



Application for Permanent Road Closure

Section 38A – 38F Roads Act 1993

Applicant details	
Name(s):	
Business Name (if applicable):	ABN/ACN:
Address:	
Suburb:	Post Code:
Phone:	Mobile:
Email:	
Applicants Signature:	Date:

Details of road reserve
Name of road reserve:
Locality:
Nearest crossroad or reference point or Lot/DP:
Purpose for proposed use:

Road Is (tick appropriate) - Road must be with or adjacent land to purchase		
☐ Within	☐ Adjacent	☐ Both

Site plan – must be attached to this Application
Site plan must show proposed area of use, also any existing infrastructure in the road reserve.

Fees and charges
Fees and charges will apply in accordance with Council's adopted Revenue Policy and available to view on the Council's website www.richmondvalley.nsw.gov.au
Please refer to – Public Road Closure Application.

Lodging your application

Please lodge your completed application and supporting documents in person at our Council office, by mail or alternatively email to council@richmondvalley.nsw.gov.au

Application fees must be paid at time of lodgment.

All applications are assessed on its merits and lodgement of this application does not automatically guarantee a road closure.

Disclaimer

Purpose of collection: Public access to Council's documents.

Intended recipients: Council staff and is publicly available under the *Government Information Public Access Act 2009*.

Supply: Voluntary, a consequence of non-provision could result in delays or refusal of your application.

Access / Correction: Requests for access / correction of information under the *Government Information (Public Access) Act* or *Privacy & Personal Information Protection Act 1998*, contact the Council's Right to Information Officer.

Storage: This form will be recorded in Council's corporate record management system upon receipt.

Office use

Application ID -	Date lodged	
Amount \$	Receipt #	
Cashier:	☐ Site plan attached	

BEFORE YOU BEGIN

Stage 1 - Council Public Road Closure Application: Undertake Preliminary Site Investigations (Non-Refundable) *

This form is used to complete preliminary investigations into the proposal to formally close the road. In determining your application, Council will confirm:

- The road is not reasonably required as a road for public use (whether for present or future needs) and;
- The road is not required to provide the continuity for an existing road network and;
- If the road provides means of vehicular access to particular land, another public road provides lawful and reasonable practicable vehicular access to that land
- Road status and vesting

Stage 2 - Council Public Road Closure Application: Statutory Advertising, Dealing with Submissions and Report to Council (Non-Refundable) *

In determining your application, Council will:

- Progress notification requirements under the Roads Act 1993. Section 38B
- Review Objections
- Compilation of the second and final report to Council seeking a resolution to approve or reject the application

Stage 3 - Council Public Road Closure Application: Finalising Survey, Legal Documents and Preparing Road Closure Notice for Government Gazette *

Used to finalise the formal closure for sale and transfer. Applicants must pay the final application fee for Stage 3, however additional costs will apply for the following:

- Surveyor Costs
- Valuation Costs
- Legal Costs
- Land Purchase Cost

Note: applicant will be required to pay all of Council's costs including Council's legal, survey, and statutory advertising fees in order to have the Council public road closed.

Note: when an unconstructed Council public road is closed it becomes vested in the Crown as Crown Land. In these instances Council is not able to facilitate the sale of Crown Land with the applicant. Any discussions regarding purchase should be directed to NSW Department of Planning, Industry and Environment - Crown Lands.

Note: when a constructed Council public road is closed it remains vested in Council as Council land. The applicant will be required to pay all of Council's costs including legal, valuation costs and the agreed compensation. The applicant will also be required to pay any survey costs to consolidate the closed road within their own land upon transfer.

You will need to agree and acknowledge that the application (Stage 1) is to investigate if the road can be progressed for potential closure. This does not guarantee that the road will be closed and available for purchase. Formal approval/refusal of the proposed road closure does not occur until Stage 2.

Please read Council's Privacy Management Plan:

[Access to Council Records & Privacy Management Plan September 2020](#)

Please refer to Council's [Permanent Road Closures Policy](#) for further information.

For further information phone Richmond Valley Council on (02) 6660 0300, email council@richmondvalley.nsw.gov.au or visit www.richmondvalley.nsw.gov.au

DISCLAIMER: This fact sheet is for general information purposes only. While all care has been taken to ensure the information is correct, Richmond Valley Council accepts no responsibility for damage caused by this information, nor liability accepted for any unauthorised use of the information contained herein.