**Territory of Heard Island and McDonald Islands** Environmental Approval Application Form

*Environmental Protection and Management Ordinance 1987*

*Environmental Protection and Biodiversity Conservation Act 1999*

*Environmental Protection and Biodiversity Conservation Regulations 2000*

This application form applies to any person or organisation proposing to conduct any activities in the Territory of Heard Island and McDonald Islands (HIMI) and/or the HIMI Marine Reserve.

Please submit your completed and signed application (and/or any questions or variation requests) via email to the AAD’s Antarctic and Environmental Regulation (AER) Section: **EIA@aad.gov.au**.

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| * *[Heard Island and McDonald Islands Marine Reserve Management Plan 2014-2024](https://www.antarctica.gov.au/antarctic-operations/stations/other-locations/heard-island/protection-and-management/management-plan/download-plan/)* has expired and has no legal effect.
* While a management plan is not operational, all activities within the Reserve are managed in accordance with the applicable **Australian IUCN reserve management principles** for different zones of the Reserve (as described in Schedule 8 of the [*Environment Protection and Biodiversity Conservation Regulations 2000*](https://www.legislation.gov.au/F2000B00190/latest/text)).
* General information from the 2014-2024 Management Plan can help guide or inform environmental impact assessments for proposed activities in the Reserve, to the extent that this information is still relevant and current. For advice on specific information or prescriptions, please contact EIA@aad.gov.au.

* [Expanded boundaries and zoning for HIMI Marine Reserve](https://www.antarctica.gov.au/site/assets/files/61170/prodrafts-ggNNZtKYZ3AsqWelCOSSe4Ak4Y6SZUExu/himi_marine_reserve_as_of_24_january_2025.pdf) will be in effect from 24 January 2025.
* HIMI is an inherently dangerous place to visit, due to the severe climate and weather condition, and extreme isolation. All visitors must be fully prepared, sufficiently insured, self-sufficient and aware of all potential dangers because emergency assistance is not available.
* HIMI Environmental Approval applications, with all relevant information, must be submitted at least **5 months** before proposed departure for HIMI to allow time for assessment.
* Requests to vary an existing HIMI Permit must be submitted at least **3 months** before any proposed changes to activities.
* Late or incomplete applications may delay the assessment process, and activities may not be permitted by the proposed departure date.
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**In accordance with the *Environment Protection and Management Ordinance 1987 (HIMI)*, the *Environment Protection and Biodiversity Conservation Act 1999*, and the *Environment Protection and Biodiversity Conservation Regulations 2000*,**

**I,      , provide the following written application.**

**Contents**

[**Part 1:** Application information 3](#_Toc179470455)

[**Part 2:** Environmental Impact Assessment 5](#_Toc179470456)

[**Part 3:** Specific impacts 11](#_Toc179470457)

[**Part 4:** Remotely Piloted Aircraft (RPA) 14](#_Toc179470458)

[**Part 5:** Other 16](#_Toc179470459)

[**Part 6:** Acknowledgement of Risk 18](#_Toc179470460)

[**Part 7:** Deed of Indemnity and Declaration 19](#_Toc179470461)

[**Appendix A:** Privacy Notice 21](#_Toc179470462)

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| **File reference:**1140489**Record number:**D24/55473 | **Responsible area:** Antarctic and Environmental Regulation (AER) Section**Authorised by:** Director, AER Section**Contact email:** EIA@aad.gov.au  | **Authorisation date:**December 2024**Review date:** October 2028 |
| **Location of points of use:** <https://www.antarctica.gov.au/antarctic-operations/stations/other-locations/heard-island/protection-and-management/management-plan/permits/>  |

# **Part 1:** Application information

**Proponent details**

The proponent must demonstrate effective control and responsibility of all aspects of the proposed activity.

|  |  |
| --- | --- |
| 1.1 **Proponent name**  |  |
| 1.2 **Applicant name** If different to proponent. |  |
| 1.3 **Will the proponent have effective control and responsibility of all aspects of the proposed activity?**  | [ ]  Yes | [ ]  No |
| If **yes**, demonstrate how the proponent will maintain effective control and responsibility.If **no**, why not? |  |
| 1.4 **Organisation, institution or company name**Include ABN, ACN or ABRN, if relevant. |  |
| 1.5 **Position title** |  |
| 1.6 **Contact details**Include email, phone number and address. |  |
| 1.7 **Alternate and/or emergency contact details while at HIMI** |  |
| 1.8 **Are you applying for a new or repeat activity?** **Or requesting a variation to an existing environmental permit from the AAD?**Select the most relevant. | [ ]  New activity (Continue completing this form.)[ ]  Repeat activity (Provide details below and continue completing form.) [ ]  Variation to existing environmental permit(Contact EIA@aad.gov.au before completing this form, as you may not need to submit another application.) |
| If **repeat activity**, provide details of previous application(s) and/or permit(s).  |  |

**Type of application**

* If proposed activities are an approved Australian Antarctic Program (AAP) project or supported by the AAP, select and complete the AAP project section.
* For all other projects, select and complete the non-AAP project section.

[ ]  **Australian Antarctic Program (AAP) project**

|  |  |
| --- | --- |
| 1.9 **Type of AAP project** Select the most relevant. | [ ]  AAP science project[ ]  AAP operational/non-science project [ ]  Other (provide details):  |
| 1.10 **Project number and title**Provide a copy of project application.  |  |
| 1.11 **Short summary of activity**Provide full activity details in Part 2.  |  |

[ ]  **Non-AAP project**

|  |  |
| --- | --- |
| 1.12 **Type of activity**Select the most relevant. | [ ]  Science[ ]  Tourism [ ]  Other Government [ ]  Other Non-Government [ ]  Other (provide details):  |
| 1.13 **Activity or expedition title** |  |
| 1.14 **Short summary of activity**Provide full activity details in Part 2.  |  |
| 1.15 **Vessel details** (if applicable) | Name of vessel: Carrying capacity: Port/country of registry: Registration number: Call sign: IMO number (if applicable):  |

# **Part 2:** Environmental Impact Assessment

Provide full and accurate details of all aspects of the proposed activity to avoid only part of the activity being assessed and considered for approval. This application must include of all relevant information, but you may attach and refer to supporting documents with further information (i.e. photos, maps, diagrams).

|  |  |  |
| --- | --- | --- |
| 2.1 **Will this application be submitted at least 5 months before proposed departure?** | [ ]  Yes(Go to next question) | [ ]  No(Provide details below) |
| If **no**, why not? |  |
| 2.2 **Start date of activity**Provide proposed departure date and any other relevant information. | Click or tap to enter a date.Provide details:  |
| 2.3 **End date of activity**Provide expected return date and any other relevant information.  | Click or tap to enter a date.Provide details:  |
| 2.4 **Dates in the HIMI Territory/Reserve**Planned dates to undertake activities at HIMI (allow for contingencies and travel schedule changes).  |  |
| 2.5 **Detailed description of proposed activity** Please use clear and simple language to describe the proposed activity/activities. Avoid complex and technical jargon, and focus on explaining what you will do (who, what, where, when, how) to ensure the description is easy to understand and accessible for assessment officers. Refer to sections of your attached project application or plan, if applicable. |
|  |
| 2.6 **Objective or purpose of proposed activity**Explain the objective or purpose of the activity/activities and how they are consistent with the applicable Australian IUCN reserve management principles for the different zones.  |
|  |
| 2.7 **Locations of proposed activities**Provide names and geographic coordinates of locations of the proposed activity/activities, and include a map with planned vehicle/aircraft/ship routes. |
|  |
| 2.8 **Shore landings or field visits**Provide details of anticipated shore landings or field visits, including the number, frequency and duration of these types of activities, and planned transport to access and move around within proposed locations. |
|  |
| 2.9 **Waste removal and remediation**Provide details of how and when you propose to remove waste and/or decommissioned equipment from HIMI by the end of the activity, and remediate any impacts of the activity.  |
|  |
| 2.10 **Safety**Provide details of how you will ensure the safety of persons, aircraft, vehicles and vessels in the Territory. This should include details of emergency rescue plans and insurance. |
|  |
| 2.11 **Alternatives to activity**Provide details of possible alternatives to the proposed activity, including alternatives of not undertaking activity, and the consequences of each alternative. |
|  |
| 2.12 **Location and important features of the environment**Provide details of location/s for the activity/activities, the purpose and duration of each entry into each location and any important environmental features of each location. Include or attach supporting maps with coordinates (where possible).  |
|  |

2.13 **Environmental impacts and mitigation measures**

Complete table below (or attach separately), detailing potential direct/indirect and short/long term impacts of the activity and proposed mitigation measures for each environmental feature.

* **Potential impacts:** Consider nature, extent, duration and intensity of activity, noting aspects like physical disturbance, emissions, noise, light, waste (including human waste) etc.
* **Mitigation measures:** Describe steps to minimise any adverse environmental impacts.

| **Environmental features** | **Potential impacts** | **Mitigation measures** |
| --- | --- | --- |
| **Ice, water or air quality** |  | *For example, explain what procedures will be put in place to handle wastes, chemicals, fuel and to prevent cross-contamination of sites.* |
| **Wildlife or wildlife disturbance** |  | *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.* |
| **Vegetation and habitat** |  |  |
| **Ecological communities** |  |  |
| **Heritage values** |  |  |
| **Geology** |  | *For example, if collecting geological samples, explain how sampling procedures will minimise disturbance.* |
| **Wilderness and aesthetic values** |  |  |
| **Equipment belonging to other programs or projects**  |  |  |
| **Other** (provide details) |  |  |

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| --- | --- | --- |
| 2.14 **AAP projects:** Have you consulted with AAD’s Science Branch and/or other relevant subject matter experts? | [ ]  Yes(Provide details below) | [ ]  No(Provide details below) |
| Provide details:* If **yes**, with whom and why?
* If **no**, why not?
 |  |
| 2.15 **Will proposed activity involve importing food or other non-indigenous species into HIMI?****Note:** Permits authorising entry to the Territory and Reserve may impose conditions requiring strict compliance with biosecurity measures to avoid accidental introduction of non-native species. | [ ]  Yes(Provide details below) | [ ]  No(Go to next question) |
| If **yes:** * What is the purpose?
* How will you mitigate any accidental introductions?
* Provide details of type, quantity, control measures and any other relevant information.

**Note:** Brassicas, poultry or poultry products (including egg products), viable seed or fungal products are not permitted. Animal products that have not been inspected are also not permitted. |  |
| 2.16 **Will proposed activities be conducted in previously visited area(s)?** | [ ]  Yes(Go to next question) | [ ]  No(Provide details below) |
| If **no**, why will proposed activities occur in an undisturbed area? |  |
| 2.17 **Are you aware of any previous, current or planned activities in the same area?** | [ ]  Yes(Provide details below) | [ ]  No(Go to next question) |
| If **yes:** * Which other activities have or will occur in the same area?
* Provide more details of how you will mitigate the potential cumulative impacts of this activity and other activities in the next question.
 |  |
| 2.18 **Cumulative impacts**Consider potential cumulative impacts of this activity and other activities, and provide details to answer the following:* Is there any spatial/temporal overlap with other activities in the area, which might result in cumulative impacts?
* Which aspects of your activity may contribute to the cumulative impacts of the area?
* What are the potential cumulative impacts and pathways of accumulation?
* How do you intend to mitigate potential cumulative impacts over an extended period of time (i.e. coordinate with other projects to share existing samples, or minimise number of entries, etc)?
 |  |
| 2.19 **Potential uncertainties**Provide details of any uncertainties about anticipated impacts or effectiveness of proposed mitigation measures. |  |
| 2.20 **Contingency plans**Describe contingency plans in case of unexpected adverse impacts on the environment.  |  |
| 2.21 **Training and experience**Describe training, briefing, supervision and experience of organisers and expeditioners. |  |
| 2.22 **Documentation:** Provide, where relevant, documentation and/or procedures in support of the mitigation measures described above. |

# **Part 3:** Specific impacts

Some activities on HIMI are prohibited by Australian law and some require a permit. In answering yes to any of the following questions and providing additional detail, please consider alternatives, and allow for contingencies (e.g. in the event that your activities cannot be conducted as originally planned).

|  |  |  |
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| 3.1 **Will any activities involving native species, if authorised, cause the following?** | **Yes** | **No** |
| Death? |[ ] [ ]
| Injury? |[ ] [ ]
| Removal from HIMI? |[ ] [ ]
| Taking of samples or parts such as moulted feathers? |[ ] [ ]
| Catch or capture? |[ ] [ ]
| Other physical interference? |[ ] [ ]
| If **yes** to any of the above activities, you must comply with humane practices approved by an appropriate animal ethics committee and you must provide a copy of the animal ethics committee application and approval with this application.  |
| 3.2 **Do you intend to damage, deface, move, possess or otherwise interfere with cultural heritage in the Territory?** | [ ]  Yes(Provide details below) | [ ]  No(Go to next question) |
| If **yes**, provide details. |  |
| 3.3 **Will your activity involve sampling or interfering with plants?** | [ ]  Yes(Provide details below) | [ ]  No(Go to next question) |
| If **yes**, provide details. |  |
| 3.4 **Will your activity involve sampling lakes, terrestrial or glaciated environments for microbes or genetic material?** | [ ]  Yes(Provide details below) | [ ]  No(Go to next question) |
| If **yes**, provide details. |  |
| 3.5 **Will your activity involve collecting, harvesting and/or carrying out research on any marine organisms?** | [ ]  Yes(Provide details below) | [ ]  No(Go to next question) |
| If **yes**, provide details. |  |
| 3.6 **Will your activity involve interfering with or removing any soil or rocks from HIMI?** | [ ]  Yes(Provide details below) | [ ]  No(Go to next question) |
| If **yes**, provide details. |  |
| 3.7 **Do you intend to, or is there a possibility, that you may leave any equipment, material or refuse?**  | [ ]  Yes(Provide details below) | [ ]  No(Go to next question) |
| If **yes**, provide details of how long equipment may be left, how equipment will be maintained and how/when equipment will be removed. |  |
| 3.8 **Names on permit**If you answered **yes** to any questions above, provide the names of all people undertaking the activity (i.e. to be named on a permit) and provide details of samples in the next section.  |  |
| 3.9 **Sampling details:** If you answered **yes** to any questions above, list the proposed samples to collect, or the species to study, and potentially impacted i.e. observe, disturb, sample (including dead or moulted parts). Include other impacts on breeding locations or dwelling place.  |
| **Common name of species/sample type** | **Scientific name of species, if applicable** | **Maximum number that will be affected or sample volume** | **Type of impact** (e.g. disturbance, removal) |
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| 3.10 **Assessment of impacts on affected species**Restrictions may apply when granting a permit. For example, before a permit can be granted 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 will be maintained. Provide an assessment of likely short/long term impacts of proposed activities on the following: |
| Impact on individual members of affected species: |  |
| Impact on the local population: |  |
| Impact on the species as a whole: |  |
| Impact on the ecological community: |  |
| **Provide and/or describe evidence to support the above assessment.** |  |

# **Part 4:** Remotely Piloted Aircraft (RPA)

Complete Part 4 if the proposed activity includes RPA activities.

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| 4.1 **Are you planning to use RPA?** | [ ]  Yes – Continue completing Part 4.[ ]  No – Skip to Part 5. |
| 4.2 **Purpose of RPA activities** Why are RPA required?  |  |
| 4.3 **RPA details** Including:* Type
* Weight
* Dimensions
* Power source
 |  |
| 4.4 **Operator/pilot details** Including:* Names
* Qualifications
* Experience
 |  |
| 4.5 **Will pilot(s) have at least 10 hours experience on the proposed type of RPA?** | [ ]  Yes(Provide details below) | [ ]  No(Provide details below) |
| Provide details: |  |
| 4.6 **Will RPA operate within manufacturing specifications?** | [ ]  Yes(Provide details below) | [ ]  No(Provide details below) |
| Provide details: |  |
| 4.7 **Will RPA operate near wildlife?** | [ ]  Yes(Provide details below) | [ ]  No(Go to next question) |
| If **yes**, how close? Provide details.**Note:** Science projects proposing to operate within wildlife separation distances may require approval from a relevant Animal Ethics Committee (if require, provide animal ethics committee application and approval). |  |
| 4.8 **Describe any potential environmental sensitivities in area of RPA operations, including:*** Vegetation (moss and lichen)
* Water bodies
* Fragile soil
* Heritage sites
 |  |
| 4.9 **Describe potential environmental impacts of RPA activities, including:*** Wildlife disturbance
* Emissions
* RPA crash/loss
 |  |
| 4.10 **Describe mitigation measures for potential environmental impacts, including:*** To prevent pollution or disturbance
* Plans for retrieval if RPA crashes
 |  |
| 4.11 **AAP projects:** Will RPA activities comply with relevant AAD procedures and policies?Including the ‘UAS standard operating procedures’ and ‘Environmental Policy on Remotely Piloted Aircraft (Drones) in Antarctica’. | [ ]  Yes(Go to next question) | [ ]  No(Provide details below) |
| If **no**, provide details: |  |

# **Part 5:** Other

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| 5.1 **Have you read the Australian IUCN reserve management principles?**While a management plan is not operational, the Director will exercise their powers and perform their functions to manage the Reserve in accordance with the applicable Australian IUCN reserve management principles.  | [ ]  Yes(Go to next question) | [ ]  No(Read the management principles) |
| 5.2 **Will your activity be consistent with the applicable Australian IUCN reserve management principles?** Described in Schedule 8 of the [*Environment Protection and Biodiversity Conservation Regulations 2000*](https://www.legislation.gov.au/F2000B00190/latest/text). | [ ]  Yes(Go to next question) | [ ]  No(Provide details below) |
| If **no**, which aspects of the principles do you not meet or understand? |  |
| 5.3 **Access to biological resources: Do you intend to collect biological material?** | [ ]  Yes(See details below) | [ ]  No(Go to next question) |
| If **yes**: * **Australian Antarctic Science Program participants:** You must complete the project application certification as part of your online project application.
* **All other applicants:** You must complete a [statutory declaration](https://www.dcceew.gov.au/science-research/australias-biological-resources/permits) and submit it with this application.
 |
| 5.4 **Access to biological resources for commercial purposes: Do you intend to collect biological material for commercial (or potential commercial) purposes?** | [ ]  Yes(See details below) | [ ]  No(Go to next question) |
| If **yes**, you will need to negotiate a benefit sharing agreement with [Parks Australia](https://www.dcceew.gov.au/science-research/australias-biological-resources/permits).  |
| 5.5 **Will your activity require the use of any weapons within HIMI?** | [ ]  Yes(See details below) | [ ]  No(Go to next question) |
| If **yes**, contact the AER Section (via EIA@aad.gov.au) for more information about your responsibilities under the *AAT Weapons Ordinance 2001*.  |
| 5.6 **De-ratting certificate**A HIMI permit **cannot** be issued to authorise a vessel to enter the Territory without a valid de-ratting certificate or exemption certificate recognised by the Australian Government’s quarantine standards. A copy of this certificate must be provided before departure. | [ ]  Noted |
| 5.7 **Insurance**The applicant must not conduct any permitted activity unless the applicant holds, or is covered by, a policy of public liability insurance sufficient to cover any liability the applicant may have to third parties or to the Director under the agreement and in any case for an amount of not less than $20 million in respect of any single event, with an insurer that is licenced by the Australian Prudential Regulation Authority or otherwise approved by the Director. A certificate of currency must be provided before departure. | [ ]  Noted |

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| 5.8 **For all Non-Government Expeditions:****Note:** The AAD may require an organiser or applicant of an activity to attend pre-departure planning or briefing sessions conducted by the AAD. | [ ]  Noted |
| 5.9 **Guide to passenger ratio**What is the minimum guide to passenger ratio at any landing site? |  |
| 5.10 **If requested, can an official AAD observer accompany the expedition?** | [ ]  Yes(Provide details below) | [ ]  No(Provide details below) |
| Provide details: |  |
| 5.11 **Information basis for your environmental impact assessment**Describe methods used to forecast impacts of activity and develop mitigation measures (i.e. consultation or experience), including: * Any uncertainties
* Knowledge gaps
* Relevant references
 |  |
| 5.12 **Any other relevant information**  |  |

# **Part 6:** Acknowledgement of Risk

**Definitions**

**Applicable Safety Laws** means the *Civil Aviation Act 1988* (Cth), *Marine Safety (Domestic Commercial Vessel) National Law Act 2012* (Cth) and/or any other Commonwealth or Tasmanian legislation and associated regulations concerning my safety or the safety of others.

**Work Health and Safety Laws** means the *Work Health and Safety Act 2011* (Cth) and the *Work Health and Safety Regulations 2011* (Cth).

**Risk**

1. I acknowledge that the environments of Antarctica, the sub-Antarctic and the Southern Ocean are inherently dangerous.
2. I acknowledge that travelling to, living and working in these environments will involve my exposure to a range of hazards including but not limited to, extreme weather conditions and isolation.
3. I acknowledge that the activities permitted in the specified environments will expose me to risks that may impact on my health and safety.
4. I acknowledge that the Head of Division or Department may have little or no capacity to repatriate me back to Australia at the planned time nor in the event of an emergency (including an emergency unrelated to the permitted activities, such as an unexpected medical condition or a family emergency back at home).

**Work Health and Safety**

1. I will comply with my obligations under the Work Health and Safety Laws and all Applicable Safety Laws, and specifically I will:
	1. take reasonable care of my own health and safety; and
	2. take reasonable care that my acts or omissions do not adversely affect the health and safety of other persons; and
	3. comply, so far as I am reasonably able, with any reasonable instruction that is given by a representative of the Director or the Department.
2. I will, to the best of my ability, and if it is reasonably practical and safe to do so, actively assist in the event of any emergency or other circumstance wherein my assistance is required to aid other persons.

# **Part 7:** Deed of Indemnity and Declaration

|  |
| --- |
| **Deed of Indemnity** |
| THIS DEED made the       day of      , 20     .WITNESS as follows:In consideration of the Permit issued to the Permittee, the Permittee agrees to:1. release the Director of National Parks, the Commonwealth of Australia, and their servants and agents (‘the released parties’) from all and any claims which the Permittee might at any time hereafter have or have had against the released parties in respect of any injury, loss or damage which may be suffered by the Permittee or to their property in the course of the Permitted Activities, except to the extent that any act or omission involving fault on the part of the released parties contributed to the relevant injury, loss or damage; and
2. indemnify and keep indemnified the Director of National Parks, the Commonwealth of Australia, and their servants and agents (‘the indemnified parties’) against all actions, proceedings, claims or demands brought against the indemnified parties in respect of any injury, loss or damage arising out of:
	1. a breach of the Permit Conditions by the Permittee or the Permittee’s staff; or
	2. an act or omission involving fault on the part of the Permittee or the Permittee’s staff in carrying on the Permitted activities,

except to the extent that any act or omission involving fault on the part of the indemnified parties contributed to the relevant liability, loss or damage;1. acknowledge that this Permit does not give the Permittee any rights to the exclusive use, enjoyment or occupancy of any area;
2. take all reasonable steps to ensure that the Permittee, the Permittee’s staff and all authorised participants comply with the conditions subject to which the Permit is issued;
3. provide the Director with information about the Permitted Activities as reasonably requested by the Director, the Department, or a representative of either; and

Note: The Director, the Department, or a representative of either will only request such information for park management and planning purposes, and agrees not disclose to any other person any information so provided without the express permission of the Permittee unless legally required to do so.1. acknowledge that the Director has no ability to monitor or warn the Permittee of changing environmental hazards or developing hazards within a Marine Park.
 |
| **Proposed Permit holder’s name:** |  |
| *A copy of this agreement is to be signed by each proposed permit holder, or if the proposed permit holder is a company or other commercial entity, by its duly authorised officer.* |
| **Signed:** |  | **Date:** |  |
| **Name** (please print): |  | **Position:** |  |
| *This agreement is signed in the presence of a witness aged 18 years or older.* |
| **In the presence of** (witness’ name): |  |
| **Signed:** |  | **Date:** |  |

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| **Declaration** |
| I,      , the applicant for this permit, DECLARE that the information in this application is correct to the best of my knowledge AND I am authorised to complete this application on behalf of all proposed permit holders AND that none of the proposed permit holders have been convicted1 of, or is presently subject to proceedings for, an offence under:1. the EPBC Act or Regulations; or
2. another law of the Commonwealth or a State or Territory about the protection, conservation or management of native species or ecological communities; or
3. section 62 of the Crimes Act 1914 or sections 11.1. 11.4 or 11.53 of the Criminal Code, in relation to an offence under a law mentioned in a) or b) above; or
4. a provision of a law of a State or Territory that is equivalent to a provision mentioned in c) above.

If you cannot make this declaration because a proposed permit holder has been convicted of, or is subject to proceedings for a relevant type of offence, please contact the Antarctic and Environmental Regulation Section, Australian Antarctic Division, for further advice. These matters do not exclude a permit being issued but can be taken into consideration.  |
| **Signed:** |  | **Date:** |  |
| **Name** (please print): |  | **Position:** |  |
| *This declaration is made before a witness aged 18 years or older.* |
| **In the presence of** (witness’ name): |  |
| **Signed:** |  | **Date:** |  |
| **1** Part VIIC of the *Crimes Act 1914* includes provisions that, in certain circumstances, relieve persons from the requirement to disclose spent convictions and require persons aware of such convictions to disregard them.The applicant is taken to have been convicted of an offence if, within five years before the application is made, the applicant:1. has been charged with, and found guilty of, the offence but discharged without conviction; or
2. has not been found guilty of the offence, but a court has taken the offence into account in passing sentence on the applicant for another offence.

**2** Section 6 of the *Crimes Act 1914* deals with being an accessory after the fact.**3** Sections 11.1, 11.4 and 11.5 of the *Criminal Code* deal with attempts to commit offences, inciting to or urging the commission of offences by other people and conspiracy to commit offences. |

**Please submit your completed and signed application with all supporting documents, and any questions or queries via email to the AAD’s Antarctic and Environmental Regulation (AER) Section:** **EIA@aad.gov.au****.**

# **Appendix A:** Privacy Notice

The Department of Climate Change, Energy, the Environment and Water (the **Department**) is bound by the *Privacy Act 1988* (Cth) (the **Privacy Act**). The collection, access, storage, use and disclosure by the Department of the personal information you provide in your application is governed by the Privacy Act and, in particular, by the 13 Australian Privacy Principles (**APPs**).

Personal information includes information such as: your name, 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.

This Privacy Notice describes how we collect and manage your personal information and is provided pursuant to APP 5. Your consent to the disclosure of your personal information to other Australian Government Agencies is also being sought in accordance with APP 6.

The information, including personal information, on your application will be used to assess your application and the environmental impact of your proposed activity. The collection of this information is authorised by the *Environment Protection and Management Ordinance 1987 (HIMI)* and the *Environment Protection and Biodiversity Conservation Act 1999*.

This information may be used to contact you regarding your application.

Your personal information will only be accessed by our authorised staff. The information, including personal information, may be disclosed to other Australian Government agencies such as the Australian Maritime Safety Authority, for related regulatory purposes pertaining to your activities. We may also disclose your personal information to law enforcement authorities or agencies if it relates to enforcement activities, or to other parties where it is required or authorised by Australian law or court/tribunal order.

By signing your application, you consent to the Department dealing with personal information in accordance with this Privacy Notice, including the disclosure of your personal information to other Australian Government agencies where necessary.

Further information about how we collect, protect and manage personal information, and how you can access, or seek correction to, your personal information is contained in our Privacy Policy which is available at: <https://www.dcceew.gov.au/about/commitment/privacy>.

If you have an enquiry or a complaint about your privacy, please contact our Privacy Contact Officer via email privacy@dcceew.gov.au.