

# DEPARTMENT OF ENVIRONMENT AND RESOURCE MANAGEMENT

## Application to allocate or purchase a Reservation in Title

### Part B

#### Application form requirements

1. This Application to allocate or purchase a Reservation in Title
2. Read the respective *Application to allocate or purchase a Reservation in Title* Fact Sheet which include application restrictions
3. Payment of the prescribed application fee  
(Details of fees are available on the Department of Environment and Resource Management (DERM) website or from a regional DERM office)
4. Any additional information to support application
5. **Part A:** Contact and details of land will need to be completed and submitted with your application.
6. Your application will not be considered as having been properly made unless all parts of this application form need to be completed accurately, otherwise your application may be returned to you to complete.

#### Important information

1. Except in the case of family hardship or action not instigated by the owner eg. road realignment at the request of local government or Department of Transport and Main Roads or, a minor boundary adjustment relating to encroachments, a public purpose reservation will not be allocated to a lot on subdivision and must be purchased unless it is required for it's public purpose.
2. If an owner of freehold land applies for cancellation and purchase of a road reservation, and
  - a. If the adjoining road is a local road under the control of a Local Authority, and/or
  - b. If the adjoining road is a road under the control of the Department of Transport and Main Roads,
3. either or both of these authorities must be consulted to ascertain current or short term road expansion requirements before consideration is given to disposing of the reservation.

You will be required to pay the market value of the area of land within the Reservation. The valuation is determined by the Department on Environment and Resource Management (DERM).

Information on this form, and any attachments, is being collected to process and assess your application under the *Land Act 1994*. The consideration of your application may involve consultation and if so details of your application may be disclosed to third parties. They will not be otherwise disclosed outside the department unless required or authorised by law.

1. Are you the registered owner of the parcel subject to the reservation?  Yes **go to 2**  No **go to 2**

The application can only be considered if accompanied by a declaration from the registered owner stating that the applicant is acting as an agent on behalf of the registered owner.

2. Is this application a result of subdivision?  Yes **go to 3**  No **go to 7**

3. Is the application for allocation of the reservation?  Yes **go to 4**  No **go to 6**

4. Is the proposed subdivision in relation to the following:

<input type="checkbox"/>	Family hardship	<b>go to 5</b>
<input type="checkbox"/>	Road realignment at the request of local government or Department of Main Roads	<b>go to 5</b>
<input type="checkbox"/>	Minor boundary adjustment relating to encroachments	<b>go to 6</b>
<input type="checkbox"/>	Other	<b>go to 6</b>

Family hardship could include where an elderly person may need the support of a family member and that member's family, and due to local government restrictions, the land would need to be subdivided to enable a separate dwelling for that family.

5. Has a prior subdivision been successful in obtaining approval for allocating this Reservation in Title on the basis of either family hardship or action not instigated by the owner?  Yes **go to 6**  No **go to 6**

6. Provide supporting documentation including a copy of registered plan and copy of proposed plan of subdivision. **go to 7**  
(If there is insufficient space, please lodge as an attachment)


7. Provide details of the purpose of the reservation eg. Drainage; tramway; rail; telegraph. **go to 8**  
(If there is insufficient space, please lodge as an attachment)


8. Provide details of any additional information to support the application. (optional)  
(If there is insufficient space, please lodge as an attachment)

go to 9


## Attachments

The following will need to be lodged with your application for it to be considered a properly made application. If all this information is not submitted, your application will be returned.

9. Tick the box to confirm the attachments for part of the application.

- Application fee
- Copy of proposed plan of subdivision
- Declaration from the registered owner stating that the applicant is acting as an agent on behalf of the registered owner. (if applicable)
- If claiming exemption from purchase on the basis of Family Hardship, copy of supporting documentation;
- Evidence application is not instigated by the owner, eg. by the local government or Department of Transport and Main Roads

It is recommended that any attached plans, sketches or maps be of A4 or A3-size. Your application will not be considered as having been properly made, unless all parts of this application form are completed accurately. In this instance your application may be returned to you for completion.

## Declaration

I certify that I have read the information which forms part of this application and the information I have provided is true and accurate.

Signature of applicant (or their legal representative)


Date:                    /                    /

If the legal representative of the applicant is signing as the applicant then the legal representative's full name must be printed immediately below the signature.