



Council Receives Report on Bald Hills Wind Farm

Council has received the report from James C. Smith and Associates into the nuisance complaints lodged by some of the neighbours of the Bald Hills Wind Farm. In the interests of openness the report was immediately provided to representatives of the Wind Farm Operator and the complainants'. We will be seeking comments on the report from both the wind farm operator and the complainants over the next few weeks.

Council's Chief Executive Officer, Tim Tamlin, was pleased to receive the independent report. "I am hopeful now that we have the report on the findings of the investigation that we are a step closer to this issue being resolved. The report has identified potential concerns at two of the properties in question.

"Given that this is such a high profile issue with so much at stake I believe Council needs more than the basic findings of the investigation. Council is the responsible agency when it comes to determining nuisance under the Health and Wellbeing Act, so at this stage – having had the report for less than two days – we will be seeking input from all parties and reviewing the report ourselves before deciding on the next steps.

"I acknowledge that this process has been drawn out and difficult. Without in any way suggesting that Council is avoiding its responsibility, I would like to point out that this finding demonstrates the apparent disconnect between the Planning and Environment Act and the Public Health and Wellbeing Act.

"While wind farm operators may be complying with their obligations under the Planning and Environment Act, nuisance under the Public Health and Wellbeing Act remains an issue. I would suggest – again – that this is something the Victorian Government needs to resolve, for the sake of the renewable energy sector and all those involved in the establishment of wind farms. If this apparent conflict between the two pieces of legislation did not exist our residents would not find themselves in this predicament today.

"I understand that people will be curious as to why Council's environmental health officers found that there was no nuisance when the complaints were first lodged. All I can say to that is that there is no objective measure to determine whether a noise of the kind alleged constitutes a nuisance, and that the conditions experienced by James C. Smith and Associates may not have been the same as those that were experienced by our officers." said Mr Tamlin.

PR2289 11/9/18