



Part B – Form LA03

Permit to Occupy Application


Requirements

1. This application is for a permit to occupy.
2. Please read the respective [permit to occupy guide](#), which includes application restrictions.
3. Payment of the prescribed [Application fee](#) (per title reference), if relevant. A refund of application fees will not be given. (Details of fees are available on the [Department of Resources website](#) at <<https://www.resources.qld.gov.au>> or from a regional [department's business office](#) or call 13 QGOV 13 74 68).
4. **Part A - Form LA00:** [Contact and land details](#) will need to be completed and submitted with your application.
5. **Part C - Form LA30:** [Statement in relation to an application under the Land Act 1994 over state land](#), that is a reserve or a dedicated road area, is to be completed and submitted with your application.
6. A drawing showing the general location, Lot on Plan information and the proposed permit to occupy area including dimensions.
7. Any additional information to support the application.
8. Your application will not be considered as having been properly made unless all parts of this application form have been completed accurately, otherwise your application may be returned to you to complete.
9. Prior to lodging your application, the Department **strongly encourages** the applicant to have a **pre-lodgement meeting** with a departmental officer who will provide additional information in relation to native title, expected timeframes, anticipated costs and to ensure the application will achieve your desired outcome.

Important information

10. A permit to occupy is issued for a minor or temporary purposes including short-term grazing, pump sites, apiary sites or an entrance ramp to a building site during construction.
11. A permit to occupy may be issued over a road, a reserve or unallocated state land, if the proposed permit to occupy area is over more than 1 type of these lands, separate permits to occupy will be required.
12. If the local government can authorise the proposed activity on a local road under a specific local law for administering the use of local roads, an application for a permit to occupy is not required by this department. Contact the relevant local government for authorisation of the proposed activity.
13. If the State government department administering State-controlled roads can authorise the proposed activity on a state controlled road under the *Transport Infrastructure Act 1994*, an application for permit to occupy is not required by this department. Contact Department of Transport and Main Roads for authorisation of the proposed activity.
14. A permit to occupy may be issued for areas that are below high-water mark if:
 - it would not unduly affect safe navigation and sound development of the state's waterway and ports
 - its impact on marine infrastructure has been considered
 - it would not have a detrimental effect on coastal management; and
 - it would not be inconsistent with the intent of any relevant state management plan.
15. If permit to occupy cannot be transferred, sublet or mortgaged. A permit to occupy can be cancelled at any time without compensation being paid by the state.

16. If an existing fence of a property, not owned by the applicant for the permit to occupy, is to be used as a boundary fence for the permit to occupy, a written agreement detailing agreed conditions about the maintenance of the fence must be included with this application. This agreement must be signed by the owner of the fence and the applicant for the permit to occupy. An agreement about the maintenance of a fence does not mean that your application will be approved.
17. Information on this form, and any attachments, is being collected to process and assess your application under section 177A of the [Land Act 1994](#). If required, we may need to consult with third parties such as relevant local or state agencies and adjoining property owners. Details provided to third parties will generally be limited to type of application, area applied for and intended use. Your personal information will not otherwise be disclosed unless authorised or required by law.
18. Please note that we may wish to contact you to seek your views on our service, to advise you of any legislative changes that might affect you or to seek your participation in surveys or programs relevant to your application type. Any participation will be voluntary and you may email stateland@resources.qld.gov.au if you do not wish for the department to contact you.
19. The department may also compile or analyse statistics and conduct research. Any publication of findings will not involve the publication of identifying personal information.
20. For further privacy information click [Privacy](#) or go to www.resources.qld.gov.au/home/legal/privacy.

Office Use Only	Application for a Permit to Occupy	 9 311662 190130
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1. The application is for a permit to occupy over:

- Road
- Reserve
- Unallocated State Land

go to 2

Where an application is associated with a secondary use of State land such as a reserve or road, the applicant is to first discuss the application with the trustee or road manager to determine if they can authorise the use.

If a permit to occupy is to issue over a reserve, the purpose of the permit to occupy must not be inconsistent with the purpose of the reserve, no improvements, other than boundary fences, are to be dealt by the permittee as required under section 177(4) of the [Land Act 1994](#).

A signed Part C Form LA30 – [Statement in relation to an application under the Land Act 1994](#) over State land from the trustee of the reserve or road manager will need to accompany this application.

Part C – Statement in relation to an application under the *Land Act 1994* over State land is not required if the application is in relation to the issue of a new permit to occupy as a result of the transfer of the parcel of land associated with the permit to occupy.

Road Manager is:-

- local government for a road that is under the control of the local government
- a State controlled road - the chief executive of the department in which the [Transport Infrastructure Act 1994](#) is administered.

2. Is the proposed use:

- Short Term (not more than 12 months)
- Long Term (more than 12 months)

go to 3

go to 6

3. Short term – proposed use:

- Access **go to 5**
- Commercial or promotional event **go to 5**
- Environmental e.g. landcare, conservation works **go to 5**
- Parking **go to 5**
- Storage **go to 5**
- Sporting or entertainment event **go to 5**
- Grazing **go to 5**
- Other **go to 4**

4. Provide details of the proposed use.

go to 5

(If there is insufficient space, please lodge as an attachment)

9. Do you have a current waterworks licence/allocation associated with the subject land?

Yes

go to 10

No

go to 10

Where water is obtained from a stream or natural water hole and the associated pump is to be located on unallocated State land, and a current waterworks licence/allocation issued under the [Water Act 2000](#) is required, the following must accompany this application –

- a copy of current licence/allocation; or
- copy of evidence of an application being made for a water licence; or
- evidence that the allocation has been transferred to the applicant.

A bore wherever possible should be located on the owner's land and not State controlled lands, particularly a dedicated road as much infrastructure is not compatible with road use.

10. Is any of the area applied for below high water mark?

Yes

go to 11

No

go to 11

11. Is the areas applied for to be used for the construction of a jetty/pontoon/boat ramp?

Yes

go to 12

No

go to 13

12. Which of the following best describes your intended use of the jetty/pontoon/boat ramp?

Non-commercial use immediately adjoining your land

go to 13

Commercial Use (**application for purchase or lease state land should be made on [Part B - Form LA10](#)**)

Non-commercial use - Where section 123 of the [Coastal Protection and Management Act 1995](#) applies, Department of Resources does not require you to hold a permit to occupy for works of this nature. However, you are required to obtain a development approval under the [Planning Act 2016](#) for the works. Refer to the [Department of Environment and Science website](#) at <<https://www.qld.gov.au/environment/coasts-waterways/plans>> (go to 'Coastal development approval (tidal works)' and select 'coastal development approval search').

Commercial Use – You are required to hold a term lease for commercial works below high water mark, an application to purchase or lease state land must be made with department.

13. Provide details in Schedule 1 of any land you lease from the state or are the registered owner that adjoins or is in the vicinity of the land applied for.

Schedule 1		
You must enter either the Lot on Plan or Title Reference of the land.		
Lot	Plan	Title Reference

go to 14

The description of the land can be found on a current title search or on your rates notice. To check this you can purchase a title search by calling **1300 255 750**, visiting the [Titles Queensland website](https://www.titlesqld.com.au/) <https://www.titlesqld.com.au/> (and select 'Searches') or visiting one of the [regional business centres](#).

If insufficient space, please add additional description as an attachment.

14. Provide details of the proposed use of the area, including information on existing improvements, if any. **go to 15**
(If there is insufficient space, please lodge as an attachment)

15. Is there an existing boundary fence not owned by you, that, if the application is approved, will be utilised as a boundary fence for the proposed permit area?

Yes

go to 16

No

go to 16

If Yes, written agreement detailing agreed conditions about the maintenance of the fence must be presented to the department with this application. This agreement must be signed by the owner of the fence and the applicant for this permit to occupy.

Agreement about maintenance of a fence does not mean that your application will be approved.

16. Provide details of any additional information to support the application. (optional) **go to 17**
(If there is insufficient space, please lodge as an attachment)

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.

17. Tick the box to confirm the attachments for part of the application:

- Application Fee
- Part A – Form LA00 – Contact and Land details
- Part C – Form LA30 – Statement in relation to an application under the *Land Act 1994*, required if application is over a reserve.
- Drawing showing general location, Lot on Plan information and the permit to occupy area including dimensions. Minimum size A4.
- Details of improvements including a sketch showing the location.
- Copy of the agreement on conditions about the maintenance of any existing boundary fence.
- Copy of current waterworks licence/allocation in the name of person making application.
- Copy of evidence of an application being made for a water licence in the name of person making application.
- Evidence that the water allocation has been transferred to the person making application.
- Evidence of registration as a “Bee Keeper” under the *Biosecurity Act 2014*.
- Details of hive identification number (HIN).

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)

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Date: / /

If applicant, section 142 of the [Land Act 1994](#) states a person is eligible to apply for, buy or hold land under the *Land Act 1994* if the person is an adult, that is, 18 years of age or over. 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.