



## Part B – Form LA11

# Easement over State land Application


### Requirements

1. This application is for an easement over State land.
2. Please read the respective [applying for an easement over State land 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. Any additional information to support the application.
6. 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.
7. 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

8. In addition to the Chief Executive's written approval to create an easement Department of Resources will need to sign the easement document for the state as owner of unallocated state land or reserve land.
9. For the purposes of granting an easement over unallocated state land or reserve land Department of Resources will assess whether consideration is payable to the state.
10. An easement cannot be created over a road, including a road licence.
11. Department of Resources does not support access easements over trust land i.e. Deeds of Grant in Trust or Reserves under the [Land Act 1994](#):
  - for recreation purposes or other trust land used by the public where public safety may be affected
  - to provide additional access to private land that already has dedicated access.
12. The Chief Executive's approval for easements will be provided to the applicant on a Titles Queensland Form 18 - General Consent available on the [Titles Queensland website](#) <<https://www.titlesqld.com.au/>> or call **1300 255 750**. To be valid, an easement over state land must be registered in the Titles Registry.
13. Information on this form, and any attachments, is being collected to process and assess your application under section 362 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.
14. 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](mailto:stateland@resources.qld.gov.au) if you do not wish for the department to contact you.

15. The department may also compile or analyse statistics and conduct research. Any publication of findings will not involve the publication of identifying personal information.
16. For further privacy information click [Privacy](#) or go to <[www.resources.qld.gov.au/home/legal/privacy](http://www.resources.qld.gov.au/home/legal/privacy)>.

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| <b>Office<br/>Use Only</b> | <b>Easement over State Land Application</b> | <br>9 311662 185778 |
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**1. Is the application for public utility easement?**

Yes

**go to 2**

No

**go to 3**

**2. Is the proposed grantee a public utility provider?**

Yes

**go to 3**

No

**Application cannot be considered**

**Public Utility Provider means -**

- the State or another entity representing the State; or
- the Commonwealth or another entity representing the Commonwealth; or
- a local government; or
- a person authorised by law to provide a public utility service; or
- a person authorised under an Act to provide a particular public utility service;
- an entity approved by the Minister as suitable to provide infrastructure for use by another entity in the provision of a particular public utility service;
- a person approved by the Minister as suitable to provide a particular public utility service; or
- a mill owner, but only for the registration of a cane railway easement.

If grantee is approved by the Minister as suitable under Section 361 of the [Land Act 1994](https://www.legislation.qld.gov.au/) a copy of such approval must be attached.

If No, application cannot proceed unless approval has been obtained from this Department that the grantee is suitable to provide a particular public utility service.

**3. Select which of the following is affected by the proposed easement:**

Reserved land

Deed of Grant in Trust

State leased land

A state lease in the Department of State Development, Infrastructure, Local Government and Planning administered industrial estate

State Forest

Occupation Licence

Unallocated State Land

**go to 4**

State Forest – Only an electricity easement can be created over a State Forest.

Evidence of agreement from Telstra is required for reserved land, Deed of Grant in Trust.

Evidence of agreement from Lessee is required for state leased land.

Evidence of agreement from [Economic Development Queensland](https://www.statedevelopment.qld.gov.au/economic-development-qld/) (EDQ), Department of State Development, Infrastructure, Local Government and Planning < <https://www.statedevelopment.qld.gov.au/economic-development-qld/> > is required for a state lease in a Department of State Development, Infrastructure, Local Government and Planning administered industrial estate. For additional information on industrial estates refer to the [EDQ industrial development website](http://industrial.edq.com.au/) at <<http://industrial.edq.com.au/>>.

**4. Provide details of the purpose of the easement. go to 5**  
(If there is insufficient space, please lodge as an attachment)

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**5. Provide evidence on why this particular location has been chosen and that the creation of the easement will have minimal effect on the management and use of the land. go to 6**  
(If there is insufficient space, please lodge as an attachment)

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**6. Provide details of any additional information to support the application. (optional) go to 7**  
(If there is insufficient space, please lodge as an attachment)

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## 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.

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

- Application Fee
- Part A – Form LA00 – Contact and Land details
- Draft Easement document
- Evidence of agreement of Trustee, if applicable
- Evidence of agreement of Lessee, if applicable
- Evidence of agreement of Grantee/s of the existing registered easements/s, if applicable
- Evidence of agreement of State Government Department administering the land, if applicable

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.