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Part B – Form LA23

Continuation of a Public Utility Easement Application

Land Act 1994

Requirements

1. Use this application form to apply for the Continuation of a public utility easement onto state land.
2. Please read the respective [Applying to continue a public utility easement 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. Payment of the prescribed Application fee per title reference. A refund of application fees will not be given. Details of fees are available on the [Department of Natural Resources and Mines, Manufacturing and Regional and Rural Development](#) website or contact your nearest [business centre](#) or call [13 QGOV \(13 74 68\)](#).
4. **Part A online form:** [Contact and land details](#) or Part A - [Contact and land details \(PDF\)](#) 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.

Important information

1. For detailed information and to ensure you complete the correct application form, we encourage you to arrange a prelodgement meeting and refer to the *Land Act 1994*. Contact your nearest [business centre](#) to arrange a meeting.
2. The registered owner or their legal practitioner can apply for continuation of a public utility easement over freehold land that is to become public use land.
3. Consent of the Grantee (public utility provider) of the easement will be required to accompany the application.
4. In some instances, amendments to the terms and conditions of the easement may be required by Department of Natural Resources and Mines, Manufacturing and Regional and Rural Development.

Information and Data collection

5. Information on this form, and any attachments, is being collected to process and assess your application under section 372 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.
6. 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@nrmmrd.qld.gov.au if you do not wish for the department to contact you.
7. The department may also compile or analyse statistics and conduct research. Any publication of findings will not involve the publication of identifying personal information.
8. For further privacy information click [Privacy](#) page <<https://www.nrmmrd.qld.gov.au/legal/privacy>>.



1. Is the application for continuation of a public utility easement because you're subdividing freehold land (if yes, provide a copy of the survey plan)?

☐

Yes

go to 2☐

No

go to 2

2. Is the public utility easement for electricity purposes?

☐

Yes

go to 4☐

No

go to 3

Amendment of the terms and conditions will be required to reflect the terms and conditions of the relevant standard terms document (to be confirmed by the Grantee). Titles Queensland Form 13 – Amendment of Easement signed by the Grantee must accompany this application. Example shown in the [Land Title Practice Manual](#) - Part 13 – Amendment of Easement. Titles Queensland forms are available on the [Titles Queensland](#) website or call [\(07\) 3497 3479](#).

3. Has the Grantee (public utility provider) of the easement provided consent to the continuance?

☐

Yes

go to 4☐

No

Application cannot be considered

Consent of the Grantee (public utility provider) of the easement will be required to accompany the application.

4. Enter details of the easement to continue ie. dealing number, lot/plan description.

go to 5

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.

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

- ☐ Application Fee
- ☐ Part A online form – Contact and Land details or Part A – Contact and Land details (PDF)
- ☐ Copy of the survey plan
- ☐ Consent of the Grantee (public utility provider)
- ☐ Form 13 – Amendment of easement, if applicable
- ☐ Evidence of pre-lodgement discussions with the department, if applicable

It is recommended that any attached plans, sketches, or maps be of minimum A4. 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 practitioner)

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