

14. RESERVES

Reserve land parcels may be created by the following legislative means:

- By Dedication – Dedicated under the Crown Land Management Act 2009.
- By Proclamation – Declared a forest or native forest reserve or assigned a name to such a reserve by proclamation under the Forestry Act 1950.
- By Proclamation – Constituted national park, conservation park, game reserve, recreation park or regional reserve by proclamation or statute under the National Parks & Wildlife Act 1972.
- Vested – Allotments vested by deposit of a plan of division under the Real Property Act 1886 or Community Titles Act 1996.

Titles issued subject to a trust and crown leases issued for specific purposes are not treated as reserves for the purpose of this section. (See also Section 20 Channel Reserves).

14.1 Specific Requirements

14.1.1 Textual and Diagram Sheet requirements for a Drainage Reserve are the same as a Reserve.

14.1.2 Where a reserve is being, or has been created by dedication or proclamation, no reference is to be made regarding the reserve (only the parcel number must be shown on the diagram sheet).

14.1.3 Where a reserve is being vested, revested or shown on an FX (no new identifiers) plan then the parcel identifier must be shown on the diagram sheet in the following format:

10
RESERVE

14.1.4 An existing reserve included in a subsequent deposited plan that is being redesignated or part of the division reverts as a reserve provided the plan of division has a relevant Development Application Certificate under Section 51 of the Development Act 1993 (see Case Study 1 and Case Study 3). The parcel identifier must be shown on the diagram sheet in the following format:

10
RESERVE

Where an existing vested reserve is not revested as there is no DAC certificate (see Case Study 2) then the redesignated parcel identifier must be shown on the diagram sheet in the following format:

11
(RESERVE)

The following annotation must be shown:

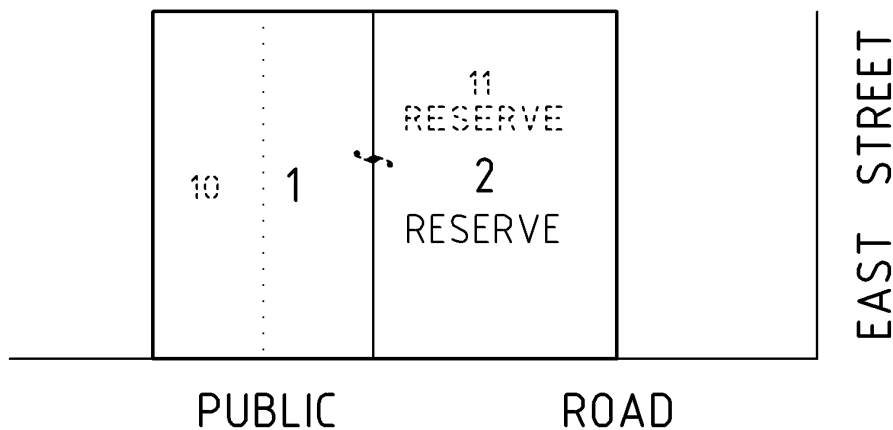
ALLOTMENT(S) 11 IS A RESERVE VIDE D45123

- 14.1.5 The reserve status will extend if a closed road is merged with a vested reserve under the Roads (Opening and Closing Act 1991). It is deemed that the whole of the land is vested as reserve on the plan the reserve was originally vested in (see Case Study 4).

14.2 Reserves - Case Study 1

Portion of vested reserve merging with adjoining land vide RPA division with DAC certificate.

- Subject land is allotments 10 and 11 (Reserve) in D23456.
- Portion of allotment 11 is truncated and added to allotment 10 to form new allotment 1 in new plan.
- DAC certificate is required regarding existing allotment 10.
- The balance of allotment 11 reverts as allotment 2 Reserve and must be shown on the diagram sheet as in the figure below.
- The Parcel Number (for the existing reserve) must be shown as 11 (RESERVE) in the Subject Title Details panel.

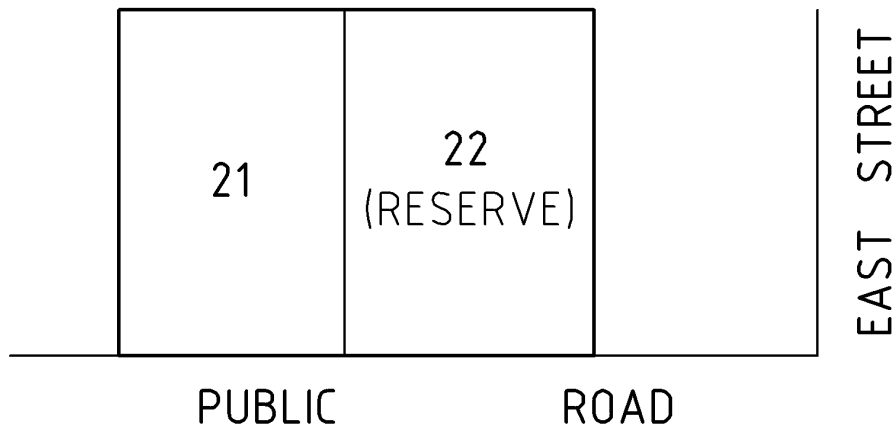


14.3 Reserves - Case Study 2

Portion of a vested reserve, being the whole of the subject land, is being disposed of without a DAC certificate.

- Subject land is allotment 11 (Reserve) in D23456 held by the council for the area in certificate of title 5431/123.
- Portion of the reserve is truncated by a plan of division with the balance remaining a reserve but not re-vesting by the deposit.
- A DAC certificate is not included.
- The new parcels must be labelled as shown in the figure below.
- The Parcel Number (for the existing reserve) must be shown as 11 (RESERVE) in the Subject Title Details panel.
- The following annotation must be shown in the Annotations Panel of the Textual Sheet:

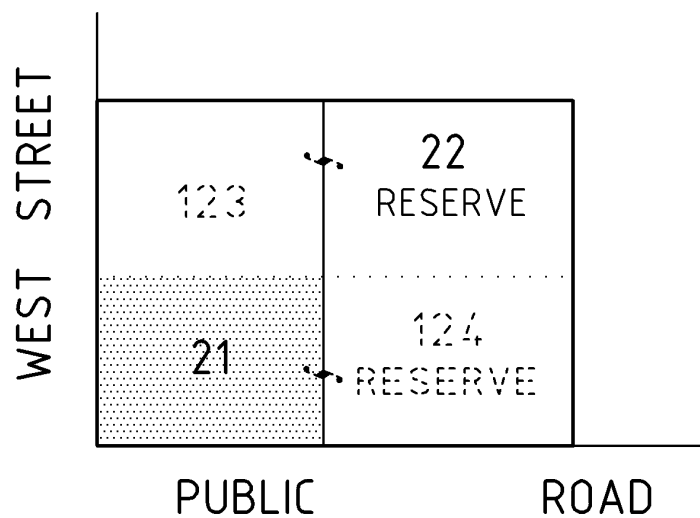
ALLOTMENT(S) 22 IS A RESERVE VIDE D23456



14.4 Reserves - Case Study 3

An exchange of land between a vested reserve and adjoining land.

- Subject land is allotments 123 and 124 (Reserve) in D33444.
- The west portion of allotment 124 is truncated from the reserve and added to allotment 123.
- The east portion of allotment 123 is added to allotment 124 becoming part of the reserve.
- DAC certificate is required re existing allotment 123.
- The new parcels must be labelled as shown in the figure below.
- The Parcel Number (for the existing reserve) must be shown as 124 (RESERVE) in the Subject Title Details panel.



14.5 Reserves - Case Study 4

Road being closed and merging with vested reserve under the Roads (Opening and Closing) Act 1991.

- Subject land is allotment 4 (Reserve) in D33456 and portion of Public Road.
- The new parcel is labelled as shown in the figure below.
- The Parcel Number (for the existing reserve) must be shown as 4 (RESERVE) in the Subject Title Details panel.
- The following annotation must be shown in the Annotations Panel of the Textual Sheet with regard to the reserve:

ALLOTMENT(S) 41 IS A RESERVE VIDE D33456

- No DAC certificate is required.

