



Form 2

Section 28Q *Torres Strait Islander Land Act 1991*

Application for freehold by eligible interest holder to trustee of freehold option land

(Only use this form if you have a relevant interest in the subject land [see end note 1])

Trustee to whom this application is made [see end note 2]
Full name of trustee:
Applicant/s details
Full name of applicant/s:
Lodger name (i.e. if lodged by agent/solicitor):
Postal address:
Phone:
Fax:
Mobile:
Email:
Description of the land the subject of this application
Street address of the land the subject of this application
Survey plan for the land the subject of this application, if one exists (e.g. Lot 1 on SP12345)

If no survey plan, please attach a map/drawing/aerial photograph/town plan/other showing the location of the land the subject of this application.

Tick yes or no

Attached is a map/drawing/aerial photograph/town plan/other showing the location of the land the subject of this application Yes No

Area of the land the subject of this application in hectares/square metres

Local government area

Further details of the land the subject of this application (such as buildings, structures, fences, etc., and any encumbrances e.g. other leases, easements, permits, etc.). If there is insufficient space, please attach those details.

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Tick yes or no

Details attached due to insufficient space Yes No

Applicant/s eligibility for freehold

Describe the basis on which you are applying for and eligible for freehold

Tick yes or no

Are you an Aboriginal person? Yes No

If you are not an Aboriginal person, are you the

• spouse of an Aboriginal person? Yes No

• former spouse of an Aboriginal person? Yes No

• spouse of an Aboriginal person who is deceased? Yes No

• former spouse of an Aboriginal person who is deceased? Yes No

Are you a Torres Strait Islander? Yes No

If you are not a Torres Strait Islander, are you the

• spouse of a Torres Strait Islander? Yes No

- former spouse of a Torres Strait Islander? Yes No
- spouse of a Torres Strait Islander who is deceased? Yes No
- former spouse of a Torres Strait Islander who is deceased? Yes No

Are there any additional eligibility criteria for participating in the allocation process for available land set out in the trustee's freehold policy? Please provide details and explain how they are satisfied. If there is insufficient space, please attach those details.

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Tick yes or no

Details attached due to insufficient space Yes No

Freehold schedule [see end note 3]

Tick yes or no

Is the land the subject of this application in the trustee's freehold schedule? Yes No

Details of your interest in the land [see end note 1]

You must hold a relevant interest in the land the subject of this application.

Do you hold one of the following interests in the land the subject of this application?

Tick yes or no

- A registered lease granted under the *Torres Strait Islander Land Act 1991* or the *Land Act 1994*, other than a townsite lease Yes No
- A lease entitlement under the *Aboriginal and Torres Strait Islander Land Holding Act 2013* Yes No
- A lease granted under the *Aborigines and Torres Strait Islanders (Land Holding) Act 1985* Yes No
- A lease granted under the *Aboriginal and Torres Strait Islander Land Holding Act 2013* Yes No
- A registered sublease, including a registered sublease of a townsite lease Yes No
- A residential tenancy agreement for a social housing dwelling situated on the available land Yes No



If you ticked yes to one of the interests listed above, is there more than one interest holder? Yes No

If so, have all interest holders made this application? Yes No

If not all of the interest holders have made this application, have they consented to this application being made? Yes No

If so, please provide evidence of this consent.....
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[Please attach any documentary evidence of this consent]

Tick yes or no
Documentary evidence of consent attached Yes No

Mortgagee's consent [see end note 4]

Tick yes or no

- Is there a mortgage over the land the subject of his application? Yes No
- If yes, has the mortgagee consented to you making this application? Yes No
- If the mortgagee has consented, please provide evidence of this consent
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[Please attach any documentary evidence of this consent]

Tick yes or no
Documentary evidence of consent attached Yes No

Freehold ownership obligations

The following information is to alert you to important obligations associated with freehold ownership.
You should read this section carefully and **tick each box once you understand the information.**

- You will be required to pay a sum for the purchase of the land and any dwelling on the land
- Costs associated with the purchase of the freehold, such as mortgage registration fees, are the responsibility of the applicant
- Rates may be charged by the relevant Indigenous local council
- As the owner of freehold land you will be responsible for maintaining the land and any buildings



Important information

- Important information on the processes involved with the grant of freehold, including sale price, costs, and any conditions that apply, are contained in the freehold policy for your community. You should read this document carefully and **tick the box once you have read it and understand the information.**
 - Your application will not be considered properly made unless all parts of this form are completed fully and correctly. If the form is not completed properly it will be returned to you for completion.
 - Your application will be processed having regard to the requirements of the *Torres Strait Islander Land Act 1991* and related legislation as amended from time to time.
 - Information in this form is collected to process and assess your application under the *Torres Strait Islander Land Act 1991*. The consideration of your application may involve consultation with another party and, if so, information in your application may be disclosed to that party.
 - Before submitting this application, you must read and confirm that you understand the freehold ownership obligations.
 - You may be required to provide evidence to support your application.
- Further information can be obtained from the Queensland Government website at www.qld.gov.au/atsi/environment-land-use-native-title/freehold-title.

Signature of applicant/s

- **The information I/we have provided in this form is true and accurate**
- **I/we understand all of the information contained within this form**
- **I/we have ticked the relevant boxes**

Name of applicant/s or agent of applicant/s

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Signature of applicant/s or agent of applicant/s

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Date:/...../.....



End note 1

Only use this form if you have one of the following interests in the subject land:

- A registered lease granted under the *Torres Strait Islander Land Act 1991* or the *Land Act 1994*, other than a townsite lease
- A lease entitlement under the *Aboriginal and Torres Strait Islander Land Holding Act 2013*
- A lease granted under the *Aborigines and Torres Strait Islanders (Land Holding) Act 1985*
- A lease granted under the *Aboriginal and Torres Strait Islander Land Holding Act 2013*
- A registered sublease, including a registered sublease of a townsite lease
- A residential tenancy agreement for a social housing dwelling situated on the available land

End note 2

This application must be made to the trustee of freehold option land under the *Torres Strait Islander Land Act 1991*. A trustee will be one of the following:

- Aurukun Shire Council
- Mornington Shire Council
- Cherbourg Aboriginal Shire Council
- Doomadgee Aboriginal Shire Council
- Hope Vale Aboriginal Shire Council
- Kowanyama Aboriginal Shire Council
- Lockhart River Aboriginal Shire Council
- Mapoon Aboriginal Shire Council
- Napranum Aboriginal Shire Council
- Palm Island Aboriginal Shire Council
- Woorabinda Aboriginal Shire Council
- Wujal Wujal Aboriginal Shire Council
- Yarrabah Aboriginal Shire Council
- Northern Peninsular Area Regional Council
- Torres Strait Island Regional Council
- A land trust or other entity holding freehold option land under the *Torres Strait Islander Land Act 1991* – if this applies, insert the name of the land trust/entity

End note 3

The land subject to this application must be in the trustee's freehold schedule.

End note 4

If there is a mortgage over the land the subject of this application, the mortgagee's consent to make this application is required.