**Application form**

***Environmental Offsets Act 2014***

**Request to Amend an Authority Form**

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

This form must be completed by an authority holder(s) applying for the removal of duplicate condition(s) under section 25A of the *Environmental Offsets Act 2014* or by an authority holder(s) requesting to amend an existing authority (granted before 28 May 2014) under section 95B of the *Environmental Offsets Act 2014*.

This form should be submitted to the department responsible for approving the authority (the administering agency) that imposed the condition(s) for the relevant prescribed activity.

1. **Approval details***(e.g., Development Approval or Environmental Authority)*

Please provide details of the approval that an amendment is sought for.

|  |
| --- |
| **State Administering agency reference number (permit/licence or authority number)**      |
| **State Application category (relevant prescribed activity) *tick all that apply***[ ]  Environmental Protection Act / Resource Activity[ ]  Environmental Protection Act / Prescribed Environmentally Relevant Activity (ERA)[ ]  Marine Parks Act / Marine Park Works[ ]  Nature Conservation Act / Protected Area Activity[ ]  Nature Conservation Act / Protected Plant Clearing[ ]  Sustainable Planning Regulation / Environmentally Relevant Activity (ERA)[ ]  Sustainable Planning Regulation / Fisheries Resources[ ]  Sustainable Planning Regulation / Native Vegetation Clearing[ ]  Sustainable Planning Regulation / Coastal Protection[ ]  Sustainable Planning Regulation / Wetland Protection Area[ ]  State Development Assessment Provision / Coastal Development and Tidal Works[ ]  State Development Assessment Provision / Great Barrier Reef Wetland Protection Areas[ ]  State Development Assessment Provision / Removal, Destruction or Damage of Marine Plants[ ]  State Development Assessment Provision / Development in a Declared Fish Habitat[ ]  State Development Assessment Provision / Native Vegetation Clearing[ ]  State Development Assessment Provision / Constructing or Raising Waterway Barrier Works in Fish Habitats[ ]  State Development Assessment Provision / Environmentally Relevant Activity (ERA)[ ]  State Development Assessment Provision / Development in South East Queensland Koala Habitat Areas[ ]  Local Planning Instrument / Development |
| **Project name**       |

1. **Purpose of application**

In accordance with the *Environmental Offsets Act 2014*, this application is for (choose one of the following):

[ ]  Remove duplicate condition(s) in accordance with section 25A→ *complete Parts 3, 5, & Part 7*.

[ ]  Amend the existing authority in accordance with section 95B→ *complete Parts 4,5, & Part 7.*

Note: Where the authority holder is applying to undertake actions under both sections 25A and 95B of the *Environmental Offset Act 2014* please complete both Parts 3 and 4 of this form.

1. **Request to remove duplicate condition(s)**

The authority holder is applying for the removal of duplicate condition(s) under section 25A of the *Environmental Offset Act 2014*.

The authority holder requests the relevant administering agency remove an offset condition(s) on the basis that the condition(s) is a duplicate condition(s) that is (select one of the following options):

[ ]  an offset condition imposed by the State or local government, that relates to the same, or substantially the same***impact***, and the same, or substantially the same ***prescribed environmental matter*** as a Commonwealth condition.

[ ]  an offset condition imposed by the State or local government that relates to the same, or substantially the same***impact***, and the same, or substantially the same ***prescribed environmental matter*** as an offset condition imposed by a different State or local government agency.

Note:

The Environmental Offsets Framework identifies some authorities that **cannot** be amended to remove a duplicate condition. In this circumstance, the application to remove the duplicate condition cannot be made for those authorities but may be made for the *other* authority that has the duplicated offset requirement. In accordance with section 36 of the Environmental Offsets Regulation 2014, applications requesting to remove a duplicate offset condition in relation to any of the following matters cannot be made to the following administering agencies:

* for a threatened plant, an offset condition for a protected plant clearing permit under the *Nature Conservation Act 1992*;
* for a protected area, an offset condition in an authority under the *Nature Conservation Act 1992*;
* for a marine park, an offset condition in an authority under the *Marine Parks Act 2004*;
* if for a koala, an offset condition under State code 25 (Development in South East Queensland koala habitat areas) of the State development assessment provisions.

For any other matter, the application may be made to any agency that imposed the offset condition.

Please identify the authority and duplicate condition(s) you are seeking to have removed.

|  |
| --- |
| **Authority** *(to be amended)* |
| **Authority Type**      | **Approving Delegate**      |
| **Administering Agency**      | **Date of Authority Approval (decision notice)**      |
| **Offset Condition(s) which contain(s) duplication**      |
| **Associated Prescribed Activity**      | **Associated Prescribed Environmental Matter(s)**      |

Please identify the authority that will retain the offset condition(s).

|  |
| --- |
| **Authority** *(to retain the condition(s))* |
| **Authority Type**      | **Approving Delegate**      |
| **Administering Agency**      | **Date of Authority Approval (decision notice)**      |
| **Offset Condition(s) which has/have been duplicated and is to be retained.**      |
| **Associated Prescribed Activity**      | **Associated Prescribed Environmental Matter(s)**      |

Please provide additional information in support of your application.

|  |
| --- |
| **Other Required Information.** *(if required attach additional details/supporting information to this application).* |
| **Provide evidence demonstrating that the offset condition(s) imposed by the administering agency is a duplicate condition.** *See section 25A of the Environmental Offsets Act 2014 for definition of a duplicate condition.*      |
| **Provide details on the desired outcome for the amended condition.**      |
| **Has an environmental offset been delivered in relation to the Prescribed Environmental Matter?**[ ]  Yes (*provide details below*).[ ]  Partially (*provide details below*).[ ]  No.**Further details:**      |

Note: In accordance with the Queensland Environmental Offsets Framework where an authority holder has already made a financial settlement payment, a refund may not be able to be completed as this money may have already been committed to the delivery of an offset and the subject of contractual arrangements.

1. **Request to amend existing authority**

*Complete this part only if your existing authority was granted before 28 May 2014.*

The authority holder requests amendment of an existing authority under section 95B of the *Environmental Offset Act 2014.*

The authority holder requests amendment of the existing authority to (*tick all that apply*):

[ ]  allow for a financial settlement offset (however described) to be determined in accordance with the latest version of the Queensland Environmental Offsets Policy;

[ ]  allow the selection and delivery of an environmental offset to be in accordance with the latest version of the Queensland Environmental Offsets Policy;

* remove a requirement to provide an environmental offset for—

[ ]  an environmental value that is not a prescribed environmental matter under the *Environmental Offsets Act 2014*; or

[ ]  an impact on a prescribed environmental matter that is not a significant residual impact.

Please identify the condition(s) you are seeking to have removed/amended.

|  |
| --- |
| **Authority with the offset condition(s)** *(i.e., authority to be amended)* |
| **Authority Type**      | **Approving Delegate**      |
| **Administering Agency**      | **Date of Authority Approval (decision notice)**      |
| **Offset Condition(s) which contain(s) duplication**      |
| **Associated Prescribed Activity**      | **Associated Prescribed Environmental Matter**      |
| **Provide detail in relation to the reason for the condition amendment**      |
| **Please provide information that demonstrates that the environmental values/state significant environmental values for which the environmental offset was required have not yet been impacted by the activity authorised under the existing authority** *(if required attach additional details/supporting information to this application).*      |

1. **Supporting documentation**

I have attached the following required supporting information:

[ ]  Copies of the relevant authorities (as detailed in Part 3 &/or 4) which contain the related offset condition

[ ]  Other Supporting documentation: (*provide details*)

1. **Information privacy statement**

The Department of Environment and Science is collecting the information in this form and any attachments to process the request for the removal of duplicate conditions(s) in accordance with 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.

1. **Lodgement declaration**

Statement:

I/We

Request: (*select those that apply to this application*):

[ ]  the **removal of duplicate condition(s)** under the section 25A of the *Environmental Offsets Act 2014*; and/or

[ ]  to **amend an existing authority** under the 95B of the *Environmental Offsets Act 2014*;

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

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

[ ]  I understand that all information supplied in or with this application will only be used or disclosed in accordance with the above privacy statement*.*

|  |  |
| --- | --- |
| **Name (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)**      |
| **Postal address**      |
| **Phone**      | **Mobile phone**      |
| **Email address**      |
| **Signature (*print and sign or insert as image*)**Shape  Description automatically generated with low confidence | **Date**      |