



# Development licence

Environment Protection Act 2017

<b>Licence number</b>	DL000300011
<b>Issue date</b>	29 March 2022
<b>Last amended</b>	-
<b>Expiry date</b>	18 March 2024
<b>Licence holder</b>	Water Sustainability Farm Pty Ltd
<b>ABN</b>	63842345908
<b>Registered address</b>	1324 Blue Ribbon Road, Kalkee, Victoria, 3401, Australia
<b>Activity site</b>	Lanes Ave, Quantong, Victoria, 3401, Australia
<b>Prescribed permission activities</b>	A04 (Industrial wastewater treatment)

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. The signature reads 'Quentin Cooke'.

Quentin Cooke  
Team Leader, Approvals  
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

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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

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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](http://www.epa.vic.gov.au).

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### 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

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## Conditions

### General conditions

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 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_C7	Within 30 days of the completion of the approved activities, you must provide to EPA a written report that summarises the activities undertaken and includes: a) permeability test indicating a hydraulic conductivity of less than $6 \times 10^{-11}$ m/s; and b) all testing and inspection in accordance with the Construction Quality Assurance Plan, and (c) environmental performance during the construction stage.
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 of the basins must be conducted 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: construct two (2) clay-lined solar evaporation basins, shelter belts, barrier fences and access roads.
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

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of an operating licence or permit is not required; or c) on the expiry date listed on the front page of this permission.

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DL\_G7 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 minimum 40 business days 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.

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DL\_W3 You must notify the Authority when the construction associated with the development activities covered by this approval has been completed.

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### Standard conditions

*There are no standard conditions for this licence.*

### Specific conditions

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DL\_R4 At least 15 days before the commencement of any construction, you must provide to the Authority a construction management plan that include(s): a) a Construction Quality Assurance Plan, (b) a Construction Environmental Management Plan.

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DL\_W1 Prior to commencing construction of the following components of the development activity, you must provide to the Authority for approval: evidence that the onsite clay can achieve a hydraulic conductivity of  $<6 \times 10^{-11}$  m/s based on samples tested using both fresh water and 50,000 ppm of NaCl solution in accordance to Australian Standard AS 1289.6.7.1–2001, integrate that target into the Construction Quality Assurance Plan.

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DL\_W13 During construction, you must ensure that all activities are carried out in accordance with EPA approved Construction Environmental Management Plan.

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DL\_W2

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

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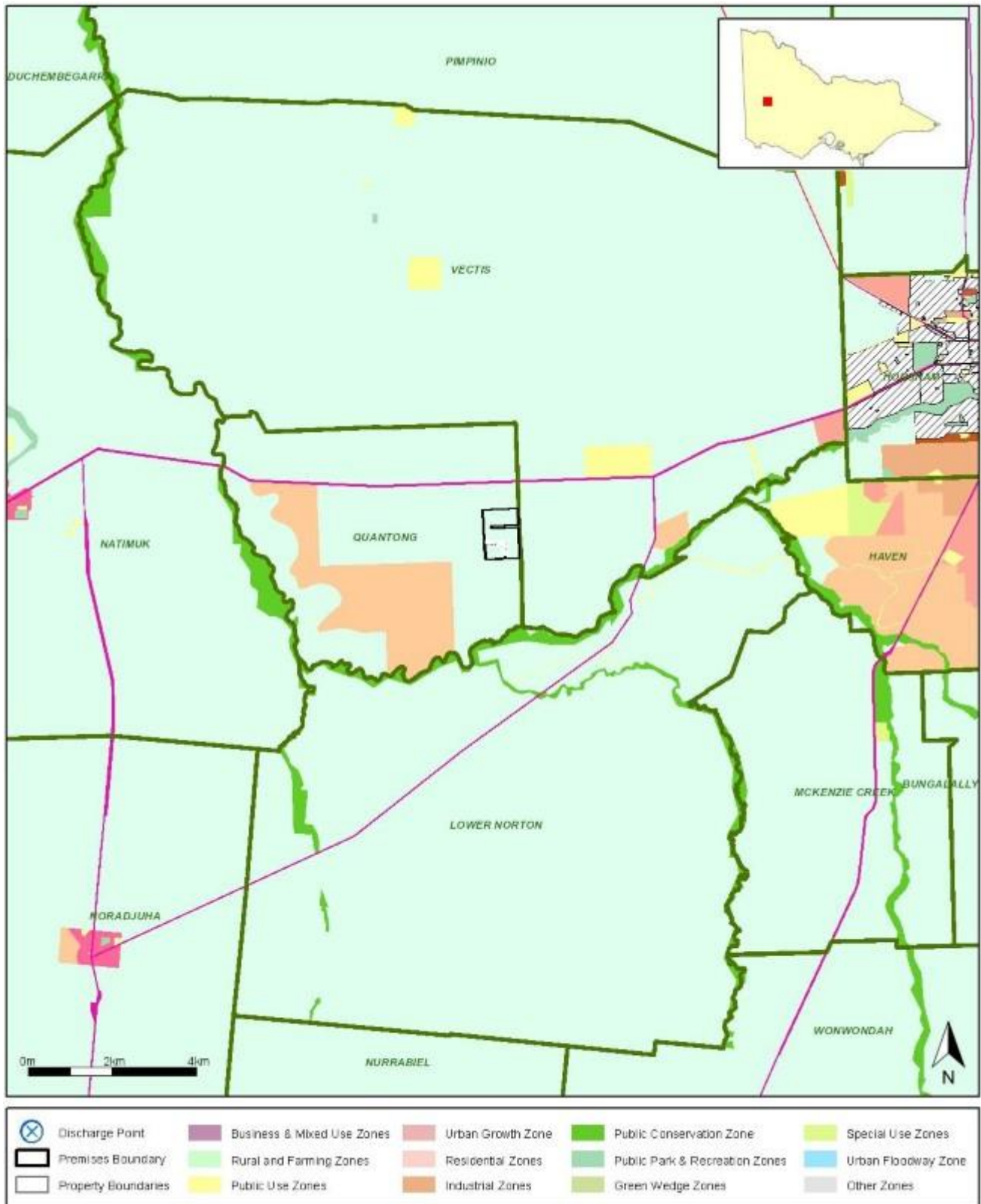
## Appendices

### Appendix 1 – locality plan

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<b>Development licence number</b>	DL000300011
<b>Company name</b>	Water Sustainability Farm Pty Ltd
<b>ABN</b>	63842345908
<b>Activity site</b>	Lanes Ave, Quantong, Victoria, 3401, Australia
<b>Issued</b>	29 March 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.

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**Appendix 2 – activity plan**



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<b>Company name</b>	Water Sustainability Farm Pty Ltd
<b>ABN</b>	63842345908
<b>Activity site</b>	Lanes Ave, Quantong, Victoria, 3401, Australia
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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

*There is no waste acceptance for this licence.*

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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.*

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**Table 1 – Plans and Documents (APP006550)**

Filename	Document or Plan title	Date
WSF WA application 210312.pdf	Waterform Technologies, Works Approval Application for Water Sustainability Farm, Quantong	12/03/2021
-WSF Community engagement plan.pdf	Waterform Technologies, Community engagement plan for Water Sustainability Farm Quantong.	12/2/2021
Permeability test report – douglas partners679146.00-1.pdf	Douglas Partners, Permeability Test 679146.00-1	17/2/2022
Permeability test report – douglas partners679146.00-2.pdf	Douglas Partners, Permeability Test Report 679146.00 – 2	17/2/2022
Appendix A Evap basin model extract.pdf	Appendix A – Evaporative base model extract	1/7/2021
Re Outstanding Items WSF.msg	Responses to EPA s22 for Water Sustainability Farm Works Approval Application	11/6/2021
FPP form v3 PBlair.pdf	Fit and Proper Person Form	14/1/2022
PP WSF 2021 1.pdf	Prohibited Person questionnaire	14/1/2022
Hydrogeological report.pdf	Groundwater Science, Australian Plant Proteins – Hydrogeological Report to Support Solar Ponds Construction. Prepared for Waterform Technologies, July 2021	16/7/2021
Response to EPA request on 210706.pdf	RMCG, Responses to EPA request on 6 July 2021 regarding Water Sustainability Farm Works Approval Application.	29/10/2021
Water Sustainability Farm Credit Report PSACR112472A.pdf	Water Sustainability Farm Credit Report	9/12/2021
WSF Environmental Plan Draft.pdf	RMCG, WSF Environmental Management Plan, Draft Report	29/10/2021

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WSF Waste Classification Final.pdf	RMCG, Preliminary Super Saline Waste Classification, Final Report, October 2021	29/10/2021
Appendix 1 Site Layout.pdf	Appendix 1 – site layout	7/3/2022
20C 1262 Report.pdf	GTS, Brine pad construction – Lanes avenue, Quantong, Earthworks specification for Waterform Technologies, Report 20C 1262, October 2020.	7/3/2022
WSF Statement from PBlair 220310.pdf	WTS Statement from Peter Blair, 10/3/2022.	10/3/2022
Quantong_site_layout.pdf	Site activity map	28/3/2022

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