*Environmental Protection Act 1994*

Convert existing conditions of a development approval/permit into an environmental authority

*This form is to be used when applying to convert particular existing conditions of a development permit or development approval into an environmental authority under section 678A of the* Environmental Protection Act 1994 *(EP Act) for an environmentally relevant activity (ERA).*

All applicants must be a registered suitable operator to carry out an ERA. If you are not registered complete and attach an *“Application to be a registered suitable operator”* (available at **www.qld.gov.au** using the publication number ESR/2015/1771 as a search term) to this application.

**Checklist for making this application**

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

If none of the checklist questions apply to your activity, you are not eligible to make this application. You can only complete this application if you have ticked ‘yes’ to one of the checklist questions below.

|  |  |  |  |
| --- | --- | --- | --- |
| **Checklist questions** | | | |
| Do any of the following apply to your activity? *Tick the appropriate check boxes.* | | | |
| **Development permits** | | | |
| Prior to 31 March 2013, did you hold a development permit for a chapter 4 activity but no registration certificate, under theEP Act*?* | | YES  NO  N/A | |
| Do you have a development permit for a chapter 4 activity (under the EP Act) that came into effect on or after 31 March 2013? | | YES  NO  N/A | |
| **Urban Development Area (UDA) approvals** | | | |
| Prior to 31 March 2013, did all three of the below criteria apply?   1. A UDA development approval for a chapter 4 activity was in effect. 2. The UDA development conditions of the UDA development approval nominate the administering authority to be the nominated assessing authority for the conditions under section 58(a) of the *Urban Land Development Authority Act 2007*. 3. There was no registration certificate issued for the activity under the EP Act. | | YES  NO  N/A | |
| **Priority Development Area (PDA) approvals** | | | |
| For activities relating to a PDA, do all three of the below criteria apply?   1. A PDA development approval for a chapter 4 activity, applied for prior to 31 March 2013, has come into effect? 2. The PDA development conditions of the UDA development approval nominate the administering authority to be the nominated assessing authority for the conditions under the section 88(a) of the *Economic Development Act 2012*. 3. There was no registration certificate issued for the activity under the EP Act. | | YES  NO  N/A | |
| **GUIDE** | | **Application details** | |
| Take particular care in filling out the applicant details as these are legally required for the issuing of any environmental authority. Applicant details, including the name and the address should reflect the details of the person or registered legal corporation.  If more space is required for any responses, please attach additional information as a separate page.  A sole applicant is an applicant where there is only 1 person or business applying to obtain an environmental authority.  A principal applicant is the individual or business nominated to act on behalf of joint applicants for the environmental authority application only.  It is particularly important to enter the correct Australian business number (ABN); Australian company number (ACN) of the incorporated company; association number (AN) of the incorporated association; or the title and section of the legislation that gives the statutory corporation its legal status.  If there is an agent acting on behalf of the sole or principal applicant 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. | | Applicant details  |  |  | | --- | --- | | sole or principal applicant details | | | INDIVIDUAL OR BUSINESS NAME (INCLUDE TRADING NAME IF RELEVANT) | | | ABN/ACN/AN (IF RELEVANT) | | | RESIDENTIAL ADDRESS OR REGISTERED BUSINESS ADDRESS (NOT A POST OFFICE BOX ADDRESS) | | | POSTAL ADDRESS (IF DIFFERENT FROM ABOVE) | | | CONTACT PERSON | | | PHONE | FACSIMILE | | EMAIL    cross if you **do not** want to receive correspondence via email | | | SUITABLE OPERATOR REGISTRATION NUMBER (IF ALREADY A REGISTERED SUITABLE OPERATOR) | |   When there is more than 1 applicant complete Attachment 1—Appointment of principal applicant by all joint applicants.  **Agent for principal applicant/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 sole or principal applicant.   |  |  | | --- | --- | | INDIVIDUAL OR BUSINESS NAME (INCLUDE TRADING NAME IF RELEVANT) | | | RESIDENTIAL ADDRESS OR REGISTERED BUSINESS ADDRESS (NOT A POST OFFICE BOX ADDRESS) | | | POSTAL ADDRESS (IF DIFFERENT FROM ABOVE) | | | CONTACT PERSON | | | PHONE | FACSIMILE | | EMAIL    cross if you **do not** want to receive correspondence via email | | | |
|  | | What is the permit reference number of the development approval or development permit you are applying to convert?  |  | | --- | | PERMIT REFERENCE NUMBER | | |
| All applicants, including joint applicants must be registered suitable operators to be issued an environmental authority.  Once a person or corporation has been registered as a suitable operator for carrying out an ERA, no further suitable operator applications need to be made as long as the applicant for the environmental authority matches the name (including ABN/ACN etc, if applicable) recorded on the suitable operator register.  If you have previously been approved as a registered suitable operator, you can find the suitable operator registration number on the decision notice advising you of your approved application, or by going to [**www.qld.gov.au**](http://www.qld.gov.au) and entering ‘suitable operator register’ as a search term. | | Are all applicants (including principal and joint applicants) registered as suitable operators? Yes →All applicants are registered suitable operators and the respective suitable operator registration numbers have been provided (either in question 1 or attachment 1).  No →  All/some applicants have previously lodged their applications to become registered suitable operators and are waiting for a decision.  All/some applicants have not previously lodged applications to become registered suitable operators. These applicants must each must complete the *“Application to be a registered suitable operator”* (ESR/2015/1771[[1]](#footnote-2)) and attach it to this application. If there is more than one applicant, a separate application must be attached for each applicant. The application must be completed in full, otherwise this application may be rejected as incomplete. | |
|  | | Location where the ERA will be carried out For an ERA that will be carried out at a fixed location, complete the table below.   |  |  |  | | --- | --- | --- | | STREET NUMBER | STREET NAME | SUBURB/TOWN | | POSTCODE | LOT/PLAN(S) | | | PORT | | |   For a mobile and temporary prescribed ERA, provide details of the area of operation in the table below.   |  | | --- | | AREA OF OPERATION E.G. PARTICULAR LOCAL GOVERNMENTS OR ACROSS THE STATE OF QUEENSLAND | | |
| If the ERAs forming part of this application are to be carried out as part of a single integrated operation with an existing environmental authority, you may apply to add the ERAs to the existing EA.  ERAs are carried out as a single integrated operation if:  - the activities are carried out under the day-to-day management of a single responsible individual, for example a site or operations manager; and  - the activities are operationally interrelated; and  - the activities are or will be carried out at 1 or more places; and  - 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. | | ERA details  |  |  |  | | --- | --- | --- | | list all the eras forming part of this application | | | | ERA NUMBER | NAME OF ERA | THRESHOLD | |  |  |  | |  |  |  | |  |  |  | |  |  |  |   Are the ERAs forming part of this application to be carried out as a single, integrated operation with an existing environmental authority?  Yes →Quote the existing environmental authority number below   |  | | --- | | EXISTING ENVIRONMENTAL AUTHORITY NUMBER |   No | |
| You may choose to nominate a date or event for when the environmental authority will take effect. An event can include a phase of your project you know will occur before you commence operation (for example commissioning of equipment). This take-effect date or event will be the date or event from which your annual fees will commence to be charged (your anniversary date).  Where you have nominated a take-effect date, you must not commence any activities approved under the environmental authority until the take-effect date stated on the environmental authority occurs. If you nominated an event, you will need to give written notice to the administering authority that the stated event has occurred before you commence your operation. | | Take effect date Do you want the environmental authority to take effect on a nominated date or event? (Note: if you answered ‘yes’ at question 5, you cannot nominate a take effect date)  Yes →Nominate the date or event below.   |  | | --- | | NOMINATED TAKE-EFFECT DATE OR EVENT |   No → The take-effect date will be the date of decision or as nominated by the administering authority. | |
| Where there is more than 1 applicant, this declaration is to be signed by all applicants, unless a principal applicant has been nominated in Attachment 1, in which case the principal applicant can sign on behalf of all the joint applicants.  Where the sole or principal applicant is a company, this form is to be signed by an authorised person for that company.  **Privacy statement**  The Departments of Environment, Science and Innovation and Agriculture and Fisheries are collecting the information on this form to process your application to convert particular existing conditions into an environmental authority. This collection is authorised under sections 678A and 678B of the *Environmental Protection Act 1994*. Your personal information will only be accessed by authorised employees within these departments and will not be disclosed to any other parties unless authorised or required by law.  For queries about privacy matters please email [**privacy@des.qld.gov.au**](mailto:privacy@ehp.qld.gov.au)or telephone: 13 74 68. | | **Declaration**  I declare that:   * I am the applicant or an authorised signatory for the applicant * The information provided is true and correct to the best of my knowledge. I understand that it is an offence under section 480 and s480A 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, misleading or incomplete in a material particular. * I understand that failure to provide sufficient information may result in the application being refused. * 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 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 management practices proposed or implemented.  |  |  | | --- | --- | | APPLICANT’S NAME | | | SIGNATURE | | | POSITION OF SIGNATORY | DATE | | JOINT APPLICANT’S NAME (IF APPLICABLE) | JOINT APPLICANT’S SIGNATURE (IF APPLICABLE) | | JOINT APPLICANT’S NAME (IF APPLICABLE) | JOINT APPLICANT’S SIGNATURE (IF APPLICABLE) | | |
|  | | **Applicant checklist**  Application form has been signed and completed.  Attachment 1: Appointment of principal applicant by all joint applicants has been signed and completed (if applicable).  Attachment 2: Application to be registered as a suitable operator signed and completed (if applicable).  Question 4: Additional details have been attached with a description of land where ERA will be carried out (if applicable).  Question 5: Additional supporting information details for the prescribed ERA have been attached (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/2015/1720 for this document) as a search term. | | 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: 13 25 23  Fax: (07) 4529 9233  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**](mailto:palm@des.qld.gov.au)  Phone: 13 QGOV (13 74 68) | |  |  | | |

Attachment 1

Joint applicants and appointment of principal applicant

|  |  |  |
| --- | --- | --- |
| We, being joint applicants for this environmental authority, hereby nominate the following as principal applicant: | | |
|  | | |
| Printed name of principal applicant | | |
| Name/Company | | ABN/ACN/AN |
| Signatory name and position | Signature | Date |
| Suitable Operator Registration Number (if already a registered suitable operator) | | |
|  | |  |
| Name/Company | | ABN/ACN/AN |
| Signatory name and position | Signature | Date |
| Suitable Operator Registration Number (if already a registered suitable operator) | | |
|  | |  |
| Name/Company | | ABN/ACN/AN |
| Signatory name and position | Signature | Date |
| Suitable Operator Registration Number (if already a registered suitable operator) | | |
|  | |  |
| Name/Company | | ABN/ACN/AN |
| Signatory name and position | Signature | Date |
| Suitable Operator Registration Number (if already a registered suitable operator) | | |
|  | |  |
| Name/Company | | ABN/ACN/AN |
| Signatory name and position | Signature | Date |
| Suitable Operator Registration Number (if already a registered suitable operator) | | |
|  | |  |
| Name/Company | | ABN/ACN/AN |
| Signatory name and position | Signature | Date |
| Suitable Operator Registration Number (if already a registered suitable operator) | | |
|  | |  |
| Name/Company | | ABN/ACN/AN |
| Signatory name and position | Signature | Date |
| Suitable Operator Registration Number (if already a registered suitable operator) | | |

1. 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**. [↑](#footnote-ref-2)