



Southern Downs Regional Council

PO Box 26, WARWICK QLD 4370
Email: mail@southerndowns.qld.gov.au

64 Fitzroy Street
WARWICK QLD 4370
Telephone 4661 0300
Facsimile 4661 0333

61 Marsh Street
STANTHORPE QLD 4380
Telephone 4681 5500
Facsimile 4681 5540

*Environmental
Protection Act 1994
Section 73D*

Application Form

Registration certificate for an environmentally relevant activity (ERA¹)

This form is to be used when applying to become a registered operator to carry out one or more ERAs under s73D of the Environmental Protection Act 1994.

Applicant Details

Applicant/Company Name:

Trading Name:

Contact Person:

Registered Address:

Postal Address (if same as registered write 'as above'):

ACN or ABN (and ANZSIC if applicable):

Business Phone:

Business Fax:

Mobile Phone:

Email:

ERA Details

ERAs are defined in Schedule 2 of the *Environmental Protection Regulation 2008*.

Location is the street address of the place at which the ERA will be carried out.

ERA Number(s) and Description:

Location:

ERA Number(s) and Description:

Location:

ERA Number(s) and Description:

Location:

Which situation best describes this application (please tick one of the 5 options)?

- (1) I propose to conduct one or more new and temporary ERAs subject to a development approval (DA)
- I am the holder of a DA for a mobile and temporary ERA and have attached a copy of the decision notice for DA number: _____
- I have lodged an application for a DA for a mobile and temporary ERA: _____
Note: In addition to the DA application fee, registration certificate application fees are payable if the registration certificate application is made before the DA takes effect.
- (2) I propose to conduct one or more new ERAs subject to a DA for a fixed site; and
- I have applied for a new DA for the ERAs – development application number: _____
- Note: In addition to the DA application fee, registration certificate application fees are payable if the registration certificate application is made before the DA takes effect.
- I will be operating under an existing DA and I have attached a copy of the landowner's written consent. I have attached a copy of the decision notice for the existing DA number: _____
- (3) I propose to conduct one or more new ERA(s) subject to a code of environmental compliance³.
- (4) I propose to conduct one or more existing ERA(s) and the registration certificate is held by another person. This is known as a "continuing registration". The existing registration number is: _____
- Note 1: You must complete the dual signature requirement at the end of this form.
Note 2: Where a code of environmental compliance³ applies to the activity being undertaken, you must comply with the conditions of the code as soon as you commence operating.
- (5) I am operating an ERA that does not have an aggregate environmental score (AES) under an existing deemed approval or development approval (tick which applies below) and I did not apply for a registrations certificate before 4 October 2005.
- Existing deemed approval
- For an existing development approval, state your development approval number _____

Note 1: A deemed approval will continue to have effect until 31 December 2010, unless the operator or scale of activity has changed since the activity was deemed to have an approval. Operators must have a development approval in place by 31 December 2010.

Note 2: A development approval for an ERA that does not have an AES will continue to have effect until the term of the development approval (if any) expires or the scale of the activity changes.

² "Mobile and temporary environmentally relevant activity" means a chapter 4 activity, other than a activity that is dredging material, extracting rock or other material, or the incinerating of waste –

- (a) carried out at various premises using transportable plant or equipment, including a vehicle; and
- (b) that does not result in the building of any permanent structures or any physical change of the landform at the premises (other than minor alterations solely necessary for access and setup including, for example, access ways, footings and temporary storage areas); and –
- (c) carried out at 1 location and –
- (i) for less than 28 day in a calendar year; or
- (ii) the activity is necessarily associated with, and is exclusively used in the construction or demolition phase of a project.

³. Refer to the information sheet *Carrying out and ERA subject to a code of environmental compliance* for information on what codes have been approved and details of the criteria to be met for the code to apply.

Are you applying to have multiple activities on a single registration certificate?

The term multiple activities includes two or more ERAs at a single premises; and one or more ERAs at two or more premises.

- Yes- I have completed and attached the form *Attachment 1 – to accompany your application for a registration certificate for ERAs* to demonstrate that all the activities are part of a "single integrated operation"
- No

Applicant Suitability

Note: If any of the yes boxes are ticked please provide complete details of the facts and circumstances surrounding the offence or incident in an attachment.

For a corporation the questions below apply to any of the corporation's executive officers. Otherwise the questions apply to the applicant or another person of whom the applicant is a partner.

Have you ever:

- received a penalty infringement notice, environmental protection order, restraint order or been convicted of an offence under the *Environmental Protection Act 1994*? Yes No
- had an environmental authority or registration certificate, or similar licence or permit (however called) under a corresponding law (whether administered by this state, another state or territory, the Commonwealth or another country) cancelled or suspended? Yes No
- been convicted of an environmental offence under a corresponding law (whether administered by this state, another state or territory, the Commonwealth or another country)? Yes No

Has a company or business you have held a position of management or control in ever, for an incident that occurred while you held a position of management or control:

- received a Penalty Infringement Notice, Environmental Protection Order, restraint order or been convicted of an offence under the *Environmental Protection Act 1994*? Yes No
- had an environmental authority or registration certificate, or similar licence or permit (however called) under a corresponding law (whether administered by this state, another state or territory, the Commonwealth or another country) cancelled or suspended? Yes No
- been convicted of an environmental offence under a corresponding law (whether administered by this state, another state or territory, the Commonwealth or another country)? Yes No

Declaration

Note: If you have not told the truth in this application you may be liable for prosecution under the relevant Acts or Regulations.

- I do solemnly and sincerely declare that the information provided is true and correct to the best of my knowledge. I understand that it is an offence under s480 of the EP Act 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 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 1977*.
- I will take all reasonable and practical measures to comply with the relevant environmental requirements, including the conditions that apply to the activity I will be carrying out and the general environmental duty.
- I understand that an incomplete application (including applications that do not include the fee) may be invalid. Invalid applications will be returned without processing and will only be processed if resubmitted with all invalidating issues addressed.

Applicant's Full Name: _____

Applicant's Position (e.g. Director): _____

Applicant's Full Name: _____

Applicant's Position (e.g. Director): _____

If you are applying for a "continuing registration" (see section 3) the current registered operator must agree to the transfer using the endorsement below:

I agree to the transfer of the activities nominated in section 3 of this form from my registration certificate to the applicant. I understand that by agreeing to this transfer:

- These activities will be removed from my registration certificate and I will issued an amended registration certificate for any remaining activities;
- The applicant will be issued a registration certificate for the activities nominated in section 3 of this form; and
- Where the activities nominated in section 3 of this form are the only activities on my registration certificate, the registration certificate will be amended to remove my details and include the applicant's details. (Continued over page)

Current Registered Operator's Full Name: _____

Current Registered Operator's Signature: _____

Date: _____

Applicant Checklist

- Application form(s) completed and signed
- Supporting information attached (if applicable)
- Fees paid or enclosed

Privacy Notice

Southern Downs Regional Council is collecting the personal information you supply on this form for the purpose of assessing your application for a Registration Certificate for the operation of an Environmentally Relevant Activity. The Council is authorised to do this under the *Environmental Protection Act 1994*. Your personal information may be disclosed to other local government agencies, state government and third parties for purposes related to this process. Except in these circumstances, your personal information will only be disclosed to third parties with your consent or in accordance with the Queensland Government's *Information Privacy Act 2009*.

Please return your completed application form to:

Southern Downs Regional Council
PO Box 26
WARWICK QLD 4370