Mt Gellibrand Wind Farm
Complaint Investigation and Response Plan



CONTROL

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09-10-2024	10-10-2024	28-10-2024
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*The signed original is kept by **ACCIONA**.*

RECORD OF CHANGES

REV.	DATE	DESCRIPTION
01	10/2016	Published in MGWF Environmental Management Plan
02	10/2018	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
05	28/10/2024	Review and update of plan to ensure consistency between ACCIONA projects and with Acciona Complaints Handling Procedure

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1. INTRODUCTION

This document outlines the plan for investigating and responding to Complaints regarding the Mt Gellibrand Wind Farm (the ***Wind Farm***), including Complaints related to:

- construction and wind turbine noise;
- shadow/blade flicker;
- telecommunications reception and interference; and
- ACCIONA Energia's practices and processes (this ***Plan***).

This Plan has been developed in accordance with ACCIONA Energia's obligations under Planning Permit (PL-SP/05/0257) and the *Environment Protection Regulations 2021* (Vic).

All Complaints received will be treated in a respectful and courteous manner and taken seriously by ACCIONA Energia. Pursuant to this Plan, ACCIONA Energia 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, sensitively and in a timely manner; and
- acknowledging the importance and value of Feedback and Complaints to the ongoing operation and management of the Wind Farm and relationships with project neighbours and the community in general.

This Plan has been developed in accordance with:

- Office of the National Wind Farm Commissioner (20 June 2016, updated 17 August 2016) 'Wind Farm Complaint Handling';
- Office of the National Wind Farm Commissioner (2020, 2021, 2022, 2023) 'Annual Reports to the Parliament of Australia';
- Commonwealth Ombudsman (2023 Edition) 'Better Practice Complaint Handling Guide'
- 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).

2. COMPLAINT MANAGEMENT PROCESS

ACCIONA Energia maintains a detailed Complaints Register for the life of all projects (from development through to decommissioning). All Complaints are recorded in ACCIONA Energia's Complaints Register (hosted on the Consultation Manager platform), which is used to capture, record and manage Complaint information, and manage investigations. This includes Complaints in relation to the Wind Farm.

The Community and Stakeholder Engagement Adviser is responsible for ensuring all Complaints are processed in accordance with this Plan, in conjunction with the Project Director, Site Manager and other ACCIONA Energia staff (as relevant).

There are five key steps in this Plan:

1. Receive Complaint
2. Record and Acknowledge
3. Engage, Investigate and Respond
4. Resolve and Close
5. Analyse and Review

These steps are outlined briefly in the following diagram:



2.1. RECEIVE COMPLAINT

Complaints and Feedback can be directed to ACCIONA Energia in person, by telephone, email and postal services, via the following details:

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

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

Complaints and Feedback may be about:

- any perceived impact from construction or operations at the Wind Farm (including noise, shadow/blade flicker, and telecommunications reception and interference); and
- ACCIONA Energia's practices and processes in relation to the Wind Farm.

Although ACCIONA Energia encourages Complaints to be made to ACCIONA Energia 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 Energia will register all Complaints received by it in the Complaints Register.

In order for a Complaint to be formally registered, the Complainant, when first making contact with ACCIONA Energia, will be asked to confirm that they would like to make a Complaint. If this is not stated, ACCIONA Energia 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 Wind Farm's Emergency Management Plan. In the event of any emergency, the Complainant should first dial 000 before they contact the Community Hotline.

Upon receiving a Complaint, ACCIONA Energia will contact the Complainant within two (2) business days to:

- provide a formal acknowledgement letter/email of receiving the Complaint;
- provide a reference number for the Complaint;
- collect further information to support the investigation of the Complaint (if required); and
- discuss the next steps in this Plan.

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 Complaints Register, however an acknowledgment or response will not be provided since there is no means of contacting the Complainant.

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

- the name, address and contact details of the Complainant;
- the date and time of the contact;
- the nature of the Complaint or Feedback;

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- 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;
- any other information relevant to the Noise Complaint.

Details from the Complaints Register will be included in the relevant annual statements from ACCIONA Energia and the Complaints Register will also be made available to relevant regulators upon request.

All data is captured and stored in accordance with applicable privacy requirements. A copy of ACCIONA Energia's privacy policy can be found at https://www.acciona.com.au/privacy-policy/.

2.2.1. PRELIMINARY SCREENING

All Complaints received by ACCIONA Energia will first be screened to determine how the Complaint can be best handled by ACCIONA Energia. This may include:

- identifying appropriate processes to investigate one or more Complaints from a single Complainant together; or
- determining that investigation of a particular Complaint will not proceed.

2.2.2. COMBINED COMPLAINT INVESTIGATION

In certain circumstances, ACCIONA Energia may determine that it is appropriate to investigate a number of Complaints together. For example, if a Complainant submits multiple Complaints within a short period of time, or which relate to the same or similar issues, those Complaints may be investigated and addressed together. Every Complaint received by ACCIONA Energia will be treated as a separate Complaint under this Plan unless ACCIONA Energia is satisfied that the timing and nature of the Complaints justify the Complaints being addressed together. This is intended to improve the efficiency for the Complainant and ACCIONA Energia in responding to Complaints, and to assist with identifying any underlying trends or issues.

Where Complaints are grouped in this way, ACCIONA Energia may allocate the group of Complaints a single Complaint reference number.

ACCIONA Energia will notify the Complainant if multiple Complaints will be investigated together, and will provide the Complainant with details of the relevant Complaint reference number. Specific events related to the same Complaint will be recorded individually against the Complaint – for example separate instances of noise from turbines. Each event will be referenced separately underneath the Complaint, with the dated reference provided to the Complainant.

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2.2.3. COMPLAINTS UNRELATED TO THE WIND FARM

ACCIONA Energia may decide that some types of Complaints will not proceed to the investigation stage.

Complaints that do not appear to relate to the operation of the Wind Farm may be considered 'invalid'. This could include, for example, a Complaint made about operational turbine noise or shadow flicker during a time where the relevant wind turbines were not operational, or a Complaint associated with noise emanating from non-wind farm activities or as a result of third-party activities (***Invalid Complaint***).

If a Complaint is an Invalid Complaint, ACCIONA Energia will notify the Complainant within ten (10) business days of receiving the initial Complaint and the Complaint will be closed.

2.2.4. UNREASONABLE CONDUCT

If a Complainant makes unreasonable demands or behaves in a manner that is wholly unreasonable (for example, by making threats to ACCIONA Energia staff or third parties, or by using abusive language or unreasonable aggression), this conduct may be considered ***Unreasonable Conduct***.

ACCIONA Energia is committed to treating all Complainants with respect, and expects that ACCIONA Energia staff and contractors will receive the same level of respect in return. While Unreasonable Conduct will not necessarily preclude a Complaint from being addressed by ACCIONA Energia, this type of conduct may impede the resolution process. ACCIONA Energia may be unable to progress resolution of the Complaint in accordance with this Plan where Unreasonable Conduct is impeding that process.

2.2.5. REPEAT COMPLAINTS

Where multiple Complaints have been received by ACCIONA Energia from the same Complainant over an extended period of time, and the issues raised in those Complaints have been previously addressed in accordance with this Plan, ACCIONA Energia may, in certain circumstances, treat any new Complaints received from that Complainant as Repeat Complaints.

For Repeat Complaints, ACCIONA Energia will conduct an initial assessment, which may include a site inspection, review of existing noise reports or further testing to identify:

- new or different noise issues described in the Complaint;
- new or different impacts reported by the individual Complainant;
- unusual site conditions or maintenance issues;
- different steps could be taken to address the Complaint; and/or
- whether a substantial amount of time has elapsed since the last similar Complaint was made.

If new or unusual issues are identified, further investigation will be undertaken under this Plan.

If no new issues are identified, and in ACCIONA Energia'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 Energia will notify the Complainant together with a short explanation regarding the outcome of the investigation.

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2.3. ENGAGE, INVESTIGATE AND RESPOND

ACCIONA Energia will respond to and investigate all Complaints in an attempt to seek a resolution that is satisfactory to both the Complainant and ACCIONA Energia.

Where practicable, ACCIONA Energia will attempt to resolve Complaints within ten (10) business days of receiving the Complaint. When this is not possible, for example where the nature of the Complaint is complex, further investigations are required, or the Complaints or relevant issues are on-going, the Community and Stakeholder Engagement Adviser will notify the Complainant that further time is required. ACCIONA Energia will engage with and maintain communication with the Complainant throughout the investigation process as necessary.

Should ACCIONA Energia feel that their representatives are placed in a position whereby resolution would pose a conflict of interest, ACCIONA Energia will escalate the Complaint to the Office of the Australian Energy Infrastructure Commissioner, or another relevant third party. This is also applicable if ACCIONA Energia is unable to adequately resolve a Complaint.

2.3.1. NOISE COMPLAINTS

Upon receipt of a Noise Complaint, ACCIONA Energia 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 Complaints that potentially relate to the operation of the Wind Farm, ACCIONA Energia will first investigate the Complaint internally.

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 will 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 Energia's Noise Management Plan and any applicable regulations or approvals in respect of the Wind Farm at the Complainant's property, 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 Complainant's property (or a suitable representative location) are likely to comply with the applicable Noise Limits, the Complainant will be notified and ACCIONA Energia 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 property (or a suitable representative location), then noise monitoring may be undertaken.

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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 property will be used as a baseline to compare the updated monitoring data, with reference to applicable Noise Limits.

If there is no pre-construction data for the Complainant's property, 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. ACCIONA Energia will select and engage a technical consultant to prepare a Noise Investigation Report. ACCIONA Energia will provide the report to the Complainant, and will offer to discuss the results with the Complainant.

The Noise Investigation Report will include the following information, where relevant:

- the 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.

If the report confirms that the noise levels at the noise Complainant's property are likely to comply with the applicable Noise Limits, the Complainant will be notified and ACCIONA Energia 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, that the Wind Farm is not compliant with applicable Noise Limits in the Planning Permit or Regulations or there is otherwise an issue requiring further action, ACCIONA Energia will (as appropriate), conduct further investigations, prepare a Noise Remediation Plan in accordance with the Noise Management Plan for the 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.

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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 (1.5) kilometres of a turbine, a Shadow Flicker Assessment will be undertaken.

If the assessment indicates that the 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 property.

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 Wind Farm.

All telephone and radio reception assessed by the independent technician to have been detrimentally impacted by the Wind Farm will be restored to at least pre-construction quality at the expense of ACCIONA Energia.

After two (2) years of full operation of all turbines at the 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 (2) years of full 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).

2.3.4. COMPLAINTS RECEIVED BY THIRD PARTIES

If a Complaint is received by a government agency or statutory authority, such as the local Council, Department of Energy, Environment and Climate Action or the Victorian Environment Protection Authority, details of that Complaint may be forwarded to ACCIONA Energia.

ACCIONA Energia will consult with the third party and with the Complainant to determine if that Complaint will be assessed in accordance with this Plan.

If it is agreed that the Complaint received by a third party is related to the Wind Farm and the Complainant consents for ACCIONA Energia to investigate, then the Complaint will be assessed in accordance with this Plan.

If a Complaint received by a third party is not related to the Wind Farm and/or the Complainant does not consent to ACCIONA Energia investigating their Complaint, then the third party will retain responsibility for investigating that Complaint.

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2.3.4.1. OTHER DISPUTE RESOLUTION PROCESSES

In some circumstances, a matter which has been the subject of this Plan may progress to formal dispute resolution, adjudication or mediation. If that occurs, the resolution process for the relevant Complaints under this Plan will be terminated, to facilitate the matter in dispute being determined in accordance with that formal process. ACCIONA Energia will notify the Complainant if that occurs.

2.4. RESOLVE AND CLOSE

ACCIONA Energia will communicate the outcome of the Complaint investigation 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.

If the Complainant does not accept the resolution advised 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 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. Once that referral has been made, the Complaint will be closed under this Plan.

Acciona may also close a Complaint in the following circumstances:

- when the Complainant confirms they are satisfied with the outcome of their Complaint and the action undertaken by ACCIONA Energia;
- when the Complainant advises they do not want to pursue the Complaint;
- when the Complainant cannot be contacted to discuss the Complaint, despite best efforts from ACCIONA Energia;
- when Acciona Energia does not receive a response from the Complainant within ten (10) business days of providing an outcome; or
- as otherwise outlined in this Plan.

After communicating the outcome of the Complaint investigation to the Complainant, ACCIONA Energia will close the Complaint in the Complaints Register.

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 Complaints Register. If it is identified that there are significant recurring Complaints received from different

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Complainants, recommendations to implement solutions to reduce or eliminate future recurrence of the problem will be considered and implemented where appropriate.

3. DEFINITIONS

TERM	MEANING
ACCIONA Energia	The company or organisation responsible for operating the Wind Farm.
Community and Stakeholder Engagement Adviser	The employee of the company or organisation responsible for operating the Wind Farm responsible for engaging with members of the public and managing the Complaint investigation and response process.
Community Hotline	The 24/7 toll free number, which can be used by Complainants to lodge Complaints.
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. For clarity, a Complaint to which this Plan relates excludes Feedback, which will not trigger an investigation process.
Complaints Register	The data management system (hosted on Consultation Manager) used to record and report Complaints from Complainants and used to maintain a detailed register of Complaints received.
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.
Invalid Complaint	Has the meaning given in section 2.2.1 of this Plan.
Noise Complaint	A Complaint related to perceived impact of noise from the operation of the Wind Farm.
Noise Investigation Report	A report prepared by a suitably qualified technical consultant, documenting the results of a technical investigation (which may include noise monitoring) into the nature of the Noise Complaint, compliance with applicable Noise Limits and any other issues identified by the consultant.
Noise Limits	Has the meaning given in the Regulations, as amended from time to time.
Noise Management Plan	Means the Noise Management Plan endorsed under the Planning Permit, as amended from time to time.
Noise Remediation Plan	Means a plan prepared in accordance with requirements for Noise Remediation Plans described in the Wind Farm's Noise Management Plan to ensure compliance with applicable Noise Limits or otherwise address a Complaint.
NZ Standard	NZS 6808:2010 – New Zealand Standard: Acoustics – Wind farm noise.
Plan	The Complaints plan for the Wind Farm as detailed in this document.
Planning Permit	Planning Permit (PL-SP/05/0257) approved under the *Planning and Environment Act 1987* (Vic) by the Minister for Planning, as amended from time to time.
Regulations	Environment Protection Regulations 2021 (Vic), being the subordinate legislation made under section 465 of the *Environment Protection Act 2017* (Vic).
Repeat Complaint	Has the meaning given in section 2.2.1 of this Plan.

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TERM	MEANING
Shadow Flicker Assessment	An assessment conducted into the nature of a reported shadow flicker Complaint, compliance with applicable Planning Permit conditions and any other identified issues.
Shadow Flicker Management Plan	A plan outlining any management or mitigation measures proposed to be implemented ensure compliance with applicable Planning Permit conditions relating to shadow flicker.
Unreasonable Conduct	Has the meaning given in section 2.2.1 of this Plan.
Wind Farm	The Mt Gellibrand Wind Farm.

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4. PLAN REVIEW

ACCIONA Energia will undertake regular reviews of this Plan to ensure it is adequate for the operation of the Wind Farm.

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

The review should also provide information on:

- conformity with Complaint management procedures; and
- suitability to achieve Complaint management objectives.

5. ADMINISTRATION

5.1. TRAINING

This Plan 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.

5.2. AVAILABILITY

This document will be made publicly available on the Wind Farm project website (http://community.acciona.com.au/mt-gellibrand).

6. RELATED DOCUMENTATION

CODE	TITLE
PAU02101_GAE07017	AEAG Complaints Handling Procedure

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