Renewable Energy (Electricity) Amendment (Excessive Noise from Wind Farms) Bill 2012

2 November 2012

Committee Secretary
Senate Standing Committees on Environment and Communications

To whom it may concern

Re: Renewable Energy (Electricity) Amendment (Excessive Noise from Wind Farms) Bill 2012

I am a resident in the Birregurra region, approximately 3.5kms from a proposed wind farm. The existing Renewable Energy (Electricity) Act 2000, does not address the issues associated with excessive noise from wind turbines. I support the Renewable Energy (Electricity) Amendment (Excessive Noise from Wind Farms) Bill 2012, for the following reasons.

Schedule 1 – Amendment of the Renewable Energy (Electricity) Act 2000

Item 1

- Adding the definition of "creates excessive noise" ensures the term is effectively defined, providing an effective means of cross-referencing to additional amendments within the proposed bill.

Item 2

- Adding the definition of "wind farm" ensures there is a concise definition within the Act, eliminating any potential ambiguity within the Act. It also differentiates between power stations that generate some or all of their power from wind and those that do not.

Item 3

- This additional paragraph created within the Act, provides the Regulator with the ability to make a wind farm eligible for accreditation provided the wind farm has satisfied its obligations to ensure it does not and will not create any excessive noise. This ensures that all individuals and communities will be effectively protected from any excessive noise created by any wind farm. Currently excessive noise issues are not being effectively addressed.

Item 4

- Stipulating a wind farm creates excessive noise if the level of noise that attributable to the wind farm exceeds background noise by 10 db(A) or more when measured within 30 metres of any premise used for residential purposes, a person's primary place of work or where persons habitually congregate, ensures there is a clear regulation in place to effectively determine wind farms that are exceeding noise levels within designated areas that are vital for individuals to carry out everyday living necessities. A person is entitled to live the lifestyle they

currently live in premises used for residential, primary work place and areas where they habitually congregate without suffering the implications of excessive noise.

Item 5

- The publication of information on the internet as prescribed by the regulations ensures information is readily available in order to conduct effective cross referencing with independent raw noise data obtained. This provides unbiased information, allowing all information to be transparent.

Item 6

- By omitting "may" and substituting "must", this ensures the Regulator has a mandatory duty to suspend the accreditation of an accredited power station if it contravenes the law of the Commonwealth, a state or a territory. This ensures excessive noise issues are effectively addressed in order to protect the welfare and interests of individuals and communities across the board.

Item 7

- By omitting "law of" and substituting "law (whether written or unwritten) of or in force in" makes it clear that a power station's accreditation may be suspended if it contravenes any law in force in the Commonwealth, a State or a Territory, including the common law tort of nuisance which is captured by the proposed reference to "unwritten" laws. This ensures excessive noise issues are effectively addressed in order to protect the welfare and interests of individuals and communities across the board.

Item 8

The four amendments relating to this item being –

- The regulator must by written notice notify the accredited power station of their suspended accreditation on the grounds of excessive noise
- The accreditation suspension continues until the Regulator believes on reasonable grounds that the wind farm is not producing excessive noise. The notice must include a statement to that effect.
- The regulator must suspend the accreditation of the wind farm if it fails to meet the requirements stipulated in section 20AB
- The 2accreditation suspension continues until the wind farm adheres to section 20AB. Information has been published on reasonable grounds, the notice must include a statement to that effect.

- Once again the above amendments ensure that wind farms adhere to acceptable noise limits and that the relevant wind farm is accountable for their actions.

Item 9

- This amendment ensures the application of the amendments.

From personal experiences, it appears the existing Renewable Energy (Electricity) Act 2000 does not effectively address the excessive noise problems experienced by numerous individuals and communities throughout Australia. The above provisions will ensure excessive noise issues are effectively addressed in order to protect the welfare and interests of individuals and communities across the board. They also ensure relevant wind farms are accountable for their actions, and ensure a duty of care is owed to individuals and communities across Australia.

For all of the above reasons, I support all the proposed amendments.