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| **Application type** | | | |
| **Instructions:**   * **Completion of this application form is a statutory requirement under section 64 of the *Environmental Protection Act 1986* (EP Act) to transfer a works approval or licence.** * **When a person becomes an occupier of a prescribed premises with a current works approval or licence, they must apply to have the relevant authorisation transferred within 30 days of the date of occupation, in accordance with section 61(3) of the EP Act.** * **Applications for the transfer of a works approval or a licence require the payment of the prescribed fee of two units, in accordance with regulation 5C of the *Environmental Protection Regulations 1987* (EP Regulations).** * **This application form can also be used to notify the Chief Executive Officer of the Department of Water and Environmental Regulation (DWER) within 30 days of becoming the occupier of a registered premises, as required under regulation 5B(4) of the EP Regulations.** * **Regulation 5B(4)(b) of the EP Regulations requires the payment of a recording fee of two units to be included with the notification.** * **This application form must be completed with all relevant information attached. If there is insufficient space on any part of this form, please continue on a separate sheet of paper and attach to this form. If an application form is submitted which is incomplete or materially incorrect, the application will be returned.** * **Applicants seeking further information relating to requirements under the EP Act, are recommended to review the Act through the State Law Publisher (**[**www.slp.wa.gov.au**](http://www.slp.wa.gov.au)**). The EP Regulations are also available from the State Law Publisher’s website.** | | | |
| This is an application to:  [select only one option] |  | Transfer a works approval | |
|  | Transfer a licence | |
|  | Notify of becoming the occupier of a registered premises | |
| Instrument number | |  |
| Instrument expiry date | |  |
| File number | |  |

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| Part 1. Applicant details | | |
| **INSTRUCTIONS:**   * **An application for the transfer of a works approval or licence must be made by the person to whom it is sought to transfer the works approval or licence.** * **A person who becomes the occupier of a registered premises must notify the Chief Executive Officer of DWER.** * **The Applicant must be an individual(s), a company, body corporate, or public authority, but not a partnership, trust, or joint venture name. Applications made by or on behalf of business names or unincorporated associations will not be accepted.** * **If applying as an individual, your full legal name must be inserted.** * **If applying as a company, body corporate, or public authority, the full legal entity name must be inserted.** * **Australian Company Numbers (ACN) must be provided for all companies or body corporates.** * **Details for a contact person must be provided for DWER inquiries in relation to your application. This contact person can be a consultant if authorised to represent the applicant.** * **Companies or body corporates making an application must nominate an authorised representative from within their organisation. If you are applying as an individual, you are the representative.** * **Details of the occupier of the premises must be provided. One of the options must be selected and if you have been asked to specify, please provide details. For example, if “lease holder” has been selected, please specify the type of lease (for example, pastoral lease, mining lease or general lease) and provide a copy of the lease document(s). Note that contracts for sale of land will not be sufficient evidence of occupancy status.** * **DWER will undertake an internal due diligence of the applicant’s fitness and competency based on DWER’s compliance records and in accordance with the *Guidance Statement: Assessment Framework*.** | | |
| 1.1 | **Applicant name  (full legal name/s):**  [the proposed holder of the works approval, licence or registration] |  |
|  | **ACN (if applicable):** |  |
| 1.2 | **Trading as (if applicable):** |  |

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| 1.3 | **Authorised representative details:** [the person authorised to receive correspondence and notices under the EP Act – all correspondence will be sent to this email address apart from statutory notices served under the EP Act (see below)] | Name |  |
| Position |  |
| Telephone |  |
| Email |  |

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| 1.4 | **Address for notices to be served under the EP Act:**  [this must be a physical address to which a notice under the EP Act may be hand delivered] |  |

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| 1.5 | **Postal address for general correspondence:**  [if different from 1.4] |  |

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| 1.6 | **Contact person details for DWER inquiries relating to the application (if different from the authorised representative):**  [for example, could be a consultant or a site-based employee] | Name |  |
| Position |  |
| Organisation (if different to applicant) |  |
| Address (if different from above) |  |
| Telephone |  |
| Email |  |

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| 1.7 | Occupier status  [Occupier is defined in section 3 of the EP Act and includes a person in occupation or control of the premises] | Registered proprietor on certificate of title |  |
| Lease holder (please specify, including date of expiry of lease) |  |
|  |  |
| Public authority that has care, control or management of the land |  |
| Other (please specify – for example, joint venture operating entity). Note: Contractual arrangements will need to be provided to evidence occupancy arrangements. |  |
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| **Attachments** | |  | **N/A** | **Yes** |
| 1.8 | **Attachment 1A: Proof of occupier status** | Copies of certificate of title, lease or other instruments evidencing proof of occupier status, including the expiry date or confirmation that there is no expiry date, have been provided and labelled as Attachment 1A. |  |  |
| 1.9 | **Attachment 1B: ASIC current company information extract** | A current company information extract purchased from the ASIC website(s) has been provided and labelled as Attachment 1B. |  |  |

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| Part 2. Fit and competent operator | | | | |
| **Instructions:**   * **This section is only to be completed for applications to transfer a works approval or licence.** * **Under this section, DWER will undertake an internal due diligence of the applicant’s fitness and competency based on DWER’s compliance records.** * **If you wish to provide additional information for DWER to consider in making this assessment, you may provide that information as a separate attachment*.*** | | | | |
|  | | **N/A** | **No** | **Yes** |
| 2.1 | If the applicant is an individual, has the applicant ever held a licence or works approval under Part V of the EP Act? |  |  |  |
| 2.2 | If the applicant is a corporation, has any director of that corporation ever held a licence or works approval under Part V of the EP Act? |  |  |  |
| 2.3 | If yes to 2.1 or 2.2 above, specify the name of company and/or licence or works approval number: | | | |
|  |  | | | |
| 2.4 | If the applicant is an individual, has the applicant ever been convicted, or paid a penalty, for an offence under a provision of the EP Act, its subsidiary legislation or similar environmental protection legislation in Australia? |  |  |  |
| 2.5 | If the applicant is a corporation, has any director of that corporation ever been convicted, or paid a penalty, for an offence under a provision of the EP Act, its subsidiary legislation or similar environmental protection legislation in Australia? |  |  |  |
| 2.6 | If the applicant is a corporation, has any person concerned in the management of the corporation, as referred to in section 118 of the EP Act, ever been convicted of, or paid a penalty for, an offence under a provision of the EP Act, its subsidiary legislation or similar environmental protection legislation in Australia? |  |  |  |
| 2.7 | If the applicant is a corporation, has any director of that corporation ever been a director of another corporation that has been convicted, or paid a penalty for, an offence under a provision of the EP Act, its subsidiary legislation or similar environmental protection legislation in Australia? |  |  |  |
| 2.8 | Has the applicant had a licence or other authority suspended or revoked due to a breach of conditions or an offence under the EP Act or similar environmental protection legislation in Australia? |  |  |  |
| 2.9 | If the applicant is a corporation, has any director of that corporation ever had a licence or other authority suspended or revoked due to a breach of conditions or an offence under the EP Act or similar environmental protection legislation in Australia? |  |  |  |
| 2.10 | If the applicant is a corporation, has any director of that corporation ever been a director of another corporation that has ever had a licence or other authority suspended or revoked due to a breach of conditions or an offence under the EP Act or similar environmental protection legislation in Australia? |  |  |  |
| 2.11 | If yes to any of 2.4–2.10 above, you must provide details of any convictions or penalties paid for an offence, and details of any licences or other authorisations suspended or revoked: | | | |
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| Part 3. Submission of prescribed fees | | | | |
| **Instructions:**   * **The prescribed fee for transfer of a licence or works approval and for change of occupier for a registration is two (2) fee units.** | | | | | |
| **Fee calculator** | | | | | |
|  | Single fee unit | | Two fee units | **Total payable** | |
| 1 July 2016 to 30 June 2017 | $34.20 | | 2 x $34.20 | **= $68.40** | |
| 1 July 2017 onward | $35.60 | | 2 x $35.60 | **= $71.20** | |
| **The prescribed fee from the table is $** | | \_\_\_\_\_\_ | | | |
| **Payment or remittance advice must be included with the application.**  Cheques are to be made out to the ‘Department of Water and Environmental Regulation’. Credit card payments can be made over the phone by contacting your local DWER office. If you are paying by Electronic Funds Transfer (EFT) please provide the works approval, licence or registration number in the payment description.  EFTs are to be sent to: **Account Holder – Department of Water and Environmental Regulation**    **BSB – 066 040; Account – 1830 0113** | | | | | |

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| Part 4. Submission of application | |
| **Note:**  **Information submitted as part of this application may be made publicly available. If you wish to submit information that you believe to be commercially sensitive or otherwise confidential, then you should submit that information in an attachment to this application labelled Attachment 2 with a written statement of reasons why you request each item of information be kept confidential. DWER will take reasonable steps to protect genuinely confidential or commercially sensitive information. Please note in particular that all submitted information may be the subject of an application for release under the *Freedom of Information Act 1992.*** | |
| All information which you would propose to be exempt from public disclosure has been separately placed in **Attachment 2** (located at the end of this form). Grounds for claiming exemption in accordance with Schedule 1 to the *Freedom of Information Act 1992* must be specified. |  |
| A full, signed electronic copy has been submitted via email at [info-der@dwer.wa.gov.au](mailto:info-der@dwer.wa.gov.au). |  |
| **or**  A full hard copy has been sent to:  Application submissions Department of Water and Environmental Regulation Locked Bag 33 Cloisters Square PERTH WA 6850 |  |

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| Acknowledgement and signature |
| **General**  I/We confirm and acknowledge that:   * I/We have legal authority to sign on behalf of the applicant; * the information contained in this application is true and correct and I/we acknowledge that knowingly providing information which is false or misleading in a material particular commits an offence under section 112 of the *Environmental Protection Act 1986* and may incur a penalty of up to $50,000; * I/we have not altered the requirements and instructions set out in this application form.   **Publication**  I/We confirm and acknowledge:   * this application (including all attachments apart from the sections identified in Attachment 10) is a public document and may be published; * all necessary consent for the publication of information have been obtained from third parties; * information considered exempt from public disclosure has been placed in Attachment 10 with reasons as to why the information should be exempt in accordance with the grounds specified in Schedule 1 to the *Freedom of Information Act 1992;* * subsequent information provided in relation to this application will be a public document and may be published unless written notice has been given to the Department of Water and Environmental Regulation by the Applicant, at the time the information is provided, claiming that the information is considered exempt from public disclosure; and * the decision to not publish information will be at the discretion of the Department of Water and Environmental Regulation and will be made consistently with the provisions of the *Freedom of Information Act 1992.* |
| |  |  |  | | --- | --- | --- | |  |  |  | | Signature |  | Date | |  |  |  | | Name |  |  | |  |  |  | | Position |  |  | |  |  |  | | Signature |  | Date | |  |  |  | | Name |  |  | |  |  |  | | Position |  |  | |
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**Note: This form may be signed:**

* **if the applicant is an individual, by the individual;**
* **if the applicant is a corporation, by:**
* **the common seal being affixed in accordance with the *Corporations Act 2001*; or**
* **two directors; or**
* **a director and a company secretary; or**
* **if a proprietary company has a sole director who is also the sole company secretary, by that director; and**
* **by a person with legal authority to sign on behalf of the applicant.**

**Attachment 2 - Confidential or commercially sensitive information**

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| Request for exemption from publication | |
| **Information which you consider should not be published on the grounds for claiming exemption in accordance with Schedule 1 to the *Freedom of Information Act 1992* must be specified in this Attachment.** | |
| **Not for publication if grounds for exemption are determined** | |
| Section [x]: | Ground for claiming exemption: |
|  | |
|  | |
| Section [x]: | Ground for claiming exemption: |
|  | |
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