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Australia's property industry

Creating for Generations

17 December 2019

Mr Jim Betts
Secretary
Department of Planning, Industry and Environment
GPO Box 39
SYDNEY NSW 2001

Dear Mr Betts

Explanation of Intended Effects - Emerging Electricity Infrastructure

The Property Council of Australia welcomes the opportunity to provide input to the public exhibition of the proposed amendments of *State Environmental Planning Policy (Infrastructure) 2007* (ISEPP) addressing regulatory approvals for emerging electricity infrastructure.

The review of the regulatory arrangements and approval pathways for emerging electricity infrastructure is timely and welcomed. Reduced upfront costs and solar buyback incentives have seen a rapid increase in the installation of domestic-scale solar generation systems within many NSW homes. Many NSW businesses have also installed solar generating systems on their buildings.

Improvements in technology and other benefits to consumers have also seen an increase in use of electricity storage systems. It is important that the NSW planning system adapt to this period of rapid technological change to ensure that low impact development can proceed without the need for costly planning approvals.

Residential and Commercial Electricity Storage

The proposal to enable electricity storage systems associated with solar energy systems to be exempt development is supported.

Extending the current arrangements that apply to small solar energy systems to electricity storage is appropriate. Based on a typical residential installation the identification of 10kw system capacity as the threshold between exempt and complying development is also appropriate.

Given the residential nature of these installations it may be more appropriate for these provisions to be inserted into the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* (Codes SEPP). The Codes SEPP deals with most other forms of ancillary residential development such as air conditioners, barbecues, hot water systems, rainwater tanks and certain telecommunications antennae. The inclusion of small-scale solar generating systems and storage systems into the Codes SEPP is a better fit from the perspective of the solar system installers and the broader community.

If the Department intends to proceed with the proposal to insert the provisions within the State Environmental Planning Policy (Infrastructure) 2007 (ISEPP), it should consider inserting a note in the Codes SEPP to cross reference the relevant clause in the ISEPP.

Thresholds for solar energy systems

The proposal is seeking feedback on the use of electricity generating thresholds as a development control for solar energy generating systems.

The current thresholds prescribed in the ISEPP to determine the relevant planning approval pathway have been used to limit the environmental impact of solar energy systems in terms of their visual impact in residential streetscapes. Small rooftop systems with a generating capacity of up to 10kW are considered the upper limit for a large dwelling house and can be installed under exempt development. Larger systems between 10kW and 100kW are typically installed on commercial/industrial buildings and can be installed under complying development approval pathway.

In the absence of an alternative means of determining an appropriate pathway, the use of generating capacity is appropriate. It is recommended that the thresholds be monitored by the Department to ensure they are fit for purpose and reflect changing technology standards.

Photovoltaic Systems for large residential developments

The proposal seeks to make an amendment to clause of the ISEPP to remove the 100kW upper threshold for photovoltaic solar energy systems in residential zones.

Some large residential developments have taken the opportunity to install rooftop photovoltaic systems for the benefit of all residents in a Strata scheme. Larger residential developments such as retirement villages and aged care facilities may exceed the 100kW threshold and it is appropriate for that restriction to be lifted in respect of residential zoned land.

Should you require further information regarding this matter, please do not hesitate to contact Troy Loveday, Senior Policy Advisor on (02) 9033-1907 or by email tloveday@propertycouncil.com.au

Yours sincerely

Jane Fitzgerald
NSW Executive Director
Property Council of Australia