

DEPARTMENT OF ENVIRONMENT AND RESOURCE MANAGEMENT

Application for a Permit to Occupy

Part B

Application form requirements

1. This Application is for a Permit to Occupy.
2. Read the *Permit to Occupy Fact Sheet* which includes application restrictions.
3. Payment of the prescribed application fee.
(Details of fees are available on the Department of Environment and Resource Management (DERM) website or from a regional DERM office)
4. A map or sketch of the area applied for must accompany the Application.
5. Any additional information to support application.
6. **Part A:** Contact and details of land will need to be completed and submitted with your application.
7. All parts of this application form need to be completed accurately, otherwise your application may be returned to you to complete.

Important information

A Permit to Occupy is issued for a minor or temporary purposes including short-term grazing, pump sites, apiary sites or an entrance ramp to a building site during construction. A Permit to Occupy can also be issued for the following specific purposes:

- advertising signs on roads
- footpath/kerbside dining sites
- investigation work on unallocated state land.

A Permit to Occupy may be issued over a road, a reserve or unallocated state land.

A Permit to Occupy may be issued for areas that are below high-water mark if:

- it would not unduly affect safe navigation and sound development of the state's waterways and ports
- its impact on marine infrastructure has been considered
- it would not have a detrimental effect on coastal management; and
- it would not be inconsistent with the intent of any relevant state management plan.

A Permit to Occupy cannot be transferred, sublet or mortgaged. A Permit to Occupy can be cancelled at any time without compensation being paid by the state.

A Permit to Occupy is not subject to the *Dividing Fences Act 1953*. Therefore, if an existing fence of a property, not owned by the applicant for the Permit to Occupy, is to be used as a boundary fence for the Permit to Occupy, a written agreement detailing agreed conditions about the maintenance of the fence must be presented to Department of Environment and Resource Management (DERM) together with this application. This agreement must be signed by the owner of the fence and the applicant for the Permit to Occupy. An agreement about maintenance of a fence does not mean that your application will be approved.

Information on this form, and any attachments, is being collected to process and assess your application under the *Land Act 1994*. The consideration of your application may involve consultation, and if so details of your application may be disclosed to third parties. They will not be otherwise disclosed outside the department unless required or authorised by law.

1.	Is the proposed use	<input type="checkbox"/> Short term (not more than 12 months)	go to 2	<input type="checkbox"/> Long term (more than 12 months)	go to 5
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2.	Short term	<input type="checkbox"/> Access		go to 4
		<input type="checkbox"/> Apiary site		go to 4
		<input type="checkbox"/> Commercial or promotional event		go to 4
		<input type="checkbox"/> Environmental e.g. landcare, conservation works		go to 4
		<input type="checkbox"/> Parking		go to 4
		<input type="checkbox"/> Storage		go to 4
		<input type="checkbox"/> Sporting or entertainment event		go to 4
		<input type="checkbox"/> Grazing		go to 4
		<input type="checkbox"/> Other		go to 3

3.	Provide details of the proposed use (If there is insufficient space, please lodge as an attachment)	go to 4

4.	Provide details of approximate time short term permit will be required Commencement date: / / Expiry date: / /	go to 8
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5.	Long term	<input type="checkbox"/> Access		go to 7
		<input type="checkbox"/> Bore site		go to 7
		<input type="checkbox"/> Grazing		go to 7
		<input type="checkbox"/> Lawn and garden		go to 7
		<input type="checkbox"/> Parking		go to 7
		<input type="checkbox"/> Pump site		go to 7
		<input type="checkbox"/> Storage		go to 7
		<input type="checkbox"/> Other		go to 6



6. Provide details of the proposed use.
(If there is insufficient space, please lodge as an attachment) **go to 7**

7. Is any of the area applied for below high water mark? Yes **go to 8** No **go to 10**

8. Is the area applied for to be used for the construction of a jetty/pontoon/boat ramp? Yes **go to 9** No **go to 10**

9. Which of the following best describes your intended use of the jetty/pontoon/boat ramp?

non-commercial use commercial use **go to 10**

Non-commercial use: DERM does not require you to hold a permit to occupy for works of this nature, however you are required to obtain a development approval for the works under section 123 of the *Coastal Protection and Management Act 1995*. Refer to Environmental Protection Agency tidal works website
<http://www.epa.qld.gov.au/ecoaccess/coastal_development/development_on_coastal_land>

Commercial use: You are required to hold a term lease for commercial works below high water mark [an Application for Purchase or Lease must be lodged].

10. Provide details in Schedule 1 of any land you lease from the state or are the registered owner that adjoins or is in the vicinity of the land applied for.

Schedule 1		
You must enter either the Lot on Plan or Title Reference of the land.		
Lot	Plan	Title Reference

go to 11

The description of the land can be found on a current copy of the Title or on your rates notice.
If insufficient space, please add additional description as an attachment.

11. Provide details of the proposed use of the area, including information on existing improvements, if any. (If there is insufficient space, please lodge as an attachment) **go to 12**



12. Is there an existing boundary fence not owned by you, that, if the application is approved, will be utilised as a boundary fence for the proposed permit area? Yes **go to 13** No **go to 13**

If **YES**, written agreement detailing agreed conditions about the maintenance of the fence must be presented to the DERM together with this application. This agreement must be signed by the owner of the fence and the applicant for the permit.

If **NO**, agreement about maintenance of a fence does not mean that your application will be approved.

13. Provide details of any additional information to support the application. (optional) **go to 14**
(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.

14. Tick the box to confirm the attachments for part of the application.

- Application fee
- Sketch/Map showing area application is for
- Details of improvements including a sketch showing the location
- Copy of the agreement on conditions about the maintenance of any existing boundary fence

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)

Date: / /

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.

