

Senate Standing Committee on Environment and Communications
Legislation Committee
Answers to questions on notice
Environment portfolio

Question No: 224
Hearing: Supplementary Budget Estimates
Outcome: Agency
Programme: Clean Energy Regulator
Topic: WAUBRA WIND FARM - CREATION OF LGCS
Hansard Page: N/A
Question Date: 28 October 2014
Question Type: Written

Senator Madigan asked:

If LGCs are created in relation to the electricity the power station generated, why is it that generation and therefore the number of certificates created increased when it should have declined if the power station had operated in reduced noise mode – and does this provide evidence in itself that the wind farm is operating in breach of permit and in contravention of its state approval requirements?

Answer:

No, this does not provide evidence that the wind farm is operating in breach of permit and in contravention of its state approval requirements. The allegation in the question relates to matters in 2006 and 2010. The Victorian Department of Planning and Community Development (DPCD) has since issued further advice on its position, which is of greater relevance to whether the wind farm is operating in breach of permit and in contravention of its state approval requirements.

On 27 March 2013 the Secretary of the DPCD wrote to Senator Madigan stating that, *“The Minister for Planning has not determined whether the wind farm is or is not compliant with the relevant planning permit. The Minister or the department [the then DPCD] have never stated that the Waubra Wind Farm is not compliant with the current planning permit. It cannot be assumed or inferred from the departmental advice that Waubra Wind Farm is not compliant with the relevant planning permit and I seek your cooperation in correcting the public record”*.

The Acting General Manager of the Investigations and Enforcement Branch of the Clean Energy Regulator spoke to Mr Paul Jarman on 30 September 2014 who advised that the Special Auditable Characteristics Testing at Waubra Wind Farm had been completed and peer reviewed. The Victorian Department of Transport, Planning and Local Infrastructure (formerly the DPCD) prepared a brief for the Victorian Planning Minister on the matter however the brief was not considered by the Minister prior to the commencement of the caretaker period in advance of the 2014 state election.