



| | |
|-----------------------|------|
| Shire of Denmark | |
| ICR1082504 | |
| 17 AUG 2010 | |
| R 30132 | |
| DATE | LEP# |
| FILE REF | |
| COUNCILLORS | |
| CEO | |
| DIR of FINANCE | R |
| DIR of PLANNING | |
| DIR of INFRASTRUCTURE | ✓ |
| DIR of COMMUNITY | |
| OTHER | |

9 August 2010

Chief Executive Officer
Shire of Denmark
953 South Coast Highway
DENMARK WA 6333

Dear Sir

REQUEST TO CLOSE PORTION OF BUSH ROAD ADJACENT TO LOT 1716, TINGLEDAL

The owner of Lot 1716 Bush Road Tingledale, Mr G Townley is seeking the Council's approval for the closure of the portion of Bush Road, Tingledale. The subject portion of Bush Road that Mr Townley is seeking to close is located adjacent to his land as shown on the attached plan.

As can be seen from the plan, Bush Road is a cul-de-sac ending at the north eastern corner of Mr Townley's property. This section of road is not required for access to any other land in the area. The adjacent property to the south (Lot 1717) is served by Settlers Boundary Road and does not require Bush Road for access. In addition, Lot 34 located on the eastern side of Bush Road also does not require this section of Bush Road for access.

This section of Bush Road has only been developed to a "track" status and serves no purpose to Lot 1716 or any of the adjoining lots. Photographs of the existing track are attached. The closure of this section of road will remove the management burden from the council and enable the land to be put to effective agricultural use.

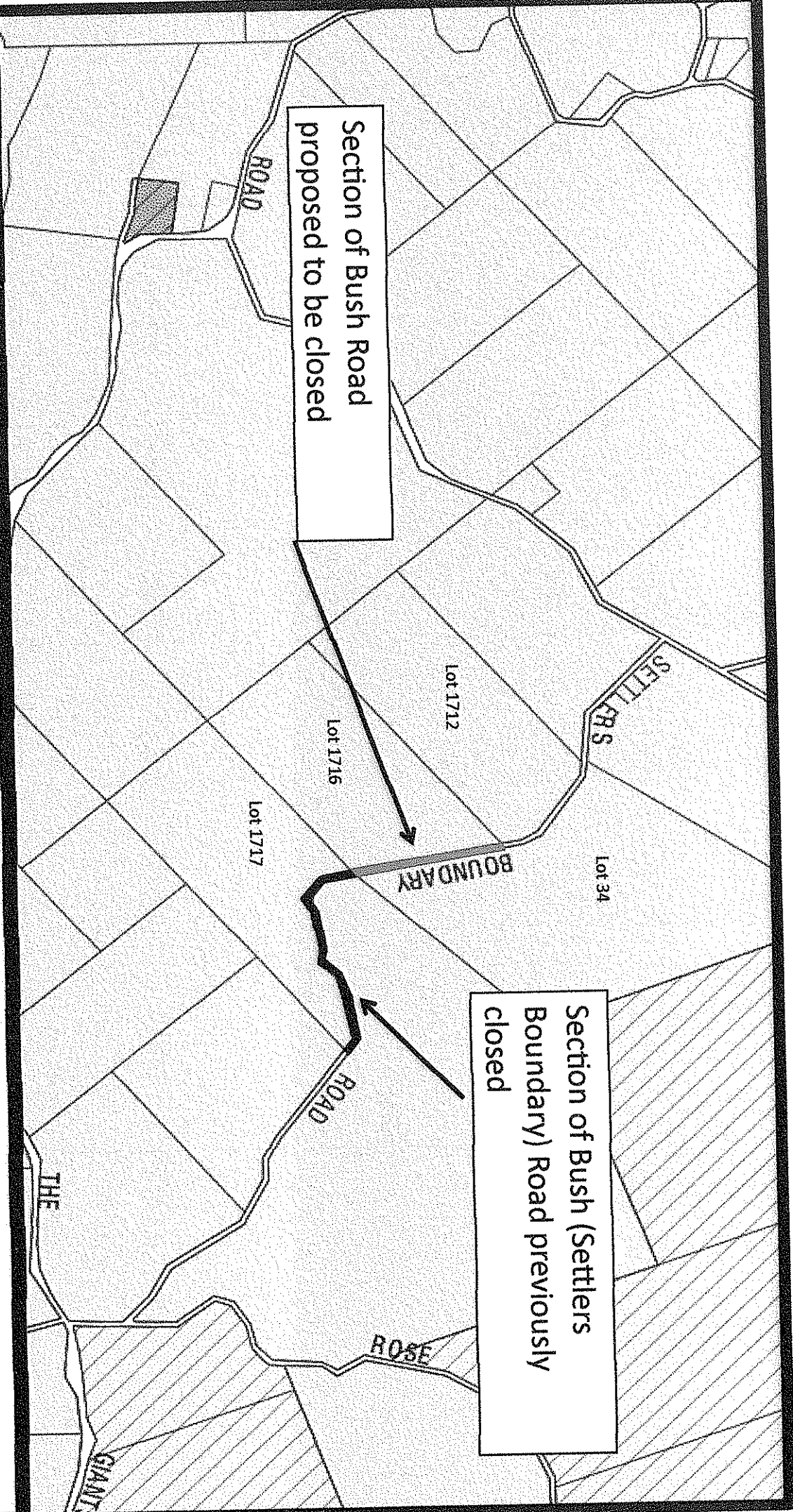
Mr Townley has discussed this proposal with all adjoining neighbours, who have all raised no objection for the road to be closed and included into Lot 1716. We understand that once the Council has approved the proposed road closure, the request will be forwarded to State Lands to arrange for the sale and transfer of the land.

Please find attached a cheque for \$200.00 being the Shire of Denmark application fee for road closure. Please do not hesitate to contact either Mr Townley on 418 906 405 or myself should you require further information.

Yours sincerely

Eugene Ferraro
Director

Attachment 8.3.1



Section of Bush Road
proposed to be closed

Section of Bush (Settlers
Boundary) Road previously
closed

PROPOSED CLOSURE OF PORTION OF BUSH ROAD

TINGLEDALE

SHIRE OF DENMARK

CLIENT G TOWNLEY

Not to Scale

AUGUST 2010



Ferraro planning and development consultancy

U210/396 Scarborough Beach Road Osborne Park WA 6017

PO Box 1563 MELVILLE SOUTH WA 6157

Nikagen Pty Ltd as Trustee for Ferraro Family Trust ACN 139 854 621



fpcdc

Ferraro planning and development consultancy

U210/396 Scarborough Beach Road Osborne Park WA 6017

PO Box 1563 MELVILLE SOUTH WA 6157

Nikogem Pty Ltd as Trustee for Ferraro Family Trust ACN 139 854 621

**EXISTING TRACK ON BUSH ROAD
TINGLEDALE**

SHIRE OF DENMARK

CLIENT G TOWNLEY

AUGUST 2010

FORM LAA-1003

WESTERN AUSTRALIA
LAND ADMINISTRATION ACT 1997
TRANSFER OF LAND ACT 1893 AS AMENDED

WA STAMP DUTY PAID SECTION 112:

528.8-001451215-001

Exemption:

| | |
|-----------|--|
| \$ | \$ 3750.00 |
| Chattels | Gross Consideration |
| Signature | \$ SDP 72.15 Duty otherwise payable |

SECTION 87

CONVEYANCE AND AMALGAMATION ORDER (FREEHOLD) (XE)

DESCRIPTION OF LAND (NOTE 1)



Hay Location 2385 on Land Administration Diagram 93496, BEING WHOLE OF THE LAND
IN CROWN LAND TITLE. 3110 483

ADJOINING LAND PARCEL (NOTE 2)

Hay Location 1717

| EXTENT | VOLUME | FOLIO |
|--------|--------|-------|
| Part | 1023 | 203 |

ENCUMBRANCES (NOTE 3)

Nil

CONSIDERATION (NOTE 4)

Three thousand and seven hundred dollars (\$3,700.00)

ADJOINING LANDHOLDER (NOTE 5)

Brian Desmond Thomas Vigus of RMB 1225 Denmark

Pursuant to Section 87 of the Land Administration Act 1997 the Minister for Lands for the consideration herein expressed BY THIS ORDER HEREBY:

1. CONVEYS TO THE ADJOINING LANDHOLDER (as the Registered Proprietor in fee simple of the adjoining land described above) the fee simple in the land above described, subject to the encumbrances as shown herein;
2. AMALGAMATES the land and the adjoining land.

Dated this 4th day of October in the year 1999

ATTESTATION

[Signature]
PROJECT OFFICER
SOUTH EAST REGION
LAND ADMINISTRATION SERVICES

INSTRUCTIONS

- 1. If insufficient space in any section, Additional Sheet Form B1 should be used with appropriate headings. The boxed sections should only contain the words "See Annexure".
- 2. Additional Sheets shall be numbered consecutively and bound to this document by staples along the left margin prior to execution by parties.
- 3. No alteration should be made by erasure. The words rejected should be scored through and those substituted typed or written above them, the alteration being initialled by the person signing this document and their witnesses.

NOTES

- 1. TECHNICAL DESCRIPTION OF LAND
Technical Description of land being amalgamated into title or if land is part of a Crown Land Title, the details required in Note 2.
- 2. DESCRIPTION OF LAND
Lot and Diagram/Plan number or Location name and number to be stated.
Extent - Whole, part or balance of the land comprised in the Certificate of Title to be stated.
The Certificate of Title Volume and Folio number to be stated.
- 3. ENCUMBRANCES
To be identified by nature and number, if none show "nil".
- 4. CONSIDERATION
i) To be expressed in words.
ii) Where Section 87(3) applies:
Satisfaction of ... Dollars (\$) of the compensation of ... Dollars (\$) payable to the Adjoining Landholder under part 8 of the Land Administration Act 1997 for land taken for the purpose of a road to replace a closed road passing through or adjoining the adjoining landholder's land.
- 5. ADJOINING LANDHOLDER
State the full name of the adjoining landholder/s (Purchaser) and the address/es to which future notices can be sent. If a minor, state date of birth.
If there is any variation from the names and addresses on the Certificate of Title for the adjoining landholder's land, then the former and new information must be shown.

EXAMINED

Handwritten mark

Office Use Only

H 243554 ~~XE~~ A
06 Oct, 1999 16:07:52 Midland



CONVEYANCE AND AMALGAMATION ORDER (FREEHOLD) (XE)

LODGED BY Land Administration Services Branch

ADDRESS DOLA - SOUTH EAST REGION

PHONE No.

FAX No.

REFERENCE No. Robyn Corbett Ext 7628 - 2192/997

ISSUING BOX No.

PREPARED BY Land Administration Services Branch

ADDRESS DOLA - SOUTH EAST REGION

PHONE No. FAX No.

INSTRUCT IF ANY DOCUMENTS ARE TO ISSUE TO OTHER THAN LODGING PARTY

TITLES, LEASES, DECLARATIONS ETC LODGED HEREWITH

- 1. _____ Received Items
- 2. _____ Nos.
- 3. _____
- 4. _____ Receiving Clerk
- 5. _____
- 6. _____

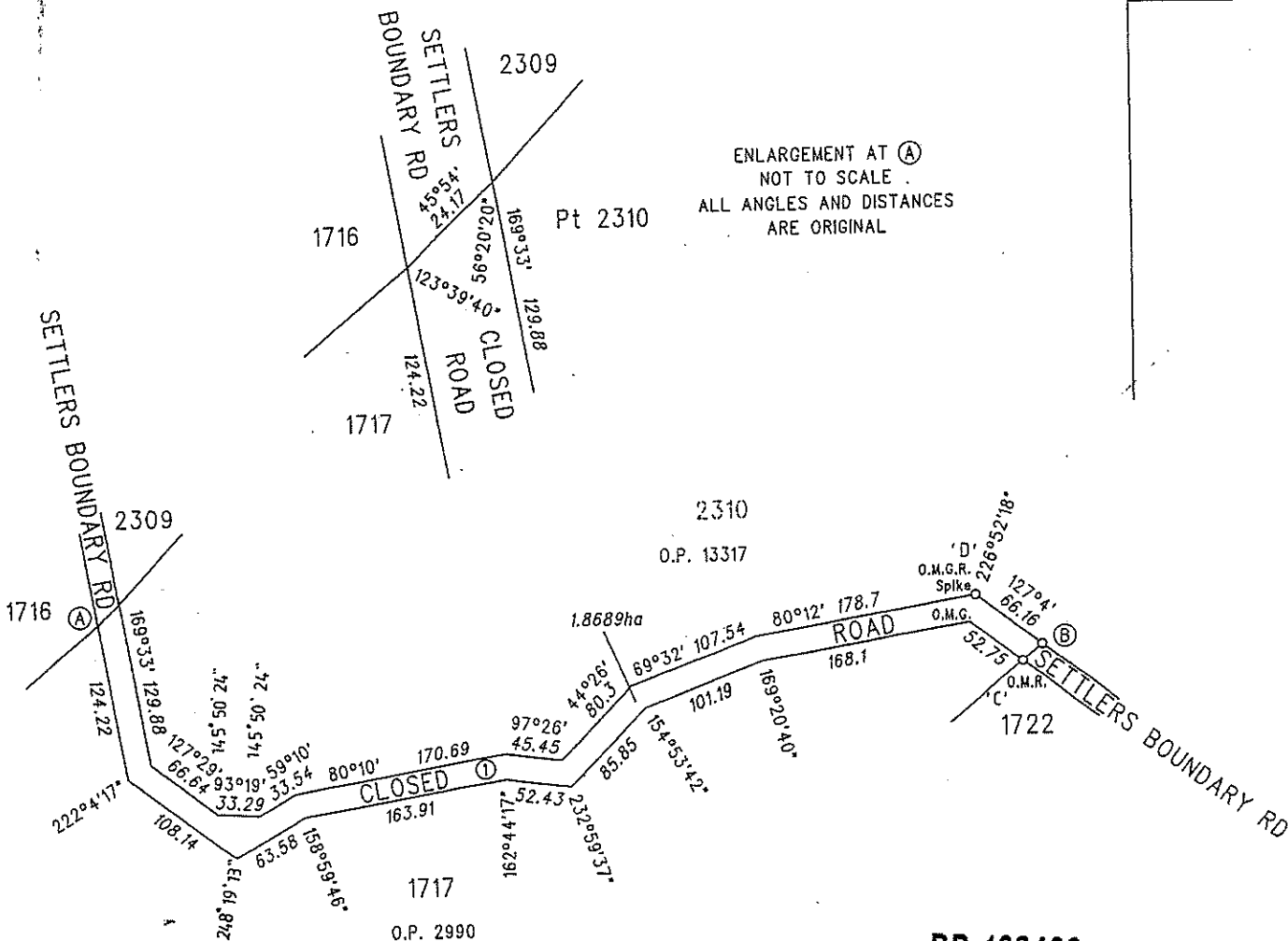
974573-001



Registered pursuant to the provisions of the TRANSFER OF LAND ACT 1893 as amended on the day and time shown above and particulars entered in the Register.

Handwritten signature and stamp

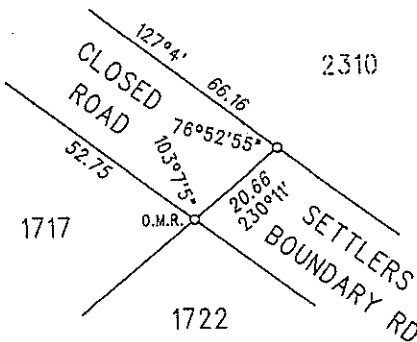
① Amalgamated into
Loc 1717 Doc H243554
Reg 6-10-99



DP 193496



GD 93496

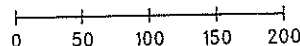


ENLARGEMENT AT (B)
NOT TO SCALE



Dept of Land Administration
UO 227903

ALL ANGLES AND DISTANCES ARE ORIGINAL
FROM POINT 'C' TO POINT 'D'



78.5 E45

| | | | | |
|--|---|---|---|---|
| LAND DISTRICT HAY | | ROAD CLOSURE (Location 2385) | | |
| SURVEYOR'S CERTIFICATE - Reg. 54 I, J.S. BOLHUIS, hereby certify that this plan is a correct representation of the survey and/or calculations from measurements recorded in the field book lodged for the purposes of this plan and that it complies with the relevant written law(s) in relation to which it is lodged. <i>J.S. Bolhuis</i> 25/12/98 Licensed Surveyor | TYPE OF VALIDATION | SCALE 1 : 4000 measurements in metres | FILE 2192/997 | PUBLIC PLAN RECORDED ON SCDB...PB. 16.11.99 MOUNT FRANKLAND (25) SE (SHEET 2228 II) RECORDED: Date |
| | Full Audit: Date | SURVEYOR J.S. BOLHUIS | FIELD BOOK 76078 Page 1-8 Date of Marking 13-02-98 | |
| HARLEY, HEDDERWICK & WEBBER PTY LTD CONSULTING LICENSED SURVEYORS 118 SERPENTINE ROAD, ALBANY Ph (08) 9841 7333 Fax (08) 9841 3643 ALSO AT BUNBURY AND BUSSELTON DRAWN PLB 23 FEBRUARY 1998 10871AG1 A.C.N. 009 101 786 | Legal Component: M. BATOR Date 11.3.98 | LOCAL AUTHORITY: SHIRE OF DENMARK LOCALITY: TINGLEDALE | DEPARTMENT OF LAND ADMINISTRATION | DIAGRAM 93496 |
| | CERTIFIED CORRECT <i>J.S. Bolhuis</i> Date 30-3-99 | AZIMUTH FROM O.P. 13317 | LOGGED MBJ 3-3-98 | |
| In order for dealings subject to: 1. Closed rd. order 2. Appln for amalgamation <i>J.S. Bolhuis</i> Date 2-4-98 | APPROVED <i>J.S. Bolhuis</i> Date 6.10.1999 | Authorized Land Officer | | |



Government of **Western Australia**
 Department of **Regional Development and Lands**
 Lands Division

13 OCT 2010
 GOV-57

| | |
|-----------------------|-------------------------------------|
| DATE | LPH |
| FILE REF | |
| COUNCILLORS | |
| CEO | |
| DIR of FINANCE | |
| DIR of PLANNING | |
| DIR of INFRASTRUCTURE | <input checked="" type="checkbox"/> |
| DIR of COMMUNITY | |
| OTHER | |

Your ref: **RW/SB**
 Our ref: 00784-2010/1 Job no: 103268
 Enquiries: Dean Crothers Ph: (08) 9347 5048
 Fax: (08) 9347 5004
 Email: dean.crothers@lands.rdl.wa.gov.au

Chief Executive Officer
 Shire of Denmark
 PO Box 183
 DENMARK WA 6333

11 October 2010

Dear Sir/Madam

Proposed closure of Portion of Bush Road between freehold Lots 1716 and 2309 - Tingledale, Shire of Denmark

Thankyou for your letter of 05 October 2010 regarding the above-mentioned proposal.

I wish to advise that the portion of Bush Road between Lots 1717 and 2310 has already been closed as shown on the attached plan.

Please note that for the closure of Portion of Bush Road between freehold Lots 1716 and 2309 agreement must be reached with both adjoining landowners (in writing). The Shire of Denmark will also need to comply with section 58 and regulation 9 of the *Land Administration Act 1997*.

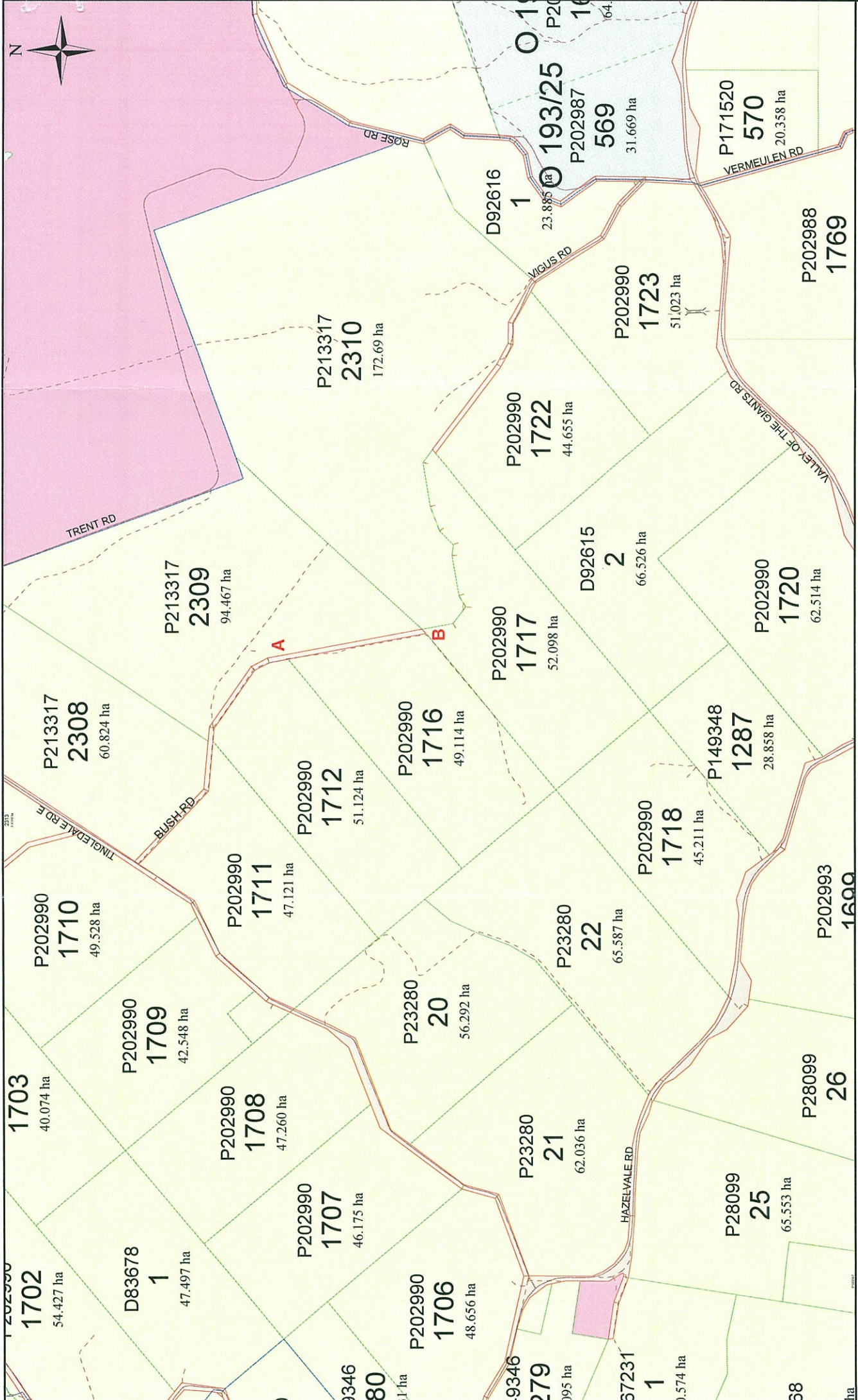
If you have any further enquiries, please contact me on (08) 9347 5048.

Yours sincerely

DEAN CROTHERS
 STATE LAND OFFICER, STATE LANDS - SOUTH EAST
 LANDS DIVISION

3268dc01

Attch. SmartPlan



Scale : 1:20000 (MGA)
 MGA : SW=487082.164,6131840.247 Zone 50 / NE=492849.217,6135356 Zone 50
 Lat/Long : -34°57'21.177", 116°51'30.648" / -34°55'27.250", 116°55'18.152" H 176mm by W 288mm

Printed : 11:59 Mon 11/Oct/2010
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