# **PUBLIC SUBMISSION TO CLIMATE CHANGE AUTHORITY 2018**

# REVIEW THE NATIONAL WIND FARM COMMISSIONER

A special review under section 59 of the *Climate Change Authority Act 2011* 

# Submission: by Melissa Ware.

Resident, property owner Cape Bridgewater, and 'complainant' negatively impacted by;

- Close proximity of Pacific Hydro's Cape Bridgewater Wind Farm, creating conditions making our home unliveable, devalued and virtually unsellable.
- The inadequacies of the NWFC complaints handling, process.
- The ongoing mismanagement of our complaints.
- Lack of thorough investigation and remediation of issues related to our concerns, complaints and suggestions.
- Prospect of offers of 'good neighbour agreements' to communities and no attempt to resolve the cause of complaint, being wind turbine disturbance and the many validated impacts on neighbours.

The Cape Bridgewater Wind Farm, CBWF, is located in the Glenelg Shire of SW Victoria and is under the jurisdiction of the Victorian Planning Minister.

As a complainant with ongoing and unresolved wind farm issues, the National Wind Farm Commissioner role has failed in the concept as intended by the Select Committee on Wind Farms;

'1.9 The committee recommends that the Commonwealth Government establish a National Wind Farm Ombudsman to handle complaints from concerned community residents about the operations of wind turbine facilities accredited to receive renewable energy certificates. The Ombudsman will be a one-stop-shop to refer complaints to relevant state authorities and help ensure that complaints are satisfactorily addressed'.

M.Ware. Private contact details;		
11.4.2018.		

# 1. Background

In 2008 29 2MW turbines were commissioned at Cape Bridgewater, on stunning and heritage valued coastal land which VCAT had for various reasons, including due to the Capes geological fragility, previously refused to allow.

The turbines were built too close to our house which we have owned since 1996, living there happily after sacrificing city life for the stunningly beautiful and isolated Victorian coastal area. The property and area are valued as part of Aboriginal and Victoria's early settlement history; and also, for the small parcel of land with an existing home in a rural area where houses may only be built on 100 acres or above. Its isolation made it affordable and was a wonderful rural home to raise our family and live a 'sustainable lifestyle' with the land. My husband later worked in the Solar field and I supported his commitments to Keppel Prince and to renewables.

We were told there would be no impacts of turbine noise or vibration and any problems would be fixed. Pacific Hydro's CEO, (Energy Equity Pty Ltd) said we would be raising greenhouse gases if we didn't support it. It was impossible to stop the development.

The developers built the wind farm fully aware the noise would be problematic for us. The nearest turbines are 850 m. from the front door of our historically significant, solid limestone house and 500 m. from the back fence of our 6-hectare hobby farm. No 'agreement' prior to the wind farms development was signed by Pacific Hydro with us; but they did inconveniently place a caveat on our property without our knowledge.

2 km's separation between homes and wind turbines was eventually considered a 'safe' distance, with 10 km's now considered a safer option, as more people like myself are becoming sensitised to wind farm and other sources of noise, vibrations and sensations; and are being impacted over further distances.

Problems of turbine noise, vibration and sensation started during building and continue after the wind farm began operating and these experiences of ten years have been fully presented to many authorities, experts and medical advisors and the NWFC, via letters, emails, visits, phone calls, the complaints process and in private meetings.

#### 2. Briefly; CB Wind Farm impacts.

- Our lives, family circumstances and health have irreparably altered.
- Our property amenity, our privacy and our peace have been destroyed.
- Our house is now devalued, uninhabitable due to noise, vibration and sensations, is virtually unsellable and is abandoned.

### 3. Complaints.

I have reported issues, provided information and much assistance to Pacific Hydro, the Glenelg Shire Council, the Department of Planning etc, the EPA; all complaints have been

palmed off between departments or dismissed by Pacific Hydro, the Planning Minister, and stay unresolved by the NWFC process. Information which has been provided repeatedly and the many questions asked, have been simply ignored.

I have made submissions to Planning Panels and Inquiries, including to Senate Inquiries into wind farms and gave evidence to the Select Committee on Wind Farms 2015. This was an important step towards recognition of the problems we neighbours experience and for the possibility for pro-active steps to be taken by our Government into resolving the problems.

Complaints at CB remain acknowledged and supposedly approached with all seriousness by Pacific Hydro yet we and our complaints remain ignored; Pacific Hydro advised they had closed down the complaints process without the remedial action necessary to prevent the noise, vibration and sensations which continues unhindered.

# 4. Working collaboratively.

I genuinely want to assist in finding resolution for the problems so our life can be restored by Pacific Hydro, or by our Government to what it was pre-wind farm as Pacific Hydro publicly announced they would. It is unknown to me if the Commissioner has worked collaboratively with all concerned who hope to resolve community complaints about wind farms. Has he met with the Waubra Foundation, the sole body working closely with residents, or independent acousticians, or discussed the acoustic findings at CB, or even advertised or planned public meetings in rural communities for input on complaints?

Complete collaboration with the NWFC could mean inviting a panel of independent experts, people directly impacted by wind farms, concerned supporters to attend his many presentations to government bodies and the wind industry and to have further input in finding effective solutions.

The commissioner has not publicly and transparently acknowledged that problems of noise, vibration and sensation exist at the CB and other Australian wind farms. It is not a 'collaborative' effort when the National Commissioner appointed to resolve our complaints cannot recognise and publicly acknowledge the base problems experienced by neighbours. How can it be a collaborative effort when the Commissioner lays down the terms, does not invite contribution by the communities impacted into the best ways to resolve the problems we experience and are the 'real' experts in?

In our situation and in the NWF complaint process, the dictatorial approach as displayed by the Commissioner and Pacific Hydro failed to enhance resolution-based focus or a negotiated effort.

#### 5. Independent investigative Studies re: CB

Three independent acoustic investigations by Dr Bob Thorne, Mr Les Huson and Mr Steven Cooper have been conducted at our house, and other homes, and all studies confirm problems of noise, vibration and sensation issues.

Steven Cooper's recent study, in which I participated showed that people in his lab being exposed to certain unheard, inaudible sounds have a reaction without knowing when they were or were not being exposed to it. I have given a presentation on the CB situation and my experiences at the 174<sup>th</sup> Meeting of the Acoustical Society of America in New Orleans last year. These self-funded and voluntary acts to assist in investigations into the origins of my complaints are not actions of someone with invalid complaints.

#### 6. Cooper Acoustic Study Cape Bridgewater

At a local level, after the Senate Inquiry into wind farms, Pacific Hydro acknowledged the presence of a turbine screeching and apologised publicly for the noise at CB and selected 6 affected residents and undertook the investigative Cape Bridgewater Acoustic Study with Steven Cooper 'to get to the bottom of the problems''.

I voluntarily actively participated for over ten weeks in this intensive study recording what was occurring in and outside our home, and the impacts of the wind farm on me. For the purpose of working collaboratively with the owners and an acoustician in discovering what the problems were and for the problems to then be fixed or resolved by Pacific Hydro.

The Study, the problems and our complaints were callously dismissed by Pacific Hydro, the turbines were not adjusted to an optimised mode, turned off, removed or even monitored or operationally corrected on a daily basis in order to prevent the problems or remove the presence of unwanted and intrusive noise and vibration. In turn the Study findings and recommendations made by Steven Cooper have been ignored by the NWFC.

For the NWFC to imply in the complaints handling process that complainers may lack a genuine approach to resolution or could act threatening or abusive or rude is invalidating the seriousness with which the Senate Panel treated our complaints and evidence. To threaten to immediately halt the process should such understandably, *at-the-end-of-the rope* behaviour occur, shows true lack of empathy towards those of us who have suffered such an intolerable situation for too long.

The impacts on my health continue without remedy. The economic and social impacts on my family and many other families remain unresolved.

## 7. <u>Senate Inquiries into wind farms</u>

Initial steps towards a Government based resolution for the problems experienced by neighbours to wind farms lay in the recommendations of the Senate Inquiries of 2011 and 2015. The wind industry, authorities and the media etc. were ruthlessly ignoring or dismissing our complaints and the Commissioner's role was suggested, not to, as the NWFC says in his recent report, 'provide value' to the wind industry. It was created out of a need recognised by the Senate Panel that those of us noise impacted residents who made submissions and gave testimony to the Panel were in dire need of support and assistance.

We needed our complaints to be acted on and be effectively understood and resolved, and not dismissed.

The expensive taxpayers funded Senate recommendations have been mostly ignored or are now biased towards the wind industry businesses involved, while neighbours continue to be concerned for personal and community situations and to suffer and remain unprotected from harm which has not changed after ten years or more of reporting issues.

### 8. Compliancy and Noise Standards etc.

The commissioner has never to my knowledge addressed the outdated and inadequate NZ Noise Standard being applied to wind farms which allow the wind industry to self-monitor compliancy (or lack of) to the specified conditions of permit to operate a wind farm.

The wind industry and Pacific Hydro as early developers and investors in wind farms, have played a big role in defining the standards which allow the nuisance noises causing the disturbance and damage to wind farm neighbours. Had full spectrum noise limits been written into the standards this would surely have impacted on profits made from energy production due to any imposed limits on operations. The NWFC supports input from the CEC into decisions on wind industry standards. The CEC's interests are in protecting the wind industry from being properly regulated to the detriment of many neighbours to wind farms.

Neither has he referred any of my complaints to relevant state or federal authorities to ensure the wide range of problems are properly addressed. Where is our EPA, our Planning Minister, our Health Minister and our local representatives in this process?

A long-standing question and problem is; who is ensuring and monitoring that endorsed complaint handling is complied to and what are the consequences to the Developer for ongoing and unresolved complaints? For months we were exposed to airborne fibreglass from broken blades, and oil spatters from leaking gearboxes. No-one monitors and no-one cared.

The CBWF is not shutdown during lightning storms, bushfires, or on days of high fire danger.

To recommend a distance of 1.5 km's from wind turbines with a 35dBA noise limit shows the Commissioner has no recognition of the unbearable conditions imposed on us living near and being impacted by wind farms.

The Commissioner says it is difficult and intrusive to carry out testing in homes over long periods. Steven Cooper and Pacific Hydro did indoor monitoring successfully at Cape Bridgewater. Difficulties in monitoring noise should not prevent ensuring the World Health Organisation recommended 30 dBA noise levels, or other recommended night time noise limits, for prevention of negative impacts of wind turbine noise on sleep.

There is no merit or resolution to the real noise and vibration problems in the suggestion by the Commissioner, to allow for a 'small tolerance level' to allow for breaches of compliancy to noise conditions of permits.

The NWFC mentions mitigation measures in his recent report. There is no mitigation against the amplitude modulation and conditions we experience in our homes or surely, they would have been implemented and all problems of noise, vibration and sensation would be resolved.

What mitigation measure have been undertaken at the CBWF? Visual screening on our property has failed, cannot protect us from noise and vibration impacts and cannot stop shadow flicker. Shadow flicker and glint have never been monitored at CB. The flicker extends over 2km's across the Cape and invades our home. How is it determined that a European standard of thirty hours of exposure to shadow flicker in our Southern Hemisphere is okay?

At CB, 6 of the turbines closest to our house have never been operated in a 5B Noise optimised mode as per conditions of the planning permit and usage of dBA as a measurement of noise to determine any compliancy is proven useless. Pacific Hydro after years of dodging any meaningful action to fix the problems have failed duty of care towards its neighbours by not altering the conditions in any shape or form to which we are subjected.

Predictive noise assessments, post construction noise testing, shadow flicker and visual assessment processes need to be updated to reflect current conditions and acoustic findings. Wind farm simulators and computer predictions do not represent what we experience in our homes or reflect the tonal characters or amplitude modulations and noise emissions impacting on us. Assessments and permit conditions need to fit their purpose, which is to protect the public, which may not suit the requirements of the CEC and the wind industry.

The NWFC states developers should adhere to conditions of planning permits. They should indeed. Whom is monitoring and enforcing the noise conditions of permits? What are the consequences for breaking noise conditions? To suggest the wind developer has to verify impact levels within 1.5 km's of their wind farm is problematic. This industry selfmonitoring and self-regulating was raised in the Senate Inquiry and must in fairness to neighbours like myself, be assessed independently of the developer.

I requested the NWFC to initiate an independent investigation into our noise complaints submitted to Pacific Hydro and the Planning Department and a review of the management of them. There was no response to this request.

The sound of silence albeit much welcomed, sometimes is heartbreakingly deafening.

#### 9. The National Wind Farm Commissioner and the complaints process.

The Commissioner has been aware of the problems which exist at our home since Dec 2015 and over that 2 years the problems and my complaints to Pacific Hydro frustratingly continue and frustratingly continue being ignored.

The Commissioner visited me at home at Cape Bridgewater in March 2016 to view and discuss the conditions imposed on us. I talked at length openly and honestly and with some hope that he would listen and take heed and act to represent me fairly and honestly during whatever lay ahead.

Provided by the Office of the NWFC with information sheets on the complaints handling policy and the role of the NWFC. Along with many others, I had some concerns and submitted a response of suggested changes to the Draft Complaints handling policy i.e.

- 1. The right for complainants to take any action for resolution of the problems, including legal action regardless of the findings of the Office.
- 2. Submitted material remains the property of the complainant.
- 3. Clear definition of and explanation of the differences between a 'concern' and a 'complaint'.
- 4. For the Office to dismiss concerns or complaints based on being older than between 2 or 6 years, could continue a sense of exclusion and fostering an environment of continued harm.
- 5. Duty of care obligations should outweigh any commercial in confidence sensitivities which the Commissioner could assess.
- 6. Complainants right to have a representative or advisor present at meetings and the other party fairly limited to only 2 persons.
- 7. Referrals to other agencies had previously failed to address complaints. The Office of NWFC to avoid mismanagement of our complaints, must conduct its own thorough, independent investigation into the mismanagement of our complaints.
- 8. If the NWFC referrals fails the complainant should be kept fully informed and consulted about proceedings and permitted to bring an advisor to further meetings.

Voluntary participation by other parties like state gov. agencies and the wind farm operators into the NWF complaints process is a less effective approach to resolution than if those agencies were actually investigated and their processes remedied and real, direct consequences are imposed on wind farm operators impacting on neighbours. Consequences, which the Senate intended through the withdrawal of Renewable Energy Certificates and accreditation by the Energy Regulator where wind farms pose a risk to human health.

We provided relevant information over and over again pertaining to our situation and of the damage done to us to the NWFC including the information provided to and reviewed in the Senate Inquiries into wind farms.

The Commissioner fails to recognise sound, vibration, sensations being experienced inside homes impacting on lifestyle and health, creating devalued properties and unsellable and abandoned homes which are major impacts on some neighbours which require redress.

#### NOISE SOURCES IN OUR COMPLAINTS ORIGINATE FROM THE WIND FARM.

This was established at CB by Pacific Hydro and the Cooper Study and by three independent investigations into noise in our home. Commissioner please clarify from what other source the measurable noise, vibration or sensations is originating from.

After a process taking some additional and prolonged two years, our complaint was closed by the Commissioner late last year. Like the CB Community Consultative Committee meetings, it appears to have been a stalling tactic which enables more and more turbines to be approved and built despite the disturbance problems remaining unaddressed.

Nothing to our situation has changed or improved as an outcome of this process. Feelings of being shoved under the carpet and further gagged, prevail.

### 10. Wind farm related Information transparency.

Transparency would include:

- Provision of up to date information on independent acoustician studies into noise, sensation and vibration detected in homes near wind farms.
- The release of daily wind farm noise level broadcasts.
- Access to live time noise monitoring at wind farms.
- Release of information about breaches to noise permit conditions.
- Access to SCADA, hub wind and speed data.
- Provision of real-time measurement of noise, (other than dBA) and instant consequences for disturbances to neighbours.
- Release of the Developer Complaints Register to the Complainant as requested.
  Current access to that information is being refused by Pacific Hydro.

#### 11. Community Consultation Meetings. (CCC's)

Developers and the NWFC promote and practice engaging the community in consultations to gain social licence to operate. Where the noise, vibrations and sensations from wind turbines exist in homes around Australia and whilst homes sit abandoned or are bulldozed by developers there is no acceptable 'social licence' to operate.

A problem experienced by the participants in the CCC's held at Cape Bridgewater after many years reporting the unendurable conditions to no avail, Pacific Hydro refused to allow a media presence at any of the meetings over the year or so the meetings were held. There were no representatives from the Planning Department, the EPA nor local or state government, in fact we were refused their presence.

Perversely, the Australian Wind Alliance which does not recognise the noise and causal impacts of wind farms on the health of neighbours, had a sullen, non-responsive representative in attendance, despite local's objection and was permitted to listen to and take notes of all that was disclosed by the families most impacted by the impacts of the wind farm.

Only the residents affected by the Cape Bridgewater section of the Portland Wind Energy Project were allowed to be in attendance excluding many Portland people about to be inundated with Stage 4 turbines or those being impacted at Capes Nelson or Sir William Grant.

Also refused was the request to take audio recordings. The meeting notes were written up by the developer and often misrepresented or lacked information and follow-up was limited and futile. Developer representatives frequently altered and were not current on the progression of meetings. Conditions were placed on residents that if they failed to attend the CCC's and any resolution or further discussion around independent noise testing in our homes would cease.

This was not an effective means of garnering social licence.

The NWFC promoting CCC's, provision of information and wind farm open days as an answer to solving amplitude modulation and the real problems experienced in and around our homes as repeatedly pointed out to him, is totally inadequate action, and deceptive options for the communities involved.

There needs to be inclusive, pro-active engagement with a wide representative of the community involved, to represent the growing number of likely impacts on residents as cumulative impacts increase from ever spreading wind farms increasing in number and power output.

#### 12. Health & Information.

The NWFC has supposedly given insights to the Australian Medical Association, what were they? How may his insights assist my medical team treating me for the impacts of the wind farm on my health? Insights which may be founded on his belief that something else other than the wind farm is the source of complaint. The AMA does not believe there is a connection between wind farms and effect on health. These attitudes do not improve GP, Patient relationships, nor promote effective investigative diagnosis and treatments.

I consider the Commissioner as being an inappropriate person to manage my private medical information and is unqualified to make an authentic assessment of the information related to the harm being caused to me and my family by the wind farm. The Commissioner displays no support and shows insensitivity towards the anecdotal, let alone the expert evidence of harm being caused by wind turbines which has been presented to him.

To only suggest people see a Doctor to look for other underlying causes of harm, minimises the seriousness of the harm people on a global level are suffering and does not support our

medical teams whom are valiantly trying to understand what is causing the ongoing harm and how to effectively treat it.

My medical team advised me repeatedly to leave the house. Yet those regulatory authorities whom should be acting on my behalf do not recognise the cause and effect of wind turbines and growing poor health status near them.

The Commissioner could wait for the NHMRC study or he could support our suggestions to get health studies into our homes where and while the actual harm is occurring.

Medical and acoustic investigations into effects of noise, vibration and sensation to my health remain ongoing.

#### 13. NWFC Complaint Process; Share Information and Confidentiality documents.

What we were **not** made aware of during the NWFC complaints process; as a condition for the complaint to proceed we were required to sign a *share information document*, (without inclusion of complainer suggested conditions); and also, a *confidentiality agreement* prior to a one off and final proposition being put to us under the Commissioners approval and direction. Details of which I am legally enforced not to reveal.

Two years on top of what we had already previously endured during the Pacific Hydro complaints process which started before the wind farm was commissioned and also the complaints made at local or state levels of Planning without any satisfactory resolution, was not what I would call complaints being progressed in a timely or effective way. Ten years and still waiting, is an overly long wait.

It is unknown to me if our complaints or case was taken by the NWFC to other regulatory bodies or even discussed with them. We were not asked to sign a share information document other than with Pacific Hydro. There have been no communications from the Planning Minister or any other authority since the process with the NWFC began and I would suggest this has been a neglected obligation of the Commissioner if he really was genuine in finding a resolution of the noise problems at wind farms around the nation.

I expected throughout the process to be treated differently after years of dismissal with some understanding, compassion and support, with a real intent to find a solution satisfactory to all parties. That the wind farm commissioner worked closely with the wind farm operator and without an effective resolution for the situation showed particularly at a private meeting, and in local media, a stance biased only towards the industry needs.

The process has been flawed from the start as the Commissioner has not made the slightest public or private acknowledgement of the impacts on our health from wind turbine exposure the process is flawed from the start. To provide a 'central trusted source for disseminating information' would require providing that information to more than the wind industry. To include all involved or interested in the process. The Commissioner has presented at wind industry events without, to my knowledge, initiating similar events for those of us his role was created to assist.

It is an unsatisfactory and failing process to resolve wind farm problems and complaints with a WFC geared to keep wind farms operating at all costs regardless of the impacts of wind farms on neighbour's health, social and economic situations. Our complaint should have continued being investigated at least until more than one option of resolution had failed.

#### 14. Conciliation meeting.

A meeting was arranged by the NWFC to allow discussion about the issues, (yet again) between us and Pacific Hydro, to supposedly reach a happy conclusion where both sides were to be satisfied. There should be immediate recognition that any proffered negotiated process must entail compromise and never include dictating the terms of a solution.

The process we volunteered into was not a collaboration to find a solution to the problems at CB, as we had been informed by the NWFC, it was to dictate to us behind closed doors with no attempt to compromise or negotiate the proposition put to us. Our case was to the satisfaction of Pacific Hydro and its Board of Directors, closed by the NWFC and they continue operations without consequence or real regard for we whom continue to suffer at their arrogance.

Referring our complaint, yet again, back to Pacific Hydro or any other developer did not and will never work while the real issues remain buried and the Commissioners role does not fairly replace that process.

### 15. Positive Outcomes

A positive outcome to the process of complaint resolution would entail proper and fair compensation to wind farm neighbours for years of exposure to harm. It would include a replacement property, it would recompense for years of residential disturbances, it would cover medical costs into the future and it would fairly compensate for damages.

Good Neighbour Agreements proposed by and becoming the wind industry standard of response to affected communities within 1km of turbines and are being endorsed by the NWFC fail to fully address the complaint. It becomes questionable as to whom decides a 'fair' monthly or yearly payment and is it sufficient to compensate the harm? Are other options available if a GNA is refused? Does conducting this part of the process under secrecy equate with fair treatment? What steps would be undertaken to prevent further harm to communities?

The approach fails to enforce protective measures to protect communities from sound, vibration and sensation problems existing at wind farms. Whilst maintaining a deliberate and false impression that with cases being closed by the NWFC then the problems were either minimal or happily resolved. This is not the case.

Transparency requires discovering why people stop proceeding with their complaint to the WFC. Does withdrawal imply a lack of effective follow-up by the WFC? Do people feel they

have been educated properly, remain confused by the mixed messages, feel somehow pressured into dropping the complaint? Do people feel untrusting of the process?

Complaints made to the NWFC have been represented by State and wind farm in graphs in his annual report. Listing the developer into these graphs would indicate which developer is problematic in not resolving issues of complaint.

The Commissioner undertakes consultations and it would depend on which acoustician and experts he consults as to the result of satisfactory closure of cases. Are these experts wind industry funded or fully independent?

These issues impact on an effective working relationship between the Commissioner and noise effected people.

Not one precedent of compensation for the social, economic and health impacts to wind farm neighbours has been established by the NWFC process.

## 16. The NWFC

There is an ongoing need for an independent National Wind Energy Commissioner with updated terms of reference and powers to truly and independently represent and resolve the problems experienced by neighbours and not just perpetuate gagging us or paying us off while continuing to promote the highlights of and supporting the industry or being a mouthpiece for the needs of the industry such as, for transmission infrastructure further afield.

There is a need for an avenue to complain about the process when it fails. To whom is the Commissioner answerable, to whom do we have the right to take our complaints further? There is a need for the Commissioner to fully investigate and answer the questions put to him i.e. what are the bird and bat counts pre and post construction of the CBWF? How much wildlife is killed daily? Show how the noise, vibration and sensation experienced in our homes can be prevented and prove the compliancy of the wind farm to a safer standard.

The cost of complaint resolution should be part of the planning and conditions of the permit. Redirecting taxpayer funded subsidy money currently paid to the wind industry could cover the cost of the NWFC and provide funding for legal assistance in resolution of the complaints.

Finally; if the work of the NWFC must not duplicate or override the important statutory responsibilities such as those related to planning and approval of wind farms then changes to those responsibilities will be further delayed, dashing the recommendations of the Senate Panel.

Under confidentiality agreements the Commissioner appears to have settled only 2 cases over this 3-year process. A situation is being created where cases may be closed, to only perpetuate the ongoing disturbances and harm because the authorities and operators are

not obliged to make authentic changes to either noise standards or noise output or be held to account.

### Conclusion.

After noting the impacts on communities, the role the Commissioner plays while allowing the social, economic and health impacts on neighbours to continue unabated perpetuates the misconception in the wider community that wind farms are cheap, clean, green or safe.

There is continued avoidance of responsibility by Pacific Hydro and other developers to address the wrongs and the Commissioner, has in our case, failed his mission.

At the closure of our case by the Commissioner our conclusion is that the Commissioner was really only able to arrange meetings but had neither the wish nor the persuasive powers to bring the developer to a sensible and responsible position.