

Application form

Environmental Protection Act 1994

Standard application for a new environmental authority for a resource activity

This is the approved form that is to be used to make a standard application for an environmental authority under sections 122 and 125 of the Environmental Protection Act 1994 (EP Act) for an environmentally relevant activity (ERA) which is a resource activity.

You can apply through Online Services at: <https://business.qld.gov.au/running-business/environment/online-services>.

Note: The only way to pay fees by credit card is by completing the application through Online Services. For other fee payment options see Question 4.

It is recommended that applicants read the information on what to provide with an application, prior to making an application. This information, along with the ERA standard (consisting of eligibility criteria and standard conditions), is located on the Queensland Government's Business Queensland website at www.business.qld.gov.au (use the search term "Environmental Licence"). This website also has a diagnostic tool called the "Forms and fees finder" which will take you through a series of questions and provide a customised result, which will identify any forms, fees and supporting information you need for your application.

Only use this application form if you are applying for a new environmental authority (EA) where:

- All applicants are registered as suitable operators¹. A suitable operator is a person or a corporation assessed under section 318I of the EP Act as being suitable to carry out an ERA and is listed on the suitable operator register².
- The ERA/s being applied for is a resource ERA, that involves: (a) a geothermal activity, (b) a greenhouse gas (GHG) storage activity, (c) a mining activity or (d) a petroleum activity. Note that a resource activity is taken to include ancillary activities (prescribed ERAs) and other activities carried out under the authority as a resource activity.
- All of the ERA/s being applied for have eligibility criteria and standard conditions available.
- You can meet all of the eligibility criteria and standard conditions for all of the ERA/s being applied for.
- An application for a relevant resource tenure has been made, or will be made at the same time as this application.
- The applicant/s for the resource tenure are exactly the same as the applicant/s for this environmental authority application.

¹ Your EA application must be refused if you are not a registered suitable operator when the application is decided. To become a registered suitable operator, apply through Online Services or request the form "Application to be a registered suitable operator - ESR/2015/1771" by emailing palm@des.qld.gov.au or phoning 1300 130 372 (option 4).

² The register is available on the Queensland Government website at www.qld.gov.au, using the search term "suitable operator register".

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- The ERA/s being applied for do not form part of an ERA project under an existing environmental authority.
- If your application relates to a coordinated project under the *State Development and Public Works Organisation Act 1971*, the Coordinator-General's conditions outlined in the Coordinator-General's evaluation report **does not**:
- alter the standard conditions for the ERA/s being applied for; or
 - require additional conditions to be imposed on the environmental authority.

If the Coordinator-General's conditions alter the standard conditions or require additional conditions, you must make a variation application instead of a standard application.

- If more than one ERA is being applied for, the activities must be carried out as part of a single integrated operation:
- the ERAs being applied for will be carried out under the day to day management of a single responsible person (e.g. a site manager or operations manager); and
 - all of the ERAs are operationally interrelated, that is, the operation cannot function without all of the ERAs. Separate applications will need to be made for the ERAs that cannot be carried out as a single integrated operation; and
 - the ERA/s are, or will be, carried out at one or more places; and
 - the places where the ERAs will be carried out are close enough to make the integrated day to day management of the activities feasible.

If you would like to have a pre-lodgement meeting, please complete and lodge the form Application for pre-lodgement services (publication number ESR/2015/1664³), prior to lodging this application for an environmental authority.

The fields marked with an asterisk * are mandatory, if they are not completed then your application may be considered not properly made under section 128 of the *Environmental Protection Act 1994*.

1 Applicant details

Is there more than one applicant?*	<input checked="" type="checkbox"/> No, please provide the applicants details here. <input type="checkbox"/> Yes, provide the principal applicant's details here and other applicants' details in Attachment 1—Joint applicants and appointment of principal applicant		
Name—individual or chief executive officer if applicant is an organisation*	Mr Paul Byrne	Suitable operator reference number*	688239
Organisation name, including any trading name (*if an organisation)	Magnesite Queensland Pty Ltd	ACN/ABN (*if an organisation)	153 277 877
Residential or registered business address (not a post office box)*	Level 9, 46 Edward Street, BRISBANE QLD 4000	Phone*	0438 807 840
Postal address (if same as above, write "AS ABOVE")*	PO Box 15453, CITY EAST QLD 4002	Facsimile	Insert.
Email*	tenements@witanresources.com		

³ This form is available on the Queensland Government website at www.qld.gov.au, using the publication number as a search term.

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1.1 Nomination of application contact

I/we nominate the below application contact to act on my/our behalf and to receive correspondence relating to this application. Note that the application contact can be an agent or a contact person within your organisation.

Name of application contact—individual or contact person if agent is an organisation*	
Ley Kingdom	
Organisation name, including any trading name (*if an organisation)	ABN/ACN (*if an organisation)
Witan Resources Pty Ltd	97 641 772 554
Postal address*	Phone*
PO Box 8376, WOOLLOONGABBA QLD 4102	0407 487 409
Email*	
tenements@witanresources.com	

1.2 Nomination of site contact details

The site contact is the person who the administering authority will contact in relation to site related matters, such as site inspections or compliance matters, once the environmental authority has been issued. Note that this person may be the same as the applicant contact above.

Do you want to nominate a site contact?*	<input type="checkbox"/> No
	<input checked="" type="checkbox"/> Yes, provide details below.
Name of contact person (if this is the same person as the applicant contact, state "AS ABOVE")	
AS ABOVE	
Phone	Facsimile
Insert.	Insert.
Email	
Insert.	

2 Details of the activity/activities being applied for

Complete the table below by advising which ERA/s you are applying for and a description of the location they will be conducted at. By selecting "yes" you are certifying that you have a complete and thorough understanding of, and can comply with, the eligibility criteria and standard conditions⁴ for that ERA.

Resource activity/activities, e.g. gemstone mining, petroleum pipeline, exploration – minerals, data acquisition authority*	I can comply with the:		Tenure number(s)*
	eligibility criteria*	standard conditions*	
Hard rock mining	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes	ML 100229, ML 100281
Insert.	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	Insert.
Insert.	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	Insert.

⁴ ERAs with eligibility criteria and standard conditions are listed on the Business Queensland website at www.business.qld.gov.au, using the search term "eligibility criteria".

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Insert.	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	Insert.
Insert.	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	Insert.
Land description, GPS coordinates or land marks to locate the activity (if applicable) Insert.			

3 Coordinator-General's conditions

<p>Are any of the activities proposed part of a coordinated project under the <i>State Development and Public Works Organisation Act 1971</i>?*</p> <p><input checked="" type="checkbox"/> No → Go to <i>Question 4</i>.</p> <p><input type="checkbox"/> Yes → Name of the Coordinator-General's evaluation report: <i>Insert name</i>.</p> <p><input type="checkbox"/> I declare that the Coordinator-General's evaluation report is current, the conditions are exactly the same as the standard conditions for the proposed activity, and do not require any additional conditions to be imposed on the environmental authority.</p>

4 Payment of fees

You are required to pay an application fee at the time of application. If your application is approved you will be required to pay a fee annually. Each ERA has a regulated fee and the annual fee will be the highest annual fee of any ERA associated with the ERA project. The first annual fee will be invoiced when one or more of the tenures are granted. Information on fees is available on the Business and Industry Portal at www.business.gov.au.

The application fee is*: \$ 677

Please enclose a cheque or money order for the application fee payable to the Department of Environment and Science. Alternatively, to pay by credit card you must complete this application online through Online Services at <https://business.qld.gov.au/running-business/environment/online-services>.

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5 Applicant declaration

I declare that the information I have provided is true and correct. I understand that it is an offence under the *Environmental Protection Act 1994* to give information that I know is false, misleading or incomplete.

I will comply with all conditions on my environmental authority as well as any relevant provisions in the *Environmental Protection Act 1994*.

I understand that I am responsible for managing the environmental impacts of these activities, and that approval of this application is not an endorsement by the administering authority of the effectiveness of the management practices proposed or implemented.

Applicant's full name*	Applicant's position (*if an organisation)
Ley Kingdom for Magnesite Queensland Pty Ltd	Authorised Holder Representative
Applicant's signature*	Date*
	14/04/2021

Important note: Estimated rehabilitation cost (ERC)

It is a condition of all environmental authorities for resource activities, under section 297 of the EP Act, that the holder must not carry out, or allow the carrying out of, a resource activity under the authority unless an ERC decision is in effect, and the holder has paid scheme assurance and complied with the requirements under the *Mineral and Energy Resources (Financial Provisioning) Act 2018* for paying this assurance. If your application for an environmental authority is approved, you must lodge a separate application for an ERC decision either using Online Services⁵ or by submitting the approved form *Application for a Decision on the Estimated Rehabilitation Cost*⁶ (publication number ESR/2018/4426). For further information regarding the estimated rehabilitation cost, refer to Guideline *Estimated rehabilitation cost under the Environmental Protection Act 1994*⁷ (publication number ESR/2018/4425).

Submit your completed application to:

email: palm@des.qld.gov.au

or:

Post:

Permit and Licence Management
Department of Environment and Science
GPO Box 2454
BRISBANE QLD 4001

Further information:

www.business.qld.gov.au
Email: palm@des.qld.gov.au
Phone: 13 QGOV (13 74 68)

⁵ Certain applications to DES can be made using Online Services. For more information and to register to use Online Services go to <https://business.qld.gov.au/running-business/environment/online-services>.

⁶ This form is available on the Queensland Government website at www.qld.gov.au, using the publication number ESR/2018/4426 as a search term.

⁷ This form is available on the Queensland Government website at www.qld.gov.au, using the publication number ESR/2018/4425 as a search term.

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Privacy statement

The Department of Environment and Science (the Department) and the Department of Resources are collecting the information on this form in accordance with and as authorised by Chapter 5 of the *Environmental Protection Act 1994* (EP Act).

Pursuant to section 540 of the EP Act, the Department is required to maintain a register of certain documents and information authorised under the EP Act. A copy of this document will be kept on the public register. The register is available for inspection by members of the public who are able to take extracts, or copies of the documents from the register. Documents that are required to be kept on the register are published in their entirety, unless alteration is required by the EP Act. There is no general discretion allowing the Department to withhold documents or information required to be kept on the public register. For more information on the Department's public register, search 'public register' at www.qld.gov.au. For queries about privacy matters please email privacy@des.qld.gov.au or telephone 13 74 68.