



Australian Government

Department of Agriculture, Water and the Environment

Australian Antarctic Division

## Environmental Approvals Application Form

Please read **Appendix A** for important guidance prior to completing this form.

Questions, queries and submission of this form, appropriately signed by the proponent (and statutory declaration for any biological sampling), should be forwarded:

Environmental Policy Officer

Email to [EIA@aad.gov.au](mailto:EIA@aad.gov.au)

Phone: (03) 6232 3209

The answers you provide in this application constitute the Preliminary Assessment, and will be relied upon to determine the scope of the activity to be approved and the likely impacts of that activity.

### PART A – Details of Application

#### Section A1 – Applicant details

1) Name of proponent undertaking the activity:

2) Title and short description of activity:

3) Date activity is proposed to commence:

4) Is the proponent an Australian citizen, or an Australian organisation?

Yes  No

*Please note that the Australian Antarctic Division is only able to issue authorisations / permits to Australian citizens or Australian organisations.*

5) Name of person filling in this form (if different from proponent):

6) Residential / Business address of the proponent:

Street:

Suburb:

City:

7) Postal address of the proponent (if different to the Residential / Business address):

Street:

Suburb:

City:

8) Telephone:

9) Email:

10) Contact details in case of emergency:

Name:

Phone number:

Email address:

## Section A2 – Application of Act to activity

1) Will the activity be conducted within the Australian Antarctic Territory? Yes  No

2) Does the proponent consider the activity to be an 'Australian expedition'? Yes  No

*Note: 'Australian expedition' is defined in s 3 of the Antarctic Treaty (Environment Protection) Act 1980*

*If YES – please outline how this expedition meets the requirements set out in the legislation:*

3) Is this application being made on behalf of an Australian organisation (such as a company, partnership or association). Yes  No

*If YES – which organisation is the application being made on behalf of:*

## Section A3 – Activity type

1) Is this a research or operational activity being conducted as part of the Australian Antarctic Program? Yes  No

*If Yes, please provide details including project name and number and attach a copy of the project application.*

a) Project Number:

b) Project Title:

2) Are you a private expedition, non-government organisation, or tourist operator? Yes  No

*If Yes, please provide the information below.*

a) Name of vessel:

b) Vessel registration number:

c) IMO (if relevant):

d) Vessel call sign:

e) Vessel Port/Country of registry:

f) Carrying capacity:

3) Have you or any member of your organisation submitted an application to another Commonwealth, Australian state/territory, or other national authority (including another country's Competent Authority) for any part of this proposed activity? Yes  No

*If Yes, please provide details, including who submitted the application, to which Authority, and the status of this application.*

## PART B – Environmental Impact Assessment

### Section B1 – Previous Authorisations

1) Have you applied for an authorisation for this or a similar activity in a previous season?

Yes  No

*If Yes, provide details.*

2) If you have an authorisation that is still current, have there been any changes to your planned activity (such as changes to locations or methods) from that which was authorised?

Yes  No

*If No, and you are completing this form to apply for a new permit only, please indicate that your authorisation is still valid and skip to **Section C1**.*

*If Yes, provide a description of the changes to your planned activity (such as changes to locations or methods) from that which was previously authorised:*

### Section B2 – Activity Details

1) Please provide detailed information about the proposed activity, including the objective or purpose, equipment and methods to be used and locations of where the activity/activities will take place (with co-ordinates if available). Please provide a map if applicable:

*You may refer to sections of your attached project application describing the activity, or expand this section to describe all the activities you will undertake in Antarctica. Include details of any special equipment you may use or other ways you may interact with the environment, together with the potential inputs, outputs or disturbance that may be generated (for example, remotely piloted aircraft use, camping, collection of drinking water, possible loss of equipment or spills etc.). Please note that failure to provide detail in relation to all aspects of your activity may result in approvals being granted for only part of your intended activity.*

**2) What are the planned dates of initial entry into and final exit out of the Antarctic Treaty Area?**

*Please note an Authorisation/Permit is required prior to arriving south of 60° south. Please allow for contingencies and travel schedule changes.*

*If you are submitting your application for environmental impact assessment less than two months prior to the commencement of your activity, or less than one month prior to commencement of the varied activity (for variations), the Australian Antarctic Division is unable to guarantee that appropriate authorisations and permits will be issued prior to your required date.*

**3) What are the planned dates you will undertake activities in Antarctica?**

*Please specify how many shore landings or field visits you anticipate will occur and the locations of the landings/visits. If the activity will occur across seasons and involve multiple landings, please specify a range for the number of anticipated visits/landings. Eg: 1-2, 3-5, 6-10, >10).*

**4) What methods of transport will be used?**

**Section B3 – Remotely Piloted Aircraft**

**1) Do you intend to use a remotely piloted aircraft as part of your activity?** Yes  No   
*If No, skip to Section B4.*

**2) For tour operators – do any passengers on your vessel intend to use a drone for their own commercial purposes?** Yes  No   
*If yes, please note that commercial activities not related to the tour activity will require separate authorisation from the relevant Competent Authority.*

**3) Please provide details of the remotely piloted aircraft type, weight, environmental specifications (ie. minimum temperature requirements) and dimensions:**

**4) How is the remotely piloted aircraft powered?**

5) What is the purpose of the remotely piloted aircraft?

6) What are the possible alternatives to the use of the remotely piloted aircraft?

7) If your activity is part of the Australian Antarctic Program, will the remotely piloted aircraft be operated in accordance with the AAD Operations Manual Procedures? *If No, provide details.* Yes  No

8) Who will be operating the remotely piloted aircraft? Please provide details of the operator's experience, qualifications and licences.

9) How close to wildlife will the remotely piloted aircraft be flown?

*Please note that close approaches may require approval by the Australian Antarctic Program Animal Ethics Committee.*

10) Will the remotely piloted aircraft be used within or over any Antarctic Specially Protected Areas (ASPA) or any other environmentally sensitive locations such as moss beds? *Remotely piloted aircraft overflights of Protected Areas constitute an entry in accordance with the Act, please provide information at Section C5.* Yes  No

11) Provide details of any mitigation measures taken in order to prevent pollution or disturbance by the remotely piloted aircraft, and outline plans for retrieval in the event of a crash.

## Section B4 – Alternatives to the Activity

1) What are possible alternatives to the activity, including the alternative of not carrying on the activity? What are the consequences of each alternative?

## Section B5 – Important features of the environment

**1) Provide a description of the area where you will be undertaking the activity.**

*Include any environmental sensitivities of the area such as presence of wildlife, heritage values, geological importance, protected areas, vegetation (such as moss or lichen) etc.*

**2) For activities outside of station operational areas: has the place where the activity is proposed to occur been visited previously? If No, why does your project need to occur in an inviolate area?** Yes  No

## Section B6 – Environmental impacts and mitigation measures

*Complete the table below (or put into an attachment), outlining the potential direct and indirect impacts of the activity on each listed environmental feature. Consider the nature, extent, duration and intensity of your activity, noting aspects such as physical disturbance, emissions, waste (including human waste), noise, light etc. Under 'Mitigation measures' describe the steps that will be taken to minimise any adverse impacts you have identified.*

<b>Environmental Feature</b>	<b>Potential Impacts</b>	<b>Mitigation measures</b>
<b>a) Ice, water, or air quality</b> (Pollution of sea water/sediments, Pollution of the air, ice sheet)	<i>For example, add or remove or change this environmental feature, cause pollution of these features.</i>	<i>For example, explain what procedures will be put in place to handle wastes, chemicals, fuel and to prevent cross-contamination of sites.</i>
<b>b) Wildlife or wildlife habitat</b> (Disturbance of fauna, Habitat change, Biological change)	<i>For example, disturbance via proximity, visual, noise or pollution.</i>	<i>For example, describe the separation distances that will be adhered to, and/or if the activity has been timed to avoid impacts, particularly in relation to known breeding cycles, movements or aggregations of animals.</i>
<b>c) Vegetation, such as moss or lichen, and its available habitat</b> (Biological change, Degradation of wilderness values, Destruction of flora, Habitat change, Landscape change, Pollution of land)	<i>For example, movements over vegetation</i>	<i>For example, explain what procedures will be put in place to minimise impact when undertaking movements to/from the site.</i>

<p><b>d) Ecological communities</b> (Biological change, Degradation of wilderness values, Destruction of flora, Disturbance of fauna, Habitat change, Landscape change, Noise pollution, Pollution of inland waters, Pollution of land, seawater air and ice)</p>	<p><i>For example, addition, alteration or extraction of materials have an adverse or beneficial impact to ecological communities</i></p>	
<p><b>e) Heritage values</b> (Degradation of heritage/cultural values)</p>	<p><i>For example, addition or removal of nearby materials will disturb heritage items</i></p>	
<p><b>f) Geology</b> (Biological change, Degradation of wilderness values, Destruction of flora, Habitat change, Landscape change, Pollution of air, sea water, land and underground water)</p>		<p><i>For example, if collecting geological samples, explain how sampling procedures will minimise disturbance.</i></p>
<p><b>g) 'Wilderness' and aesthetic values</b> (Biological change, Degradation of wilderness values, Degradation of heritage/cultural values, Destruction of flora, Disturbance of fauna, Habitat change, Landscape change)</p>	<p><i>For example, the addition of an artificial surface or modification of landscape</i></p>	
<p><b>h) Other programs or projects</b></p>	<p><i>For example, indicate if you will be installing equipment near other project installations.</i></p>	
<p><b>i) Other (please describe)</b></p>		

## Section B7 - Environmental impacts and mitigation measures

1) Provide information on any uncertainties there are in regards to the anticipated impact of your activities, or the anticipated effectiveness of your mitigation measures.

2) Describe any contingency plans to be followed in the case of emergencies or unexpected adverse impacts on the environment.

3) Describe the training, briefing, supervision and experience of organisers and expeditioners.

4) Are you aware of any current or planned activities in the same areas as your activity? *If Yes, how do you intend to mitigate the potential cumulative impacts of these activities over an extended period of time? For example, explain if you have coordinated with other projects to share existing samples, or minimise the number of ASPA entries, etc.* Yes  No

5) Will your activity involve importing non-indigenous (non-native) species into the Antarctic? *If Yes, provide details* Yes  No

a) Species type, quantities, sex and other relevant information:

b) Will it be used only for the purposes of food?

c) What control measures will be used to contain non-indigenous (non-native) species in Antarctica?

6) Will your activity involve importing any pesticide into the Antarctic? Yes  No

*If Yes, describe the quantity and purpose of importing pesticide into Antarctica.  
Note: Pesticides can only be used for scientific, medical or hygienic purposes?*

## Section B8 - Compliance

1) **Australian Antarctic Program participants:** Will your activity comply with all relevant standard operating procedures? *If No, provide details.* Yes  No

2) **Non-Government operators (including tourism operators):** If you are a member of IAATO, will your activity comply with all relevant IAATO standard operating procedures? *If No, provide details.* Yes  No

3) **For all other proponents:** Please list, where relevant, documentation and/or procedures in support of the mitigation measures you have described above.

## Part C - Permits

### Section C1 - Activity

1) **Some activities in Antarctica are prohibited by Australian law but are allowed if a permit has been issued (refer Tables 1-3, Appendix A).**

*In answering the following questions it is suggested that you provide detail and allow for contingencies.*

a) **Will the activity have the potential to cause the death or injury to a native bird or native seal?** *If Yes, provide details of affected species in section C2.* Yes  No

b) **Will the activity have the potential to cause the taking of a native bird or native seal?** *(Taking includes to catch or capture). If Yes, provide details of affected species in section C2.* Yes  No

c) **Will the activity have the potential to cause the taking of native invertebrates or native plants in the Antarctic?** *(Taking means to remove or damage such quantities that their local distribution or abundance would be significantly affected). If Yes, provide details of affected species in section C2.* Yes  No

d) **Will the activity have the potential to cause interference with a native bird or a native seal?** *If Yes, provide details of affected species in section C2.* Yes  No

e) **Will the activity have the potential to disturb a native bird or native seal?** Yes  No

• **Individuals?** ..... Yes  No

• **Concentrations (20+)?** ..... Yes  No

• **Breeding or moulting animals?** ..... Yes  No

*(such as by approaching closer than the minimum approach distance guidelines which are available on the AAD's website:*

<http://www.antarctica.gov.au/environment/environment-policy-and-management/code-of-conduct/code-of-conduct>).

*If Yes, provide details of affected species in section C2.*

f) **Will your activity have the potential to cause the death or injury of a Ross seal (an Antarctic Specially Protected Species)?** *If Yes, provide details of how the activity will affect the species in section C2.* Yes  No



## Section C2 – Details of affected species

*If you have answered yes to a question at C1, list the samples being collected, or the species being studied or potentially impacted i.e. observed, disturbed, sampled (including dead or moulted parts). Include other impacts on breeding locations or dwelling place.*

Common name of species or sample type	Scientific name of species if applicable	Maximum number that will be affected or sample volume	Type of effect (e.g. disturbance, removal)

## Section C3 - Impacts on affected species

**Provide an assessment of the likely short and long term impacts of the proposed activity on individual members of affected species, the population of which they form a part, the species as a whole and the ecological community in which they belong. Please provide and/or describe the evidence used to support this assessment. For AAP proponents, the Environmental Aspects and Impacts Register may assist in answering these questions.**

*There are a number of restrictions that apply to the granting of a permit. For example, before a permit can be obtained to interfere with a native species of bird, seal, or plant, it must be satisfactorily demonstrated that the variety of species, the habitats essential to their existence and the balance of the natural ecological systems existing within the Antarctic will be maintained.*

## Section C4 - Science and/or Ethics Committee approval

**Does your activity involve invasive techniques on native fauna?**

Yes  No

An 'invasive' technique is defined as any procedure that can potentially cause harm or stress to an animal. Examples of procedures include removing samples of any body tissues such as blood, skin and fat/blubber; administration of an anaesthetic; attachments of loggers to flighted birds; attachment of flipper bands to penguins; temporary attachment of location recording/time-depth recording devices to birds or mammals. Further information in relation to animal research requirements can be found at <http://www.antarctica.gov.au/science/information-for-scientists/research-guidelines/animal-research>

**If Yes, please provide a copy of your application and approval from an independent animal ethics committee.**

## Section C5 - Entry to protected areas

**1) Will the activity enter or carry on any other activity in an Antarctic Specially Protected Area (ASPAs)?** *Note: overflights or aerial entry by Remotely Piloted aircraft or aircraft is considered an activity or entry for the purposes of the*

Yes  No

*legislation.*

**If no, go to Section D.**

**2) List the name and number of any (ASPAs), Antarctic Specially Managed Areas or Historic Sites and Monuments that you intend to visit.**

**3) List specific sensitivities and any mitigation measures planned (refer to the appropriate management plan. ([Link: Protected Areas Management Plans](#)))**

**4) What is the activity being conducted in the ASPA? Does it include any sampling, installation or removal of equipment?**

**5) Why is entry to the ASPA required? Can the activity be conducted elsewhere?**

6) How many times do you intend to enter each ASPA, and approximately how long will each visit last?

7) How many people will need to access the ASPA at any one time? *Include support personnel such as helicopter pilots, Field Training Officers, etc.*

8) What are the names of people requiring access to the ASPA?

9) What is the proposed mode of transport to travel to the ASPA?

10) What is the proposed mode of transport to travel within the ASPA?

11) Have you read the management plan for the ASPA? Yes  No

*Current versions of the management plans are held on the Antarctic Treaty System website at: <https://www.ats.aq/e/protected.html>.*

12) Can your activity be conducted in accordance with the management plan for the area? *If No, provide details.* Yes  No

## Part D – Other Matters

### Section D1 – Access to biological resources

**If your activity is in the Australian Antarctic Territory and you intend to collect biological material: do you intend to access biological resources for commercial or potential commercial, purposes?**

Yes  No

If **Yes**: you will need to negotiate a benefit sharing agreement with Parks Australia, Department of Agriculture, Water and the Environment.

If **No**:

- Australian Antarctic Science Program participants must have completed the project application certification as part of their online project application.
- All other applicants collecting biological material must complete the accompanying statutory declaration and submit it with this application.

### Section D2 - Weapons

**Will your activity require the use of any weapons within the Australian Antarctic Territory?** *If Yes, please contact the AAD for further information about your responsibilities under the AAT Weapons Ordinance 2001.* Yes  No

## Section D3 – Other Issues

1) Please describe the methods used to forecast the impacts of the activity and develop mitigation measures (such as consultation or experience with similar activities), and any uncertainties/knowledge gaps relevant to assessing likely impacts. Include references where relevant.

2) Any others matters thought relevant by those completing this document.

**For Tourist Expeditions:**

3) What is the minimum guide to passenger ratio to be landed at any site?

**For Tourist Expeditions:**

4) Could an official observer from the AAD accompany the expedition?

Yes  No

## Part E - Safety and Contingency Planning (Optional) For Tourist and Non-Government Activities Only

*In accordance with Resolution 4 (2004), Australia encourages those organising or conducting tourist or other non-government activities in the Antarctic Treaty area (i.e. south of 60 degrees south) to ensure that they have appropriate contingency plans and adequate insurance in place prior to commencing the activities. Whilst providing this information to the Australian Antarctic Division is non-mandatory, it is considered best practice. Guidelines for safety and contingency planning for non-governmental operators are available at [https://www.antarctica.gov.au/site/assets/files/49282/guidelines\\_for\\_safety\\_and\\_contingency\\_planning\\_for\\_non-governmental\\_operators\\_-\\_june\\_2020.pdf](https://www.antarctica.gov.au/site/assets/files/49282/guidelines_for_safety_and_contingency_planning_for_non-governmental_operators_-_june_2020.pdf) (For further information, see [Appendix C](#))*

*Please note, any information provided in Section E will be retained by the Australian Antarctic Division but will not be used to assess this application.*

1) Will a regular communication schedule be implemented, with the status and location of the vehicle / aircraft / ship / expedition reported on a regular basis? *If Yes, please provide the details below.* Yes  No

With whom:  
What schedule:  
Contingency plan for loss of contact:

**2) Describe any plans and arrangements in place for emergency support in Antarctica, including search and rescue and external medical care and evacuation.** *Such plans and arrangements should not be reliant on support from other operators or national programs without their express written agreement. Documentation of contractual agreements can be attached to this form.*

**3) Provide details of any insurance cover held, including the name and contact details for the insurer, type of insurance, cover amount and expiry date. Attach a copy of the proof of insurance.** *Consistent with Resolution 4 (2004) operators are encouraged to ensure that insurance covers any costs associated with search and rescue and medical care and evacuation and explicitly covers all of the activities proposed to be undertaken in Antarctica and is sufficient to fund any potential medical evacuation from Antarctica. In addition, the insurance document should cover all participants and explicitly mention Antarctica.*

**4) Detail the minimum medical requirements set for expedition members before departure.**

**5) List the name and training/qualifications of any medically trained expedition member.**

**6) List any medical and safety facilities and equipment that will be carried on the vehicle / aircraft / ship / expedition. Detail the training procedure to ensure expedition members are proficient in the use of these facilities and equipment.**

**7) Detail any experience appropriate for the proposed activities operating in the polar, or equivalent, environments.**

**8) Complete a safety risk assessment for all proposed activities including risk mitigation measures and contingency plans.** *You may either complete the table below or attach a copy of your own risk assessment. Cut and paste additional rows if required.*

Activity	Risks	Likelihood	Impact	Mitigation measure	Contingency plan
		Low/Med/High	Low/Med/High		

## PART F – Declaration

*Signed* \_\_\_\_\_

*Name* \_\_\_\_\_

*Dated* \_\_\_\_\_

*The acknowledgment is to be signed by the applicant for the permit or, if the applicant is a company or other body, by its duly authorised officer.*

**Important guidance for the Environmental Approvals Application form:**

**Please read prior to completing the form**

This application form applies to Australian citizens, organisations and expeditions undertaking activities in the Antarctic Treaty Area including scientists and tour operators. Foreign nationals and organisations based overseas should contact their respective country's Antarctic administrative organisations for permits and authorisations.

**Use this form to apply for:**

- **All Authorisations and Permits to operate south of 60 degrees south in Antarctica, and**
- **Any collection of marine organisms in the Convention on the Conservation of Antarctic Marine Living Resources (CCAMLR) Area.**
- **Variations of existing Authorisations and Permits.**

**EIAs should be submitted a minimum of two months prior to departure for Antarctica (Note: for large and complex proposals that require a higher level of assessment, a minimum of five months is required).**

**Requests for variation should be submitted a minimum of one month prior to the change in activity.**

**Given its very severe climate and extreme isolation, the Antarctic is an inherently dangerous place to visit.**

**Be aware that emergency assistance is often not readily available in the Antarctic.**

**All visitors to the Antarctic must be totally prepared, self-sufficient and aware of all potential dangers associated with their activities.**

**Do not use this form for:**

- **Macquarie Island:** Macquarie Island is part of the State of Tasmania. It is a state reserve under the Tasmanian *National Parks and Wildlife Act 1970*. The Australian Antarctic Division (AAD) does not have a role in administering this legislation. It is administered by the Parks and Wildlife Service of the Tasmanian Department of Primary Industries, Parks, Water and Environment. The contact for initial enquiries is: [scientific.permits@dpipwe.tas.gov.au](mailto:scientific.permits@dpipwe.tas.gov.au); or
- **Heard Island and McDonald Islands:** If you intend to undertake any activity within the Heard Island and McDonald Island Marine Reserve you will need to complete documentation located at: <http://heardisland.antarctica.gov.au/protection-and-management/management-plan/permits>

Australia has obligations under international agreements and national legislation to protect the Antarctic environment. These obligations are implemented through Australian laws. Parts of the Antarctic environment are highly susceptible to the effects of human activities and less able to recover from disturbance or damage.

**The Antarctic Marine Living Resources Conservation Act 1981**

The Antarctic Marine Living Resources Conservation Regulations 1994 implement the conservation measures developed by the CAMLR Convention.

A permit is required to harvest or carry out research with respect to living marine organisms in the CCAMLR Convention Area (which approximates the marine areas south of the Antarctic

Convergence). However, if your activity is authorised under another Commonwealth Act (such as fishing activities under the *Fisheries Management Act 1991*), you will not require a permit under this Act.

### **The Antarctic Treaty (Environment Protection) Act 1980 (ATEP Act)**

The ATEP Act implements the Protocol on Environmental Protection to the Antarctic Treaty (the Protocol) and applies to Australians in any area south of 60°S, including all water, land and ice shelves.

The ATEP Act includes:

- Processes to determine the environmental impacts of an activity, and subsequently authorise the activity to proceed; and
- Outlines the activities that are offences unless a permit is granted.

The following legislative instruments need to be considered as required:

- *Antarctic Treaty (Environment Protection) (Environmental Impact Assessment) Regulations 1993*;
- *Antarctic Treaty (Environment Protection) (Waste Management) Regulations 1994*;
- *Antarctic Treaty (Environment Protection) Proclamation 2007*; and
- *Antarctic Treaty (Environment Protection – Historic Sites and Monuments) Proclamation 2007*.

### **Permits under the Antarctic Treaty (Environment Protection) Act 1980**

Certain actions in Antarctica are offences under Part 5 of the ATEP Act. The penalties extend from 1 year imprisonment to 16 years imprisonment, and fines of up to \$110 000. In addition to completing an EIA, if you will be conducting an activity that is considered an offence, you will also need to use this form to apply for a **permit** under S9(1) of the ATEP Act.

Not all activities that are considered an offence can be permitted. Table 1 and Table 2 below list the offences and whether or not a permit can be issued.

Please note there are a number of restrictions that apply to the granting of a permit. For example, before a permit can be obtained to interfere with an organism it must be satisfactorily demonstrated that the variety of species, the habitats essential to their existence and the balance of the natural ecological systems existing within the Antarctic will be maintained. Furthermore, the applicant will need to demonstrate why they should be allowed to undertake the action. [Penalties apply for breaches of Permit or Authorisation conditions.](#)

#### **What is the difference between an *Environmental Authorisation* and a *Permit* under the ATEP Act?**

An **Environmental Authorisation** is granted when the EIA process has resulted in your activity being determined to have a *no more than negligible* impact on the environment (in the case of a Preliminary Assessment). The Environmental Authorisation is issued as a '*Notice of Determination and Authorisation*' and specifies that the activity that has been authorised is that which is described in the *Preliminary Assessment of Environmental Impacts* (i.e. the activity you describe in this application form).

A **Permit** is required if you will be conducting an activity that is considered an offence under the ATEP Act. For example, to collect samples of moss, as it is an offence under Section 19(1)(b) to gather or collect a native plant in the Antarctic. As described further below, there are a number of restrictions placed on the granting of permits, and not all offences can be permitted.

An Environmental Authorisation is required to obtain an ATEP permit, many activities that require an Environmental Authorisation do not require an ATEP permit. Penalties (including possible imprisonment) may apply for failing to obtain requisite Permits and Environmental Authorisation.

**Table 1 ATEP Act offences allowed if a permit has been issued.**

<b>ATEP Act reference</b>	<b>Offence</b>
19(1A)(b)(i)	Does an act that causes death or injury to a native bird or a native seal
19(1A)(b)(ii)	Does an act that causes the taking of a native bird or a native seal
19(1A)(b)(iia)	Does an act that causes the taking of native invertebrates or native plants in the Antarctic
19(1A)(b)(iii)	Does an act that causes other interference with a native bird or a native seal
19(1A)(b)(iia)	Does an act that disturbs a native bird or native seal
19(1)(b)	Gather or collect a native plant
19(1)(c)	Bring into, or keep in, the Antarctic an organism that is not indigenous to the Antarctic
19(1)(d)	Enter, or carry on any other activity in, an ASPA
19(2)(a)	Use an aircraft in such a manner as to disturb a concentration of birds or of seals
19(2)(b)	Use a vehicle or vessel in a manner that disturbs a concentration of birds or of seals
19(2)(c)	Use an explosive in a manner that disturbs a concentration of birds or of seals
19(2)(d)	Use a firearm in a manner that disturbs a concentration of birds or of seals
19(2)(e)	While on foot, disturb a concentration of birds or of seals
19(2)(ea)(i)	Carry on an activity that results in the habitat of any species of native seal, native bird, native invertebrate or native plant being adversely modified to a significant extent
19(2)(ea)(ii)	Carry on an activity that results in any population of native seals, native birds, native invertebrates or native plants being adversely modified to a significant extent
19AA(1)	Gather or collect a meteorite in the Antarctic
19AA(2)	Removes a rock or meteorite that was gathered or collected in the Antarctic
19AB(a)	Bring into the Antarctic a native seal, a native bird or a native plant

**Table 2 ATEP Act offences that cannot be issued a permit.**

<b>ATEP Act reference</b>	<b>Offence</b>
19(1)(caa)	Bring a dog into the Antarctic, or being the owner of a dog, allow it to remain
19(1)(cab)	Bring a living bird into the Antarctic
19(1)(ca)(i)	Bring into, or keep in, the Antarctic non-sterile soil
19(1)(ca)(ii)	Bring into, or keep in, the Antarctic polychlorinated biphenyls
19(1)(ca)(iii)	Bring into, or keep in, the Antarctic polystyrene beads or chips or any similar kind of [particulate non-biodegradable] packaging material
19(1)(cb)	Bring into, or keep in the Antarctic any pesticide, other than for use for scientific, medical or hygienic purposes
19(1)(e)	Carry on any activity in an ASMA otherwise than as authorised by the plan of management
19(1B)(b)(i)	Does an act that causes any damage to or in an historic site
19(1B)(b)(ii)	Does an act that destroys, or causes damage to or the removal of, an historic

<b>ATEP Act reference</b>	<b>Offence</b>
	monument
19(2)(g)	Cause or permit to escape from his or her control or the control of any other person an organism that is not indigenous to the Antarctic and has been brought into the Antarctic by virtue of a permit
19AC(1)	Bring into the Antarctic an organism or an article, and by that conduct, bring into the Antarctic a micro-organism that is not indigenous to the Antarctic
19AD(1)	Bring a live animal into the Antarctic for use as food
19AD(3)	Bring poultry or other bird product that is to be used as food and is contaminated with disease into the Antarctic
19A	Engage in mining activity in the Territory or continental shelf
19B	Australian national engaging in mining in the Antarctic

### **Requirements under the *Antarctic Treaty (Environment Protection) Act 1980***

Persons travelling to the Antarctic should also be aware of their responsibilities in preventing and/or controlling the introduction of non-indigenous organisms into the Antarctic. It is an offence under the ATEP Act if the requirements set out in Table 3 are not met:

**Table 3 ATEP Act requirements.**

<b>ATEP Act reference</b>	<b>Requirement</b>
19(AC)(2)	Reasonable precautions must be taken to ensure that a micro-organism that is not indigenous to the Antarctic is not intentionally or unintentionally brought into the Antarctic. This does not apply if the micro-organism was brought into the Antarctic by bringing in an article of food or under a permit.
19(AD)(2)	Controls must be in place to ensure that any organism brought into the Antarctic for use as food does not escape into the Antarctic environment
19(AD)(4)	Reasonable precautions must be taken to ensure that disease is not brought into the Antarctic when bringing in poultry or any other bird product
19(AE)(3)	If a person brings into, or keeps in, the Antarctic an organism that is not indigenous to the Antarctic, other than for use as food, and the organism poses a risk to native fauna and flora, the person must remove or destroy the organism and any of its progeny as soon as is reasonably practicable. This does not apply if it is not feasible to remove or destroy the organism or its progeny, or if doing so would result in a greater adverse environmental impact.
19(AE)(4)	Reasonable steps must be taken to avoid or, if already occurring, control the consequences of bringing into, or keeping in, the Antarctic an organism that is not indigenous to the Antarctic. These steps must be taken as soon as is reasonably practicable after bringing the organism into the Antarctic or beginning to keep it. This does not apply if the organism is brought in or kept in the Antarctic for use as food.

### **Environmental Impact Assessments and Authorisations**

Environmental impact assessment (EIA) is the process used to evaluate the likely environmental effects of a proposed activity, project or program. An EIA is required for activities proposed to be undertaken in any area south of 60°S, including all water, land and ice shelves. The EIA must be authorised (under Part 3 of the ATEP Act) before the activity commences. It is not possible to retrospectively authorise an activity.

The EIA process requires proponents to identify and minimise the environmental impacts of their activities and consider alternatives.

- A Preliminary Assessment (PA) is required for all activities. The PA will determine if the likely impacts of the activity will be **no more than negligible**.
- An Initial Environmental Evaluation (IEE) is required if a PA has determined that the likely impacts of an activity on the environment are **minor or transitory**. An IEE requires a more thorough consideration of the elements of an activity, including alternatives, and must include a public consultation phase. IEEs are made available to other Antarctic Treaty Parties on request.
- A Comprehensive Environmental Evaluation (CEE) is required if a PA or an IEE determines that an activity will have impacts on the environment that are **more than minor or transitory**. The CEE involves a very thorough examination of the activity, its environmental outputs, the receiving environment, and alternatives. It is the highest level of EIA. Draft CEEs are subject to a wide public consultation process, are circulated to other Antarctic Treaty Parties and are tabled at annual meetings of the Committee for Environmental Protection. This process may take up to two years to complete.

**The answers you provide in this application form constitute the Preliminary Assessment, and will be relied upon to determine the scope of the activity to be approved and the likely impacts of that activity.**

It is important that you describe your activity accurately and in full, and that you provide enough information to allow a determination to be made as to the level of impact that the activity may have on the environment. It should include, for example, information on:

- the likely impacts of the activities on the flora and fauna of the region; ice, water, air and surface quality; heritage/wilderness and/or aesthetic values of the area; emissions; waste generation; handling and impacts;
- potential cumulative impacts; and
- other possible impacts.

Guidance on ways you can minimise your impact in the Antarctic (such as by adhering to minimum approach distance guidelines for wildlife) can be found on the AAD's website, at <http://www.antarctica.gov.au/environment/environment-policy-and-management/code-of-conduct/code-of-conduct>. Tourist and non-governmental visitors may also find guidance from the International Association of Antarctica Tourism Operators (IAATO) at [www.iaato.org](http://www.iaato.org).

## Privacy Notice

As a division of the Department of the Environment and Energy (the **Department**), the Australian Antarctic Division (**AAD**) will collect, use, store and disclose the personal information you provide in this application form in a manner consistent with the Department's obligations under the *Privacy Act 1988* (Cth) (the **Privacy Act**) and the Department's Privacy Policy ([www.environment.gov.au/privacy-policy](http://www.environment.gov.au/privacy-policy)).

### Collection, use and disclosure of personal information

Personal information includes information such as: names, mailing or street address, email address, telephone contact number and facsimile number as well as other information which we are required to collect in performing our functions or activities.

Personal information is collected for the purpose of assessing your application and the environmental impact of your proposed activity. The collection of this information is authorised by the *Antarctic Treaty (Environmental Protection) Act 1980* (Cth) and the *Antarctic Marine Living Resources Conservation Act 1981* (Cth). This information may be used to contact you regarding your application.

If your personal information and, if applicable, the personal information of third parties, is not collected, we may be unable to issue you with an Environmental Authorisation or Permit under the *Antarctic Treaty (Environment Protection) Act 1980* (Cth) or *Antarctic Marine Living Resources Conservation Act 1981* (Cth).

Your personal information and the personal information of third parties may be disclosed to other government agencies, including the Secretariat and other nations that are party to the *Antarctic Treaty*, or to other parties where it is required or authorised by Australian law or court/tribunal order.

Personal information may also be disclosed on 'Antarctic Information Exchange', accessed publicly at: <http://www.ats.ag>, in accordance with Australia's obligations under the *Antarctic Treaty* and the *Protocol on Environmental Protection to the Antarctic Treaty*. This information is hosted by the Secretariat website which is located in Buenos Aires, Argentina.

As the Secretariat and other overseas entities are not APP entities and therefore not bound by the Privacy Act, you will not be able to seek redress under the Privacy Act if the Secretariat or an overseas entity handles your personal information, or that of a third party, in a way that breaches the APPs. APP 8.1 will not apply to personal information on this application form that is disclosed to the Secretariat or an overseas entity.

By signing this application you are consenting to the disclosure of your personal information to the Secretariat and other overseas entities.

You may also be required in this application form to disclose personal information of third parties (for example, if you are applying for a permit to enter an Antarctic specially protected area (**ASPA**), you will be asked to provide the names of third parties who will also require access to an ASPA). By providing this information and signing this application form, you are declaring that the third parties have read this Privacy Notice and consent to their personal information being provided to the Department by you on their behalf, and the use and disclosure by the Department as detailed in this Privacy Notice.

### How to access your personal information or make a complaint

The Department's Privacy Policy contains details about how you may access and make corrections to personal information that the Department holds about you, how to make a complaint about a breach of an Australian Privacy Principle, and how the Department will deal with that complaint. A copy of the Department's Privacy Policy is available at: <http://environment.gov.au/privacy-policy>.

### Declaration

By signing this application you are declaring that you understand the terms and conditions stated in this Privacy Notice, including the disclosure of personal information to other government agencies and to overseas entities such as the Secretariat.

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**Safety Information for non-government operators** (*Recommendations and requirements under Measure 4 (2004) and Resolution 4 (2004)*)

The Antarctic Treaty Parties have agreed an instrument (Measure 4, 2004) that, once in force, will require non-government operators to have sufficient insurance and adequate contingency plans in place before commencing activities in the Antarctic Treaty area. The Antarctic Treaty Parties also adopted a non-binding resolution (Resolution 4, 2004) to act as an interim arrangement until such time as the Measure comes into effect. The development of contingency plans and obtaining adequate insurance or other arrangements to cover costs associated with search and rescue and medical care and evacuation as outlined in the Resolution are not mandatory but are considered by the Australian Government to be good practice. We encourage all applicants organising or conducting tourist or other non-government activities to complete Section E of this form.

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