



Inquiry into Appropriation Bill 2026–2027 and Appropriation (Office of the Legislative Assembly) Bill 2026–2027

Answer to question taken on notice

Asked by: Ms Elizabeth Lee MLA

Addressed to: Minister for Climate Change, Environment, Energy and Water

Mr Bren Burkevics took on notice the following question(s):

MS LEE: Thank you. All right. Change in topics. Minister, I wanted to ask a few questions in relation to a Territory Battery Project.

Ms Orr: Yes.

MS LEE: There is a development application by Neoen, I think that is how you say it, which was lodged in October '24 and it was given conditional approval in April '25 for the development of a large scale battery energy storage system in Belconnen which is classified as a territory battery. What is the current status of this project?

Ms Orr: I will hand to Ms Sendaba who has just come to the—

Ms Sendaba: Yes. I believe that is a private proponent battery, there is no association with the territory government.

MS LEE: Okay. So even though it is being classified under the planning and development assessment report as a territory battery?

Ms Sendaba: I have not seen that report. They could be referring to the scale, so whether it is utilities scale, et cetera, I can speculate on that, but, yes, I would have taken a look at the development application to understand what specifically—

MS LEE: All right. Are you taking that on notice?

Ms Wright: That is just the name of it, it is not—

Mr Burkevics: Just the name.

Ms Sendaba: That is the name of it?

Ms Wright: It is just the name of it; it is not a classification.

MS LEE: Okay. So it is not classified as a territory battery at all.

Ms Wright: No, I think that is just what the proponent has chosen to name it.

MS LEE: Okay. Well, that is very confusing, is it not?

Ms Wright: Yes.

MS LEE: Okay. So that being the case, then what is the government's role in relation to this particularly when it comes to, I suppose, quantitatively looking at storage. Any role?

Ms Wright: So no, the government has a role as a regulator, so it is the ETR. And the government has a role in setting policy direction, working nationally with energy ministers to create, I guess, the right environment for the AER, who is the economic regulator of distribution and transmission networks. And yes, the government does not have a direct role though.

MS LEE: Okay. And in terms of the environmental conditions, that would be the role of the government to set. Have you had any feedback about the environmental conditions insofar as it has an impact on the viability of the project?

Mr Burkevics: Any project of that magnitude would be required to comply with the Planning Act and then be subject to environmental impact approval mechanisms. I cannot exactly recall what occurred for that one, whether it was an environment significance opinion or an environmental impact statement. But certainly any project follows, again, the Planning Act and is considered according.

MS LEE: Sure, but in this instance, this specific project, are you able to take on notice what that effect or the result was in terms of the environmental impact statement?

Mr Burkevics: Absolutely.

Suzanne Orr MLA: The answer to the Member's question is as follows:

The Commonwealth Government determined that the proposal was a controlled action under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) and therefore required assessment and approval.

The Commonwealth further determined that the proposal would be assessed by the ACT Government under the bilateral agreement between the Commonwealth and ACT Governments (EPBC 2021/8884).

An Environmental Impact Statement (EIS) was undertaken for the Territory Battery Energy Storage – Belconnen project (EIS202100027). Following completion of the assessment process, the EIS was finalised in April 2024 and is available online <https://www.planning.act.gov.au/applications-and-assessments/environmental-impact-assessment/environmental-impact-statement/territory-battery-energy-storage-belconnen>.

The proponent subsequently lodged a development application (DA202342503), where they raised that the project's environmental impacts, including habitat fragmentation associated with the access road, were assessed through the EIS process, with residual impacts addressed through offsets. And that the DA was lodged based on these approved assessments and impacts.

While the proponent had obtained approvals under the EPBC Act, those approvals relate only to matters of national environmental significance and do not constitute environmental approval under the ACT *Planning Act 2023*. The DA must still be assessed under ACT legislation, including

consideration of protected matters under the *Nature Conservation Act 2014*. While the EIS informs the assessment of the DA, it does not itself provide approval, and additional conditions may be applied through the development approval process to further mitigate environmental impacts.

Throughout the EIS and DA process, the Office of the Conservator of Flora and Fauna did not receive any correspondence from the proponent indicating that environmental conditions associated with the EIS and DA affected the viability of the project.

The Office of the Conservator of Flora and Fauna provided conditional support for the associated DA in February 2026.

Approved for circulation to the Select Committee on Estimates 2026-2027

A handwritten signature in blue ink, consisting of a series of fluid, connected strokes that form a stylized, abstract shape.

Signature:

Date: 13/08/26

By the Minister for Climate Change, Environment, Energy and Water, Suzanne Orr MLA