Environmental Protection Act 1994

Variation application for an environmental authority for ERA 13A – Commercial cropping and horticulture in Great Barrier Reef catchment

*This is the approved form to make a variation application for an environmental authority (EA) under sections 123 and 125 of the* Environmental Protection Act 1994 *(EP Act) for an environmentally relevant activity (ERA) 13A which is prescribed under section 19 of the EP Act.*

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| It is recommended that prior to making this application you make a pre-lodgement meeting with the department to understand what information you need to provide with your application. To book a pre-lodgement meeting please complete and lodge the form “Application for pre-lodgement services” (ESR/2015/1664). If you require additional assistance in providing a response to any part of this form or have any questions about your application please contact the department by emailing palm@des.qld.gov.au or phoning 1300 130 372 (select option 4). |

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| For applications to the Department of Environment, Science and Innovation, you can apply through Online Services at: <https://business.qld.gov.au/running-business/environment/online-services>.**Note:** For applications to the Department of Environment, Science and Innovation, the only way to pay fees by credit card is by completing the application through Online Services. |

**Only use this application form if you are applying for an environmental authority (EA) for ERA 13A where:**

* All applicants are registered as suitable operators[[1]](#footnote-2). 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 register.
* The only ERA being applied for is 13A - Commercial cropping and horticulture in the Great Barrier Reef catchment. If you are applying for an ERA 13A along with another ERA please use the application forms for prescribed environmentally relevant activities by contacting the department.
* You can meet the eligibility criteria for ERA 13A, however you want to vary one or more of the standard conditions.

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| **Eligibility criteria taken from the ERA Standard – ERA 13A (ESR/2020/5277):****a) The commercial cropping and horticulture will be undertaken on no more than 100 hectares of land in a particular river basin; or** **b) The commercial cropping and horticulture is banana cultivation that is being relocated due to the presence of Panama disease tropical race 4 on other land for which a Notice has been given under the *Biosecurity Act 2014* *(Qld).*** |

**Privacy statement**

The Department of Environment, Science and Innovation (the Department) is collecting the information on this form in accordance with and as authorised by Chapter 5 of the *Environmental Protection Act 1994* (EP Act). Some of the information may be disclosed to the Department of Resources and Queensland Treasury for the purpose of processing this application.

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 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](http://www.qld.gov.au). For queries about privacy matters please email privacy@des.qld.gov.au or telephone 13 74 68.

**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*.**

# Payment of fees

You are required to pay an application fee at the time of application:

Lodgement from 1 July 2023 to 30 June 2024. The application fee is\*: **$957.00**

Lodgement from 1 July 2024 onwards, please contact the department for the fee amount.

Please select your payment method for the application fee below:

[ ]  Cheque or money order payable to the Department of Environment, Science and Innovation (enclosed with application form posted to GPO Box number below)

[ ]  For credit card payments you must complete the application using Online Services at <https://business.qld.gov.au/running-business/environment/online-services>

# Applicant details

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| Is there more than one applicant? **\*** | [ ]  No—provide applicant’s details below.[ ]  Yes—provide the principal applicant’s details below and all other applicants’ details in Attachment 1—*“Joint applicants and appointment of principal applicant”* |
| Name - individual or contact person if applicant is an organisation**\***       | Suitable Operator Reference Number\*      |
| Organisation name, including any trading name (**\***if an organisation)      | ABN/ACN (**\***if an organisation)      |
| Residential or registered business address (not a post office box)**\***      | Phone**\***      |
| Postal address (if same as above, write “AS ABOVE”)**\***      | Facsimile       |
| Email      | [ ]  Indicate if you want to receive correspondence via email |

# Nomination of an agent for this application (application contact)

I/we nominate the below agent to act on my/our behalf and to receive correspondence relating to this application. For example, a consultant or company preparing the application on the applicant’s behalf. All departmental correspondence relating to the assessment of applications will be directed to the application contact. If the application results in the issuing of a relevant authority, the relevant authority will be sent to the applicant.

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| Do you want to nominate an agent for this application?\*[ ]  No → Go to *Question 3*[ ]  Yes → Complete the agent’s details here. |
| Name of agent – individual or contact person if agent is an organisation\*      |
| Organisation name, including trading name (\*if an organisation)      | ABN/ACN (\*if an organisation)      |
| Postal address\*       | Phone\*      |
| Email Address\*      | [ ]  Indicate if you want to receive correspondence via email |

# Description of land where the ERA will be carried out

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| Number\*       | Street Name\*      |
| Suburb/Town\*      | Postcode\*      |
| Real Property Description\*Lot       Plan       |

Where there is more than one location list all locations below:

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| --- | --- |
| Number\*       | Street Name\*      |
| Suburb/Town\*      | Postcode\*      |
| Real Property Description\*Lot       Plan       |

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| --- | --- |
| Number\*       | Street Name\*      |
| Suburb/Town\*      | Postcode\*      |
| Real Property Description\*Lot       Plan       |

# Standard conditions to vary

Where you cannot comply with the standard conditions for ERA 13A – Commercial cropping and horticulture in the Great Barrier Reef catchment (ESR/2020/5277), please provide details of the variation being applied for below, or on an attachment. The form can be obtained from [www.qld.gov.au](http://www.qld.gov.au) (search for ESR/2020/5277), or by emailing palm@des.qld.gov.au or phoning 1300 130 372 (and selecting option 4).

| Standard condition to be varied\* | Requested variation\* | Justification―provide information for the administering authority to assess the environmental risk of the requested variation[[2]](#footnote-3)  |
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# Details of contaminated land

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| Is there a site management plan in effect for contaminated land that relates to the land that is the subject of this application?\*A site management plan, for relevant land, means a plan for managing the environmental harm that may be caused by the hazardous contaminant contaminating the land by applying conditions to the use or development of, or activities carried out on, the land. Activities that may have resulted in a site management plan being relevant to your site include washing out tanks and aircraft used for aerial spraying and livestock dip or spray race operations. Please note this is a mandatory application question, but may not be relevant to your application is the land is not registered on the *environmental management register* (EMR) of *contaminated land register* (CLR). You can search the relevant register for the land through the [Queensland Government’s Property (lot on plan) Searches](https://www.qld.gov.au/housing/buying-owning-home/property-land-valuations/property-search) and access a copy of any current site management plan for that land. |
| [ ]  No  |  Go to *Question 6.*  |
| [ ]  Yes  | Description of land\* |
| Lot and plan number(s)  | Local Government Area\* |
| Lot      Lot      Lot      Lot      Lot       | Plan      Plan      Plan      Plan      Plan       |       |

# Assessment of the environmental impact

In accordance with section 125(5) of the EP Act, you must attach to this application an assessment of the likely impact on environmental values, and **only to the extent the matters below relate to fine sediment, or dissolved inorganic nitrogen, entering the water of the Great Barrier Reef or Great Barrier Reef catchment waters and to the extent that it is relevant to the proposed variation to the standard condition/s** (\*if applicable), including:

* a description of the environmental values likely to be affected by the relevant activity
* details of any emissions or releases likely to be generated by the relevant activity
* a description of the risk and likely magnitude of impacts on the environmental values
* details of the management practices proposed to be implemented to prevent or minimise adverse impacts.

The guideline *Applying for an environmentally authority to undertake commercial cropping and horticulture* (ESR/2021/5614) provides additional information regarding minimum information you should provide with your application. The guideline can be obtained from [www.qld.gov.au](http://www.qld.gov.au) (search for ESR/2021/5614), or by emailing palm@des.qld.gov.au or phoning 1300 130 372 (and selecting option 4).

[ ]  **I have attached an assessment of the environmental impact and specific supporting information.**

1. **Take effect date**

You may nominate when the EA will take effect should it be approved. The date the EA takes effect will be the date from which you can commence the activities.

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| Do you want the EA to take effect on the decision date or a nominated date?\*  |
| [ ]  Decision date | The take effect date will be the date of the decision. |
| [ ]  Nominated date | Details of nominated take effect date:       |

1. **Applicant declaration**

I declare that the information I have provided is true and correct. I understand that it is an offence under section 480 and 480A of the *Environmental Protection Act 1994* to give information that I know is false, misleading or incomplete in a material particular.

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

I declare that I have read the ERA standard and the relevant activity complies with the eligibility criteria.

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.

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| Applicant’s full name\*      | Applicant’s position (\*if an organisation)      |
| Applicant’s signature\* | Date\*      |

**Submit your completed application:**

**via email to:** palm@des.qld.gov.au **or:**

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| **Post:**Permit and Licence ManagementDepartment of Environment, Science and InnovationGPO Box 2454BRISBANE QLD 4001 |   | **Further information:**[www.business.qld.gov.au](http://www.business.qld.gov.au) Email: palm@des.qld.gov.au Phone: 13 QGOV (13 74 68) |

**Attachment 1**

Joint applicants and appointment of principal applicant

We are joint applicants for this environmental authority application and hereby appoint                 as the principal applicant to receive statutory documents relating to this application.

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| Name - individual or contact person if applicant is an organisation\*      | Suitable Operator Reference Number\*       |
| Organisation name, including trading name (\*if an organisation)      | ABN/ACN (\*if an organisation)      |
| Residential or registered business address (not a post office box)\*      | Phone\*      |
| Postal address (if same as above, state “AS ABOVE”) \*      | Facsimile      |
| Email\*      | [ ]  Indicate if you want to receive correspondence via email |
| Signature\* | Date\*      |

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| --- | --- |
| Name - individual or contact person if applicant is an organisation\*      | Suitable Operator Reference Number\*      |
| Organisation name including trading name (\*if an organisation)      | ABN/ACN (\*if an organisation)      |
| Residential or registered business address (not a post office box)\*      | Phone\*      |
| Postal address (if same as above, state “AS ABOVE”)\*      | Facsimile      |
| Email\*      | [ ]  Indicate if you want to receive correspondence via email |
| Signature\* | Date\*      |

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| Name - individual or contact person if applicant is an organisation\*      | Suitable Operator Reference Number\*      |
| Business name including trading name (\*if an organisation)      | ABN/ACN (\*if an organisation)      |
| Residential or registered business address (not a post office box)\*      | Phone\*      |
| Postal address (if same as above, state “AS ABOVE”)\*      | Facsimile      |
| Email\*      | [ ]  Indicate if you want to receive correspondence via email |
| Signature\* | Date\*      |

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 using the form “Application to be a registered suitable operator - ESR/2015/1771” (available at [www.qld.gov.au](http://www.qld.gov.au), using the publication number ESR/2015/1771 as a search term). [↑](#footnote-ref-2)
2. More information on the technical information requirements for an environmental authority application is available through the departments website <https://www.qld.gov.au/environment/agriculture/sustainable-farming/reef/reef-regulations/producers/cropping>. [↑](#footnote-ref-3)