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| **OFFICIAL USE ONLY**  DATE RECEIVED   |  |  |  | | --- | --- | --- | |  |  |  |   FILE REF   |  | | --- | |  |   PROJECT REF   |  | | --- | |  |   COMPLETE FORM CORRECT AA  COMPLETE FEE  Administering district   |  | | --- | |  |   ENTERED BY [SIGNATURE]   |  | | --- | |  |   DATE   |  |  |  | | --- | --- | --- | |  |  |  |   Only the holder of an environmental authority can apply to surrender the environmental authority.  The environmental authority number and details are on the existing environmental authority or quoted in other correspondence from the administering authority.  If there is an agent acting on behalf of the environmental authority holder, provide details in this section. An agent could be a consultant or a contact for the environmental authority holder.  As statutory documents need to be sent to all applicants, this section can also be used when there are multiple environmental authority holders to nominate an address for statutory documentation to be sent ‘care of’ to. | Environmental Protection Act 1994  Application to surrender an environmental authority for a prescribed ERA |
| *This is the approved form for an application to surrender an environmental authority for a prescribed environmentally relevant activity (ERA)[[1]](#footnote-1) under section 262 of the* Environmental Protection Act 1994 *(EP Act).*  **Important**  You cannot ‘partially surrender’ a prescribed ERA even if it is authorised as part of a project that includes a number of ERAs. If you want to reduce the number of ERAs authorised on your environmental authority you will need to apply to amend the environmental authority using the approved form ‘Application to amend an environmental authority’ (ESR/2016/1733).  Before completing this form you should read the information about surrendering an environmental authority available at [www.business.qld.gov.au](http://www.business.qld.gov.au). If you would like advice about surrendering your environmental authority before lodging this form, you can also arrange a pre-lodgement meeting:   * for prescribed ERAs 2, 3 and 4—with the Department of Agriculture and Fisheries by email [livestockregulator@daf.qld.gov.au](mailto:livestockregulator@daf.qld.gov.au) * for any other ERA—with the Department of Environment, Science and Innovation (DESI) by completing and lodging the form ‘Application for a pre-design/pre-lodgement meeting’ (ESR/2016/1664[[2]](#footnote-2))   If you are currently subject to a compliance action relating to the environmental authority you should contact the office who initiated the compliance action for further details about how this might affect the assessment of your surrender application. |

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|  | 1. **Applicant details**  |  | | --- | | Environmental authority holder name(s) | | Environmental authority number | | Individual or business name (include trading name if relevant) | | Registered address or registered business address *(cannot be a Post Office Box address)* | | Postal address: (write ‘as above’ if the same as registered address) | | Contact person for application (if different) | | Telephone | | Fax | | Email | |
| The EMR and CLR contain information about land which is contaminated. The EMR also contains information about land which may be potentially contaminated due to a notifiable activity[[3]](#footnote-3) being, or having been, carried out on the land. For further information about the registers, including how to conduct a search, go to the Queensland Government website: <http://www.qld.gov.au/environment/pollution/management/contaminated-land/> | 1. **Environmental management register (EMR) or contaminated land register (CLR)**  |  |  | | --- | --- | | Is any part of the land listed on the EMR or CLR?  Yes—confirm the details of the listing and the EMR/CLR ID below:  The land is listed on the EMR for a notifiable activity.  The land is listed on the EMR because it is affected by a hazardous contaminant.  The land is listed on the EMR because it is affected by a hazardous contaminant and there is an approved site management plan in place for the land.  The land is listed on the CLR.   |  | | --- | | EMR/CLR ID: | | | No  N/A— The ERA refers to a mobile and temporary ERA— go to 3. Details of other statutory requirements.  If no:  Has the land been removed from the EMR?  Yes  No  Please note that there are duties which may apply to landowners, occupiers, auditors and local government authorities to notify DESI about specific matters in relation to contaminated land (such as a notifiable activity being or having been carried out on the land). Failure to notify is an offence.  For further information about the duties go to <http://www.qld.gov.au/environment/pollution/management/contaminated-land/notifications/> | |
| Statutory tools are used (generally as a last resort) to respond to breaches of legislative requirements. The range of options available under the EP Act provide for proportionate enforcement action. For more information see: [http://www.des.qld.gov.au/management/compliance/pdf/era-compliance-enforcement.pdf](http://www.ehp.qld.gov.au/management/compliance/pdf/era-compliance-enforcement.pdf) | 1. **Details of other statutory requirements**  |  |  |  | | --- | --- | --- | | Is the environmental authority currently subject to any of the following statutory requirements under the EP Act? | | | | Transitional environmental program | Yes | No | | Environmental protection order | Yes | No | | Environmental evaluation | Yes | No | | Enforceable undertaking | Yes | No | | Prosecution proceedings | Yes | No | | Other (please specify below): | Yes | No | |  | | | |
| The activity will have been carried out if you have not commenced the activity, but a previous holder had carried out the activity before the environmental authority was transferred to you.  For a surrender application for activities that are not conducted at a fixed location (e.g. regulated waste transport), the activity does not have to disturb a site for the activity to have commenced. ERA 57 Regulated waste transport will have commenced if regulated waste has been transported.  For a surrender application where land has been disturbed for the purpose of carrying out the ERA, the ERA should be considered as having commenced. This is to ensure land disturbance is appropriately addressed and rehabilitated where necessary prior to the environmental authority being surrendered. | 1. **Activity status (commenced)**  |  | | --- | | Have any of the ERA(s) for which this surrender application relates been carried out?  Yes  No—go to 9. Declaration | |
| Applicants who are indicating that they have ceased carrying out an ERA must be aware that some ERAs are based on the total capacity of the plant and equipment itself.  For example ERA 63 1(a) is operating a sewage treatment works with a total daily design capacity of 21-100EP. Unless the works have been decommissioned or changed so that the total daily design capacity is less than 21 EP, the ERA has not ceased.  All ERAs and thresholds are detailed in Schedule 2 of the Environmental Protection Regulation 2019.  An appropriately qualified means a person who has professional qualifications, training, skills or experience relevant to the plant or equipment. For example an appropriately qualified person able to provide the declaration for ERA 63 (sewage treatment) is a qualified plumber. | 1. **Activity status (ceased)**  |  | | --- | | Confirm that you have ceased carrying out the ERA(s) for which this surrender application relates:  Yes I have ceased carrying out the ERA(s). | | Do you wish to surrender an ERA which is based on the capacity of associated plant or equipment? (For example, ERAs 14, 15 or 63)  Yes—provide a declaration from an appropriately qualified person which confirms that the plant or equipment has been decommissioned or changed so that it can no longer be operated at the threshold considered to be an ERA.  No | |
| If your environmental authority contains conditions related to rehabilitation requirements and you have carried out the activity (i.e. on-ground disturbance has occurred), you must submit a rehabilitation report. The rehabilitation report must be in the approved form available at on the business and industry portal (BIP) in the following location <http://www.business.qld.gov.au/business/running/environment/licences-permits/forms-fees-environmental-authority> | 1. **Rehabilitation conditions**  |  | | --- | | Does your environmental authority contain any rehabilitation conditions? | | Yes—attach a final rehabilitation report (unless a final rehabilitation report has previously been submitted for the proposed surrender). Go to 7. Compliance statement and **complete parts A, B and C**. | | No—Is your environmental authority for ERA 57 (regulated waste transport) only?  Yes—Go to 7. Compliance statement and **complete part A only**.  No—Go to 7. Compliance statement and **complete parts A and C only**. | |
| This compliance statement must be completed by, or on behalf of, the environmental authority holder.  If you are unsure of the extent to which the EA conditions have been complied with, or if the final rehabilitation report is accurate you should seek professional advice. Examples of the methods to verify compliance may include a desktop assessment of documentation, an interview with the landowner/holder or a field operator or a site inspection.  Evidence used may include photographs, statements and other documentation (maps, plans, approvals, monitoring results etc.). | 1. **Compliance statement**   A compliance statement must be provided with this application. You may choose to provide the relevant information in parts A, B and C below or separately as an attachment containing the information required in parts A, B and C below. Please indicate below if applicable:  The compliance statement is attached to this application  **Part A—Compliance with conditions**   |  | | --- | | Has the activity (or activities) carried out under the environmental authority complied with the conditions of the environmental authority?  Yes  No—provide details below: |   **Part B—Final rehabilitation report**   |  | | --- | | Is the final rehabilitation report accurate?  Yes  No—provide details below: |   **Part C—Compliance with conditions**   |  | | --- | | If you have answered ‘Yes’ to any question above, provide information about the method you used to confirm compliance with the conditions or the accuracy of the rehabilitation report, including the evidence you have provided which supports the compliance statement. | |
| You may apply to amend or discharge your financial assurance using the form ‘Application to amend or discharge financial assurance’ (ESR/2016/1752). This form is available at [www.qld.gov.au](http://www.qld.gov.au) using the publication number (ESR/2016/1752) as a search term. | 1. **Financial assurance**  |  | | --- | | Do you currently have any financial assurance held as part of the approved environmental authority?  Yes—confirm which applies below:  I am also applying to amend or discharge my financial assurance with this application. Attached is a completed ‘Application to amend or discharge financial assurance’ (ESR/2016/1752).  I am not applying to amend or discharge my financial assurance with this application.  No. | |

1. **Declaration**

* *Where there is more than one holder of the environmental authority, this declaration is to be signed by all holders; unless there is an agreement between all holders that one holder can sign on behalf of all others.*
* *Where one holder is signing the declaration they are committing all holders to the content of the application and the declaration.*
* *Where the environmental authority holder is an organisation/company, this form must be signed by an authorised signatory for the organisation/company.*

Where an agreement is in place between all holders of the environmental authority that one holder can sign on behalf of the other joint holders, please indicate below:

I have the authority to sign this form on behalf of all the joint holders of the environmental authority.

I do solemnly and sincerely declare that:

* I am the holder of the environmental authority, or authorised signatory for the holder of the environmental authority.
* I understand that should my application be approved, I will no longer be authorised to carry out the environmentally relevant activity as defined in schedule 2 of the Environmental Protection Regulation 2019, to which this application relates.
* I understand that failure to provide sufficient information may result in the application being refused.
* Where Question 4 has been answered ‘No’, that the ERA(s) to which this application relates have never been carried out and that no on ground disturbance has occurred.
* To the best of my knowledge all information provided as part of this application addresses the relevant matters and is true, correct, complete, and does not contain misleading information.
* I am aware that it is an offence under sections 480 and 480A of the *Environmental Protection Act 1994*, to give the administering authority information that I know is false, misleading or incomplete.

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| --- | --- |
| Environmental authority holder name | |
| Environmental authority holder signature | |
| Date | |
| Position of signatory (where applicable) | |
| Joint holder signature(s) (where applicable) | Joint holder signature(s) (where applicable) |
| Joint holder signature(s) (where applicable) | Joint holder signature(s) (where applicable) |

**Applicant checklist**

Application form is completed and declaration signed.

Question 5: Declaration by an appropriately qualified person attached where applicable.

Question 6: Rehabilitation report attached where applicable

Question 7: Compliance statement provided where applicable and all supporting information is attached.

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| Please submit your complete application using one of the following methods: | |
| For ERA 2, ERA 3 or ERA 4 | |
| Mail:Senior Environmental ScientistAnimal IndustriesDepartment of Agriculture and FisheriesPO Box 102TOOWOOMBA QLD 4350 | Enquiries:Phone: 13 25 23Fax: (07) 4529 9233Email: [livestockregulator@daf.qld.gov.au](mailto:livestockregulator@daf.qld.gov.au) |
| For all other prescribed ERAs | |
| **Email:**  [palm@des.qld.gov.au](mailto:palm@des.qld.gov.au)  The email subject line should be ‘Application to surrender an environmental authority for a prescribed ERA’.  The file size limit for submission via email is 14MB. Any submission via email which exceeds 14MB will need to be broken down into separate emails, with each email clearly labelled Part X of X (e.g. Part 1 of 2), included in the subject line of the email. | Enquiries: Email: [palm@des.qld.gov.au](mailto:palm@des.qld.gov.au)  Phone: 13 QGOV (13 74 68)  **Mail:**  Permit and Licence Management  Department of Environment, Science and Innovation  GPO Box 2454  BRISBANE QLD 4001 |

**Privacy statement**

The Department of Environment, Science and Innovation (DESI) or where applicable the Department of Agriculture and Fisheries is collecting your personal information, under section 262 of the *Environmental Protection Act 1994* (EP Act) for the purposes of deciding the surrender application. The information will only be accessed by authorised employees within the applicable department and will not otherwise be used or disclosed unless required or authorised by law. For information about privacy matters within DESI email: [privacy@des.qld.gov.au](mailto:privacy@ehp.qld.gov.au) or telephone: 13 74 68.

1. Listed in Schedule 2 of the Environmental Protection Regulation 2019 [↑](#footnote-ref-1)
2. This is the publication number. The publication number can be used as a search term to find the latest version of a publication at [**www.qld.gov.au**](http://www.qld.gov.au).

   [↑](#footnote-ref-2)
3. Notifiable activities are listed in Schedule 3 of the EP Act. [↑](#footnote-ref-3)