



APPLICATION TO PURCHASE MINOR COUNCIL LAND ASSET

Use this form to initiate Council's consideration of your request to purchase a Minor Council Land Asset.

Minor Council Land Assets can include:

- A road, or part of a road, including thoroughfares and walkways
- Small areas of open space reserves
- Screening or drainage reserves
- Other portions of Council owned land

APPLICANT:

Names/s:	
Address:	
Phone:	
Email:	

PURCHASE TYPE:

- ☐ A Road (including a thoroughfare or walkway)
- ☐ Part of a Road (including a thoroughfare or walkway)
- ☐ Part of Open Space Reserve
- ☐ Part of other Reserve
- ☐ Part of other Council Owned Land
- ☐ Part Land Exchange (part land for part road)

LOCATION/ADDRESS/TITLES DETAILS OF THE MINOR LAND ASSET:

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DESCRIPTION OF THE LOCATION:

Provide detail on surrounding reference points, such as road names, landmarks and nearby property address:

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IF YOUR LAND ADJOINS THE MINOR LAND ASSET PLEASE ATTACH A RECENT COPY OF YOUR LAND'S CERTIFICATE OF TITLE

- ☐ Certificate of Title of adjoining land attached
- ☐ I do not own land adjoining the Minor Land Asset

REASONS FOR WANTING TO PURCHASE THE LAND:

- Why do you want to purchase the land?
- Who will benefit and how? Have you discussed your proposal with your neighbours?
- Attach any other information that supports your reasons for wanting to purchase the land.

ATTACH A PLAN OF THE LAND

Please provide an image and sketch of the land you are interested in purchasing, including the dimensions of the land. (<https://sappa.plan.sa.gov.au>)

IMPORTANT INFORMATION

Applying to purchase a Minor Council Land Asset

Adjoining landowners or interested parties may request to purchase small areas of Council land. Council, in considering this request, will determine whether the Land asset meets the criteria in Council's [Disposal of Land and Assets Policy](#).

*Note: for adjoining land owners, the name of the Applicant **MUST BE** the same as the Registered Proprietor recorded on the Certificate of Title of the adjoining land.*

The sale of any Minor Council Land Asset should aim to achieve a minimum of market value for the land (not including transfer costs associated with the sale). Council may require an applicant to obtain an independent valuation to ensure that an appropriate market value is obtained. The cost of this valuation is borne by the applicant.

The process for the disposal of Council land is established by the following legislative requirements:

- *Local Government Act 1999*
- *Roads (Opening and Closing) Act 1991*

Note: Council is unlikely to consider the sale of any part of a road if it would result in any other currently adjoining properties being landlocked or in the event of the road being a no-through road, leaving a section of the road itself marooned (ie isolated from the road network).

Depending on the status of the land and which statutory process the disposal must undergo, public consultation may be required.

A Council resolution is required prior to the sale of any Minor Council Land Asset. Ministerial approval is also required if the land asset is 'Community Land'.

What happens after you apply?

Council Officers will acknowledge receipt of your application and undertake initial feasibility investigations.

If the sale of the Minor Council Land Asset is not considered feasible, the applicant will be notified, and no further steps will be taken. If the sale is considered feasible, Council officers and solicitors will advise you of the full statutory process and manage the application.

Administration fee and recovery of costs

There is an administration fee to accompany this application in accordance with Council's Fees and Charges Register. This offsets some of the costs involved in assessing your application. The fee is non-refundable and does not guarantee that your application will be approved. We will send you an Invoice on receipt of your Application.

In addition, if the application progresses, Council will recover costs incurred as part of the process. Costs may be recoverable at any stage or at settlement, if otherwise agreed. These costs are in addition to any consideration payable for the land itself.

Costs include search fees, publication of public notices, legal fees, surveyors fees, valuation costs, conveyance costs, development approval fees, State Government fees and charges (such as stamp duty, title registration and lodgement fees), fencing, and any costs associated with the replacement or relocation of services. (e.g. stobie poles, water, sewer, gas mains, telecommunication cables) or other costs that the CEO deems appropriate to cover.

Other Approvals

If you're thinking about changing the use of the land or building on it, you may need Development Approval under the *Planning, Development and Infrastructure Act 2016*. Please contact Council's Development Assessment team on 85534500 to check what planning and/or building approvals you need.

I have read and understood the information above, including the payment of the administration fee and recovery of costs, and request that Council consider my application to purchase the stated Minor Council Land Asset.

Signature			
Name		Date	

Please return this form to: Kangaroo Island Council, **email:** kicouncil@kicouncil.sa.gov.au]