

Annual return requirements for resource activities

Environmental Protection Act 1994

Frequently Asked Questions

1 Who must complete and submit an annual return?

All holders of an environmental authority (EA) who receive an annual return notice must complete and submit an annual return. The annual return notice includes information on how to complete and submit the annual return (preferably online otherwise in hard copy).

2 Who can complete the Annual Return?

An annual return can be completed by any of the following:

- The holder of the EA - where this person is an individual.
- An authorised representative of the EA such as a company employee or duly appointed agent like a tenement manager.

3 How do I appoint an authorised representative?

The holder of an EA can nominate an agent to act on their behalf. This nominated agent is known as the Authorised Holder Representative (AHR). To authorise an AHR to act on your behalf you must complete and submit an authorisation letter.

Further information is contained within the Guideline- Authorisation letter to nominate an Authorised Holder Representative which is available at <https://www.business.qld.gov.au> using ESR/2019/5168 as a search term.

A template authorisation letter to nominate an Authorised Holder Representative to the administering authority is available at <https://www.business.qld.gov.au>. Use ESR/2019/5167 as a search term to access this template. The proponent and AHR should carefully consider the contents of the template and make any changes they consider necessary to properly reflect the terms of the AHR's appointment.

4 How do I complete my Annual Return?

We recommend you submit your annual return via Online Services. Online Services will guide you through the process to make sure it is completed in full. See the next dot point for information about Online Services.

Alternatively, you can complete the paper copy that was posted to you and return it. If the return is incomplete an incomplete notice will be sent to correct the return. Hard copy returns can be emailed to palm@des.qld.gov.au or posted to:

Permits and License Management
Department of Environment and Science
GPO Box 2454
BRISBANE QLD 4001



5 How do I register for Online Services?

If you haven't registered to use Online Services, you can do so at: <https://www.business.qld.gov.au/running-business/environment/online-services/register>. Multiple users can be registered for each customer and each of those users can submit returns online.

The User Guides '[Getting started with Online Services](#)' and '[How to view and complete Environmental Authority \(EA\) Annual Returns online](#)' explain how to register for Online Services and how to [complete the annual return online](#). These guides can be accessed at www.business.qld.gov.au using the title as a search term.

6 How do I get help to complete my annual return?

The annual return form contains guidance notes in the text highlighted in grey on the left-hand side of each page. Please refer to these notes for explanations of terms and instructions on the sections of the forms which must be completed to reflect your circumstances.

If you require further assistance completing the annual return, please contact Permit and Licence Management on telephone 1300 130 372 (option 4) in business hours or email palm@des.qld.gov.au.

7 Common errors to avoid when completing your Annual Return.

The information below will help avoid common mistakes made when completing annual returns.

7.1 Reporting the area of disturbance / rehabilitation

The most common cause of incomplete annual returns is a failure to complete line 1 of Table 1. **Line 1 must be completed regardless of whether any disturbance has occurred upon the area covered by the EA.**

Table 1 – Area of disturbance / rehabilitation

Data required	Area (ha)	Spatial data submitted (Y or N/A)
Total site reporting at 31 December 2021		
1. Total/ tenure area covered by the EA.	Insert total hectares of all tenures under EA HERE.	INSERT Y / NA Do not leave blank.
2. Total area of disturbance on site (must not include areas captured within items 3, 4 or 5)	Insert area of disturbance in Ha OR 0 Ha if Nil disturbance	INSERT Y / NA Do not leave blank.
3. Total area of certified rehabilitation (for which progressive certification has been approved in accordance with the EP Act)	Insert area of certified rehabilitation in Ha OR 0 Ha if Nil certified	INSERT Y / NA Do not leave blank.

7.2 Specify the type of EA you hold

You must choose **ONE** of the following options only on page three then complete the corresponding sections.

Is your environmental authority for:

- A resource activity **without** an approved Progressive Rehabilitation and Closure Plan (PCRCP) schedule – Only complete sections 1 and 3 of this form.
- A resource activity **with** an approved Progressive Rehabilitation and Closure Plan (PCRCP) schedule – Only complete sections 2 and 3 of this form.

If you fail to select an option, select both of the above options, or fail to complete the appropriate sections in accordance with your selection your annual return will be incomplete.

To check whether you EA has a PCRCP schedule click the *Progressive Rehabilitation and closure plans (PRC Plans)* button on Public Register Portal. <https://apps.des.qld.gov.au/public-register/search/ea.php> and then click on the hyperlink [Download a list of PRC Plans \(XLSX\)](#)

8 Who can complete the declaration when completing an annual return via Online Services?

An authorised representative for the EA holder can complete the declaration and submit the annual return via Online Services. You are an authorised representative, for the purposes of Online Services if you are an authorised user for Online Services for the holder of the EA or if you have a letter of authority that allows you to submit the information on behalf of the authority holder.

9 What happens if I do not complete and submit my annual return?

If you do not submit a correctly completed annual return you will commit an offence under section 316IA of the *Environmental Protection Act 1994*. The department may take enforcement action for this offence. This can include the issue of a Penalty Infringement Notice or commencing a prosecution.

10 What is an incomplete Annual Return?

When an annual return is submitted without all the mandatory questions answered correctly it is considered to be an incomplete annual return. See section 7 for common mistakes that may lead to an incomplete annual return.

If you submit an incomplete annual return you will commit an offence under section 316IA of the *Environmental Protection Act 1994*. The department may take enforcement action for this offence. This can include the issue of a Penalty Infringement Notice or commencing a prosecution.

11 What happens if I submit an incomplete Annual Return?

If you submit an incomplete annual return you will receive an Incomplete Annual Return Notice and will be required to resubmit your annual return.

12 How do I get a copy of my annual return?

Annual Return records can be accessed via Online Services, through the Environmental Authorities page for the customer record you have selected. Alternatively, you can request a copy of your annual return from Permits and Licence Management by emailing palm@des.qld.gov.au. Note the copy will be emailed to the recorded email address for the EA holder

13 Can I complete my annual return early?

Holders may complete/ submit their annual return early, however, the annual return needs to be an accurate representation of the activities undertaken in the return period (1 January to 31 December each year). The department recommends that you complete your annual return after the end of the relevant return period (i.e. after 31 December) unless you have ceased the activity prior to 31 December.

14 Contact details

For further information please contact Permit and Licence Management at palm@des.qld.gov.au or call 1300 130 372 and select option 4 in business hours

Disclaimer

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Enquiries:

Permits and Licensing
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