SUBMISSION TO THE SENATE IN REGARD TO ADVERSE HEALTH EFFECTS OF WIND FARMS

INDEX

Attachment: [Noise Impact Assessment Report Waubra Wind farm] referred to as The Dean Report.

Introduction

I have owned the property at 377 Stud Farm Road since 1970, lived there with my wife Janine since early November 1974 and it is where we raised our three children. We left our home of almost 35 years on 25 May 2009 because Janine and I had been experiencing extremely bad headaches and felt most unwell. Janine, my son Rod and I suffered other adverse health affects which developed as time went on while working on the properties at Waubra for short periods even after no longer sleeping at this address.

It took three months to identify why we were experiencing these severe adverse health effects. In that time I had done very little work, spent many hours in bed during the day not knowing what was wrong.

We have been living at Ballarat since leaving the Waubra home, which is about forty minutes away. We rented and then acquired a small factory at a cost of approximately $190,000 so as the business could operate a workshop and maintenance area in a location away from the wind farm. We do not get adverse health effects from being at this location.

Our health, emotions, finances, sense of well being and quality of life have suffered enormously because of the operation of the Wind Farm.

Adverse Health Effects

These adverse health effects occur most times when Janine, Rod or I go close to the wind farm area while the wind farm is operating; that is between 400 meters and 4000 meters, which is the distance from the turbines to where we might be working.

The Adverse Health Effects experienced:

- Severe pain in the head, a pain like no other that I have experienced, it feels as if there is a clamp over my head similar to a very tight fitting glove that you cannot take off.
- Air pressure headaches which consist of pain in the temples, behind the ears and on the top of the head.
- A prickly sensation on top of the head and pain at the back of the head and neck.
- Sore ears which consist of, pain in the inner ear, tinnitus and labyrinthitis.
- Vibration of the body very prominent in the initial ten weeks of being severely affected. My body would just not stop vibrating for long periods of time.
- Pain down the back of the legs, making it difficult to stand for any length of time without suffering pain in legs and head.
- Very difficult to sleep for several days after been exposed to wind farm sound.
- Chronic tiredness
- Blurred vision
- Pain in chest and diaphragm area and difficulty breathing.
- Inability to work, needing to lie down and have complete rest for one to two hours at least, after being exposed to the wind farm sound.
- Interrupted sleep
- Loss of enjoyment in work, rest, travel and life generally.

Initially Janine and I woke with extremely bad headaches, the wind was coming from the north west at the time. Prior to this I had mild headaches after sleeping at this address when the wind was coming from the south west before the north west turbines were operational, but not at other addresses at Corack and Ballarat. I first went to the doctor about five days before I made a complaint to Acciona.

When I went to the doctor after the terrible headaches Janine and I experienced on rising on the 25 May 2009 I presented with symptoms of Labyrinthitis. We both experienced cold bottom half of our bodies for about five months. I was able to do very little work, felt sick and miserable, spent a lot of time in bed during the day and was unable to travel much. I had a lot of trouble with balance. I nearly rolled the vehicle I was driving twice, at slower than normal speed, on a road that I travelled on regularly.

I get a lot of pain in the legs and back of the neck. This happens day and night, I usually get up once or twice during the night to rub the pain out of my legs and back of my neck. After I sit or lie down and stay still for a while the pain in my head is relieved.

The muscles around my head, back of the head and the back of the neck go into spasm causing constant pain, because of the vibration coming from the wind farm. I received many acupuncture treatments to release the pain in the muscles around my head including around the temple area, and also at the base of the skull. It gave relief as long as I stayed away from area of the wind farm as much as I could, until harvest at the Waubra farm in Jan 2010.

At this time I stopped on the side of the road to talk to a neighbour for about 20 minutes, this spot is close to three turbines. I felt quite unwell and moved away, later experiencing a pain sensation in the head. These three towers are currently turned off (Jan 2011). Permit conditions require them to operate in low noise mode to comply.

Investigation by Dr Thorne (Noise Measurement Services) revealed research whereby parts of the body are impacted by the infrasound from the nearby turbines, which also affects organs of balance in the inner ear. When I get pain in the head and throughout my body, I just have to get away from the wind farm as soon as possible and sit down until the pain goes away. If it is too bad I have to lie down for one or two hours. The effects of the wind turbines improve when not directly exposed, however since I was initially affected in May 2009, there has been no point when the effects have completely gone away.

I have been in brain training care and rehabilitation for about ten years because of an unfortunate, unrelated incident. I am unable to continue this training because my body needs to be relaxed. My carer is a trained engineer. The frequencies produced by the turbines are the same as those that operate the brain, the interference of frequencies of the brain by those that are produced by the turbines is why the lower parts of our bodies went cold.

The longer I have been subjected to the conditions surrounding the wind farm the longer it takes to get relief after leaving the area. For instance, if I were exposed to the conditions when turbines were going for two to three hours it may take at least a week away from wind farm area before I get relief from the pain and discomfort.

The turbines in the north west are by far the worst, it is bad when there is little or no wind at the house and the turbines are going and they do not have to be going very fast. Even when I go back to Ballarat the pain in the backs of my legs and back of the head prevents me from getting uninterrupted sleep. It requires treatment during the night, by applying liniment and most times I have diarrhoea the next day. This is very frustrating because my body cannot relax and get a good night sleep.

These issues get worse after being out at the farm and lasts for more than a week without any further visits to the farm. To operate my business effectively, I need to go to the farm at least once every ten days, so I am seldom free of pain. We have been in the process of limiting exposure to the effects of the wind farm as much as possible. To do this, so far we have needed to sell almost half of our original property.

Comments from Doctors and Carers

Complaint: Muscle spasms around the body.
Comment: Too much electricity in the body.
Treatment: Stay away from the problem area.

Complaint: Muscle spasm on top of head.
Comment: Electromagnetic Spasm.
Treatment: Acupuncture, stay away from area causing problem.

Complaint: Pain in the head.
Comment: Told to live at another property away from turbines and see specialist physician.
Treatment: Use air pressure plugs as used on aeroplanes. This helped a little bit.

Complaint: Lack of sleep.
Comment: Move away, because the turbines will not get moved.
Treatment: Sleep study.

Complaint: Pain in the legs and feet. Cannot sleep for very long without being disturbed with the pain.
Comment: Possible lack of oxygen.
Treatment: Go to the decompression chambers. Unable to get access to this treatment at the moment.

Complaint: Cold lower parts of the body.
Comment: The Wind Turbines are operating at the same frequencies as your brain and it is interfering with the function of your brain.

Comments from consultant physician:
He has suffered from some sort of electromagnetic interference. He has had a series of **B**12 injections which apparently initially helped. He denies any family history of migraine. His wife has suffered from similar symptoms although hers have not persisted whereas, in Noel's case, in spite of moving away, he still has his headaches, these on regular paracetamol throughout the day. The symptoms worsen when he goes back to the farm, having sold only part of his land at this stage. Nausea also appears when he goes back to the farm. Some dry needling [Acupuncture] of his nuchal muscles which did help, strongly suggesting he is tensing up in response to the NOISE and this is probably the source originally of his headache. Depression has been intermittent. Whether or not he has an analgesia overuse headache perpetuating things remains to be seen. I have suggested he persevere with the headache and try and come off the paracetamol in stepwise fashion in case there is analgesia overuse headache at work. I've also submitted him for an inpatient polysomnagram as

insufficient deep sleep would likely lower his tolerance to influences during the day. At the outset, his headaches may well have been at the nidus of a constructional interference pattern from several nearby wind mills and there may be a true cause and affect relationship between the low frequencies imparted by wind turbines and symptoms in some individuals.

Economic and Social Impact

Since we need to spend as little time as possible at our home and property close to the wind farm due to the adverse health effects, we have been subjected to, not only the physical and emotional toll, but an enormous financial burden. We have had to re-locate our home and business. I have lost the value of a home and workshop area. I need to spend at least an extra 200 hours a year travelling to go to work.

Since we are unable to live in close proximity to the wind turbines, we have had to sell three blocks of land and relocate outside the wind farm area because of their close proximity to the turbines. We needed to subdivide and sell the back half of the home block to limit exposure to the sound pollution coming from the turbines. We have not sold our home because of the strong emotional links we have with it and we know to do so may have serious emotional outcomes for us.

This situation has cost our business about $1,000,000. This is through:

- the loss of assets including home and workshop facilities
- the costs associated with change of location of property, business headquarters, workshop and home
- the cost of another workshop
- extra costs because of having to duplicate assets
- extra money needed to acquire replacement property
- interest on extra borrowings
- extra travelling estimated at 200 hrs a year or 4 hrs a week because I now live an extra 20 to 40 minutes away from place of work, and the inability for us to work efficiently because of feeling sick, tired and miserable.
- less than ideal outcome in the operation of farm at Waubra because of inability to monitor and attend to tasks when required
- legal costs
- noise monitoring equipment purchased to investigate why my family and I were suffering ill health (Ballarat University and Swinburne University were approached to investigate the noise levels and frequencies that wind farms create, however they didn’t have the equipment to do so.)
- engagement of Noise Measurement Services to do a noise impact assessment report on the Waubra Wind Farm (This was done because Acciona refused to supply outcome of their investigation by independent engineer which I believe I am entitled to.)

Emotional and physical ill health, the financial stresses combined with the pressure of extra travel have contributed to considerable interruption and upheaval in the timing of farming operations resulting in less than acceptable outcomes.

My family is often subject to road rage from a neighbour in a large truck who has four wind turbines on his property. It is highly likely that this is the same person who has deliberately shorted out our electric fences, this has happened several times. Also gates on the property have been shut, by someone other than us, preventing stock getting to water. We have now made the decision to permanently de-stock the property over the next few months.

We have also been subjected to torment when visiting the local store- post office which lead to having mail diverted away.

Our History of Complaint

My son Rod and I contacted Acciona at their Waubra Office in May 2009 regarding our ill health. Since then we have telephoned, emailed, sent letters through our lawyers, and then continued to email.

Early on I had requested to speak to senior management to register our complaints (as advised by the EPA).This request was denied. I spoke to three junior staff at Melbourne Office.

Sound Data has been collected from inside our home by Marshall Day Acoustics. We were to receive the data and an independent report. They have provided raw sound data which shows extremely high pulsing, but to this day I have not received an independent report.

There have not been any Acciona or Marshall Day Acoustics representatives at my property while the turbines have been operating since the complaint was made. The Noise Monitoring Compliance Plan states that a person - an acoustics expert, needs to be present under the same atmosphere conditions to assess the complaint about the swooshing sound. This is the main assessment for low frequency noise at the recommendation of the planning panel but it did not take place.
When the meter was put in, the wind was calm and no turbines were going, and the conditions were the same when it was picked up, the turbines were not operating
We have not received any details of investigation to address pulsing in the data.

Acciona would not respond to a request to prove compliance to planning permit conditions regarding noise compliance issues. We received information on what Acciona should do, or will do, or may do, if it suits them and that DPCD or Council may act if non compliance was proved. We have not received any evidence that the wind farm complied with permit conditions from Council or DPCD.

A request for proof of compliance has been made to Acciona, by the Pyrenees Shire and the DPCD but no proof of compliance has been supplied. The only information we received was information about requirements to getting permit but not proof of compliance.

The Wind Farm Company only communicates with me to address our concerns in a manner that completely denies the possibility of any problem existing. A large portion of emails are ignored. This is most disturbing because this leaves my family in a no win situation in regards to any positive outcome without considerable heartbreak.

It seems very strange to me that there is not an independent moderator for this situation, when we say there is a problem and they (Acciona) say there is no problem. After all, it is in the company's interests for there not to be a problem, so they take control of as much as they can and use their influence to get the outcome they want, it is ridiculous there is no third, completely independent party to resolve the situation.

Acciona requested that I provide a noise assessment report to confirm my claims about noise (audible and infrasound), adverse health effects and to support comments I had made publicly. I commissioned A Noise Impact Assessment Report, The Dean Report from Noise Measurement Services. It has been peer-reviewed. The Dean Report revealed that I am and will continually be adversely affected by the operation of the Waubra Wind Farm, and statutory declarations from my family and residents in the vicinity of the wind farm attest to adverse health affects.

Acciona has dismissed The Dean Report, stating that they consider the matter closed. The recommendations have been ignored, Acciona have not provided an independent peer reviewed acoustic expert reply to address the concerns raised in the peer reviewed report.

Record of communications

ACCIONA

In the early construction stage when the laying of cable and preparing sites for the towers was taking place I think it was in the early part of 2008 Rod and myself spoke to Phillip Munari (Acciona) when he approached Rod about the possibility of putting underground wires through his property. We discussed with him the affects the wind farm may have on us. At the time he was there, a bulldozer was working about two km away and it was heard very clearly as if it was 200-300 metres away, this was at construction stage.

We were told by him that wind turbines made a different noise and that it would take about two km to come down to the ground from the turbines. He agreed, we would be affected and that noise would be about the same as standing beside his diesel ute while it was running. He asked us to support the development and in the end things would be okay for us.

Since 26 May 2009, Rod and/or I have contacted Acciona on many occasions as outlined below:

- 26 May 2009 Steve Beaton (Safety Officer) registered incident report in the same way as if it was a work person on the site .Genevieve Bowyer (Community Liaison) was present. They were given a copy of Wind Turbine Syndrome information that Rod had sourced from the internet. They said they had not done low frequency testing before because they had not been requested to.
- 1 June 2009 (approx) Rang Acciona to see what was going to be done. They said they needed to check their own workplace first.
- 3 June 2009 (approx).Met with Genevieve Bowyer and two other Acciona staff (I think one was Kate Sutherland) at Melbourne office, after senior management would not talk to Rod and myself. Information about equipment to measure low frequency infra sound and where to get it was given to them at this meeting. Again they said they had not done the low frequency testing
- Several days later. Met at 377 Stud Farm Road with Steve Beaton (Acciona), Genevieve Bowyer (Acciona) and Christophe Delaire (Marshall Day). At this meeting I stated that I thought we were affected by constructive interference from the turbines. Christophe did not appear to have any idea what I was talking about. I also asked him what were the length of the blades. He did not know. Steve Beaton said they were 38 and 42 meters long. At this meeting Christophe Delaire said that low frequency sound was strong, travelled long distances and pretty much stayed straight, where as high frequency filtered away from the main stream and did not travel as far. At this meeting Cristophe

and Steve placed measuring equipment in our bedroom that we had not slept in since 25 May 2009. It was also agreed to supply us with an independent report of the outcome. The wind towers were not operating at the time of this meeting. (A passing comment was made at the time about there being no pay due to the wind towers not operating)

- Seven days later Rod was present when Glen Wright from Acciona and Acoustic person picked up the Equipment. Rod was asked whether he suffered from air pressure in the ears but said he did not at the time, he had been working on properties elsewhere for the previous four weeks. When the equipment was collected, the turbines once again were not going.
- Later in June 2009 I rang Steve Beaton for results of investigation, and was told Jamie would ring in the afternoon but I was never contacted.
- Rod continually rang Melbourne office requesting the results of the investigation and was put in contact with their legal department and was given the data but no independent report of the outcome.
- In early June I rang Kate (Acciona) and complained because Janine's eye sight had deteriorated since her last visit to the eye doctor in Melbourne and asked for the noise complaints phone number, which I rang later only to reach a message service which said the office is unattended.
- 16 June 2009 Rod received a call from Kate (Acciona) asking contact address
- 17 June 2009 Received letter from Kelvin Drummond (Acciona) with 19 questions of personal nature saying they could only respond to our concerns if I provided more information about the effects on our health.
- 23 June 2009 A response to the letter was given in good faith, through our lawyer, to protect our interests, and because their legal department had been involved. We stated we believed that the adverse health effects were because Acciona had not complied with planning permit conditions.
- 1 July 2009 A letter from Andrew Morrison of Clayton Utz was received confirming receipt of letter sent on the 23 June 2009.
- 5 July 2009 I rang to register a complaint that I experienced while working at 377 Stud Farm Road on their complaints line where I left a recorded message no response was received.
- 6 July 2009 Rod registered a complaint because he felt sick and could not work at 377 Stud Farm Road on their complaints line and left a message but there was no response.
- 10 July 2009 After saying in previous correspondence that we could contact them by phone Acciona wrote through their lawyer Andrew Morrison of Clayton Utz to my Lawyer claiming we were a nuisance for ringing up asking for information about results of testing at our home, and that we can now only talk to them through our lawyer [This letter contained false allegations against Rod and I.].

- 15 July 2009 (approx) My lawyer requested a response to letter sent on 23 June 2009.
- About a week or so later Acciona provided us with: a Noise Compliance Plan and Environmental Management Plan; Marshall Day Acoustics predictions, but no evidence of compliance was received.
- 4 June 2010 I rang the complaints line to register a noise complaint. Acciona would not register my complaint. I referred the matter to the Shire and DPCD.
- 7 June 2010 Brett Wickham (Acciona) wrote to me requesting I contact him if I would like to speak to him personally. I accepted this offer and a meeting was arranged.
- 17 June 2010 Rod, Bert Kinnersley and I met with Brett Wickham and Glen Wright at a café in Ballarat (I asked Bert to attend because I needed to co-operate with their complaints process, although I did not trust Acciona and feared intimidation). I was told by Mr Wickham it was going to be a meeting to discuss our issues, but they only took a statement of our concerns. This was much the same as information already sent to Acciona on 23 June 2009. The Company has not contacted me about any matters raised at this meeting, even though Mr Brett Wickham said that he would follow up our concerns. One concern was that we thought the two closest towers should be in low noise mode to be compliant. The site manager Glen Wright did not know which ones they were and got angry at Rod when, Rod said he should, and that there were actually 50 turbines which should operate in low noise mode (according to Marshall Day Acoustic predictions report) to comply with noise levels of planning permit. This meeting appeared to be a cover up for not registering my complaint made on 4 June 2010. .
- Since that time there have been many emails asking for response.

<u>Brett Thomas (Acciona CEO)</u>
As advised by the EPA I had requested on or about 3 June 2009 to meet with the most senior executive at Acciona at their South Melbourne Office. This request was denied.

Brett Thomas CEO of Acciona has made comments to the media and in direct letters to the editors of local newspapers that Acciona operated to meet limits required by government. He has stated that low frequency noise levels were okay at our home, Mr Brett Thomas has lied about the assessment that was not completed, and the timing of the initial letter to Acciona by my solicitor. He has refused to supply evidence to support these claims.

Acciona's CEO Mr Brett Thomas has stated publicly that he welcomes me to make contact with him but he has not made any attempt to correspond with me. I have sent many emails to him without any response. I always send emails now because of the distortion of what is said or has occurred in previous contact with Acciona.

I received a legal letter of intimidation from Acciona through their legal representative Andrew Morrison, partner in Clayton Utz. On July 1 2009 I received a letter from them confirming receipt of the first letter on 23 June 2009, we had sent to them via our lawyers regarding allegations of non compliance of planning and permit conditions and potential action because I was affected by the wind farm.

The last letter received from Acciona's lawyers, dated 20 July 2010 claimed that my comment to the media was misleading because of the omission to inform the media that my initial complaint to Acciona in May 2009 was in fact through a letter from my solicitor. This is not true. The initial complaint to Acciona was in person at the Waubra office on 26 May 2009. Lawyers were not involved until 4 weeks later, 23 June 2009, to address Acciona's requests of information. I felt threatened because of potential action against me for telling the truth. Acciona's lawyer corrupted the facts, to intimidate me. This to me meant that Acciona was not obligated to respond, out side legal means because of potential legal action of litigation.

GOVERNMENT DEPARTMENTS

Environment Protection Authority

I reported the initial complaint to the EPA in the first week of June 2009.
The person at the EPA stated to me, that I should meet the most senior person at Acciona's head office and inform him of my concerns and he is obligated by law to investigate the complaint. I followed this up requesting a meeting which was denied at that time.

2nd week of June spoke to James Nancorrow (EPA) on the phone. He said low frequency sound travels long distances, and if the conditions of planning permit were adhered to I would not get adverse health affects, and that the EPA would not get involved at that stage, as I should be protected by the planning permit.

Department of Planning and Community Development

Stuart Dekker was contacted on a number of occasions but would not provide assistance. He stated that the DPCD did not have anybody capable, or with the experience, to ensure compliance and that it was Councils responsibility to monitor and check for compliance.

25 November 2009 After reading in the Ballarat Courier, that David Hodge (DPCD) confirmed that testing results were okay at the Waubra wind farm and that the neighbouring land owners had been notified of the results, I went to the DPCD office. I saw Stuart Dekker and requested a copy of the results because I had not received a copy. He protested strongly that no report existed. I then wrote to him for the information but it was still not made available to me.

Stewart Dekker advised that I write to Jason Taylor (Manager Ballarat DPCD) and request to be informed about what has been done to ensure that Acciona was complying with permit conditions. After about two months a reply came back saying that they were satisfied that Acciona was complying with conditions of permit. I had not asked if they were complying with conditions of getting permit, I had asked what evidence there was of compliance to permit conditions. Surely in the interest of transparency and accountability, a person who has made complaints should have the right to know how compliance is established.

I provided Jason Taylor with a copy of The Noise Impact Assessment Report by email, which I had commissioned to investigate the problems we were encountering with the Waubra Wind farm. He said he would give a copy to the EPA. I have recently had correspondence with Bart Gane (DPCD), who has been working on finding a resolution to the issue.

Victorian Health Minister

Given 20 Statutory Declarations of adverse health affects personally to the former Vic Health minister Mr Daniel Andrews in early June 2010 at Bendigo community cabinet meeting and this was presented in the presence of cabinet. He said he would contact me by the end of the month but he has never contacted me.

Planning Minister

Spoke to Justin Madden about the impact of the Waubra Wind Farm.

Local Members

I gave a copy of the The Dean Report to local member Geoff Howard and requested that it be passed on to the Health Minister. I also presented a copy to Catherine King's Office.

Investigation of the Problem

Our son Rod initially researched the effects we were experiencing on the Internet. He discovered that the same effects were being experienced by people living close to wind turbines around the world. This cluster of symptoms was known as "Wind Turbine Syndrome".

Ongoing research led me to purchase noise monitoring equipment recommended by engineers outside of the wind industry to measure the infrasound. This equipment was imported from overseas because there was no equipment available to me in Australia. It is capable of monitoring and recording as low as 1 Hz, 200 times a second.

We then commissioned the Dean Report from Noise Measurement Services (Attachment 1).

The report was commissioned to investigate:

- Why do we get Headaches?
- Where are the contour lines to know where we may be affected?
- Why is there pulsing sound in Acciona's own data?
- What can I do to protect my family and myself from the effects of the wind farm?

The Report was also commissioned because of Acciona's legal request for me to prove my allegations and claims that I made publicly:

- That our ADVERSE HEALTH AFFECTS from the Waubra Wind Farm were because of INFRASOUND produced by the blades of the turbines
- That the DISTANCE between towers was TOO CLOSE and created unpredicted noise because of operating in wakes of other turbines
- That INCREASING BLADE LENGTH INCREASES NOISE LEVELS that have not been allowed for in the noise predictions
- TOPOGRAPHY and the placement of my home in relation to the towers CREATED CONSTRUCTIVE INTERFERENCE, sometimes referred to as heightened noise zones
- That we were SURROUNDED by small groups of TURBINES
- That we were AFFECTED because we were at the BOTTOM OF A VALLEY

The Recommendations of The Dean Report (Noise Impact Assessment Report)

It is recommended that a longer-term observed study be completed at 377 Stud Farm Road and near locale in order to verify wind farm sound levels and sound character under varying weather conditions and wind farm operational activity.

It is recommended that an attitudinal and health risk and health risk assessment study be undertaken to assess health effects due to wind farm exposure [Waubra locale] and non-exposure [well away from any wind farms] using both objective and subjective measures.

This report [Noise Impact Assessment Report The Waubra Wind Farm] was presented to Acciona at their office at Melbourne in July 2010 at Acciona's legal request.

Questions about compliance with Planning Permit Conditions

WHY there is no evidence of peer reviewed independent report to say that the wind farm complies with conditions of permit, and permit conditions?

WHY wasn't the assessment for Special Audible Characteristics (SAC's) which has a 5db penalty if present, done prior to wind farm design stage.

WHY wasn't a suitably qualified Acoustic Engineer with experience working with wind farms employed to properly predict the noise emissions. The acoustic engineer employed appeared to have no understanding of the connection between the swooshing sound from the turbines and the presence of Special Audible Characteristics (SAC's). These SAC's must be assessed to address low frequency noise as per the Waubra wind farm panel report (2005).

WHY was the presence of SAC's, which are present at the wind farm [The Dean Report July 2010] only assessed once (when the closest turbine wasn't going) and not assessed the required four times in the first 12 months of operation (as per the Noise Compliance Monitoring Plan)?

WHY was the wind turbine spacings and associated wakes and turbulence effects, vortex effects, turbine synchronicity, blade length, which contribute to the sound levels heard or perceived at residences which can add to the predicted sound not adequately considered in the predictions?

WHY was the prediction of sound from the turbines based on a wind farm in another country, and not in Australia under Australian conditions where turbines have been operating for many years, in similar climatic conditions to where the turbines are to be placed?

WHEN is the sound at my house going to be assessed for noise compliance to the standards set by permit conditions in relation to SAC's for the assessment of low frequency sound. My house is inside the 35db contour and is required to be part of the noise compliance monitoring program under permit conditions.

WHY weren't four of our original properties (two now sold) and the Waubra Township including the Primary School which are all inside the 35db contour not assessed which is a condition of planning permit, that background monitoring be done at these properties.

WHY out of all the information that I have received from Acciona and the DPCD there is no evidence that the final plan of the Waubra Wind Farm layout of the turbines had been approved by a named engineer and signed?

WHY have the permanent monitoring towers collecting wind data been removed the Big Hill, Three Sisters and St Mary and replaced with a mast at a site called pyrene06 at a location about two km north west and not operational when pre-construction background testing was done.

WHY is pryene06 monitoring tower sited on flat country away from hills with different wind currents at 150 m less in altitude than the Big Hill, Three Sisters, St Mary towers it replaced?

HOW can the wind data be extrapolated by Acciona at the three original met masts locations using pyrene06 wind data?.

WHY is the collection of noise data for noise compliance monitoring done by Acciona staff?

Questions about complaint procedure

WHY are the complaints made to the Waubra Wind Farm in regard to outcome and resolution of noise complaints, not addressed as outlined in the complaints procedure 4.4 of Operational Environmental Management Plan?

WHY is the complaint procedure of the wind farm managed by Acciona?

WHY was Acciona responsible for developing their own Noise Compliance Monitoring Plan and their own Operational Environmental Management Plan? These two documents form part of the planning permit.

WHY is there no independent investigation into complaints?

Concerns about planning process

The process is very troubling because when people's health is affected the precautionary principle must apply. This basic human right - of health and wellbeing - is being ignored.

The planning process does not consider humans. There is plenty of research and time investigating the effect on the environment, of plants and animals other than human put forward at panel hearings by the developers.

The planning panel appear to be a place of bullies and corruption so as the wind farm industry can get away with as much as they can regardless of the affect on human health. At hearings I have attended, peer reviewed evidence has been presented that state; human health would be affected if the turbines were placed closer than 2 km from people's homes; that there needs to be noise mitigation at 3.5 km and that there is uncertainty in predictions from turbines. None of this information has been heeded by the panels.

The process is weighted to the Wind Developers who can afford to pay legal teams who use the skills and techniques of their profession, even though it is not a court of law, to intimidate ordinary people. An example of illegal conduct at the panel hearing was the making of statements by legal teams of the credibility of people giving evidence regarding experienced adverse health effects and other matters connected with wind farms, and yet the submitters were forbidden from making any statements at all by the panel chairperson. These people were treated like criminals. Lawyers are also familiar with the bureaucratic process and are able to manipulate this to their advantage.

Wind developers have staff and consultants to research and prepare their submissions. Local people need to find time in between earning a living to defend their homes and quality of life.

The process of the panel hearings is to gather and provide information to both the state and federal governments. Often it appears that wind industry does all it can to prevent relevant information getting to the panel let alone the government.

Wind Industry is very skilful in giving information that appears to be the entire picture but does not provide evidence to support their claims, and the panel is too weak to demand the evidence to support the developer’s claims and to address public concern, the public does not have the Legal resources to make the panel and the developer’s lawyers accountable, the legal firm Freehills was involved at many hearings and there was numerous times of intimidation of submitters by their Barristers at a number of panel hearings.

Recommendations

THAT government heed the conclusions made in The Dean Report, a peer reviewed Noise Impact Assessment Report.

THAT the recommendations of the Noise Impact Assessment Report be implemented.

THAT a comprehensive overhaul of the wind farm rules and guidelines be conducted to ensure the safety and the protection of human rights and welfare to World Health Organisation standard.

THAT the separation distance between turbines be no less than 8 rotor diameters for the protection of nearby residents from sounds coming from turbines that are not predictable in hilly country, and can only be measured after the construction of the wind farm ,when it is to late for nearby residents.

THAT the assessment for the occurrence of SAC's be done by a qualified acoustic engineer and wind expert, with pressure loadings across the face of the rotor under all operating conditions be known, and assessment of SAC's be done at the wind farm design stage which must not be altered to suit the developer.

THAT the manufacturer's maximum permitted loadings be made available to regulatory authorities with any application for planning permit of any wind farm.

THAT the planning panel ensures that assessment of SAC's is peer reviewed prior to final approval of wind farm development. Anything less lacks care and responsibility to the general community.

THAT set back from houses be at least 5 km and set back from neighbouring boundary's be at least 3.5 km with mitigation of sound because of vibration of sound coming from the wind farm entering people's bodies .

THAT by spacing turbines closer than 8 rotor diameters breaches rules of wind farm design, which changes the development from wind farm to industrial complex and must abide by industrial laws where by the noise limits are set at the complex's boundaries using dbC sound measurements.

THAT there must be a mediator in discussions between the developers and people affected by the development, to prevent intimidation and bullying by the developer.

THAT Noel, Janine and Rod Dean be fully compensated for costs associated with research into the adverse health effects of the Waubra Wind Farm. It is the Developer's responsibility to investigate noise complaints at their cost. Relocation of Noel, Janine and Rod Dean and their business to other properties to mitigate the effects of the operation of the Waubra Wind Farm is also the developer's responsibility.

The Dean Report concludes that I have been and am currently adversely affected by the presence and activity of the Waubra Wind farm. The Peer Reviewed Dean Report has not been contested with any peer reviewed evidence.

I am able to make myself personally available to the Senate Inquiry.