

# DEPARTMENT OF ENVIRONMENT AND RESOURCE MANAGEMENT

## Application to purchase or lease state land

### Part B

#### Application form requirements

1. This Application is purchase or lease state land.
2. Read the respective *Application to Purchase State land* or *Application to Lease State land* Fact Sheet which include 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. Any additional information to support application
5. **Part A:** Contact and details of land will need to be completed and submitted with your application.
6. Your application will not be considered as having been properly made unless all parts of this application form need to be completed accurately, otherwise your application may be returned to you to complete.

#### Important information

Before applying to Department of Environment and Resource Management (DERM) for a lease over a reserve an applicant should first apply to the trustee of the reserve for a trustee lease.

For a lease over a National Park or a State Forest you must apply to the Environmental Protection Agency.

Before applying to DERM to purchase or lease State land an applicant should read DERM Policy Nos. PUX/901/315 (Criteria and Method for Disposal of Unallocated State Land) and PUX/901/316 (Allocation of Land in Terms of the Land Act 1994; State Land Asset Management).

Your application will be assessed against requirements under the *Land Act 1994* to determine the most appropriate use and tenure and whether the land may be offered with or without competition.

Your application cannot be considered if the area is already held by another person.

If you wish to purchase your existing Land Act lease you will need to apply using the Application for Conversion of a lease form. **Please note that if your lease is over a reserve, National Park or State Forest you will not be able to apply for conversion or purchase.**

If your application to purchase or lease State land is successful you may be required to provide a plan of survey at your expense, and if -

1. the most appropriate tenure is freehold, you will be required to pay a purchase price (market value) plus GST if applicable
2. the most appropriate tenure is a lease you will be required to pay an annual rental, including GST where applicable

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. The Application is for:

<input type="checkbox"/>	Purchase of Unallocated State Land	<b>go to 4</b>
<input type="checkbox"/>	Lease of Unallocated State Land (including land below high water mark)	<b>go to 2</b>
<input type="checkbox"/>	Lease over a Reserve	<b>go to 3</b>
<input type="checkbox"/>	Purchase of Reserve Land	<b>go to 3</b>

2. Is all or part of the area applied for below high water mark?

<input type="checkbox"/>	Yes	<b>go to 4</b>	<input type="checkbox"/>	No	<b>go to 4</b>
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3. Have you made an application to the trustee of the reserve for a trustee lease or do you have the agreement of the trustee to purchase the land?

<input type="checkbox"/>	Yes	<b>go to 4</b>	<input type="checkbox"/>	No	<b>go to 4</b>
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If YES, attach a copy of the trustee's response to your application.  
 If NO, you should first apply to the trustee of the reserve for a trustee lease or its views to your proposal to purchase the reserve land.

4. Have you made a previous application for purchase or lease of this land?

<input type="checkbox"/>	Yes	<b>go to 5</b>	<input type="checkbox"/>	No	<b>go to 8</b>
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5. Was this application refused?

<input type="checkbox"/>	Yes	<b>go to 6</b>	<input type="checkbox"/>	No	<b>go to 8</b>
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6. Has there been any change in circumstances from the previous application, which may lead to this application being accepted for further consideration?

<input type="checkbox"/>	Yes	<b>go to 7</b>	<input type="checkbox"/>	No	<b>go to 8</b>
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Your application may be refused if circumstances have not changed.

7. Provide details of the change in circumstances from the previous application.  
 (If there is insufficient space, please lodge as an attachment) **go to 8**


8. Provide details of the current use of land e.g. grazing  
 (If there is insufficient space, please lodge as an attachment) **go to 9**




9. Do you hold land adjoining the area applied for?

Yes

go to 10

No

go to 11

10. Enter details of your adjoining land

Schedule 2 Schedule of adjoining land	
Lot/Plan	Title Reference

go to 11

The details 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. List below ALL existing improvements on the current leased land eg. fencing, dams, buildings etc.  
(If there is insufficient space, please lodge as an attachment)

go to 12


A property sketch and /or aerial photo overlay of the improvements should also be attached to the application.

12. Which of the following do you believe supports your application:

You are the adjoining registered owner or lessee, AND you are of the opinion that selling or leasing the land to anyone else would be considered inequitable or unfair

go to 13

You held a significant interest in the land before it became unallocated State land

go to 13

There is no dedicated access and the only practical access is through your adjoining land

go to 13

Land is required for public

go to 13

Exposure to public competition is not appropriate (applies to application to lease only)

go to 13

None of the above

go to 13

A purchase of unallocated state land may be granted without competition if the Minister decides the land:

1. is not needed for a public purpose
2. the intended use is the most appropriate use of the land
3. one or more of the priority criteria under Section 123 of the *Land Act 1994* apply.
4. is needed by a constructing authority for a public purpose.



**13.** Provide details of the proposed use.  
(If there is insufficient space, please lodge as an attachment) **go to 14**


**14.** Provide details to support your application  
(If there is insufficient space, please lodge as an attachment) **go to 15**


**15.** Provide details of any additional information to support the application. (optional)  
(If there is insufficient space, please lodge as an attachment) **go to 16**


## 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.

**16.** Tick the box to confirm the attachments for part of the application.

Application fee

Property sketch and /or aerial photo overlay

Copy of response from trustee (if relevant)

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.

