRIPTION

OWNER AND
ADDRESS

OCCUPIERS AND
ADDRESS

ENCUMBRANCER AND
ADDRESS

APPENDIX F

STATEMENT OF PRESCRIBED PUBLIC AUTHORITIES AND UTILITIES

Pursuant to section 3(1) of the Roads (Opening & Closing) Act, 1991, Sections 4 & 5 of the Roads (Opening & Closing) Regulations 2006 & Administrative Instruction No. 4.

PUBLIC UTILITIES / AUTHORITIES	ADDRESS FOR NOTIFICATION	Y/N
South Australian Water Corporation	Property Services SA Water Corporation GPO Box 1751 ADELAIDE SA 5001	
Distribution Lessor Corporation	Real Estate Branch ETSA Utilities GPO Box 77 ADELAIDE SA 5001	
Transmission Lessor Corporation	Property Services ElectraNet PO Box 7096 Hutt Street Post Office ADELAIDE SA 5000	
Envestra (SA) Ltd	Capital Works APA Group 330 Grange Rd KIDMAN PARK SA 5023	
TELSTRA Corporation Ltd	TELSTRA Corporation Ltd Network Integrity Services Locked Bag 3573 BRISBANE QLD 4000	
Epic Energy Ltd	Epic Energy Ltd Operation and Engineering 26 High Street DRY CREEK SA 5094	
Office for Recreation & Sport <i>*Notify when closing an unmade road</i>	Asset Management & Developments Office for Recreation & Sport PO Box 219 BROOKLYN PARK SA 5025	
Commissioner of Highways <i>*Notify when proposal vests in or adjoins land under the control of the Commissioner of Highways</i>	Traffic and Access Standards Department of Planning, Transport & Infrastructure GPO Box 1533 ADELAIDE SA 5001	
Coast Protection Board <i>*Notify when proposal is within a coast protection district</i>	Coastal Protection Branch Department of Environment & Natural Resources GPO Box 1047 ADELAIDE SA 5001	
Native Vegetation Council <i>* Notify when a road opening is subject to the Native Vegetation</i>	Native Vegetation Council Secretariat Department of Environment & Natural Resources GPO Box 1047 ADELAIDE SA 5001	
National Parks & Wildlife <i>*Notify when proposal adjoins a land constituted under the National Parks & Wildlife Act</i>	National Parks & Wildlife Service Department of Environment & Natural Resources GPO Box 1047 ADELAIDE SA 5001	

Note: all above addresses should be checked prior to notification

APPENDIX H

ROADS ACT CHECKLIST FOR COUNCILS AND AGENTS

Preliminary Plan Stage

Where an agreement for transfer of closed road is to be made Council has first invited offers from all adjoining owners. []

The Preliminary Plan has been certified by Council as to intent and also certified by a licensed surveyor that road is public. []

Notice in writing of the proposal has been served to all persons affected, prescribed Public Utilities (Roads Act Regulations) and prescribed public authorities (Roads Act Regulations). []

In the case of a road opening (when required) a notice of intention to acquire land and to acquire additional land has been served. []

The Preliminary Plan, Schedule of adjoining owners/occupiers and statement of Prescribed Public Utilities and authorities affected has been forwarded to the Surveyor-General. []

Where an application for title for closed road is made by Council a letter describing the purpose for which the land is to be used has been forwarded to the Surveyor-General. []

The proposal has been advertised in Government Gazette and local newspaper and copies forwarded to the Surveyor-General. []

Final Plan Stage

Where there are objections or application for easement Council has invited the objectors/applicants to a meeting where Council will consider the objection/application. []

At a meeting of Council a resolution has been made to close road. []

Council has forwarded to the Surveyor-General a copy of the minutes, certified by the Chief Executive Officer, of all meetings held in relation to the proposed road process []

A copy of the Agreement/ for Transfer / Application for Document of Title, signed, dated and endorsed for Stamp Duty. []

Two copies of the Road Process Order sealed by Council and signed and dated by the Chief Executive Officer and Mayor have been forwarded to the Surveyor-General. []

A copy of the final survey plan signed and approved by Council has been forwarded to the Surveyor General. []

Council has given notice to the Surveyor-General, objectors and applicants where it has been decided not to continue a road process and if applicable a 'Notice of Discontinuance of a Road Opening' must be served on the person who had an interest in the land. []

A 'Notice of Order for Road Opening' and 'Offer of Compensation' must be served on a person who had an interest in land being acquired by council. []

ROAD PROCESS ORDER

Deposited Plan

Certified Correct

Confirmed

SURVEYOR-GENERAL

MINISTER FOR TRANSPORT
AND INFRASTRUCTURE

ROAD PROCESS ORDER

Deposited Plan

of

Deposited Plan

of

Deposited Plan

Certified Correct

Confirmed

SURVEYOR-GENERAL

MINISTER FOR TRANSPORT
AND INFRASTRUCTURE

ADMINISTRATIVE INSTRUCTIONS LINKS

Administrative Instruction 1: [Form of a Road Process Order.](#)

Administrative Instruction 2: [Notices of Land Acquisition, Discontinuance of a Road Opening and notice of Confirmation and Offer of Compensation.](#)

Administrative Instruction 3: [Issue of separate Closed Road Titles to Councils.](#)

Administrative Instruction 4: [Notification to Public Authorities and Public Utilities of a Road Process.](#)

Administrative Instruction 5: [Application, Disposal and Merger of Old Closed Roads.](#)

Administrative Instruction 6: [Notification of a Road Opening pursuant to the Native Title Act 1993.](#)

Administrative Instruction 7: [Making of Road Process Orders.](#)

Administrative Instruction 8: [Conditions for disposal of road closed under the Roads \(Opening and Closing\) Act, 1991 and implications of the Local Government Act 1999 – Community Land.](#)

Administrative Instruction 9: [Agreements – Interpretation and lodgement requirements.](#)