



29 November 2019

Department of Planning, Transport and Infrastructure
Lodged electronically: DPTI.PlanningReformSubmissions@sa.gov.au

Dear Sir/Madam,

SUBMISSION: SOUTH AUSTRALIA'S DRAFT PLANNING & DESIGN CODE

Thank you for providing the opportunity to comment on South Australia's draft *Planning and Design Code* for rural areas (phase two).

The Clean Energy Council (CEC) is the peak body for the clean energy industry in Australia. We represent over 800 businesses operating in solar, wind and hydro energy, energy storage and energy efficiency.

We welcome the South Australian Government's review and reform of its planning system to make it efficient, consistent and reflective of community expectations, and commend the government on the consultative process it is following as it pursues this modernisation agenda.

This review is timely for the renewable energy sector, which has experienced significant growth and change in recent years, and has further potential in South Australia given the state's exceptional wind and large-scale solar resources among others.

We are pleased to see the inclusion of explicit acknowledgments and guidance for solar facilities, and the simplification of the process for solar farms below 30 kW.

The CEC would like to respond to a few key matters of relevance within the draft code for our wind and solar member companies in particular, including the prescribed setback distances, landscaping requirements, wildlife movement guidance and public notification requirements.

Prescribed setback distances

The draft Code sets out new setback distances for solar farms, and extended setback distances for wind turbines. As a matter of principle, the CEC does not support arbitrary setbacks for new developments. Rather, we regard 'performance-based' assessments, which consider the noise and visual impacts of a project holistically, as a more robust and flexible approach to the assessment of amenity impacts. For example, an arbitrary setback makes no allowance for the orientation of a neighbouring sensitive land-uses, topography, or responsive project design.

In the case of solar farms specifically, we note that they emit no significant noise or light emissions, and have no odour, which might otherwise justify the prescribed setbacks from conservation areas and townships/rural living areas. It is also unclear why the State has proposed a 30-metre setback from all adjoining land. We note that in Victoria, in response to any potential concerns with solar arrays developing a very localised heat island effect, the CEC has supported the adoption of a 30-metre setback from sensitive receptors which might include dwellings or cold climate horticulture. We do not consider however that an arbitrary 30-metre setback is required for every development from every neighbouring property boundary.

Landscaping requirements for solar farms

The CEC considers the requirement for landscaping from neighbouring sensitive uses or from significant landscape zones to be appropriate. Policy should maintain flexibility to position landscaping closer to a non-host dwelling if it is the affected parties' preference, or the best outcome in a specific topological context.

We would not however regard a requirement for landscaping to be provided along all and any 'adjacent road frontages' to be necessary, and would see no robust public policy rationale for solar farms to be singled out to be screened from view. There is no such blanket requirement for roads, thermal power stations, wind farms, transmission lines or other types of electrical or public infrastructure. We are also aware of projects where the local community has preferred that a solar farm is not screened.

Wildlife movement

The industry is keen to work with the government in order to determine how we can best balance the principle of enabling wildlife movement in the vicinity of solar farms, while reducing safety risks at solar farms.

Perimeter fencing is used to ensure the controlled management of these high voltage energy generation systems. Some members have experienced wildlife (eg. wombats) entering sites and chewing through electrical wiring, which poses significant safety risks to both wildlife and infrastructure. Security fencing can also offer protection for the increasingly popular practice of sheep grazing under modules to maintain a complementary agricultural land use.

Often wildlife corridors exist along the property boundary to the public road network, whereby efforts can be directed at enhancing perimeter landscaping for improved outcomes for wildlife movement. We would support the Government using wording within the Planning and Design Code which clearly states the objective, such as 'to enable the passage of small animals through/around the site', while providing flexibility for the proponent to design contextually appropriate methods for the delivery of the objective.

Protecting areas of special sensitivity or value

The CEC regards it as appropriate for the planning system to define areas of special sensitivity such as the Barossa and McLaren Vale regions and understands these are restricted areas for wind development. The CEC supports the exclusion of solar farms from areas of high environmental, cultural or scenic value.

Public notification requirements

The CEC considers good community engagement as being critical for the planning and development of all renewable energy projects and as such regards the requirement for wider public notification for these projects as being a sensible and appropriate change to South Australia's planning framework.

Thank you again for the opportunity to provide comment on the Draft Planning and Design Code. Please don't hesitate to get in touch with me at [REDACTED] should you have any queries relating to this submission.

Yours sincerely,



Anna Freeman
Director Energy Generation