



Simon Corbell MLA

ATTORNEY-GENERAL
MINISTER FOR THE ENVIRONMENT AND SUSTAINABLE DEVELOPMENT
MINISTER FOR POLICE AND EMERGENCY SERVICES
MINISTER FOR WORKPLACE SAFETY AND INDUSTRIAL RELATIONS

MEMBER FOR MOLONGLO

Mr Tom Duncan
Clerk
Legislative Assembly for the Australian Capital Territory
Civic Square, London Circuit
CANBERRA ACT 2601

Dear Mr Duncan

Thank you for your letter of 18 September 2013 about Petition No. 2-13 lodged by Mr Andrew Wall MLA on behalf of Uriarra residents.

OneSun Capital 10MW Operating Pty Ltd (OneSun) was one of two successful applicants in the regular stream of the ACT Large-scale Solar Auction conducted this year. The Solar Auction is separate to the independent development application (DA) process conducted under the *Planning and Development Act 2007*.

The Solar Auction made it clear that the identification of suitable land, and associated risks in obtaining development approval for a solar facility, were the responsibility of the proponent. In making a favourable assessment of OneSun's Solar Auction proposal for feed-in tariff support, the Territory did not make any warranty or representation about the successful implementation of its proposal. The identification of suitable land, and associated risks in obtaining development approval for its proposal, were the responsibility of OneSun. OneSun will not receive any feed-in tariff payments unless it receives development approval for its proposal and successfully completes its construction.

The ACT Planning and Land Authority within the Environment and Sustainable Development Directorate is responsible for independently assessing DAs lodged under the Act. The construction of a solar farm for the block identified by OneSun is a permissible use for the zone the block is located in. While the Authority has the power to not allow a proposed use of a site through the DA assessment process, it does not have the power to reject a DA without first undertaking an assessment when the proposed use is permitted in the applicable zone. The Act and the Territory Plan set out a variety of matters to be considered when deciding on a DA. Relevant matters for consideration may include environmental, social, economic, heritage, glare impacts, the objectives of the zone, suitability of the land and bushfire hazard management. The impacts on the rural character and amenity of surrounding land uses may also be considered. Formal assessment of the suitability of proposals is conducted on a case by case basis.

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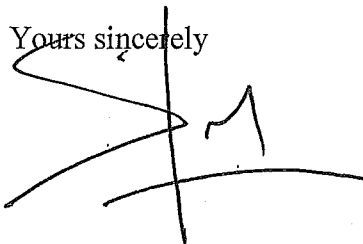
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The Government does not propose to create any specific rules pertaining to the allowable proximity of solar farms to residential areas in the ACT. The reason for this is that the separation needed between a solar farm and a residential area is variable depending on factors such as topography, vegetation, the height and orientation of proposed structures and the type of solar power generation being proposed. The Act and the Territory Plan have been designed to ensure that the merits of each proposal are carefully considered before reaching a decision on a DA.

If and when received, a DA for the OneSun proposal will be publicly notified under the Act for at least 15 working days. Notification will include letters to adjoining and adjacent lessees, signage on the site, an advertisement in the *Canberra Times* and information on the Authority's website. This provides an important opportunity for people with opinions to provide comment to the Authority. All written comments received by the Authority during the public notification period will be carefully considered.

Further information about the DA process can be found at:
http://www.actpla.act.gov.au/topics/design_build.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Simon Corbell', written over a vertical line that extends from the 'Yours sincerely' text.

Simon Corbell MLA
Minister for the Environment and Sustainable Development

6.12.13