Infrastructure and Equipment

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| **OFFICIAL USE ONLY**  DATE RECEIVED   |  |  |  | | --- | --- | --- | |  |  |  |   FILE REF   |  | | --- | |  |   PROJECT REF   |  | | --- | |  |   COMPLETE FORM  QPWS&P REGION   |  | | --- | |  |   ENTERED BY [SIGNATURE]   |  | | --- | |  |   DATE   |  |  |  | | --- | --- | --- | |  |  |  |   **GUIDE**  The applicant is the person/s intending to carry out the proposed activity and in whose name the relevant authority is to be issued.  If there are more than two individuals (partners), please provide details on a separate sheet.  The registered address is legally required for the serving of notices. It is the registered address of the company making the application and cannot be a post office box.  Enter the Australian Business Number (ABN); Australian Company Number (ACN); or the Association Number (AN) of the incorporated association; or the title and section of legislation that gives the statutory corporation its legal status.  The authorised signatory or signatories is the person or persons authorised to sign an application on behalf of a corporation and in doing so declares that the corporation will be bound by the conditions associated with the granting of the Authority.  **Do not sign here**. The signature block is at section 7 (declaration) of this form.  List a secondary signatory, if applicable. | | Occupation permits under section 35 of the *Forestry Act 1959* | |
| **Important information for applicants**  Information requested in this form is required to process your application for an interest in land within a State forest, timber reserve or forest reserve. If you have any difficulties completing the form, contact [QPWS.estate@des.qld.gov.au](mailto:QPWS.estate@des.qld.gov.au) or visit the Department of Environment and Science (DES) website at [www.des.qld.gov.au](http://www.des.qld.gov.au) for more information. Your application must be assessed and an authority granted by the chief executive pursuant to the *Forestry Act 1959* (Forestry Act) before any proposed activity can proceed.  Please read the information sheet included with your application kit. Before submitting this application, you should understand the requirements of the Forestry Act that are relevant to your proposed activity.  Applications for occupation permits can also be made via DES Online Services on the DES website at www.des.qld.gov.au.   |  |  |  |  |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | | **Tick relevant boxes below if the applicant(s) are:**  an individual or sole trader  individuals in a partnership (not a legal entity)  individual(s) acting on behalf of an unincorporated organisation  an incorporated company  an incorporated association  a statutory authority  a body politic  other 1. Applicant(s) details If acting on behalf of a legal entity please provide principal contact or details of person in charge.   |  |  |  | | --- | --- | --- | | APPLICANT’S FULL NAME (1) | title | DATE OF BIRTH | | APPLICANT’S FULL NAME (2) | title | DATE OF BIRTH | | REGISTERED ADDRESS | | POST CODE | | | |
|  | |  |  |  | | --- | --- | --- | | TELEPHONE | E-MAIL | MOBILE | | POSTAL ADDRESS (WRITE “AS ABOVE” IF THE SAME AS REGISTERED ADDRESS) | | POST CODE | |
|  | 2. Registered legal entity details  |  |  |  | | --- | --- | --- | | REGISTERED LEGAL ENTITY NAME | | | | TRADING NAME (IF APPLICABLE) | | | | REGISTERED ADDRESS | | POST CODE | | TELEPHONE | E-MAIL | MOBILE | | POSTAL ADDRESS (WRITE “AS ABOVE” IF THE SAME AS REGISTERED ADDRESS) | | POST CODE | | ABN/can/AN OR TITLE AND SECTION OF LEGISLATION | | |  3. Authorised signatory  |  |  | | --- | --- | | AUTHORISED SIGNATORY FULL NAME (1) | TITLE | | POSITION IN CORPORATION | |  |  |  | | --- | --- | | AUTHORISED SIGNATORY FULL NAME (2) | TITLE | | POSITION IN CORPORATION | | |
| Select whether this is a new application (for example, for a primary user telecommunications facility in a currently unoccupied area or a new co-user arrangement for the occupation of an existing structure, tower or corridor) or the renewal of an existing occupation permit.  Please provide a declaration of who owns the infrastructure (that is either already existing, or what is proposed to be installed) or will undertake the proposed activity.  Please provide the requested permit details. Applicants also need to provide a supporting map to scale showing the location of the activity and site plan. | |  | 4. Project details  |  | | --- | | **(a) Type of application** | | New application  Co-location application  Renewal - please state identification number of existing permit: |  |  | | --- | | **(b) Declaration of ownership** | | |  | | --- | |  | |  |  | | --- | | **(c) Permit details** | | |  |  | | --- | --- | | Purpose of permit (E.G. if communication note Primary/co-user/ infrastructure provider) | | | Proposed start Date | Proposed term (years) | | location (forest name and lot/plan) | | | local government area | | | proposed permit area (hectares) | | | |
| Briefly describe the nature of the proposed activity, including the type of facility, infrastructure or development.  If your proposed activity is or will be co-located within or on an existing structure or permit area, please state where you intend co-locating and provide details of the primary user of the site. Where co-location is proposed, a letter of non-objection signed by the primary user must also be attached to your application.  If you are a primary user, please provide details of any known or proposed secondary users.  List the style and size of any structures and equipment to be used in conjunction with your proposed activity.  Provide details of all vehicles, vessels, aircraft or other proposed means of transport to be used, including the type of vessel, description, length and number of passengers. A current copy of the vessel registration certificate/s must be attached. | |  | **(d) Describe the proposed activity**   |  | | --- | |  |  |  |  | | --- | --- | | **(e) Proposed co-location** | | | YES  NO   |  | | --- | | primary user details | | | | **(f) Details of any secondary user**   |  | | --- | |  | | | |  | | --- | | **(g) Proposed structure and equipment details** | | |  | | --- | |  | |  |  | | --- | | **(h) Proposed transport details** | | |  | | --- | |  | | | |
| You are required to outline alternative sites located outside of State forests, timber reserves or forest reserves and demonstrate why they are considered unsuitable as occupation sites (attach a separate sheet) if necesary.  The authority may only be granted if the chief executive is satisfied that the objects of the Forestry Act will not be prejudiced or opposed. A suitable applicant is therefore a person who has the character, knowledge and ability relevant to carrying out the activity to be authorised in a way that is consistent with the objects of the Forestry Act.  **A: associate** means,— a) if the applicant is a corporation—each executive officer of the corporation; or b) if the applicant is not a corporation, a person who — is regularly or usually in charge of the applicant’s business; or regularly directs or will regularly direct staff of the applicant’s business in their duties or proposed activity or business, or is, or will be, in a position to control or substantially influence the activity or business, or proposed activity or business.  **B a protected area authority** means a permit to take, use, keep or interfere with cultural or natural resources; apiary permit; Aboriginal tradition authority; Island custom authority; camping permit, restricted access area permit; stock grazing permit; stock mustering permit; travelling stock permit; permit to enter a special management area (scientific); commercial activity permit; permit to solicit donations or information; group activity permit; permit to use recreational craft; special activity permit.  The chief executive may require further information or documents in relation to any matters disclosed in this application form. | |  | |  | | --- | | **(i) Alternative sites** | | |  | | --- | |  | |   **(j) Environmental Management Plan (EMP)**  Applicants are required to submit an EMP as part of their application. An EMP outlines how the proposed activity will be conducted to manage impacts on key natural, cultural, social, recreational and economic values, including timber, other forest products, quarry material, soil, watershed quality and waterways, cultural heritage, and any impacts to any existing lawful users of the area. The EMP submitted with your application is subject to DES approval. For permit renewals, please attach a copy of the current EMP to this application.  A statutory cultural heritage duty of care applies to all land users in Queensland regardless of tenure under the *Aboriginal Cultural Heritage Act 2003*. Within the EMP:   * Include details of how any cultural heritage will be protected. * Describe how compliance with the cultural heritage duty of care under the *Aboriginal Cultural Heritage Act 2003* will be achieved. * Include details of any engagement and consultation with First Nations peoples regarding compliance with the cultural heritage duty of care and regarding validation consistent with any native title rights and interests over the area.  5. Applicant suitability  |  |  |  | | --- | --- | --- | | **QUESTIONS** | | **DETAILS** | | In the last 3 years have you or an associate: A   1. held or been a party to any of the following permits or authorities which has been suspended or cancelled: 2. a permit under the Forestry Act 3. a commercial activity agreement or similar agreement in Queensland or another state or country 4. a protected area authority(including a commercial activity permit)B 5. a wildlife authority 6. a similar or relevant authority in another state or country 7. Accumulated 10 or more demerit points under the following 8. *Nature Conservation Act 1992* 9. *Recreation Areas Management Act 2006* 10. Owed any amount payable under the *Marine Parks Act 2004* that is still outstanding 11. Been convicted of an offence against any provision of the following Acts including Regulations under the Acts 12. *Nature Conservation Act 1992* 13. *Recreation Areas Management Act 2006* 14. *Forestry Act 1959* 15. *Marine Parks Act 2004* 16. *Animal Care and Protection Act 2001* 17. an offence relating to wildlife under another Act 18. an equivalent offence in another State or country 19. Been the subject of a notice under section 64 of the Forestry Act where the Minister has directed that the person shall not be capable of holding a permit under the Forestry Act for a specific period not exceeding 5 years | YES  NO  YES  NO  YES  NO  YES  NO  YES  NO |  | |
|  | 6. Privacy statement DES is collecting the information on this form to assess your application for an authority. Depending on the authority applied for, the information is required under our relevant authorising legislation: *Nature Conservation Act 1992*, the *Recreation Areas Management Act 2006*, the *Forestry Act 1959* and the *Marine Parks Act 2004*. DES may have entered into an indigenous management agreement relating to this managed area/s or the area may be subject to joint management. If so, the completed application form and relevant supporting documentation may be disclosed to the relevant indigenous organisation/s (including to any relevant Native Title Body Corporates) for the purpose of DES consulting with or seeking the consent of that organisation. Depending on the permit you are applying for, the department may also need to consult with other government agencies, councils and other relevant entities where applicable and necessary to appropriately assess your application. For example, under section 69T of the *Forestry Act 1959*, DES is required to consult with a plantation licensee and any plantation sub-licensee before granting a lease, license, permit, agreement, authority or contract.  Your personal information will not be otherwise disclosed to any other parties without your consent unless authorised or required by law, such as under the *Right to Information Act 2009* or the *Evidence Act 1977.* Further information about privacy is available on the DES website: [www.des.qld.gov.au](http://www.des.qld.gov.au).   |  |  |  |  |  |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | | 7. Declaration **Please read carefully before signing:**   * I have read and understood the public liability, indemnity, release and discharge requirements of the Department of Environment and Science and I agree to comply with and be bound by these conditions. * I declare that the information I have provided in this form (including information submitted as part of this application for a permit) is true and correct. * I understand that it is offence under the Forestry Act to state anything in this form or provide material that is false or misleading. * I understand the privacy notice in this form and I consent to the collection, use and disclosure of my personal information in the manner described in that notice. * I understand that I must not commence any proposed activity until my application is assessed and, if approved, a permit is granted by the chief executive, pursuant to the Forestry Act. * I understand that it is an offence under the Forestry Act to occupy land in a State forest, timber reserve or forest reserve without lawful authority.  |  | | --- | | APPLICANT’S FULL NAME | | IF THE APPLICANT IS A CORPORATION, PLEASE INDICATE YOUR POSITION IN THE CORPORATION. | | APPLICANT’S SIGNATURE | DATE |   If more than two signatures are required:   |  | | --- | | APPLICANT’S FULL NAME | | IF THE APPLICANT IS A CORPORATION, PLEASE INDICATE YOUR POSITION IN THE CORPORATION. | | APPLICANT’S SIGNATURE | DATE |   **Please note the following:**  **Insurance Requirements –** Ifthis application is approved you may be required to hold worker’s compensation insurance and public liability insurance and indemnify and release the State of Queensland acting through its Department of Environment and Science. Please refer to relevant departmental information available at [www.des.qld.gov.au](http://www.des.qld.gov.au) concerning public liability insurance and indemnity requirements for QPWS&P authorities.  **Fees –** Applicationfees, where applicable, are non-refundable. Annual rental fees apply to all occupation permits and these will differ according to the type of use. Communication facilities for community-based organisations are not subject to annual rent. Annual rental fees are indexed annually.  **Processing Time –** Applicants must allow at least 40 business days’ processing time for occupation permit applications. Please allow a further 40 days if further information is requested by DES during the application process.   |  |  | | --- | --- | |  | **Applicant checklist**  Application form(s) completed and signed.  Environmental management plan (which includes Cultural Heritage protection measures and details of any engagement and consultation with First Nations peoples).  Vessel or vehicle registration certificate/s.  Co-location only - Letter of non-objection from primary user.  Outline of alternative sites.  Proposed activity (including access requirements) spatial data in one of the following formats:  A4 Authority Plan OR  Survey Plan OR  Digital Spatial data (e.g. ArcGIS format shapefile or geodatabase).  **Please return your completed application kit to:** | | | | |