



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

STANDING COMMITTEE ON ENVIRONMENT, CLIMATE CHANGE AND BIODIVERSITY
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Submission Cover Sheet

Inquiry into ACT's heritage arrangements

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From: [REDACTED]
To: [LA Committee - ECCB](#)
Cc: [REDACTED]
Subject: Inquiry into ACT's heritage arrangements - submission
Date: Thursday, 23 March 2023 2:47:50 PM
Attachments: [REDACTED]

To the Committee

I'd like to flag the challenges we have had trying to get solar panels on our heritage house. We first applied to ACT Heritage in 2008 and after two more attempts, 15 years later, we have not been able to successfully navigate this process.

I have a rough chronology of interactions below and a series of attachments to support them. I had numerous interactions with staff in various Minister's offices, who were always very helpful, but have not included all of them for brevity.

Summary

Our first attempt at applying for approval for solar panels was in 2008, we tried again in 2018, where our Solar Provider, [REDACTED], was worn down by the process, we tried again in 2021 with [REDACTED]. We have repeatedly demonstrated how we satisfy the exceptions provided for according to the Heritage Council's 2012 *General Conservation Policy 1: External Solar, Water, Air Conditioning and Other Services in Heritage Places* policy under the *Heritage Act 2004*. The Department expressed concern about the precedent our approval would set, and Dr Heffernan, the then chair of the Heritage Council, was assured that our circumstances are specific to our siting. As indicated in our application and discussion with Dr Heffernan, I would have thought the precedent that other households in our suburb have set, of installing panels without approval, is a bigger risk, than our circumstances, where we have engaged within the legal and administrative framework and have adjusted our application in response to earlier feedback from the Heritage Council and on the basis of the Government approved Heritage architect, yet to no avail. Our circumstances are hardly a ringing endorsement for working within the system.

I would like to recognise Dr Heffernan's efforts in meeting with us and attempting to resolve this issue, albeit to no avail. I would be happy to provide any further details.

Chronology of interactions

- I wrote to Minister Gentleman on 30th Jan 2019 expressing concerns with the process and received the response attached.

We undertook this process with Solar Hub at the time but the delays and cumbersome process was really too much to expect of a small business, despite their best efforts. They continued to provide answers to the questions from the Heritage Council in June and then July 2019. We were advised we would receive a response on the 6th of September 2019. We received the response attached, with more questions and that was the end of that attempt. There was clearly no enthusiasm on the part of the Heritage Council to see this resolved and we found it too hard to proceed at that point.

- Next and latest attempt began in July 2021.

We emailed the Heritage Council on 5th July 2021 advising we had exhausted all other options for siting our solar panels to arrive at an appropriate outcome. We provided the following information:

We are planning to place solar panels on our property at [REDACTED]. We have no alternative practical orientation other than to place a minimum of panels on our north facing, street side, roof. We have terracotta tiles and are unable to place tilt panels on the south facing roof. Our garage is not sufficiently structurally sound to accommodate any panels and while we intend to use our East facing roof for panels, we are very limited in the number that can be placed there.

This is the advice we have received from our solar installer:

- Without using the Northern roof (street-facing) or the South-facing roof we can fit a maximum of 6 useful panels, equating to a 2.34kW size system. This size is not fit for purpose and will make very minimal impact on the customers electricity consumption or bill, and would not produce enough excess to charge the electric car or future battery storage.
- While there is space on the Southern aspect of the roof, this is impractical and uneconomical as it will not produce much power in Winter when the customer really needs it. There will also be an efficiency loss of 30% as compared to the Northern roof, when compared across an entire year. Tilting panels on this aspect is not a practical option.

ACT Heritage got back to us promptly on the 6th of July again asking for the information previously requested in the previous application. We were now going through Sunstak. On 7th July, Sunstak set out the answers to the questions previously asked (see attached). At this point we were advised we would get a response in 6-8 weeks. On 30th August 2021 our application was refused. We believed there were errors in the decision made as advised in the attached email of 22/10/21. Rather than continue to go back and forth by email we requested a meeting with the chair of the Heritage Council, Professor Heffernan. We met on 30th November 2021. This was a much more fruitful engagement as the solar provider was able to answer Dr Heffernan's questions directly and he sounded very positive about our circumstances. It was clear we had no practicable alternative as supported by ACT Government policy and the proposal wasn't significantly compromising heritage values. On the 8th Feb 2022, we responded to the follow-up questions from Dr Heffernan as provided by our solar provider.

And that was the last interaction with ACT Heritage. We had been in contact with [REDACTED] in Minister Vassarotti's office to see if he could find out what was happening. Then the council was disbanded and that was it.

Kind regards,

Sarah Reid

[REDACTED]
[REDACTED]