



**LEGISLATIVE ASSEMBLY**  
FOR THE AUSTRALIAN CAPITAL TERRITORY

**SELECT COMMITTEE ON ESTIMATES 2024-2025**

Ms Nicole Lawder MLA (Chair), Ms Suzanne Orr MLA (Deputy Chair),  
Miss Laura Nuttall MLA

**ANSWER TO QUESTION ON NOTICE**

Asked by: Mrs Elizabeth Kikkert MLA

Addressed to: Minister for Housing and Suburban Development

Redirection: N/A

Reference: Suburban Development: Budget Statement E, page 111

Hearing Date: 26/07/2024

In relation to: EPSDD and Cellular and internet Infrastructure in Ginninderry

Question Lodgement Date: 30/07/2024

Date Answer Due: 06/08/2024

1. What involvement has the ACT Government had with the development of mobile towers and the rollout of internet and base station cables in the Ginninderry area?

(a) If any approvals for the laying of cables from the ACT Government were sought by developers, what were those approvals, when were they asked for and have they been approved?

2. Will these cables be run exclusively underground?

(a) If so, why? And is there a difference in cost between running the cables underground versus aboveground?

3. When a private developer wishes to development this sort of infrastructure, what approvals must they obtain? –

**Yvette Berry MLA:** The answer to the Member's question is as follows:

1. The Ginninderry Joint Venture considers telecommunication needs early in estate development planning. This includes working with telecommunication providers to agree on conduit locations and tower locations, including provisioning for NBN fibre to the premises. The Ginninderry Joint Venture delivers the conduit as part of civil construction however the telecommunication provider is responsible for installation of the relevant infrastructure, including securing any necessary approvals.
  - a. Two main development applications (DAs) have been submitted to and approved by the Territory Planning Authority (the Authority) for estates in the Ginninderry area. DA-201731203 was lodged for stage 1 on 2 March 2017 and approved by the Authority on 31 July 2017. DA-201834486, for stage 2, was lodged on 23 November 2018 and approved by the Authority on 18 March 2019.

Both DAs were submitted for an estate development plan that proposed to subdivide the area into residential blocks, open space parcels and roads and construct associated infrastructure and other site works. The applications incorporated works such as shared trenches for co-located infrastructure, including conduits for NBN and other telecommunications. The majority of the trenches were located within the verge surrounding the newly created blocks.

2. This is a decision for telecommunication providers however in recent times servicing infrastructure has been provisioned underground in new estates.

**Evoenergy:**

- Evoenergy's involvement in telecommunications infrastructure in Ginninderry is limited to providing the power supply needed for installations such as telecommunications towers.
- There are no telecommunications assets physically installed on Evoenergy's network in this area.
- The network in Ginninderry is underground, therefore, there are no Evoenergy poles in the area that could be used for installing phone cables or other telecommunications infrastructure.

**Icon Water:**

- Icon Water has not been approached regarding the placement of telecommunication towers or roll out of internet and base stations cables in Ginninderry, nor has Icon Water received related applications for approvals.
3. Approvals for telecommunications infrastructure is administered by ACT and Commonwealth legislation and depends on the location of the proposal, nature or scale of the development and/or impacts on protected environmental matters.

The *Planning Act 2023* requires a development application (DA) for any development on Territory land, unless the works are exempt from development approval under the Planning (Exempt Development) Regulation 2023 (the Regulation). The Regulation includes exemptions for telecommunications infrastructure under sections 1.90 and 1.139. If a development is not exempt, a DA must be submitted to the Authority who assesses the application under the *Planning Act 2023*. If a development has a significant impact on an ACT protected environmental value, then an Environmental Impact Statement (EIS) process may also need to be undertaken prior to the DA.

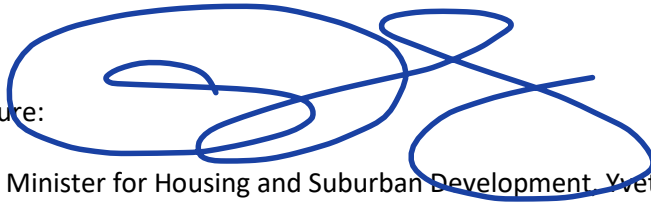
If a development is located within a Commonwealth area, then the development is not subject to ACT planning requirements. In this instance, the development is subject to the National Capital Authority's requirements and may require a works approval under the Australian Capital Territory (Planning and Land Management) Act 1988 (Cwth).

It should be noted that some telecommunication infrastructure is also exempted from ACT and Commonwealth legislation under the *Telecommunications (Low-impact Facilities) Determination 2018* (Cwth). If the development meets the exemption criteria, under the determination, then an ACT or Commonwealth approval is not required.

If a development is likely to have a significant impact on Matters of National Environmental Significance (MNES), the development may be subject to an environmental assessment process under the *Environment Protection and Biodiversity Conservation Act 1999* (Cwth). In this instance, the environmental impact on MNES is considered by the Commonwealth department of Climate Change, Energy, the Environment and Water. This process is in addition to a planning approval process.

Approved for circulation to the Select Committee on Estimates 2024-2025

Signature:

A handwritten signature in blue ink, consisting of several loops and a long horizontal stroke.

Date:

7/08/24

By the Minister for Housing and Suburban Development, Yvette Berry MLA