

Development licence

Environment Protection Act 2017

Licence number	DL000300079
Issue date	21 January 2026
Last amended	-
Expiry date	21 January 2028
Licence holder	EAST GIPPSLAND SHIRE COUNCIL
ABN	81957967765
Activity site(s)	200 Johnstons Rd Forge Creek VIC 3875 AU
Prescribed permission activities	A07a (Organic waste processing - large)

Issued under section 69(1)(a) of the *Environment Protection Act 2017* (the Act).



Robina Weir
Team Leader Development Licences
Delegate of Environment Protection Authority Victoria (EPA)

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Context

Environment Protection Authority Victoria (EPA) is Victoria's environmental regulator acting in accordance with the *Environment Protection Act 2017* (the Act). Our regulatory role is to work with community, industry and business to prevent and reduce the harmful effects of pollution and waste on Victoria's environment and people.

Why we issue development licences

A range of development activity types are prescribed in the Environment Protection Regulations 2021 (the Regulations) because they give rise to risks of harm to human health or the environment. We issue development licences so applicants can lawfully undertake prescribed development activities. Section 44 of the Act provides that a person must not engage in a prescribed development activity except as authorised by a development licence in respect of that activity.

When we issue development licences

EPA can issue a development licence under section 69(1) of the Act. When issuing a development licence, EPA takes into account a number of factors, including the measures an applicant has taken or proposes to take in order to comply with the Act when engaging in the prescribed permission activity.

EPA can amend, suspend or revoke a licence for a range of reasons. This can include in response to changes in activities, risks or licence holder performance. All development licence details are publicly accessible via the EPA Public Register.

Key information and obligations

Interpretation

For the purposes of this development licence "You" means the "licence holder" identified on the first page. Unless a contrary intention appears, words or terms used in the conditions of your licence have the same meaning as in the Act, and in any regulations made pursuant to the Act.

Compliance

Your licence is subject to conditions. These conditions confer legal obligations on you as the licence holder. Some of these are general in nature, while others require you to do (or not to do) specific things. The requirements of these conditions do not detract from each other in any way, nor do they affect any other duties or obligations with which you are required to comply by law. You must fulfil all duties and perform all obligations set out in this licence or otherwise required by law.

Strict penalties apply for non-compliance with any part of your development licence.

You must comply with the Act and regulations administered by EPA. This includes, but is not limited to, compliance with the general environmental duty (GED).

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Duties under the Act

Under the Act, you have legal obligations in relation to your prescribed and non-prescribed activities. These legal obligations exist to minimise risks of harm to human health and the environment from pollution and waste.

You may be committing an offence and be liable to a penalty under the Act if your actions or omissions constitute a breach of these legal obligations.

General environmental duty

The Act places the onus on you to understand the risks associated with your operation or activity and requires you to minimise the risk of harm. This is called the general environmental duty (GED).

Sections 6 and 25 of the Act provide the legal basis for the GED. These sections state that a person engaging in an activity which may give rise to risks of harm to human health or the environment from pollution or waste must eliminate or minimise those risks, as far as reasonably practicable.

Duty to notify EPA of notifiable incidents

A notifiable incident is a pollution incident that causes or threatens to cause material harm to human health or the environment or is a prescribed notifiable incident. Under section 32 of the Act, you have an obligation to notify EPA of a notifiable incident as soon as practicable after you become aware of the incident.

Duty to take action to respond to harm caused by pollution incident

Under section 31 of the Act, if a pollution incident has occurred as a result of an activity (whether by act or omission) and the pollution incident causes or is likely to cause harm to human health or the environment, a person who is engaging in that activity must, so far as reasonably practicable, restore the affected area to the state it was in before the pollution incident occurred.

Duty to notify of contaminated land

Under section 40(1) of the Act, a person in management or control of land must notify EPA if the land has been contaminated by notifiable contamination as soon as practicable after the person becomes aware of the notifiable contamination.

Notifiable contamination means contamination which is prescribed in the Regulations, or contamination for which the cost of action to remediate the land is likely to exceed \$50,000, or any other prescribed amount.

Duties relating to industrial waste, priority wastes and reportable priority wastes

Under parts 6.4 and 6.5 of the Act, a person has obligations in relation to the generation, receiving, recording, managing, transporting, and disposal of industrial, priority wastes and reportable priority wastes. These duties include:

- Duties of persons depositing industrial waste.

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- Duties of persons receiving industrial waste.
- Duty of persons involved in transporting industrial waste.
- Duties of persons managing priority waste.
- Duty to investigate alternatives to waste disposal.
- Duty to notify of transaction in reportable priority waste.
- Duty of persons transporting reportable priority waste.

For further information on waste classifications see schedule 5 of the Regulations.

Further information and resources

To aid compliance with the Act and the Regulations, Environment Reference Standards (ERS), Compliance Codes, Position Statements and Guidelines have been developed to address a range of environmental objectives, permitted and non-permitted activities and risks.

You should understand how the Victorian environment protection framework applies to you and your activity, operation or business by making yourself familiar with the Act, Regulations, Compliance Codes and other relevant guidance material.

To assist you with understanding your obligations refer to www.epa.vic.gov.au.

Amendment

You can apply at any time to EPA for an amendment to your licence under section 57 of the Act. EPA may also decide to amend a licence under its own initiative according to section 58 of the Act.

Transfer

A person may apply to EPA for the transfer of this licence to a new licence holder pursuant to section 56 of the Act.

Duration of licence and renewal

This development licence is subject to the expiry date identified on the first page of this licence. It will remain in force until that time unless it is first surrendered by the licence holder (with consent from EPA), or it is suspended or revoked by EPA. EPA may decide to extend the term of the licence under section 72 of the Act. Note that an application for a development licence renewal must be submitted to EPA before the licence expiry date.

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Development licence structure

Your development licence has multiple parts:

- Conditions
- Appendix 1 – locality plan
- Appendix 2 – activity plan
- Appendix 3 – contour plan
- Appendix 4 – waste acceptance table
- Appendix 5 – air discharge table
- Appendix 6 – water discharge table
- Appendix 7 – landfill cell table

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Conditions

General conditions

DL_G01	<p>A copy of this licence must be kept at the site and be easily accessible to persons who are engaging in an activity conducted at the site. Information regarding the requirements of the licence and the Act duties must be included in site induction and training information.</p>
DL_G02	<p>The development East Gippsland Regional Composting Facility (proposed in APP041739) must be constructed and commissioned in accordance with the listed approved plans and documents:</p> <p>Development Licence Application Report (submitted on 31/10/25) Appendix A: Site Figures (submitted on 31/10/25) Appendix B: Business Case (submitted on 31/10/25) Appendix C: Odour Assessment (submitted on 31/10/25) Appendix D: Noise Assessment (submitted on 31/10/25) Appendix E: Fire Risk Management (submitted on 31/10/25) Appendix F: Ecological Assessment (submitted on 31/10/25) Appendix G: Greenhouse Gas Assessment (submitted on 31/10/25) Appendix H: Contact Water Management (submitted on 31/10/25) Appendix I: Environment Management Plan (submitted on 31/10/25) Appendix J: Stakeholder Engagement Plan (submitted on 31/10/25) Appendix K: Maturation Pad Design (submitted on 31/10/25) in accordance with the listed approved plans and documents: Request for Further Information Response Table (submitted on 15/10/25) Waste Acceptance Procedure (submitted on 15/10/25) Development Licence Application Form (submitted on 01/04/25) Town Planning Report (dated 12/11/25 submitted on 14/01/26). In the event of any inconsistency between the approved documents and the conditions of this permission, the conditions of this permission shall prevail.</p>
DL_G03	<p>Subject to the following conditions, this development licence allows you to: Construct (and then commission) the East Gippsland Regional Composting Facility for processing 25,000 tonnes per annum of Garden Organics (GO) and mixed Food Organics and Garden Organics (FOGO) using an aerobic composting and open windrow maturation process consisting of:</p> <ul style="list-style-type: none">(a) Site office, weighbridge and vehicle parking areas;(b) Drop-off station and sorting facility;(c) Covered aeration system (compost pasteurisation pad);(d) Compost maturation pad (open air windrows);(e) Screening and stockpile storage areas;(f) Contact water dam (draining from maturation pad);(g) Clean water dams (one existing and one proposed);

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- (h) Firefighting water tanks and sprinkler system;
- (i) Main drainage culvert running along boundary (north to south);
- (j) Hardstand driveway;
- (k) Mobile plant and equipment i.e. excavator(s), wheel loader(s), windrow turner, screen(s); and
- (l) Ancillary infrastructure, systems and equipment to support the above main components of the project as presented in the development licence application and accompanying documents listed in condition DL_G02.

DL_G04 This permission does not take effect until a copy of any planning permit or amendment to a planning scheme required under the Planning and Environment Act 1987 (Vic) and related planning schemes has been provided to the Authority by the applicant.

DL_G05 This permission expires:
(a) on the issue or amendment of an operating licence or permit relating to all activities covered by this permission;
(b) when the Authority advises in writing that all activities covered by this permission have been satisfactorily completed and the issue or amendment of an operating licence or permit is not required; or
(c) on the expiry date listed on the front page of this permission.

DL_G07 You must:
(a) develop and maintain a decommissioning plan that is in accordance with the current decommissioning guidelines published by the Authority;
(b) provide the decommissioning plan to the Authority upon request;
(c) supply to the Authority an updated detailed decommissioning plan 180 business days prior to commencement of decommissioning, if you propose to divest a section of the licensed site, cease part or all of the licensed activity or reduce the basis upon which the licence was granted to a point where licensing is no longer required; and
(d) decommission the licensed site in accordance with the detailed decommissioning plan, to the satisfaction of the Authority and within any reasonable timeframe which may be specified by the Authority.

Standard conditions

DL_C01 Commissioning activities must be undertaken in accordance with the commissioning plan approved by the Authority.

DL_C02 You must immediately notify the Authority by calling 1300 EPA VIC (1300 372 842) in the event of:
(a) A discharge, emission or deposit which gives rise to, or may give rise to, actual or potential harm to human health or the environment;
(b) A malfunction, breakdown or failure of risk control measures at the site which could

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reasonably be expected to give rise to actual or potential harm to human health or the environment; or
c) Any breach of the licence.

DL_C05

1. You must develop a risk management and monitoring program for your activities which:
(a) identifies all the risks of harm to human health and the environment which may arise from the activities you are engaging in at your activity site;
(b) clearly defines your environmental performance objectives;
(c) clearly defines your risk control performance objectives;
(d) describes how the environmental and risk control performance objectives are being achieved;
(e) identifies and describes how you will continue to eliminate or minimise the risks in 1(a) (above) so far as reasonably practicable; and
(f) describes how the information collated in compliance with this clause, is or will be disseminated, used or otherwise considered by you or any other entity.

2. The risk management and monitoring program must be:
(a) documented in writing;
(b) signed by a duly authorised officer of the licensed entity
(c) made available to the Authority on request.

DL_C07

Within 60 calendar days of the completion of the approved activities, you must provide to EPA a written report that summarises the activities undertaken and includes:
(a) Commissioning Completion Report that summarises the results of all commissioning including proof of performance activities, results of all environmental monitoring during commissioning and management plans to be developed informed by commissioning activities. This includes:
(i) Laboratory reports for matured compost products generated during commissioning which must be National Association of Testing Authorities (NATA) accredited and in accordance with Australian Standard 4454-2012 Composts, soil conditions and mulches;
(ii) Odour Monitoring Results Report for the commissioning phase prepared by a suitably qualified and experienced odour specialist;
(iii) Dust Monitoring Results Report for the commissioning phase prepared by a suitably qualified and experienced air quality specialist;
(iv) Noise Monitoring Results Report for the commissioning phase prepared by a suitably qualified and experienced acoustic consultant confirming that the noise control measures implemented are effective; and
(v) Water Quality Monitoring Results Report for the commissioning phase, prepared by a suitably qualified and experienced water quality specialist, for contact water, surface water and groundwater monitoring.

DL_W03

You must notify the Authority when the construction associated with the development activities covered by this approval has been completed.

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DL_W04	You must not commission or use the operating components of the development activities without the written approval of the Authority.
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Specific conditions

DL_C03	Construction and commissioning must not cause or result in any breach of any permission issued by the Authority for the permission activity, except where authorised by a condition of this licence.
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DL_C04	During the commissioning period, you must not : (a) use any contact water once the pasteurisation process has started i.e. contact water can only be used during the initial batching phase; or (b) accept biosolids, animal mortalities or manure as feedstock.
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DL_C08	Visible emissions to air other than steam must not be discharged from the activity site.
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DL_C09	You must not accept or store more than 25,000 tonnes per annum (nor store more than 25,000 tonnes of waste at your site at any given time) of wastes at the activity site for the duration of this permission.
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DL_C10	You must ensure that: a) Only waste of a type shown in Appendix 4 of this approval is accepted at the activity site; and b) If it is identified that any waste has been received at the activity site that is of a type not shown in Appendix 4 in contravention of paragraph a) above, such waste must be placed in a designated and sign-posted temporary storage area and sent for disposal to a site authorised by the Authority to receive such waste within 21 days of the date it was received.
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DL_C12	Waste from the activity site must not be discharged or disposed of to the environment except in accordance with this permission and with any other permission issued by the Authority that may relate to the activity site.
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DL_R01	At least 60 calendar days before the commencement of any commissioning, you must provide to the Authority plans/reports that include(s): A Commissioning Plan including following documents for approval: (a) Details of commissioning and proof of performance activities to verify that the performance objective of each process unit are met; (b) Commissioning methodology (with at least 3 batches) to demonstrate production of mature compost product with feedstock, final maturation pad design and all related sampling and monitoring of feedstock pasteurisation, maturation and final product; (c) Waste receipt and decontamination procedure to be included in the site's Environmental Management Plan;
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- (d) Details of the composting process management system including how key parameters for composting will be met;
- (e) Odour Monitoring and Management Plan prepared by a suitably qualified and experienced odour specialist, in accordance with the EPA Publication 1883: Guidance for assessing odour (June 2022). This must include a detailed campaign of odour surveillance to verify the risk profile of the site focussed on assessing odour from all relevant sources onsite of sufficient robustness to satisfy the risk of harm is low;
- (f) Details of testing of PFAS in composted products (in addition to contact water testing) to understand the PFAS profile in the materials being generated at the site;
- (g) An updated Waste Acceptance Plan including acceptance criteria and procedure;
- (h) Stockpile Management Plan covering how the stockpiles will be stored to minimise risks of harm to human health and the environment including prevent fires (i.e. layout, dimensions and separation distances between stockpiles and to the site boundaries to minimise fire spread) and monitoring and inspection procedures also covering temperature and moisture level management;
- (i) Noise Monitoring and Management Plan prepared by a suitably qualified and experienced acoustic consultant including details of contingency measures and noise complaints handling procedures;
- (j) Dust Monitoring and Management Plan providing details of the dust monitoring equipment to be installed at the site to identify any non-compliances during commissioning and future operations, including details of the dust monitoring program to be implemented and contingency measures to be applied in the event of non-compliance;
- (k) Water Quality Monitoring and Management Plan to monitor contact water, stormwater and groundwater including the parameters, location and regularity of monitoring;
- (l) Contingency Plan for Contact Water should it become anaerobic using management measures such as prevention measures (e.g. reduced detention time), aeration, mixing and treatment (e.g. biocide dosing); and
- (m) Fire Safety Management Plan that include(s):
 - (i) fire safety objectives of the facility;
 - (ii) descriptions of fire prevention systems including as-installed engineering controls and operational procedures that minimise ignition sources or fire ignition scenarios including bushfire and grassfire prevention measures;
 - (iii) descriptions of all as-installed fire detection and protection systems including references to their standards of installation (e.g. fire hydrants to AS 2419.1);
 - (iv) cause-and-effect matrix for emergency operations/shutdowns of various process equipment to minimise the risk of a fire event;
 - (v) cause-and-effect matrix for fire mode operations of the fire detection and protection systems of the facility; and
 - (vi) a firewater containment plan.

DL_R02

You must not commence commissioning of the operating components of the development activities until you have received the Authority's written approval of the plans/reports which is required pursuant to condition(s) DL_C05 and DL_R01.

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At least 60 calendar days prior to commencing construction of the following components of the development activity, you must provide to the Authority for approval:

- (a) A final updated plant design and specifications, including: a site layout plan; drawings and schematics; details of storage areas, access roads, and a summary design report demonstrating how the final selected plant design and specifications minimise potential risks to human health and the environment, so far as reasonably practicable including:
- (i) Details about description and design of the composting bunkers along with generated leachate management;
 - (ii) Details of the telemetry monitoring system and how the system is designed to monitor process parameters such as temperature, moisture, airflow etc within the bunker;
 - (iii) Detailed bunker design including pollution control measures covering:
 - (1) how air will be blown to the bunkers (one or several blowers);
 - (2) total number, length and position of temperature, oxygen and moisture probes;
 - (3) odour control system; and
 - (4) infrastructure to include drainage channels allowing the pasteurised contact water to drain by gravity to the contact water dam and the unpasteurised contact water to drain by gravity to a separate, undefined tank;
 - (iv) An updated (following detailed design freeze) Noise Impact Assessment consistent with the Noise Impact Assessment (30/10/25), Part 5.3 of the Environment Protection Regulations 2021 and EPA Publication 1826.4: Noise Protocol prepared by a suitably qualified and experienced consultant including:
 - (1) the predicted noise level results (in particular low frequency and cumulative noise from other commercial, industrial and trade premise) is no worse than that assessed and considered acceptable now; and
 - (2) details of the final noise control program to be implemented;
 - (v) Stormwater Management Plan prepared by a suitably qualified and experienced consultant covering water diversion, containment (including adequacy of design and contingencies), water quality testing, water balance calculations, top up water source and volume, contact water management and firewater containment;
 - (vi) Drainage Plan showing the segregation of clean stormwater (non-contact water) from contaminated water (contact water) explaining how each will be managed separately;
 - (vii) An updated (following detailed design freeze) Environment Management Plan addressing the design changes during the final detailed design of the composting facility;
 - (viii) An updated (following detailed design freeze) Contact Water Management Plan addressing the design changes during the final detailed design of the composting facility;
 - (ix) An updated (following detailed design freeze) Trigger Action Response Plan for contact water and stormwater management to define operational and environmental thresholds (e.g. water level alarms, water quality exceedances, odour indicators), associated actions (e.g. pump-out, containment, restricted use), and nominated

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responsible personnel for managing these issues;

(x) Solid and Liquid Storage Detailed Design (including incoming and outgoing waste and quarantine areas) to meet Best Available Techniques and Technologies;

(xi) Groundwater Monitoring and Management Plan setting out the proposed groundwater monitoring program (including the number and location of groundwater monitoring bores and the monitoring frequency) to establish baseline conditions and describe what actions are proposed for the commissioning and operational phase to minimise risks to groundwater;

(xii) Fire Safety Detailed Design information (also meeting Country Fire Authority (CFA) requirements as appropriate) including:

(1) a Fire Safety Study (in accordance with NSW Hazardous Industry Planning Advisory Paper No 2) also considering where the fires originate from the landscape;

(2) a facility wide description of fire prevention, detection (including thermal detection), warning and protection systems (engineered controls), supported by design drawings;

(3) a firewater supply of greater than 432 kL provided onsite (greater than 288 kL must be provided in static water tanks with CFA fittings and the remainder may be provided in dams or process/storage ponds where it meets requirements of Class A recycled water as determined by the local water authority);

(4) details of how firefighting water will be contained; and

(5) a site layout design to assist firefighting including:

(a) non-combustible fire breaks (e.g. constructed of mineral earth or non-combustible mulch such as crushed rock) at the following locations:

- the site perimeter (or from screening vegetation) to a distance of greater than 10 metres;
- the perimeter of the windrows to a distance of greater than 10 metres;
- between windrow groups; and

(b) a minimum of two site access points for emergency vehicles; and

(xiii) Emergency Response Plan covering likely emergency incidents including fire risks to be prepared in consultation with the Country Fire Authority and risk of uncontrolled discharges to surface waters.

DL_W02 You must notify the Authority in writing when the development activity authorised by this permission has commenced.

DL_W08 You must install :

(a) a real-time odour monitoring system (with multiple real-time monitoring devices suitably located) to proactively identify odour nuisance issues;

(b) HDPE and compacted clay lining in all contact water storage ponds;

(c) early warning and automated systems (e.g. level sensors with alarms for both duty and standby personnel) to minimise risks of uncontrolled discharges to surface waters from overtopping water storages; .

(d) minimum freeboard of 0.5 metres for all tank, pond and dam storages;

(e) equipment with low noise levels for the composting facility;

(f) acoustic screening and enclosures on all significant noise sources; .

(g) noise control measures on mobile equipment e.g. mufflers, broad band reversing

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alarms;

(h) broadband reversing alarms on all mobile plants at the site;

(i) groundwater monitoring bores (as identified in the Groundwater Monitoring and Management Plan); and .

(j) any other pollution control and monitoring measures identified in the development licence application and supporting documents.

DL_W10

You must implement all liquid storage containment and handling measures in accordance with "Liquid storage and handling guidelines" (EPA Publication 1698, released June 2018).

DL_W13

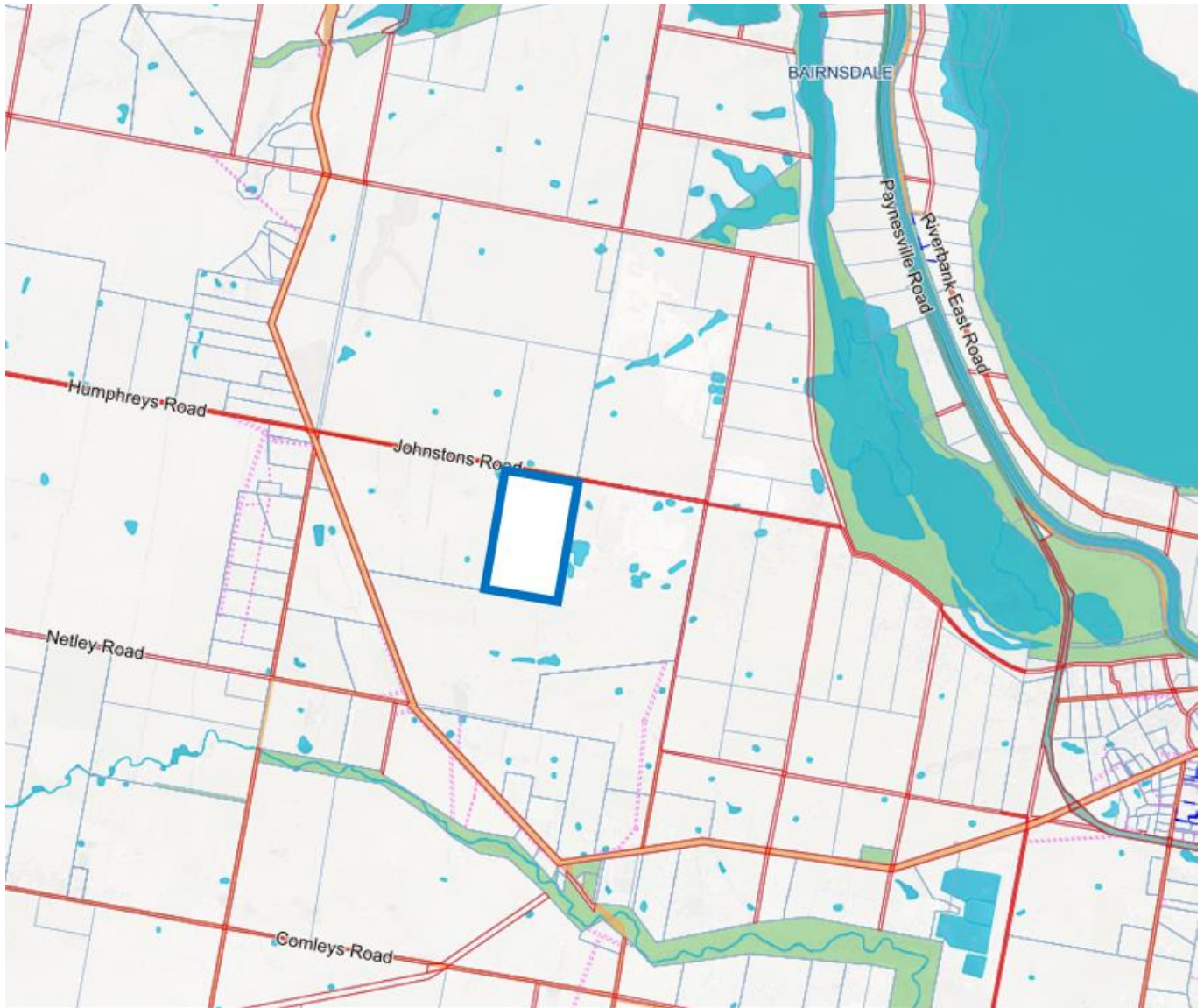
During construction, you must ensure that all activities are carried out in accordance with approved documents under DL_W01 as appropriate.

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Appendices

Appendix 1 – locality plan

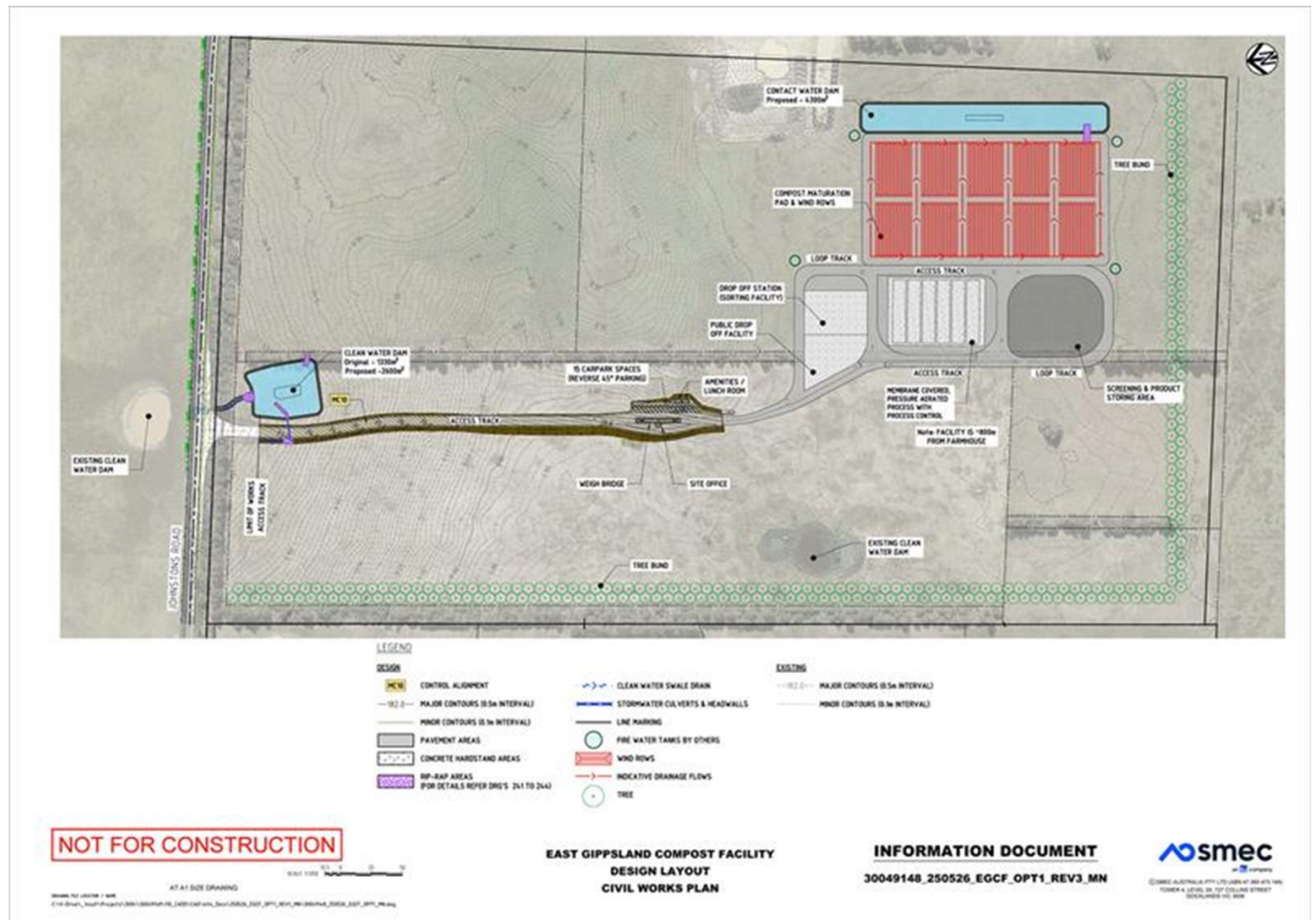


Before relying on the information in this map, carefully evaluate its accuracy, currency, completeness and relevance. Obtain appropriate professional advice before using this information.

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Appendix 2 – activity plan



Before relying on the information in this map, carefully evaluate its accuracy, currency, completeness and relevance. Obtain appropriate professional advice before using this information.

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Appendix 3 – contour plan

There is no contour plan for this licence.

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Appendix 4 - waste acceptance table

Waste Code	Waste Description	Treatment Code	Treatment Description
K210	Solid commercial food wastes, not otherwise specified in "Schedule 5— Waste Classification" of the Environment Protection Regulations 2021	R16	Composting
W_4	Municipal Food Organics and Garden Organics (FOGO) - food and garden waste from source separated kerbside collection of waste by local government	R16	Composting
W_5	Municipal green waste - vegetation, garden, landscaping, and natural fibrous wastes	R16	Composting

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Appendix 5 – air discharge table

There are no air discharge points for this licence.

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Appendix 6 – water discharge table

There are no water discharge points for this licence.

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Appendix 7 – landfill cells

There are no landfill cells for this licence.