

DEDICATION OF LAND AS ROAD

LAND ADMINISTRATION ACT 1997 Section 56



The Applicant must lodge an application with the City of Kalamunda (City) to request that land be dedicated as road. The process will require internal and external consultation and a resolution of Council. Importantly, the process outlined below is necessary to meet the requirements of the Department of Planning, Lands and Heritage and the *Land Administration Act 1997*.

A summary of the road dedication process is as follows:

1. The Applicant lodges a road dedication application and pays the application fee. The application fee is set out in the City's Schedule of Fees and Charges (which is reviewed every financial year).
2. The City will evaluate if the portion of land has any current or future purpose for the provision of drainage, property access or other public works.
3. Should the City determine the land is required as road reserve, the City will:
 - a. Notify all landowners who will be directly impacted by the proposed dedication;
 - b. Advertise the proposed dedication in a local newspaper(s) and on the City's website; and
 - c. Seek comments from all service authorities (Telstra, Western Power, ATCO Gas and the Water Corporation) regarding their requirements in respect of any services located in or near the portion of land proposed to be dedicated. The Applicant will be required to pay all costs of, and incidental to, any service relocations and easements required by the service authorities for the road dedication to proceed, as well as any other fees charged by the service authorities. It is recommended that the Applicant contact the service authorities directly to investigate the cost of any service relocations and easements before deciding to proceed. Dial Before You Dig may assist in determining the services affected by the proposed road dedication.
4. Following completion of the consultation process outlined in paragraph 3 above, all comments, objections and endorsements are analysed, and a Council Report is prepared in respect of the proposal.

5. Council will then consider the proposed road dedication and resolve to recommend or reject the proposal.
6. If Council recommends the dedication, the City will write to the Department of Planning, Lands and Heritage requesting that the land be dedicated as road. The Department will review the matter and, if it decides to proceed with the road dedication, the land will be dedicated as road. The final process is outside the control of the City and the outcome may or may not reflect the recommendation of Council.
7. The Applicant will be responsible for all costs of the road dedication process, including, but not limited to, the application fee, the cost of any service relocations and easements, survey costs, document preparation and lodgement fees, and any other fees.

To lodge a road dedication application, the Applicant must submit a letter to the City which includes the following information:

1. The Applicant's details including full name, address and contact details;
2. Detailed description of the proposal;
3. Site plan of existing lot(s) and proposed dedication area. The sketch or survey must be prepared by a draftsperson and drawn to a scale of not less than 1:500 showing the location of the site, dimensions and areas of the lot(s) and proposed dedication area, street name(s), lot number(s), north point and the location of any services;
4. Payment of the application fee; and
5. A statement by the Applicant as follows:
 - a. I/We have read the procedures required to be undertaken to dedicate land as road; and
 - b. I/We acknowledge that all costs associated with the road dedication, including but not limited to the cost of surveys, document preparation and lodgement, relocation or modification of services, easements to protect services, fees, etc. are the responsibility of the Applicant.

If you have any queries in respect of the road dedication process, please do not hesitate to contact the City's Land Services Team on 9257 9906 or email enquiries@kalamunda.wa.gov.au.