***Waste Reduction and Recycling Act 2011***

Application to amend waste levy instalment agreement

This form must be used for making an application to the chief executive[[1]](#footnote-1) to amend a waste levy instalment agreement under section 72D of the Waste Reduction and Recycling Act 2011 (the Act).

*In accordance with section 72D of the Act, the operator of a levyable waste disposal site may apply to the chief executive for an amendment of a waste levy instalment agreement to:*

1. *include an additional waste levy amount; or*
2. *extend the period for the repayment of the total waste levy amount subject to the agreement.*

*However:*

1. *the additional amount sought must not be more than 10 per cent of the total waste levy amount owing by the operator when the application is made, other than an amount already the subject to the agreement; and*
2. *the period of any extension must not be more than three months; and*
3. *the operator must not have previously made an application for the amendment of the waste levy instalment agreement.*

*Please note, the making of an application for the amendment does not itself affect the applicant’s current obligations under the waste levy instalment agreement.*

*In accordance with section 72F of the Act, if an operator fails to pay an instalment on or before an instalment day under a waste levy instalment agreement, the waste levy instalment is taken to be no longer in force and the due date for the waste levy amount is determined by section 72F of the Act.*

*In accordance with section 56 of the Act, if a waste levy amount owing by an operator remains unpaid after its due date, interest is payable on the unpaid amount for each day starting on the day after the due date for payment and ending on the day the amount is actually paid. Any unpaid waste levy amount payable by the operator of a levyable waste disposal site and remaining unpaid after its due date for payment, and interest payable on the unpaid amount, may be recovered by the chief executive in a court with jurisdiction for the recovery of the amount as a debt payable by the operator to the State.*

*When completing this form, it is recommended that applicants read the information regarding the waste levy on the Queensland Government’s website at www.qld.gov.au/wastedisposallevy.*

1. **Applicant details**

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| --- |
| NAME OF COMPANY/ORGANISATION <NOTE: FOR WASTE DISPOSAL SITE OPERATORS THIS MUST BE THE LEGAL ENTITY HOLDING THE ENVIRONMENTAL AUTHORITY>      |
| TRADING NAME (if applicable)      |
| ABN/ACN       |
| CHIEF EXECUTIVE OF COMPANY/ORGANISATION       |
| REGISTERED OFFICE ADDRESS (not a post office box)      |
| SUBURB       | POSTCODE       |
| POSTAL ADDRESS (if different from above)      |
| SUBURB        | POSTCODE       |
| OFFICE MAIN PHONE       |
| EMAIL OF ENTITY (if applicable)       |

|  |
| --- |
| CONTACT PERSON FOR APPLICATION      |
| POSITION       |
| PHONE       | MOBILE       |
| EMAIL       |

How would you like to receive correspondence from the department?

|  |  |
| --- | --- |
| [ ]  To your nominated email addresses above | [ ]  Mailed to your postal address above |

1. **Eligibility criteria**

Is this the first application made by the operator of the levyable waste disposal site for an amendment to the waste levy instalment agreement? *<NOTE: If you answer ‘No’ to the below statements, please do not continue with the application. If required, contact the department on the contact details at the end of this form.>*

[ ]  Yes [ ]  No

1. **Waste levy instalment agreement details**

Please provide details of the waste levy instalment agreement for which the amendment is sought.

|  |  |
| --- | --- |
| **instalment AGREEMENT referEnce number (ON FRONT PAGE OF NOTICE)** | wla      |
| **Total amount the subject of the agreement**  |       |
| **Balance of the agreement at THE date of application** |       |
| **agreement start date**  |       |
| **agreement end date**  |       |

1. **Amendment sought**

Please select the type of amendment/s the operator of the levyable waste disposal site is seeking to make.

*<NOTE: The operator of the levyable waste disposal site may select to amend both the amount subject to the instalment agreement and the period for repayment simultaneously.>*

[ ]  Include an additional waste levy amount to the waste levy instalment agreement - please proceed to Question 5; and/or

[ ]  Extend the period for repayment of the total waste levy amount the subject of the agreement - please proceed to Question 6.

1. **Include an additional waste levy amount to the agreement**

*<NOTE: Answer this question if seeking to include an additional amount to the waste levy instalment agreement. If* ***only*** *seeking to extend the period for repayment of the total waste levy amount please proceed to Question 6.>*

Please provide details of the total waste levy amount owed by the operator at the time of making the amendment application and the additional amount sought to be included in the agreement.

*<NOTE: In accordance with section 72D, any additional waste levy amount sought to be added to the agreement must not be more than 10 percent of the total waste levy amount owed by the operator at the time of making the application, other than the amount already the subject of the agreement and interest invoices.>*

|  |  |
| --- | --- |
| **Total waste levy amount owed at time of making amendment application** | $      |
| **Total waste levy amount sought to be included in waste levy instalment agreement.**  | $      |

Please provide details of the invoice/s associated with the additional waste levy amount sought to be included in the agreement. *<Note: an instalment agreement may be for the entirety or a partial amount of a waste levy invoice.>*

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | **Inv 1** | **INv 2** | **Inv 3** | **TOtal** |
| **invoice number**  |       |       |       | N/A |
| **due date for payment**  |       |       |       | N/A |
| **Invoice balance** |       |       |       |       |
| **Amount to be included in instalment agreement** |       |       |       |       |

If not seeking to extend the period of repayment for the waste levy amount, please provide details of the proposed amended instalment agreement from the date of the amendment (the day the amendment application was submitted) – otherwise, please proceed to question 6. *<NOTE: The individual instalment amount provided in the below table must equal the total amount subject of the instalment agreement when multiplied by the frequency of instalments.>*

|  |  |
| --- | --- |
| **individual instalment amount from date of amendment** |       |
| **Total number of instalments from date of amendment** |       |
| **DAte of first instalment following the amendment (DD/MM/YYYY)** |       |
| **Frequency of instalments from date of first instalment following the amendment** | [ ]        Days, [ ] Weekly, [ ] Fortnightly, [ ] Monthly |

1. **Extend the period for repayment of the total waste levy amount**

*<NOTE: Please answer this question if seeking to extend the period for repayment of the total waste levy instalment agreement. If* ***only*** *seeking to add an additional waste levy amount to the agreement please only answer question 5.>*

Is the period of the extension sought less than three months post the end date of the waste levy instalment agreement? *<NOTE: In accordance with section 72D of the Act, the period of extension must not be for more than three months. If you answer ‘No’ to the below question, please do not continue with the application. If required, contact the department on the contact details at the end of this form.>*

[ ]  Yes [ ]  No

Please provide details of extension sought.

|  |  |
| --- | --- |
| extension start date (DD/MM/YYYY)      | extension end date (DD/MM/YYYY)      |

Please provide details of the proposed amended instalment agreement from the day of the amendment (the day the amendment application was submitted). *<NOTE: The individual instalment amount provided in the below table must equal the total amount subject of the instalment agreement when multiplied by the frequency of instalments.>*

|  |  |
| --- | --- |
| **individual instalment amount from date of amendment** |       |
| **Total number of instalments from date of amendment** |       |
| **DAte of first instalment following the amendment (DD/MM/YYYY)** |       |
| **Frequency of instalments from date of first instalment following the amendment** | [ ]        Days, [ ] Weekly, [ ] Fortnightly, [ ] Monthly |

1. **Details of entity’s financial situation**

*<NOTE: under s 72D(5) of the Act, the chief executive may grant the application only if satisfied the applicant has demonstrated an inability to pay waste levy amounts owing within the time provided; and how amendment of the agreement will allow the applicant to pay all waste levy amounts owing and future waste levy amounts.>*

Please provide details of operator’s inability to pay the waste levy amounts owing within the time provided for in the agreement, including the change in the operator’s circumstances that has resulted in the operator seeking the amendment to the waste levy instalment agreement.

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|       |

Please provide details on how the amendment to the agreement will allow to operator to pay all waste levy amounts owing under the agreement and all future waste levy amounts by their due date for payment.

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|       |

Please indicate if further supporting information has been attached. [ ]

1. **Declaration**

*<NOTE: This section is to be completed by the person authorised to sign this application on behalf of the applicant. If you have provided false or misleading information in this application you may be liable for prosecution under the Act.>*

* This application is for an amendment to a waste levy instalment agreement between the operator of the levyable waste disposal site and the State.
* I do solemnly and sincerely declare that the information provided is true and correct to the best of my knowledge.
* I understand that if an instalment is not paid on or before an instalment day the waste levy instalment agreement will no longer be taken to be in force, and the due date for payment will be determined in accordance with section 72F(1)(b) of the Act.
* I understand that it is an offence under sections 265 and 265A of the Act to give to the chief executive information, or a document containing information that I know to be false, misleading or incomplete in a material particular.
* 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* or as otherwise required or authorised by law.

|  |  |
| --- | --- |
| FULL NAME      | POSITION      |
| SIGNATURE | DATE      |

# Applicant checklist

[ ]  Application form completed and signed.

[ ]  Supporting information attached (if applicable).

**Please submit this completed application form and supporting information using one of the following methods:**

**Email:** **wastelevyapps@des.qld.gov.au**

The email subject line should state ‘Application to amend waste levy instalment agreement’.

The file size limit for submission via email is 20MB. Any submission via email which exceeds 20MB will need to be broken down into separate emails, with each email subject line clearly stating ‘Part X of X’ (e.g. Part 1 of 2).

**If needed, please contact Levy Services at** **wastelevyapps@des.qld.gov.au**

**Privacy statement**

The Department of Environment, Science and Innovation 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 in this form in order to determine what information is available and respond to your request. 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 or telephone: 13 74 68.

1. [↑](#footnote-ref-1)