

2011

**THE LEGISLATIVE ASSEMBLY FOR THE  
AUSTRALIAN CAPITAL TERRITORY**

***ELECTRICITY FEED-IN (LARGE SCALE RENEWABLE ENERGY  
GENERATION) BILL 2011***

**SUPPLEMENTARY EXPLANATORY STATEMENT**

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## **SUPPLEMENTARY EXPLANATORY STATEMENT FOR GOVERNMENT AMENDMENTS**

These Government amendments are minor and technical in nature (refer to Assembly Standing Order 182A).

### **OVERVIEW**

These amendments will strengthen an already important Bill and provide additional flexibility to pursue a range of renewable energy technologies and locations into the future, while allowing each release to be effectively targeted to reach optimal outcomes.

#### **AMENDMENT 1: Amendment to Clause 5**

The first amendment amends clause 5(a) to change the first object of the Bill to now refer to the promotion of the establishment of large scale renewable energy generation in the Australian Capital Region (rather than ‘in and around the ACT’).

This amendment provides parameters around where a large renewable energy generator can be located.

#### **AMENDMENT 2: Amendment to Clause 6(1)**

The second amendment amends the capacity component of the definition of a large renewable energy generator. The capacity of a large renewable energy generator will now be defined as ‘more than two hundred kilo-watts’.

However, the Minister may, with each release of capacity set a higher threshold for the capacity of a large renewable energy generator’s generating system, appropriate for each specific release.

#### **AMENDMENT 3: Amendment to Clause 10, inclusion of a new clause 10(2A)**

The third amendment insert a new sub-clause into clause 10 that gives the Minister the power, when releasing FiT capacity under the Bill, to state the minimum capacity of a large renewable energy generator’s generating system for the purpose of that FiT capacity release. This will mean that the minimum capacity can be changed from a ‘more than 200kw’ with each FiT capacity release.

#### **AMENDMENT 4: Amendment to Clause 10(2)(b)(iii)**

The fourth amendment amends clause 10 so that the location of large renewable energy generators being within the Australian capital region will now be a constraint to a FiT capacity release.

#### **AMENDMENT 5: Amendment to Clause 11(1)**

The fifth amendment will amend clause 11(1) to limit the Minister's power to grant a FiT entitlement to a large scale renewable generator located within the Australian Capital Region.

#### **AMENDMENT 6: Amendment to Clause 11 - inclusion of new clauses 11(2A) and (2B)**

The sixth amendment will amend clause 11 to include two new clauses which will limit the Minister's power to grant a FiT entitlement to a large scale renewable generator to only when the disallowance timeframe associated with the instrument making the FiT capacity release has expired.

#### **AMENDMENT 7: Amendment to Clause 22(5)**

The seventh amendment will remove the words 'a report of' in sub-clause 22(5). This obligation will then be a direct reference to the review itself and ensures that a full written review as completed under clause 22, rather than a summary of the review, will be tabled in the Legislative Assembly.

#### **AMENDMENT 8: Amendment to the Dictionary**

The eighth amendment includes the definition of Australian Capital Region in the Dictionary. Australian Capital Region will be defined in the Dictionary as including:

- Australian Capital Territory
- Bega Valley Shire
- Bombala Council Area
- Boorowa Shire
- Cooma-Monaro Shire
- Cootamundra Shire
- Eurobodalla Shire
- Goulburn Mulwaree Council Area
- Gundagai Shire
- Harden Shire
- Queanbeyan City Council Area
- Palerang Council Area
- Snowy River Shire
- Tumbarumba Shire
- Tumut Shire
- Upper Lachlan Council Area
- Yass Valley Local Government Area
- Young Shire

The 'Australian Capital Region' was created in the early 1990s by the elected leaders of the 17 NSW Local Government Areas and of the ACT, to jointly benefit from a regional approach to planning and development.

The definition as it appears in the Bill has also been drafted to be flexible enough to allow for future changes of the Australian capital region definition.