Application form

*Environmental Protection Act 1994*

Application to amalgamate two or more environmental authorities into an amalgamated project or local government authority

*This document is the approved form that is to be used by the holder of two or more environmental authorities to apply to the administering authority[[1]](#footnote-2) for either an amalgamated project authority or an amalgamated local government authority under sections 243 to 250 of the* Environmental Protection Act 1994 *(EP Act).*

Only use this form if you would like to amalgamate two or more environmental authorities into one amalgamated environmental authority. Once amalgamated, there will only be one environmental authority with a combined set of conditions.

Please note that this form cannot be used to apply for an amalgamated corporate authority. Please use the application form—Application to amalgamate two or more environmental authorities into an amalgamated corporate authority (ESR/2015/17342).

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**](mailto:livestockregulator@daf.qld.gov.au)
* For any other ERA—please fill out and lodge the form Application for a Pre-Design/Pre-Lodgement Meeting (ESR/2015/1664[[2]](#footnote-3)), prior to lodging this site-specific application for an environmental authority.

**Checklist for making an application**

You must complete this checklist before you continue with the application form.

If your application is for:

an amalgamated local government authority → fill in Section 1 and Section 2 of the checklist below

an amalgamated project authority → fill in Section 2 only of the checklist below

Depending on the results of your answers to the checklist questions, you may not be able to use this application form.

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| **Checklist questions** | | **Guidance** |
| **Section 1** | | |
| Are all the environmental authorities to be amalgamated held by the same local government? | YES  NO | If no, you cannot make this application. The administering authority may only approve an application for an amalgamated local government authority if the applicant is a local government. |
| Are any of the environmental authorities to be amalgamated held by a government owned corporation (refer to the ‘Definitions of terms used in this form’ below)? | YES  NO | If yes, you cannot make an application for an amalgamated local government authority as a government owned corporation is not a local government authority.  You may be able to apply for an amalgamated project authority. Refer to section 2 of this checklist. |
| Will the amalgamated ERAs constitute a significant business activity as defined under section 43 of the *Local Government Act 2009?* | YES  NO | If yes, you cannot make this application. The administering authority can only approve an application for an amalgamated local government authority if the relevant activities for the existing environmental authorities do not constitute a significant business activity. |
| **Section 2** | | |
| Are all the environmental authorities that are to be amalgamated issued by the same administering authority? | YES  NO | If no, you cannot make this application. All environmental authorities must be issued by the same administering authority. |
| *Only answer this question if there are joint holders on any of the environmental authorities that will be the subject of this application.*  Are all of the environmental authorities to be amalgamated, held by the same joint holders? | YES  NO  N/A | If no, you cannot make this application. All of the environmental authorities must be held by the same joint holders.  For example, a common holder of the environmental authorities cannot amalgamate if there are different joint holders on some or all of the environmental authorities. This would create confusion about which person is responsible for compliance with the conditions of the amalgamated environmental authority. |

**Definitions of terms used in this form**

*Where there is inconsistency between the definition of terms here and the terms used in the EP Act, the terms in the EP Act apply*.

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| Environmentally relevant activity (ERA) | A resource activity or a prescribed ERA. |
| Government owned corporation | A GOC (or government owned corporation) is a government entity that is –   1. established as a body corporate under an Act or the Corporations Act; and 2. declared by regulation to be a GOC |
| Single integrated operation | Environmentally relevant activities are carried out as a single  integrated operation if:   1. the activities are carried out under the day-to-day management of a single responsible individual, for example, a site or operations manager 2. the activities are operationally interrelated 3. the activities are, or will be, carried out at 1 or more places 4. the places where the activities are carried out are separated by distances short enough to make feasible the integrated day-to-day management of the activities. |

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| **GUIDE** | Application details |
| If you require assistance in answering any part of this form, or have any questions about your application please contact the relevant department. Contact details are at the end of this form.  The environmental authority number and details may be found on the existing environmental authority or quoted in other correspondence received from the administering authority.  If more space is required for any responses, please attach additional information as a separate page.  If there is an agent acting on behalf of the environmental authority holder, provide details in this section. An agent could be a consultant or a contact for the environmental authority holder.  As statutory documents need to be sent to all applicants, this section can also be used when there are multiple environmental authority holders to nominate an address for statutory documentation to be sent ‘care of’ to. | Environmental authorities to be amalgamated  |  |  | | --- | --- | | ENVIRONMENTAL AUTHORITY NUMBER | ENVIRONMENTAL AUTHORITY HOLDER NAMES | | Insert. | Insert. | | Insert. | Insert. | | Insert. | Insert. |   **Agent details/address for service**  The address supplied here will also be used as a service address for sending statutory documents. If this section is left blank, statutory documents will be sent to the address previously supplied for the holder or principal applicant for the continuing environmental authority.   |  |  | | --- | --- | | INDIVIDUAL OR BUSINESS NAME (INCLUDE TRADING NAME IF RELEVANT)  Insert name. | | | RESIDENTIAL ADDRESS OR REGISTERED BUSINESS ADDRESS (NOT A POST OFFICE BOX ADDRESS)  Insert address. | | | POSTAL ADDRESS (IF DIFFERENT FROM ABOVE)  Insert address. | | | CONTACT PERSON  Insert name. | | | PHONE  Insert phone no. | FACSIMILE  Insert fax no. | | EMAIL  Insert email.  cross if you **do not** want to receive correspondence via email | | |
|  | What amalgamation type are you applying for? → Amalgamated local government authority—go to question 3  → Amalgamated project authority—go to question 4 |
|  | Degree of integration between the activitiesDemonstrate that there is an appropriate degree of integration between the ERAs that are to be amalgamated. Provide details below, and then go to question 5.  |  | | --- | | DETAILS  Insert. | |
| The definition of a single integrated operation has been provided at the front end of this document. Demonstrate that each component of the definition can be met. | Single integrated operation Demonstrate that the ERAs to be amalgamated can be carried out as a single integrated operation. Provide details below, and then go to question 5.   |  | | --- | | details  Insert. | |
|  | Does this application involve petroleum activity authorised under a petroleum lease, where a plan of operations is in effect? → Yes—you must submit an amended version of the plan of operations which covers all the applicable sites requested for amalgamation.  → No |
|  | Does this application involve a mining activity authorised under a mining lease for which a PRC plan relates? → Yes—you must submit a proposed amalgamated PRC plan for the activities.  → No |
| The administering authority may use the table (as described in Q.7) provided to create an amalgamated environmental authority with streamlined conditions for two or more project sites. However, this will be at the discretion of the administering authority and agreed to by the applicant. | Do you wish to amend the condition(s) of the environmental authority? One of the benefits of an amalgamated authority is that any duplicate or contradicting conditions across sites can be amended to allow a more streamlined set of conditions across all project sites. The department will confirm your agreement with any final variations to the conditions.  Note once amalgamated, each existing environmental authority will become a project site on the amalgamated environmental authority.   |  | | --- | | No | | Yes – provide details below. | | Provide details of: a) section(s) or condition(s) numbers requiring changes; b) the recommended changes; c) brief justification. | | Insert. | | → I HAVE ATTACHED ADDITIONAL DETAILS FOR THIS SECTION | |
| The form Application to Change the Anniversary Day of an Environmental Authority is available at [**www.qld.gov.au**](http://www.qld.gov.au)**.** Use ‘ESR/2015/1732’ as a search term. | Is the highest annual fee the same for 2 or more of the existing environmental authorities? → Yes— Nominate the anniversary day for 1 of the authorities with the highest annual fee as the anniversary day for the amalgamated environmental authority in the table below.  → No— The anniversary day for the amalgamated authority will be the same as that for the existing environmental authority with the highest annual fee (insert this date in the table below).   |  | | --- | | NOMINATED ANNIVERSARY DAY | | Insert. |   **If you wish to amend the anniversary day to a date other than this, you will need to lodge a separate application to change the anniversary day of the amalgamated authority. Please tick the box below if you are lodging an application to change the anniversary date at the same time as this amalgamation application.**  Tick if the application form for an Application to Change the Anniversary Day of an Environmental Authority(ESR/2015/1732) is enclosed. |
| The first step towards payment is to calculate the fees payable. Information on these fees can be located in the information sheets ‘Fees for permits for environmentally relevant activities (ERAs)’ (publication number ESR/2015/1721) and ‘Summary of annual fees for environmentally relevant activities (ERAs)’ (publication number ESR/2015/1746), available at [www.qld.gov.au](http://www.qld.gov.au) using the publication number as a search term.  Credit card payments over the phone are still available at Department of Agriculture and Fisheries for applications for ERA 2, ERA 3, and ERA 4. | Payment of fees  |  |  | | --- | --- | | The application fee is: | $ Insert amount. |   You may pay your fee via money order or credit card.  Select the payment method below:  *For fees payable to the Department of Environment, Science and Innovation:*   |  |  | | --- | --- | | **Preferred**  Apply using Online Services – submit the application online and pay by credit card  <https://business/qld.gov.au/running-business/environment/online-services>.  **Alternatively**  Email the completed application with a request to pay the application fee by Bpoint.  Please do not email your credit card details – we will send you a link to pay securely by credit card via BPoint.  *For fees payable to the Department of Agriculture and Fisheries:*  Payment by cheque or money order made payable to the Department of Agriculture and Fisheries (attached). | | | Please contact me (the applicant) for credit card payment, (Department of Agriculture and Fisheries only): | | | Phone number: | Insert phone no. | |  | | | |  | | | |
| Where there is more than one holder of the environmental authority, this declaration is to be signed by all holders, unless there is an agreement between all holders that one can sign on behalf of the other.  **Note:** If only one holder is signing this application form, they are committing all holders to the content of the application and the declaration.  Where the environmental authority holder is a company, this form must be signed by an authorised person for that company.  **Privacy statement**  The Department of Environment, Science and Innovation (DESI) and the Department of Agriculture and Fisheries (DAF) are committed to protecting the privacy, accuracy and security of your personal information in accordance with the *Information Privacy Act 2009*. The departments are collecting your personal information in accordance with section 243 to 250 of the *Environmental Protection Act 1994* in order to process your application. The information will only be accessed by authorised employees within the department. Some of this information may be given to the Department of Resources for the purpose of the joint regulation of mining activities. Some of this information may be provided to Queensland Treasury, the Scheme Manager under the *Mineral and Energy Resources (Financial Provisioning) Act 2018* (MERFP Act), or any advisors to the Scheme Manager to enable the Scheme Manager to carry out the Scheme Manager’s functions under the MERFP Act. Some of this information may be provided to the Rehabilitation Commissioner in accordance with the *Environmental Protection Act 1994* if accessing the information is necessary or convenient to be done in the performance of the Commissioner’s functions. Your information will not be given to any other person or agency unless you have given us permission or we are authorised or required by law. All information supplied on this form may be disclosed publicly in accordance with the *Right to Information Act 2009* and *Evidence Act 1977*. For queries about privacy matters email: **privacy@des.qld.gov.au** or telephone: 13 QGOV (13 74 68). | Declaration **Note:** If you have not told the truth in this application you may be liable for prosecution under section 480 Environmental Protection Act 1994.  Where an agreement is in place between all holders of the environmental authority, that one holder can sign on behalf of the other joint holders, please tick the below checkbox.  I have the authority to sign this form on behalf of all the joint holders of the environmental authority.  I declare that:   * I am the holder of the environmental authorities or an authorised signatory for the environmental authorities to be amalgamated. * The information provided is true and correct to the best of my knowledge. * I understand that it is an offence under section 480 of the *Environmental Protection Act 1994* to give to the administering authority or an authorised person a document containing information that I know is false or misleading in a material particular. * I understand that under section 480A of the *Environmental Protection Act 1994* that, if I am required to give a document to the administrating authority or an authorised person, it is an offence to give a document that contains incomplete information in a material particular. * I understand that I am responsible for managing the environmental impacts of the activities covered by this application and that approval of this application is not an endorsement by the administering authority of the effectiveness of management practices proposed or implemented. * I 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*. * I understand that an incomplete application (including applications that do not include the correct fee) may be invalid. Invalid applications will be returned without processing and will only be processed if resubmitted with all invalidating issues addressed.  |  |  | | --- | --- | | APPLICANT’S NAME  Insert name. | | | APPLICANT’S SIGNATURE | | | POSITION OF SIGNATORY  Insert position. | DATE  Click here to enter a date. | | JOINT HOLDER’S NAME (IF APPLICABLE)  Insert name. | JOINT HOLDER’S SIGNATURE (IF APPLICABLE) | | JOINT HOLDER’S NAME (IF APPLICABLE)  Insert name. | JOINT HOLDER’S SIGNATURE (IF APPLICABLE) | |
| **Further information**  The latest version of this publication and other publications referenced in this document can be found at **www.qld.gov.au** using the relevant publication number (ESR/2015/1735) as a search term. | **Applicant checklist**  Application form for an amalgamated authority signed and completed.  Question 3: Supporting information demonstrating that there is a degree of integration between the activities has been attached (if applicable).  Question 4: Supporting information demonstrating that the ERAs can be managed as a single integrated operation has been attached (if applicable).  Question 5: An updated plan of operations has been attached (if required).  Question 6: A proposed amalgamated PRC plan has been attached (if required).  Question 7: Conditions requiring amending on the amalgamated environmental authority have been identified and attached. |
|  | Please submit your completed application kit to: **For ERA 2, ERA 3 or ERA 4**   |  |  | | --- | --- | | **Post:**  Senior Environmental Scientist  Animal Industries  Department of Agriculture and Fisheries  PO Box 102  TOOWOOMBA QLD 4350 | **Enquiries:**  Phone: (07) 13 25 23  Fax: (07) 4529 4192  Email: [**livestockregulator@daf.qld.gov.au**](mailto:livestockregulator@daf.qld.gov.au) |   **For all other ERAs**   |  |  | | --- | --- | | **Post:**  Permit and Licence Management  Department of Environment, Science and Innovation  GPO Box 2454  BRISBANE QLD 4001 |  | | **Enquiries:**  Permit and Licence Management  Website: [www.business.qld.gov.au](http://www.business.qld.gov.au)  Email: **palm@des.qld.gov.au**  Phone: 13 QGOV (13 74 68) |  | |

1. The Department of Environment, Science and Innovation is the administering authority under the *Environmental Protection Act 1994*. [↑](#footnote-ref-2)
2. This is the publication number. The publication number can be used as a search term to find the latest version of a publication at [www.qld.gov.au](http://www.qld.gov.au)**.** [↑](#footnote-ref-3)