



Legislative Council Economy and Infrastructure Committee

Inquiry: Inquiry into the development and expansion of waste-to-energy (WtE) infrastructure in Victoria

Hearing Date: 26 May 2026

Question[s] taken on notice

Directed to: Department of Transport and Planning

Received Date: 22 June 2026

Additional questions on notice from David ETTERSHANK

1. Question Asked:

Are there any WtE planning permit (or similar) applications currently with DEECA and if so, for which projects?

Response:

DEECA is not responsible for assessing and issuing planning permit applications.

Planning permit applications are determined under the Planning and Environment Act 1987 (PE Act) by the relevant responsible authority, being the Minister for Planning for facilities with an installed capacity greater than 1MW, or the municipal council for smaller facilities.

The PE Act also provides for a planning authority (either the Minister for Planning or municipal council) to amend a planning scheme to provide site-specific approval for a particular use and development.

There are two planning permit applications for WtE facilities currently under assessment by the Minister for Planning:

- Cleanaway's proposed Melbourne Energy and Resource Centre (MERC) in Wollert; and
- Prospect Hill International Pty Ltd's proposed WtE facility in Lara.

2. Question Asked:

When will the Environmental Effects Statement (EES) for WtE proposals lodged with DTP be made public?

Response:

The Minister for Planning has received two requests for advice (i.e. EES referrals) as to whether an EES is required for WtE projects under section

8 of the Environment Effects Act 1978 (EE Act). These related to Cleanaway's proposed MERC and Australian Paper's proposed WtE facility in Maryvale. In both cases the Minister for Planning determined that an EES was not required.

All EES Referrals submitted under the EE Act by proponents are published on the department's website, as are the Minister for Planning decisions on those referrals.

3. Question Asked:

Will the government impose a financial guarantee or bond on WtE in case of business failure?

Response:

There is no requirement or head of power under the PE Act to impose financial guarantees or bonds to safeguard against economic failure of businesses, including waste-to-energy facilities.

4. Question Asked:

Will you make public how applications are assessed? Do you assess:

- Traffic management?
- On site management of pollutants?
- Proximity to homes and other community infrastructure?
- Social license?
- Aesthetics and the impact on people's views?
- Activity on site – planned vs what actually happens?
- How bottom ash and flue gas is managed?

Response:

Victoria's planning framework under the PE Act and the Victoria Planning Provisions sets out the requirements, mandatory considerations and processes to assess applications.

Departmental assessment reports for planning permit applications and reasons for decisions on Ministerial planning scheme amendments are published on the Department of Transport and Planning's website.

Waste-to-energy applications are assessed case-by-case against relevant planning schemes, with an integrated consideration of environmental, social and economic impacts, in favour of net community benefit and sustainable development.

This includes assessment of traffic management, environmental risks including pollution, orderly planning and land use compatibility including proximity to homes and community infrastructure, visual amenity, building design and landscape impacts, land use activities and enforcement of planning requirements.

While social impacts are a relevant planning consideration, matters relating to 'social licence' are not directly considered under the PE Act.

Matters relating to bottom ash and flue gas management are more directly assessed under the Environment Protection Act 2017.