



# 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](http://www.climatechangeauthority.gov.au). Information on the National Wind Farm Commissioner is available at [www.nwfc.gov.au](http://www.nwfc.gov.au).

### Submission Instructions

Submissions are invited until 13 April 2018.

#### Submitting via email

[submissions@climatechangeauthority.gov.au](mailto: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](mailto: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:** Energy Developments Pty Ltd  
**Name of Contact, Role:** Fiona Daly, Global Regulatory Affairs Manager  
**Contact Phone Number:** 07 3275 5504  
**Contact Email:** Fiona.Daly@edl.com.au  
**Date:** 13/04/2018

## 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?**

Energy Developments Pty Ltd (**EDL**) has interacted with the National Wind Farm Commissioner on a complaint about an operating wind farm shortly after its acquisition by EDL in 2016.

The complaint concerned the following areas:

1. Electrical ground current
2. Ground borne vibration
3. Electromagnetic radiation (as it effects telecommunications)
4. Aviation impacts
5. Stock impacts

The complaint was a legacy issue in relation to the Cullerin Range Wind Farm, which pre-dated EDL's ownership; EDL responded to the complaint.

Cullerin Range Wind Farm is located in New South Wales in the local government area of Upper Lachlan Shire Council.

**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?**

- i. Yes
- ii. Yes
- iii. Yes and EDL did provide the requested information.
- iv. Yes
- v. Yes
- vi. Yes
- vii. Yes

**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?**

In EDL's view the National Wind Commissioner has acted as an independent mediator, a valuable and trusted information source and has been of great value to EDL as a new entrant to the wind market in responding to a complaint and in understanding the process and best practice.

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

In EDL's view the Wind Commissioner's role should be ongoing given the continued trajectory of wind (and other renewable) development in Australia.

**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?**

EDL believes the Wind Commissioner's scope could be broadened to also take in the solar and storage industries. In EDL's view there are many adjacencies between the wind, solar and storage industries and the Wind Commissioner's already developed processes and connections within government and industry are perfectly placed to perform an expanded role.



**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?**

EDL considers that one of the strengths of the Wind Commissioner's position is that it is independently funded. EDL believes it is essential that the role continue to be independently funded in order to ensure that the National Wind Farm Commissioner's independence cannot be questioned.

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

In EDL's experience the National Wind Farm Commissioner employs a collaborative and constructive approach. In a market where wind, solar and storage developments are increasingly being integrated it makes sense for the one entity to perform the function of resolving complaints, involving and informing stakeholders, promoting best practice and acting as a central, trusted source for the dissemination of information.

EDL would be supportive of the National Wind Farm Commissioner continuing in his current role and to the National Wind Farm Commissioner's role being expanded to other large scale renewable projects such as solar and storage.

## 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.