Application form

*Environmental Protection Act 1994*

Temporary authority

This is the form to make an application for a temporary authority under section 316GC of the Environmental Protection Act 1994 (EP Act) to carry out an environmentally relevant activity (ERA) in an emergency situation.

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| **Privacy** **statement**  The Department of Environment, Science and Innovation (the department) is committed to protecting the privacy, accuracy and security of your personal information in accordance with the *Information Privacy Act 2009*. The department is collecting your personal information under the *Environmental Protection Act 1994* in order to process your application for a temporary authority. The information will only be accessed by authorised employees within the department. 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](mailto:privacy@des.qld.gov.au) or telephone: 13 74 68.  NOTE: This application form is for the use of ERAs administered by the Department of Environment, Science and Innovation and the Department of Agriculture and Fisheries. Refer to the information sheet Temporary Authorities (ESR/2023/6544[[1]](#footnote-2)) for further details. |

**Important information – please read**

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| **Pre-lodgement contact with the administering authority:**  It is recommended that, in instances where time permits and prior to making this application, you have a pre-lodgement meeting with the department to understand what information you need to provide with your application. To contact your relevant business centre:   * for prescribed ERAs 2, 3 and 4—contact the Department of Agriculture and Fisheries by phone on 13 25 23 or by email at [livestockregulator@daf.qld.gov.au](mailto:livestockregulator@daf.qld.gov.au). * for any other ERAs —please contact the Department of Environment, Science and Innovation by phoning 1300 130 372 (select option 4) or emailing [palm@des.qld.gov.au](mailto:palm@des.qld.gov.au). |

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| **Temporary use licenses under the Planning Act 2016.**  The temporary authorities process under the EP Act does not negate the requirement to obtain other relevant local, State or Commonwealth approvals, including approvals under the *Planning Act 2016* (Planning Act).  The Planning Act provides for operators to apply for a temporary use license, including where the proposal increases the intensity or scale of the existing lawful use or proposes a material change of use.  Contact the Department of Housing, Local Government, Planning and Public Works (DHLGPPW) to obtain advice about how to apply for a temporary use license under the Planning Act. Information is available at [DHLGPPW](https://planning.statedevelopment.qld.gov.au/planning-framework/legislation/ministers-powers/applicable-events) or alternatively email [TUL@dsdilgp.qld.gov.au](mailto:TUL@dsdilgp.qld.gov.au). |

**Only use this application form if you are applying for a temporary authority:***Note: A temporary authority is not intended for activities that are ongoing or are not carried out on a temporary basis in an emergency (e.g. petroleum and gas, coal mining or mineral mining activities generally).*

to carry out a relevant ERA[[2]](#footnote-3), i.e.:

* to carry out a new ERA in relation to an emergency situation (where the activity was not carried out or was not an ERA before the start of the emergency situation)

OR

* for an increase, or likely increase, in the intensity or scale of an ERA that is already authorised by an environmental authority (EA), as a result of an emergency situation, which would otherwise require an EA amendment or another EA.

AND

The proposed new ERA, or increase in intensity or scale of an existing ERA, is temporary.

AND

The application relates to an emergency situation (refer to the definition of emergency situation in part 6 of this form or section 316GA of the EP Act).

# Applicant details

|  |  |  |
| --- | --- | --- |
| Is there more than one applicant? | No—provide applicant’s details below.  Yes— provide the principal applicant’s details below and all other applicants’ details in Attachment 1—“Joint applicants and appointment of principal applicant” | |
| Name - individual or contact person if applicant is an organisation  Click or tap here to enter text. | | Suitable Operator Reference Number  Click or tap here to insert text if applicable. Note: You are not required to be a Registered Suitable Operator to hold a temporary authority. |
| Organisation name, including any trading name (if an organisation)  Click or tap here to enter text. | | ABN/ACN (if an organisation)  Click or tap here to enter text. |
| Residential or registered business address (not a post office box)  Click or tap here to enter text. | | Phone  Click or tap here to enter text. |
| Postal address (if same as above, write “AS ABOVE”)  Insert | | Email  Click or tap here to enter text.I wish to receive correspondence via email |

# Nomination of an agent for this application

|  |  |  |
| --- | --- | --- |
| Do you want to nominate an agent for this application? | No → Go to next question.  Yes → Provide details below. | |
| *I/we nominate the below agent to act on my/our behalf and to receive correspondence relating to this application. For example, a consultant or company preparing the application on the applicant’s behalf. 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 of agent – individual or contact person if agent is an organisation  Insert | | |
| Organisation name, including trading name if an organisation  Insert | | ABN/ACN (if an organisation)  Insert |
| Postal address  Insert | | Phone  Insert |
| Email  Insert  I want to receive correspondence via email | | |

# Description of land where the ERA will be carried out

Where activities will be undertaken at more than three locations, provide additional details in Attachment 2.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Will the ERA/s be carried out at a fixed location? | No → The proposed activities are mobile and temporary and will be recorded as “State of Queensland”.  Yes → Go to next question. | | | |
| Is the relevant ERA a resource activity? | No → Provide details below.  Yes → Go to next question. | | | |
| Street address (include street number, name and suburb)  Insert | | | | Postcode  Insert |
| Real Property Description (include Lot/Plan)  Insert | | Will all of the proposed activities be at this location?  Yes  No – which activities will be at this location? Insert | | |
| Street address (include street number, name and suburb)  Insert | | | Postcode  Insert | |
| Real Property Description (include Lot/Plan)  Insert | | Will all of the proposed activities be at this location?  Yes  No – which activities will be at this location? Insert | | |
| Street address (include street number, name and suburb)  Insert | | | Postcode  Insert | |
| Real Property Description (include Lot/Plan)  Insert | | Will all of the proposed activities be at this location?  Yes  No – which activities will be at this location? Insert | | |

## Description of land where the resource ERA will be carried out

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Note: It is the responsibility of the applicant to ensure their tenure permits the relevant ERA. | | | | |
| Tenure type/s\* e.g. DAA, EPM, EPC | | Tenure number\* | Local government area (LGA)\* | Date on application\* |
| Insert. | | Insert. | Insert. | Insert date. |
| Insert. | | Insert. | Insert. | Insert date. |
| Insert. | | Insert. | Insert. | Insert date. |
| Insert. | | Insert. | Insert. | Insert date. |
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| Insert. | | Insert. | Insert. | Insert date. |
| Insert. | | Insert. | Insert. | Insert date. |
| GPS coordinates (\*if known): | Insert. | | | |
| Provide a description of land below or on an attachment e.g. environmental values, bioregions and regional ecosystems, terrain, shallow ground water systems, floodplains, springs and soil descriptions\*  Insert. | | | | |

I have attached a description of land (if required)

# Relevant ERAs to be applied for

|  |  |  |
| --- | --- | --- |
| Provide details of which ERA(s) you wish to carry out. | | |
| **ERA number** | **Threshold** | **Name of ERA** |
| Insert | Insert | Insert |
| Insert | Insert | Insert |
| Insert | Insert | Insert |
| Insert | Insert | Insert |
| I HAVE ATTACHED DETAILS OF ADDITIONAL ERAs (IF REQUIRED) | | |

# Details of emergency situation and relevant ERA

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| *Emergency situation* is defined in section 316GA of the EP Act. To apply for this authority one of the following must apply. Select those that are relevant to the current emergency situation. | |
| An emergency for which an authorised person may give an emergency direction or take an action under section 467 of the *Environmental Protection Act 1994*.  A biosecurity event for which a biosecurity emergency order is made under the *Biosecurity Act 2014*, section 113.  A disaster situation declared under the *Disaster Management Act 2003*, part 4.  The following under the *Fire and Emergency Services Act 1990*—  a situation in relation to which an authorised fire officer may take measures under section 53 of that Act; or  a state of fire emergency declared under section 87 of that Act.  An emergency situation declared to exist under the *Public Safety Preservation Act 1986*, section 5.  A public health emergency for which a public health emergency order is declared under the *Public Health Act 2005*.  A radiation source in relation to which an inspector may exercise a power under the *Radiation Safety Act 1999*, section 148.  A discharge, or likely discharge, of pollutant into coastal waters for which an authorised officer may exercise a power under the *Transport Operations (Marine Pollution) Act 1995*, section 95. | |
| Describe the emergency situation. | Insert detailed description of the emergency situation that requires the application for a temporary authority |
| Is the relevant ERA an existing ERA or a new ERA? | New ERA: The activity was not carried out, or was not an ERA, prior to the start of the emergency situation. Further, as a result of the emergency situation, the activity is or is likely to be, carried out, or is likely to increase in intensity or scale and become an ERA for which an environmental authority would be required.  Existing ERA:There is an ERA for which an environmental authority in effect and the activity has increased, or is likely to increase, in intensity or scale as a result of the the emergency situation. Further, the increase in intensity or scale would ordinarily require an amendment of the existing environmental authority or another environmental authority.  Existing environmental authority number: Insert |
| Why is it necessary to carry out, or increase the intensity or scale of, the relevant ERA as a result of the emergency situation? | Insert detailed reasons i.e. The existing threshold of my authorised activity is insufficient to accommodate the additional volumes of waste coming in from flood recovery works. The upper limit of 10,000t/yr is forecast to be reached at our site in the coming days and we are seeking an increase in intensity to increase our threshold for the next 3 months to accommodate up to a further 40,000t of waste. |
| Describe the temporary nature of the proposed activity. **Note:** The temporary authority can only be issued for a period considered necessary to respond to the carrying out, or increase in intensity or scale, of the relevant ERA as a result of the emergency situation and cannot be for a period of more than 4 months. | Insert details of the activities proposed to be carried out under the temporary authority and when these activities are likely to occur, including any proposed rehabilitation works. Please also indicate the requested duration of the temporary authority, including the start and finish dates. i.e. The operation is proposed to commence immediately and will be required for 3 months. During this time the first two months will be focused on waste recovery and processing, with the final month being waste removal from the site to licenced landfill facilities and clean up to reinstate topsoil and remove the temporary infrastructure including fencing and signage. |

# Consideration of the environmental impacts

Environmental values can be determined through reviewing the relevant environmental protection policies made under the EP Act. There are approved policies for the air environment, acoustic environment, and for water and wetland biodiversity. Search the term ‘*Environmental protection policy*’ on the Queensland Government website <https://www.qld.gov.au/> to find out more.

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| Provide consideration of the likely impact of the relevant ERA on the environmental values of the receiving environment.  Given the nature of these authorities this may not be as comprehensive as the assessment that you would be required to complete in support of an application for an environmental authority. However, consideration of the key potential impacts and management measures to mitigate these where possible are still considered relevant.  As a temporary approval is granted for a maximum period of 4 months, you should provide sufficient information to demonstrate that any potential impacts associated with the relevant ERA will not continue beyond that period.  Consideration of the likely impact of the proposed activity on the environmental values should include the following matters:   * a description of the environmental values likely to be affected, * details of any emissions or releases likely to be generated, * a description of the risk and likely magnitude of impacts on the environmental values, * details of the management practices proposed to be implemented to prevent or minimise adverse impacts. |
| Insert details of the environmental risks and any management measures proposed. |

# 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 temporary 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\* |
| 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:**

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| --- | --- | --- |
| **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) |

**Template version history**

| **Version** | **Date** | **Version details** |
| --- | --- | --- |
| 1.00 | 03 May 2023 | Initial publication of form |
| 1.01 | 21 August 2023 | Minor updates to include new information sheet (ESR/2023/6544) and removal of RSO requirements. |
| 1.02 | 01 September 2023 | Inclusion of text regarding TAs and resource activities generally. |
| 1.03 | 08 September 2023 | Minor clarification of checklist requirements. |
| 1.04 | 09 February 2024 | Document rebranded to align with machinery of government changes. |

**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 contact person 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\* | Indicate if you want to receive correspondence via email |
| Signature\* | Date\* |

|  |  |
| --- | --- |
| Name - individual or contact person if applicant is an organisation\* | Suitable Operator Reference Number\* |
| Organisation name including trading name (\*if an organisation) | ABN/ACN (\*if an organisation) |
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| Email\* | Indicate if you want to receive correspondence via email |
| Signature\* | Date\* |

|  |  |
| --- | --- |
| Name - individual or contact person if applicant is an organisation\* | Suitable Operator Reference Number\* |
| Business 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\* | Indicate if you want to receive correspondence via 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.

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| --- | --- | --- | --- |
| Street address (include street number, name and suburb)  Insert | | | Postcode  Insert |
| Real Property Description (include Lot/Plan)  Insert | Will all of the proposed activities be at this location?  Yes  No – which activities will be at this location? Insert | | |
| Street address (include street number, name and suburb)  Insert | | Postcode  Insert | |
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| Street address (include street number, name and suburb)  Insert | | Postcode  Insert | |
| Real Property Description (include Lot/Plan)  Insert | Will all of the proposed activities be at this location?  Yes  No – which activities will be at this location? Insert | | |

1. This is the publication number, which can be used as a search term to find the latest version of the publication

   at [www.des.qld.gov.au](http://www.des.qld.gov.au) [↑](#footnote-ref-2)
2. Refer to the definition of ‘relevant ERA’ in section 316GA of the EP Act. [↑](#footnote-ref-3)