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For more information concerning the history of these regulations, please see the ***Table of Regulations***.

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CHAPTER R-12.1

RENEWABLE ENERGY ACT

DEVELOPMENT PERMIT REGULATIONS

Pursuant to subsection 9(1) of the *Renewable Energy Act* R.S.P.E.I. 1988, Cap. R-12.1, Council made the following regulations:

1. In these regulations, Definitions

(a) "Act" means the *Renewable Energy Act* R.S.P.E.I. 1988, Cap. R-12.1; Act

(b) "development permit" means a development permit issued under subsection 3(2); development permit

(c) "land surveyor" means a land surveyor as defined in the *Land Surveyors Act* R.S.P.E.I. 1988, Cap. L-3.1; land surveyor

(d) "large capacity renewable energy generation facility" means a renewable energy generation facility that large capacity renewable energy generation facility

(i) uses the wind to generate electric energy, and

(ii) has a name plate capacity equal to or greater than 1 megawatt. (EC773/08)

2. (1) No person shall construct a large capacity renewable energy generation facility, or cause a large capacity renewable energy generation facility to be constructed, unless a development permit has first been issued by the Minister that authorizes the construction of the large capacity renewable energy generation facility. Construction of large capacity renewable energy generation facility, restriction

(2) No person shall construct a large capacity renewable energy generation facility, or cause a large capacity renewable energy generation facility to be constructed, except in accordance with *Idem*

(a) any conditions imposed by the Minister on the development permit authorizing the construction of the large capacity renewable energy generation facility; and

(b) the survey, plans, specifications, documents or any other information supplied to the Minister under clause 3(1)(b) in respect of the application for the development permit authorizing the construction of the large capacity renewable energy generation facility. (EC773/08)

3. (1) An application for a development permit shall be made to the Minister, on a form approved by the Minister, and shall be accompanied by Application for development permit

(a) a copy of a survey, certified by a land surveyor, of the lot or parcel of land on which the large capacity renewable energy generation facility is to be constructed that shows the proposed location of the large capacity renewable energy generation facility; and

(b) any plans, specifications, documents or other information relating to the large capacity renewable energy generation facility that the Minister considers necessary.

Issuance of development permit

(2) The Minister may, on receipt of an application for a development permit made in accordance with subsection (1), issue a development permit to the applicant where the Minister is satisfied that it is in the public interest to do so.

Conditions

(3) The Minister may, on issuing a development permit, impose such conditions on the development permit as the Minister considers appropriate.

Expiry

(4) Subject to subsections (5) and (6), a development permit expires on the earlier of

(a) the day on which the construction of the large capacity renewable energy generation facility in respect of which the development permit was issued is completed; or

(b) the day that is 24 months after the date on which the development permit was issued.

Extension

(5) The Minister may, before a development permit expires, amend the development permit to extend its expiration date beyond the day referred to in clause (4)(b), if the construction of the large capacity renewable energy generation facility in respect of which the permit was issued has not been completed and the Minister considers it appropriate to extend the development permit.

Revocation or amendment

(6) The Minister may revoke or amend a development permit where the holder of the development permit has contravened a provision of the Act, a provision of these regulations or a provision of any other regulations made under the Act. (EC773/08)