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Ms Jadranki McAlpine
Department of Environment and Heritage
John Gorton Building
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Canberra ACT 2601

Dear Ms McAlpine,

Comments on *Discussion Paper on National Code for Wind Farms*.

Thank you for the opportunity to comment on the recently released *Discussion Paper on A National Code for Wind Farms*.

The Planning Institute of Australia is the peak professional organisation that represents around 4 500 urban and regional planners and related professions in Australia. Around half of our members work in Local Government, 30% in the private sector and the remainder for the Commonwealth/State and academic sector.

PIA supports the use of low energy and alternative energy sources to reduce dependence on fossil fuels. The paper, though gives a poor outlook the growth of the wind industry, with installed capacity peaking at around 1% of energy use. The paper also suggests that there will be a decrease in the number of turbines as the size of turbines increase – thus increasing the planning impacts of wind turbines.

In general terms PIA supports the development of wind farms but agrees there are valid concerns about their development.

Many of our members who are working in State and Local Government manage the assessment process for wind farm applications and as pointed out in your discussion paper these applications can be controversial. Even small scale developments can cause concern to community residents.

PIA recommends your Department seek the advice of a planning consultant in preparing the next stage of the development of a code as many of the issues identified are planning regulatory focused (and not solely environmental) and an understanding of the planning processes including existing consultation mechanisms is essential to develop the Code further.

In this context, PIA makes the following comments on this Discussion Paper:

Consultation with Stakeholders

PIA believes that the Local Government and Planning Ministers Council should be consulted on this proposal, in addition to the State/Territory Environment Ministers. Many of the issues raised in the paper are related to state/territory planning regulations and issues.

Description of Environmental and Planning Assessment across states/territories

The table on Page 13 of the discussion paper is only a partial description of current processes. The table requires a complete description of State (call in) and local government assessment processes – including planning and environmental assessment processes and how these two are linked. The key legislation and public consultation processes (an issue identified in the paper as being a concern) are not fully discussed. A clearer and more accurate description of this information is required before a Code can be developed. Flow charts can assist with this understanding. The NT and ACT environmental and planning legislative processes are not included in the table.

As an example of the incorrect information, advice from our Tasmanian Division is that wind farms are assessed by joint state and local government processes (level 2 environmental impact assessment under the *Environmental Management and Pollution Control Act 1994*), rather than the projects of State significance processes described in the paper.

There are also a number of policies and guidelines that are in place including the NSW Government (2002) *Wind Energy Environmental Impact Assessment Guidelines*, the Australian Council of National Trusts *Wind Farms and Landscapes Value Project* with Auswind, SA Environment Protection Authority's (2003) *Wind Farms Environmental Noise Guidelines* and the Building Design Professionals *Design Guide and Principles for the Visual Assessment and Design of Wind Farms* to name

a few. A full list of these policies and their input into developing a national approach need to be included in any assessment of current regulatory and policy processes.

As an example, the first stage of the Australian Council of National Trust's work with AusWea (now Auswind) recommended that:

A protocol for community consultation be developed, which includes guidelines for representing wind proposals visually in ways which are accurate and able to be understood by communities

Requiring a clear definition of the problem

This paper does not set out clearly what the problem is with developing wind farms – is state/territory regulation hindering the process, should there be more national guidance about how the process is conducted or where windfarms are located? Nor is it clear what this Code would be doing that is not already covered in legislation, regulation of best practice guidelines.

The next stage of this paper should clearly identify the problems (such as siting and consultation), outline the current situation and barriers that exist in the state/territory legislation and develop options for discussion.

Defining the status and scope of a National Code

Does a Commonwealth Code have any regulatory or legislative authority? This is not clear from the paper. The paper suggests (P18) that the code may be mandatory or voluntary. PIA supports a voluntary approach as a mandatory code (which could override State legislation) is not desirable and would set a precedent for the Commonwealth to intervene in other major developments of this nature.

PIA would be happy to assist in further developments of this Code and Liz de Chastel our National Policy Co-ordinator can be contacted on 02 6262 5933 for further clarification on this submission.

Yours sincerely,



Di Jay
Chief Executive Officer