

Local Government (Administration) Regulations. As in force at 8 November 2013
 Part 7 Construction and Closing of roads
 Section 19 Permanent closure of road

Please note the **Local Government (Administration) Regulations. Part 7** must be read in conjunction with the **Local Government Act. As in force at 1 July 2014 Part 12.3 Roads**

Local Government Act. As in force at 1 July 2014 Part 12.3 Roads

Part 12.3 Roads
 185 Roads
 (1)A road is:
 (a)land vested in a council at the commencement of this Act as a road or a road reserve; and
 (b)land vested in, or placed under the care control and management of, a council as a road or a road reserve, after the commencement of this Act, under this or some other Act; and
 (c)land reserved, dedicated or resumed, with the council's agreement, as a public street, road or thoroughfare; and
 (d)land transferred to the council in fee simple, and accepted by the council, as a public road; and
 (e)land declared by the council, by Gazette notice, to be a road with the consent of the owner of the land; and
 (f)land vested in the council, with the council's agreement, by notice under subsection (2).
 (2)If a council agrees, the Minister may, by Gazette notice, vest Crown land in, or place Crown land under the care, control and management of, the council as a road or a road reserve.
 (3)Land ceases to be a road if the road is permanently closed under this or any other Act.
 186 Care control and management of roads
 (1)Subject to this section, all roads within an area are under the care, control and management of the council.
 (2)After consulting with a council, the Minister may, by Gazette notice withdraw a road from the care, control and management of the council and place it under the care control and management of the Territory.
 (3)Subject to any contrary agreement between the council and the Minister, if a road is vested in the council, a notice under subsection (2) divests the road from the council and vests it in the Territory.
 (4)If a council has the care, control and management of a road that is vested in someone else, then, subject to any contrary agreement between the council and the owner, the powers of the council to control and manage the road are exclusive of those of the owner.
 (5)While a road remains under the care, control and management of a council, the following belongs to the council:
 (a)all vegetation growing on the road;
 (b)anything erected on, or affixed to, the road except infrastructure or equipment belonging to the Commonwealth or the Territory or a statutory authority of the Commonwealth or the Territory.

Local Government Act. As in force at 1 July 2014 Part 12.3 Roads

187 Closing of roads
 (1)A council may temporarily or permanently close a road, or part of a road, under its care, control and management.
 (2)However, a road or part of a road is not to be permanently closed under subsection (1) unless:
 (a)any relevant procedural requirements prescribed by regulation have been satisfied; and
 (b)the following Ministers consent:
 (i) the Minister responsible for the administration of the Control of Roads Act;
 (ii) the Minister responsible for the administration of this Act.
 (3)Subject to any contrary agreement between a council and the Minister, if a road under the care, control and management of a council is vested in the Territory, and the road is permanently closed, the land comprising the road vests in the council in fee simple.

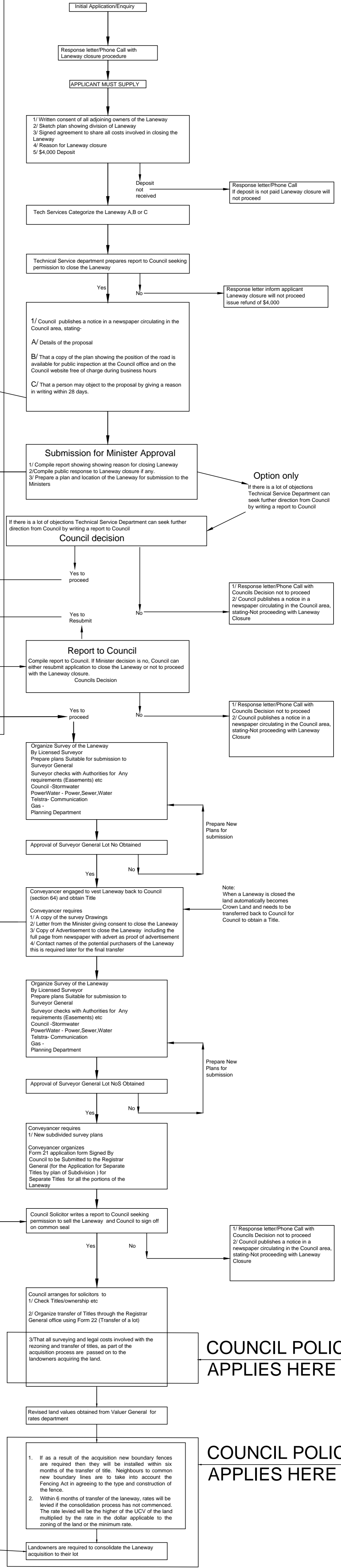
PERMANENT ROAD CLOSURE. MINISTERIAL APPROVAL AS PER Part 7 Construction and Closing of roads Section 19 Permanent closure of road

Must be a road or part of a road vested in, and under the care, control & management of Council.
 Cannot be the only access to a parcel of land

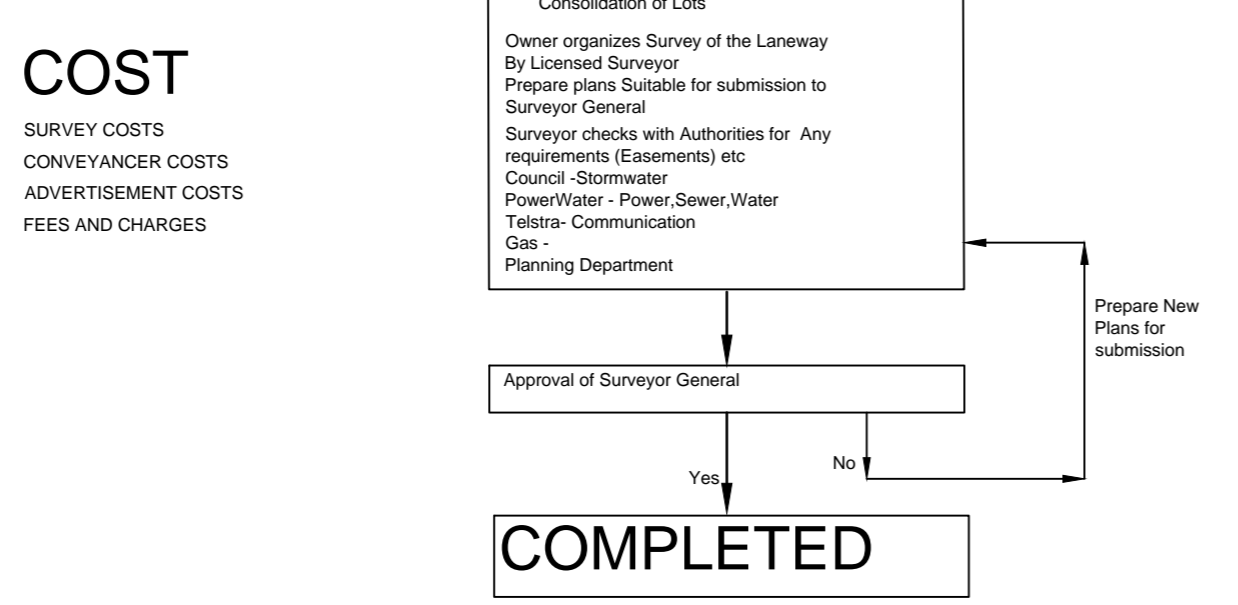
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- Before a council submits for the Minister's consent a proposal to close a road in its area on a permanent basis, it must give public notice of the proposal.
- The proposal (which must include a plan delineating the road to be closed with reasonable accuracy and detail) must be accessible on the council's website.
- The notice must include an invitation to any person who may object to the proposal to lodge a written objection to the proposal within a reasonable period (at least 28 days) stated in the notice.
- The council must consider any objections lodged in accordance with the invitation.
- If, after publishing a notice under this regulation, the council substantially modifies its proposal (either as a result of objections or for some other reason), the council must publish a fresh notice under this regulation of the modified proposal.
- When the council submits a proposal for permanent road closure to the Minister for consent, the proposal must be accompanied by:
 - report setting out the steps taken by the council to comply with this regulation; and
 - copies of written objections (if any) received by the council to its proposal.

Start Here



Consolidation process Reference only



COST
 SURVEY COSTS
 CONVEYANCER COSTS
 ADVERTISEMENT COSTS
 FEES AND CHARGES

Note: If Laneway is not to be subdivided the next step is to organize to transfer land to applicant

COUNCIL POLICY APPLIES HERE

COUNCIL POLICY APPLIES HERE

Finish Here