

## Lesson 5b: The EPA must protect you from noise harm

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**In Victoria, the EPA is no longer just a pollution metre.**

The EPA has been aligned with the Planning Act by a clandestine Amendment (No. VC206) to the Victorian Planning Provisions.

Wind farm noise emissions are now governed under the Environment Protection Act 2017 (the Act) not the Planning Act.

Local Municipal Councils are no longer the Responsible Authority for wind farm noise compliance.

The EPA now regulates all aspects of wind farm noise emissions such as;

- noise, vibration, and infrasonic pulsation,
- evaluation and assessment,
- protection of human health and wellbeing,
- harm mitigation, and
- enforcement.

**The purpose of the EPA Act is to prevent harm to human health, including psychological health.**

By law, EPA officers must address, investigate and rectify any wind farm noise that adversely impacts human health and wellbeing, including psychological health and wellbeing.

EPA officers are public servants, they work for you, they must fix your wind farm noise problem. If it is ongoing they cannot close your case.

And now, as the Regulator, the officers have a higher duty of care to protect you from wind turbine noise emission harm.

**It is against the law for EPA officers to fob you off.**

EPA officers are not medically or acoustically qualified to diagnose, assess, judge or dismiss your complaint.

If it is clear, through diary evidence, that the wind farm is causing you harm and you file a complaint, the officers are bound by law to prevent harm to your health.

**As the Regulator, EPA officers must:**

- independently investigate noise complaints,
- undertake independent measurements of the noise, vibration and infrasonic pulsations.
- identify the level that impacts your health,
- mitigate the harm to your health, and
- continue to investigate future complaints relating to any adverse health impacts caused by the operations of the wind farm.

You have a right to live safely in your home as you did prior to the existence of the wind farm, and you have a right to be protected by the Noise Regulator under the Act.

Wind farms that cause sleep disturbance and turbine sickness are in contravention of the Act.

It is illegal for EPA officers to collude with the polluter to encourage you to sign a pollution agreement contract to allow the wind farm to continue to cause you harm in return for compensation.

This makes the Noise Regulator / EPA's complaints policy seem very curious.

Its "report wind energy facility noise" directive could be seen to be collusion, entrapment or bullying.

### Report wind energy facility noise



You can report concerns about wind energy facility noise emissions to the wind energy facility operator. The operator will respond according to their complaints management procedures. If unresolved, report concerns about noise pollution to EPA's 24-hour pollution hotline on **1300 372 842**.

If you need further help, contact the **Australian Energy Infrastructure Commissioner (AEIC)**.

## **Making a Complaint to the EPA**

1. Ensure you send your complaint to individual EPA officers. They have a professional duty of care under the Act to protect you from harm.
2. Always state the complaint is "confidential". This will prevent them wiping their hands of you.
3. Explain how the wind farm is adversely affecting your health and wellbeing.
4. Include a snippet of your diary, as proof of the harm being caused to you.
5. The EPA officer is not medically or acoustically qualified to close your complaint. If they attempt to close your case without adequate resolution of the harm, you have the right to demand your case is re-opened.
6. Continue to submit confidential complaints and continue to apply for your case to remain open.

### **EPA Complaint Example:**

**To:** EPA [contact@epa.vic.gov.au](mailto:contact@epa.vic.gov.au)

**Subject: Confidential Noise Complaint against the Noname Wind Farm.**

Can the EPA please acknowledge receipt of this email and forward my confidential complaint to

EPA officer XXXXXXXXXXX. (or if it is your first complaint use "relevant officer").

Dear EPA Officer XXXXXXXXXXX

I wish to submit a confidential noise complaint against the Noname Wind Farm.

Please do not ask me to contact the wind farm, or send this complaint to the wind farm, as I believe they have no intention of turning the turbines off at night to allow me to sleep, instead they keep trying to bully me into signing a neighbour agreement.

The Noname Wind Farm is impacting my health and wellbeing and I request the EPA takes action to prevent the harm.

Below is various snippets of my diary over the last few nights.

As you can see, I have suffered sleep disturbance, anxiety and headaches. I am continually tired as a result of being kept up all night, and I am waking up with a bloody nose.

I feel pressure pulsations and I hear loud noises through the night that wake me up. I am exhausted.

The wind farm is continually causing me ongoing harm, and my health is suffering badly... etc...etc

**Insert diary snippet.....**