



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. Information on the National Wind Farm Commissioner is available at www.nwfc.gov.au.

Submission Instructions

Submissions are invited until 13 April 2018.

Submitting via email

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.

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:
Australian Wind Alliance

Name of Contact, Role:
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Coordinator**

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Date: Friday, 13th April 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?**

No

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?**

N/A

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?

AWA has been in contact with the NWFC on a regular basis since the commencement of his role and we share a number of aims in common – in particular, the promotion of best practice in wind industry community engagement and resolution of problems around projects. Last year we held a public forum in the New England on securing local benefits from wind farms, at which the NWFC was a speaker. His presentation was keenly listened to and elicited a number of questions from the audience. He travels widely, dealing with complaints and explaining wind farm-related issues to the public in wind districts. His manner is neutral and non-confrontational. This has gained him considerable trust throughout wind district communities and assists in the communication of what he has to say.

We are aware of a number of occasions in which he has taken his learnings from his Office's public engagement back to industry and assisted them to improve their community engagement practice. Notably, the improvement in the consistency of basic levels of information on wind farm web sites across the industry was an improvement directly instigated by the NWFC. He keeps an important focus on the issue of industry negotiations with landholders and neighbours and broader community engagement, thereby providing a voice for wind communities they would not otherwise have. The recommendations of his two Annual Reports, while we don't agree with all of them, are sound and provide a strong framework of expectations which communities and developers can use to facilitate negotiations around wind farm projects in their area.

The NWFC website is an informative source of information on wind farms and serves as an excellent 'first port of call' for community members wanting to learn more about wind farms.

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

AWA believes that for now there still exists an ongoing need for the Commissioner.

His primary value in the wind farm 'space' is his role as an independent arbiter of complaints. His record of closing almost 9 out of every 10 complaints received is impressive and speaks to his effectiveness in this area. The critical element of the NWFC's role is his independence. Anyone with a complaint about a wind farm can know that their complaint will be heard, considered dispassionately and, where possible, resolved. Often this has occurred in a climate of dispute between complainant and wind farm operator or developer. We are certainly aware of a number of long-running and seemingly intractable such disputes which were only resolved with the involvement of the NWFC as an independent arbiter. This aspect of his work has been very valuable at a local level. It has assisted industry to improve and helped community members manage the change that living near a wind farm brings.

We do see a time, however, when the NWFC's role will no longer be required. In truth, wind farms have not generated a large number of complaints. With only 90 complaints in his first 14 months of operation and 73 in the most recent 12-month period, the demand for the Commissioner's complaint resolution services is modest. It is notable that complaints for proposed wind farms greatly outnumber those for existing wind farms, suggesting that issues around commercial negotiations and community engagement outweigh those of amenity. It is certainly our experience that once a wind farm is built and in place that much of the so-called 'division' dissipates and people tend to get on with their lives. While wind farm development will continue, as the current boom of wind farm construction turns to operation, we would expect the number of complaints to subside.

In addition, we have seen improvements in industry practice around community engagement, some of which the NWFC can take some credit for, and in general, communities are becoming more accustomed to the wind farm development process. We would expect to see these factors reflected in a lower number of complaints going forward. In effect, we expect the NWFC to 'do himself out of a job'. It may be that another 3 year term would be long enough for this process to run its course.

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?

Expanding the NWFC's role to cover large scale solar & storage could well make some sense as this burgeoning industry is getting started and engagement standards are yet to be set across the sector. A number of the lessons learnt through the NWFC's work would be highly transferable to these new energy types. The same is probably true for existing coal-fired plants or new gas-fired plants, not that we see a lot of fossil fuel development occurring in the future.

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?

As discussed above, a key element of the Commissioner's efficacy so far has been his independence. Government funding has been an important part of this independence. While reducing the call on the Commonwealth budget is laudable, the danger of cost recovery from industry is that it is difficult to imagine how it could be done sufficiently at arm's length to retain community confidence in the Commissioner's independence.

However, it is prudent to weigh the relatively small number of complaints against the funds allocated to the office. If efficiencies were to be made, we would prefer they be found in the budget allocated to Independent Scientific Committee on Wind Turbines. The failure of any of the dozens of scientific studies already done on wind turbines to find evidence of any health effects suggests that funds devoted to the work of the ISCWT is not money well spent.



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

No.



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.