

BALD  
HILLS  
WIND  
FARM



BHWF Community Noise Complaint Evaluation and Response Procedure - Rev 5

**PLANNING and ENVIRONMENT ACT  
South Gippsland PLANNING SCHEME**

**PERMIT NO. TRA/03/002**

**Condition 21**

**MODIFIED ENDORSED PLAN**

**Sheet 1 of 9**

Signed:

for

**MINISTER FOR PLANNING**

**Date: 10/12/2019**

Bald Hills Wind Farm

Community Complaint Evaluation and Response Procedure

## 1 Introduction and Purpose

Bald Hills Wind Farm (**BHWF**) is located approximately 12km south east of the township of Tarwin Lower in South Gippsland, Victoria, and consists of 52 wind turbines with a total capacity of 106.6MW. Bald Hills Wind Farm Pty Ltd (**BHWFPL**) is a wholly owned subsidiary of the Australian Renewables Income Fund.

Signed:  for  
**MINISTER FOR PLANNING**

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This procedure identifies management processes to be applied where complaints arise as a result of the operation of the wind farm, which may include noise, shadow flicker or other issues identified by the community. All complaints received from the community are recorded and BHWFPL will endeavour to respond in a timely and courteous manner.

### 1.1 Application

BHWFPL is responsible for the implementation and management of this Community Complaint Evaluation and Response Procedure (**CCERP**) in accordance with its planning permit obligations (Planning Permit TRA/03/002) (**Planning Permit**).

The CCERP has been developed in accordance with AS/NZ 10002:2014 – Guidelines for Complaint Management in Organisations and the *Privacy Act 1998* (Cth). Noise monitoring under the Planning Permit is undertaken in accordance with the New Zealand Standard NZ 6808:1998 Acoustics – the Assessment and Measurement of Sound from Wind Turbine Generators (**NZ Standard**).

A copy of this CCERP is available on the BHWF website, located at <https://baldhillswindfarm.com.au/> and in hard copy at the BHWFPL head office at Suite 3, Level 38, 120 Collins Street, Melbourne Victoria 3000.

### 1.2 Definitions

**Complainant** means the person or entity who lodges a Complaint in accordance with this CCERP.

**Complaint** means an expression of dissatisfaction made to or about BHWF related to its operation, staff, or the handling of a complaint, where a response or resolution is explicitly or implicitly expected or legally required.

**Complaints Register** means the electronic record of Complaints, responses and rectifications maintained by BHWFPL.

**Feedback** means opinions, comments and expressions of interest or concern to or about BHWF, its operation, staff or handling of a complaint. Feedback may be managed as a Complaint at the discretion of BHWFPL.

**Repeat Complaints** means those Complaints that have been received by BHWF on previous occasions, and so will be handled with the process set out in section 3.9 of this CCERP.

### 1.3 Responsible Parties

The Board of BHWFPL has overall accountability for addressing Complaints and ensuring that each Complaint is dealt with in accordance with this CCERP. When required, the Directors of BHWFPL will be responsible for engaging specialized technical consultants and advisors.

## 2 In an Emergency

Some issues must be dealt with urgently. These generally relate to imminent safety issues, emergency situations and property damage.

**For life threatening situations, call 000.** Imminent safety issues and emergency situations should be reported to the relevant local authority (ie, SES, Police, Ambulance or Fire authority).

## 3 Managing Complaints

BHWFPL acknowledges that anyone has the right to lodge a Complaint, and BHWFPL endeavours to answer all complaints promptly, respectfully and objectively. BHWFPL values feedback and is committed to continuous improvement of this CCERP.

BHWFPL is committed to making the CCERP process accessible and usable, and can provide flexible methods for lodging complaints where required. This may include liaising with a support person or family member of a person who may require additional assistance to make a Complaint.

### 3.1 Method of Complaint to BHWFPL

Complaints can be raised by a person, company, or community group by several means:

- **Mail** via Bald Hills Wind Farm Pty Ltd c/o Infrastructure Capital Group Limited, Suite 3, Level 38, 120 Collins Street, Melbourne Victoria 3000.
- **Phone** using the 1800 027 689 toll free number. The toll-free number allows messages to be left and requests the caller to detail the reason for the call and provide return contact details.
- **Email** to BHWF at: info@baldhillswindfarm.com.au
- **In person** at the BHWFPL head office, Suite 3, Level 38, 120 Collins Street, Melbourne Victoria 3000.

### 3.2 Method of Complaint to South Gippsland Shire Council

The local municipality for the BHWF is the South Gippsland Shire Council. BHWFPL may receive enquiries or Complaints from time to time which following investigation, may not relate to BHWF and may be more appropriately directed to the Council or other regulators.

The South Gippsland Shire Council may be contacted using the details below:

- **Mail** via South Gippsland Shire Council Office: Private Bag 4, Leongatha, VIC, 3953
- **Phone** by calling (03) 5662 9200 After Hours Phone: (03) 5662 9200 Interpreter: 131450 National Relay Service: 133 677 (for hearing/speech impaired)
- **Email** to the South Gippsland Shire Council at: council@southgippsland.vic.gov.au
- **In person** at the South Gippsland Shire Council Office: 9 Smith Street, Leongatha, VIC 3953 Business Hours: 8.30am to 5.00pm Monday to Friday

### 3.3 Method of Complaint to the National Wind Farm Commissioner

The National Wind Farm Commissioner (**Commissioner**) is an independent role created by the Australian Government, reporting to the Minister for Energy. A key role of the Commissioner is to receive complaints from concerned residents regarding proposed or operating wind farm facilities, large scale solar farms and energy storage facilities.

The Commissioner's role in Complaint handling is a facilitation role only. The Commissioner will not formally recommend particular solutions to disputes, arbitrate complaints or provide formal advice. The Commissioner may, however, suggest possible solutions for consideration by the parties.

The Office of the National Wind Farm Commissioner may be contacted using the details below:

- **Mail** via PO box 24434 Melbourne VIC 3001
- **Phone** 1800 656 395
- **Email** to the Commissioner at nwfc@environment.gov.au

### 3.4 Confidentiality

Personal information collected during the Complaint management process will be held in accordance with the *Australian Privacy Principles* set out in the *Privacy Act 1988* (Cth).

### 3.5 Noise Complaints – specific issues:

Any investigations into noise Complaints carried out under this CCERP will be undertaken in accordance with the NZ Standard as required under the Planning Permit.

### 3.6 Logging Complaints

When a Complaint is received, certain minimum information will be required before BHWFPL can commence its assessment of the Complaint. The initial minimum information required is set out in the Initial Complaint Checklist at **Appendix A**.

If the minimum information is not provided, BHWFPL will contact the Complainant to obtain the required information. If the relevant information is still not provided, BHWFPL may be unable to process the Complaint (see Invalid Complaints process in section 3.8 below).

BHWFPL will maintain a Complaints Register. The Complaints Register will include a summary and details of any

Complaints received, information received from the Complainant, copies of all correspondence and records of all discussions with the Complainant and copies of any information, reports or findings provided by BHWFPL.

BHWFPL will promptly provide status updates about the assessment of a Complaint to a Complainant on request. The Complaints Register and a reference map of Complaint locations will be provided to the responsible authority on each anniversary date of the Planning Permit and at other times on request.

### **3.7 Unreasonable conduct by Complainants**

If a Complainant makes unreasonable demands, demonstrates an unreasonable lack of cooperation or behaves in a manner that is wholly unreasonable (for example, by making threats of harm to BHWFPL staff or third parties, or by using abusive language or unreasonable aggression), this conduct may be deemed 'unreasonable Complainant conduct'. BHWFPL will keep a record of unreasonable Complainant conduct.

BHWFPL is committed to treating all Complainants with respect and cooperation, and expects that BHWFPL staff and contractors will receive the same treatment in return. While unreasonable Complainant conduct will not necessarily preclude valid Complaints from being addressed by BHWFPL, this type of conduct may impede the information gathering, assessment and resolution process. BHWFPL may be unable to progress resolution of the Complaint in accordance with this CCERP where unreasonable Complainant conduct is impeding that process.

### **3.8 Complaint Response**

When a Complaint relating to the operation or maintenance of the wind farm is received, BHWFPL will follow five main stages of Complaint Response:

- Stage 1 – Receipt of Complaint and Preliminary Screening
- Stage 2 – Evaluation and Response
- Stage 3 – Implementation of Corrective Measures
- Stage 4 – Close out of the Complaint
- Stage 5 – Review

#### **a) Stage 1(a) – Receipt of Complaint**

- BHWFPL receives Complaint via telephone, email, letter or in person.
- BHWFPL checks that the minimum information has been provided. In the case of a Complaint made by telephone, the caller will be asked to provide the minimum information by the Compliance Officer.
- If a Complaint is received by telephone out of office hours, a recorded message will ask the caller to leave contact details so that BHWFPL could call back to obtain details of the Complaint, unless the caller leaves sufficient details to allow BHWFPL to process the Complaint.
- BHWF may contact the Complainant to request additional information if required.
- BHWF will advise the Complainant of the Complaint reference number assigned to their matter. Multiple complaints received from the same Complainant will be grouped under one reference number.
- Within 48 hours of receiving the Complaint, BHWFPL will send written acknowledgement of receipt of the Complaint to the Complainant, either by email or letter.

#### **Stage 1(b) – Preliminary Screening**

All Complaints received by BHWFPL will undergo preliminary screening.

BHWFPL will review the Complaint to determine whether it is valid for further assessment. A Complaint may be deemed to be an Invalid Complaint where, for example, a noise Complaint is made but the turbines were not operating during the time of the stated Complaint, or where the Complaint concerns an issue that is not within the scope of the BHWF project. BHWFPL may be unable to assess a Complaint if the Complainant has failed to provide adequate information. Information required for BHWFPL to assess a Complaint is set out in Appendix A.

If a Complaint is determined to be invalid, BHWFPL will contact the Complainant in writing, within 10 business days after receipt of the Complaint, to advise that the Complaint has been deemed invalid. It will also advise of the grounds on which the Complaint has not been accepted.

If BHWF determines that a complaint is valid, assessment of the Complaint will progress to Stage 2. If the

Complaint is characterized as a Repeat Complaint, it will be managed in accordance with section 3.9.10.

b) **Stage 2 – Evaluation and Response**

BHWFPL will conduct an initial assessment of the Complaint based on the information provided to assess the Complaint and determine the next steps: Early Resolution, Internal Assessment or Further Investigation.

*Early Resolution*

Where possible, the Complaint will be resolved by the relevant front-line staff. Early Resolution applies where a Complaint is able to be satisfied without monetary compensation (i.e. with an apology or further information). If the Complaint is not resolved during the initial contact (e.g. telephone call), written correspondence should be sent to the Complainant as soon as practicable, to detail BHWFPL's response.

*Internal Assessment*

Where Early Resolution is not possible, an Internal Assessment will be undertaken as soon as practicable to determine whether BHWFPL is able to address the Complaint. Consideration will be given to the nature of the Complaint, whether it is an isolated occurrence and whether BHWF is able to resolve the issue without further investigation.

Where BHWF receives multiple Complaints from a single Complainant, BHWFPL may consolidate those Complaints into one investigation report.

BHWF may determine that it is unable to resolve the Complaint and may close the Complaint after notification to the Complainant as soon as practicable after making that assessment.

Any corrective measures required will be undertaken in accordance with Stage 3.

*Further Investigation*

In the event that BHWFPL determines that Further Investigation is required, it will use all reasonable endeavours to appropriately undertake the investigation as soon as practicable, including engaging a specialized technical consultant, if required. If a specialized technical consultant is engaged, an investigation report will be produced. BHWF will keep the Complainant informed of the status of the investigation. Upon completion of the investigation, BHWFPL will advise the Complainant in writing of the outcome of the investigation and any corrective measures which may be required as soon as practicable. If no corrective measures are required, the Complaint will be closed in accordance with Stage 4.

c) **Stage 3 - Implementation of Corrective Measures**

In the event that corrective measures are required following investigation of a Complaint, BHWFPL will, within 20 business days after notifying the Complainant of the outcome of the investigation, provide a schedule for the implementation of any corrective measures to the Complainant.

BHWFPL will ensure that corrective measures are implemented in accordance with the schedule and once completed, will notify the Complainant in accordance with Stage 4.

d) **Stage 4 - Close Out of the Complaint**

*Investigative Reports - General*

Under Stage 2, if an investigation report concludes that BHWF has operated in accordance with its Planning Permit, BHWFPL will provide this report to the Complainant. No further action will be taken and the Complaint will be marked as "closed" on the Complaints Register.

*Investigative Reports – Noise Complaints*

For noise complaints, the Complainant will be advised if the outcome of the post-construction noise monitoring program demonstrates that noise levels at the Complainant's house, or at a nearby location, complies with the noise limits set out in Condition 19 of the Planning Permit.

Where BHWF has operated in accordance with Condition 19 of the Planning Permit and no unusual conditions were identified, the noise Complaint (or Complaints if consolidated) will be marked as "closed", and the Complainant will be notified of the result as soon as practicable.

*Corrective Measures*

Under Stage 3, following the completion of the implementation of the corrective measures, BHWFPL will confirm in writing to the Complainant that implementation is complete. BHWFPL will then record in the Complaints Register that the Complaint is "closed".

*BHWFPL Record*

At the close out of a Complaint, BHWFPL will keep a record of the steps taken to address the Complaint, the outcome of the Complaint and any undertakings or follow-up action that may be required.

**Signed:**  **for**  
**MINISTER FOR PLANNING**  
**Date: 10/12/2019**

Evidence of any unreasonable Complainant conduct will be also kept on record.

### **3.9 Repeat Complaints**

Occasionally, operational wind farm projects like BHWF receive multiple complaints from the same Complainant, sometimes over a long period of time. Where multiple complaints have been received by BHWF from a Complainant and those complaints have previously been addressed in accordance with this CCERP, BHWFPL may treat any new complaints as Repeat Complaints.

BHWFPL will conduct an initial assessment of new Complaints in accordance with Stage 2 of this CCERP, which may include a site inspection to identify unusual site conditions or maintenance issues. Any noise testing undertaken at this stage will be undertaken in accordance with the NZ Standard.

If unusual site conditions or maintenance issues are identified, further investigation will be undertaken and will be dealt with in accordance with Stages 3 and 4 as described above.

If no substantive new conditions have been identified and the Complaints relate to properties which have already been thoroughly investigated (in BHWFPL's opinion, acting reasonably) and compliance with the Planning Permit has been demonstrated at the relevant dwelling or nearby location, the Complaint will be considered to be closed. The Complaint will be marked as "closed" and the Complainant will be issued with a brief response confirming the outcome of the investigation.

#### **e) Stage 5 - Review**

If a Complainant is dissatisfied with the outcome of the response received or BHWF's management of the Complaint, the Complainant may escalate the Complaint internally, for further consideration by BHWF or to an external body. The Complainant can contact the Office of the Commissioner or undertake other resolution processes as set out in clause 3.10.

### **3.10 Other resolution processes**

In some circumstances, a matter which has been the subject of this Complaint resolution process may progress to formal dispute resolution or adjudication. In those circumstances, the Complaint resolution process under this CCERP will be terminated to enable the matter in dispute to be determined in accordance with the formal process.

## **4 Document History and Status**

### **4.1 Revision History and Document Control**

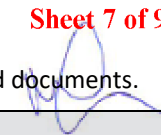
The CCERP is a controlled document maintained by the Board of BHWFPL.

The Compliance Officer will review the CCERP on an annual basis and recommend changes to the Board of BHWFPL. Any changes to the CCERP must be reviewed and approved by the Board of BHWFPL and submitted to the Minister for Planning for review and approval prior to implementation.

**4.2 Distribution of copies**

Distribution of the CCERP has been made to the following parties. Printed copies are uncontrolled documents.

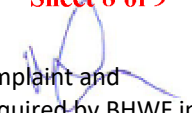
Copy	Position	Name	Location
1	Bald Hills Wind Farm Site Manager	G. Furlong	Bald Hills Wind Farm
2	Victorian EPA Representative	TBA	TBA
3	South Gippsland Shire	TBA	South Gippsland Shire
4	Department of Planning	Michael Juttner	Dept Planning Melbourne
5	Bald Hills Wind Farm Pty Ltd	Bald Hills Wind Farm Website	<a href="http://baldhillswindfarm.com.au/">http://baldhillswindfarm.com.au/</a>
6	National Wind Farm Commissioner	Andrew Dyer	<a href="https://www.nwfc.gov.au/">https://www.nwfc.gov.au/</a>

**Signed:**   
**MINISTER FOR PLANNING** for  
**Date: 10/12/2019**

**Appendix A - BHWF Complaints Procedure - Initial Complaint Checklist**

**Purpose**


The purpose of this checklist is to ensure BHWF captures and records relevant details of the Complaint and Complainant. The boxes marked with an asterix (\*) denotes the minimum information that is required by BHWF in order to allow the complaint to be assessed. If the minimum information is not provided, BHWFPL may not be able to accept the Complaint for assessment.

Signed:  for  
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To assist community members wishing to make a complaint, a copy of this CCERP and the Initial Complaint Checklist will be available on BHWF website.

Information Required	Details
<b>1. Date and time Complaint lodged*</b>	
<b>2. Name of Complainant*</b>	
<b>3. Address *</b>	
<b>5. Contact details:</b> Home or mobile phone number* Email address	
<b>5. Complaint Reference Number</b> (to be communicated to the Complainant)	
<b>6. Location of Complaint*</b> Where the Complaint relates to noise: <ul style="list-style-type: none"> <li>Location of the Complainant when noise was heard (ie address, inside the house, etc) and approximate distance of BHWF to the Complainant's location at the time</li> <li>Direction from which the noise came</li> <li>Origin of noise if able to be determined (ie specific turbine)</li> </ul> <b>Any applicable property reference number if connected to a noise testing location</b>	
<b>7. Date and Time of Complaint incidence*</b>	
<b>8. Duration of Complaint incidence*</b>	
<b>9. Description of the Complainant's concerns (including the potential incidence of special audible characteristics for a noise complaint)</b>	
<b>10. Prevailing Conditions Weather Observations</b> Wind (ie strong, medium, light) Direction of wind Cloudy or clear sky, Rain or Dry Approximate temperature (ie hot, warm, cold, very cold)	
<b>11. Outcome sought by Complainant</b>	
<b>12. Any support requirements needed by the enquirer or Complaint</b>	
<b>13. Other information offered</b>	



Signed:  for  
**MINISTER FOR PLANNING**  
Date: 10/12/2019

**Appendix B - BHWF Complaints Assessment Process**

