



THE INFLUENCE OF ENVIRONMENTAL LAW ON RENEWABLE ENERGY PROJECTS – A CASE STUDY

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Thomas Ho
Commercial Leader
Renewable Energy, Asia



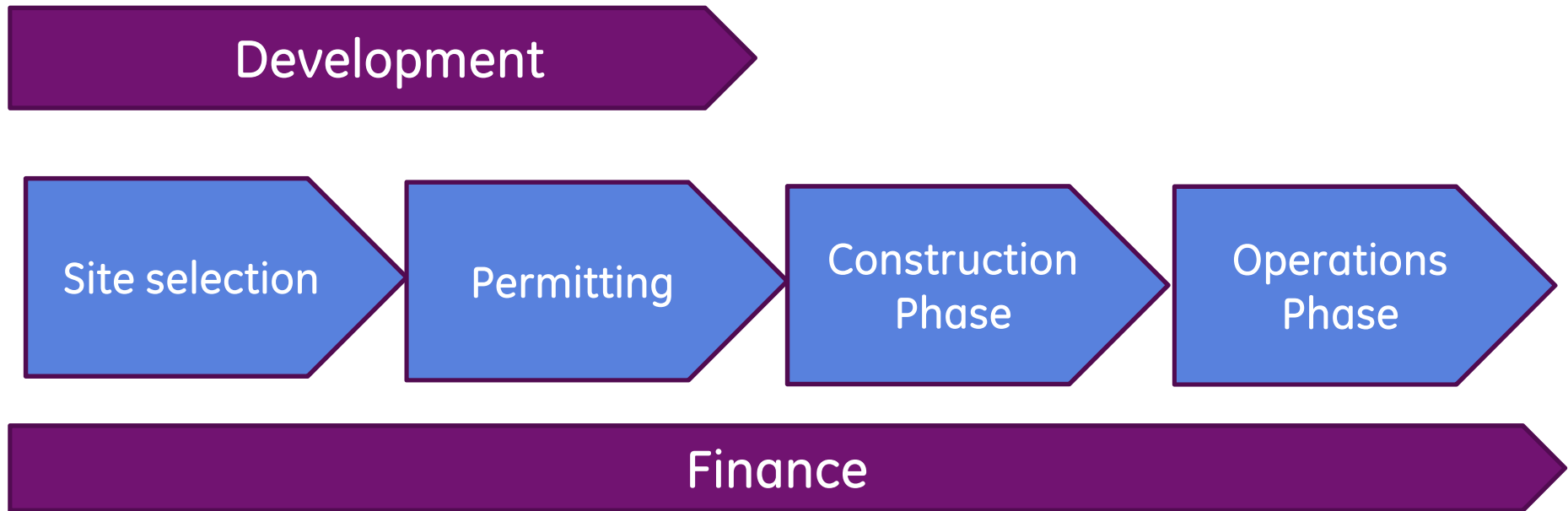
Definition

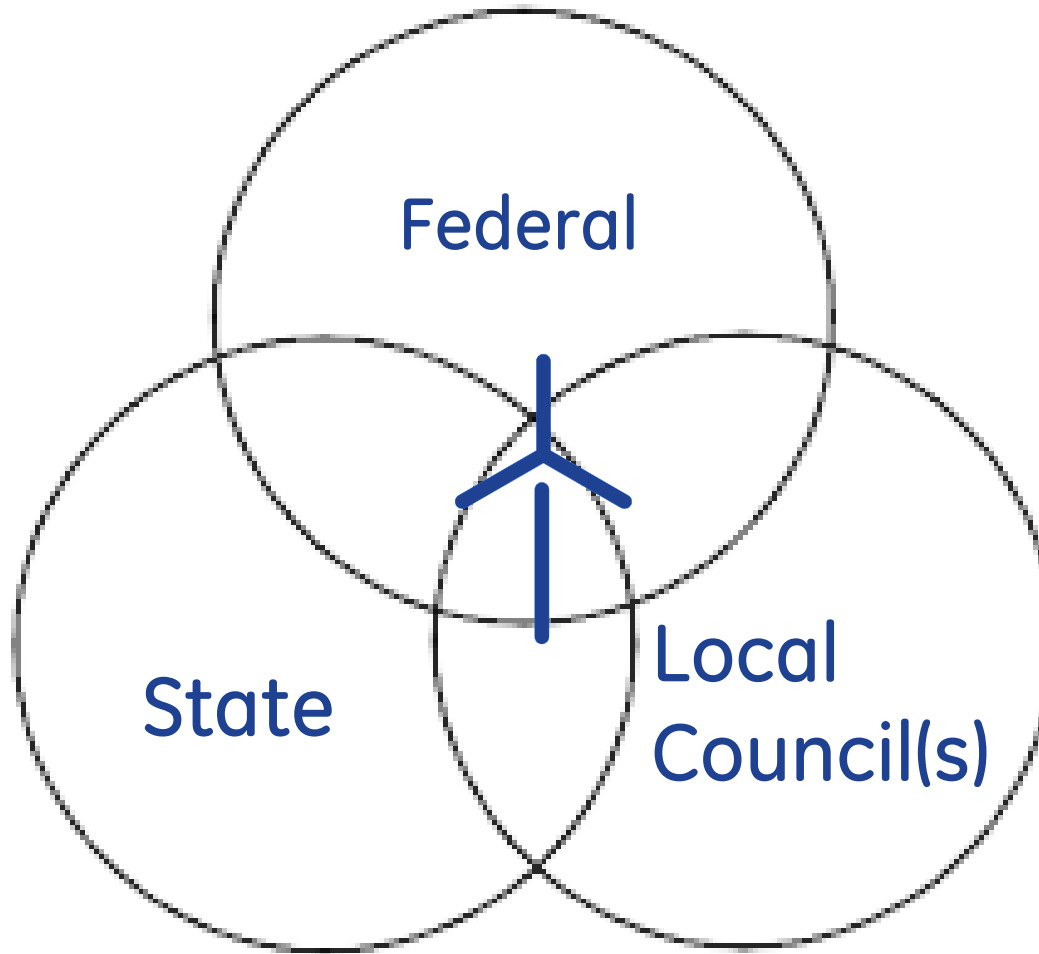
“Environmental Law” – law that directly or indirectly deals with the environment, and includes laws that protect the environment, laws that incentivizes or deters behaviour that affects the environment, and includes all rules and regulations made by relevant authorities.



Definition Renewable Energy







Preliminary Considerations



Development

Investment decision – Regulatory Framework

- Asia
 - Thailand
 - Board of Investment import duty waiver
 - Adders for feed in tariff
 - Vietnam
 - Adders for feed in tariff for near shore wind projects
 - Adder for feed in tariff for onshore wind projects expected this year.

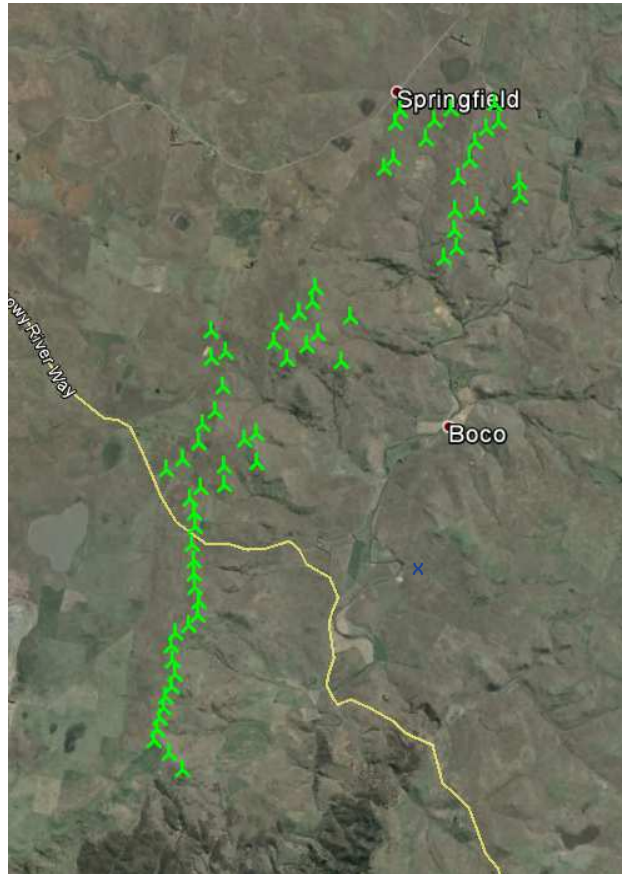
Site Selection



Development

Site selection

- Review site characteristics to determine its suitability for a wind farm
- Put in place a land option agreement (giving rights to enter into a lease)
- Meteorological masts to collect wind data
- Desktop Study for feasibility





Development

Investment decision – Regulatory Framework

- Australia
- Federal laws and policy
 - Renewable Energy Target
 - Carbon Pollution Reduction Scheme (ETS)
 - Carbon Pricing Mechanism (2012-2014)
- State
 - State based incentives (eg. South Australia)

Permitting



imagination at work



Development

Obtaining Permission

- Planning process
 - State government
 - Local council(s)
 - Placating NIMBYs
- Grid Connection Agreement
- Offtake agreement/Power Purchase Agreement

On 10 September 2014, the applicant provided a response to the information request as follows:

- [Information request response](#) (📎 1.7 MB)
- [Attachment A - Socio-economic baseline and market analysis](#) (📎 865 KB)
- [Attachment B - Noise contour modelling](#) (📎 21.8 MB)
- [Attachment C - Residence assessment report](#) (📎 4.9 MB)
- [Attachment D - Noise impact assessment](#) (📎 11.6 MB)
- [Attachment E - Review of high amenity criteria](#) (📎 5.5 MB)
- [Attachment F \(Part 1\) - 2-year wind data verification report 9531 - Arriga 50m](#) (📎 6.0 MB)
- [Attachment F \(Part 2\) - 2-year wind data verification report 9530 - Arriga 80m](#) (📎 5.1 MB)
- [Attachment G - Construction noise and ancillary infrastructure](#) (📎 1.1 MB)
- [Attachment H - One-third octave band tonality assessment](#) (📎 141 KB)
- [Attachment I - Visual impact assessment](#) (📎 23.9 MB)
- [Attachment J - DTM simulations](#) (📎 5.2 MB)
- [Attachment K - TrueView photosimulations](#) (📎 21.7 MB)
- [Attachment L - Turbine locations and development footprint](#) (📎 538 KB)
- [Attachment M - Shadow flicker assessment](#) (📎 2.9 MB)
- [Attachment N - Traffic impact assessment](#) (📎 2.3 MB)
- [Attachment O - Environmental impact assessment volume 1](#) (📎 12.7 MB)
- [Attachment O - Environmental impact assessment volume 2](#) (📎 17.3 MB)
- [Attachment O - Environmental impact assessment volume 3 \(Part 1\)](#) (📎 7.9 MB)
- [Attachment O - Environmental impact assessment volume 3 \(Part 2\)](#) (📎 24.8 MB)
- [Attachment O - Environmental impact assessment volume 3 \(Part 3\)](#) (📎 29.4 MB)
- [Attachment O - Environmental impact assessment volume 3 \(Part 4\)](#) (📎 28.7 MB)

The Minister will now undertake an assessment of the application against the relevant planning instruments and make a final determination, later this year, about whether the proposed development will proceed.



KEY LEGISLATION AND POLICIES

3.1 Relevant Commonwealth Legislation

- 3.1.1 Environment Protection and Biodiversity Conservation Act 1999
- 3.1.2 Commonwealth Heritage Legislation
- 3.1.3 Aboriginal and Torres Strait Island Heritage Protection Act 1987
- 3.1.4 Native Title Act 1993
- 3.1.5 Civil Aviation Act 1998
- 3.1.6 Radio Communications Act 1992

3.2 Relevant Queensland Legislation

- 3.2.1 Aboriginal Cultural Heritage Act 2003
- 3.2.2 Electricity Act 1994
- 3.2.3 Electricity Safety Act 2002
- 3.2.4 Environmental Protection Act 1994
- 3.2.5 Fisheries Act, 1994
- 3.2.6 Iconic Queensland Places Act 2008
- 3.2.7 Land Protection (Pest and Stock Route Management) Act 2002
- 3.2.8 Nature Conservation Act 1992
- 3.2.9 Queensland Heritage Act 1992
- 3.2.10 Transport Infrastructure Act 1994
- 3.2.11 Vegetation Management Act 1999 (VMA)
- 3.2.12 Water Act 2000
- 3.2.13 Workplace Health & Safety Act 1995

4.0 OTHER APPROVALS AND CONDITIONS

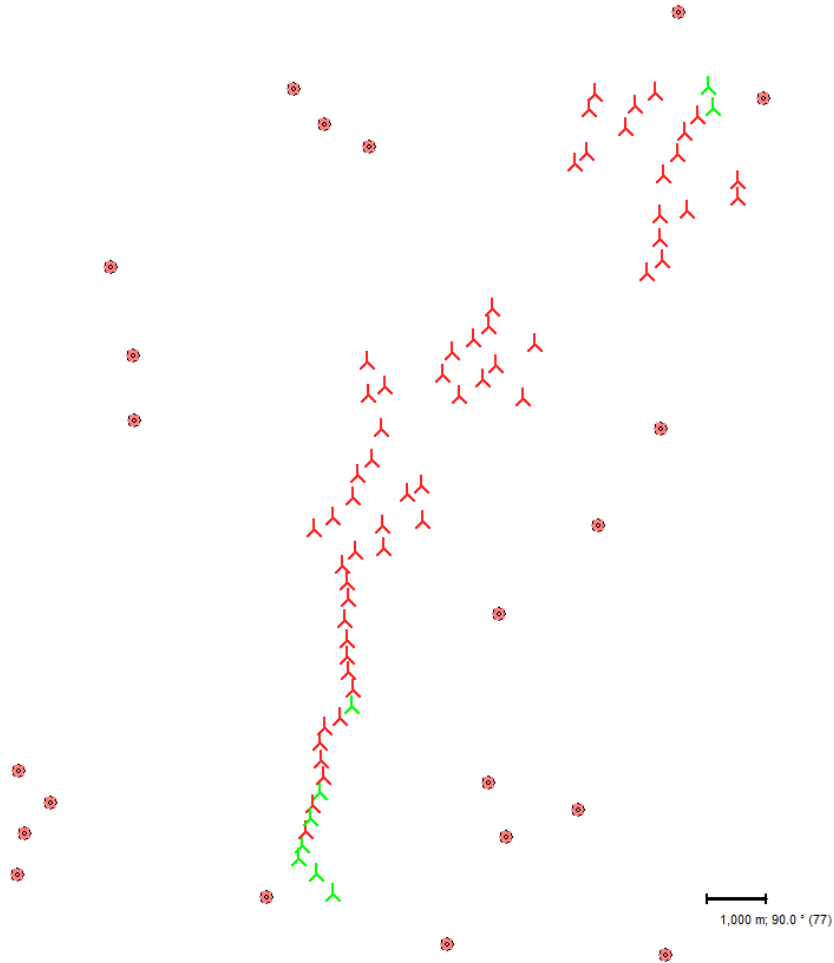
4.1 Legislative Requirements

- 4.1.1 Sustainable Planning Act 2009
- 4.1.2 Subsequent Approval Requirements

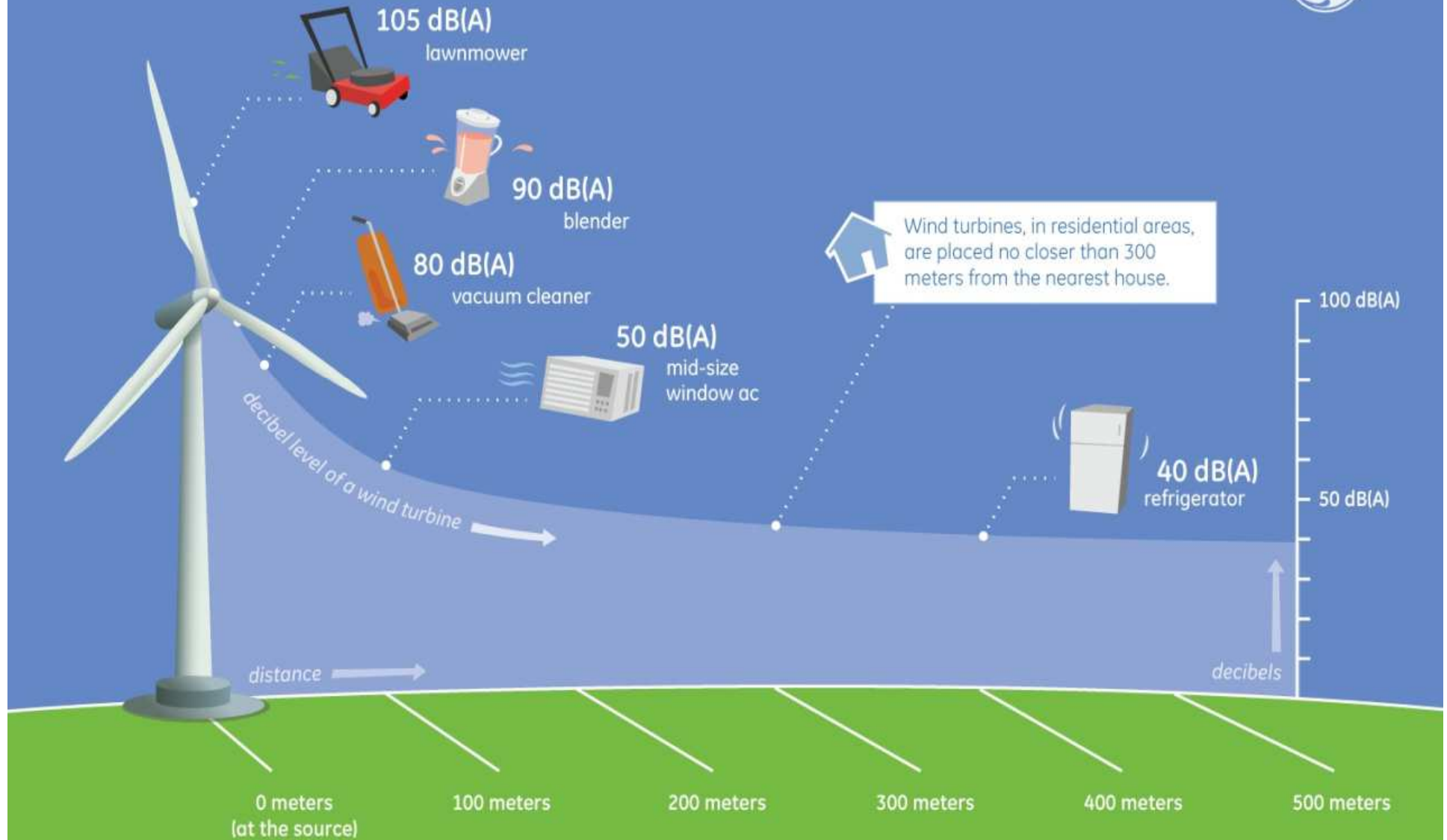
4.2 Statutory Planning Assessment

- 4.2.1 Overview
- 4.2.2 Far North Queensland Regional Plan Regulatory Provisions
- 4.2.3 Far North Queensland Regional Plan 2009-2031
- 4.2.4 State Planning Policies
- 4.2.5 Mareeba Shire Planning Scheme
- 4.2.6 Draft Tablelands Regional Council Planning Scheme





How Loud Is A Wind Turbine?

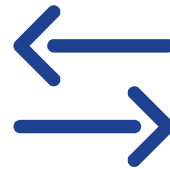


SOURCE: GE Global Research; National Institute of Deafness and Other Communication Disorders (NIDCD part of NIH)



YOU GOT YOUR APPROVALS!





Loan
Agreement(s)

EPC contracts
TSA contract
BOP contract
Services contracts

Construction Phase



Erecting and Connecting

Environmental Incidents

Air Emissions

Spill Containment

Noise

Waste Management

**Protection of Aboriginal
Artefacts**

Hazardous Materials

Dust Control and Erosion

Weed Removal

Protection of Vegetation

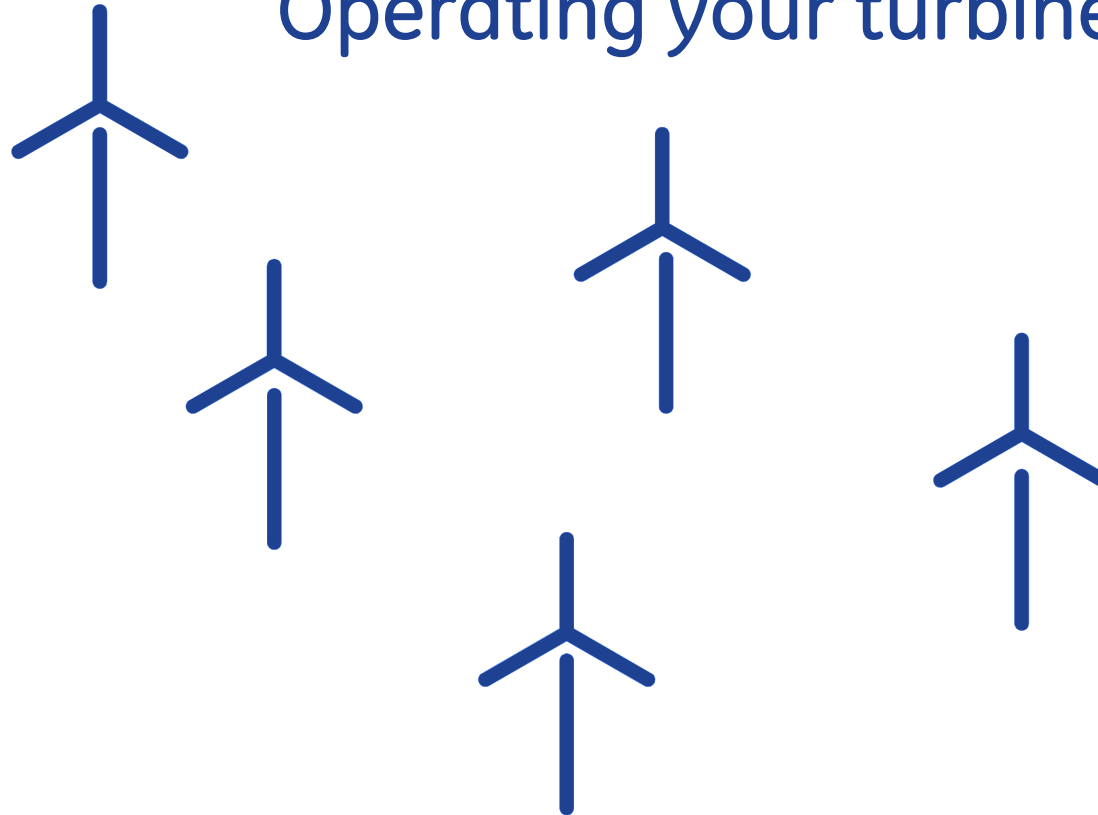
Project Completion!



Operation Phase



Operating your turbine



QUESTIONS?

THANK YOU



imagination at work



imagination at work