# *Waste Management and Pollution Control Act (2009)*

APPLICATION TO HAVE COMMERCIALLY CONFIDENTIAL INFORMATION WITHHELD FROM THE PUBLIC REGISTER

*Pursuant to Section 10(1)*

This form is the approved form in accordance with Section 10(1) of the *Waste Management and Pollution Control Act.* Information on this form is being collected for the purpose of assessing a request to have information withheld from the public register on the basis that it is commercially confident information.

Failure to provide the information requested on this form may result in your application not being considered. Information is collected and managed in accordance with the Northern Territory Environment Protection Authority Privacy Statement and the *Information Act*. The privacy statement can be found at: [www.ntepa.nt.gov.au](http://www.ntepa.nt.gov.au)

For further information on the definition of commercially confidential information refer to the “*Guide to Applying for Commercially Confident Information Withheld from the Public Register*”. The guide is available from the Northern Territory Environment Protection Authority or on the website at [www.ntepa.nt.gov.au](http://www.ntepa.nt.gov.au)

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| SECTION A – details of applicant |

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| Full name of applicant (person or organisation) who will legally hold approval |       |
| **ACN (body corporate)** |       |
| **Street address/registered office** | Number |       |  Name |       |
|  | Town/Suburb |       |  State |       | Postcode |       |
| **Postal address** | PO Box |       |
|  | Town/ Suburb |       |  State |       | Postcode |       |
| **Contact person** | Name |       | Position |       |
| **Telephone Number** | B/Hours |       | A/Hours |       |
|  | Mobile |       | Fax |       |
| **E-mail address** |       |
| **Organisation (if different from applicant)** |       |

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| SECTION B – details of DOCUMENT THAT THIS APPLICATION APPLIES TO |

1. If the application and claim for commercial confidentiality relates to an environment protection licence, environment protection approval or best practice licence, provide the details below. (If not applicable, go to “b”, below).

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| Tick relevant document | Document | **Licence/approval number** |
| [ ]  | Environment Protection Licence |  |
| [ ]  | **Environment Protection Approval** |  |
| [ ]  | **Best Practice Licence** |  |

1. If the application relates to information within an environmental management plan, a compliance plan, environmental audit results, a pollution abatement notice or notification of a pollution incident, provide the details below.

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| Tick relevant document | Document | **Reference number** |
| [ ]  | Environmental Management Plan |  |
| [ ]  | **Compliance Plan** |  |
| [ ]  | **Results of an Environmental Audit** |  |
| [ ]  | **Pollution Abatement Notice** |  |

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| SECTION C – basis of confidentiality claim  |

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| **What information do you consider to be commercially confidential?** |       |

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| **Why do you claim this information to be commercially confidential?** |       |

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| **Demonstrate how a competitor could use the information claimed as being commercially confidential for their commercial gain?** |       |

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| **Has this information previously been available to the public?** | **Yes** | **No** |
|  | [ ]  | [ ] (Please provide details below) |
| **What actions have you taken to prevent disclosure of the commercially sensitive information?** |  |
| **Has the information for which you are claiming confidentiality, ever been disclosed to another person, (other than to a person bound by confidentiality either through their employment by you, by a professional relationship, or as an officer of a government authority), or released in any public report (eg: an Environmental Impact Assessment)?** | Yes | **No** |
|  | [ ] (Please provide details below) | [ ]  |
| **Full name of person** |       |
| **Street address / registered office** | Number |       | Name |       |
|  | Town/Suburb |       | State |       | Postcode |       |
| **Why was the information disclosed?** |       |

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| **Has the information previously been assessed as commercially confidential?** | **Yes** | **No** |
|  | [ ]  | [ ]  |
| **Is /has this information being/been assessed by another jurisdiction (Commonwealth, State or Territory authority)?** | [ ]  | [ ]  |
| **Which jurisdiction (Commonwealth, State or Territory authority) is/has assessing/assessed the information and when?** |  | Date **/****/20** |
| **What was the outcome?** |  |

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| **Has the commercially sensitive information been patented?** | **Yes** | **No** |
|  | [ ] (Please provide details below) | [ ]  |
| **Patent details** | Patent Number |  |
|  | Patented by |  |
| **If there is any other information that will support your claim, please attach a statement.** |

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| **Can the information, the subject of this application, be modified in such a manner that it would protect commercial confidentiality, be placed on the public register and not be misleading?** | **Yes** | **No** |
|  | [ ] (Please provide details below) | [ ]  |
| **Details of modification that will protect commercial confidentiality.** |  |

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| SECTION D – declaration  |

This declaration must be completed by the applicant or by a person(s) who is/are authorised to act for the applicant.

**I / we hereby declare that the information provided in this application and accompanying documents, is to the best of my / our knowledge, true and correct.**

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| Full Name(BLOCK LETTERS) |       |
| Signature |  | Date **/****/20**      |
| Position of Signatory |       |

Common Seal,

Public Authority Seal or

Council Seal (if used)

**Indicate the number of additional pages attached to this application.\_\_****\_\_\_\_\_**

Once completed and signed, this form and appropriate attachments should be sent to:

**Northern Territory Environment Protection Authority**

**GPO Box 3675**

**DARWIN NT 0801**

The applicant will be notified in writing of the resultant decision.

**OFFICE USE ONLY**

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| **APPLICATION RECeiveD / /20** |
| **APPLICATION: APPROVED / NOT APPROVED** |
| **DATE OF DECISION / /20** |