

Senate Standing Committee on Environment and Communications
PO Box 6100
Parliament House
Canberra ACT 2600

23 November 2012

Dear Dr. Holland

Re: Inquiry into the proposed Renewable Energy (Electricity) Amendment (Excessive Noise from Wind Farms) Bill 2012

We wish to respond to several adverse comments submitted to the Inquiry that relate to the Hepburn Community Wind Farm.

Submission 141 – Dr Andja Mitric-Andjic

After an article in The Ballarat Courier titled ‘Doctor treats people living near turbines’ (18 August 2011) was published, we requested a meeting with Dr. Mitric-Andjic to determine the nature of the illness she was reporting and her justification for attributing illness health to the Hepburn Community Wind Farm.

We have now requested a face-to-face meeting with Dr. Mitric-Andjic via email, telephone or letter on 10 occasions:

- 26 August 2011
- 8 September 2011
- 29 September 2011
- 25 October 2011
- 24 November 2011
- 23 December 2011
- 27 December 2011
- 25 January 2012
- 10 November 2012

All of these requests have been either rejected or ignored. Despite writing multiple letters to our local newspapers and making a submission to the current Inquiry, we have yet to meet Dr Mitric-Andjic.

In her submission, Dr. Mitric-Andjic states:

Infrasound is being laughed at because people do not understand the science involved.

We carefully monitor the scientific literature on wind turbine noise, including infrasound, and we are happy to discuss this matter with Dr. Mitric-Andjic, but have been denied the opportunity to do so.

We find it difficult to understand, given the seriousness of Dr. Mitric-Andjic's claims, why she has been unable to find time to sit down with us at any time over the past 15 months to discuss her claims. We cannot reconcile her apparent concern with her continued refusal to work towards resolution.

Submission 128 – Mr Phillip Duggan & Submission 83 – Mr Louis Hughes

We are saddened to read the accounts of Mr Duggan and Mr Hughes.

Having been aware of their significant concerns since the earliest days of our project, we have periodically attempted to meet with Mr Duggan and Mr Hughes. To date our efforts have been without success.

We believe that a better outcome for all could have been achieved had we been able to engage in open and honest dialogue. We continue to work towards opening a constructive line of communication with Mr Duggan and Mr Hughes.

Submission 216 – Mr W Les Huson

In relation to noise monitoring, Mr Huson states:

The letter [to HSC council] simply requests data that only the wind farm operators can provide to allow me to complete my investigations but which was, I understand, verbally refused.

We appreciate that neither Mr Huson nor the committee are privy to the complete context of this matter and so the following background may be useful.

It should be noted that the complainant in question had refused both pre-construction and post-construction noise surveys.

Following a complaint raised shortly after our turbines commenced generation, with the complainant's consent, we began a noise survey at their property. Mid-way through the survey the complainants withdrew their consent for our chosen acoustician to continue to investigate their complaint. In order to resolve this impasse, Hepburn Wind offered to provide additional independent auditing of our monitoring program, using an acoustician of the complainants' choosing, at our expense.

This offer was rejected.

We then discussed the lack of progress with Hepburn Shire Council (HSC). With the assistance of HSC, we developed an auditing protocol whereby the Victorian Environment Protection Agency (EPA) would install monitoring equipment side-by-side with our chosen acoustician. After the EPA had agreed to provide this service, we understand that HSC made an offer to the complainants for an EPA audited noise survey.

This offer was also rejected.

In both cases, these processes on offer would have provided both the complainant and Hepburn Wind with trusted noise data. A comparison between the two sets of data may have gone a long way to providing confidence in monitoring process.

In July of this year Mr Huson wrote to the complainant stating that they data was required from Hepburn Wind in order to complete a report he was preparing. The letter was forwarded to us without comment. Hepburn Wind wrote to the complainant asking to meet to discuss the letter. To date we have received no response, and had no further contact. Based on Husons' experiences, he concludes:

If wind speed data and other basic operating condition data will not be provided by the wind farm operators, how can any evidence be prepared? This is fully understood by the wind farm operators and is the reason why this bill is so important.

We believe that we have shown good faith and gone well beyond our statutory obligations in attempting to reassure our neighbours as to the rigour and independence of our monitoring program. The implication that we have been uncooperative is untrue, and only serves to perpetuate distrust, and delay complaint resolution.

We have attached a sample complaint log so the committee can see the efforts we have made to resolve this complaint. *In order to protect the privacy of the individuals concerned*, this attachment is provided in strict confidence. We believe that it is necessary for the historical context to be presented to this forum, so the complexities of this issue can be viewed objectively.

This is as per our complaint privacy policy:

Where it is necessary to forward information to outside bodies for investigation or action (eg council, contractors) this information will be passed in confidence.

Developing confidence

The anti-wind lobby has enjoyed a degree of success in undermining community confidence in the noise compliance processes. As a result, a number of objectors to our project chose not to participate in the noise compliance protocols imposed by our planning permit. In effect, these objectors opted out of the protections granted to them by the planning process.

We have worked hard to develop additional protocols aimed at increasing transparency, beyond our statutory obligations, in order to foster a greater level of confidence by all parties, however these attempts have been rejected.

Hepburn Wind would be prepared to work cooperatively with the EPA or other qualified statutory body if this was likely improve confidence, however we have become wary of engaging with acousticians connected to the anti-wind lobby owing to behaviour we have directly observed.

We firmly believe that the proposed bill will not achieve the goal of addressing public concerns around the noise compliance process.

Hepburn Wind is keen to support independent, bona fide research which furthers the public and scientific understanding of wind energy. We've already held discussions with several researchers to this end, and look forward to seeing further research published.

Hepburn Wind has actively attempted to engage members of government, across multiple jurisdictions, to build relationships with complainants. A sample of this can be seen in our attached confidential communications log. We are still eager for this assistance in working towards an open, honest dialogue that will facilitate complaint resolution.

Kind regards,



Dr. David Perry, PhD
Director

attachments:

- Sample complaint log (*confidential*)