



PLANNING AND ENVIRONMENT ACT 1987
PLANNING SCHEME WOYNE
PERMIT NO. 2008/0538/A
ENDORSED PLAN
SHEET 1 OF 16
SIGNED [Signature] FOR
MINISTER FOR PLANNING
DATE: 15/1/2019

Mortlake South Wind Farm

Complaint Investigation and Response Plan
December, 2018

ENDORSED TO COMPLY
WITH CONDITION

25, 26 + 32

OF PLANNING PERMIT

2008/0538/A

PROJECT:	Mortlake South Wind Farm
TITLE:	Complaint Investigation and Response Plan
AUTHOR(S):	Michelle Holmes
NAME OF ORGANISATION:	ACCIONA Energy Australia Global Pty Ltd
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ACCIONA Energy Australia Global Pty Ltd

ABN 54 600 910 647

Level 12

2 Southbank Boulevard

Southbank VIC 3006 Australia

T: +61 3 9027 1000

E: energy.melbourne@acciona.com

W: <http://www.acciona.com.au>

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Glossary

Term	Meaning
ACCIONA Energy	The company or organisation responsible for operating the Mortlake South Wind Farm.
Community Relations Co-Ordinator	The employee of the company or organisation responsible for operating the Mortlake South Wind Farm responsible for engaging with members of the public and managing the complaint investigation and response process.
Complainant	Person, organisation or their representative (including clients, consumers, service users, customers, etc.) making complaint.
Complaint	Formal expression of dissatisfaction made to or about ACCIONA Energy, related to its project development, construction or operations; or staff.
Consultation Manager	A stakeholder data management system to record and report on stakeholder issues, engagement and information.
Investigation	A searching inquiry for ascertaining facts; detailed or careful examination.
Non-Stakeholder	For the purpose of the permit conditions, is the land holder of a nearby property without a contract in respect of the installation of associated wind turbines on that person's property.
Planning Permit	Planning Permit 2008/0538/A approved under <i>the Planning and Environment Act 1987</i> by the Minister for Planning on 23 April 2017 (as amended from time to time).

Conditions Compliance

The following table describes how this document complies with relevant conditions included within the Planning Permit:

No.	Condition	Relevant Section
25	Before the development starts, the permit holder must prepare a Complaint Investigation and Response Plan to the satisfaction of the Minister for Planning. When approved, the plan will be endorsed by the Minister for Planning and will then form part of this permit. The Complaint Investigation and Response Plan will be designed to respond to all aspects of the wind farm including (but not limited to) operation noise, construction noise, construction impacts, traffic and shadow flicker. The endorsed Complaint Investigation and Response Plan must be made publicly available on the wind farm operator's website.	This document.
26	The Complaint Investigation and Response Plan must be prepared in accordance with Australian/New Zealand Standard AS/NZ10002:2014 – Guidelines for complaint management in organisations and shall include: <ul style="list-style-type: none"> a. a process of investigation to resolve a complaint; b. a requirement that all complaints will be recorded in an incidents register; c. a toll free telephone number and email contact for complaints and queries; d. details of the appropriate council contact telephone number and email address (where available) e. a table outlining complaint information for each complaint received, including: <ul style="list-style-type: none"> i. the complainant's name; ii. any applicable property reference number if connected to a noise background testing location; iii. the complainant's address; iv. a receipt number for each complaint which is to be communicated to the complainant; v. the time, prevailing conditions and description of the complainant's concerns including the potential incidence of special audible characteristics (for a noise complaint); vi. the process of investigation to resolve the complaint. 	Section 2 and Appendix A
27	A report including a reference map of complaint locations, and outlining complaints, investigation and remediation actions is to be provided on an annual basis to the satisfaction of the Minister for Planning.	Section 2.10
28	The register and complaints response process shall continue for the duration of the operation of the wind energy facility and must be made available to the Minister for Planning on request.	Section 2.2
29	The owner of the wind energy facility must implement and comply with the approved Complaint Investigation and Response Plan for the duration of the operation of the wind energy facility.	Section 1.2

No.	Condition	Relevant Section
30	<p>If a turbine or turbines of another wind energy facility are constructed within 3km of any turbine at the Mortlake Wind Energy Facility a cumulative noise management plan must be prepared and implemented to the satisfaction of the Minister for Planning. This plan shall include:</p> <ul style="list-style-type: none"> a) identification of any dwellings likely to be affected by noise from both wind energy facilities; b) an evaluation of the likelihood of the noise criteria in Condition 22 being exceeded by either or both of the wind energy facilities; c) agreed protocols with the other wind energy facility operator for recording and responding to complaints from the identified dwellings paragraph a) above; and d) agreed response measure with the other wind energy facility operation including turbine shutdown or noise management pending resolution of the complaint 	Section 3.2
31	<p>Shadow flicker from the wind energy facility must not exceed 30 hours per annum at any dwelling existing prior to the planning permit application date. This condition does not apply to any dwelling on land on which part of the wind energy facility is erected. (This exemption will be given effect through an agreement with the landowner that will apply to any occupant of the dwelling).</p>	Section 2.7
32	<p>Before the use starts, details of a complaint evaluation and response process must be submitted to and approved by, the Minister for Planning to assess any alleged breach of condition 31. Thereafter, the use must be carried out in accordance with the approved process and alleged breaches by this process must be addressed to the satisfaction of the Minister for Planning.</p>	Section 2.7
33	<p>A pre-construction survey must be carried out to the satisfaction of the Minister for Planning to determine television and radio reception strength at selected locations within 5 km of any wind turbine including non-stakeholder dwellings. The location of such monitoring is to be determined to the satisfaction of the Minister for Planning by an independent television and radio monitoring specialist appointed by the operation under this permit.</p>	Section 2.8
34	<p>If, following commencement of the operation of the wind energy facility, a complaint is received regarding the wind energy facility having an adverse effect on television or radio reception at the site of any dwelling in the area which existed at the date of the pre-construction survey, a post construction survey must be carried out at the dwelling.</p>	Section 2.8
35	<p>If the post-construction survey establishes any increase in interference to reception as a result of the wind energy facility operations, the wind energy facility operator must undertake measures to mitigate the interference and return the affected reception to pre-construction quality at the cost of the wind energy facility operator and to the satisfaction of the Minister for Planning.</p>	Section 2.8

1. Introduction

1.1. Objective

All complaints received from the community and project neighbours, regarding the construction and operation of the Mortlake South Wind Farm, will be treated in a respectful and courteous manner and be taken seriously by ACCIONA Energy.

ACCIONA Energy is committed to:

- Providing an accessible avenue for people to raise complaints;
- Ensuring all complaints are managed fairly, promptly, sensitively and efficiently.

1.2. Scope

ACCIONA Energy will implement and comply with the Complaint Investigation and Response Plan during construction and for the duration of the operation of the wind energy facility.

The register and complaints response process shall continue for the duration of the operation of the wind energy facility and must be made available to the Minister for Planning for the duration of the operation of the wind energy facility.

This plan outlines the process and five key steps:

1. Receive
2. Record and Register
3. Investigate and Respond
4. Resolve and Close
5. Analyse and Review

The Community Relations Co-Ordinator in conjunction with the responsible manager, are accountable for ensuring all complaints are managed in accordance with this plan.

2. Complaints Management Process

ACCIONA Energy will receive, investigate and respond to all complaints in a manner that is consistent with the process described in Figure 1 and throughout this document.

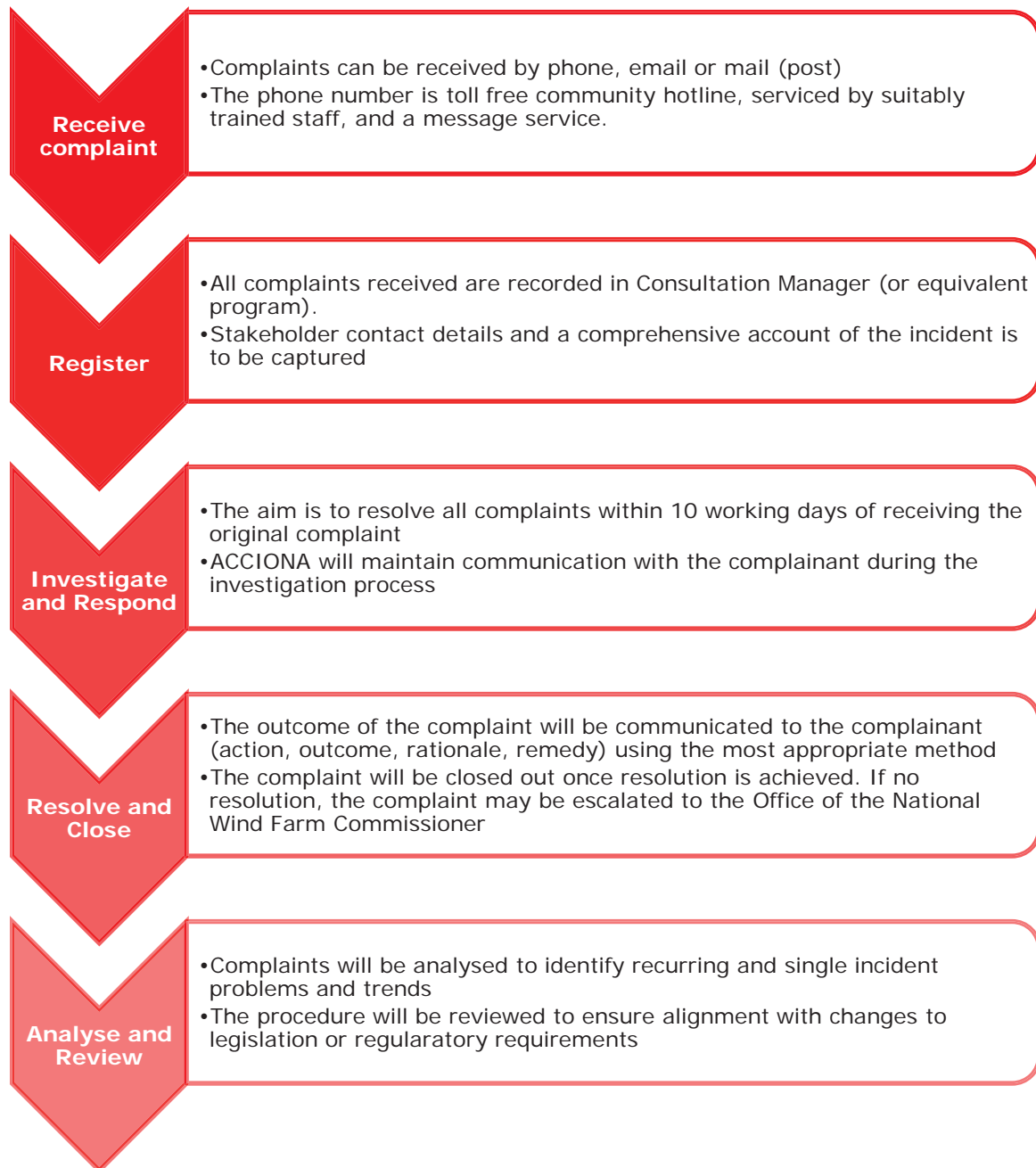


Figure 1: Complaint Management Process

2.1. Receive Complaint

Complaints can be directed to ACCIONA Energy through telephone, email and postal services. Complaints can be directed through the following details:

Community Hotline:	1800 283 550
E-Mail:	mortlake@acciona.com
Mail:	ACCIONA Energy Attn: Community Relations Co-Ordinator Level 12, 2 Southbank Boulevard SOUTHBANK VIC 3006

Any changes to the above details will be published on the project website.

The community hotline number is a free-call number and is serviced by staff and a message service.

ACCIONA Energy will promote these contact methods through its newsletters, website and other suitable communication methods associated with the Mortlake South Wind Farm.

Complainants are encouraged to contact ACCIONA directly, however complaints can also be made to Moyne Shire Council through the following details:

Phone:	1300 656 564
E-Mail:	moyne@moyne.vic.gov.au
Mail:	Moyne Shire Council PO Box 51, Princes Street PORT FAIRY VIC 3284

2.2. Register

ACCIONA Energy will register all complaints received in the Consultation Manager (or similar) program. Upon receiving a complaint, ACCIONA will contact the complainant within one (1) business day to acknowledge receipt of the complaint, collect any further information required to investigate the complaint and discuss the next steps in ACCIONA's complaint investigation and response process.

An 'Event ID' number will be generated once the complaint is registered. This will be known as the receipt number and will be provided to the complainant.

All details received from the stakeholder will be recorded to capture detailed information, including:

- the name, address and contact details of the person who made the complaint;
- any applicable property reference number (if connected to a background noise testing location);
- the date and time of the contact;
- the nature of the complaint;
- the location and time of the incident / issue;

- the outcome sought;
- any other information relating to the matter; and
- the name of the person / team member who received the complaint.

Sufficient details will be sought regarding the specific nature of the complaint to enable it to be clearly recorded, and to enable subsequent assessment and action.

For noise complaints, where relevant and available, the weather conditions, the time and a description of the noise will also be captured, along with any potential special audible characteristics.

A table identifying the minimum information to be collected is provided in Appendix A.

The Community Relations Co-ordinator in conjunction with the Project Manager / Site Manager, is responsible for ensuring all complaints are processed in a timely manner.

The register of complaints will be made available to the Minister for Planning on request.

2.3. Investigate and Response

ACCIONA Energy will respond to and investigate all complaints in an attempt to seek a resolution.

ACCIONA Energy will attempt to resolve all complaints within ten working days of receiving the original complaint. When this is not possible, for example further investigations are required or are on-going, the Community Relations Co-ordinator will notify the complainant that further time is required.

ACCIONA Energy will maintain communication with the complainant during the investigation process.

2.4. Complaints during construction

Complaints received during the construction phase will be directed to and / or reported within 24 hours to the ACCIONA Energy Construction or Site Manager. This will include any complaints relating to the construction process, either on or off-site, including noise, dust, traffic, and public road damage or related issues.

The ACCIONA Energy representative responsible for Site Health, Safety and Environment issues will be made aware of all complaints relating to potential environmental or safety incidents. ACCIONA Energy will review the activity for which the complaint is related to, and if it is not occurring in accordance with the required control measures, prepare an incident report and record the incident in the incident log and implement a plan to rectify the issue. The complaint will also be recorded in Consultation Manager (or similar) program.

2.5. Complaints received by third parties

If a complaint is lodged with the local Council, DELWP or the EPA, details of that complaint may be forwarded to ACCIONA Energy.

ACCIONA Energy will consult with the third party and with the complainant to determine if that complaint will be assessed in accordance with this complaints plan.

If it is agreed that the complaint received by a third party is related to the Mortlake South Wind Farm and the complainant consents to ACCIONA Energy investigating the complaint, then the complaint will be assessed in accordance with this plan.

If a complaint received by a third party is not deemed to be related to the Mortlake South Wind Farm and/or the complainant does not consent to ACCIONA Energy investigating their complaint, then the third party will retain responsibility for investigating that complaint.

2.6. Noise complaints during operations

Upon receipt of a noise complaint ACCIONA Energy will request information including time, date, noise description and weather conditions at the time of the complaint. This will assist in determining if the noise complaint relates to the operation of the wind farm.

For those complaints that potentially relate to the operation of the wind farm ACCIONA Energy will refer to information (where available) including:

- The noise emission limitations prescribed under Condition 22 of the Planning Permit.
- Predictive noise modelling endorsed under the Planning Permit.
- Pre-construction noise monitoring data at the complainant's house or at a relevant nearby location that has been reviewed by an Auditor appointed under the *Environmental Protection Act 1970*.
- Post-construction noise monitoring data that has been reviewed by an Auditor appointed under the *Environmental Protection Act 1970*

The complainant will be advised of the findings of this investigation. If the investigation concludes with a reasonable level of certainty that the noise levels at the noise complainant's house are likely to comply with the noise limits set out in Condition 22 of the Planning Permit, no further action will be undertaken.

If the investigation does not provide an adequate indication of noise compliance being achieved at the complainant's house, then noise monitoring may be undertaken.

If ACCIONA Energy and the complainant agree to undertake noise monitoring, that noise monitoring will be undertaken generally in accordance with relevant principles of NZS6808:2010 and Condition 22 of the Planning Permit.

If available, baseline or pre-construction noise data for the complainant's house will be used to compare the monitoring data against, with reference to the limits set out in Condition 22 of the Planning Permit.

If there is no baseline or pre-construction data for that property to compare the monitoring data against, baseline data from the nearest available location with the most similarity of noise conditions will be used. The complainant will be advised of the uncertainty associated with reliance on that nearby location's data as pre-construction comparison.

ACCIONA Energy will provide information to the complainant about the noise monitoring process. ACCIONA Energy will also provide and discuss the results of any noise monitoring undertaken with the complainant.

If it becomes apparent that the wind farm is not compliant with the relevant noise conditions of the Planning Permit, the circumstances will be further investigated and if required, ACCIONA Energy will prepare a noise management plan outlining how it will rectify a demonstrated non-compliance.

If it is confirmed breaches of the NZS 6808:2010 noise limits have been experienced, ACCIONA Energy will rectify the breach (e.g. through the implementation of noise reduction strategy of the wind farm).

2.7. Shadow Flicker Complaints

Upon receipt of a complaint related to shadow flicker, complainants will be asked for details of the timing and duration of the shadow flicker, and weather conditions at the time of observation.

When the complainant's property is within one and a half kilometres of a turbine, a shadow flicker assessment will be undertaken.

If the assessment indicates that the Mortlake South Wind Farm may not demonstrate compliance with the relevant conditions of the planning permit, results and circumstances will be investigated. If required, ACCIONA Energy will prepare a shadow flicker management plan within thirty days of completion of the shadow flicker assessment outlining how it will rectify that non-compliance.

2.8. Telecommunications Reception and Interference Complaints

ACCIONA Energy will investigate complaints regarding telecommunications reception and interference on an individual dwelling.

When the complainant's dwelling is within five kilometres of a turbine, a television and radio reception quality assessment will be undertaken.

ACCIONA Energy will review the post-construction qualitative survey to determine whether any detrimental impacts to telecommunications are the result of the operational Mortlake South Wind Farm.

All complaints assessed by the independent technician to be legitimate will have their television and radio reception restored to at least pre-construction quality reception at the expense of ACCIONA Energy.

After two years of operation of the Mortlake South Wind Farm, any impacts on television and radio reception should have been identified and rectified. New television reception complaints will not be investigated after two years of operation unless the resident has previously submitted a complaint.

2.9. Resolve and Close

ACCIONA Energy will communicate the outcome of the complaint using the most appropriate method. ACCIONA Energy will advise:

- What actions were undertaken in response to the complaint;
- The outcome;
- The reasons decisions have been made;
- Any remedy or resolutions that have been offered; and
- Information about other remedies that may be available to the complainant.

If the complainant accepts the resolution informed by ACCIONA Energy, the Community Relations Co-ordinator will close out the complaint.

If the complaint cannot be resolved by ACCIONA Energy to the satisfaction of the complainant, the complaint may be escalated to the Office of the National Wind Farm Commissioner for further review and investigation.

2.10. Analysis and Review

All complaints will be classified according to the nature of the complaint. Complaints will be analysed to identify recurring and single incident problems and trends by running reports using the Consultation Manager (or similar) program. If it is identified that there are significant recurring complaints, recommendations to implement solutions to reduce or eliminate future recurrence of the problem will be considered and implemented where appropriate.

A report including a reference map of complaint locations, and outlining complaints, investigations and remediation actions will be provided on an annual basis to the satisfaction of the Minister for Planning.

2.11. Review Process

ACCIONA Energy will undertake regular reviews and updates of the Complaint Investigation and Response Plan.

Reviews will evaluate the performance of the complaint management system, ensure it aligns with any changes in legislation and regulatory requirements, as well as continually improve the effectiveness and efficiency of the system.

The review should also provide information on:

- Conformity to complaint management procedures
- Suitability to achieve complaint management objectives

3. Administration

3.1. Training

The Complaint Investigation and Response Plan will be made available to all ACCIONA Energy employees. All employees handling complaints will be provided with training to appropriately receive, record and resolve complaints.

3.2. Cumulative Impact

In the event another wind farm facility constructs a turbine within 3km of a turbine associated with the Mortlake South Wind Farm, agreed protocols will be developed with the other wind energy facility operator for:

- Recording and responding to complaints from dwellings which may be affected by noise from both wind energy facilities.
- Agreed response measures with the other wind energy facility operator for impact mitigation measures, including turbine shutdowns or noise management pending resolution of complaints.

3.3. Availability

Once endorsed by the Minister for Planning, this document will be made publicly available on the Mortlake South Wind Farm project website.

4. References

Lane, T & Hicks, J (2014) Best practice community engagement in wind development
Standards Australia & Standards New Zealand (2014) *AS/NZS 10002:2014
Australia/New Zealand Standard, Guidelines for complaint management in organizations*
Office of the National Wind Farm Commissioner (2017) *Annual Report to the Parliament
of Australia*



Appendix A – Complaints Register

Ref	Complainant Contract Information			Complaint Details					
	Name	Address	Contact No.	Date/Time Received	Communication Type	ACCIONA Recipient	Details of Complaint ^{[1][2]}	Details of Investigation	Complaint Status (Open / Closed)

Notes:

- [1] Details captured should include:
 - The location / time of the incident / issue.
 - Any outcomes sought.
 - Any other relevant information.
- [2] If the complaint relates to noise:
 - The property reference number identified in Background Noise Monitoring report must identified.
 - The complainant should be asked to describe the weather conditions at the time the noise was experienced and describe the type of noise to determine whether any special audible characteristics are present.