

Development licence

Environment Protection Act 2017



Licence number	DL000300012
Issue date	18 May 2022
Last amended	-
Expiry date	17 May 2024
Licence holder	MONSBENT PTY LTD
ACN	002820117
Registered address	TOWER 2 DARLING PARK, LEVEL 16, 201 SUSSEX STREET, SYDNEY, NSW, 2000, AU
Activity site	42 Benalla-Yarrowonga Rd, Benalla, VIC, 3672, AU
Prescribed permission activities	A08 (Waste to energy) F02 (Fibreboard)

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

A photograph of a handwritten signature in black ink on a light-colored background, which reads 'Quentin Cooke'.

Quentin Cooke
Team Leader, Approvals
Delegate of Environment Protection Authority Victoria (EPA)

Development licence

Environment Protection Act 2017

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

Licence number: DL000300012

Development licence

Environment Protection Act 2017

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).

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

Licence number: DL000300012

Development licence

Environment Protection Act 2017

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.
- 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.

Licence number: DL000300012

Development licence

Environment Protection Act 2017

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

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

Licence number: DL000300012

Development licence

Environment Protection Act 2017

Conditions

General conditions

DL_G1	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.
DL_G2	The development activities must be constructed, installed and commissioned in accordance with the approved plans and documents referenced in TABLE 1. In the event of any inconsistency between the approved documents and the conditions of this permission, the conditions of this permission shall prevail.
DL_G3	Subject to the following conditions, this development licence allows you to: install and commission a Wet Electrostatic Precipitator (WESP) to treat the air emissions from two existing wood chip dryers (Drum Dryer and Jet Dryer), as well as an associated 10 MW Heat Plant to recover energy from collected solid wood waste.
DL_G4	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_G5	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.

Standard conditions

DL_C1	Commissioning activities must be undertaken in accordance with the commissioning plan approved by the Authority.
DL_C2	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

Licence number: DL000300012

Development licence

Environment Protection Act 2017

	environment; b) A malfunction, breakdown or failure of risk control measures at the site which could 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_C5	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_C6	Within 45 days of the expiry of this permission, you must provide to EPA a report detailing the results of the commissioning monitoring program.
DL_W3	You must notify the Authority when the construction associated with the development activities covered by this approval has been completed.
DL_W4	You must not commission or use the operating components of the development activities without the written approval of the Authority.

Specific conditions

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.
DL_R1	At least 60 days before the commencement of any commissioning, you must provide to the Authority a commissioning plan that include(s): (a) stack testing monitoring program which must be conducted during typical operating conditions, including the maximum emission levels under normal conditions (b) noise testing to show that the noise objectives informing the detailed design can be achieved during typical operating conditions (c)

Licence number: DL000300012

Development licence

Environment Protection Act 2017

	monitoring of wastewater generation rate and contaminant levels and assessment of the effectiveness of the proposed wastewater disposal method.
DL_R2	You must not commence commissioning of the operating components of the development activities until you have received the Authority's written approval of the commissioning plan which is required pursuant to condition(s) DL_R1.
DL_R4	At least 45 days before the commencement of any construction, you must provide to the Authority a report that include(s): noise assessment for the design based on the actual sound emissions for the final selection of all equipment and considering all noise pathways (including for the dryers). The report must evidence that: (a) the design incorporates all reasonably practicable noise control measures; and (b) the residual noise will neither result in an exceedance of the noise limits set by Part 5.3 of the EP Regulations nor unreasonable noise being otherwise emitted.
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 "Civil construction, building and demolition guide" (EPA Publication 1834, released 26 November 2020).
DL_W2	You must notify the Authority in writing when the development activity authorised by this permission has commenced.
DL_W6	You must install on the WESP discharge stack a device capable of continuously accurately measuring and recording the particulate, carbon monoxide and nitrogen dioxide emissions.
DL_W7	You must install a device capable of activating an alarm that warns the operator whenever the continuous monitoring exceeds your Operating Licence discharge limits.
DL_W8	You must install an interlock device that can and will shut down the Drum Dryer and the Jet Dryer if the WESP ceases operating as intended.
DL_W9.1	You must install all exhaust stacks so that provisions for sampling are included in accordance with "A Guide to the Sampling and Analysis of Air

Licence number: DL000300012

Development licence

Environment Protection Act 2017

Emissions and Air Quality" (EPA Publication 440.1, released December 2002),
or as approved by the Authority.

Licence number: DL000300012

Appendices

Appendix 1 – locality plan



Licence number: DL000300012

Development licence

Environment Protection Act 2017

Development licence number	DL000300012
Company name	MONSBENT PTY LTD
ACN	002820117
Activity site	42 Benalla-Yarrowonga Rd, Benalla, VIC, 3672, AU
Issued	18 May 2022

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

Licence number: DL000300012

Development licence

Environment Protection Act 2017

Development licence number	DL000300012
Company name	MONSBENT PTY LTD
ACN	002820117
Activity site	42 Benalla-Yarrawonga Rd, Benalla, VIC, 3672, AU
Issued	18 May 2022

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

Licence number: DL000300012

Appendix 3 – contour plan

There is no contour plan for this licence.

Licence number: DL000300012

Development licence

Environment Protection Act 2017

Appendix 4 - waste acceptance table

There is no waste acceptance for this licence.

Licence number: DL000300012

Development licence

Environment Protection Act 2017

Appendix 5 – air discharge table

There are no air discharge points for this licence.

Licence number: DL000300012

Development licence

Environment Protection Act 2017

Appendix 6 –water discharge table

There are no water discharge points for this licence.

Licence number: DL000300012

Development licence

Environment Protection Act 2017

Appendix 7 – landfill cells

There are no landfill cells for this licence.

Licence number: DL000300012

Development licence

Environment Protection Act 2017

Table 1 – Approved Plans and Documents

Filename	Document or Plan Title	Date
Revised application – March – May 2022	<p>MONSBENT WESP DL Application UPDATE 17 May 2022</p> <p>Attachment 1 - Pathways Application 2021-08-16</p> <p>Attachment 2 - Selection of abatement equipment matrix.xlsx</p> <p>Attachment 3 - Fujian WESP Technical proposal.pdf. Changes from original application:</p> <ul style="list-style-type: none"> • Particulate infeed loading increased to 900 mg/m3. • Gas volumetric capacity increased to 220,000m3/annum. • Water recycling system updated and daily top-up/change-over volume reduced to ~6-8 m3 per day. • Electrodes upgraded from SS316 to duplex 2205 and increased in size and power. <p>Attachment 4 – WMG Acoustics Noise Model (forthcoming)</p> <p>Attachment 5 – process descriptions now incorporated into main document (MONSBENT WESP DL Application UPDATE 17 May 2022)</p> <p>Attachment 6 – Emissions Modelling Report R011332.pdf</p> <p>Attachment 7 – WESP & Heat Plant Qualitative Risk Assessment.xlsx; Changes from original application:</p> <ul style="list-style-type: none"> • references to modelling (Attachment 6) and odour surveys; • minor changes to phrasing of recommendations to reduce NOx and CO. <p>Attachment 8 – Multiple technical documents describing the new (10 MW) Heat Plant.</p>	15/05/2022
Responses to RFI001504 and email queries	Multiple email correspondences with the Applicant, culminating in MONSBENT WESP DL Application UPDATE 17 May 2022	Dec 2021-May 2022

Licence number: DL000300012