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Media Release

ACT Government Rejects Protection for ACT

The ACT Government has turned its back on advice designed to protect its officials and itself from future litigation over its renewable energy policy. It has also rejected protecting rural residents living near industrial wind developments.

The Waubra Foundation had recommended that ACT Government wind power contracts include the provision:

The ACT Government will have the right to terminate this contract at any time, without penalty, should it be shown that the relevant wind farm is causing repeated sleep deprivation or other adverse health effects to people in its vicinity.

“The failure to include this clause would mean the ACT Government and its officials may be exposed to future action under Division 274 of the Australian Criminal Code, as well as for breaches of the ACT Human Rights Act,” stated Waubra Foundation director Dr Michael Crawford.

“It is difficult to understand why a government official would fail to include this prudent protective clause to minimize future risks of litigation, unless they believe potential wind power suppliers will not sign on that basis.” Dr Crawford further pointed out that if that was the case, “it means the ACT Government is knowingly signing wind power supply contracts with wind energy developers, which are likely to cause the widely reported problems of chronic sleep deprivation and other adverse health effects to people in their vicinity, thereby increasing litigation risk for the ACT and its officials”.

“Wind energy societal impact and the related unsafe regulatory environment are currently being examined by a Federal Senate Select Committee, instigated by crossbench and Coalition Federal Senators, who have first-hand knowledge of the severity of the adverse health effects reported by residents at existing wind developments in Australia,” stated Foundation CEO, Sarah Laurie. “It is anticipated that this Federal Senate Inquiry will expose the many regulatory failures, which will strengthen the chance of litigation against parties and public officials currently involved with approval and regulation of industrial wind developments,” she said.

“This decision by the ACT Government is reckless and irresponsible,” concludes Dr Crawford. “There is no excuse for wilfully ignoring the mounting research and field evidence of sleep deprivation and serious harm to health from wind developments which are unsafely sited and operated. Minister Corbell and Chief Minister Gallagher therefore now bear the full responsibility of refusing to protect the ACT taxpayer against such risks.”

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<http://waubrafoundation.org.au/resources/conversation-with-act-government-australia/>

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