
**PROPOSED CALL IN NOTICE FOR A DEVELOPMENT APPLICATION UNDER THE
SUSTAINABLE PLANNING ACT 2009**

MOUNT EMERALD WIND FARM, ARRIGA

Pursuant to section 424A of the *Sustainable Planning Act 2009* (SPA), I hereby give notice that I am proposing to call in, and assess a development application lodged by Mount Emerald Wind Farm Pty Ltd for a wind farm at Arriga (Mareeba Shire Council). The development application seeks a development permit for a material change of use for a wind farm comprising of a maximum of 75 turbines.

Reasons for the proposed call in

State interests

Under Section 424 of SPA, I may call in a development application only if the development involves a state interest. It is open to me, as the Planning Minister, to consider whether the development involves a state interest.

A state interest is defined in Schedule 3 of the SPA as:

- (a) *an interest that the Minister considers affects an economic or environmental interest of the State or a part of the State, including sustainable development; or*
- (b) *an interest that the Minister considers affects the interest of ensuring there is an efficient, effective and accountable planning and development assessment system.*

I am proposing to call in this development application, as I consider the Mount Emerald Wind Farm development involves state interests, namely economic and environmental interests to the state, or part of the state as the:

Economic

- The Mount Emerald Wind Farm proposal intends to bring both direct and indirect economic benefits to the local, regional and national economies throughout the life-cycle of the project through employment. The applicant suggested that the direct benefits related to employment and in indirect benefits the infrastructure to support the additional employment (accommodation, entertainment). The *Review of the Australian Wind Industry 2011 Report* (Review of the AWI Report), prepared for the Clean Energy Council, estimates the total direct employment generated by wind farm construction (based on recent study for Hallett wind farms) is 0.7 jobs per MW locally. Mount Emerald Wind Farm has been designed to generate approximately 225MW, which equates to a total of 158 local jobs directly, for the construction period, which is expected to last 24 months from project commencement.

The applicant suggested that at an indirect level, it is expected economic benefit will arise through the provision of short to medium term accommodation, entertainment and goods and services primarily felt during the construction and operational phases of the project. In terms of indirect employment opportunities, a number of recent studies suggest that for every job generated directly during the construction of the wind farm, a further two full time equivalent positions are created, which may occur locally or nationally. For the Mount Emerald Wind Farm, this would equate to a further 300 jobs throughout Australia, and perhaps overseas.

Environmental

- The Mount Emerald Wind Farm has the potential to have a significant environmental impact. On 24 January 2012, the development was declared a controlled action under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) as it has the potential to have significant impact on a number of matters of national environmental significance including quolls and plant species. The Minister for the Environment determined that the proposed activity be assessed by an EIS which is currently being undertaken by the applicant.
- The Clean Energy Regulator is a government body responsible for administering legislation to reduce carbon emissions and increase the use of clean energy. The Renewable Energy Target (RET) is an initiative administered by Clean Energy Regulator that provides financial incentives for investment in both large-scale and small scale renewable energy projects. The Australian Government under the RET has committed to ensuring that 20 per cent of Australia's electricity supply will come from renewable sources by 2020. The government is currently undertaking a review of the RET, to be completed by mid-2014, to ensure it is operating efficiently and effectively.

The utilisation of renewable energy sources has intangible environmental benefits which also contribute to the identified state interest. Developing renewable energy resources provides for the avoidance of greenhouse gas emissions associated with conventional fossil fuel generation, insulates the electricity market from fluctuations in fuel prices by increasing the diversity of the energy system; and wind farm electricity generation requires comparatively little natural inputs such as water consumption. The applicant has stated that the proposed development will generate 500,000 MWh of renewable energy, which is equivalent to providing 75,000 homes of clean energy.

While it is acknowledged that there are greenhouse gas emissions associated with the manufacture, construction, operation and decommissioning of a wind farm, the applicant has estimated that the payback period and carbon abatement for the Mount Emerald Wind Farm has been estimated at just over seven months, based on data provided in the Review of the AWI Report. This aligns with the Australian Government's commitment to ensure reduced carbon emissions and increase the use of clean energy.

- The Queensland Government's, *Environmental Protection (Noise) Policy 2008* outlines provisions for protecting the quality of acoustic environments that are conducive to human health and wellbeing by establishing noise level goals for various operations such as wind farms. It is noted that the National Health and Medical Research Council (NHMRC), Australia's peak public health body, is currently conducting an independent review to determine whether there is an association between exposure to wind farms and human health effects. NHMRC recommends that relevant authorities take a precautionary approach to development applications relating to wind farms.

Integrated Development Assessment System

If I decide to call in the development application, the Integrated Development Assessment System (IDAS) process for the development application is proposed to restart from the information and referral stage.

Assessing the Development Application

If I decide to call in the development application, I propose to assess and decide the development application under the normal assessment and decision provisions under section 313, 324 and 326 of SPA.

Planning and Environment Court Appeals

If I decide to call in the development application, my decision on the development application is taken to be the original assessment manager's decision although, pursuant to section 427(5) of SPA, my decision as the assessment manager cannot be appealed in the Planning and Environment Court.

Representation Period

I invite written representations about the proposed exercise of my power under Section 425 of SPA. Representations are specifically sought about whether the proposed development involves a state interest and if I should exercise my powers and call in the development application.

Representations must be made by **5pm on 14 May 2014** to:

Deputy Premier
Minister for State Development, Infrastructure and Planning
C/- Director, Planning Services
Department of State Development, Infrastructure and Planning

Email: ministerial_call_in@dsdip.qld.gov.au
Fax: (07) 3235 4563
Post: PO Box 15009
CITY EAST QLD 4002

Findings on Material Questions of Fact

Details of the development application I am proposing to call in are provided below:

Name of Applicant	Mount Emerald Wind Farm Pty Ltd
Date application properly made to Council	29 March 2012
Development approval sought	Development permit for a material change of use for a wind farm comprising of a maximum of 75 turbines.
Applicable planning scheme	<i>Mareeba Shire Planning Scheme 2004</i>
Land zoning	Rural Zone
Level of assessment	Code
Site address	Springmount Road and Kippin Drive, Arriga
Real property description	Lot 7 on SP235244, Part of Lot 905 on CP896501 and Easement A in Lot 1, Easement C in Lot 2 and Easement E in Lot 3 on SP231871
Referral agencies	Formerly Department of Environment and Resource Management, now Department of Environment and Heritage Protection; and Department of Natural Resources and Mines Powerlink
Considerations for call in	<p>The Mareeba Shire Council local government area has immense potential for the development of renewable energy resource development, in the form of wind farms.</p> <p>The application was properly made when Temporary Local Planning Instrument TLPI 01/11 was in effect. The approved TLPI allows the Mount Emerald Wind Farm development application to be subject to code assessment.</p> <p>The applicant states that the development will equate to a total of 158 local jobs directly, for the 24 month construction period and up to 300 jobs throughout Australia.</p> <p>The applicant states that the proposed development will generate 500,000 MWh of renewable energy, which is equivalent to providing 75,000 homes with clean energy.</p>

State Planning Policy (SPP)

The SPP relevantly states that ensuring the provision of a safe, reliable and affordable energy supply is vital to meeting the basic needs of communities and for Queensland's economic prosperity.

Evidence or other material on which findings of material questions of fact were based

In forming my decision to propose to call in the development application, I had regard to the following material:

Document	Ref No.
Departmental Briefing Note signed 10 April 2014	MBN14/130
Attachment 1 - correspondence received 28 January 2014 from Councillor Tom Gilmore, Mayor, Mareeba Shire Council	D14/40106
Attachment 2 - First request to call in - decision brief	D14/45694
Attachment 3 - Preliminary assessment report prepared by Department of State Development, Infrastructure and Planning, 10 April 2014	D14/39440
• Schedule 1 - Not properly made notice	D14/43504
• Schedule 2 - Development application	D14/43507
• Schedule 3 - Acknowledgement notice	D14/43512
• Schedule 4 - Information request 29 April 2012	D14/43513
• Schedule 5 - Extension of information request response period	D14/43515
• Schedule 6 - DERM information request	D14/43515
• Schedule 7 - Powerlink response	D14/43523
• Schedule 8 - DEHP contaminated land response	D14/43527
• Schedule 9 - DEHP response wetland	D14/43528
• Schedule 10 - Agreement to extend information request	D14/43530
• Schedule 11 - Socio Economic Assessment of Mareeba Shire Council	D14/47237
Attachment 4 - Proposed call in notice, dated 10 April 2014 , prepared by the Department of State Development, Infrastructure and Planning	D14/40142
Attachment 5 - Ministerial correspondence to affected parties including the assessment manager, applicant, and concurrence agencies dated 10 April 2014 advising that the Minister is considering calling in the development application, prepared by the Department of State Development, Infrastructure and Planning	OUT14/1210
Legislation	
<i>Sustainable Planning Act 2009</i>	
Other Planning Instruments	
<i>Far North Queensland Regional Plan 2009</i>	
<i>State Planning Policy December 2013</i>	
<i>Mareeba Shire Planning Scheme 2004</i>	
<i>Mareeba Shire Planning Scheme Amendment 01/11 (Wind Farms), commenced 30 September 2013</i>	
<i>Temporary Local Planning Instrument 01/11 (TLPI 01/11)</i>	
<i>Temporary Local Planning Instrument 01/12 (TLPI 01/12)</i>	



JEFF SEENEY MP

DEPUTY PREMIER

Minister for State Development, Infrastructure and Planning

Dated 10/4/2014