Report

*Environmental Protection Act 1994*

Rehabilitation report

|  |
| --- |
| *This report is the approved form to be used by an applicant submitting a final rehabilitation report pursuant to section 264 of the* Environmental Protection Act 1994 *(EP Act). It is also the report to be used by an applicant submitting a progressive certification report under section 318ZF of the EP Act, where a PRCP schedule does not apply to the relevant activities carried out in the proposed certified area; or removing a prescribed environmentally relevant activity (ERA) from an environmental authority as part of an amendment application under section 226 of the EP Act.***How to use a rehabilitation report**The holder of an environmental authority must submit either a final rehabilitation report as part of the requirements of an application to surrender an environmental authority or a progressive certification report as part of an application for progressive certification. A rehabilitation report must also be submitted to support an amendment application where a prescribed ERA is being removed from an environmental authority. This report must be supported by enough information to allow the administering authority to decide whether the conditions of the environmental authority have been complied with and whether the land on which ERA has been carried out, has been satisfactory rehabilitated. The administering authority may also conduct a field inspection and may request that further rehabilitation be undertake where relevant. |
| **GUIDE**If you require assistance in answering any part of this form, or have any questions about your application, please contact Permit and Licence Management. Contact details are at the end of this form. If more space is required for any responses, please attach additional information as a separate page. | **Information requirements** |
| Tick the applicable rehabilitation report type[ ]  Final rehabilitation report to support an application to surrender an environmental authority[ ]  Progressive certification report to support an application for progressive certification[ ]  Rehabilitation report to support an application to amend an environmental authority |
| The environmental authority number and details may be found on the existing environmental authority or quoted in other correspondence received from the administering authority. | Environmental authority number

|  |
| --- |
| ENVIRONMENTAL AUTHORITY NUMBER Insert number. |
| NAME OF ENVIRONMENTAL AUTHORITY HOLDER/S Insert name(s). |

 |
|  | Author (or compiler) of the rehabilitation report

|  |
| --- |
| CONTACT NAME AND ORGANISATION NAME (IF APPLICABLE)Insert name. |
| RESIDENTIAL ADDRESS OR REGISTERED ADDRESS (NOT A POST OFFICE BOX ADDRESS)Insert address. |
| PHONE Insert number. | FACSIMILE Insert number. |
| EMAILInsert email. |

C |
|  | Future contact for rehabilitation/post surrenderOnly complete this section if the future contact is different to the author (or compiler) nominated above.

|  |
| --- |
| CONTACT NAME AND ORGANISATION NAME (IF APPLICABLE)Insert name. |
| RESIDENTIAL ADDRESS OR REGISTERED ADDRESS (NOT A POST OFFICE BOX ADDRESS)Insert address. |
| PHONE Insert number. | FACSIMILE Insert number. |
| EMAILInsert email. |

 |
|  | Disturbance and rehabilitation

|  |
| --- |
| period of disturbance:Insert. |
| total area disturbed: Insert. m2 | total area rehabilitated:Insert m2 |

 |
| You must attach all of the relevant information for each check box in this section for the rehabilitation undertaken.Historic information is only required if you are trying to establish that areas of historic disturbance have not been reworked under the current or preceding tenements with continuous entitlements and liabilities. | Description and status of rehabilitation

|  |
| --- |
| **5.1 All activities** |
| [ ]  | Describe the nature and extent of disturbance. |
| [ ]  | Describe the status of the rehabilitation.  |
| [ ]  | Provide an assessment of the rehabilitation against any conditions of the environmental authority or any standards referenced in a relevant plan of operations. This must include analysis of any monitoring data and results relevant to any rehabilitation indicators. |
| [ ]  | Attach maps and diagrams at an appropriate scale that identifies:* the proposed rehabilitated area in relation to the property/tenure boundaries
* GPS coordinates (in GDA2020) of the corners of the rehabilitated area or metes and bounds of the perimeter of the rehabilitated area
* the extent of disturbance
* the final landform (contoured at an appropriate intervals) and drainage pattern
* the nature of the rehabilitation (if different types were used)
* any remaining items of infrastructure (if any) including any heritage listed features and for petroleum activities, all infrastructure that has been transferred to a landholder prior to the surrender to the environmental authority
* any inhabited dwellings and community infrastructure
* any land that was or is contaminated as a result of the activities undertaken onsite
 |
| [ ]  | Attach relevant photographs of the rehabilitation along with a plan illustrating where the photograph was taken from and its aspect.  |
| [ ]  | Attach any statements or certificates by an appropriately qualified person regarding the construction, stability or likely future performance of structures forming part of the rehabilitation (e.g. dams, escarpments).  |
| **5.2 Activities other than resource activities only** |
| [ ]  | Describe any ongoing environmental management needs for the land. |
| **5.3 Resource activities only** |
| [ ]  | Provide information about any consultation undertaken regarding the rehabilitation. |
| [ ]  | Identify and illustrate any areas that have previously been certified under a progressive certification application.[ ] N/A – previous progressive certification has not been done |
| [ ]  | For surrender applications, describe any mining activities that have occurred in the area, noting historic disturbance that occurred prior to the grant of the current tenement and any previous tenements that gave continuous entitlement to the resource. [ ] N/A – historic disturbance is not separate to this rehabilitation proposal. |
| [ ]  | Provide indicative figures for any amounts of overburden, waste rock or resources that have been removed from the land or is now deposited on the land. [ ] N/A – materials have not been removed or deposited in relation to rehabilitation. |

C |
|  | Do you have an approved transitional environmental program in place or have you submitted one?[ ]  Yes → [ ]  A draft transitional environmental program is approved and all environmental commitments under the program have been completed. [ ]  A draft transitional environmental program is approved and there is further land management/rehabilitation, monitoring and maintenance required. [ ]  A draft transitional environmental program has been submitted with the correct fee together with this application and there is further land management/rehabilitation, monitoring and maintenance required.[ ]  No  |
| There are various reasons why some items of infrastructure may be left post decommissioning or post surrender of an environmental authority. For example the landowner may request that a road remains to provide access to land or that a dam remain for water storage purposes.The process for transferring petroleum infrastructure applies to those who meet the definition of landholder as stated in the guideline *Transferring petroleum infrastructure to landholders* (ESR/2020/5403). The meaning of landholder as applicable to transferring petroleum infrastructure prior to surrender is contained with the guideline, *Transferring petroleum infrastructure to landholders* (ESR/2020/5403). For infrastructure transfers to occur upon surrender, please use the template document attached to the back of this form.For infrastructure transfers that have already been transferred to a landholder prior to the surrender of the environmental authority, the template document attached to the back of this form does not need to be used. Details are to be attached separately to the Rehabilitation report form (ESR/2015/1616) if not previously given to the administering authority. | Has the landowner or any proposed future landowner, agreed to take over any infrastructure or areas of disturbance on site?[ ]  Yes → The activity is a petroleum activity and infrastructure has already been transferred to a landholder prior to the surrender of the environmental authority.[ ]  A list of infrastructure items that have been transferred to landholders prior to the surrender of the environmental authority including transfer dates is attached.[ ]  Copies of all signed and dated agreement/s with the landholder for the transfer of each infrastructure item are attached.[ ]  Yes → Infrastructure is to be transferred to a landowner upon surrender of the environmental authority.[ ]  An agreement signed by the current landowner and any future landowner (if applicable) clearly indicating what existing structures or disturbed areas they will be taking ownership of, and the state of the structure or area upon transfer is attached. Please use the template document attached to this back of this form.[ ]  No → Go to question 8. |
| Under the *Mineral Resources Act 1989*, approval from the Minister is required for infrastructure to be left on the land. Written authorisation must be obtained from the Mining Registrar. For further information see the *Mineral Resources Act 1989*:* + Mining lease: section 276(1)(d) and 312(4)
	+ Mining claim section 81(i)(ii)
 | For an environmental authority over a mining lease or mining claim tenure, has the approval under the *Mineral Resources Act 1989* been obtained to leave any infrastructure on the land?[ ]  Yes → Attach a copy of the approval.[ ]  No [ ]  N/A |
| Throughout the life of the activity, the holder of the environmental authority is required to notify the administering authority if a notifiable activity (as listed in Schedule 3 of the EP Act) is being carried out on the land, or if the land has been contaminated by a hazardous contaminant. The particulars of such land are then recorded on the EMR or CLR. Refer to Chapter 7, Part 8 of the EP Act and the guideline *The duty to notify for contaminated land* (ESR/2016/2155) for further information on contaminated land requirements.  | Is the land on the environmental management register (EMR) or the contaminated land register (CLR)?[ ]  Yes → Provide information on:* The contaminated land status
* Contamination from the activity relevant to the environmental authority and from any historic activities conducted on the site
* How the land twill meet the rehabilitation commitments including the intended future land use for the site
* Any suitability statements or draft site management plans for the land.

[ ]  No  |
| **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 in accordance with sections 226, 262, 264, 318ZD and 318ZF of the *Environmental Protection Act 1994* in order to process your application to surrender an environmental authority, for progressive certification, or to amend an environmental authority by removing a prescribed ERA. The information will only be accessed by authorised employees within the department.Information may be given to the Department of Resources for the purposes of processing the application to surrender the environmental authority. 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 liable for prosecution under the *Environmental Protection Act 1994*. I/We declare that: * The information provided is true and correct to the best of my knowledge. I understand that it is an offence under sections 480 and 480A 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 in this form may be disclosed publicly in accordance with the *Right to Information Act 2009* and the *Evidence Act 1977*.

|  |
| --- |
| NAME Insert name. |
| SIGNATURE |
| POSITION OF SIGNATORY Insert position. | DATE Insert date. |

 |
| The latest version of this publication and other publications referenced in this document can be found at **www.des.qld.gov.au** using the publication number (ESR/2015/1616 for this form) as a search term or by contacting Permit and Licence Management. | **Enquiries:**Permit and Licence ManagementPhone: 13 QGOV (13 74 68)Email: **palm@des.qld.gov.au**  |

|  |
| --- |
| Attachment 1—Landowner statement |
| This attachment is to be used by the environmental authority holder to attach to the final rehabilitation report or the progressive certification report that accompanies an application to surrender an environmental authority or an application for progressive certification, respectively. It is to also be attached to the rehabilitation report for an application to amend an environmental authority where a prescribed ERA is being removed from the environmental authority. If you are a holder of an environmental authority for a petroleum activity and infrastructure has already been transferred to a landholder[[1]](#footnote-1) prior to the surrender application for the environmental authority, details of those transfer/s do not need to be included in this Landowner statement. Details are to be attached separately to the Rehabilitation report form (ESR/2015/1616) if not previously given to the administering authority.This form is to be used:* To obtain a statement from the land owner of their overall satisfaction with the rehabilitation.
* If there is a proposed transfer of remaining infrastructure (e.g. a road) or remaining disturbed areas (e.g. extraction voids) to the landowner in a particular state upon surrender of the environmental authority.

The information provided on this form will be considered by the administering authority in the assessment of whether the conditions of the environmental authority have been complied with and whether the land has been satisfactorily rehabilitated. The administering authority may also conduct a field inspection and may request that further rehabilitation be undertake where relevant. If you require assistance in answering any part of this form, or have any questions about your application, please contact Permit and Licence Management. Contact details are at the end of this form.  |

|  |  |
| --- | --- |
| **GUIDE**  | Information requirements |
| If more space is required for any responses, please attach additional information as a separate page.Example of land descriptionLot: 1Plan: 123456Tenure: Special Lease 12Current usage: Reserve | Land description

|  |
| --- |
| LOT(S)Insert. |
| PLAN(S)Insert. |
| TENUREInsert. |
| CURRENT USAGEInsert. |

 |
|  | Environmental authority number

|  |
| --- |
| ENVIRONMENTAL AUTHORITY NUMBERInsert number. |

 |
| Where the landowner is not an individual (e.g. a company or group), provide the name and contact details of a person who is authorised to act on behalf of the landowner. | Landowner

|  |
| --- |
| NAME OF LANDOWNERInsert name. |
| CONTACT NAME (IF COMPANY/GROUP ETC.)Insert name. |
| POSTAL ADDRESS Insert address. |
| PHONE Insert number. | FACSIMILEInsert number. |
| EMAILInsert email. |

 |
| Examples of remaining infrastructure includes roads, storage sheds etc. Inheritance of disturbed land and infrastructure brings with it responsibilities for maintenance and management. Under the *Mineral Resources Act 1989*, approval from the Minister is required for infrastructure to be left on the land. Written authorisation must be obtained from the Mining Registrar by the holder of the environmental authority. For further information see the *Mineral Resources Act 1989*:* + Mining lease: section 276(1)(c) and 312(4)
	+ Mining claim section 81(i)(ii)
 | Are there any infrastructure or disturbed areas which you wish to take ownership of?[ ]  Yes → Briefly describe the infrastructure or disturbed areas and the status of which you would accept ownership below, then go to question 5.[ ]  No → Go to question 7.

|  |  |
| --- | --- |
| INFRASTRUCTURE/DISTURBED AREA (I.E. ROAD ALONG WESTERN BOUNDARY)Insert. | STATUS (I.E. IN ITS CURRENT STATE AS AN UNSEALED DIRT ROAD)Insert. |

 |
| Landowners should seek independent legal advice on the validity of any agreement made with the environmental authority holder. | Have you made an agreement with the holder of the environmental authority regarding the infrastructure or disturbed areas which you wish to take ownership of?[ ]  Yes → Attach a copy of the signed agreement and fill in the table below.[ ]  No → There must be an agreement in place, and details of the agreement provided to the administering authority for the application to be decided.

|  |  |
| --- | --- |
| DATE OF AGREEMENTInsert. | NUMBER OF PAGESInsert. |

 |
|  | Are there any items of infrastructure or areas of disturbance which you believe an agreement is still required, but has not been made?[ ]  Yes → Provide information of outstanding agreements required below.[ ]  No

|  |
| --- |
| INFRASTRUCTURE/DISTURBED AREA STILL TO BE AGREED UPONInsert. |

 |
| You may attach photographs or plans to illustrate any matters about which you believe are unsatisfactory. Make sure that any attachments are clearly labelled and referenced. | Indicate your level of satisfaction with the rehabilitation of the land to date.[ ]  Satisfactory (further comments may be provided below, if necessary)[ ]  Unsatisfactory (provide further information below)

|  |
| --- |
| FURTHER COMMENTSInsert. |

C |
| **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 in accordance with sections 226, 262, 264, 318ZD and 318ZF of the *Environmental Protection Act 1994* in order to process your application to surrender an environmental authority, for progressive certification or to amend an environmental authority by removing a prescribed ERA. The information will only be accessed by authorised employees within the department. Information may be given to the Department of Resources for the purposes of processing the application to surrender the environmental authority. 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).The landowner or person authorised to act on behalf of the landowner is required to sign thisform.**Further information**The latest version of this publication and other publications referenced in this document can be found at [**www.qld.gov.au**](http://www.des.qld.gov.au/) using the publication number (ESR/2015/1616 for this form) as a search term or by contacting Permit and Licence Management. | Landowner certificationTick the applicable box [ ]  I am the landowner for the land described in question 1.[ ]  I am authorised to sign on behalf of the landowner for the land described in question 1.**Declaration****Note:** If you have not told the truth in this application you may liable for prosecution under the *Environmental Protection Act 1994*.I/We declare that:* The information provided is true and correct to the best of my knowledge.
* I understand that it is an offence under sections 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 all information supplied in this form may be disclosed publicly in accordance with the *Right to Information Act 2009* and the *Evidence Act 1977*.

|  |
| --- |
| NAMEInsert name. |
| SIGNATURE |
| POSITION OF SIGNATORYInsert position. | DATEInsert date. |

 |

1. Refer to the guideline, *Transferring petroleum infrastructure to landholders* (ESR/2020/5403) for the definition of landholder specifically relating to petroleum infrastructure transfer and for general information about transferring infrastructure prior to the surrender of an environmental authority. This document can be access on the Queensland Government website at [www.qld.gov.au](https://www.qld.gov.au/), using the publication number ESR/2020/5403) as a search term. [↑](#footnote-ref-1)