



Submission template

REVIEW OF THE NATIONAL WIND FARM COMMISSIONER

The Climate Change Authority is an independent statutory body established to provide expert advice on climate change policy issues.

The Minister for the Environment and Energy, the Hon Josh Frydenberg MP, has asked the Climate Change Authority to conduct a special review of the role of the National Wind Farm Commissioner.

At the time the National Wind Farm Commissioner was established, the Government said it would review the role in 2018. This review responds to that undertaking. The Terms of Reference for the National Wind Farm Commissioner are attached. The Authority is asked to consider to what extent the Commissioner is fulfilling its Terms of Reference, the ongoing need for the role, its scope and possible models for funding. The Authority's Terms of Reference for this special review can be found on the Authority's website. More information on the role of the Climate Change Authority is available at www.climatechangeauthority.gov.au. Information on the National Wind Farm Commissioner is available at www.nwfc.gov.au.

Submission Instructions

Submissions are invited until 13 April 2018.

Submitting via email

submissions@climatechangeauthority.gov.au

Submitting via post

Submissions
Climate Change Authority
GPO Box 787
ACT 2600

Contacts

Should you require further information about making a submission, please contact the Climate Change Authority on freecall 1800 475 869 or via email at enquiries@climatechangeauthority.gov.au.

Overview

Submissions on the National Wind Farm Commissioner review are invited, ideally using this template to assist with the Authority's analysis of submissions. However, organisations and individuals wishing to make submissions should not feel constrained by the questions below and should feel free to provide any comments they wish. The Authority is also happy to accept submissions in other forms, including letters or emails.

Contact Details

Name of Organisation:

WestWind Energy

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Date: 19/03/2018

Confidentiality

All submissions except those made in confidence will be published on the Authority's website.

For submissions made by individuals, all personal details other than your name and the state or territory in which you reside will be removed from your submission before it is published.

Do you want this submission to be treated as confidential? Yes No

1. Have you interacted with the National Wind Farm Commissioner on a complaint about a proposed or operating wind farm? If so, please tell us about the nature of the complaint.

In particular:

- I. Did the complaint relate to an existing or proposed wind farm, or was it a general complaint?
- II. What was your role in the process - were you the complainant or was the complaint made against you or your company?
- III. If the complaint was about a specific wind farm, in what state and local government region is it located?

Yes, we have had complaints about a proposed Victorian wind farm development in the Moorabool Shire made against our company.

2. If you have interacted with the National Wind Farm Commissioner on a complaint about a proposed or operating wind farm, would you like to comment on how the complaint process was conducted?

In particular:

- I. Were you provided with information about the process for dealing with your complaint?
- II. Were you made aware that participation in the process to deal with your complaint by other parties (like state government agencies or wind farm operators) is voluntary?
- III. Were you asked to provide information to assist the Commissioner in dealing with your complaint? Did you do so?
- IV. Was your complaint progressed in a timely way?
- V. Did the Commissioner work with wind farm proponents or operators and other bodies (like state or local government agencies) on the complaint?
- VI. Were you satisfied with the process undertaken to resolve the complaint?
- VII. Were you satisfied with the outcome of the complaint?

The National Wind Farm Commissioner was very thorough in explaining the process. He advised it was voluntary, and we were asked to provide information to assist the Commissioner. The complaint was for a non-operating wind facility, so the wind farm operator was irrelevant to any discussions. At all times the Commissioner was pragmatic, solution focused and worked towards a mutually agreeable solution. He also remained neutral and was professional, respectful and courteous to all parties. He facilitated meetings and conversations and worked constructively with all parties to arrive at a mutually beneficial outcome. We worked constructively with the Commissioner to ensure the stakeholder concerns were addressed, and I believe in the end all parties were happy with the outcome.

3. The Terms of Reference for the National Wind Farm Commissioner say that the Commissioner will lead efforts to promote best practice, information availability and provide a central, trusted source for disseminating information. Do you have any comments on this aspect of the Commissioner's role?

The Commissioner has been a very good advocate to promote best practice community engagement and enhance benefits to the community. He has presented at numerous events, is available for queries, and has provided guidelines and information which we as a developer can use to ensure we are meeting or exceeding best practice of engagement. He is widely respected not just in the industry but also in political circles and with complainants and is available and helpful to assist with the management of difficult situations.

4. Do you think there is an ongoing need for the Commissioner? Do you see this changing in the future? If so, how?

I think this role has merit to ensure that stakeholders are treated appropriately, and the Commissioner helps bridging the gap between perception and what is actually going on. Being impartial, the Commissioner can more successfully educate and advocate than most other parties.

The Commissioner's annual reports highlight the real vs perceived issues with wind farms and have shown that many of the complaints are based around "fear of the unknown" from non-operating projects, rather than issues with operational wind farms.

For the next few years this role is likely to add value in the debate around wind farms and appropriate policy settings. As more wind farms become operational and issues that have arisen from operating projects have been successfully dealt with, this role may become redundant at some stage in the future.

5. Do you think the Commissioner's scope, which is currently focused on proposed and operational wind farms is sufficient? Or should it be expanded to other large scale renewable energy projects, such as solar and storage?

I think it should be expanded, as all renewable energy projects should be held to the same level of scrutiny and accountability.

6. The Office of the National Wind Farm Commissioner is funded from the Commonwealth budget at a cost of approximately \$676,000 per year. Do you think the Commissioner's office should continue to be funded in this way or should other funding models (like cost recovery from industry) be considered?

I think this role needs to be government funded to remain independent and have credibility for complainants, proponents and policy makers alike. As a wind farm developer, we are frequently accused by stakeholders that technical studies that are commissioning from independent consultants are not independent when we pay for these studies. I think if this role was in any way funded by the industry it would lose its value.



7. Do you have any other comments about the role of National Wind Farm Commissioner?

I was very sceptical about this role when I first heard about it. However, after meeting and working directly with the Commissioner, I think the role has been extremely valuable to politicians, complainants and the wind energy industry. Andrew does a remarkable job being fair and balanced and helps to ensure best practice community engagement is achieved and maintained. He also provides neutral information back into governments about the nature of complaints against wind farms and politicians feel they can trust his assessment as it is unbiased. This has provided a sense of comfort for politicians when discussing future developments and has made these discussions much easier. Politicians have even referenced his reports in our conversations as confirmation that although the movement of the anti-wind farm campaigners may appear to be a significant problem, in reality the concerns raised are usually reasonably small in number and can often be addressed and managed.

It would be helpful if the Commissioner did independent fact sheets and studies on health, shadow flicker, noise etc. that stakeholders could access independently of industry, complainants or the media. I think this would help alleviate the concern that information that we as a project proponent are distributing is "industry propaganda". I also think a more comprehensive website with this information where we could point stakeholders to would be a great additional service.

Attachment: National Wind Farm Commissioner Terms of Reference

The negotiated settlement of the Renewable Energy Target in mid-2015 is expected to lead to increased construction of wind turbines in the next five years.

The Senate Select Committee on Wind Turbines, held during 2015, identified many issues of concern relating to the standards, monitoring and operation of wind farms.

The Government responded positively to the recommendations of the Committee's Interim Report, including creation of the role of a National Wind Farm Commissioner.

The Commissioner will work collaboratively with all levels of government, scientists, industry and the community to resolve complaints from communities about proposed and operational wind farms.

The Commissioner will refer complaints about wind farms to relevant state authorities and help ensure that they are properly addressed.

The Commissioner will work with stakeholders to identify needs and priorities for monitoring wind farms.

The Commissioner will lead efforts to promote best practices, information availability, and provide a central, trusted source for dissemination of information.

The Commissioner, supported by the Australian Government Department of the Environment, will report to the Minister for the Environment and provide an Annual Report to the Australian Parliament on delivering against these Terms of Reference.

The work of the Commissioner will not duplicate or override the important statutory responsibilities of other jurisdictions, such as those relating to the planning and approval of wind farms.

The Commissioner is to draw on the work of the Independent Scientific Committee on Wind Turbines.

The role of the National Wind Farm Commissioner will be established for an initial period of three years and will be reviewed by the Australian Government.