*Environmental Protection Act 1994*

Application for the issue of a Transitional Environmental Program

This form must be used when applying for the issue of a transitional environmental program (TEP) pursuant to section 331 of the Environmental Protection Act 1994 (the Act). For assistance to fill this application out refer to the Transitional Environmental Programs Guideline (ESR/2016/2277).

**Privacy statement**

*The Department of Environment and Science (DES) will use the personal information collected on this form in accordance with the Information Privacy Act 2009. The information will only be accessed and used by authorised employees within DES in the context of the disclosure and will not be otherwise used or disclosed unless required or authorised by law.  For queries about privacy matters email:* *privacy@des.qld.gov.au* *or telephone: 13 74 68.*

*Pursuant to section 540 of the Environmental Protection Act 1994 (EP Act), DES is required to maintain a register of certain documents and information authorised under the EP Act. The register is available for inspection by members of the public who are able take extracts, or copies of the documents from the register. Documents or information that are required to be kept on the register are published in their entirety unless alteration is required by the EP Act. For more information on the Department’s public register, follow the link or search ‘public register’ at* [*www.qld.gov.au*](http://www.qld.gov.au/).

This application for the issue of a TEP must be undertaken in this approved form and must be accompanied by the fee prescribed by regulation. For fees association with this application, find more information here- [Fees and services | Department of Environment and Science, Queensland (des.qld.gov.au)](https://www.des.qld.gov.au/our-department/fees-services?category=224).

For further information see Chapter 7, Part 3 of the Act or refer to the Transitional Environmental Programs Guideline (ESR/2023/6520)[[1]](#footnote-2).

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| Note: For applications to the Department of Environment and Science, the only way to pay fees by credit card is by completing the application through Online Services. For other fee payment options see page 9. |

**Applicant details**

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| **Individual or Company Responsible:** | Insert registered company name |
| **Company Address**  | Insert registered company address |
| **ACN** | Insert Australian Company number (ACN) |
| **Environmental Authority number (if relevant)** | Insert Environmental Authority number |
| **Environmental Authority holder names (if relevant)** | Insert Environmental Authority Holder names |
| **Development Approval number (if relevant)** | Insert Development Approval number |
| **Date:** | Insert date of application (when payment is made) |
| **Reason for TEP:** | Insert one or more of the following:* Reduce environmental harm caused by the activity **[section 330(1)(a)**]
* Transitioning to an environmental standard **[section 330(1)(b)**]
* Comply with a condition of an environmental authority (EA)/development condition/prescribed condition for carrying out a small-scale mining activity or comply with agricultural ERA **[section 330(1)(c)]**

\*Please provide more details in Transition Details section |
| **Site details:** | Insert site location details, including real property descriptions and tenures |
| **Period of TEP:** | Insert the period over which the TEP is to be carried out. If more than three years, public notification provisions will apply |
| **Proposed start date:** | Insert proposed start date of TEP |
| **Proposed completion date:** | Insert proposed completion date of TEP |

**What is a transitional environmental program?**

A transitional environmental program (TEP) is a specific program that, when complied with, achieves compliance with the *Environmental Protection Act 1994* (the Act) by doing one or more of the following—

1. reducing environmental harm caused by the activity.
2. detailing the transition of the activity to an environmental standard.
3. detailing the transition of the activity to comply with—
4. a condition of an environmental authority for the activity; or
5. a development condition; or
6. a prescribed condition for carrying out a small-scale mining activity; or
7. an agricultural ERA standard that applies to an agricultural ERA.

NOTE: A TEP cannot be used to achieve compliance with an enforceable undertaking; or a PRCP schedule.

Find more detailed information about environmental harm – [Meeting environmental obligations and duties | Environment | Department of Environment and Science, Queensland (des.qld.gov.au)](https://environment.des.qld.gov.au/management/compliance-enforcement/obligations-duties)

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| **Objective(s)** [section 331(2)(a)]State the objectives to be achieved and maintained under the TEP for the activity. The objectives must be **specific** and **clear** and **relate to achieving compliance** with the Act*,* the Environmental Protection Regulation 2019, environmental protection policies, or if relevant, the conditions of approval.  |
| Insert objectives here in dot points format.Example: * The objective of the TEP is to reduce the concentration of total suspended solids being released to waters at discharge point W1 (as described in Environmental Authority EPPR123456) from the activity and prevent environmental harm being caused to waters from the contamination of total suspended solids.
* The objectives will be achieved by complying with Condition W1 to W5 in Environmental Authority EPPR123456, by 1 December 2016, which includes not exceeding the daily maximum concentration limit for total suspended solids (mg/L), at location W1 and which includes a suitably qualified person to undertake all water quality sampling and monitoring in accordance with the Queensland’s Government Monitoring and Sampling Manual 2009.
 |
| **Actions** [section 331(2)(b)]List the actions to be taken to achieve each of the objectives. Actions must take into account: 1. Best practice environmental management for the activity (including how these measures stand against the measures currently used nationally and internationally for the activity [section 331(2)(b)(i)]); and
2. The risks of environmental harm being caused by the activity (including the proposed actions, how the risks have been considered and how they will be treated or mitigated [section 331(2)(b)(ii)]).
3. If the activity is in the Great Barrier Reef (GBR) catchment area, risk of releasing dissolved inorganic nitrogen or fine sediment, to GBR catchment waters needs to be considered and all appropriate mitigation measures must be used in accordance with management hierarchy in section 14 of the Environmental Protection (Water and Wetland Biodiversity) Policy 2019. If mitigation measures do not remove all residual loads from the proposed release, then offset measures should be provided (see Reef discharge standards for industrial activities guideline for further details (ESR/2021/ 5627)[[2]](#footnote-3).
 |
| **List the actions to be taken below**Note: Proposed commencement and completion dates for each action must be provided. Note: Remove or add rows as required. | **Proposed commencement date**  | **Proposed completion date**  |
| Click here to enter text.Example:1. Design and implement a stormwater management system to capture, treat and dispose of sediment onsite, and to prevent the release of sediments to waters at location W1. | 1 June 2016 | 1 December 2016 |
| Click here to enter text.2. Engage a suitably qualified person to review the improved stormwater management system against the objectives and certify that the system meets Condition W1 to W5. The suitably qualified person must prepare a report detailing the review and certification and any necessary recommendations to ensure compliance with Conditions W1 to W5 | 1 August 2016 | 1 September 2016 |
| Click here to enter text.3. If recommendations have been made, detail a schedule of works to action the recommendations and implement the schedule of works. | 1 September 2016 | 1 December 2016 |
| Click here to enter text. | Click here to enter text | Click here to enter text |
| Click here to enter text. | Click here to enter text | Click here to enter text |
| Right click and insert more rows below as required |  |  |

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| Transition Details Does the TEP relate to achieving compliance under the EP Act by (choose one or more of the following): [ ]  reducing environmental harm? [ ]  transitioning to an environmental standard? [ ]  complying with a condition of an environmental authority (EA)? [ ]  complying with a development condition? [ ]  complying with a prescribed condition for a small-scale mining activity? [ ]  complying with an agricultural ERA standard? Please complete relevant section/s below. |
| Reducing Environmental Harm\*Insert details of how any environmental harm that may be caused by the activity will be prevented or minimised, including any interim measures that are to be implemented. Measures could include upgrade of equipment/infrastructure/process design, reduced throughput, change to operating hours, new control measures, training, and additional housekeeping/maintenance. Interim measures before the upgrade commence may include shutting down operations or reducing operation throughput.Examples of environmental harm, include:* the discharge, emission, deposition, disturbance or escape of a contaminant to air/land/water/acoustic environment
* management of waste storage and how the activity is currently causing environmental harm. Provide description/or disposal leading to an actual or potential contamination event
* disturbance to land including soils, subsoils, landforms and associated fauna and flora and their habitat
* unreasonable interference or disturbance to the acoustic environment from contaminants such as noise/odour/dust.

Contaminants can be gas, liquid or solid, odour, an organism (whether dead or alive, including a virus), energy (including heat, noise, radioactivity, and electromagnetic radiation) or any combination of these. |
| Details of Environmental Harm  | How will environmental harm be prevented or minimised under the TEP (including any interim measures to be implemented)?  |
| Click here to enter text | Click here to enter text |
| Right click and insert more rows below as required |  |
| Environmental Standard \*Insert specific details about transitioning to an environmental standard. This must include details of the standard. Environmental standard is defined in Schedule 4 of the *Environmental Protection Act 1994*. There are currently environmental protection policies for air, noise, and water. |
| Details of Environmental Standard. | How will the activity transition to the standard under the TEP?  |
| Click here to enter text | Click here to enter text |
| Right click and insert more rows below as required |  |
| Condition of EA **\***Insert specific details about the condition(s) that you are seeking to transition to, and how the activity currently does not comply with it. This may include the results of monitoring demonstrating that the condition has been contravened, the findings of a report or investigation, or evidence obtained in the field.This may also include a description of the particular mitigation measure and ongoing monitoring that will take place to ensure the mitigation measure is successful. |
| Details of EA condition and how activity does not comply with it.  | How will compliance with the condition be achieved under the TEP? |
| Click here to enter text | Click here to enter text |
| Right click and insert more rows below as required |  |
| Development condition \*Insert specific details about the condition(s) that you are seeking to transition to, and how the activity currently does not comply with it. This may include the results of monitoring demonstrating that the condition has been contravened, the findings of a report or investigation, or evidence obtained in the field.This may also include a description of the particular mitigation measure and ongoing monitoring that will take place to ensure the mitigation measure is successful. |
| Details of development condition and how activity does not comply with it. | How will compliance with the condition be achieved under the TEP? |
| Click here to enter text | Click here to enter text |
| Right click and insert more rows below as required |  |
| Prescribed condition (small scale mining activity) **\***Insert specific details about the condition(s) that you are seeking to transition to, and how the activity currently does not comply with it. This may include the results of monitoring demonstrating that the condition has been contravened, the findings of a report or investigation, or evidence obtained in the field.This may also include a description of the particular mitigation measure and ongoing monitoring that will take place to ensure the mitigation measure is successful. |
| Details of prescribed condition and how activity does not comply with it.  | How will compliance with the condition be achieved under the TEP? |
| Click here to enter text | Click here to enter text |
| Right click and insert more rows below as required |  |
| Agricultural ERA Standard\*Insert details of agricultural ERA standard and how the existing activities will be transitioned to comply with the relevant agricultural ERA standard. |
| Details of agricultural ERA standard and how activity does not comply with it.  | How will transition to the agricultural ERA standard be achieved under the TEP? |
| Click here to enter text | Click here to enter text |
| Right click and insert more rows below as required |  |

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| **Performance indicators** [section 331(2)(g)]\*Detail how and when each action will be measured to indicate that the action was completed successfully and that the objective of the TEP is being achieved.Performance indicators must not be measured more than six months apart [section 331(2)(g)] and must be quantitative (that is, able to be measured, assessed, and audited in a consistent, objective, and repeatable manner).  |
| **List the performance indicators below**Note: Commencement date and completion date for each action must be provided. Note: Remove or add rows as required. | **Commencement date**  | **Completion date**  |
| Click here to enter text.Example:1. The design of the stormwater management system is undertaken by a Registered Professional Engineer of Queensland2. The design of the stormwater management system includes best practice management3. The installation of the stormwater management system is carried out by suitably qualified person. | 1 June 2016 | 1 December 2016 |
| Click here to enter text.4. The review includes all system specifications and details how each system specifications has been met5. The review includes a compliance statement for Condition W1 to W56. The review includes all water quality in-situ monitoring results and laboratory results, undertaken by the suitably qualified person. | 1 August 2016 | 1 September 2016 |
| Click here to enter text.7. The schedule of works includes all recommendations, actions required to be taken for each recommendation and a timeframe for each action to be completed by | 1 September 2016 | 1 December 2016 |
| Click here to enter text. | Click here to enter text | Click here to enter text |
| Click here to enter text. | Click here to enter text | Click here to enter text |
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| **Monitoring** [section 331(2)(h)]\*Provide details of the monitoring activities required to ensure compliance with the proposed TEP actions and dates. This includes details of who will conduct the activities, how monitoring needs to occur and the environmental and scientific testing that may be required. |
| Click here to enter text.Example:1. All monitoring must be undertaken by a suitably qualified person and water quality samples analysed at a NATA accredited laboratory | 1 June 2016 | 1 December 2016 |
| Click here to enter text.2. For example: All water quality sampling must be undertaken in accordance with the Queensland’s Government Monitoring and Sampling Manual 2009. | 1 June 2016 | 1 December 2016 |
| Click here to enter text. | 1 September 2016 | 1 December 2016 |
| Click here to enter text. | Click here to enter text | Click here to enter text |
| Click here to enter text. | Click here to enter text | Click here to enter text |
| Right click and insert more rows below as required |  |  |

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| **Reporting** [section 331(2)(h)]\*Regular progress reports are to be provided to DES on specified dates including monitoring results, a description of activities and issues from the previous month and any proposed activities for the next month. A final report describing how the objective(s) of the TEP was achieved must be provided within one month of the final action being completed and prior to the end date of the TEP. Failure to carry out prescribed actions must be reported. |
| **List the reporting activities details below**Note: Commencement date and completion date for each action must be provided.  | **Commencement date**  | **Completion date**  |
| Click here to enter text.Example:1. A monthly progress report must be prepared detailing the actions taken, milestones achieved and the forecasted actions to be undertaken for the following month and will be provided to DES by the end of each month.2. Monthly progress reports will also include any water quality monitoring results taken at location W1. | 1 June 2016 | 1 December 2016 |
| Click here to enter text.3. A final report describing how the objectives of the TEP were achieved will be provided to DES on or before 31 December 2016. | 1 December 2016 | 30 December 2016 |
| Click here to enter text | Click here to enter text | Click here to enter text |
| Click here to enter text. | Click here to enter text | Click here to enter text |
| Click here to enter text. | Click here to enter text | Click here to enter text |
| Right click and insert more rows below as required |  |  |

**Payment of fees**

You are required to pay an initial fee at the time of application. If your application for an issue of a TEP is approved, you will be required to pay a fee annually. Each TEP has a regulated fee and accrued monitoring fee per annum. Assessment of a TEP application incurs an hourly rate after two hours (the first two hours is covered by the initial fee). Assessment includes the annual return process and any inspections or monitoring that may need to occur as a direct result of the TEP. Hours of assessment can be spread throughout the TEP period. Assessment fees will be invoiced with the Notice of approval and subsequently at the annual return date each year. Information on fees is available on the Department of Environment and Science website – [Fees and services | Department of Environment and Science, Queensland (des.qld.gov.au)](https://www.des.qld.gov.au/our-department/fees-services?category=224)

For the purpose of payment please fill out the table below:

|  |  |
| --- | --- |
| **Application contact person** | Click or tap here to enter text. |
| **Phone number of contact person** | Click or tap here to enter text. |
| **Email of contact person** | Click or tap here to enter text. |

The application fee is\*: $ ………….

Please select your payment method for the application fee below:

*For fees payable to the Department of Environment and Science:*

[ ]  Email the completed application with a request to pay the application fee by Bpoint. Please do not email your credit card details – we will send you a link to pay securely by credit card via Bpoint.

*For fees payable to the Department of Agriculture and Fisheries:*

[ ]  Cheque or money order payable to the Department of Agriculture and Fisheries (attached).

[ ]  For credit card payment, please provide contact details and we will contact you for payment to be made over the telephone.

**Applicant declaration**

I declare that the information I have provided is true and correct. I understand that it is an offence under the Environmental Protection Act 1994 to give information that I know is false, misleading, or incomplete.

I will comply with all conditions on my TEP as well as any relevant provisions in the *Environmental Protection Act 1994*. I understand that I am responsible for managing the environmental impacts of these activities, and that approval of this application is not an endorsement by the administering authority of the effectiveness of the management practices proposed or implemented.

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| Applicant’s full name\*Click or tap here to enter text. | Applicant’s position (\*if an organisation)Click or tap here to enter text. |
| Applicant’s signature\*Click or tap here to enter text. | Date\*Click or tap to enter a date. |

**Submit your completed application:**

**For TEP applications relating to an EA for ERA 2, ERA 3, or ERA 4:**

**Email to**: livestockregulator@daf.qld.gov.au or:

**Post:**

Senior Environmental Scientist

Department of Agriculture and Fisheries

GPO Box 102

TOOWOOMBA QLD 4350 Further information: [www.business.qld.gov.au](http://www.business.qld.gov.au/) Email: livestockregulator@daf.qld.gov.au Phone: 13 25 23 Fax: (07) 4529 9233

**For all other TEP applications:**

**Email** to: palm@des.qld.gov.au or:

**Post:**

Permit and Licence Management

Department of Environment and Science

GPO Box 2454

BRISBANE QLD 4001

Further information: Email: palm@des.qld.gov.au Phone: 1300 130 372 (option 4)

**Version history**

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| **Version** | **Effective date** | **Description of changes** |
| 1.02 | 3 March 2016 | Initial upload. |
| 2.00 | 20 July 2016 | The document template, header and footer have been updated to reflect current Queensland Government corporate identity requirements and comply with the Policy Register. |
| 2.01 | 12 June 2018 | The document template, header and footer have been updated to reflect current Queensland Government corporate identity requirements and comply with the Policy Register. |
| 3.00 | 17 April 2023 | Major update for *Environmental Protection and Other Legislation Amendment Act 2023* (EPOLA 2023). This is now an application for issue of a TEP, not a draft submission. |

1. This is the publication number. The publication number can be used as a search term to find the latest version of a publication at [Department of Environment and Science, Queensland (des.qld.gov.au)](https://www.des.qld.gov.au/). [↑](#footnote-ref-2)
2. This is the publication number. The publication number can be used as a search term to find the latest version of a publication at www.des.qld.gov.au. [↑](#footnote-ref-3)