



# LEGISLATIVE ASSEMBLY

## FOR THE AUSTRALIAN CAPITAL TERRITORY

### SELECT COMMITTEE ON ESTIMATES 2022-23

Mr James Milligan MLA (Chair), Mr Andrew Braddock MLA (Deputy Chair), Dr Marisa Paterson MLA

#### QUESTION ON NOTICE

**Elizabeth Kikkert MLA:** To ask the Minister for Planning and Land Management

Ref: Budget Statement E, Output 3.1: Climate Change and Energy

In relation to: Suitable locations for solar farms

1. What territorial policies govern where a solar farm in the ACT can be located? If none, what guides such decision-making?
2. What territorial policies govern how close a solar farm in the ACT can be located to an established residential or commercial area? If none, what guides such decision-making? -
3. What policies govern where a solar farm in the ACT can be located in relation to future residential, commercial or other developments? If none, what guides such decision-making? –
4. Under what circumstances would the construction of a solar farm in the ACT be considered if the proposed location was less than 1 kilometre away from an established residential area?
5. Given that the proposed Wallaroo Solar Farm will have 182,000 solar panels, with the nearest ones less than 1 kilometre away from houses in Dunlop, has the minister or government officials ever raised concerns with the NSW Government regarding the location of this project?
  - a. If so, what were those concerns, and what has been the response?
  - b. If not, on what basis was this decision taken?
6. Under current ACT policies and guidelines, could the Wallaroo Solar Farm be constructed in its proposed location IF the site were located within the territory?

**Mick Gentleman MLA:** The answer to the Member's question is as follows: –

1. A solar farm is defined as a power generation station (i.e. *Major Utility*) under the Territory Plan. The Territory Plan sets out whether a development is an assessable or prohibited development. A person can make a development application (DA) when it is located within a zone where the development is not listed as a prohibited development under the relevant zone development tables of the Territory Plan.
2. If the Territory Plan allows, a person may apply for a DA for a solar farm in the ACT which would be assessed by the independent Planning and Land Authority (the Authority). During the assessment process, the Authority considers the impacts on the surrounding area and determines whether the proposal is suitable. The impacts considered by the Authority may include visual and environmental impacts.
3. During the DA process, the Authority assesses the impacts from sterilising existing or future uses. The level of assessment depends on the nature of the development and whether it is compatible with the surrounding uses. The suitability of any other future developments is considered by the Authority as a DA is submitted.

4. As described above, a solar farm in the ACT would be considered by the Authority under the requirements of the Territory Plan and *Planning and Development Act 2007*. If impacts are minimised adequately then a solar farm could be located within 1km of residential areas.
5. The Environment, Planning and Sustainable Development Directorate (EPSDD) is aware of the application with NSW Government, for the proposed solar farm at Wallaroo, and is closely watching its progress. The proponent is currently preparing the Environmental Impact Statement (EIS) and will submit the EIS to the NSW Government who will release it for public exhibition. EPSDD has not commented on the proposal as the directorate will examine the EIS once all the information has been submitted.
6. The solar farm is proposed within NSW and is not subject to the Territory Plan or ACT zoning. Therefore, the Territory's current requirements do not apply. If such a proposal was in the ACT, a facility of that nature would need to consider the Territory Plan and if allowable would need to be fully assessed by the Authority and the application would need to address all significant impacts.

Approved for circulation to the Select Committee on Estimates 2022-2023

Signature:



Date: 15/9/2022

By the Minister for Planning and Land Management, Mick Gentleman MLA