

Application under section 9 of the Acquisition of Land Act 1967

In accordance with Section 9 of the *Acquisition of Land Act 1967*(ALA), application is hereby made to the Minister for Natural Resources and Mines for the taking of land described in section 1.

Constructing Authority
Project Title
DNRM File Reference
Contact Name

Applicants Ref
Email

Related Files
Phone

Section 1: Interest to be acquired								
	Registered Owner							
	Address							
	NIR Served		Service Date		Service Method			
	Local Government							
Type	Description	Current Description	Purpose	Title Ref	Tenure*	Parish	Area	

* Land falling within s.12(4) will become USL upon the taking. An in principle offer from State Land Asset Management (SLAM) to issue a deed is required before the application under s.9 can be progressed.

Section 2: Encumbrances and Resource Interests					
					Eg. Mortgages, Easements, leases, resource interests
Type	Description	Effected by the acquisition	Benefitting party	Address	NIR Served

Section 3: Parties served with NIR			
			Do not repeat NIR's already identified in sections 1 and 2
Name	Interest Type	Address	NIR Served

Section 4: Parties NOT served with NIR			
			section 9(3)(d) of the ALA
Name	Interest Type	Reason notice was not served.	Manner of effecting substitute service

Section 5: Objection Details			
No objection was received.	An objection was received. The requirements of s.8 of the ALA were complied with. A draft copy of the objection report was provided to the objector with 14 days to comment. The constructing authority has considered all objections lodged, the grounds thereof, any matters arising out of the hearing and the report and decided that the land is required to be taken for the intended purpose.		
Proceed to the next section	Provide details of the objection/s in the table below		
Objector	Date Received	Objection Hearing	Delegate

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The following checklists have been prepared to assist constructing authorities in meeting all requirements of the ALA. It does not profess to be exhaustive.

<p>The Notice of Intention to Resume (NIR)</p> <p><u>The NIR document satisfies s.7 of the ALA</u></p> <ul style="list-style-type: none"> Purpose of taking matches section 1 Interest to be taken is substantially described Interest to be taken matches section 1 of this application Easement rights and obligations included if applicable A minimum of 30 days was given to make objections <li style="padding-left: 20px;">NIR Served Objections Due Objection rights and limitations were specified Hearing rights were stated Willingness to negotiate was stated Background Statement was provided Advice of availability of documentation relevant to the resumption was provided Details of claim for compensation were provided A statement relating to s20(2A) was provided 	<p align="right"><small>Complete the following checklist relating to the Notice of Intention to Resume.</small></p> <p><u>Service of the NIR satisfies s.7 of the ALA</u></p> <p>The NIR was served on all persons who to the knowledge of the constructing authority are entitled pursuant to section 18 of the ALA to claim compensation (if No; provide details at section 4)</p> <p>If the NIR was not served on the owner as defined in section 7(6) of the ALA, the failure to do so was due to circumstances beyond the control of the constructing authority.</p> <p>A copy was lodged with the Titles Office</p>
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<p>Resource Interests</p> <ul style="list-style-type: none"> A search of the relevant resource interest register was conducted No resource interest exists 	<p align="right"><small>Complete the following checklist relating to resource interests</small></p> <ul style="list-style-type: none"> A resource interest(s) exists on the subject land An assessment was undertaken of the compatibility of the resource interest with the intended purpose Each of the resource interest holders <ul style="list-style-type: none"> Should be served with notice The resource interest holders were served with notice Should not be served with notice (provide explanation below)
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<p>Negotiation and Consultation</p> <ul style="list-style-type: none"> The constructing authority has used reasonable endeavours to negotiate an agreement The constructing authority has consulted with the local Member of Parliament about the proposed acquisition 	<p align="right"><small>Complete the following checklist relating to the negotiation and consultation.</small></p>
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<p>Application</p> <ul style="list-style-type: none"> Is made within 12 months of the date of the NIR (s.9(3)) <ul style="list-style-type: none"> NIR Served Application Date The constructing authority is authorised to take land for the intended purpose Act Establishing as a constructing authority Upon gazettal the land is to The land to be taken may be taken and should be taken for the purpose for which it is proposed to be taken The constructing authority has complied with sections 7 and 8 of the ALA 	<p align="right"><small>Complete the following checklist relating to this application to the Minister.</small></p>
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<p>Attachments</p> <ul style="list-style-type: none"> copy of plan/s of survey certified as accurate by a cadastral surveyor (partial takes only) (s.9(4)(b)) copy of the relevant NIR (s.9(4)(a)) copy of any notice amending the NIR (s.9(4)(a)) copy of any advertisements etc published as substitute notice (from section 4) <p>Applications without objections:</p> <ul style="list-style-type: none"> extract copy of the constructing authority's resolution to acquire by compulsory acquisition. 	<p align="right"><small>The following attachments are included and form part of this application:</small></p> <ul style="list-style-type: none"> Applications with objections copy of every objection (s.9(4)(e)) copy of report by the constructing authority on the objection (s.9(4)(e)) extract copy of the constructing authority's resolution to dismiss the objection and acquire by compulsory acquisition. This resolution should include evidence that the constructing authority considered all objections lodged, the grounds thereof, as well as matters arising out of the hearing and the objection report.
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<p>Timeframe</p> <table style="width:100%; border-collapse: collapse;"> <tr> <td style="width:30%;"></td> <td style="width:30%; text-align: center;">Priority</td> <td style="width:40%; text-align: center;">Reason for priority and requested timeframe</td> </tr> <tr> <td style="border: none;">Gazettal is requested by</td> <td style="border: none;"></td> <td style="border: none;"></td> </tr> </table> <p><small>Requested gazettal dates cannot be guaranteed. To avoid delays applications should address all requirements of the ALA and be made as early as possible. It should be noted that where Governor in Council approval is required an additional 3 or more weeks is required for gazettal.</small></p>		Priority	Reason for priority and requested timeframe	Gazettal is requested by			<p align="right"><small>Complete the following section relating to the timeframe and priority of this application</small></p>
	Priority	Reason for priority and requested timeframe					
Gazettal is requested by							

<p>Declaration</p> <p>All provisions of the Acquisition of Land Act 1967 have been complied with.</p> <p>Upon the taking of the land described in the section 1, application is hereby made that such land</p> <p>Authorised Officer</p>	<p>Send completed applications including all required attachments to: Government Land Acquisitions Operations Support</p> <p align="center">acquisitions@dnrm.qld.gov.au</p> <p align="center">Level 15, 61 Mary Street, Brisbane PO Box 15216 CITY EAST QLD 4002</p>
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Processing [DNRM Office Use Only]						
	Constructing Authority		File Ref		Related Files	
	Project Title					
	Applying for approval by	Delegated Officer	Minister s.9(7)	Governor in Council s.9(6)	Governor in Council s.15C	
	Received	Ready	MECS created	MECS Finalised	Governor in Council	Gazettal
Date Officer						