

Conflicting Legislation Blows Up A Storm

Removing uncertainty and cost for the community

Local governments across Victoria are receiving nuisance complaints in relation to noise and health impacts from wind farms. The complaints are being made under the *Public Health and Wellbeing Act 2008*.

Local governments are obliged to investigate regardless of whether the wind farms are operating in accordance with the planning permits issued under the *Planning and Environment Act 1987*.

This has significant reputational, financial and resource implications for local governments. It could also potentially impact on the operation of any wind farm or any large infrastructure project at which a complaint was substantiated.

It must also be noted that the Victorian Government's Guidelines* state that: Section 13 (a) of the Act has the effect that the responsible authority for enforcement purposes is the local council, unless the planning scheme specifies another person as the responsibility authority for those purposes.

Given this provision we call on the Minister to take responsibility for managing these issues.

*Policy and Planning Guidelines: Development of wind energy facilities in Victoria - November 2017

Local governments across the state are concerned about the inconsistencies surrounding wind farm investigation and enforcement issues.

We call on the Minister for Planning and Minister for Health to address these concerns as a matter of priority.