

## **Submission on Ausgrid's proposed vegetation management/tree pruning service charter**

**Provided to:**

**Ausgrid Vegetation Management Working Group and Ausgrid**

**Made by local government representatives on the Ausgrid Vegetation Management Working Group from the following organisations/councils:**

- **LGNSW representing councils in NSW**
- **Local Government Tree Resources Association**
- **Sutherland Shire Council**
- **Parramatta City Council**
- **Willoughby Council**
- **Sydney City Council**
- **Ku-Ring-Gai Municipal Council**
- **Inner West Council**
- **Strathfield Council**
- **Burwood Council**
- **Lake Macquarie City Council**
- **Newcastle City Council**
- **Canterbury-Bankstown City Council**
- **Woollahra Municipal Council**
- **Mosman Council**
- **Randwick City Council**
- **North Sydney Council**
- **Northern Beaches Council**

**15 February 2017**

### **A better service charter**

LGNSW and councils represented on the Ausgrid Vegetation Management Working Group do not support Ausgrid's draft vegetation management/tree pruning service charter as currently proposed to the Ausgrid Vegetation Management Working Group (appendix A). This submission outlines the changes we seek.

The purpose of the submission is to follow up on LGNSW's letter to Ausgrid's COO, Trevor Armstrong of 25 January 2017 (appendix B) and provide more detail on our concerns over, and requests for improvement of, the proposed service charter.

We do not believe the charter strikes the right balance between protecting the safety and reliability of the electricity network and protecting the important urban amenity and ecosystem functions provided by trees and urban vegetation. This will be of increasing importance given the scale of housing growth planned across Ausgrid's network area in the context of the NSW Government's widespread planning reforms.

We are concerned that the current draft service charter will not achieve Ausgrid's objective to improve vegetation management and council engagement. It will not address the real issue of councils, which is that Ausgrid's tree pruning practices are excessive and do not achieve satisfactory tree management outcomes. A service charter that is voluntary and does not include specific and enforceable service levels with respect to the extent and frequency of pruning is unlikely to achieve satisfactory outcomes.

We believe that the regulatory regime needs to:

- Include protecting urban amenity and ecosystem functions provided by trees and urban vegetation as an objective; and
- Ensure, by way of enforceable service standards, that electricity distribution network service providers:
  - Take into account urban amenity objectives and avoid excessive and harmful pruning;
  - Comply with relevant vegetation management standards;
  - Consult and agree with councils on activities prior to undertaking them; and
  - Pursue alternative options such as aerial bundling or underground cabling where feasible.

**We request that the proposed service charter be strengthened to include specific and enforceable service standards including:**

#### **Minimum service standards**

- Adherence to maximum regrowth pruning allowances for individual tree species across Ausgrid's network area. These should be developed in consultation with local government and other relevant stakeholders.

Currently, the *Electricity Industry Safety Steering Committee's Guide for the Management of Vegetation in the Vicinity of Electricity Assets, (2016)* is heavily focused on achieving infrastructure and operational safety outcomes and only prescribes minimum clearing requirements. It does not protect against excessive pruning.

- Compliance in all vegetation management/tree pruning activities undertaken by Ausgrid with the *Australian Standard AS 4373-2007, Pruning of Amenity Trees* and the *Electricity Industry Safety Steering Committee's Guide for the Management of Vegetation in the Vicinity of Electricity Assets (2016)*.

This includes ensuring that on-site operators that carry out vegetation management/tree pruning activities are appropriately qualified and equipped to carry out such activities (e.g. the *Australian Standard AS 4373-2007, Pruning of Amenity Trees* requires that at least one operator on site is qualified under Certificate II in Arboriculture).

### **Service agreement with council**

- Before Ausgrid can undertake regular vegetation management/tree pruning activities in a council area, Ausgrid and the council need to enter into an agreement that sets out agreed service levels for the planned vegetation management/tree pruning activities and the charter should require this.

The service agreement should be based on a documented process by which council and Ausgrid assess, and agree on, appropriate vegetation management actions and pruning levels for any particular area, tree, or groups of trees. This process would produce a report available to both parties against which actual performance of vegetation management/tree pruning can be measured.

The service agreement should include:

- Clarity regarding appropriate pruning levels including how the *Australian Standard AS 4373-2007, Pruning of Amenity Trees* is interpreted and applied (particularly to avoid “misuse” of the standard) and how maximum regrowth pruning allowances are applied.
- A requirement for individual risk assessments for trees to alter minimum clearance and other requirements under the *Electricity Industry Safety Steering Committee's Guide for the Management of Vegetation in the Vicinity of Electricity Assets, (2016)*; e.g. for branches that can remain (i.e. branches within minimum vegetation clearance that pose limited or no risk to power lines).
- Qualification requirements for on-site operators including stating how any requirements of the *Australian Standard AS 4373-2007, Pruning of Amenity Trees* are applied.
- The production of tree management plans where required under the *Electricity Supply (Safety and Network Management) Regulation (NSW) 2014*, including developing agreed alternative solutions to tree pruning to achieve more balanced recognition of urban amenity, as well as network safety and reliability .
- A mandatory communication plan to clearly and comprehensively inform the community about the upcoming vegetation management/tree pruning activities including:
  - Public exhibition of service agreement by Ausgrid.
  - Provision of adequate notification to the community (e.g. broad information of upcoming activities, a reasonable time before activities

start; notification of individuals immediately before activity will affect them).

- Councils being included in these notifications.
  - Clear identification that vehicles and equipment used by Ausgrid contractors for Ausgrid's vegetation management/tree pruning activities are undertaking work for Ausgrid (e.g. similar to the A-Frame signs used by Ausgrid contractors undertaking cable upgrades in local streets).
- An independent dispute resolution process to arbitrate where agreement cannot be reached.

### **Performance reporting, audit, compliance and enforcement**

- Ausgrid should report on performance of, and compliance with, minimum service standards as above and service levels agreed in the individual service agreements with councils. This data could be made available to councils and via Ausgrid's Data to Share website. Where necessary, the reporting should be independently assessed/audited to ensure robustness of information and address any conflicts of interest.
- A meaningful penalty regime must be established for non-compliance with minimum service standards and service levels agreed in the individual service agreements. This needs to include an independent dispute resolution process for councils and Ausgrid where disputes over outcomes or performance/compliance need to be resolved.
- To ensure penalties are effective, Ausgrid must not be allowed to recover any penalties from customers via regulated prices.

### **Strategic assessment of alternatives**

- A comprehensive (and more strategic) process of considering alternatives to tree pruning including aerial cable bundling/protection, underground cabling (for new development), removal and replacement of trees and other vegetation management alternatives such as species selection must be implemented.

Existing processes for councils to request aerial bundled cabling (ABC) or the removal and replacement of trees, including considerations of design, cost, cost sharing and financing options, need to be streamlined and made more transparent. Ausgrid's processes are not customer focussed and create a barrier for alternative solutions to be a viable option for councils; e.g. to get council-funded ABC projects up and running.

### **No-Go Zone**

- Existing processes and practices for councils to have tree pruning/management work undertaken in the electricity network provider's No-Go Zone need to be more efficient. They currently cause undue additional administration and operational costs, and significant delays occur in Ausgrid's authorisation. Price gouging by Ausgrid's nominated and authorised contractors must also stop.

The issue of No-Go Zones was "parked" by Ausgrid's working group facilitators, and this issue has not been revisited, despite being of critical importance to councils.

- To improve the process for tree pruning in the No-Go Zone, Ausgrid and councils should agree to the following:
  - Ausgrid to provide a list of multiple tree pruning contractors that councils can use for any work within, or work that requires access through, the No-Go Zone in their council area. If council uses a contractor from the list, council should not be required to consult with, and obtain written approval from, Ausgrid (the network operator) to undertake the work pursuant to section 3.5 of the *WorkCover NSW, Work Near Overhead Power Lines - Code of Practice (2006)*.
  - Ausgrid will ensure that contractors on the list are appropriately qualified and equipped to undertake work in the No-Go Zone.
  - Ausgrid agrees to carry an appropriate share of the cost of the tree pruning work in the No-Go Zone where the work was (partly) necessary to protect the safety of electricity assets.
  - Councils will notify Ausgrid of any work to be carried out in the No-Go Zone prior to commencing the work and will maintain a record of any No-Go Zone work.

It is acknowledged that implementing this regime might require changes to the *WorkCover NSW, Work Near Overhead Power Lines - Code of Practice, (2006)*. Councils and Ausgrid should work together to promote such change.

### **Conclusion**

LGNSW, the Local Government Tree Resources Association, and councils represented on the Ausgrid Vegetation Management Working Group do not support Ausgrid's draft vegetation management/tree pruning service charter as currently proposed to the Ausgrid Vegetation Management Working Group.

We acknowledge that the proposed voluntary service charter outlines, in writing, the broad principles by which Ausgrid engages the community and councils regarding tree trimming. This is an important first step towards meaningful engagement with councils on the real issues of concern, which are Ausgrid's tree pruning processes and practices.

LGNSW, the Local Government Tree Resources Association and councils represented on the Ausgrid Vegetation Management Working Group seek Ausgrid's response to our concerns over, and requests for improvement of, Ausgrid's draft vegetation management/tree pruning service charter as part of Ausgrid's commitment to engage with councils in a transparent and meaningful way.

LGNSW, the Local Government Tree Resources Association, and councils are still hopeful of, and committed to, working with Ausgrid to develop a more balanced approach to tree pruning/vegetation management in local streets.

# Vegetation Management Service Charter



## 1 Who we are

Ausgrid provides a safe and reliable electricity supply to more than 1.7 million homes and businesses across Sydney, the Central Coast and Hunter. Our network area covers 22,275 square kilometres and includes more than 200 large electricity substations, 30,000 small distribution substations, 500,000 power poles and almost 50,000 kilometres of below and above ground electricity cables.

To help make sure we provide a safe and reliable electricity supply, we are required to manage vegetation that may impact powerlines and poles. This is essential for the safety of members of the public and our staff working on the network. Our aim is to keep the network safe while minimising the impact of our vegetation management activities. We strive to be transparent and accountable across our operations.

This Service Charter is our commitment to you, our customers and the community, on what you can expect from us while we undertake our vegetation management activities. It provides information about how we trim trees, how you can comment on our service, and how we will respond to your concerns. We welcome your feedback to ensure we meet our standards and continuously improve our service delivery in line with our commitment to safety.

## How we work

2 When we are trimming trees in local neighbourhoods, we will strive to:

- Provide a safe and reliable electricity supply to homes and businesses across Sydney, the Central Coast and Hunter.
- Conduct all our operations in an honest, transparent and professional manner.
- Be accountable and provide prompt, accurate and relevant responses to all enquiries.
- Treat our customers, with dignity and respect and inform and involve stakeholders in decisions that may affect them.
- 3 Provide information to help customers understand our policies, procedures and regulation guidelines, including our bushfire management plan.
- Adhere to Australian Industry Standards, legislation and current Codes of Practice in the management of vegetation around our network.

## 4 What we promise to do

- 5 While carrying out vegetation management, we promise to:
- Listen to community and stakeholder concerns in scheduling tree trimming and provide timely feedback and notification of pruning activities.
  - Provide a dedicated 24-hour hotline to report safety hazards on 13 13 88.
  - Support consideration of alternatives to tree trimming to achieve the necessary clearances.
  - Recognise trees are a valuable community and environmental asset and make provisions for heritage, significant and certain species of trees.
  - Track and measure the impact of trees on the reliability of power supply.
  - Work to foster relationships with councils and other stakeholders.
  - Explore co-funding of new alternatives to tree trimming.
  - Provide information and guidelines, in collaboration with council, for suitable species to plant under powerlines on public and private land.
  - Engage professional tree trimming contractors with appropriate training and qualifications.
  - Provide findings from trimming audits and quality checks.
  - Provide readily available information on our vegetation management activities.

## How you can help us

We ask you, our customers, to help us to provide a high standard of service by:

- Providing us with constructive feedback when we do not meet this Service Charter and any associated vegetation management policies, procedures and practices.
- Undertaking responsible maintenance of trees planted on private property that may impact the electricity network.
- Providing your council with information on significant or heritage trees, so we can work together to make provision for these.
- Understanding our need to manage vegetation around the electricity network so we can provide a safe and reliable electricity supply to your home or business.
- Working with your council to ensure the planting of only appropriate plant species under/near our network
- Reporting trees growing too close to the network at [ausgrid.com.au/trees](http://ausgrid.com.au/trees).

# Vegetation Management Service Charter



## 11 If you need more information

We value your feedback on our work and will use it to monitor and improve our vegetation management practices and processes.

12 We know that trees are important to communities and streetscapes. Please take the time to contact us if you have a concern, as our aim is to respond to and resolve your concerns efficiently, effectively and with respect.

We will listen to, consider and make every effort to resolve your complaint within 28 business days of receiving it. We will keep you informed by either telephoning you or writing to you every 10 business days. At the conclusion of our investigation we will contact you by telephone or in writing to explain our findings and any actions we have taken or intend to take in response.

We aim to provide prompt and accurate responses to council and community feedback. We will also provide councils with information about how to direct community feedback and complaints about Ausgrid's activities or network.

## 13 How you can get in touch with us

You can lodge an enquiry or complaint with Ausgrid:

- By telephone on 13 13 65 (local call cost)
- Via our website at [ausgrid.com.au/enquiries](http://ausgrid.com.au/enquiries)
- In writing to GPO Box 4009, Sydney NSW 2001

For further information on our complaints policy and process please visit our website at [ausgrid.com.au/customercomplaints](http://ausgrid.com.au/customercomplaints)

14 If you would like to comment on NSW Government policy or Industry Standards you can also contact:

- your local Member of Parliament;
- the NSW Department of Industry (Resources and Energy) by telephone 1300 736 122 or via their website at [industry.nsw.gov.au/contact-us](http://industry.nsw.gov.au/contact-us)
- The Australian Energy Regulator by telephone 1300 585 165 or email via [AERInquiry@aer.gov.au](mailto:AERInquiry@aer.gov.au)

## If we did not meet your expectations

15 If you are not satisfied with our investigation of your complaint you may be able to refer your complaint to the Energy and Water Ombudsman New South Wales (EWO). The ombudsman can be contacted on 1800 246 545 (Freecall) or electronically at [ewon.com.au](http://ewon.com.au).

## What is not covered by this charter

This charter deals with the quality of services we provide for tree trimming and vegetation management. There are matters which are not covered by this charter, including:

- Employee related complaints or disputes.
- Areas of our service that are not related to vegetation management.
- Government policy.
- Administrative or operational decisions made under law.
- Industry regulation.

## APPENDIX B



Our ref: R90/1025-13 Out-25884

25 January 2017

Mr Trevor Armstrong  
Chief Operating Officer  
Ausgrid  
GPO Box 4009  
SYDNEY NSW 2001

Dear Mr Armstrong

### **Ausgrid Vegetation Management Service Charter**

I write to request that Ausgrid's proposed vegetation management service charter be strengthened to strike a better balance between protecting the safety and reliability of the electricity network and protecting the important urban amenity and ecosystem functions provided by trees and urban vegetation.

LGNSW and councils represented on the Ausgrid Vegetation Management Working Group do not support the service charter in its current form. We are concerned that the current draft service charter will not adequately address Ausgrid's objective to improve engagement because it will not address the real issue of councils, which is that Ausgrid's tree pruning practices are excessive and do not achieve satisfactory tree management outcomes.

LGNSW believes that the regulatory regime needs to ensure, by way of enforceable service standards, that electricity distribution network service providers comply with relevant vegetation management standards, consult and agree with councils on activities prior to undertaking them, and pursue alternative options such as aerial bundling or underground cabling where feasible.

LGNSW therefore requests that the proposed service charter be strengthened to include specific and enforceable service standards with respect to tree pruning including:

- Developing and adhering to maximum regrowth pruning allowances for individual tree species across Ausgrid's network area.
- Establishing and adhering to a documented process by which councils and Ausgrid assess, and agree on, appropriate pruning levels before pruning is carried out in any particular area. This process would produce an assessment report available to both parties against which actual performance of tree pruning can be measured.
- Implementing a meaningful reporting and penalty regime for non-compliance and a dispute resolution process to arbitrate where agreement cannot be reached in the pre-assessment process or disputes over outcomes need to be resolved.
- Implementing a comprehensive (and more strategic) process of considering alternatives to tree pruning including underground cabling and aerial cable bundling/protection and other vegetation management issues such as species selection.

This will be of increasing importance given the scale of housing growth planned across Ausgrid's network area in the context of the NSW Government's widespread planning reforms.

**LOCAL GOVERNMENT NSW**  
GPO BOX 7003 SYDNEY NSW 2001  
L8, 28 MARGARET ST SYDNEY NSW 2000  
T 02 9242 4000 F 02 9242 4111  
[LGNSW.ORG.AU](http://LGNSW.ORG.AU) [LGNSW@LGNSW.ORG.AU](mailto:LGNSW@LGNSW.ORG.AU)  
ABN 49 853 913 882

- Ensuring that all vegetation management/tree pruning will be undertaken in full compliance with the *Australian Standard for the Pruning of Amenity Trees* and the *Electricity Industry Safety Steering Committee's Guide for the Management of Vegetation in the Vicinity of Electricity Assets*. This includes ensuring that appropriately qualified operators carry out vegetation management/tree pruning activities.

LGNSW has raised these concerns and requested improvements to the service charter at meetings of the Ausgrid Vegetation Management Working Group as well as in the attached email to Ausgrid's David Pengilly of 24 November 2016. However, the requested improvements have not been properly considered or implemented.

I look forward to working with you to strengthen Ausgrid's vegetation management service charter and await your urgent and favourable response.

For further information on this issue, please contact Sascha Moege, Senior Policy Officer on 9242 4045 or [sascha.moege@qnswwater.com.au](mailto:sascha.moege@qnswwater.com.au).

Yours sincerely



Donna Rygate  
Chief Executive