| Part 1: Application type | | |
| --- | --- | --- |
| **INSTRUCTIONS:**   * **Completion of this form is a statutory requirement under section 54(1)(a) of the *Environmental Protection Act 1986* (WA) (EP Act) for works approval applications; section 57(1)(a) for licence applications; section 59B(1)(a) for applications for an amendment; and under regulation 5B(2)(a) of the *Environmental Protection Regulations 1987* (WA) (EP Regulations)for applications for registration of premises.** * **The instructions set out in this application form are general in nature.** * **A reference to ‘you’ in these instructions is a reference to the applicant.** * **The information provided to you by the Department of Water and Environmental Regulation (DWER) in relation to making applications does not constitute legal advice. DWER recommends that you obtain independent legal advice.** * **Applicants seeking further information relating to requirements under the EP Act and/or EP Regulations are directed to the Parliamentary Counsel’s Office website (**[**www.legislation.wa.gov.au**](http://www.legislation.wa.gov.au)**). Schedule 1 of the EP Regulations contains the categories of prescribed premises.** * **For prescribed premises where activities fall within more than one category, ALL applicable categories must be identified. This applies for existing prescribed premises seeking renewal or amendment, as well as new prescribed premises.** * **The 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 has been submitted which is incomplete or materially incorrect, the Chief Executive Officer (CEO) of DWER will decline to deal with the application and advise the applicant accordingly.** * **On completing this application form, please submit it to DWER in line with the instructions in Part 14 of the form.** | | |
| 1.1 | **This is an application for:** [select only one option]  under Part V, Division 3 of the EP Act  Please see [*Guidance Statement: Decision Making*](https://www.der.wa.gov.au/our-work/regulatory-framework) for more information relating to the process for assessing and determining applications. | Works approval  Licence   Existing registration number(s): [     ]  Existing works approval number(s): [     ]  Renewal  Existing licence number: [     ]  Amendment   Number of the existing licence or works approval to be   amended: [     ]  Registration (works approval already obtained)   Existing works approval number(s): [     ] |
| 1.2 | **This application is for the following categories of prescribed premises:** | [     ]  (specify all prescribed premises category numbers) |
| All activities that meet the definition of a prescribed premises as set out in Schedule 1 of the EP Regulationshave been specified above (tick, if yes). |

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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| **Completion Matrix**  **The matrix below explains what sections are required to be completed for different types of applications.**   | **Application Form Section** | **New Application/ Registration** | **Renewal** | **Amendment** | | --- | --- | --- | --- | | **Part 1: Application type** | ● | ● | ● | | **Part 2: Applicant details – sections 2.1** | ● | ● | ● | | **Part 2: Applicant details – section 2.1 onwards** | ● | ● | **Δ** | | **Part 3: Premises details** | ● | ● | **Δ** | | **Part 4: Proposed activities** | ● | ● | ● | | **Part 5: Index of Biodiversity Surveys for Assessment** | **If required.** | **If required.** | **If required.** | | **Part 6: Other DWER approvals** | ● | ● | ● | | **Part 7: Other approvals and consultation** | ● | ● | ● | | **Part 8: Fit and competent operator** | ● | ● | **Δ** | | **Part 9: Emissions, discharges, and waste** | ● | ● | **Δ** | | **Part 10: Siting and location** | ● | ● | **N/A** | | **Part 11: Submission of any other relevant information** | ● | ● | **If required.** | | **Part 12: Proposed fee calculation** | ● | ● | ● | | **Part 13: Commercially sensitive or confidential information** | ● | ● | ● | | **Part 14: Submission of application** | ● | ● | ● | | **Part 15: Declaration and signature** | ● | ● | ● | | **Attachment 1A: Proof of occupier status** | ● | ● | **N/A** | | **Attachment 1B: ASIC company extract** | ● | ● | **N/A** | | **Attachment 1C: Authorisation to act as a representative of the occupier** | **If required.** | **If required.** | **If required.** | | **Attachment 2: Premises map/s** | ● | ● | **Δ** | | **Attachment 3A: Proposed activities** | ● | ● | **Δ** | | **Attachment 3B: Map of area proposed to be cleared (only applicable if clearing is proposed)** | ● | ● | ● | | **Attachment 3C: Additional information for clearing assessment** | **If required.** | **If required.** | **If required.** | | **Attachment 4: Biodiversity surveys (only applicable if biodiversity surveys included in application)** | ● | ● | ● | | **Attachment 5: Other approvals and consultation documentation** | ● | ● | **Δ** | | **Attachment 6A: Emissions and discharges** | **If required.** | **If required.** | **If required.** | | **Attachment 6B: Waste acceptance** | **If required.** | **If required.** | **If required.** | | **Attachment 7: Siting and location** | ● | ● | **Δ** | | **Attachment 8: Additional information submitted** | **If required.** | **If required.** | **If required.** | | **Attachment 9: Proposed fee calculation** | ● | ● | ● | | **Attachment 10: Request for exemption from publication** | **If required.** | **If required.** | **If required.** | |
|  |
| **Key:**  **● Must be submitted**  **Δ to the extent changed/required in relation to the amendment**  **N/A Not required with application, but may be requested subsequently depending on DWER records**  **“If required” Sections for applicants to determine.** |

| Part 2: Applicant details | | | | | | | |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **INSTRUCTIONS:**   * **The applicant (the occupier of the premises) 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 Number's (ACN) must be provided for all companies or body corporates.** * **DWER prefers to send all correspondence electronically via email. We request that you consent to receiving all correspondence relating to instruments and notices under Part V of the EP Act (“Part V documents”) electronically via email, by indicating your consent in Section 2.3.** * **Companies or body corporates making an application must nominate an authorised representative from within their organisation. Proof of authorisation will be required.** * **Details of a contact person must be provided for DWER enquiries in relation to your application. This contact person can be a consultant if authorised to represent the applicant. Written evidence of this authorisation must be provided.** * **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.** | | | | | | | |
| 2.1 | **Applicant name/s (full legal name/s):**  [the proposed holder of the works approval, licence or registration] |  | | | | | |
|  | **ACN (if applicable):** |  | | | | | |
| 2.2 | **Trading as (if applicable):** |  | | | | | |
| 2.3 | **Authorised representative details:**  [the person authorised to receive correspondence and Part V documents on behalf of the applicant under the EP Act.  Where ‘yes’ is selected, all correspondence will be sent to you via email, to the email address provided in this section.  Where ‘no’ has been selected, Part V documents will be posted to you in hard copy to the postal / business address specified in section 2.4. Other general correspondence may still be sent to you via email.] | Name |  | | | | |
| Position |  | | | | |
| Telephone |  | | | | |
| Email |  | | | | |
| *I consent to all written correspondence between myself (the applicant) and DWER, regarding the subject of this application, being exclusively via email, using the email address I have provided above.* | | | **Yes** | | **No** |
|  | |  |
| 2.4 | **Registered business address for receipt of Part V documents under the EP Act:**  [this must be a physical address to which a Part V document may be delivered. |  | | | | | |
| 2.5 | **Postal address for all other correspondence:**  [if different from section 2.4] |  | | | | | |
| 2.6 | **Contact person details for DWER enquiries relating to the application (if different from the authorised representative):**  [for example, could be a consultant or a site based employee] | Name |  | | | | |
| Position |  | | | | |
| Organisation |  | | | | |
| Address |  | | | | |
| Telephone |  | | | | |
| Email |  | | | | |
| 2.7 | **Occupier status:**  [Occupier is defined in section 3 of the EP Act and includes a person in occupation or control of the premises, or occupying a different part of the premises whether or not that person is the owner.] | 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, contract, or other legal document) | | | |  | |
|  | | | | | |
| **Attachments** | |  | | **N/A** | | **Yes** | |
| 2.8 | **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. | |  | |  | |
| 2.9 | **Attachment 1B: ASIC company extract** | A current company information extract purchased from the ASIC website(s) for all new applications/registrations has been provided and labelled as Attachment 1B. | |  | |  | |
| 2.10 | **Attachment 1C: Authorisation to act as representative of the occupier** | A copy of the documentation authorising the applicant to act on the occupier’s behalf as their authorised agent/representative has been provided and labelled as Attachment 1C. | |  | |  | |

| Part 3: Premises details | | | | | |
| --- | --- | --- | --- | --- | --- |
| 3.1 | **Premises legal description (whole or part to be specified):**  [Include the land description (volume and folio number, lot or location number/s); Crown lease or reserve number; pastoral lease number; or mining tenement number (as appropriate), of all properties, as shown on title details registered with Landgate.] | |  | | |
| **Premises street address**  [Include the suburb.] | |  | | |
| **Premises name (if applicable):** | |  | | |
| 3.2 | **Local Government Authority area:**  [City, Town or Shire] | |  | | |
| 3.3 | **GPS or map coordinates:**  [GPS coordinates (latitude and longitude) must be provided where cadastre or mining tenements are not used as the premises boundary] | |  | | |
| **Attachments** | | | | **N/A** | **Yes** |
| 3.4 | **Attachment 2: Premises map/s** | An aerial photograph, map and site plan of the premises must be included as an attachment to this application form and labelled Attachment 2.  You must provide an aerial photograph of sufficient scale showing the prescribed premises.  You must also provide a map or maps of the prescribed premises, identifying:   * layout of key infrastructure and buildings, clearly labelled; * the premises boundary; * emission and discharge points (with GPS coordinates where available); * sensitive receptors and land uses; and * all areas proposed to be cleared (if applicable).   Maps must contain a north arrow, clearly marking the area in which the activities are carried out. The map or maps must be of reasonable clarity and have a visible scale. | |  |  |

| **Part 4: Proposed activities** | | | | | | |
| --- | --- | --- | --- | --- | --- | --- |
| **INSTRUCTIONS:**   * **You must provide a description and the scope, size and scale of all prescribed activities of Schedule 1 to theEP Regulations including the maximum production or design capacity of each prescribed activity.** * **If applying for a works approval or licence amendment involving the construction of new infrastructure, you must provide information on infrastructure to be constructed and how long construction is expected to take. You must confirm if commissioning is to occur and how long it will take.** * **If applying for a works approval or licence amendment *not* involving the construction of new infrastructure, provide details of the proposed amendment.** * **You must identify all emission sources on the premises map/s.** * **You must also provide information on activities which directly relate to the prescribed premises category which have, or are likely to result in, an emission or discharge.** * **If clearing activities are proposed provide a description and details. If a relevant exemption under Schedule 6 of the EP Act or regulation 5 of the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004* (WA) (Clearing Regulations) may apply, provide details.** | | | | | | |
| 4.1 | **Description/overview:** | | | | | |
|  |  | | | | | |
| 4.2 | **Estimated operating period of the project / premises (e.g. based on estimated infrastructure life):** | | |  | | |
| 4.3 | **Proposed date/s for commencement of works (if applicable):** | | |  | | |
| 4.4 | **Proposed date/s for conclusion of works construction (if applicable):**  [This date should coincide with the submission to DWER of an Environmental Compliance Report and/or a Critical Containment Infrastructure Reports as required] | | |  | | |
| 4.5 | **Proposed date/s for commissioning of works (if applicable):** | | |  | | |
| 4.6 | **Proposed date/s for commencement of operations under works approval (if applicable):** | | |  | | |
| 4.7 | **Maximum production or design capacity for each category applied for (based on infrastructure operating 24 hours a day, 7 days a week):**  [Refer to categories listed in 1.2. Units must be consistent with Schedule 1 of the EP Regulations] | | |  | | |
| 4.8 | **Estimated/actual throughput for each category applied for:**  [Refer to categories listed in 1.2. Units must be consistent with Schedule 1 of the EP Regulations] | | |  | | |
| 4.9 | **Proposed activities:**  You must provide details of proposed activities, identifying:   * scope, size and scale, including details as to frequency and production or design capacity; * key infrastructure and equipment; * description of processes or operations (a process flow chart may be included as an attachment); * emission/discharge points; * locations of waste storage or disposal; and * activities occurring during construction, commissioning and operation (if applicable).   Additional information relating to the proposed activities may be included in Attachment 3A (see 4.10 below). | | | | | |
|  |  | | | | | |
| **Attachments** | | |  | | **N/A** | **Yes** |
| 4.10 | **Attachment 2: Premises map** | | Emission/discharge points are clearly labelled on the map/s required for Part 3.4 (Attachment 2). | |  |  |
| 4.11 | **Attachment 3A: Proposed activities** | | Additional information relating to the proposed activities has been included in Attachment 3A (if required). | |  |  |
| **Clearing activities**  [4.12 to 4.18 are only required if the application includes clearing of native vegetation] | | | | | | |
| 4.12 | **Proposed clearing area (hectares and/or number of individual trees to be removed):** | | |  | | |
| 4.13 | **Details of any relevant exemptions:**  [refer to DWER’s [*A guide to the exemptions and regulations for clearing native vegetation*](https://www.der.wa.gov.au/images/documents/your-environment/native-vegetation/Guidelines/Guide_1_-_Exemptions_and_regulations_for_clearing_native_vegetation-1.pdf)] | | |  | | |
| 4.14 | **Proposed method of clearing:** | | |  | | |
| 4.15 | **Period within which clearing is proposed to be undertaken:**  [for example, May 2019 – June 2019] | | |  | | |
| 4.16 | **Purpose of clearing:** | | | | | |
|  |  | | | | | |
| **Clearing activities – Attachments** | | | | | **N/A** | **Yes** |
| 4.17 | **Attachment 3B: Map of area proposed to be cleared** | You must provide an aerial photograph or map of sufficient scale showing the proposed clearing area and prescribed premises boundary  OR  if you have the facilities, a suitable portable digital storage device of the area proposed to be cleared as an ESRI shapefile with the following properties:   * Geometry type: Polygon Shape * Coordinate system: GDA 1994 (Geographic latitude/longitude)   Datum: GDA 1994 (Geocentric Datum of Australia 1994). | | |  |  |
| 4.18 | **Attachment 3C: Additional information for clearing assessment** | Additional information to assist in the assessment of the clearing proposal may be attached to this application (for example, reports on salinity, fauna or flora studies or other environmental reports conducted for the site). | | |  |  |

| **Part 5: Index of Biodiversity Surveys for Assessments (IBSA)** | | | | |
| --- | --- | --- | --- | --- |
| **INSTRUCTIONS:**   * **Biodiversity surveys submitted to support this application must meet the requirements of the EPA’s *Instructions for the preparation of data packages for the Index of Biodiversity Surveys for Assessments (IBSA)*.** * **If these requirements are not met, DWER will decline to deal with the application.** | | | | |
| **Attachments** | | | **N/A** | **Yes** |
| 5.1 | **Attachment 4:**  **Biodiversity surveys** | All biodiversity surveys submitted with this application meet the requirements of the EPA’s [*Instructions for the preparation of data packages for the Index of Biodiversity Surveys for Assessments (IBSA)*](http://www.epa.wa.gov.au/node/3751). |  |  |

| Part 6: Other DWER approvals | | |
| --- | --- | --- |
| **INSTRUCTIONS:**   * **If you have applied, or intend to apply, for other approvals within DWER that may be relevant to this application, you must provide relevant details.** * **If you have referred, or intend to refer, your proposal to the Environmental Protection Authority (EPA), you must provide details.** | | |
| **Pre-application scoping** | | |
| 6.1 | **Have you had any pre-application / pre-referral / scoping meetings with DWER regarding any planned applications?** | No  Yes – provide details: [     ] |
| **Environmental Impact Assessment (Part IV of the EP Act)** | | |
| 6.2 | **Have you referred or do you intend to refer the proposal to the EPA?**  Section 37B(1) of the EP Act defines a ‘significant proposal’ as *“a proposal likely, if implemented, to have a significant effect on the environment”*.  If DWER considers that the proposal in this application is likely to constitute a ‘significant proposal’, DWER is required under section 38(5) of the EP Act to refer the proposal to the EPA for assessment under Part IV, if such a referral has not already been made.  If a relevant Ministerial Statement already exists, please provide the MS number in the space provided. | Yes (referred) – reference (if known): [     ]  Yes – intend to refer (proposal is a ‘significant proposal’)  Yes – intend to refer (proposal will require a section 45C amendment to the current Ministerial Statement): MS [     ]  No – a valid Ministerial Statement applies: MS [     ]  No – not a ‘significant proposal’ |
| **Clearing of Native Vegetation (Part V, Division 2 of the EP Act and *Country Area Water Supply Act 1947*)** | | |
| 6.3 | **Have you applied or do you intend to apply for a native vegetation clearing permit?**  In accordance with the [*Guidance Statement: Decision Making*](https://www.der.wa.gov.au/our-work/regulatory-framework)*,* where clearing of native vegetation is of an exempt kind under the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004* (WA), or is being assessed by a relevant authority which would lead to an exemption under Schedule 6 of the EP Act, the clearing will not be assessed by DWER or be subject to any additional controls by DWER.  If the proposed clearing action is to be assessed in accordance with, or under, an *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (EPBC Act) accredited process, such as the assessment bilateral agreement, [*Form Annex C7 – Assessment bilateral agreement*](https://www.der.wa.gov.au/our-work/clearing-permits/46-clearing-permit-application-forms) must be completed and attached to your clearing permit application. | Yes – clearing application reference (if known): [     ]  No – this application includes clearing (please complete questions 4.11 to 4.17)  No – a valid permit applies: CPS [     ]  No – exemption applies (explain why): [     ]  No – permit not required |
| 6.4 | **Have you applied or do you intend to apply for a *Country Area Water Supply Act 1947* licence?**  If a clearing exemption applies in a *Country Area Water Supply Act 1947* (CAWS) controlled catchment, or if compensation has previously been paid to retain the subject vegetation, a *Country Area Water Supply Act 1947* clearing licence is required.  If yes, contact the nearest DWER regional office for a Form 1 *Application for licence*.  [Map of CAWS Act controlled catchments](http://water.wa.gov.au/PublicationStore/90483.pdf) | Yes – application reference (if known): [     ]  No – a valid licence applies: [     ]  No – licence not required |

| Part 6: Other DWER approvals | | |
| --- | --- | --- |
| **Water Licences and Permits (*Rights in Water and Irrigation Act 1914*)** | | |
| 6.5 | **Have you applied, or do you intend to apply for:**   1. **a licence or amendment to a licence to take water (surface water or groundwater); or** 2. **a licence to construct wells (including bores and soaks); or** 3. **a permit or amendment to a permit to interfere with the bed and banks of a watercourse?** | Yes –application reference (if known): [     ]  No – a valid licence / permit applies: [     ]  No – licence / permit not required |

| Part 7: Other approvals and consultation | | | | | | |
| --- | --- | --- | --- | --- | --- | --- |
| **INSTRUCTIONS:**   * **Please provide copies of all relevant documentation indicated below, including any conditions, exclusions, or expiry dates.** * **Major Project means:**   + **A State Development Project, where the lead agency is the Department of Jobs, Tourism, Science and Innovation (including projects to which a State Agreement applies); or**   + **A Level 2 or 3 Major Resource Project, as defined in the Lead Agency Framework.** | | | | | | |
|  |  | | | **N/A** | **No** | **Yes** |
| 7.1 | **Is the proposal a Major Project?** | | | |  |  |
| 7.2 | **Is the proposal subject to a State Agreement Act?** | | | |  |  |
| **If yes, specify which Act:** | |  | | | |
| 7.3 | **Has the proposal been allocated to a “Lead Agency”?** | | | |  |  |
|  | **If yes, specify Lead Agency contact details:** | |  | | | |
| 7.4 | **Has the proposal been referred and/or assessed under the EPBC Act (Commonwealth)?** | | |  |  |  |
|  | **If yes, please specify referral, assessment and/or approval number:** | |  | | | |
| 7.5 | **Has the proposal obtained all relevant planning approvals?** | | |  |  |  |
| **If planning approval is necessary but has not been obtained, please provide details indicating why:** | | | | | |
|  | | | | | |
| **If planning approval is not necessary, please provide details indicating why:** | | | | | |
|  | | | | | |
| 7.6 | **For renewals or amendment applications, are the relevant planning approvals still valid (that is, not expired)?** | | |  |  |  |
| 7.7 | **Has the proposal obtained all other necessary statutory approvals (not including any other DWER approvals identified in Part 6)?** | | |  |  |  |
| **If no, please provide details of approvals already obtained, outstanding approvals, and expected dates for obtaining these outstanding approvals:** | | | | | |
|  | | | | | |
|  |  | | | **N/A** | **No** | **Yes** |
| 7.8 | **Has consultation been undertaken with parties considered to have a direct interest in the proposal (that is, interested parties or persons who are considered to be directly affected by the proposal)?**  DWER will give consideration to submissions from interested parties or persons in accordance with the [*Guidance Statement: Decision Making*](https://www.der.wa.gov.au/our-work/regulatory-framework)**.** | | |  |  |  |
| **Attachments** | |  | | | **N/A** | **Yes** |
| 7.9 | **Attachment 5: Other approvals and consultation documentation** | Details of other approvals specified in Part 7 of this application, including copies of relevant decisions and any consultation undertaken with direct interest stakeholders have been provided and labelled Attachment 5. | | |  |  |

| Part 8: Applicant history | | | | |
| --- | --- | --- | --- | --- |
| **Note:**   * **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 (see Part 11)*.*** | | | | |
|  | | **N/A** | **No** | **Yes** |
| 8.1 | If the applicant is an individual, has the applicant previously held, or do they currently hold, a licence or works approval under Part V of the EP Act? |  |  |  |
| 8.2 | If the applicant is a corporation, has any director of that corporation previously held, or do they currently hold, a licence or works approval under Part V of the EP Act? |  |  |  |
| 8.3 | If yes to 8.1 or 8.2 above, specify the name of company and/or licence or works approval number: | | | |
|  |  | | | |
| 8.4 | 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 or health-related legislation in Western Australia or elsewhere in Australia? |  |  |  |
| 8.5 | 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 or health-related legislation in Western Australia or elsewhere in Australia? |  |  |  |
| 8.6 | 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 or health-related legislation in Western Australia or elsewhere in Australia? |  |  |  |
| 8.7 | 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 or health-related legislation in Western Australia or elsewhere in Australia? |  |  |  |
| 8.8 | With regards to the questions posed in 8.4 to 8.7 above, have any legal proceedings been commenced, whether convicted or not, against the applicant for an offence under a provision of the EP Act, its subsidiary legislation, or similar environmental protection or health-related legislation in Western Australia or elsewhere in Australia? |  |  |  |
| 8.9 | 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 or health-related legislation in Western Australia or elsewhere in Australia? |  |  |  |
| 8.10 | 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 or health-related legislation in Western Australia or elsewhere in Australia? |  |  |  |
| 8.11 | 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 authorisation suspended or revoked due to a breach of conditions or an offence under the EP Act or similar environmental protection or health-related legislation in Western Australia or elsewhere in Australia? |  |  |  |
| 8.12 | If yes to any of 8.4 to 8.11 above, you must provide details of any charges, convictions, penalties paid for an offence, and/or licences or other authorisations suspended or revoked: | | | |
|  |  | | | |

| Part 9: Emissions, discharges, and waste | | | | | | |
| --- | --- | --- | --- | --- | --- | --- |
| **INSTRUCTIONS:**   * **Please see** [***Guidance Statement: Risk Assessments***](https://www.der.wa.gov.au/our-work/regulatory-framework) **and provide all information relating to emission sources, pathways and receptors relevant to the application.** * **You must provide details on sources of emissions (for example, kiln stack, baghouses or discharge pipelines) including fugitive emissions (for example, noise, dust or odour), types of emissions (physical, chemical, or biological), and volumes, concentrations and durations of emissions.** * **The potential for emissions should be considered for all stages of the proposal (where relevant), including during construction, commissioning and operation of the premises.** | | | | | | |
|  |  | | | **No** | | **Yes** |
| 9.1 | **Are there potential emissions or discharges arising from the proposed activities?** | | |  | |  |
|  | **If yes, identify all potential emissions and discharges arising from the proposed activities and complete the Emission Table below.** | | | | | |
| |  |  | | --- | --- | | Gaseous and particulate emissions (e.g. emissions from stacks, chimneys or baghouses) | Dust (e.g. from equipment, unsealed roads and/or stockpiles) | | Wastewater discharges (e.g. treated sewage, wash water, or process water discharged to lands or waters) | Waste and leachate (e.g. emissions through seepage, leaks and spills of waste from storage, process and handling areas) | | Noise (e.g. from machinery operations and/or vehicle operations) | Odour (e.g. from wastes accepted at putrescible landfills) | | Contaminated or potentially contaminated stormwater (e.g. stormwater with the potential to come into contact with chemicals or waste materials) | Electromagnetic radiation\* | | Other (please specify) [ ] | | | | | | | |
|  | \*For electromagnetic radiation, copies/details of other relevant approvals (such as from the Department of Mines, Industry Regulation and Safety or the Radiological Council) must be provided where applicable.  Details of any pollution control equipment or waste treatment system, including any control mechanisms used to ensure proper operation of this equipment, must be included in the proposed controls column of the ‘Emissions and discharges table’ below. Details of management measures employed to control emissions should also be included.  Additional rows may be added as required and/or further information may be included as an attachment (see section 9.3).  **Emissions and discharges table:**   |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | |  | **Source of emission** **or discharge** | **Emission or discharge type** | **Volume and frequency** | **Proposed controls** | **Location (on site layout plan – see 3.4)** | |  |  |  |  |  |  | |  |  |  |  |  |  | |  |  |  |  |  |  | |  |  |  |  |  |  | |  |  |  |  |  |  | |  |  |  |  |  |  | |  |  |  |  |  |  | |  |  |  |  |  |  | |  |  |  |  |  |  | |  |  |  |  |  |  | |  |  |  |  |  |  | |  |  |  |  |  |  | | | | | | |
|  |  | | **No** | | **Yes** | |
| 9.2 | **Is there waste accepted, buried, stored, or recycled on the premises?**  (includes leachate and contaminated storm water generated and stored on the premises) | |  | |  | |
| Solid waste types must be described with reference to *Landfill Waste Classification and Waste Definitions 1996* (as amended December 2009) and the *Environmental Protection (Controlled Waste) Regulations 2004*.  Liquid waste types must be described with reference to the *Environmental Protection (Controlled Waste) Regulations 2004*.  Detail must be provided on storage type (for example, hardstand and containment infrastructure), capacity, likely storage volumes, and containment features (for example, lining and bunding).  Additional rows may be added as required and/or further information may be included as an attachment (see section 9.4).  **Waste acceptance table:** | | | | | |
|  | |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | |  | **Waste type** | **Quantity (e.g. tonnes, litres, cubic metres)** | **Storage infrastructure (including specifications)** | **Monitoring (if applicable)** | **Location (on site layout plan – see 3.4)** | |  |  |  |  |  |  | |  |  |  |  |  |  | |  |  |  |  |  |  | | | | | | |
| **Attachments** | | | **N/A** | | **Yes** | |
| 9.3 | **Attachment 6A: Emissions and discharges** (if required) | If required, further information for Part 9.1 has been included as an attachment labelled Attachment 6A. |  | |  | |
| 9.4 | **Attachment 6B: Waste acceptance** (if required) | If required, further information for Part 9.2 has been included as an attachment labelled Attachment 6B. |  | |  | |

| Part 10: Siting and Location | | | | | |
| --- | --- | --- | --- | --- | --- |
| 10.1 | What is the distance to the nearest sensitive land uses (that is, a residence or other land use which may be affected by an emission or discharge associated with the proposed activities): | |  | | |
|  | | | | **No** | **Yes** |
| 10.2 | Is the premises located within, or within close proximity to, any specified ecosystems, or any environmentally sensitive areas (ESAs) as declared under the *Environmental Protection (Environmentally Sensitive) Notice 2005*?  (See [*Guidance Statement: Environmental Siting*](https://www.der.wa.gov.au/our-work/regulatory-framework)) | | |  |  |
| If no, identify the distance in which there are no specified ecosystems and/or ESAs. If yes, provide details of the specified ecosystems and/or ESAs, and the distance to these: | | | | |
|  |  | | | | |
| 10.3 | If yes to 10.2, you must also provide further information including details on topography, geology, soil type, depth to groundwater and quality of groundwater at the premises.  For premises answering no to 10.2, additional information including topography, geology, soil type, groundwater depth, and water quality is recommended to be included if this information is available. | | | | |
|  |  | | | | |
| **Attachments** | | | | **N/A** | **Yes** |
| 10.4 | **Attachment 7: Siting and location** | You must provide details and a map describing the siting and location of the premises, including identification of distances to sensitive land uses and/or any specified ecosystems. | |  |  |
|  |  | | | | |

| Part 11: Submission of any other relevant information | | | | | |
| --- | --- | --- | --- | --- | --- |
| **Attachments** | | | | **No** | **Yes** |
| 11.1 | **Attachment 8: Additional information submitted** | Applicants seeking to submit further information may include information labelled Attachment 8. If submitting multiple additional attachments, label them 8A, 8B, etc.  Where supplementary documentation is submitted, please specify the name of documents below. | |  |  |
|  | List title of supplementary document/s attached: | |  | | |

| Part 12: Proposed fee calculation | | | |
| --- | --- | --- | --- |
| **INSTRUCTIONS:**  **To pay a fee via BPoint, or for information for paying via secure electronic funds transfer or cheque, consult DWER’s website at** [**https://dwer.wa.gov.au/make-a-payment**](https://dwer.wa.gov.au/make-a-payment)**. If paying by credit card, select biller code “Industry Regulation”.**  **Fee calculators are available online to assist in completing this section.**   * **Licence:** [**www.der.wa.gov.au/LicenceFeeCalculator**](http://www.der.wa.gov.au/LicenceFeeCalculator) * **Works approval:** [**www.der.wa.gov.au/WorksApprovalFeeCalculator**](http://www.der.wa.gov.au/WorksApprovalFeeCalculator) * **Amendment::** [**www.der.wa.gov.au/AmendmentFeeCalculator**](https://www.der.wa.gov.au/images/documents/our-work/licences-and-works-approvals/Fee_changes_2018/Proposed_Amendment_Fee_Calculator_FINAL.XLSX)   **Different fee units apply for different fee components. Fee units may also have different amounts depending on the period in which the calculation is made.**  **Further information on fees can be found in the** [***Fact Sheet: Industry Regulation fees***](https://www.der.wa.gov.au/images/documents/our-work/licences-and-works-approvals/Fee_changes_2018/2018-05-25_IR-FS-12_Industry_Regulation_Fees.pdf)**, available from DWER’s website.** | | | |
| 12.1 | Only the relevant fee calculations are to be completed as follows:  [mark the box to indicate sections completed] | Section 12.3 for works approval applications  Section 12.4 for licence applications  Section 12.5 for registration applications  Section 12.6 for amendment applications  Section 12.7 for applications requiring clearing of native vegetation | |
| 12.2 | All information and data used for the calculation of proposed fees has been provided in accordance with section 12.8. | |  |
| 12.3 | **Proposed works approval fee** | | |

|  |  |
| --- | --- |
| Proposed works approval fee (see Schedule 3 of the EP Regulations)  Fees relate to the cost of the works, including all capital costs (inclusive of GST) associated with the construction and establishment of the works proposed under the works approval application. This includes, for example, costs associated with earth works, hard stands, drainage, plant hire, equipment, processing plant, relocation of equipment and labour hire.  Costs exclude:   * the cost of land; * the cost of buildings to be used for purposes unrelated to the purposes in respect of which the premises are, or will become, prescribed premises; costs for buildings unrelated to the prescribed premises activity or activities; and * consultancy fees relating to the works. | |
| Fee component | Proposed fee |
| Cost of works: $ | $ |

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| 12.4 | **Proposed licence fee** | | | | | |
| **Detailed licence fee calculations** | | | | | | |
| **Part 1 Premises component** (see regulation 5D and Part 1 of Schedule 4 of the EP Regulations)  The production or design capacity should be the maximum capacity of the premises. For most categories the production or design capacity refers to an annual rate. The figure should be based on 24 hour operation for 365 days, unless there is another regulatory approval or technical reason that restricts operation.  The premises component fee applies to the category in Part 1, Schedule 4 incurring the higher or highest amount of fee units in accordance with regulation 5D(2) of the EP Regulations.  List all categories (insert additional rows as required). Use only the higher or highest amount of fee units to determine the Part 1 fee component. | | | | | | |
| Category | | Production or design capacity | | Fee units | | |
|  | |  | |  | | |
|  | |  | |  | | |
|  | |  | |  | | |
| Using the higher or highest amount of fee units, Part 1 component subtotal | | | | | $ | |
| **Part 2 Waste** (see regulation 5D(1a)(b) and Part 2 of Schedule 4 of the EP Regulations)  If your premises includes one or more of the following categories specify any applicable Part 2 waste amounts. Do not include Part 3 waste components of these discharges in the below sections.  Categories: 5, 6, 7, 8, 9, 12, 14, 44, 46, 53, 54A, 70, 80, or 85B  Part 2 waste means waste consisting of –   * + - * 1. tailings; or         2. bitterns; or         3. water to allow mining of ore; or         4. flyash; or         5. waste water from a desalination plant.   If the premises does not fall into one of the categories listed above, or there are no applicable Part 2 waste amounts, the sub total for this section will be $0.  Insert additional rows as required. Sum all Part 2 waste fees to determine the sub total. | | | | | | |
| Discharge quantity (tonnes/year) | | | Fee units | | | |
|  | | |  | | | |
|  | | |  | | | |
|  | | |  | | | |
| Part 2 component subtotal | | | | | | $ |
| **Part 3 Waste** - Discharges to air, onto land, into waters (see Part 3 of Schedule 4 of the EP Regulations)  Choose the appropriate location of the discharge and enter the discharge amount(s) in the units specified in the EP Regulations. This should be the amount of waste expected to be discharged over the next 12 months, expressed in the units and averaging period applicable for that waste kind (for example, g/minute or kg/day). Amounts can be measured, calculated, or estimated and can be based on data acquired over the previous 12 months, but should be based on the maximum premises capacity and not the forecast operating hours.  Where there are discharges, all prescribed waste types must be considered in the fee calculation. If a specified waste type is not present in the discharge, this must be justified using an appropriate emission estimation technique (for example, sampling data, industry sector guidance notes, National Pollution Inventory guides and emission factors). | | | | | | |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Discharges to air** |  | |  |  |
| Discharges to air | Discharge rate (g/min) | | Discharges to air | Discharge rate (g/min) |
| Carbon monoxide |  | | Nickel |  |
| Oxides of nitrogen |  | | Vanadium |  |
| Sulphur oxides |  | | Zinc |  |
| Particulates (Total PM) |  | | Vinyl chloride |  |
| Volatile organic compounds |  | | Hydrogen sulphide |  |
| Inorganic fluoride |  | | Benzene |  |
| Pesticides |  | | Carbon oxysulphide |  |
| Aluminium |  | | Carbon disulphide |  |
| Arsenic |  | | Acrylates |  |
| Chromium |  | | Beryllium |  |
| Cobalt |  | | Cadmium |  |
| Copper |  | | Mercury |  |
| Lead |  | | TDI (toluene-2,  4-di-iso-cyanate) |  |
| Manganese |  | | MDI (diphenyl-methane  di-iso-cyanate) |  |
| Molybdenum |  | | Other waste |  |
| Part 3 component subtotal | | | $ | |
| **Discharges onto land or into waters** | | | | Discharge rate |
| 1. Liquid waste that can potentially deprive receiving waters of oxygen (for each kilogram discharged per day) — | | (a) biochemical oxygen demand (in the absence of chemical oxygen demand limit) | |  |
| (b) chemical oxygen demand (in the absence of total organic carbon limit) | |  |
| (c) total organic carbon | |  |
| 2. Bio-stimulants (for each kilogram discharged per day) — | | (a) phosphorus | |  |
| (b) total nitrogen | |  |
| 3. Liquid waste that physically alters the characteristics of naturally occurring waters — | | (a) total suspended solids (for each kilogram discharged per day) | |  |
| (b) surfactants (for each kilogram discharged per day) | |  |
| (c) colour alteration (for each platinum cobalt unit of colour above the ambient colour of the waters in each megalitre discharged per day) | |  |
| (d) temperature alteration (for each 1°C above the ambient temperature of the waters in each megalitre discharged per day) —  (i) in the sea south of the Tropic of Capricorn  (ii) in other waters | |  |

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| 4. Waste that can potentially accumulate in the environment or living tissue (for each kilogram discharged per day) — | | (a) aluminium | | | |  |
| (b) arsenic | | | |  |
| (c) cadmium | | | |  |
| (d) chromium | | | |  |
| (e) cobalt | | | |  |
| (f) copper | | | |  |
| (g) lead | | | |  |
| (h) mercury | | | |  |
| (i) molybdenum | | | |  |
| (j) nickel | | | |  |
| (k) vanadium | | | |  |
| (l) zinc | | | |  |
| (m) pesticides | | | |  |
| (n) fish tainting wastes | | | |  |
| (o) manganese | | | |  |
| 5. *E. coli* bacteria as indicator species (in each megalitre discharged per day) — | | (a) 1,000 to 5,000 organisms per 100 ml | | | |  |
| (b) 5,000 to 20,000 organisms per 100 ml | | | |  |
| (c) more than 20,000 organisms per 100 ml | | | |  |
| 6. Other waste (per kilogram discharged per day) — | | (a) oil and grease | | | |  |
| (b) total dissolved solids | | | |  |
| (c) fluoride | | | |  |
| (d) iron | | | |  |
| (e) total residual chlorine | | | |  |
| (f) other | | | |  |
| Part 3 component subtotal | | $ | | | | |
| **Summary – Proposed licence fee** | | | | | | |
| Part 1 Component | | | | | |  |
| Part 2 Component | | | | | |  |
| Part 3 Component | | | | | |  |
| Total proposed licence fees: | | | | | | $ |
| 12.5 | **Prescribed fee for registration** | | | | | |
| A fee of 24 units applies for an application for registration of premises, unless the occupier of the premises holds a licence in respect of the premises, in accordance with regulation 5B(2)(c) of the EP Regulations. | | | | | (Tick to acknowledge) | |
| 12.6 | **Works approval amendment or licence amendment fee** | | | | | |
| Proposed works approval amendment or licence amendment fee (see Schedule 4 Part 1 of the EP Regulations).  The fee prescribed for an application for an amendment to a works approval or licence is calculated in accordance with regulation 5BB(1)(a) of the EP Regulations:   * for a single category of prescribed premises to which the works approval or licence relates, by using the fee unit number corresponding to the prescribed premises category and relevant production or design capacity threshold in Schedule 4 Part 1 of the EP Regulations. * for multiple categories of prescribed premises to which the works approval or licence relates, by using the highest fee unit number corresponding to the prescribed premises categories and production design or capacity threshold in Schedule 4 Part 1 of the EP Regulations.   The relevant fee unit under Schedule 4 Part 1 of the EP Regulations for calculating the application form amendment fee is to be determined by reference to the actual production or design capacity reported for the preceding year’s annual licence fee. If an annual licence fee has not previously been paid or is not applicable as is the case for works approvals, the fee unit for an application for amendment is to be determined by reference to the production or design capacity currently prescribed in the licence or works approval. | | | | | | |
| Fee Units | | | Proposed fee | | | |
|  | | | $ | | | |
| 12.7 | **Prescribed fee for clearing permit** | | | | | |
| In accordance with the [*Guidance Statement: Decision Making*](https://www.der.wa.gov.au/our-work/regulatory-framework), where an application for clearing of native vegetation is made as part of an application for a works approval or licence, DWER may elect to either jointly or separately determine the clearing component of the application. Where DWER separately determines the clearing component of an application, the application will be deemed to be an application for a clearing permit under section 51E of the EP Act and the CEO will waive the payment of the fee prescribed in the Clearing Regulations for an application for clearing permit.  Note: If a clearing permit application has been separately submitted and accepted by DWER, a refund for the clearing permit application will not be provided where DWER determines to address clearing requirements as part of a related works approval application. | | | | | (Tick to acknowledge) | |
| 12.8 | **Information and data used to calculate proposed fees** | | | | | |
| The detailed calculations of fee components, including all information and data used for the calculations are to be provided as attachments to this application, labelled as **Attachment 9**, with an appropriate suffix (for example 9A, 9B etc.). Please specify the relevant attachment number in the space/s provided below. | | | | | | |
| Proposed fee for works approval | | | | Attachment No | | |
| Details for cost of works | | | |  | | |
| Proposed fee for licence | | | | Attachment No | | |
| Part 1: Premises | | | |  | | |
| Part 2: Waste types | | | |  | | |
| Part 3: Discharges to air, onto land, into waters | | | |  | | |

| Part 13: Commercially sensitive or confidential information | |
| --- | --- |
| **NOTE:**  **Information submitted as part of this application will be made publicly available. If you wish to submit commercially sensitive or confidential information, please identify the information in Attachment 10, and include a written statement of reasons why you request each item of information be kept confidential.**  **Information submitted later in the application process may also be made publicly available at DWER’s discretion. For any commercially sensitive or confidential information, please follow the same process as described above.**  **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 10** (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. |  |

|  |  |
| --- | --- |
| **Part 14: Submission of application** | |
| **Check one of the boxes below to nominate how you will submit your application.**  **Files larger than 50MB cannot be received via email by DWER. Files larger than 50MB can be sent via File Transfer. Alternatively, email DWER to make other arrangements.** | |
| A full, signed, electronic copy of the application form including all attachments has been submitted via email to [info@dwer.wa.gov.au](mailto:info@dwer.wa.gov.au);  **OR** |  |
| A signed, electronic copy of the application form has been submitted via email to [info@dwer.wa.gov.au](mailto:info@dwer.wa.gov.au) and attachments have been submitted via File Transfer, or electronically by other means as arranged with DWER;  **OR** |  |
| A full, signed hard copy has been sent to:  APPLICATION SUBMISSIONS Department of Water and Environmental Regulation Locked Bag 10 Joondalup DC WA 6919 |  |

|  |
| --- |
| Part 15: Declaration and signature |
| **General**  I/We confirm and acknowledge that:   * 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 constitutes an offence under section 112 of the *Environmental Protection Act 1986* (WA) and may incur a penalty of up to $50,000; * I/We have legal authority to sign on behalf of the applicant (where authorisation provided); * I/We have not altered the requirements and instructions set out in this application form; * I/We have provided a valid email address in Part 2.3 for receipt of correspondence electronically via email from DWER in relation to this application; * I/We acknowledge that successful delivery to my/our server constitutes receipt of correspondence sent electronically via email from DWER in relation to this application; and * I/We have provided a valid postal and/or business address in Part 2.4 for the service of all Part V documents.   **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; * biodiversity surveys provided in accordance with Part 5 will be published and used, for the purposes of the IBSA project, in accordance with your declaration made in the *Metadata and Licensing Statement*; * all necessary consents 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* (WA); * subsequent information provided in relation to this application will be a public document and may be published unless written notice has been given to DWER 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 CEO of DWER and will be made consistently with the provisions of the *Freedom of Information Act 1992* (WA). |
| |  |  |  | | --- | --- | --- | |  |  |  | | Signature |  | Date | |  |  |  | | Name |  |  | |  |  |  | | Position |  |  | |  |  |  | | Signature |  | Date | |  |  |  | | Name |  |  | |  |  |  | | Position |  |  | |
|  |

**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 10 – Confidential or commercially sensitive information**

| Request for exemption from publication | |
| --- | --- |
| Information which you consider should not be published, on the grounds of a relevant exemption found in Schedule 1 to the *Freedom of Information Act 1992* (WA), 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: |
|  | |
|  | |
| \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Full Name and Signature | |