**Application form**

***Environmental Offsets Act 2014***

**Request for an Environmental Offset Protection Area Declaration Form**

*This is an approved form under section 92 of the* Environmental Offsets Act 2014.

An owner of land may apply for a declaration of land as an Environmental Offset Protection Area (EOPA). This form must be completed with the consent of each person with an interest in the land in accordance with section 30 of the *Environmental Offsets Act 2014*. This form must be submitted to the Department of Environment and Science by email to offsets@des.qld.gov.au. The mandatory supporting information must be attached, as well as Declaration details and ‘Attachment: Declaration signatures’ completed.

## Purpose of application

For the purposes of section 30 of the *Environmental Offsets Act 2014*, the owner/s of land request the chief executive declare the land described in Section 2 as an EOPA.

All owners of land must sign this form as evidence of their consent to the declaration of the EOPA.

In accordance with Schedule 2 of the *Environmental Offset Act 2014* an owner of land includes the following—

1. for freehold land—the person recorded in the freehold land register as the person entitled to the fee simple interest in the land;
2. for land held under a lease—the person who holds the lease;
3. for trust land under the *Land Act 1994*—the trustees of the land;
4. for Aboriginal land under the *Aboriginal Land Act 1991*—the persons to whom the land has been transferred or granted;
5. for Torres Strait Islander land under the *Torres Strait Islander Land Act 1991*—the persons to whom the land has been transferred or granted;
6. for a State-controlled road under the *Transport Infrastructure Act 1994*—the chief executive of the department in which that Act is administered;
7. for a road controlled by a local government under the *Local Government Act 2009*—the local government;
8. for other land prescribed under a regulation—the entity prescribed under a regulation for the land.

## Land description and spatial data requirements

Provide a list of all lot and plan numbers and owner details for the EOPA in the table below.

If the total number of lots is 10 or more, please provide the additional records in an attached spreadsheet and indicate the total number of lots here:

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **No.** | **Lot** | **Plan** | **Street address** | **Extent sought under declaration request** | **Name of registered owner/s** | **Contact details of registered owners** |
| 1 |       |       |       | Full [ ]  Partial [ ]  |       |       |
| 2 |       |       |       | Full [ ]  Partial [ ]  |       |       |
| 3 |       |       |       | Full [ ]  Partial [ ]  |       |       |
| 4 |       |       |       | Full [ ]  Partial [ ]  |       |       |
| 5 |       |       |       | Full [ ]  Partial [ ]  |       |       |
| 6 |       |       |       | Full [ ]  Partial [ ]  |       |       |
| 7 |       |       |       | Full [ ]  Partial [ ]  |       |       |
| 8 |       |       |       | Full [ ]  Partial [ ]  |       |       |
| 9 |       |       |       | Full [ ]  Partial [ ]  |       |       |
| 10 |       |       |       | Full [ ]  Partial [ ]  |       |       |

For the proposed EOPA as a whole and for each land parcel, provide the following spatial information:

☐ Digital data in a format such as ESRI File Geodatabase (.gdb) (preferred), GeoPackage (.gpkp), or ShapeFile package; (note, all digital data must be submitted in GDA 2020), **and**

[ ]  A map showing all of the following:

1. scale and north arrow;
2. boundary of the offset area on an image[[1]](#footnote-2) base;
3. location of the offset area in realtion to the property boundary, other secured offset areas, and areas of Catergory A Vegetation as per the Property Map of Assessible Vegetation;
4. all vertices of the area to be registered are identified and labelled;
5. if multiple polygons are to be registered, then in the legend the areas are detailed accordingly;
6. an estimate of the area(s) in hectares; and
7. be presented in GDA 2020**; and**

[ ]  a table in csv or excel table (xlsx) format that stores:

1. details the co-ordinates (latitude and longitude) of each vertex to 5 decimal points;
2. for each point information on the matters and vertex identifiers related to those coordinates;
3. be presented in GDA 2020.

## Persons with interest in land

Are there any people with a legal interest in the land:

☐ Yes → *provide details of interest in the table below,*

☐ No → *continue to next Section.*

If yes, provide details of all persons with a legal interest in the land. Evidence of their consent to the EOPA must be provided with this form.

Note – please refer to section 30(8) of the *Environmental Offsets Act 2014* for definition of ‘person with an interest in land’.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Type of interest | Name of interest holder | Details (where relevant) | Has the interest holder provided signed consent to the EOPA? | Evidence attached (complete Attachment 1) |
|       |       |       | Yes [ ]  No [ ]  | [ ]  |
|       |       |       | Yes [ ]  No [ ]  | [ ]  |
|       |       |       | Yes [ ]  No [ ]  | [ ]  |
|       |       |       | Yes [ ]  No [ ]  | [ ]  |
|       |       |       | Yes [ ]  No [ ]  | [ ]  |

An EOPA does not affect Native Title rights that may exist over an area that is declared. If Native Title possibly exists over the land subject to the EOPA, consultation should be undertaken with the relevant groups and evidence of the group’s support or otherwise of the EOPA should be attached to this application. Note that Native Title claimants may have a registered interest and in that case should be a signatory to **Attachment *1*** as detailed above. Further information about Native Title can be obtained from the Department of Resources (<https://www.resources.qld.gov.au/qld/atsi/native-title-work-procedures/work-procedures>).

##  Supporting Information

The following documents are attached to this request for declaration:

[ ]  Environmental offset agreement;

[ ]  Offset delivery plan;

[ ]  Evidence of endorsement from administering authority (as per section 3 above), and

[ ]  Signed consent of all persons with an interest in the land stated in the application.

## Information privacy statement

The Department of Environment and Science is collecting the information in this form and any attachments to process a request for the chief executive to declare an EOPA in accordance with section 30 of the *Environmental Offsets Act 2014*. The consideration of this request may involve consultation, and if so, details of this request and any attachments may be disclosed to relevant third parties. Personal information will not otherwise be disclosed outside the Department unless required or authorised by law.

If your EOPA application is approved, the EOPA must be listed on the public register kept under section 90 of the *Environmental Offsets Act 2014*. Details to appear on the register include the name of the EOPA, registration date, lot and plan numbers/street address, EOPA area, and prescribed environmental matters registered. This data may also be visualised on a publicly available web-based map.

## Lodgement declaration and owner consent

By signing this application: *(tick all boxes)*

[ ]  I/we are the owner/s of the land to which this application relates.

[ ]  I/we consent to the declaration of an EOPA over my/our land as set out in this application.

[ ]  consent the primary contact (below) to submit the declaration and receive general correspondence relating to this application.

[ ]  I/we do solemnly and sincerely declare that the information I/we have provided is true and correct to the best of my/our knowledge.

[ ]  I/we understand that all information supplied in or with this application will not otherwise be used or disclosed other than in accordance with the privacy statement above*.*

*Note – if more than one owner, all owners must sign below*

|  |
| --- |
| **Name of Registered Owner (Primary contact)**      |
| **Lot/Plan description**      |
| **Postal address**      |
| **Phone**      | **Mobile phone**      |
| **Email address**      |
| **Signature *(print and sign or insert as image)***Shape  Description automatically generated with low confidence | **Date**      |

|  |
| --- |
| **Name**      |
| **Lot/Plan description**      |
| **Postal address**      |
| **Phone**      | **Mobile phone**      |
| **Email address**      |
| **Signature *(print and sign or insert as image)***A white square with a blue border  Description automatically generated | **Date**      |

|  |
| --- |
| **Name**      |
| Lot/Plan description      |
| **Postal address**      |
| **Phone**      | **Mobile phone**      |
| **Email address**      |
| **Signature *(print and sign or insert as image)***A white square with a blue border  Description automatically generated | **Date**      |

# Attachment 1

# Consent of persons with interest in land over proposed EOPA site

Each person with an interest in the land (other than the owners of the land) over which the EOPA may be declared must provide consent to the declaration.

|  |  |  |
| --- | --- | --- |
| Declaration area as described in Part # | Registered interest  | Registered interest holder name |
| Click here to enter text. | Click here to enter text. | Click here to enter text. |
| Click here to enter text. | Click here to enter text. | Click here to enter text. |
| Click here to enter text. | Click here to enter text. | Click here to enter text. |
| Click here to enter text. | Click here to enter text. | Click here to enter text. |
| Click here to enter text. | Click here to enter text. | Click here to enter text. |

**Consultation**

Describe any consultation undertaken with parties other than interested persons.

|  |  |
| --- | --- |
| Interested party | Outcome of consultation |
| Click here to enter text. | Click here to enter text. |
| Click here to enter text. | Click here to enter text. |
| Click here to enter text. | Click here to enter text. |
| Click here to enter text. | Click here to enter text. |
| Click here to enter text. | Click here to enter text. |

All parties who have an interest in the land to which the EOPA relates must sign and date this section. If there is a mortgage associated with any parcel of land to be declared, the signature of an authorised person of the financial institution is required.

Statement:

I/We

* consent to the declaration of an environmental offset protection area under the *Environmental Offsets Act 2014* as outlined in Part 2 of this application;
* consent to the collection and use of the personal information in this form for the purposes of assessing this request for an environmental offset protection area under the *Environmental Offsets Act 2014*;
* consent for the administering authority to update the land title(s) on behalf of the owner/s of the land by submitting an application to the registrar of titles;
* solemnly and sincerely declare that the information provided is true and correct to the best of my knowledge and I make this solemn declaration conscientiously believing the same to be true; and
* understand that all information supplied on or with this application form may be disclosed publicly in accordance with the *Right to Information Act 2009* and the *Evidence Act 1977*.

Please fill in the below table for each interest holder. Extra pages may be attached if there are additional interest holders.

|  |  |
| --- | --- |
| **Registered interest (e.g., lessee, mining interest, Native Title, tenure holder)**      | **Associated declaration area**      |
| **Name of person with interest in land (individual or principal contact if applicant is an organisation**      | **Position (if applicant is an organisation)**      |
| **Organisation name (if applicant is an organisation)**      | **ACN/ABN (if an organisation**      |
| **Signature of interest holder**      | **Date signed**      |

|  |  |
| --- | --- |
| **Registered interest (e.g., lessee, mining interest, Native Title, tenure holder)**      | **Associated declaration area**      |
| **Name of person with interest in land (individual or principal contact if applicant is an organisation**      | **Position (if applicant is an organisation)**      |
| **Organisation name (if applicant is an organisation)**      | **ACN/ABN (if an organisation**      |
| **Signature of interest holder**      | **Date signed**      |

1. Image base means an image or mosaic of images including, for example, an aerial photograph or a satellite image. [↑](#footnote-ref-2)