

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

Question No: 230
Hearing: Supplementary Budget Estimates
Outcome: Agency
Programme: Clean Energy Regulator
Topic: WAUBRA WIND FARM - PROVISION OF INFORMATION
Hansard Page: N/A
Question Date: 29 October 2014
Question Type: Written

Senator Back asked:

At the time of the correspondence referred to in Question 81 (Additional Estimates 2014), the correspondence provided evidence that the Waubra wind farm was not being operated “in accordance with any relevant Commonwealth, State, Territory or local government planning and approval requirements,” namely the noise conditions of its planning consent.

1. Does the CER agree that the provisions of the Criminal Code above obliged the Waubra wind farm to disclose to the CER the fact that the Minister and/or the DPCD was not satisfied that that power station was being operated “in accordance with any relevant Commonwealth, State, Territory or local government planning and approval requirements,” namely the noise conditions of its planning consent?
2. Does the CER agree that the Waubra wind farm failed to notify the CER of that circumstance at the time, or at all?
3. Does the CER agree that the power station failed to satisfy its reporting obligations by omitting reference to circumstances showing that the Minister and/or the DPCD was not satisfied that it was being operated in accordance with the requirements of its planning approval?
4. Does the CER agree that if the Waubra wind farm had notified the CER that the Minister and/or the DPCD was not satisfied that it was being operated in accordance with the requirements of its planning approval, the CER would have been obliged to exercise its discretion to suspend accreditation under section 30E(5) at that time?

Answer:

No. Refer to Supplementary Budget Estimates 2014 Questions 218, 224, 229 and 232.

Refer to part 1.

The Clean Energy Regulator is investigating Senator Madigan’s allegations. Please refer to Supplementary Budget Estimates 2014 Question 225.