

Lesson 5: Learnings from Bald Hills – the 4 important steps

Make it happen

The system is stacked against neighbours if they argue compliance..

.. because wind farms think they make all the rules.

The power for neighbours is nuisance.

Nuisance – is all about the evidence neighbours collect.

So make it happen !! Collect the evidence !!

The Bald Hills precedent has set the rules.

The judgement was determined on the evidence before the court. So...

- it's up to the neighbours to collect the evidence,
- it's up to a lawyer to decide if there's enough evidence to make a case, and,
- then it's up to a judge to determine if a nuisance has occurred.

[The Bald Hills Judgement can be found here](#)

There are 4 important steps before a neighbour can claim nuisance.....

The 4 important steps

1. First learn how to identify the adverse effects.
You need to “gather the evidence”.
You are not going mad.
It is happening to you.
Recognise what it is that is causing you harm.
2. Document the adverse effects as evidence.
Diaries, complaints history, emails....
The evidence needs to relate to adverse health effects, and the failure of the wind farm, local council, EPA, and the AEIC to investigate, mitigate or abate the adverse effects.
3. Learn how to quantify, record, picturise, and analyse the evidence to demonstrate the ongoing nuisance is unreasonable.
4. Then use this evidence of the unreasonable nuisance to take legal action ... if it gets to that point.

The Bald Hills neighbours took on the wind farm over nuisance and won !!

Bald Hills Wind Farm ordered to stop emitting night-time noise, pay neighbours damages in landmark ruling

ABC Gippsland / By Emma Field

Posted Fri 25 Mar 2022 at 10:19am, updated Fri 25 Mar 2022 at 3:26pm

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