

Nuisance vs Compliance

Compliance Bias

The Bias

If a complaint is made about asbestos, contaminated water, food or environmental poisoning, the local council and the EPA would jump, and the company would be held to account immediately.

But because the complaint is about wind turbine noise, people are ignored and dismissed.

The system in place to protect the community instead protects the wind farm business.

Regulation of noise compliance in the wind industry is biased against the neighbours.

The company's claims of compliance are believed whilst the neighbour's complaints of sleep disturbance are dismissed.

The system fosters corruption. Consultants are paid big money to say the wind farm is compliant for noise. Authorities prefer to accept these unfounded opinions over the reality of the neighbours' sleep disturbance.

Rather than protect the people they serve, the system exacerbates the stress and anxiety of the neighbours by assuming compliance and ignoring the harm.

The system is self-regulating. Compliance is determined on the say-so of the wind farm's consultants. These highly paid consulting firms lie, cheat, manipulate the data, and fabricate the results. Corruption in the industry is protected because companies are not required to provide the raw data. Raw data is disclosed in all other industries except the wind industry. Public access to raw data would stop the corruption.

The corruption goes unchecked. Regulatory control in the wind industry relies on self-written opinion reports from the wind farm's consultants.

Only in court are these opinions questioned. The Bald Hills Judge [Uren 2022](#) determined that the company's acoustic consultant, Marshall Day Acoustics, produced reports that were:

- "patently absurd" (384)
- "plainly flawed" (13(4)), (221)
- "plainly not tenable" (181)
- "plainly not correct" (198)
- "obviously unsound" (183)

The Gaslighting

The wind industry system tells people that what they experience is not real and not worthy of protection. People are told there is no noise problem, that what they hear is not turbine noise, it's all in their heads.

Typical gaslighting comments include:

- The graphs show the wind farm is compliant with the noise limit, so there is no noise problem.
- Reports received shows the turbine noise does not exceed the noise limit, so there is no risk of harm to human health.
- The wind farm is compliant with the permit, there are no grounds for your complaint.
- We can't assist you with your complaint, you need to speak directly with the wind farm.
- As you are now speaking directly with the wind farm, we can't help you any further, your case is closed.
- 40dB is equivalent to the sound a fridge makes so it's no big deal. What are you complaining about?
- We can offer you free tree planting to screen the views.
- The noise you hear is due to the increased tree foliage around your house.
- The increased tree foliage has increased the background level, so the noise limit has increased.
- We can offer you "free" noise testing.
- We can pop a logger in your paddock to test the noise, it won't interfere with your farming.
- The noise in a paddock is more representative of the wind turbine noise than the noise you hear at the house.
- The wind farm's expert says the noise does not exceed the limit. It's not the turbine noise that's the problem.
- Our records show that once the wind farm is built there are fewer complaints, it is only the anti-wind farm groups who complain.
- Our investigations determine that turbines don't cause vibrations.
- It's all in your head you are imagining the noise.

Beaten down by the System.

People are tired and angry through lack of sleep, then beaten down further by the system.

Complaints of environmental noise and sleep disturbance are ignored. The system is designed to disregard the noise and allow the wind farms to operate unabated.

No one will help the neighbours. Instead, neighbours are bullied into submitting to gag agreements.

Neighbour Agreement

Wind farms have no intention of modifying operations to stop the noise nuisance.

Their solution to the problem is to stop the neighbours from complaining by signing them up to a neighbour agreement.

Neighbour agreements are of great benefit to the wind farm.

1. Neighbours agree to endure sleep disturbance without complaint in return for a few dollars per year.
2. The agreement is legally binding for all current and future owners of the land.
3. The agreement becomes a covenant on the land title. (Sleep disturbance is essentially covenanted on the title).
4. All new landowners or tenants are bound by the agreement for the life of the wind farm.
5. Any owner or future wind farm has the right to the landowner's title. They have the right to use the title to secure bank loans or attract investors or buyers.
6. Renting out the land may become difficult as any tenants of the property are bound by the noise agreement.
7. Neighbours cannot sell or lease the property without permission from the wind farm.

Neighbours lose their right to:

- the enjoyment of their land
- a good night's sleep.
- full control of their land title.
- the right to complain to authorities.
- the right to take legal action.

Entrapment

A Neighbour Agreement, or Neighbour Deed, is a form of entrapment.

The system encourages these agreements.

Neighbours are directed back to the wind farm to sort out the problem under the company's "Wind Turbine Noise Complaints Management Plan".

In turn, the wind farm fixes the noise problem by gagging the neighbours.

The more neighbours they sign up, the more neighbours prevented from complaining.

The confidentiality clause in the agreement legally binds the neighbours to silence.

The company will sue the neighbours for any breach of the agreement.

Neighbours are deemed "Involved Landowners".

By signing a neighbour agreement, the neighbour becomes "involved in the wind farm business".

As an involved landowner, neighbours must uphold the confidentiality clause of every agreement they sign.

- Planting trees in return for their silence
- Installing double glazing in return for their silence
- Offering cash in return for their silence.

None of these options stops the impacts of the penetrating pulsations, vibrations and noise.

EPA Victoria buys into the scam

In Victoria, the EPA has made provisions for noise agreements in its "Environment Protection Amendment (Wind Turbine Noise) Regulations 2022".

<https://www.legislation.vic.gov.au/as-made/statutory-rules/environment-protection-amendment-wind-turbine-noise-regulations-2022>

(r 131A Wind Turbine Noise Agreement).

It seems EPA Victoria is complicit in this entrapment.