Form

*Environmental Protection Act 1994*

*Request to extend period under Environmental Protection Act 1994 (EP Act) Environmental Impact Statement (EIS) assessment process*

This form is for proponents to request the chief executive agree to a longer period for: proponents to take the next step in the EIS assessment process in accordance with sections 41B(2), 45, 47(1), 49A(2), 56(2) or 56A(2); or, for the chief executive to decide if the EIS assessment process can proceed to the next step in accordance with sections 41A(1), 46, 49(1) or s56A(2)

# Important information

There is some flexibility under the EP Act EIS assessment process to allow timeframes to be extended by agreement between the proponent and Department of Environment and Science (department). These are summarised in Table 1.

**Table 1. Steps in the EIS assessment process where timeframes can be extended by agreement**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Stage** | **Timeframes** | **EP Act section (step)** | **EP Act section (extension provision)** | **Section of this form to fill in** |
| TOR | Period for the **proponent** to resubmit a draft TOR after the department refused to allow the draft TOR to proceed to public notification | EP Act s. 41B(2) | EP Act s. 41B(2)(b) | **Section 4.1** |
| TOR | Period for the **proponent** to provide a response to comments received on the draft TOR during public notification | EP Act s. 45 | EP Reg r. 11 | **Section 4.1** |
| EIS | Period for the **proponent** to submit an EIS (first EIS only prior to public notification) | EP Act s. 47(1) | EP Act s. 47(1)(b) | **Section 4.1** |
| EIS | Period for the **proponent** to submit an EIS after the department decided to either refuse to allow the EIS to proceed to public notification or proceed on conditions | EP Act s. 49A(2) | EP Act s. 49A(2)(b) | **Section 4.1** |
| EIS | Period for the **proponent** to provide a response to submissions received on the EIS during public notification | EP Act s. 56(2) | EP Act s. 56(3) | **Section 4.1** |
| EIS | Period for the **proponent** to resubmit an EIS after the department decided to refuse to allow the EIS to proceed to Assessment Report stage | EP Act s. 56A(2) | EP Act s. 56A(2)(b) | **Section 4.1** |
| TOR | Period for the **department** to decide whether the draft TOR can procced to public notification | EP Act s. 41A(1) | EP Act s. 41A(2) | **Section 4.2** |
| TOR | Period for the **department** to finalise the terms of reference | EP Act s. 46 | EP Reg r. 12 | **Section 4.2** |
| EIS | Period for the **department** to decide if the submitted EIS can proceed to public notification | EP Act s. 49(1) | EP Act s. 49(2) | **Section 4.2** |
| EIS | Period for the **department** to decide if the submitted EIS can proceed to Assessment Report stage | EP Act s. 56A(2) | EP Act s. 56A(3) | **Section 4.2** |

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| **GUIDE** |  | Date | | | |
| **Proponent**  The ‘*proponent*’ is the registered legal entity intending to carry out the activity and, in whose name, the applicable permits, licenses or authorities are to be issued.  **Project name**  The project name must remain consistent for all correspondence and publicly released information. |  | Click or tap to enter a date. | | | |
|  | Proponent | | | |
|  | PROPONENT’S NAME(S) (PRINT FULL NAME)  Click or tap here to enter text. | | | |
|  | Project name | | | |
|  | PROJECT NAME  Click or tap here to enter text. | | | |
|  | Request | | | |
|  | Fill in either Section 4.1 **or** Section 4.2 (use Table 1 above to assist) | | | |
|  |  | Seeking longer period for proponent to take next step in EIS assessment process | | | |
|  | 1. The proponent requests that the department agrees to a longer period for the proponent to (choose one only): | | | |
|  |  | | resubmit a draft TOR after the department refused to allow the draft TOR to proceed to public notification (EP Act s. 41B(2)) | |
|  |  | | provide a response to comments received on the draft TOR during public notification (EP Act s. 45) | |
|  |  | | submit an EIS (first EIS only prior to public notification) (EP Act s. 47(1)) | |
|  |  | | submit an EIS after the department decided to either refuse to allow the EIS to proceed to public notification or proceed on conditions (EP Act s.49A(2)) | |
|  |  | | provide a response to submissions received on the EIS during public notification (EP Act s. 56(2)) | |
|  |  | | resubmit an EIS after the department decided to refuse to allow the EIS to proceed to Assessment Report stage (EP Act ss.56A(2)) | |
|  | 1. The existing period ends on: | | | INSERT DATE  Click or tap to enter a date. |
|  | 1. Proposed new period to end on: | | | INSERT DATE  Click or tap to enter a date. |
|  |  | 1. The reasons for the proposed new period are:   INSERT REASONS  Click or tap here to enter text. | | | |
|  |  |  | | | |
|  |  | Intention to provide additional information to support the department’s decision to proceed to the next stage of EIS assessment process | | | |
|  |  | 1. The proponent advises the department that it would like to provide additional information to (select one only): | | | |
|  |  |  | assist the department’s decision on whether the draft TOR can procced to public notification under s. 49A(1) | | |
|  |  |  | assist the department to finalise the TOR for the project under s. 46 | | |
|  |  | assist the department’s decision on whether the submitted EIS can proceed to public notification under s. 49(1) | | |
|  |  | assist the department’s decision on whether the submitted EIS can proceed to Assessment Report stage under s. 56A(2) | | |
|  | 1. The proponent undertakes to provide this information on or before:   INSERT DATE INFORMATION TO BE PROVIDED TO DEPARTMENT  Click or tap to enter a date. | | | |
|  | 1. The reasons why the proponent wishes to provide additional information are:   INSERT REASONS  Click or tap here to enter text. | | | |
|  | 1. The information that the proponent intends to provide includes:   INSERT INFORMATION TO BE PROVIDED  Click or tap here to enter text. | | | |
|  |  | 1. The proponent understands that that the chief executive may need a longer period to assess the additional information and make the decision under the EP Act | | | |
|  |  | 1. The proponent understand that the department will inform the proponent of the agreed longer period (incorporating the information that the proponent provided in this form) | | | |
|  |  | 1. The proponent understands that if the proponent does not provide the information within the agreed period that the department may use existing information to make the decision or seek agreement on a new period | | | |

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| **Privacy statement**  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 the EP Act in order to process 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 further privacy information www.des.qld.gov.au search: <https://www.des.qld.gov.au/>  legal/privacy/ ‘privacy’ or email privacy@des.qld.gov.au.  **Responsible person/appointed signatory**  The ‘responsible person/appointed signatory’ must sign this form. Please advise the department in writing of any changes to the ‘responsible person/appointed signatory’. |  |  | | | |
|  | Declaration | | | | |
|  | I declare that:   * I am the proponent or an authorised signatory for the proponent * I do solemnly and sincerely declare that the information provided is true and correct to the best of my knowledge. * 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 1997*. | | | | |
|  | RESPONSIBLE PERSON/APPOINTED SIGNATORY’S NAME  Click or tap here to enter text. | | | | |
|  | RESPONSIBLE PERSON/APPOINTED SIGNATORY’S SIGNATURE | | DATE  Select Date | | |
|  | POSITION OF SIGNATORY AND COMPANY  Click or tap here to enter text. | | | | |
|  | PHONE  Click or tap here to enter text. | EMAIL  Click or tap here to enter text. | | | |
|  | NAME OF JOINT VENTURE PARTY (IF APPLICABLE)  Click or tap here to enter text. | JOINT APPLICANT’S SIGNATURE (IF APPLICABLE) | | DATE  Select Date | |
|  | NAME OF JOINT VENTURE PARTY (IF APPLICABLE)  Click or tap here to enter text. | JOINT APPLICANT’S SIGNATURE (IF APPLICABLE) | | DATE  Select Date | |
|  | NAME OF JOINT VENTURE PARTY (IF APPLICABLE)  Click or tap here to enter text. | JOINT APPLICANT’S SIGNATURE (IF APPLICABLE) | | DATE  Select Date | |

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| **Further information**  More information on the EIS process is available in the department’s guideline ‘*The EIS process for resource projects under the EP Act*’ at [www.des.qld.gov.au](http://www.des.qld.gov.au) by searching ‘developing an EIS’ or ‘ESR/2016/2171’).  For the latest version of this publication go to [www.des.qld.gov.au](http://www.des.qld.gov.au) and search ‘Request to extend period under EP Act EIS assessment process' or ‘ESR/2020/6495’. |  | **Please submit this form and supporting information to:**  [eis@des.qld.gov.au](mailto:eis@des.qld.gov.au) or  Environmental Impact Assessment  Department of Environment and Science  GPO Box 2452  BRISBANE QLD 4001 | **Enquiries or assistance filling in this form:**  Contact the department’s EIS Coordinator by email at [eis@des.qld.gov.au](mailto:eis@des.qld.gov.au) or on 13 QGOV (13 74 68) for details. |