Rural Quarantine Approved Premises - operator guide to completing the application checklist

1. Business Name

The Department of Agriculture (the department) requires that all quarantine approved premises are required to be registered in the name of a legal entity. As such, at the time of application for approval of a place for the performance of quarantine, the department requires proof of legal existence of the individual or body under which the application is lodged and approval sought.

A legal entity is generally taken to mean "an individual person or a group of persons, a registered partnership, an Australian registered company, or a government body" who can be held to be legally accountable for the operations of the premises, including debts incurred. The 'person' that the department deals with and register must be an entity known to and recognised by the law.

Attachment A details the documentation the department requires as proof of legal existence of the applicant.

2. Address

Under the Quarantine Act 1908 (the Act), an approval of a site as a place for the performance of quarantine is restricted to a single "place" or physical location. As such, the application must specify the physical address of the site proposed for the performance of quarantine. You must supply this information in this section.

3. Accredited Person Details

It is a condition of the approval of QAPs, in most cases, that accredited persons are utilised to undertake, or directly supervise, all quarantine operations performed at the premises. The details, including names and accreditation numbers, of any employees who have completed the Quarantine Approved Premises for Accredited Persons training must be supplied.

If you, or designated employees, wish to complete training after the rural approval has been obtained, the persons nominated to complete the training may be detailed in this section.

4. Copy of Application for Approval of a Place for the Performance of Quarantine

Under the Act, approval of a place for the performance of quarantine may only be granted upon application in writing. Applications for QAP approval must be submitted in the form of a completed 'Application for Approval of a Place for the Performance of Quarantine'.

This application form and explanatory notes for completion are available on the department’s website at:

The application form must be completed in full and should be submitted with the supporting rural documentation detailed on the 'Application for QAP Approval in the Rural Areas Checklist'.

The original application form will be retained by the department’s regional office.

5. Class of Proposed QAP

The class of QAP approval required is determined by the proposed quarantine operations. The department implements a structure of QAPs that incorporates 9 classes each of which has multiple subclasses. Each class has varying containment features that ensure the quarantine risk inherent with the goods being handled is contained and/or mitigated.

If you are unsure of what class of QAP you should be applying for, you should liaise with an Approved Premises Officer in your region.

The contact details for the regional offices can be located at:

http://www.daff.gov.au/biosecurity/about/contact/approved-premises

6. Rural Postcode

You are required to indicate if the postcode in which the proposed site for QAP approval is considered by the department as rural. The department’s postcode classification list is maintained in the Non-commodity Information Requirements Policy document. The list is also available in Microsoft Excel format at:


7. Proposed premises proximity

Your application must be supported by details on the proximity (in kilometres or metres) of the proposed QAP site to areas of the following land usage (a definition of what is considered as each specified land usage is shown below):

a) Land incorporating minimal development

This is broadly considered any plot which contains a low ratio of developed to undeveloped land. These areas may or may not have improvements e.g. sewers etc. Examples include plots which incorporate farmhouses, machinery or hay sheds or similar structures inherent in rural areas

b) Reserves and/or commons

These areas are generally public open spaces in a municipality, usually in a centrally located spot and used by a community. These areas can be a reservation of public land.

c) Nurseries

A nursery is a place where plants are propagated and grown to usable size. This includes retail nurseries which sell to the general public, wholesale nurseries which sell only to other nurseries and to commercial
landscape gardeners and private nurseries which supply the needs of institutions or private estates. This includes sites on which young trees, shrubs, vines, etc are propagated for the purpose of transplanting or a plantation of young trees or greenhouse operations undertaken for the cultivation and/or exhibition of plants under controlled conditions.

d) Farmland

Farmland is considered an area where farming is practiced. That is, arable land that is worked by ploughing, sowing and raising crops or rearing livestock.

e) Livestock

Livestock are domestic animals as defined in the *Australian Meat and Livestock Industry Act 1997 (Cth)*. For example, cattle, horses, calves, sheep, lambs or goats raised for home use or for profit, especially in a farm. Premises that are located within 400 metres of areas where livestock are present must indicate how the integrity of the premises will be maintained.

f) National parks

A tract of land declared public property by a national government with a view to its preservation and development for purposes of recreation and culture. A tract of land declared by the national government to be public property.

g) Waterways, lakes and streams

A waterway is a navigable body of water, such as a river, channel or canal. A lake is a large inland body of fresh water or salt water and can be a scenic pond in a park. A stream is a flow of water in a channel or bed, as a brook, rivulet, or small river. It is a steady current flow of water, and can be a natural body of running water flowing on or under the earth.

h) Salmonid hatcheries

A place where the eggs of fish belonging to the family Salmonidae (including salmon, trout and whitefish) are hatched.

Where the proposed site for QAP approval is located within 5 kilometres of any of the above features, you must supply documentation showing the site and surrounding land uses/features. Aerial/satellite photographs of the site and surrounding region to satisfy this requirement can be accessed through the following website:

www.maps.google.com.au

8. Premises distance to the regional office responsible for audits

You must provide the distance in kilometres to the department’s regional office that will be responsible for auditing of your QAP. You can find this information by using the "get distances" function at the following website:

www.maps.google.com.au
If you are unsure as to which office is responsible for undertaking your QAP audits, you can obtain these details from the regional office in the state in which your proposed QAP site is located. The contact details for the regional offices can be located at:

http://www.daff.gov.au/biosecurity/about/contact/approved-premises

9. Plan of the proposed Premises

A premises site plan must be submitted with the application and this must show the on-site location of the following (a definition of each specified area is included):

   a) Quarantine Receival/Unpack Areas:

   The portion of the QAP where goods subject to quarantine are received and unpacked from the container on arrival.

   b) Transfer Path/s: This refers to dedicated routes of passage followed where quarantine material is moved between areas within the Quarantine Approved Premises. (Please note that this definition only applies to rural applications).

   c) Quarantine Inspection Area:

   An area designated (within or adjacent to the Quarantine Area) for use by quarantine officers for the performance of detailed inspections of goods subject to quarantine.

   d) Quarantine Area: The designated area within a QAP where goods subject to quarantine are stored, handled and/or treated. This also includes the collection and temporary storage of quarantine waste and dunnage.

10. Premises proximity to areas subject to

You will need to advise information on the susceptibility of the proposed premises to the following:

   a) flooding:

   Your local council should be able to provide information on the flood risk of your property and the surrounding areas. (Attach a Property Information Certificate or equivalent third party verification)

   b) bushfire:

   Your local council should be able to provide information on bushfire risk for your property and the surrounding areas. If you are not able to get this information from your local council, you may be able to contact your local fire brigade.

11. Documentation detailing the mode of transport of the goods and the proposed transport route to the premises

You will need to provide details on how the goods will be transported. This includes detailing the nature of the containment of the goods during transport e.g. sealed shipping container, enclosed van etc. You will
need to demonstrate how you plan to contain the risk during transport. You will also need to supply directions for the transport of the goods to your premises. Remember that this needs to be by the most direct route – taking sealed roads. If the most direct route to your premises is not by sealed road, please discuss this with the QAP Officer when you lodge this application.

12. Transport accident/spillage recovery procedure

This document will need to show the department what measures will be taken to contain any risk should there be an accident while goods subject to quarantine are being transported to your premises. This document must include what equipment will be carried in the transport vehicle to clean or contain spills (e.g. disinfectants, brooms, shovels) and the details of who to contact in the case of an accident i.e. the department and the local police etc.

13. Document detailing the imported goods pathway

This document must address the full imported goods pathway from arrival to the point the consignment is released from Quarantine (refer to example Operations Manual).

This document must include full details of the on-site handling of all goods subject to quarantine. This covers all quarantine operations from the point of receipt of goods through to release, destruction or movement. The document must specify full details of the quarantine procedures undertaken to achieve each of the following quarantine operations:

a) Receival/unpack of the consignment
b) Transfer of goods to the quarantine area
c) Storage of goods subject to quarantine
d) Isolation of goods
e) Inspection procedures
f) Hygiene
g) Security
h) Contingency plans
i) Waste disposal
Attachment A

1. Name of Applicant for Approval (Occupier)

- The occupier is the person (individual, corporation, partnership, statutory body, trustee etc.) who manages and controls the quarantine operations carried on at the approved premises.
- The name provided in the application must represent a legal entity (as above),
  - company names are registered under Commonwealth law whilst business or trading names are registered under State law. Business or trading names cannot be used in the Name field on the QPR Premises Registration details screen,
  - a Quarantine Approved Premises cannot be registered in the name of a trust, it must be registered in the name of the trustee.
- If the applicant is a natural (individual) person, all given names and surname should be used – no initials should be used, only full names.
- If incorporated, the name should include terms which indicate the type of incorporation (e.g. Ltd, or Pty Ltd).

2. Alternate Names

- Alternate Names are business or trading names that the occupier, has legally registered with the appropriate State authority and can trade under that name
  - names that are considered misleading (i.e. where the proposed name includes Pty Ltd, Trust etc.) will not be approved.
- Alternate trading or business names will only be applied to the premises register where evidence is provided that the alternate name is a registered business name
  - suitable business name evidence would include a copy of the business name registration certificate.

3. Australian Business Number (ABN)

- The ABN quoted should generally be the ABN that belongs to the applicant, however, where the premises is owned/operated by a trust and the applicant is the trustee (generally a person or Pty Ltd company), the trust ABN will generally be used as the trust will be the recipient of any GST credits.
### Examples of Evidence of Legal Existence Required by Occupiers of Registered Quarantine Approved Premises

<table>
<thead>
<tr>
<th>Occupier Name</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. John Albert Smith</td>
<td>Nil.</td>
</tr>
<tr>
<td>2. John Albert &amp; Maria Jane Smith</td>
<td>Written evidence of a partnership.</td>
</tr>
<tr>
<td>3. JA &amp; MJ Smith</td>
<td>Needs to be registered in the full names (John Albert &amp; Maria Jane Smith) and requires written evidence of a partnership</td>
</tr>
<tr>
<td>4. Smith Importing</td>
<td>A name of this nature will not be accepted. The premises must be registered in the name of a legal entity. Advice is required regarding who &quot;owns&quot; the business - the premises would be registered in that name and either 7 or 8 below would apply (could be John William Smith, trading as Smith Importing only if Smith Importing is legally registered see 7 below.)</td>
</tr>
<tr>
<td>5. John Smith Importing Company</td>
<td>This name may be incomplete, i.e. Ltd or Pty Ltd may have been omitted or it may be a business name – confirmation would be required and either 6, 7 or 8 would apply</td>
</tr>
<tr>
<td>6. John Smith Pty Ltd</td>
<td>Copy of certificate of incorporation of a proprietary company.</td>
</tr>
<tr>
<td>7. John Smith trading as: Smith Importing</td>
<td>Copy of State certificate of registration of a business name</td>
</tr>
<tr>
<td>8. John Smith Pty Ltd trading as: Smith Importing</td>
<td>Copies of certificate of incorporation and certificate of the State registration of the business/trading name</td>
</tr>
<tr>
<td>9. John Smith &amp; Sons</td>
<td>If this is a partnership, the full names and details of each of the partners must be supplied. If it is a business name, need the names of the persons or proprietary company which own the business name and certificates of registration.</td>
</tr>
<tr>
<td>10. J Smith &amp; Co</td>
<td>If a partnership, see 9 above. If not, the department requires clarification from the as whether 6, 7 or 8 applies.</td>
</tr>
</tbody>
</table>
| 11. John Smith Family Trust Smith & Co Unit Trust | Need the names of the trustees and the premises would be registered in those names. The trustees are the managers of the trust NOT the beneficiaries.  
- the trustee is normally a registered company. |
# Examples of Evidence of Legal Existence Required by Occupiers of Registered Quarantine Approved Premises

<table>
<thead>
<tr>
<th>Occupier Name</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>12. Government entities i.e. CSIRO &amp; Universities</td>
<td>Need a reference to the Act, Royal Charter or Letters Patent under which the entity (or Authority) has been constituted or a copy of extract of the Gazette.</td>
</tr>
<tr>
<td>13. Corporations</td>
<td>Copy of certificate of incorporation, if a private corporation, or reference to the Act, Royal Charter or Letters Patent under which the corporation is constituted, if a government corporation.</td>
</tr>
</tbody>
</table>

**Please note:** For ease of process, legal existence for Government authorities and entities such as Universities does not need to be proven for each premises if more than one.

14. Astro Mining NL      | NL refers to No Liability (mainly used by mining companies listed on the stock exchange) and should have a copy of certificate of incorporation of a proprietary company and ABN. |