



Mt Gellibrand Wind Farm Complaint Investigation and Response Plan



PLAN

MT GELLIBRAND WIND FARM

COMPLAINT INVESTIGATION AND RESPONSE PLAN

CONTROL

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The signed original is kept by **ACCIONA**.

RECORD OF CHANGES

| REV. | DATE | DESCRIPTION |
|------|------------|---|
| 01 | Oct. 2016 | Published in MGWF Environmental Management Plan |
| 02 | Oct. 2018 | Updated for endorsement under Planning Permit |
| 03 | 25/05/2022 | Review and update of plan to ensure consistency with ACCIONA's Complaints Handling Procedure |
| 04 | 19/09/2022 | Review and update of plan to ensure consistency with Acciona Complaints Handling Procedure and include Privacy Policy |

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1. INTRODUCTION

This document outlines the procedure for investigating and responding to complaints regarding the Mt Gellibrand Wind Farm, including complaints related to:

- Construction and wind turbine noise;
- Shadow/blade flicker;
- Telecommunications reception and interference; and
- ACCIONA Energía's practices and processes.

All complaints received from project neighbours and the community will be treated in a respectful and courteous manner and taken seriously by ACCIONA Energía.

Pursuant to this Procedure, ACCIONA Energía is committed to:

- Providing an accessible avenue for people to raise concerns or make complaints;
- Engaging actively, meaningfully and transparently with people who raise concerns or make complaints;
- Ensuring all complaints are managed fairly, promptly, sensitively and efficiently; and
- Acknowledging the importance and value of feedback, including complaints, to the ongoing operation and management of Mt Gellibrand Wind Farm and relationships with project neighbours and the community in general.

This procedure has been developed in accordance with:

- Commonwealth Ombudsman (2009) Better practice guide to complaint handling;
- Lane, T & Hicks (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*;
- NZS 6808:1998 – New Zealand Standard – Acoustics – The Assessment and Measurement of Sound from Wind Turbine Generators (the **NZ Standard**); and
- Environment Protection Regulations 2021 (Vic) (the **Regulations**).

The Community and Stakeholder Liaison is responsible for ensuring all complaints are processed in accordance with this process in conjunction with the Site Manager.

2. COMPLAINT MANAGEMENT PROCESS

ACCIONA maintains a detailed complaint register for the life of all projects (from development through to decommissioning). All complaints are to be recorded in our online management system, **Consultation Manager** (or equivalent software), which is used to capture, manage investigations, and resolve all complaints received. This includes complaints in relation to Mt Gellibrand Wind Farm.

ACCIONA's Complaints Management Procedure has five key steps:

1. Receive complaint
2. Record and Acknowledge
3. Engage, Investigate and Respond
4. Resolve and Close

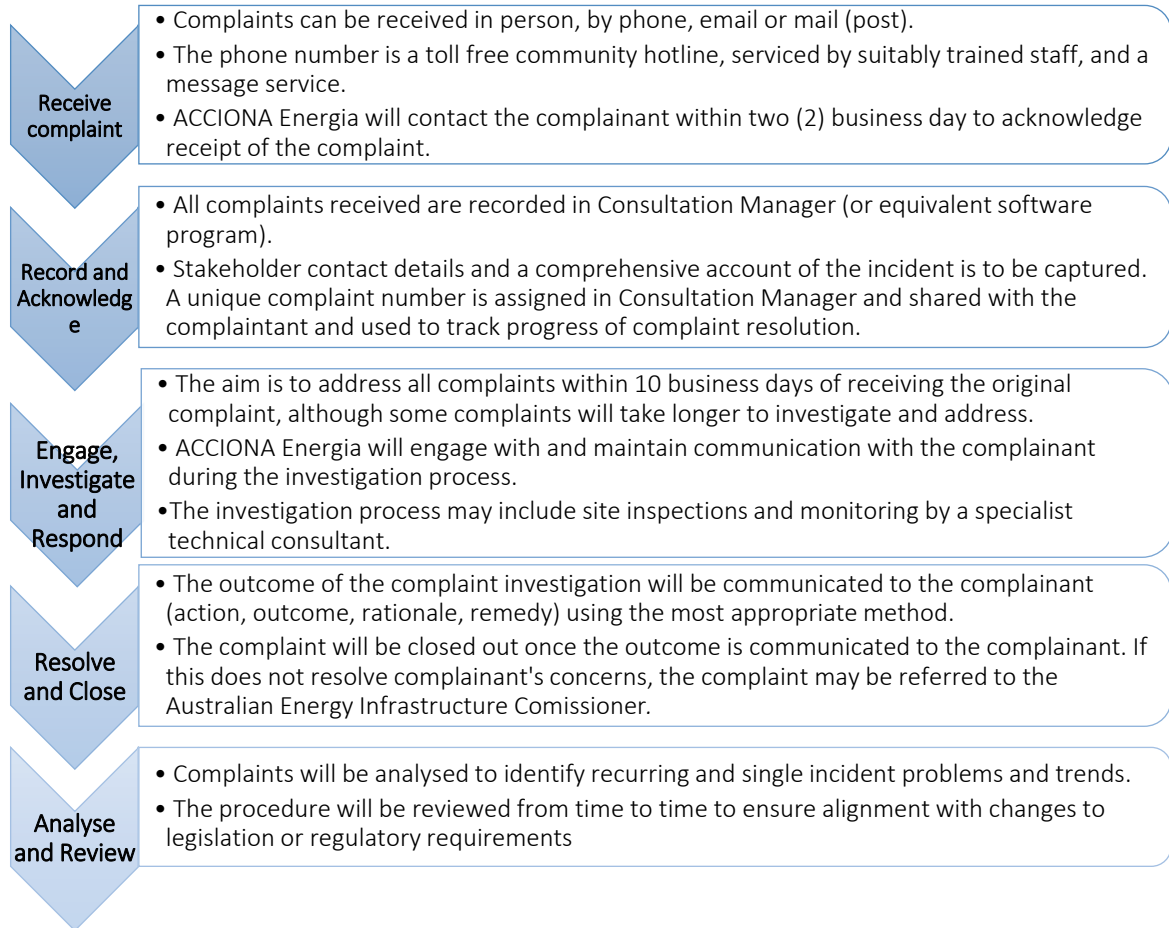
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5. Analyse and Review

These steps are outlined further in the following diagram:



2.1. RECEIVE COMPLAINT

Complaints and feedback can be directed to ACCIONA in person, by telephone, email, and postal services, through the following details:

Community Hotline: 1800 283 550 (number is a free-call number and is serviced 24/7)
E-Mail: mtgellibrand@acciona.com
Mail: ACCIONA Energía
 Attn: Community and Stakeholder Liaison
 Level 38, 360 Elizabeth Street
 Melbourne VIC 3000

ACCIONA Energía will promote these contact methods through its newsletters, website and other suitable communication methods associated with the Mt Gellibrand Wind Farm. Any changes to the above details will be published on the ACCIONA Australia website.

Feedback can be about:

- Any perceived impact from our operations at Mt Gellibrand Wind Farm (including noise, shadow/blade flicker, and telecommunications reception and interference); and
- ACCIONA Energía's practices and processes in relation to Mt Gellibrand Wind Farm

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Although ACCIONA Energía encourages complaints to be directed to ACCIONA Energía directly, complaints can also be addressed to the local Council, the Environment Protection Authority, and the Australian Energy Infrastructure Commissioner.

2.2. RECORD AND ACKNOWLEDGE

ACCIONA Energía will register all complaints received in the *Consultation Manager* program. In order for a complaint to be formally registered, the complainant, when first making contact with ACCIONA Energía, will be asked to confirm that they would like to make a complaint. If this is not stated, ACCIONA Energía will request confirmation from the complainant to confirm the desired action.

Any complaints received relating to an emergency will be dealt with in line with the relevant site Emergency Management Plan. In the event of any emergency, the complainant should first dial 000 before they contact the Community Hotline.

ACCIONA Energía will not acknowledge or respond to feedback that is sent for the sole purpose of harassment.

Upon receiving a complaint, ACCIONA Energía will contact the complainant within two (2) business days to:

- With a formal acknowledgement letter/email of receiving the complaint;
- Provide a unique reference number for the complaint;
- Collect further information to support the investigation of the complaint; and
- Discuss the next steps in this Procedure.

The exception to the above is where a complaint or feedback is made anonymously, in which case it will be considered and recorded in the Consultation Manager program, however an acknowledgment or response will not be provided since there are no means of contacting the sender.

Details provided by the complainant will be recorded, including (as applicable):

- the name, address and contact details of the person who made the complaint;
- 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 investigation and response.

For noise complaints, the following information will also be captured (where relevant and available):

- the nature of the Noise Complaint, including a description of:
 - the noise, including any potential special audible characteristics;
 - the time, place and circumstances of the noise, including weather conditions; and
 - how often the noise is emitted;

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- any other information relevant to the noise complaint

A register of complaints will be included in the relevant annual statements from ACCIONA Energía and the register will also be made available to the responsible authority upon request.

All data is captured and stored in accordance with the relevant privacy requirements. A copy of ACCIONA's privacy policy can be found at <https://www.accionacom.au/privacy-policy/>

2.2.1. PRELIMINARY SCREENING

All complaints received by ACCIONA Energía will be screened to determine whether they are valid or invalid. ACCIONA Energía may deem a complaint to be invalid where, for example, a complaint is made about operational turbine noise or shadow flicker a time where the relevant wind turbines were not operational. Invalid complaints may also include complaints associated with noise emanating from non-wind farm activities as a result of third-party actions. If a complaint is deemed to be invalid, ACCIONA Energía will notify the complainant within ten (10) business days of receiving the initial complaint and the complaint will be closed.

If a complaint is characterised as a Repeat Complaint, it will be managed in accordance with section 2.3.5.

2.3. ENGAGE, INVESTIGATE AND RESPOND

ACCIONA Energía will respond to and investigate all complaints in an attempt to seek a resolution that is satisfactory to both the complainant and ACCIONA Energía.

Where practicable, ACCIONA Energía will attempt to resolve complaints within ten (10) business days of receiving the original complaint. When this is not possible, for example the nature of the complaint is complex, the Community and Stakeholder Liaison will notify the complainant that further time is required. ACCIONA Energía will engage with and maintain communication with the complainant during the investigation process as necessary.

Should ACCIONA Energía feel that their representatives are placed in a position whereby resolution would pose a conflict of interest, ACCIONA Energía will escalate the complaint to the Office of the Australian Energy Infrastructure Commissioner, or other relevant 3rd party. This is also applicable should ACCIONA Energía be unable to adequately resolve a complaint.

2.3.1. NOISE COMPLAINTS

Upon receipt of a Noise Complaint, ACCIONA Energía will consider relevant information including the description of the noise provided by the complainant and weather conditions and operational data available at the time and date of the noise to which the Noise Complaint relates, to assist in determining if the Noise Complaint is likely to relate to the operation of the wind farm.

2.3.1.1. NOISE COMPLAINTS POTENTIALLY RELATING TO WIND FARM OPERATION

For those complaints that potentially relate to the operation of the wind farm, ACCIONA Energía will first investigate the complaint internally.

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ACCIONA Energia will first consider whether the Noise Complaint may relate to a maintenance issue or change in the nature of operations of wind turbines nearby to the relevant receiver location. If so, and a remedy is proposed by ACCIONA Energia, that remedy shall be implemented as soon as reasonably practicable and the complainant shall be informed of the action and outcome.

If the Noise Complaint does not relate to a maintenance issue or to a change in the nature of operations of wind turbines, ACCIONA Energia will continue to investigate the complaint internally by referring to existing information (where available) including pre-construction and post-construction noise monitoring data collected pursuant to the NZ Standard, ACCIONA Energía's Noise Management Plan and any applicable regulations or approvals in respect of Mt Gellibrand Wind Farm at the complainant's house, or, if not available, at a suitable representative location.

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 applicable noise limits, the complainant will be notified and ACCIONA Energy may elect to take no further action and close out the complaint.

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.

2.3.1.2. NOISE MONITORING AND NOISE INVESTIGATION REPORTS

If ACCIONA Energia and the complainant agree to undertake noise monitoring, that noise monitoring will be undertaken in accordance with relevant principles of the NZ Standard and the Regulations and will be conducted by a specialised technical consultant.

If available, pre-construction noise data for the complainant's house will be used against which to compare the monitoring data, with reference to applicable noise limits.

If there is no pre-construction data for that property against which to compare the monitoring data, pre-construction data from a nearby representative location with similar noise conditions will be used. The complainant will be advised of any uncertainty associated with reliance on that representative location's data as a pre-construction comparison.

ACCIONA Energia will provide information to the complainant about the noise monitoring process. Although ACCIONA Energia will select and engage the technical consultant to prepare the noise investigation report, ACCIONA Energia will also provide the noise investigation report to the complainant and will offer to discuss the results with the complainant.

A noise investigation report will include the following information, where relevant:

- complainant's name, address and contact information;
- applicable property number;
- the date of the Noise Complaint and date/time of the incident(s);
- weather conditions at the time of the incident;
- description of the Noise Complaint made by the complainant, including any detail provided in relation to special audible characteristics;
- actions taken to resolve the complaint as at the date of the report; and
- findings and recommendations.

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If the noise investigation report confirms that the noise levels at the noise complainant's house are likely to comply with the applicable noise limits, the complainant will be notified and ACCIONA Energy may elect to take no further action and close out the complaint.

2.3.1.3. NOISE REMEDIATION PLAN AND MITIGATION MEASURES

If it becomes apparent, based on the noise investigation report prepared by the technical consultant above, that the wind farm is not compliant with applicable noise limits, ACCIONA Energia will (as appropriate), conduct further investigations, prepare a Noise Remediation Plan in accordance with the the Noise Management Plan for Mt Gellibrand Wind Farm, recommend and subsidise possible noise mitigation measures to be implemented at the complainant's dwelling, or otherwise propose a resolution to the complainant.

ACCIONA Energia also encourages the complainant's input on any recommendations for potential mitigation measures at their property. ACCIONA Energia will meaningfully consider any recommendations or suggestions made by the complainant in relation to their Noise Complaint and may engage an independent technical consultant to advise on appropriate solutions.

2.3.2. SHADOW FLICKER COMPLAINTS

ACCIONA Energia will investigate complaints of shadow flicker on an individual property. 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 Mt Gellibrand Wind Farm may not demonstrate compliance with the conditions of the planning permit, relevant results and circumstances will be investigated. If required, ACCIONA Energia will prepare a shadow flicker management plan within thirty (30) days of completion of the shadow flicker assessment outlining how it will rectify that non-compliance.

2.3.3. TELECOMMUNICATIONS RECEPTION AND INTERFERENCE COMPLAINTS

ACCIONA Energia will investigate complaints regarding telecommunications reception and interference at an individual dwelling.

When the complainant's property is within three (3) kilometres of a turbine, a television and radio reception quality assessment will be undertaken.

ACCIONA Energia will review the post-construction qualitative survey to determine whether any detrimental impacts to telecommunications are the result of the operational Mt Gellibrand 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 Energia.

After two years of operation of the Mt Gellibrand Wind Farm, any impacts on television and radio reception should have been identified and rectified, and operational characteristics should not in any way be resulting in further interference. New television reception complaints will not be investigated after two years of operation unless the resident has previously submitted a complaint or is one of the residents within three (3) kilometres originally surveyed (under Conditions 25 and 26 of the Planning Permit).

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2.3.4. COMPLAINTS RECEIVED BY THIRD PARTIES

If a complaint is received by local Council, Department of Environment, Land, Water and Planning (*DELWP*) or the Environment Protection Authority (*EPA*), details of that complaint may be forwarded to ACCIONA Energía.

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

If it is agreed that the complaint received by a third party is related to the Mt Gellibrand Wind Farm and the complainant consents for ACCIONA Energía to investigate, then the complaint will be assessed in accordance with this process.

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

2.3.5. REPEAT COMPLAINTS

Where multiple complaints have been received by ACCIONA Energía from the same complainant over an extended period of time, and those complaints have been previously addressed in accordance with this Procedure, ACCIONA Energía may treat any new complaints received from that complainant as **Repeat Complaints**.

For Repeat Complaints, ACCIONA Energía will conduct an initial assessment, which may include a site inspection to identify any unusual site conditions or maintenance issues.

If any unusual site conditions or maintenance issues are identified, ACCIONA Energía will investigate the Repeat Complaint as if it were a new complaint.

If no unusual site conditions or maintenance issues are identified, and in ACCIONA Energía's reasonable opinion the Repeat Complaint has been thoroughly investigated previously and compliance with the applicable noise limits has been demonstrated at the relevant dwelling or representative location, the Repeat Complaint will be closed, and ACCIONA Energía will notify the complainant together with a short explanation regarding the outcome of the investigation.

2.4. RESOLVE AND CLOSE

ACCIONA will communicate the outcome of the complaint using the most appropriate method, and 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.

A complaint is resolved and closed when

- The complainant confirms they are satisfied with the outcome of their complaint and the action undertaken by ACCIONA Energía;
- The complainant advises they do not want to pursue the complaint; or

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- The complainant cannot be contacted to discuss the complaint, despite best efforts from ACCIONA Energia; or
- Acciona Energia does not receive a response from the complainant within 10 Business days of providing an outcome

If the complainant accepts the resolution informed by ACCIONA Energia, the Community and Stakeholder Liaison will close out the complaint.

If the complainant does not accept the resolution informed by ACCIONA Energia, ACCIONA Energia will ask the complainant to confirm the outcome sought following the investigation. ACCIONA Energia will meaningfully and reasonably consider any further outcome sought by the complainant before concluding that the complaint cannot be resolved to the satisfaction of the complainant.

If a valid complaint cannot be resolved by ACCIONA Energia to the satisfaction of the complainant, the complaint may be escalated to a suitably qualified, impartial third party for mediation, or to the Australian Energy Infrastructure Commissioner.

2.5. ANALYSE 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* 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.

3. PROCEDURE REVIEW

ACCIONA Energia will undertake regular reviews of this Complaint and Evaluation Process to ensure it is adequate for the operation of the Mt Gellibrand Wind Farm.

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

4. ADMINISTRATION

4.1. TRAINING

This Complaint and Evaluation Process will be made available to all ACCIONA Energia employees. All employees handling complaints will be provided with training to appropriately receive, record and resolve complaints.

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4.2. CUMULATIVE IMPACT

In the event another wind farm facility constructs a turbine within 3km of a turbine associated with the Mt Gellibrand 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.

4.3. AVAILABILITY

This document will be made publicly available on the Mt Gellibrand Wind Farm project website (<http://www.accionacom.au/mtgellibrand>).

5. DEFINITIONS

| TERM | MEANING |
|-----------------------------------|--|
| ACCIONA Energia | The company or organisation responsible for operating the Mt Gellibrand Wind Farm. |
| Acknowledge | To show recognition that your feedback has been received. |
| Community and Stakeholder Liaison | The employee of the company or organisation responsible for operating the Mt Gellibrand 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 | Expression of dissatisfaction made to or about ACCIONA Energia, related to its project development, construction or operations, staff or the handling of a complaint. |
| Consultation Manager | A stakeholder data management system to record and report on stakeholder issues, engagement and information. |
| Engage | To interact with and correspond meaningfully and with appropriate frequency. |
| Feedback | Opinions, comments and expressions of interest or concern, made directly or indirectly, explicitly or implicitly to or about ACCIONA Energia, its project development, construction or operations, staff or its handling of a complaint. |
| Investigation | A searching inquiry for ascertaining facts; detailed or careful examination. |
| Noise Complaint | A Complaint related to perceived impact of noise from operation of the wind farm. |
| NZ Standard | NZS 6808:1998 – New Zealand Standard – Acoustics – The Assessment and Measurement of Sound from Wind Turbine Generators |
| Planning Permit | Planning Permit (PL-SP/05/0257) approved under the <i>Planning and Environment Act 1987</i> (VIC) by the Minister for Planning. |
| Regulations | Environment Protection Regulations 2021 (VIC), being the subordinate legislation made under section 465 of the <i>Environment Protection Act 2017</i> (VIC). |
| Repeat Complaints | Those complaints that have been received by ACCIONA Energia on previous occasions, which will be handled with the process set out in section 2.3.5 of this Procedure. |

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6. RELATED DOCUMENTATION

| CODE | TITLE |
|----------|-------------------------------|
| PAU02101 | Complaints Handling Procedure |

NOTE: Complete the table with the documentation, legislation, regulations, etc. that is relevant to the document.