



application guidelines

Absolute surrender of a lease, licence or permit to occupy

This fact sheet explains how to apply for an application for absolute surrender of a current lease, licence or permit to occupy, and how the Department of Natural Resources and Water (NRW) assesses applications administered under the *Land Act 1994*.

When you can apply

An application may be made at any time.

How to apply

For the absolute surrender of a lease, licence or permit to occupy you must submit:

- absolute surrender of a lease, licence or permit to occupy application form, with both parts A and B completed
- the prescribed application fee, if relevant.

Though you can submit an application at any NRW office, it is preferable to do so at the office nearest to which the land is located, where staff can also advise you of the correct application fee.

If all parts of the form are not filled out accurately, it may be returned to you for completion, which will delay the process. It is therefore advisable to discuss your application with NRW staff before lodgement, if you have any queries.

See the NRW website <www.nrw.qld.gov.au> for a list of NRW offices and application fees, or contact the department.

What NRW considers

When assessing your application against the requirements of the Land Act, NRW will also:

- use relevant NRW policies, procedures and guidelines
- seek the views of relevant stakeholders (e.g. other state government agencies and local government authorities).

An NRW officer may also inspect the leased land.

Notice of the decision

NRW will notify applicants for the decision in writing when it has investigated all issues, including native title.

If approval to surrender is given, a surrender document and the consent of any parties with a registered interest will be required.

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.

Approval may be given to allow the lessee, licensee or permittee to remove any improvements within an agreed time.

Registration of an absolute surrender

On registration of an absolute surrender, the rights and interests under the lease, licence or permit to occupy end, however, a public utility easement may continue in accordance with *the Land Act 1994*.

More information

For more information on absolute surrender, contact the nearest NRW office.