

**Opening Statement to Senate Estimates – 27 February 2017.**

**Andrew Dyer – National Wind Farm Commissioner**

Thank you, Chair.

I would like to read out an opening statement and then take questions.

Thank you for the opportunity to again appear before Senate Estimates. This is my fourth appearance since commencing the role in late 2015.

I have previously summarised my role for the Committee and will assume the role is now well understood. For those members that are new to the Committee, my terms of reference, role and other documents that may be helpful are available on the Commissioner's web-site: [www.nwfc.gov.au](http://www.nwfc.gov.au)

I would like to commence by updating the Committee on our complaint statistics.

Overall, wind farm complaints received are predominately from Victoria, with the balance from NSW and South Australia. We have received no complaints about wind farms in Western Australia or Tasmania, and just two complaints about two proposed wind farms in Queensland.

In terms of the details, as at 31 January 2017, the key complaint statistics are as follows:

- A total of 93 complaints have been received from concerned residents. 72 of these complaints have been closed;
- Of the total of 93 complaints received, 47 of these complaints were about operating wind farms, 44 complaints relate to proposed wind farms and two complaints did not specify a wind farm;
- The 47 complaints about operating wind farms relate to nine operating wind farms. Five of these wind farms are in Victoria, two are in NSW and two are in South Australia;
- Of these 47 complaints received about operating wind farms, 35 complaints have been closed.
- The 44 complaints about proposed wind farms relate to 19 proposed wind farms. Eight of these proposed wind farms are in Victoria, seven are in NSW, two are in South Australia and two are in Queensland;
- Of these 44 complaints about proposed wind farms, 35 complaints have been closed.
- Of the total 91 complaints received that specified a wind farm, 42 of the complaints received were about wind farms in Victoria, 24 for NSW, 23 for South Australia and 2 for Queensland.

The dominant issues cited in complaints raised with our office continue to be around noise, health concerns, planning process, amenity and economic, commercial related issues.

With regard to best practices, a key area of focus for our office has been reviewing the complaint handling procedures and skills of the wind farm industry.

If industry is competent and effective at addressing complaints and concerns raised by the community, there will be much less need for external interventions in the future.

We have observed that complaints by community members to wind farms have often been responded to by the wind farm with just a simple email acknowledgement and a complaint receipt number – with no further action or process undertaken by the wind farm to resolve the complaint.

This approach by wind farms has been ineffective in bringing complaints to resolution or closure, leaving the issue to fester, unresolved. Subsequent complaints about the same or similar issues by the resident have received repetitive, generic responses from the wind farm.

Our research identified that wind farms are in fact required to establish and document an endorsed complaint handling procedure as part of the permit requirements.

While some of the procedures that we inspected were generally sufficient, we found that many wind farms were not publishing their complaint handling procedures – making it difficult for community members to be aware of the procedure – nor were the procedures being used consistently by the wind farm in addressing complaints.

After raising these observations with the Victorian government, we worked collaboratively with their planning department to suggest a range of improvements. As a result, I am pleased to advise the Committee that the Victorian government has introduced new permit conditions for wind farms that now require the proponent:

- to have an endorsed complaint handling procedure that meets the Australian standard for complaint handling and covers all types of complaints about the wind farm;
- to publish the complaint handling procedure and the relevant contact details on the wind farm's web site;
- to ensure that the procedure is properly followed by the wind and used for all complaints received, and;
- to be subject to audit and able to demonstrate compliance with the complaint handling conditions.

I am advised that these new conditions are now being issued in all new wind farm planning permits in Victoria as well as any permits in the process of being renewed.

We have also proactively reached out to a number of existing wind farms to request that they voluntarily publish their complaint handling procedures – most have now complied with our requests.

Further, a number of industry members have sought suggestions from our office on how to improve their complaint handling procedures and skills.

We will work with other state governments as well as industry on these pragmatic reforms and I am meeting with the NSW government later this week on this very topic.

No doubt, Committee members are eagerly awaiting the release of my 2016 annual report to the Parliament. The report is currently in the final stages of completion and I plan to submit the report into the tabling process next month.

In addition to information on complaint handling and our activities in 2016, I will be making a number of observations about a range of issues and commensurate recommendations for consideration by government and industry.

Areas that I will comment on and provide recommendations include:

- Planning and appropriate site selection for future wind farms;
- The implications of extended planning permit time frames;
- Independence in the governance, setting and oversight of environmental standards;
- Harmonisation of standards;
- Selection and use of experts in the assessment and compliance phases of a wind farm;
- Approaches to host landowners and landowner agreements;
- Approaches to neighbours and fairness of neighbour agreements;
- Effective community consultation;
- Complaint handling by wind farms, and;
- Wind farms and health.

Finally, I encourage Committee members to view our website and let me know any feedback. The site has come a long way from the initial, temporary, web-site that was initially set up about a year ago.

The upgraded site includes a wide range of documentation and links to improve transparency of information about wind farms. There are also links to my presentations, including the recent presentation to the COAG Energy Council in December 2016.

I trust this update has been helpful and I will now hand back to the Chair for any questions.