

National Wind Farm Commissioner

All-Energy Australia Presentation

11 October 2017

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www.nwfc.gov.au

Agenda

- The role of the Commissioner
- Achievements to date
- Wind farm information
- Complaint statistics
- Annual Report observations and recommendations on collaboration and engagement in wind farm development
- Key messages

Role

- Commenced in November 2015 for a three year term to:
 - ✓ Facilitate the handling of complaints from concerned community residents about planned and operating wind farms;
 - Identify and promote best practices for industry, government and related agencies to adopt with regard to the planning, operation and governance of wind farms; and
 - Improve information access and transparency about proposed and operating wind farms and the industry.
- National, independent role reporting directly to the Federal Minister for the Environment and Energy.
- Commissioner's Terms of Reference at <u>www.nwfc.gov.au</u>.

Achievements to date

- Establishment of office and employment of staff
- Implementation of complaint handling policy, systems and process
- Independent website launched <u>www.nwfc.gov.au</u>
- Extensive stakeholder engagement more than 600 stakeholders including government, community, industry and experts
- Site visits to 25 operating/proposed wind farms and numerous residences
- Received 145 complaints, with 112 cases closed (as at 30 September)
- Identification and promotion of best practices
- Developed a range of preliminary observations & recommendations detailed in the Commissioner's 2016 Annual Report to Parliament.

25 wind farm sites visited

(*proposed wind farm sites)

Victoria:

Ararat

Bald Hills

Cape Bridgewater

Hawkesdale*

Hepburn

Lal Lal*

Macarthur

Moorabool*

Oaklands Hill

Waubra

Wonthaggi

Willatook*

NSW:

Bango*

Collector*

Coppabella*

Crudine Ridge*

Cullerin Range

Gullen Range

Gunning

Jupiter*

South Australia:

Hallet

Palmer*

Snowtown

Waterloo

Tasmania:

Musselroe

Wind farms: summary

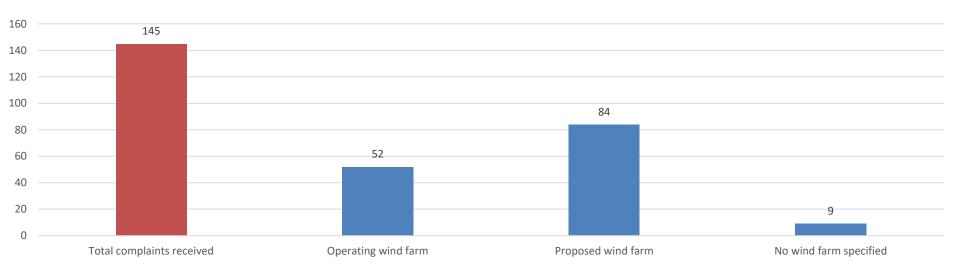
- Industry in Australia began in late 1990s, most wind farms built after 2000.
- Approximately 79 operating wind farms in Australia.
- Total current capacity = 4,803 MW (2,180 turbines).
- Some 67 wind farms in the 'development' pipeline.
- Approximately 12,000 MW of potential capacity and 3,800 turbines in pipeline.
- Majority of proposed wind farms are for VIC (26), SA (18) and NSW (12).
- Additional 4,000 MW (approx.) required to meet the 2020 RET.
- Industry comprises both prospective developers and longer term owner/operators.





Complaint statistics

(as at 30 September 2017)

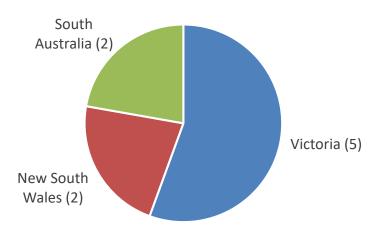


- 145 complaints received
- 52 complaints are from 9 operating wind farms
- 84 complaints are from 29 proposed wind farms
- 9 complaints did not specify a wind farm
- 112 cases closed, remaining 33 cases at various stages of our complaint handling process.

Complaint statistics – operating wind farms

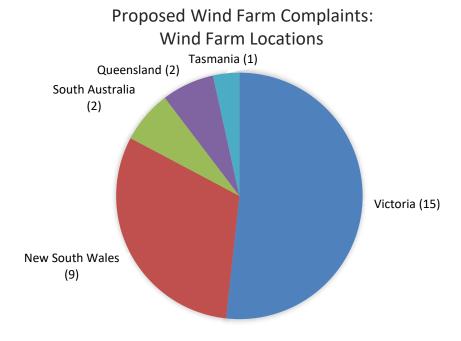
- 52 complaints about nine operating wind farms:
 - Victoria 29 complaints
 - NSW 7 complaints
 - South Australia 16 complaints.
- 49 of these cases have been closed.

Operating Wind Farm Complaints: Wind Farm Locations



Complaint statistics – planned wind farms

- 84 complaints about 29 proposed wind farms:
 - Victoria 49 complaints
 - NSW 25 complaints
 - South Australia 7 complaints
 - Queensland 2 complaints
 - Tasmania 1 complaint.
- 56 of these cases have been closed.



Top 8 complaint issues

- Complaint issue type in order of prevalence:
 - Noise and annoyance from operations (including noise testing process and noise standards) – 49% of complaints
 - Health concerns 38% of complaints
 - Amenity and impact on views 30% of complaints
 - Planning process and transparency 23% of complaints
 - Economic loss (property & opportunity) 21% of complaints
 - Natural environment 15% of complaints
 - Community engagement 14% of complaints
 - Vibration 13% of complaints.
- Resolutions range from provision of helpful information through to commercial settlements.

2016 Annual Report Observations and Recommendations

- 1. Host landowner negotiations
- 2. Neighbour consultation and agreements
- 3. Community engagement
- 4. Length and renewal of planning permits
- 5. Governance and compliance of standards and permit conditions
- 6. Selection and use of experts
- 7. Complaint handling and emergency procedures
- Site selection
- Health matters

Observations and Recommendations 1. Host landowner negotiations

- Landowner expectations should be properly managed from the outset (e.g. advised of risks of reduction of turbines).
- Agreements should:
 - be fair and reasonable (landowner should also obtain independent advice prior to entering agreement)
 - be written in plain English
 - clearly outline responsibilities relating to liability insurance, decommissioning (including sources of funding for decommissioning) and other applicable rates, land taxes and emergency service levies.
- Developers should consider providing a level of compensation to all engaged host landowners, regardless of final turbine layout.

Observations and Recommendations 2. Neighbour agreements

- All neighbours within a vicinity of 5km of the wind farms proposed turbines should be identified and consulted where practical.
- Planning authorities, investors and other stakeholders should require evidence of effective neighbour consultations as part of due diligence and approval criteria.
- If used, neighbour agreements should:
 - be negotiable
 - be fair, reasonable and in plain English
 - not restrict neighbours from making complaints about the wind farm
 - not subject neighbours to conditions that exceed permit limits (unless neighbour is an 'involved' participant).
- Proposed mitigation measures such as screening solutions should be realistic and effective.

Observations and Recommendations 3. Community engagement

- Developers should invest in community engagement as early as possible.
- Operators considering purchasing permitted or operating wind farms should also assess effectiveness of community engagement undertaken by the original developer prior to purchase.
- In developing an engagement plan, proponents should consider the following:
 - establish relationships with key community stakeholders
 - establish a Community Consultative Committee (CCC)
 - establish a range of information opportunities for the community
 - establish a transparent and effective complaints handling process
 - assess appropriate 'make-good' activities and beneficial improvements in local infrastructure (eg. mobile phone services)
 - establish and maintain a community engagement fund
 - provide evidence to planning authorities and other stakeholders of community engagement plans and outcomes.
- Councils and State Governments should also proactively engage with community and promote community engagement initiatives.

Observations and Recommendations 7. Complaint handling

- Typically, complaint management conditions and permits are limited to noise and construction complaints only.
- Our Office has observed that, while complaint handing procedure documents do exist, few have been published on websites and procedures are not being followed by wind farm operators.
- We have approached a number of wind farms and requested their complaint handling procedure be published – all have complied/agreed to date.
- States should consider modifying permit conditions to reflect:
 - Expanding complaint handling procedure requirements to include all complaint types in a prominent section of the permit
 - Introducing a permit condition requiring the complaint handling procedure to be published
 - Introducing a permit condition requiring the complaint handling procedure to be followed
 - The ability and powers to audit a wind farm's complaint handling activities and complaints register to confirm compliance with the procedures and therefore the permit.

Other observations

- Multiple channels for communicating with community (website, newsletters, information sessions, simulations, shop fronts, signage etc).
- Engage local staff to manage community relations, when possible.
- Engage the community members to solve problems much better chance they will own the outcome
- Review and update complaint policies and procedures
- Avoiding repeating standard responses to complaints, when these are unlikely to address the source of the complaint or bring it to closure
- Consult widely on the construction plan
- Work with other developers when multiple wind farm projects are co-located

Summary

- Overall, wind farm complaints received are relatively low but can be complex to resolve
- Significant scope still remains for industry and government to engage more effectively with community stakeholders
- Strongly supportive of organisations such as CEC and Farmers
 Federations to promote best practice standards in landowner
 agreements, community engagement and complaint handling