

Development Licence application assessment summary

Environment Protection Act 2017



Application numbers	APP013874 & APP013841
Applicant names	VIVA ENERGY GAS AUSTRALIA PTY LTD & VIVA ENERGY REFINING PTY LTD
Registered address	16F, 720 Bourke Street Docklands Victoria 3008 Australia
Development activity, address and proposal	Development of a gas terminal using a ship known as a floating storage and regasification unit (FSRU) at a proposed extension to the Refinery Pier 5. <ul style="list-style-type: none">• L01 (General emissions to air)• K01 (Power generation) Reuse of FSRU discharge water as cooling water supply. <ul style="list-style-type: none">• A04 (Industrial wastewater treatment) 90 Refinery Road Corio, VIC, 3214
Decision	Approved
Decision date	21/05/2026

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Background

Viva Energy Gas Australia Pty Ltd and Viva Energy Refining Pty Ltd (collectively hereafter referred to as Viva Energy) proposes to develop and then operate the Viva Energy Gas Terminal Project (VEGTP), which would consist of:

- Extension of the existing Refinery Pier
- Local dredging for the new berth and ship turning basin
- Continuous mooring of a floating storage and regasification unit (FSRU). The FSRU would receive liquefied natural gas (LNG) from visiting LNG carriers, and store and convert the LNG into nature gas
- A gas treatment facility located within the Geelong Refinery site to ensure the gas meets required standards
- Construction and operation of a 7km pipeline to transfer the gas from FSRU to the grid's South-West Pipeline.

The project would bring natural gas from other parts of the country and overseas to meet south-eastern Australian gas market demand.

Installation and commissioning of the FSRU requires a development licence from the Environment Protection Authority Victoria (EPA) under the *Environmental Protection Act 2017* (EP Act).

The overall VEGTP project, including the FSRU, has been assessed under the Environment Effects Act 1978 (EE Act). Both development licence applications, an associated planning scheme amendment (PSA), and the Environmental Effect Statement (EES) were jointly advertised. They were then then considered by a combined Inquiry and Advisory Committee (IAC).

The IAC were appointed by the Minister for Planning. The IAC were tasked with:

- Assessing the project's environmental effects
- Reviewing the draft PSA
- Considering the respective EES submissions during the exhibition period.

On receipt of the IAC's report, the Minister for Planning determined that further baseline and assessment work was required in order to properly assess possible environmental effects of the proposal and PSA.

Accordingly, a Supplementary EES (SEES) was prepared by the Applicant. The SEES was publicly advertised and then reconsidered by the IAC. Subsequently, the IAC prepared an assessment report which the Minister for Planning considered before making a decision on 26 May 2025.

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In assessing the applications, EPA has considered the IAC assessment and the Minister for Planning’s recommendations. This includes the proposed and relevant mitigation measures for greenhouse gas emissions, noise and air emissions, and FSRU marine discharges.

It is highlighted that issues beyond the scope of the EP Act were considered by the Minister for Planning under the EE Act. The Minister’s assessment can be found on the Department of Transport and Planning website: [Viva Energy Gas Terminal](#).

Figure 1 below shows the proposed location of the key features of the Viva Energy Gas Terminal Project.

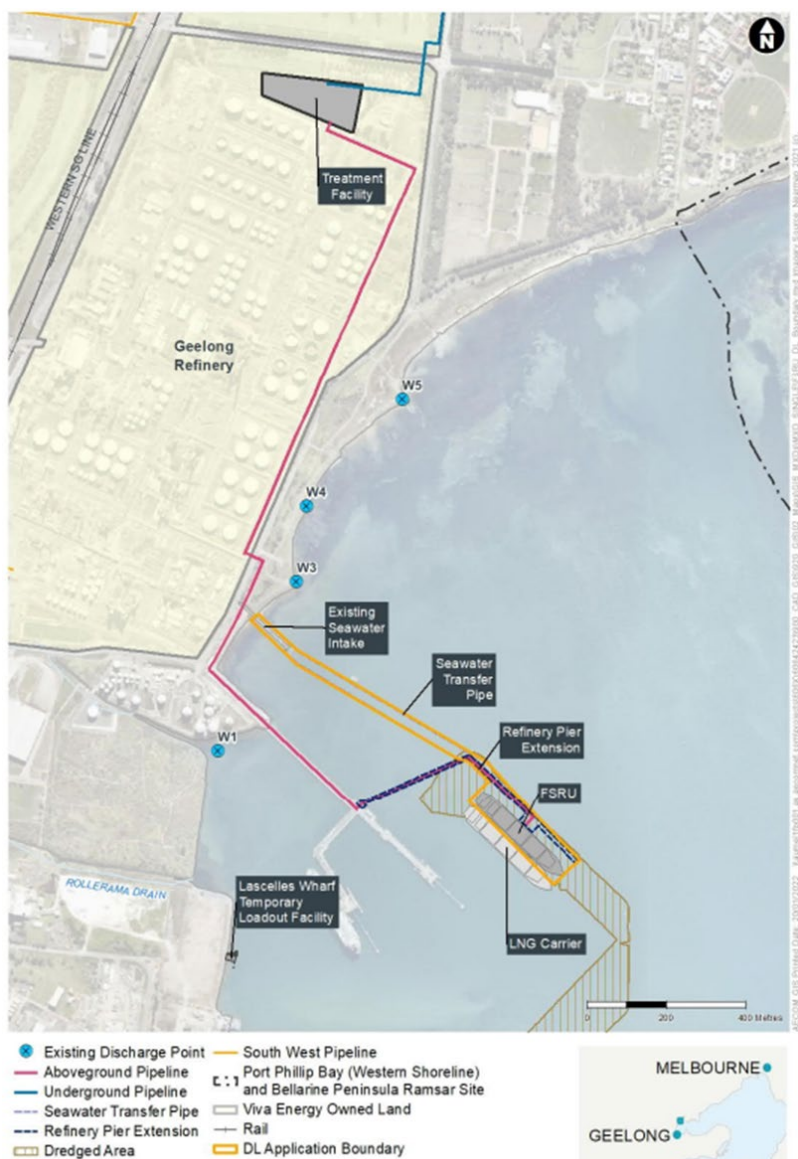


Figure 1: Location of the proposed FSRU

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This report provides a summary of the components relevant to the development licence applications, assessed under s69 of the EP Act its subordinate and other relevant legislation.

Application overview

On 23 February 2022, Viva Energy submitted two development licence applications for the following activities:

Application number	Activity description	Prescribed activity
APP013874	Development of a floating storage and regasification unit (FSRU). The FSRU would be continuously moored at a proposed extension to Refinery Pier in Corio Bay adjacent to Geelong Refinery.	L01 (General emissions to air) Air emissions from four dual-fuel reciprocating engines and two boilers for the combustion of fuels.
		K01 (Power generation) Gensets driven by the four engines generate electrical power (up to 29.25 megawatts) for the equipment onboard the FSRU only.
APP013841	The reuse of FSRU wastewater as cooling water in Viva Energy's Geelong Refinery and discharge into Corio Bay.	A04 (Industrial wastewater treatment) Discharge cooling water to the marine water.

Community consultation and submissions

The development licence applications, PSA and the EES were jointly advertisement under the EP and EE Acts. Key consultation dates and activities are set out below:

Activity	Dates
Public exhibition of the EES	28 February to 11 April 2022
Public hearings held by the combined IAC	20 June to 5 August 2022
Exhibition of Supplementary EES	12 September to 25 October 2024
Public hearing of held by the IAC for the supplementary EES	9 December to 20 January 2025

In accordance with s52(2)(e) of the EP Act, submissions on the development licence applications were recorded via the EES process.

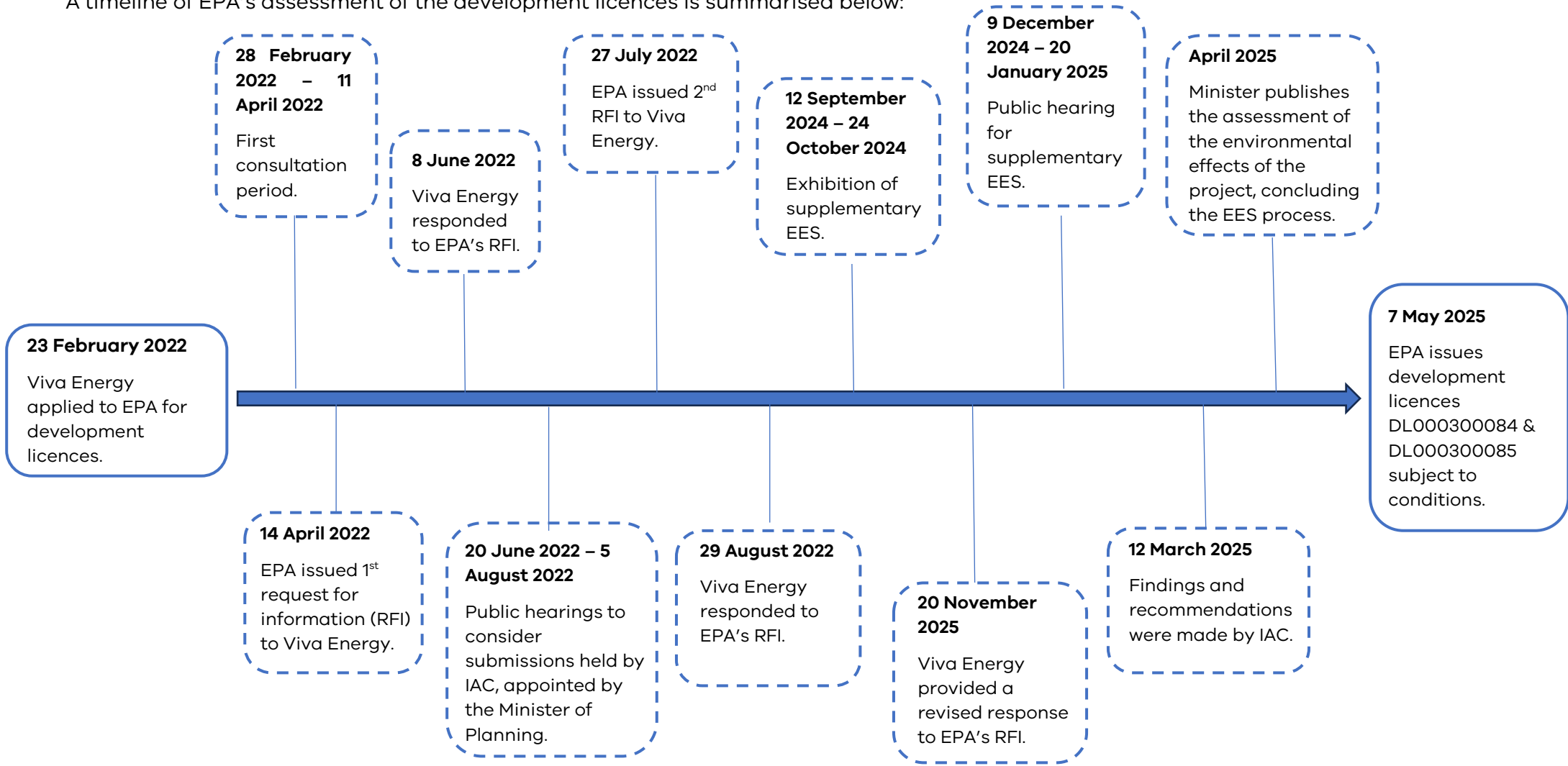
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In total, 2,430 submissions were received. 2,043 submissions from the first exhibition and 387 submissions from the second exhibition.

EPA considered the key themes, concerns and suggestions raised in submissions as part of its assessment.

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A timeline of EPA's assessment of the development licences is summarised below:



Development Licences DL000300084 & DL000300085

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Assessment

EPA carried out a risk-based assessment of the applications under the EP Act, and relevant environmental policies. It assessed potential impacts, community and stakeholder feedback, and advice from external agencies.

EPA has considered all items set out in section 69(3) and 69(4) of the EP Act, as well as additional statutory obligations on the EPA, such as:

- Climate Action Act 2017
- Flora & Fauna Guarantee Act 1988
- Charter for Human Rights and Responsibilities Act 2006.

General environmental duty (GED) and best available techniques and technologies (BATT)

The [GED](#) requires all Victorians to eliminate risk of harm to human health and environment. If that is not possible, they must reduce those risks so far as reasonably practicable.

Under s69(3)(a) of the EP Act, EPA *"must take into account any measures the applicant has taken or proposes to take to comply with the General Environmental Duty when engaging in the activity subject of the application"*.

GED requirements are specified in s25(1) and (4) of the EP Act, as summarised below:

- s25(1) - minimise risks of harm to human health or the environment from pollution or waste, so far as reasonably practicable.
- s25(4) - set out the actions, as listed in the table below

GED requirements under S25(4) of the Act	
(a)	Use and maintain plant, equipment, processes and systems in a manner that minimises risks of harm to human health and the environment from pollution and waste.
(b)	Use and maintain systems for identification, assessment and control of risks of harm to human health and the environment from pollution and waste that may arise in connection with the activity, and for the evaluation of the effectiveness of controls.
(c)	Use and maintain adequate systems to ensure that if a risk of harm to human health or the environment from pollution or waste were to eventuate, its harmful effects would be minimised.
(d)	Ensure that all substances are handled, stored, used or transported in a manner that minimises risks of harm to human health and the environment from pollution and waste.
(e)	Provide information, instruction, supervision and training to any person engaging in an activity to enable those persons to comply with the duty under subsection (1).

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Further, under s69(3)(d), EPA *"must take into account best available techniques or technologies"*.

EPA considers that the BATT measures are consistent and complementary with the minimisation of risks and the preventative approach of GED (s25(1)). Thus, they have been assessed together.

Fit and proper person

Viva Energy Gas Australia Pty Ltd and Viva Energy Refining Pty Ltd provided completed fit and proper person and prohibited person questionnaires and related material. Additional information was also provided and considered on their environmental track record, compliance history and in the case of Viva Energy Refining Pty Ltd why it is in the public interest to find them fit and proper.

EPA is satisfied that the applicants are a fit and proper persons.

This is not a static determination. A person or company's status may change and can be regularly or periodically reviewed by EPA.

Key issues

Marine water discharges

EPA has assessed the potential impacts for marine discharges in different scenarios.

EPA considers that marine impact would be similar to the existing operation. Reusing the FSRU's wastewater in the Refinery means the gas import terminal will not cause more harm than the current Refinery operations.

EPA is satisfied with the approach used to assess marine impacts and the management of other liquid wastes generated at FSRU.

Air emissions

EPA has assessed the proposed air emissions and supporting air quality impact assessment included in the applications.

EPA is satisfied with the approach taken in identifying key pollutants of concern including the emission sources, type, and volume of pollutants. EPA has determined that air emissions for the indicators assessed are low.

Greenhouse gas emissions (GHGs)

EPA has assessed the potential impacts of climate change, the proposed energy efficiency, and GHGs in the application along with the requirements of the Climate Action Act 2017.

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EPA is satisfied with the approach taken in identifying and accounting for GHGEs. EPA has determined that the proposed energy efficiency and management of GHGEs comply with the Climate Action Act and GED.

Noise emissions

EPA has assessed the potential noise impact of the proposal.

EPA has determined that noise emissions can meet the relevant environmental standards during operation. The proposed management of noise emissions during the operation is consistent with GED and BATT.

A report for the detailed acoustic design of plant and equipment, a commissioning plan, and an operational noise management plan is required as a condition of the development licence.

Emergency events/incidents

EPA acknowledges that there was a significant fire at the Viva Corio Refinery on 15 April 2026.

EPA notes that the IAC and Minister for Planning considered potential fire and Dangerous Goods storage as part of their assessment. Other regulators, such as Work Safe and Energy Safe Victoria, are responsible for managing such risks.

EPA has considered in its assessment the potential harm to public health and environment associated with bulk storage and distribution of hazardous materials. This includes marine spills, loss of containments, and fires.

EPA is satisfied that the measures of preventing, controlling and managing risk of a major incident occurring and response to emergency incidents have been included in the relevant mitigation measures and will be managed by co-regulators

Assessment outcome

EPA's assessment concluded that:

- a. Viva Energy can meet its General Environmental Duty;
- b. The proposal is consistent with relevant best available technique and technology;
- c. The risks of harm to human health and the environment posed by the proposal can be reduced so far as reasonably practicable; and
- d. Residual risks can be managed by conditions of the development licence, incorporating recommendations from the Minister of Planning, where applicable.

The assessment recommended the issuing of the Development Licences, pursuant to Section 69(1)(a) of the Act, subject to strict conditions.

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Conditions of approval

The Development Licences are subject to conditions. Some conditions must be met prior to the commencement of construction, and others relate to the commissioning of the facility.

Before Viva Energy can operate the works, it must:

- meet the requirements of the development licences to the satisfaction of EPA
- obtain an Operating Licence from EPA
- obtain relevant licences from other regulators

You can view DL000300084 and DL000300085 and its conditions on the [public register](#).