Environmental Protection Act 1994

Standard application for a new environmental authority for a prescribed ERA

*This is the approved form to make a standard application for an environmental authority under sections 122, and 125 of the* Environmental Protection Act 1994 *(EP Act) for an environmentally relevant activity (ERA) which is prescribed under section 19 of the EP Act.*

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| For applications to the Department of Environment, Science and Innovation, you can apply through Online Services at: <https://business.qld.gov.au/running-business/environment/online-services>.  **Note:** For applications to the Department of Environment, Science and Innovation, the only way to pay fees by credit card is by completing the application through Online Services. For other fee payment options see Question 11. |

It is recommended that prior to making an application for a new environmental authority (EA) for an environmentally relevant activity (ERA), you read the information on what to provide with an application. This information is located on the Business Queensland website (formerly the Queensland Government’s Business and Industry Portal) at [www.business.qld.gov.au](http://www.business.qld.gov.au) (use the search term “Environmental Licence”*)*. This website also has a diagnostic tool called the “Forms and fees finder” which will help identify any fees and supporting information you need to make an application.

**Only use this application form if you are applying for a new EA where:**

* All applicants are registered as suitable operators[[1]](#footnote-2). A suitable operator is a person or a corporation assessed under section 318I of the EP Act as being suitable to carry out an ERA and is listed on the suitable operator register[[2]](#footnote-3).
* The ERA/s being applied for do not form part of an ERA project under an existing EA.
* If more than one ERA is being applied for, the ERAs must be carried out as part of a single integrated operation:
  + the ERAs will be carried out under the day to day management of a single responsible individual (e.g. a site manager or operations manager); and
  + all of the ERAs are operationally interrelated, that is, the operation cannot function without all of the ERAs; and
  + the ERA/s are, or will be, carried out at one or more places; and
  + the places where the ERAs will be carried out are close enough to make the integrated day to day management of the activitiesfeasible.
* All of the ERA/s being applied for are prescribed under section 19 of the *Environmental Protection Act 1994* (EP Act).
* The ERA/s being applied for do not require a development permit for a material change of use under the *Planning Act 2016,* unless an application for the required development approval has been made.
* The ERA/s being applied for do not require a State development area approval (SDA approval) under the *State Development and Public Works Organisation Act 1971,* unless an application for the required SDA approval has been made or a current SDA approval is in effect and has not lapsed.
* The application is not to dredge or extract more than 10,000 tonnes of material a year in the North Stradbroke Island region
* All of the ERA/s being applied for have eligibility criteria and standard conditions available.
* You can meet all of the eligibility criteria and standard conditions for all of the ERA/s being applied for.
* If your application relates to a coordinated project under the *State Development and Public Works Organisation Act 1971*, you will need to make a variation application if the Coordinator-General’s conditions outlined in the Coordinator-General’s evaluation report:
  + alter the standard conditions for the ERA/s being applied for; or
  + require additional conditions to be imposed on the environmental authority.

**If you would like to have a pre-lodgement meeting:**

* for prescribed ERAs 2, 3 and 4—contact the Department of Agriculture and Fisheries by email at **livestockregulator@daf.qld.gov.au**
* for any other ERA—please complete and lodge the form “Application for pre-lodgement services” (ESR/2015/1664[[3]](#footnote-4)), prior to lodging this application for an environmental authority.

**The fields marked with an asterisk \* are mandatory, if they are not completed then you application may be considered not properly made under section 128 of the *Environmental Protection Act 1994*.**

# Applicant details

To nominate a site or application contact for this application please provide details at Questions 9 and 10.

|  |  |  |  |
| --- | --- | --- | --- |
| Is there more than one applicant?\* | No, provide applicant’s details here.  Yes, provide the principal applicant’s details here and other applicants’ details at Attachment 1—*“Joint applicants and appointment of principal applicant”* | | |
| Name - individual or chief executive officer if applicant is an organisation\* | | | Suitable Operator Reference Number\* |
| Organisation name, including any trading name (\*if an organisation) | | | ABN/ACN (\*if an organisation) |
| Residential or registered business address (not a post office box)\* | | | Phone\* |
| Postal address (if same as above, state “AS ABOVE”)\* | | | Facsimile |
| Email Address\* | | Indicate if you want to receive correspondence via email | |

## Nomination of an agent for this application

I/we nominate the below agent to act on my/our behalf and to receive correspondence relating to this application.

|  |  |
| --- | --- |
| Do you want to nominate an agent for this application?\*  No → Go to *Question 2*  Yes → Complete the agent’s details here. | |
| Name of agent – individual or contact person if agent is an organisation\* | |
| Organisation name, including trading name (\*if an organisation) | ABN/ACN (\*if an organisation) |
| Postal address\* | Phone\* |
| Email Address\* | Indicate if you want to receive correspondence via email |

# Details of the ERA/ERAs being applied for

Complete the table below by advising which ERA/s you are applying for. By selecting “yes” you are certifying that you have a complete and thorough understanding of, and can comply with the eligibility criteria and standard conditions[[4]](#footnote-5) for each ERA.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| ERA number\* | Threshold\* | Name of ERA\* | I can comply with the eligibility criteria\* | I can comply with the standard conditions\* |
|  |  |  | Yes | Yes |
|  |  |  | Yes | Yes |
|  |  |  | Yes | Yes |
|  |  |  | Yes | Yes |
|  |  |  | Yes | Yes |
|  |  |  | Yes | Yes |
|  |  |  | Yes | Yes |

# Description of land where the ERA/s will be carried out

Where activities will be undertaken at more than one location, provide details in Appendix 2.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Will the ERA/s be carried out at a fixed location?\* | | | | |
| Yes  NOTE: If there is more than one location please complete Attachment 2 | Number\* | Street Name\* | Suburb/Town\* | Postcode\* |
| Real Property Description\*  Lot       Plan | | Specific area within the location i.e. GPS or other descriptor (\*if applicable e.g. dredging) | |
| Port (\*if applicable) | | Project Name (\*if applicable) | |
| No | Where there is no fixed location, the location will be recorded as “State of Queensland” | | | |

# Regulated waste transport ERAs

| Is your application for ERA 57 Regulated waste transport?\* | | |
| --- | --- | --- |
| No | *Go to question 5*. | |
| Yes | What type of regulated waste will be transported?  Only end-of-life tyres. Go to question 5  Only other regulated waste. Provide vehicle details below.  Both end-of-life tyres and other regulated waste. Provide vehicle details below for the vehicles that transport regulated waste other than end-of-life tyres (i.e. do not provide details for vehicles used to transport only end-of-life tyres). | |
| Provide details below or attach a separate list of the vehicles used for transporting regulated waste other than end-of-life tyres. If the vehicle registration details are not known at the time of application, please insert the number of vehicles and the letters TBA for “to be advised” in the first row (e.g. 5 vehicles TBA).  The number of vehicles listed will determine the annual fee. The AES is 1 for each vehicle up to 35 vehicles, and 36 for 36 or more vehicles. | | |
| Type (trailer or vehicle)\* | | Registration number\* |
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# Other related approvals

To avoid the possibility of your environmental authority application being invalid, you need to ensure any other required applications have been made prior to lodging this application. If you are not sure what approvals are required you should contact the planning area of your local government authority or if the area is within a state development area visit the Department of State Development and Infrastructure website at: <http://www.statedevelopment.qld.gov.au> (search for state development area).

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Are you required to obtain any of the following approvals to conduct the ERA/s?\*   * A development approval from your Local Government Authority (for ERA/s which may trigger within the local planning scheme the need for an approval under the *Planning Act 2016*), or * An approval for the use of land under the *State Development and Public Works Organisation Act 1971*? | | | | | |
| No | *Go to question 6*. | | | | |
| Yes | Approval name\* | Legislation\* | Application number\* | Date lodged\* | Approval status\* |
|  |  |  |  |  |

# Coordinator-General’s conditions

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| --- | --- |
| Are any of the activities proposed part of a coordinated project under the *State Development and Public Works Organisation Act 1971*?\* | |
| No → | Go to *Question 7*. |
| Yes → | Name of the Coordinator-General’s evaluation report:  I declare that the Coordinator-General’s evaluation report is current, the conditions are exactly the same as the standard conditions for the proposed activity, and do not require any additional conditions to be imposed on the environmental authority. |

# Matters of national environmental significance

There are currently nine matters of national environmental significance (MNES) which have been defined in the *Environment Protection and Biodiversity Conservation Act 1999 (Cth).* These are:

|  |  |
| --- | --- |
| * [world heritage properties](http://www.environment.gov.au/epbc/protect/heritage.html) * [national heritage places](http://www.environment.gov.au/epbc/protect/heritage.html) * [wetlands of international importance](http://www.environment.gov.au/epbc/protect/wetlands.html) (listed under the Ramsar Convention) * [listed threatened species and ecological communities](http://www.environment.gov.au/epbc/protect/species-communities.html) * [migratory species](http://www.environment.gov.au/epbc/protect/migratory.html) protected under international agreements | * [Commonwealth marine areas](http://www.environment.gov.au/epbc/protect/marine.html) * [the Great Barrier Reef Marine Park](http://www.environment.gov.au/epbc/protect/great-barrier-reef.html) * [nuclear actions (including uranium mines)](http://www.environment.gov.au/epbc/protect/nuclear.html) * a water resource, in relation to coal seam gas development and large coal mining development |

To determine whether the proposed ERA/s will have a significant impact on MNES and for referral requirements, please refer to the guidance provided by the Federal Government’s Department of Environment on **[www.australia.gov.au](http://www.australia.gov.au)** and[**www.environment.gov.au**](http://www.environment.gov.au)**.**

|  |
| --- |
| Would the carrying out of the proposed ERA/ERA project be likely to have a significant impact on a matter of national environmental significance?\* |
| No – *Go to question 8*.  Yes, has the proposal been referred to the Federal Government Environment Minister or delegate for formal assessment and approval?  Yes – Reference/referral number:  No |

# Take effect date (when fees will commence being charged)

You may nominate when the EA will take effect should it be approved. The date the environmental authority takes effect will be the date from which you can commence the activities as well as the date your annual fees will commence to be charged (your anniversary date). Under section 200 of the EP Act, if a development permit for a material change of use under the *Planning Act 2016* or a State development area (SDA) approval is required in order to carry out the ERA the EA cannot take effect until the development permit or SDA approval takes effect (known as taking effect pending development approval).

|  |  |
| --- | --- |
| Do you want the EA to take effect on the decision date, nominated date, or pending development approval?\* | |
| Decision date | The take effect date will be the date of the decision. |
| Nominated date | Details of nominated take effect date: |
| Pending development approval | The take effect date will be the day the development approval is granted. You must notify the administering authority when the development approval takes effect. |

# Nomination of site contact

An alternative contact nominated by the legal person which holds, or will in future hold, a relevant authority issued by the department. The department may direct correspondence relating to actual or potential compliance matters to the site contact.

|  |  |  |  |
| --- | --- | --- | --- |
| Do you want to nominate a site contact?\* | | | No  Yes, provide details below |
| Title\* | First Name\* | Surname\* | |
| Email Address\* | | | Indicate if you want to receive correspondence via email |
| Phone | | | |

# Nomination of application contact

An alternative contact nominated by the legal person which has submitted, or will in future submit, applications to be assessed by the department. All departmental correspondence relating to the assessment of applications will be directed to the application contact, however, if the application results in the issuing of a relevant authority, the relevant authority will be sent to the applicant.

|  |
| --- |
| Name or Position\* |
| Primary Phone\* |
| Secondary Phone |
| Email Address\* |

# Payment of fees

You are required to pay an application fee at the time of application. If your application is approved you will be required to pay a fee annually. Each ERA has a regulated fee and the annual fee will be the highest annual fee of any ERA associated with the project. The first annual fee will be invoiced when the permit becomes effective. Information on fees is available on the Business Queensland website at [www.business.qld.gov.au](http://www.business.qld.gov.au).

The application fee is\*: $

Please select your payment method for the application fee below:

For fees payable to the Department of Environment, Science and Innovation:

Cheque or money order payable to the Department of Environment, Science and Innovation (attached)

For credit card payments for applications to the Department of Environment, Science and Innovation you must complete the application using Online Services at <https://business.qld.gov.au/running-business/environment/online-services>

For fees payable to the Department of Agriculture and Fisheries:

Cheque or money order payable to the Department of Agriculture and Fisheries (attached)

For credit card payment, please provide contact details and we will contact you for payment to be made over the telephone

Telephone number:

# Applicant declaration

I declare that the information I have provided is true and correct. I understand that it is an offence under the *Environmental Protection Act 1994* to give information that I know is false, misleading or incomplete.

I will comply with all conditions on my environmental authority as well as any relevant provisions in the *Environmental Protection Act 1994.*

I understand that I am responsible for managing the environmental impacts of these activities, and that approval of this application is not an endorsement by the administering authority of the effectiveness of the management practices proposed or implemented.

|  |  |
| --- | --- |
| Applicant’s full name\* | Applicant’s position (\*if an organisation) |
| Applicant’s signature\* | Date\* |

**Submit your completed application:**

**for ERA 2, ERA 3 or ERA 4 via email to:** [livestockregulator@daf.qld.gov.au](mailto:livestockregulator@daf.qld.gov.au) **or:**

|  |  |
| --- | --- |
| **Post:**  Senior Environmental Scientist  Department of Agriculture and Fisheries  GPO Box 102  TOOWOOMBA QLD 4350 | **Further information:**  [www.business.qld.gov.au](http://www.business.qld.gov.au)  Email: livestockregulator@daf.qld.gov.au  Phone: 13 25 23  Fax: (07) 4529 9233 |

**for all other ERAs via email to:** [palm@des.qld.gov.au](mailto:palm@des.qld.gov.au) **or:**

|  |  |  |
| --- | --- | --- |
| **Post:**  Permit and Licence Management  Department of Environment, Science and Innovation  GPO Box 2454  BRISBANE QLD 4001 |  | **Further information:**  [www.business.qld.gov.au](http://www.business.qld.gov.au)  Email: palm@des.qld.gov.au  Phone: 13 QGOV (13 74 68) |

**Privacy statement**

The Department of Environment, Science and Innovation (the Department) and the Department of Agriculture and Fisheries are collecting the information on this form in accordance with and as authorised by Chapter 5 of the *Environmental Protection Act 1994* (EP Act).

Pursuant to section 540 of the EP Act, the Department is required to maintain a register of certain documents and information authorised under the EP Act. A copy of this document will be kept on the public register. The register is available for inspection by members of the public who are able to take extracts, or copies of the documents from the register. Documents that are required to be kept on the register are published in their entirety, unless alteration is required by the EP Act. There is no general discretion allowing the Department to withhold documents or information required to be kept on the public register. For more information on the Department’s public register, search ‘public register’ at [www.qld.gov.au](http://www.qld.gov.au). For queries about privacy matters please email [privacy@des.qld.gov.au](mailto:privacy@des.qld.gov.au) or telephone 13 74 68.

Attachment 1

Joint applicants and appointment of principal applicant

We are joint applicants for this environmental authority application and hereby appoint            as the principal applicant to receive statutory documents relating to this application.

|  |  |
| --- | --- |
| Name - individual or chief executive officer if applicant is an organisation\* | Suitable Operator Reference Number\* |
| Organisation name, including trading name (\*if an organisation) | ABN/ACN (\*if an organisation) |
| Residential or registered business address (not a post office box)\* | Phone\* |
| Postal address (if same as above, state “AS ABOVE”)\* | Facsimile |
| Email\* | |
| Signature\* | Date\* |

|  |  |
| --- | --- |
| Name - individual or chief executive officer if applicant is an organisation\* | Suitable Operator Reference Number\* |
| Organisation name, including trading name (\*if an organisation) | ABN/ACN (\*if an organisation) |
| Residential or registered business address (not a post office box)\* | Phone\* |
| Postal address (if same as above, state “AS ABOVE”)\* | Facsimile |
| Email\* | |
| Signature\* | Date\* |

|  |  |
| --- | --- |
| Name - individual or chief executive officer if applicant is an organisation\* | Suitable Operator Reference Number\* |
| Organisation name, including trading name (\*if an organisation) | ABN/ACN (\*if an organisation) |
| Residential or registered business address (not a post office box)\* | Phone\* |
| Postal address (if same as above, state “AS ABOVE”)\* | Facsimile |
| Email\* | |
| Signature\* | Date\* |

Attachment 2

List of locations where the ERA/s will be carried out.

Where there is more than one location list all locations and which ERA/s will be conducted at each location.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Number\* | Street Name\* | Suburb/Town\* | Postcode\* | ERA/s\* |
| Real Property Description\*  Lot       Plan | | Specific area within the location ie GPS or other descriptor (\*if applicable e.g. dredging) | |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Number\* | Street Name\* | Suburb/Town\* | Postcode\* | ERA/s\* |
| Real Property Description\*  Lot       Plan | | Specific area within the location ie GPS or other descriptor (\*if applicable e.g. dredging) | |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Number\* | Street Name\* | Suburb/Town\* | Postcode\* | ERA/s\* |
| Real Property Description\*  Lot       Plan | | Specific area within the location ie GPS or other descriptor (\*if applicable e.g. dredging) | |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Number\* | Street Name\* | Suburb/Town\* | Postcode\* | ERA/s\* |
| Real Property Description\*  Lot       Plan | | Specific area within the location ie GPS or other descriptor (\*if applicable e.g. dredging) | |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Number\* | Street Name\* | Suburb/Town\* | Postcode\* | ERA/s\* |
| Real Property Description\*  Lot       Plan | | Specific area within the location ie GPS or other descriptor (\*if applicable e.g. dredging) | |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Number\* | Street Name\* | Suburb/Town\* | Postcode\* | ERA/s\* |
| Real Property Description\*  Lot       Plan | | Specific area within the location ie GPS or other descriptor (\*if applicable e.g. dredging) | |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Number\* | Street Name\* | Suburb/Town\* | Postcode\* | ERA/s\* |
| Real Property Description\*  Lot       Plan | | Specific area within the location ie GPS or other descriptor (\*if applicable e.g. dredging) | |

1. Your EA application must be refused if you are not a registered suitable operator when the application is decided. To become a registered suitable operator, apply using the form “Application to be a registered suitable operator - ESR/2015/1771” (available at [www.qld.gov.au](http://www.qld.gov.au), using the publication number ESR/2015/1771 as a search term). [↑](#footnote-ref-2)
2. The register is available on the Queensland Government website at [www.qld.gov.au](http://www.qld.gov.au), using the search term “suitable operator register”. [↑](#footnote-ref-3)
3. This application form is available at [www.qld.gov.au](http://www.qld.gov.au), using the publication number ESR/2015/1664 as a search term. [↑](#footnote-ref-4)
4. ERAs with eligibility criteria and standard conditions are listed on the Business Queensland website at: [www.business.qld.gov.au](http://www.business.qld.gov.au) using the search term “eligibility criteria”. [↑](#footnote-ref-5)