



You can apply for all *Land Act 1994* applications [online](#).

Part B – Form LA07

Surrender of a Lease, Licence or Permit to Occupy Application

Land Act 1994

Requirements

1. Use this application form to apply for absolute surrender of a Lease, Licence or Permit to Occupy.
2. Please read the respective [Surrendering a Lease, Licence or Permit to Occupy guide](#), which includes application restrictions. The content on this page may help you decide if this application form applies to you and your needs. It will also help guide you through the application process.
3. This application does not require payment of an application fee.
4. **Part A online form:** [Contact and land details](#) or Part A - [Part A L00 Contact and land Details](#) (PDF) must be completed and submitted with your application.
5. Any additional information to support the application.
6. For your application to be processed, all parts of this application form must be completed and accurately, otherwise your application may be returned to you to complete or refused.

Important information

1. For detailed information and to ensure you complete the correct application form, we encourage you to arrange a pre-lodgement meeting and refer to the [Land Act 1994](#). Contact your nearest [business centre](#) to arrange a meeting.
2. An absolute surrender is where a person surrenders their right to possession or occupation of a parcel of land to the State.
3. An approval under the [Land Act 1994](#) <<https://www.legislation.qld.gov.au/>> is required to surrender a lease, licence or permit to occupy.
4. For a lease, the lessee must give the Department of Natural Resources and Mines, Manufacturing and Regional and Rural Development (the department) one (1) years notice of the intention to surrender or pay one (1) years rent in advance at the time of surrender, however this requirement in appropriate circumstances may be waived.
5. If the lease is subject to a mortgage or sublease, the written consent to the surrender must be obtained from the registered mortgagee or sublessee.
6. If the lease is subject to other registered interests, for example an easement, the written consent must be obtained from the party who holds the interest.
7. When a lease, licence or permit to occupy is surrendered, the ownership of any improvements becomes the property of the State and no compensation is payable. However, approval may be given to allow the lessee, licensee or permittee to remove any improvements within the agreed time.
8. On registration of an absolute surrender the rights and any interests under the Lease, Licence or Permit to Occupy end. However, a public utility easement may continue in accordance with section 372 of the [Land Act 1994](#).

Information and Data collection

9. Information on this form, and any attachments, is being collected to process and assess your application under sections 105, 180A, 327C and 481A 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.
10. 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@nrmmrrd.qld.gov.au if you do not wish for the department to contact you.
11. The department may also compile or analyse statistics and conduct research. Any publication of findings will not involve the publication of identifying personal information.
12. For further privacy information click [Privacy](#) or go to < <https://www.nrmmrrd.qld.gov.au/legal/privacy>>.

1. The application is for Surrender of:		
<input type="checkbox"/> Lease		go to 2
<input type="checkbox"/> Road Licence		go to 5
<input type="checkbox"/> Occupation Licence		go to 5
<input type="checkbox"/> Permit to Occupy		go to 5

2. Is the lease subject to a Mortgage?		
<input type="checkbox"/> Yes		go to 3
<input type="checkbox"/> No		go to 3
If Yes, the written consent to the application for surrender must be from the registered mortgagee, and must be attached to the application form.		

3. Is there a sublease over the lease?		
<input type="checkbox"/> Yes		go to 4
<input type="checkbox"/> No		go to 4
If Yes, the written consent to the application for surrender must be from the registered sublessee, and must be attached to the application form.		

4. Is the lease subject to another registered interest e.g. Easement?		
<input type="checkbox"/> Yes		go to 5
<input type="checkbox"/> No		go to 5
If Yes, the written consent to the application for surrender must be from the interest holder, and must be attached to the application form.		

5. Is there currently any outstanding rental or other monies payable to the State on the Lease, Licence or Permit to Occupy?		
<input type="checkbox"/> Yes		go to 6
<input type="checkbox"/> No		go to 6
All monies owing to the State must be paid. For details on any outstanding rental contact your local business centre .		

6. Is there currently any outstanding Local Government rates or charges payable on the Lease, Licence or Permit to Occupy?		
<input type="checkbox"/> Yes		go to 7
<input type="checkbox"/> No		go to 7
The Department of Resources will seek the views of the relevant Local Government for this application.		

7. What is the reason for the application of surrender of the Lease, Licence or Permit to Occupy? (If there is insufficient space, please lodge as an attachment) go to 8

8. What is the current use of the land? (If there is insufficient space, please lodge as an attachment) go to 9

9. List below ALL existing improvements on the current leased land e.g. fencing, dams, buildings etc. (If there is insufficient space, please lodge as an attachment) go to 10
A property sketch and/or aerial photo overlay of the improvements should also be attached to the application. When a lease/licence or permit is surrendered the ownership of any improvement becomes the property of the State and no compensation for these improvements is payable. However, the Minister/Chief Executive may allow the lessee/licensee/permittee to remove any improvements within time stated in the notice.

10. Provide details of any additional information to support the application, including information relating to a change in circumstance for a previously refused application. (If there is insufficient space, please lodge as an attachment) go to 11

Attachments

The following must be lodged with your application for it to be processed. If all this information is not submitted, your application will be returned or refused.

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

- ☐ Part A online form – Contact and Land details or Part A – Contact and Land details (PDF)
- ☐ Property sketch and / or aerial photo overlay, if applicable
- ☐ Evidence of pre-lodgement discussions with the department, if applicable
- ☐ Written consent of Mortgagee, if applicable
- ☐ Written consent of Sub-lessee, if applicable
- ☐ Written consent of any other interest holder, if applicable

It is recommended that any attached plans, sketches or maps be of A4 or A3-size. For your application to be processed, all parts of this application form must be completed accurately. Otherwise, your application may be returned to you to complete or refused.

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 practitioner)

Date: / /

For applicants, 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 practitioner of the applicant is signing as the applicant then the legal practitioner's full name must be printed immediately below the signature.