



Mortlake South Wind Farm Complaint Investigation and Response Plan



PLAN

MORTLAKE SOUTH WIND FARM COMPLAINT INVESTIGATION AND RESPONSE PLAN

CONTROL

PREPARED BY	REVIEWED BY	APPROVED BY
Sutton, Abbie	Reiners, Emma	Cook, Graeme
30-09-2022	30-09-2022	30-09-2022
[SIGNATURE]	[SIGNATURE]	[SIGNATURE]

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

RECORD OF CHANGES

REV.	DATE	DESCRIPTION
01	01/11/2017	Initial release of document
02	10/10/2018	Updated for endorsement under Planning Permit
03	02/11/2018	Updated in response to DELWP comments
04	11/12/2018	Amended complaint escalation procedure
05	Jan. 2019	Endorsed by Minister for Planning under Mortlake South Wind Farm Planning Scheme
06	25/05/2022	Review and update of plan to ensure consistency with ACCIONA's Complaints Handling Procedure
07	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 Mortlake South Wind Farm (the **Procedure**), including complaints related to:

- construction and wind turbine noise;
- shadow/blade flicker;
- telecommunications reception and interference; and
- ACCIONA Energia'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 Energia.

Pursuant to this Procedure, 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, promptly, sensitively and efficiently; and
- acknowledging the importance and value of feedback, including complaints, to the ongoing operation and management of Mortlake South 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 6808:2010 – New Zealand Standard: Acoustics – Wind farm noise (the **NZ Standard**); and
- Environment Protection Regulations 2021 (Vic) (the **Regulations**).

2. COMPLAINT MANAGEMENT PROCESS

ACCIONA Energia maintains a detailed complaint register for the life of all projects (from development through to decommissioning). All complaints are to be recorded in ACCIONA Energia's 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 Mortlake South Wind Farm.

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

There are five key steps in this Procedure:

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

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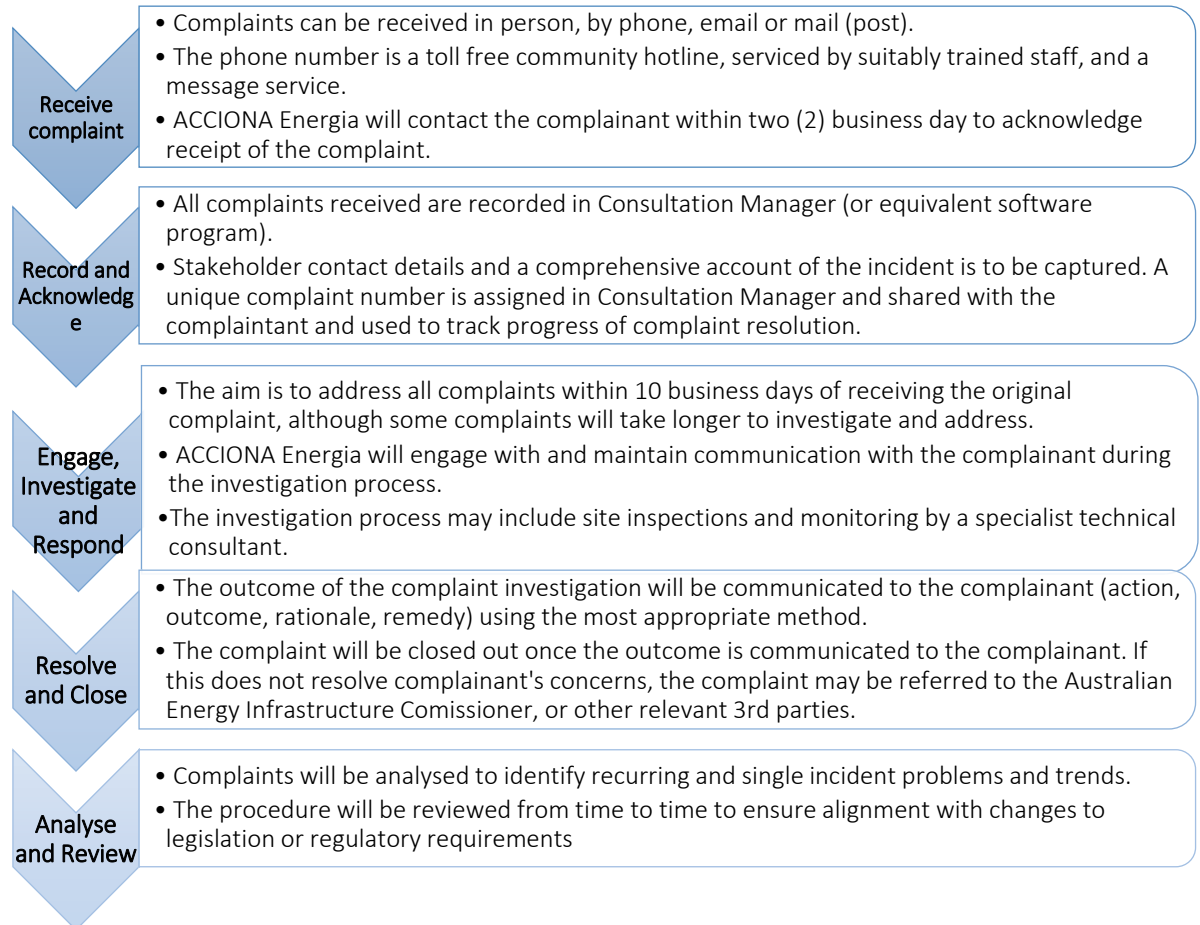
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4. Resolve and Close

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:

Community Hotline: 1800 283 550 (number is a free-call number and is serviced 24/7)

E-Mail: mortlake@acciona.com

Mail: ACCIONA Energia
Attn: Community and Stakeholder Liaison
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 Mortlake South Wind Farm. Any changes to the above details will be published on the ACCIONA Australia website.

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Complaints and feedback can be about:

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

Although ACCIONA Energia encourages complaints to be directed 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 Consultation Manager. 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 relevant site Emergency Management Plan. In the event of any emergency, the complainant should first dial 000 before they contact the Community Hotline.

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

Upon receiving a complaint, ACCIONA Energia 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 complainant;
- the date and time of the contact;
- the nature of the complaint or feedback;
- 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):

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- 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.

A register of complaints will be included in the relevant annual statements from ACCIONA Energia 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 Energia will be screened to determine whether they are valid or invalid. ACCIONA Energia 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 Energia 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 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 original 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 ongoing, the Community and Stakeholder Liaison 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 other relevant 3rd party. This is also applicable should ACCIONA Energia be 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

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

ACCIONA Energía 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 Energía, 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 Energía 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 Mortlake South 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 Energía 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 Energía 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 Energía will provide information to the complainant about the noise monitoring process. Although ACCIONA Energía will select and engage the technical consultant to prepare the noise investigation report, ACCIONA Energía 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 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 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 Mortlake South 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 Mortlake South 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 5 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 Mortlake South Wind Farm.

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

After two years of full operation of all turbines at Mortlake South 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

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investigated after two years of full operation unless the resident has previously submitted a complaint or is one of the residents within the 5 kilometres originally surveyed (under Conditions 33, 34 and 35 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 Environment, Land, Water and Planning (**DELWP**) or the Environment Protection Authority (**EPA**), 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 Procedure.

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

If a complaint received by a third party is not deemed to be related to Mortlake South 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.

2.3.5. REPEAT COMPLAINTS

Where multiple complaints have been received by ACCIONA Energia from the same complainant over an extended period of time, and those complaints have been previously addressed in accordance with this Procedure, ACCIONA Energia may 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 to identify any unusual site conditions or maintenance issues.

If any unusual site conditions or maintenance issues are identified, ACCIONA Energia 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 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.

2.4. RESOLVE AND CLOSE

ACCIONA Energia 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

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- 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;
- The complainant cannot be contacted to discuss the complaint, despite best efforts from ACCIONA Energía; or
- Acciona Energía 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 Energía, the Community and Stakeholder Liaison will close out the complaint.

If the complainant does not accept the resolution informed by ACCIONA Energía, ACCIONA Energía will ask the complainant to confirm the outcome sought following the investigation. ACCIONA Energía 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 Energía 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 or equivalent program. If it is identified that there are significant recurring complaints received from different complainants, recommendations to implement solutions to reduce or eliminate future recurrence of the problem will be considered and implemented where appropriate.

3. PROCEDURE REVIEW

ACCIONA Energía will undertake regular reviews of this Procedure to ensure it is adequate for the operation of the Mortlake South 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

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This Procedure 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.

4.2. 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.

4.3. AVAILABILITY

This document will be made publicly available on the Mortlake South Wind Farm project website (<http://www.accionacom.au/projects/mortlake-south-wind-farm>).

5. DEFINITIONS

TERM	MEANING
ACCIONA Energia	The company or organisation responsible for operating the Mortlake South 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 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	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 Procedure relates excludes Feedback, which will not trigger an investigation process.
Consultation Manager	A stakeholder data management system to record and report on stakeholder issues, engagement and information and used to maintain a detailed complaint register.
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 6808:2010 – New Zealand Standard: Acoustics – Wind farm noise.
Planning Permit	Planning Permit (2008/0538/A) approved under the <i>Planning and Environment Act 1987</i> (Vic) by the Minister for Planning.

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TERM	MEANING
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.

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.