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Part B – Form LA27

Trustee Lease Application

Land Act 1994

Requirements

1. Use this application form to apply for approval of a trustee lease over trust land.
2. The **trustee must make the application**, not the proposed trustee lessee. State or local government trustees and trustees who are statutory bodies as defined in the *Land Act 1994* may not need to obtain approval for a trustee lease. Use the [self-assessment tool](#) to help identify if approval from the Department of Resources is required for the proposed trustee lease.
3. Please read the [Trustee lease 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.
4. This application does not require payment of an application fee.
5. **Part A online form:** [Contact and land details](#) or Part A - [Contact and land details \(PDF\)](#) must be completed and submitted with your application.
6. Provide any additional information to support the application.
7. For your application to be processed, all parts of this application form must be completed and accurate, otherwise your application may be returned to you to complete.

Important information

8. 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.
9. A trustee may authorise the use and occupation of trust land by third parties under a trustee lease created in accordance with section 57 of the *Land Act 1994*. A trustee lease may be created over all or part of the trust land.
10. If approval is required from the Department of Natural Resources and Mines, Manufacturing and Regional and Rural Development (the department), you must obtain the department's written 'in principle' approval before the trustee lease can be created. The department's 'in principle' approval may include conditions.
11. The trustee is responsible for ensuring an action they take to grant a lease over a reserve or deed of grant in trust is not taken inconsistent with the [Native Title Act 1993 \(Cwlth\)](#) and the [Native Title \(Queensland\) Act 1993](#). Trustees must assess and address native title before taking the action. More information is available on the trustee's [roles and responsibilities for addressing native title](#).
12. This application form does not apply to land in trust for Aboriginal and Torres Strait Islander and associated purposes under the [Aboriginal Land Act 1991](#) and [Torres Strait Islander Land Act 1991](#).
13. State and statutory body trustees (including local government trustees) are **strongly encouraged** to read the department's [Guideline: Managing actions consistent and inconsistent with the purpose of trust land](#) before applying.
14. A trustee lease may not be granted over more than one reserve or deed of grant in trust.

15. A trustee lease must not be for more than 30 years. A trustee lease must state the purpose of the trustee lease and rent.
16. A trustee lease is subject to the prescribed terms in Schedule 3 of the [Land Regulation 2020](#). If a definition or clause in the trustee lease document or standard terms document is inconsistent with the prescribed term, the prescribed term prevails to the extent of the inconsistency.
17. The department encourages trustees to prepare and register standard terms documents for the trustee lease. A standard terms document refers to the requirements of the trustee and trustee lessee for a trustee lease. Any standard terms document to be registered for use by a trustee will need the prior approval of the department. For more information on a standard terms documents refer to [Titles Queensland](#) and the [Queensland Land Titles Practice Manual](#).

Information and Data collection

18. Information on this form, and any attachments, is being collected to process and assess your application under section 57 of the [Land Act 1994](#). If required, we may 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.
19. 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.
20. The department may also compile or analyse statistics and conduct research. Any publication of findings will not involve the publication of identifying personal information.
21. For further privacy information click [Privacy](#) or go to <<https://www.nrmmrrd.qld.gov.au/legal/privacy>>.

1. Has a draft trustee lease document been prepared?		
☐	Yes	go to 2
☐	No	Application cannot be considered
A copy of the draft trustee lease document MUST accompany this application.		

2. Provide details of the purpose of the trustee lease.	go to 3
(If there is insufficient space, please lodge as an attachment)	

3. Has a management plan been prepared?	go to 4
☐	Yes
☐	No
This may be an existing approved management plan. The trustee lease must be consistent with the management plan. If a management plan is required, approval for the trustee lease may be withheld until a management plan has been prepared.	

4. Provide details of any additional information to support the application. (optional)	go to 5
(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.

5. 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 \(PDF\)](#)
- ☐ Sketch/plan of the trustee lease, if applicable
- ☐ Copy of current or draft management plan (if applicable)
- ☐ Draft trustee lease document Titles Queensland Form 7
- ☐ Draft trustee lease document Titles Queensland Form 20, listing additional clauses, if applicable
- ☐ Evidence of pre-lodgement discussions with the department, if applicable
- ☐ Written consent of the Mortgagee, if applicable
- ☐ Written consent of the Grantee of an easement, if applicable

It is recommended that any attached plans, sketches or maps are A4 or A3-size.

Your application may be returned to you if all parts of this application form are not completed accurately.

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: / /

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. The be eligible the person(s) identified in the Part A form must be 18 years of age or over. If the legal practitioner is signing on behalf of the applicant, the legal practitioner's full name must be printed immediately below the signature.