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The Energy Reform Team

Essential Services Commission

Via: energyreform@esc.vic.gov.au

Developing a Land Access Code of Practice: Consultation on Draft Code

Thank you for the opportunity to respond to the Essential Services Commission's (the Commission) draft *Land Access Code of Practice* (Draft Code). The Energy and Water Ombudsman (Victoria) (EWOV) welcomes the Commission's continued focus on the important issue of how electricity transmission companies access land and engage with communities and landholders. We support the Commission's commitment of creating a Land Access Code of Practice (Final Code) that is practical, effective, and fit for purpose.

Creating a Final Code for regulating how electricity transmission companies access land is a critical enabler of success for transmission works and will improve outcomes for more affected individuals and organisations, including landholders (landowners, occupiers and other interested parties) and electricity transmission companies. Land access issues are of growing importance to industry and the community. With the amount of electricity transmission works likely to increase in the coming years, these issues will grow in focus and require tested, measured and proactive supports.

We welcome the Commission's comments in its *Making a Land Access of Practice: Draft Decision* (Draft Decision) that:

- Based on stakeholder feedback and its analysis, it considers EWOV is the most appropriate dispute resolution body to resolve complaints related to land access under section 93 of the *Electricity Industry Act 2000* (the Act) and compliance with the code of practice.
- EWOV has established skills and experience in working with consumers, landholders and energy companies to effectively resolve complaints.
- Adopting EWOV as the dispute resolution body is expected to result in a more efficient process and lower costs for parties to a dispute compared to a new or different body.

We also note comments from stakeholders at the Commission's Land Access Public Forum on 17 July 2023 that matters EWOV can assist with are limited and there could be benefits stemming from EWOV being able to provide greater assistance.

EWOV supports measures to ensure the Final Code's effectiveness. We consider that one of the key means to achieve this is for electricity transmission companies and landholders to be able to escalate unresolved land access complaints to EWOV. EWOV is well-placed to play the key role of ensuring that fair and reasonable dispute resolution outcomes can be reached early, free of charge to landholders and deliver expertise on the issues that may surround land access complaints.

EWOV considers the Final Code will play an important role in providing an effective framework for regulating land access arrangements, and in building trust and confidence in this aspect of the transitioning energy market. To ensure the Final Code is as effective as possible and meeting its objectives, EWOV considers there are some opportunities to refine the Draft Code to provide a clearer and more accessible pathway to experienced dispute resolution services. Ensuring landholders have access to free, fair, accountable, independent, trusted, and experienced dispute resolution for a range of land access issues is imperative for land access arrangements to occur in an effective and reasonable way. Given EWOV's extensive experience and expertise, we consider we are the most appropriate body for providing dispute resolution services for land access complaints.

In this submission we outline:

1. The benefits of ensuring EWOV's jurisdiction is fit-for-purpose for the transitioning energy market.
2. Potential opportunities to expand EWOV's jurisdiction.
3. Potential broader opportunities to improve aspects of the Draft Code.

Parts 1 and 2 of EWOV's submission primarily relate to the following questions posed by the Commission in its Draft Decision:

- Q.10 Do you have any comments on the proposed complaints handling and dispute resolution obligations in the draft code of practice?
- Q.11 Do you have any comments on EWOV being the proposed dispute resolution scheme? Are there other dispute resolution bodies we should consider? What would be the costs and benefits of those options?

Part 3 of EWOV's submission relates to multiple questions posed by the Commission in its Draft Decision. Details are set out in the table in part 3.

1. The benefits of ensuring EWOV's jurisdiction is fit-for purpose for the transitioning energy market

As an experienced and established Ombudsman scheme, EWOV is well-positioned to facilitate fair and reasonable outcomes for land access complaints. Using EWOV as the dispute resolution body for land access issues has the benefits of:

- **Accountability** – Our work is guided by and accountable to the principles in the Commonwealth Government's *Benchmarks for Industry-based Customer Dispute Resolution* and performance against these benchmarks is independently assessed every five years. This provides a significant, ongoing and established mechanism of assurance that EWOV operates in a way that is accessible, independent, fair, accountable, efficient and effective.
- **Cost and time effective dispute resolution services** – Use of Ombudsman schemes is a cost and time-effective way of resolving individual complaints compared to formal legal or regulatory avenues. As the Australian Productivity Commission (Productivity Commission) has observed, Ombudsmen mediate outcomes between

parties and conduct investigations where necessary, obviating the need for legal representation.¹ Complainants face no, or very low costs and matters can be resolved more efficiently.² The benefits are particularly pronounced for vulnerable consumers who face a number of barriers when seeking to access formal resolution pathways, meaning they are both more susceptible, and less well equipped, to deal with legal disputes.³ The Productivity Commission also notes that industry Ombudsmen can create cost incentives for providers to resolve disputes in the most efficient manner possible, by requiring providers to pay case fees when Ombudsmen assist in resolving complaints.⁴ EWOV is an industry-based scheme that charges providers for the complaints we handle, with costs increasing as the complaint escalates within EWOV. We consider broadening the use of EWOV as the dispute resolution scheme for land access issues will incentivise providers to:

- Invest in and improve engagement practices with landholders and the broader community.
 - Uphold good industry land access practices.
 - Resolve complaints at an early stage.
- **A clear pathway** – In complex and evolving markets such as renewable energy, it is important to have a clear and simple dispute resolution pathway to help consumers and landholders stay engaged in, derive benefits from and have trust and confidence in the market. We consider establishing EWOV as the dispute resolution body for land access issues will help to reduce confusion about availability of, and access to, dispute resolution services. This is particularly so as there is already community understanding about EWOV’s capability to assist in resolving other electricity related complaints. EWOV has also earned the trust and confidence of impacted communities from the work it has undertaken through EWOV’s current land access jurisdiction. By extending EWOV as the dispute resolution scheme for access agreements, the Final Code can help deliver equal and consistent access to free and specialist dispute resolution services. This will also help drive uniform complaint handling standards by electricity transmission companies and help to limit confusion that may otherwise exist. In addition, EWOV can help landholders whose complaints are without merit, understand why that is the case and help them move on from their disputes.
 - **Systemic issues identification and response** – Having a single body assess land access complaints allows for more effective identification and response to systemic issues. This creates transparency of issues that may otherwise be undetected, even where complaint reporting is envisaged under the Draft Code. This is because such reporting, by its nature, will generally be high level and not necessarily uncover issues, other than those that can be identified by a change in the trend of the volume of complaints. Responding to systemic issues is important for addressing underlying policies or approaches that are driving complaints and for assisting consumers and landholders who have not raised a complaint or dispute but may, nonetheless, have been

¹ Productivity Commission, Access to Justice Inquiry Report, 2014, p. 11. As the National Inquiry noted in 2014, at that time, Ombudsman schemes had capacity to consider approximately 542,000 cases nationally requiring approximately \$481 million combined government and industry funding across all ombudsman schemes. Tribunals had capacity to consider approximately 395,000 matters, required parties to pay registry and legal fees if represented and required approximately \$508 million in government funding support. Civil courts had capacity to consider approximately 673,393 matters, required payment of registry, costs and other legal fees and required approximately \$836 million government funding.

² Ibid, p.11.

³ Ibid, p.8.

⁴ Ibid, p.11.

impacted by a systemic issue. The importance of identifying and responding to systemic issues is increasingly being recognised. For example, a 2020 journal article published in the *Harvard Negotiation Law Review* which conducted a 10-year review of the Australian Financial Ombudsman Service, highlights how systemic issues approaches can be effective in identifying and resolving the root cause of issues that lay both within and outside a provider's system and provide benefits to a large number of consumers.⁵ EWOV is well placed to identify and respond to systemic issues as we already have an established team to perform this function. In addition, established Ombudsman practice, supports identifying good practice and promulgation of guidance and expectations to the market to raise standards.

- **Consistency** – Having a single dispute resolution body assist in land access complaints promotes consistency of outcomes. EWOV can refer to previous outcomes to help inform resolutions of future cases which promotes more equitable resolutions and informs industry of our approach. We are also able to use previous outcomes to develop guidance and case studies to support internal dispute resolution by businesses. This may help ensure internal dispute resolution outcomes are consistent with EWOV approaches, thereby reducing escalations, improving efficiency and reducing complainant effort.
- **Community engagement and outreach** – EWOV has extensive experience and resources available to participate in community engagement on land access issues. We appreciate this is a critical function in new transmission projects. While the proposed land access jurisdiction relates to complaints from landholders rather than communities, this engagement ensures EWOV is able to understand and take account of community expectations in identifying fair and reasonable outcomes. Meeting community expectations is crucial for building trust and confidence. The importance of meeting community expectations has been consistently emphasised through various government actions and publications. For example, the Terms of Reference for the *Royal Commission into Misconduct in the Banking, Superannuation and Financial Services Industry*, specifically required inquiry into the question of whether any conduct, practices, behaviour or business activities by financial service entities fell below community standards and expectations.⁶ Our engagement also enables EWOV to be active in affected communities, raising awareness of landholders' rights and responsibilities and informing landholders and members of the wider support available. We consider this is important to increase community and landholder knowledge of available dispute resolution services and build trust, support, and social licence for major electricity transmission projects. These are critical considerations. As the Minister for Climate Change and Energy, the Honourable Chris Bowen, recently noted, when it comes to transmission, social licence is the most important issue we face.⁷
- **Dispute resolution expertise** – EWOV has experience and expertise in providing dispute resolution services, including in relation to land access. EWOV has an existing land access jurisdiction and is the current complaints dispute resolution body for the resolution of complaints involving electricity transmission companies under the Commission's *Electricity Transmission Land Access Statement of Expectations* made on 17 May 2022 (Statement of Expectations). In addition, EWOV has dealt with land access complaints by agreement with electricity transmission companies. EWOV has benefited from this expanded exposure and used this opportunity to

⁵ Nuannuan Lin, & Weijun Hu. (2020). Systemic Issue Resolution in Two Dimensions: A Reflection Based on a Ten-Year Review of the Australian Financial Ombudsman Service. *Harvard Negotiation Law Review*, 26, 113–151.

⁶ Hayne Kenneth. (2017). *Final Report. Royal Commission into Misconduct in the Banking, Superannuation and Financial Services Industry. Volume 3: Appendices*, p.2.

⁷ Packham, C. (May 15, 2023). Bowen warns on the 'most pressing issue' in the energy transition. *Financial Review*.

resolve complaints and gain insights into effective engagement approaches with impacted landholders and communities. EWOV recognises that if our jurisdiction is broadened to capture a larger number of land access issues and complaints, it may be necessary to expand our capability. EWOV is well positioned to build on our expertise given EWOV:

- Has significantly increased our complaint handling resources in a way to enable us to easily scale up and down depending on case loads.
- Has a number of staff with significant experience in decision making as well as engagement with rural communities. This includes a dedicated Community and Support Manager.
- Has access to an array of expert advice. EWOV has historically engaged independent experts such as arborists, engineers and energy technical experts. EWOV currently has an independent panel of experts that we use to provide technical expertise on a range of issues. We are committed to expanding the operation of this panel to provide expert support on land access issues as required. For example, if complaints arise that require technical interpretation of requirements relating to areas such as biosecurity, expert advice is likely to be appropriate. The use of experts is not separately charged to the parties (including landholders) as would be the case for other types of dispute resolution, such as private mediation.

EWOV recognises dispute resolution issues that have been identified by other stakeholders in the Commission's consultation on the Draft Code, particularly in relation to:

- Representations about EWOV receiving complaints about all aspects of the current Western Renewables Link project, some of which are purportedly unrelated to land access issues.
- Delays in EWOV resolving complaints.

In operating a pilot jurisdiction under the *Land Access Statement of Expectations*, EWOV sought to apply an expansive approach. This allowed EWOV to receive and consider the full range of concerns and complaints being raised by landholders and community members. This has supported EWOV's education and learning on the most appropriate breadth of jurisdiction of complaints for us to consider, as well as allowed feedback to be provided to relevant stakeholders. For future arrangements, EWOV appreciates the importance of its dispute resolution services being confined to land access complaints and not encompassing other issues that are best aired through alternative means, such as dissatisfaction with proposed routes of transmission works or complaints relating to government policies. These would be directed to the appropriate bodies. In addition, EWOV retains a discretion to exclude complaints, or parts thereof, that may be within jurisdiction, but which we consider do not align with the spirit of intended land access dispute resolution services, including complaints:

- Brought for vexatious reasons only.
- That may have significant other implications, such as aviation safety.
- That relate to the methodology for valuing land as prescribed in the *Land Acquisition and Compensation Act*.

Furthermore, when complaints are brought by landholders to EWOV prior to landholders engaging with relevant electricity transmission companies, EWOV would refer complaints to the electricity transmission companies to

resolve in the first instance, before EWOV considered the complaint (unless exceptional circumstances applied, such as acute vulnerability or where an electricity transmission company is not responding to a landholder's complaint within a reasonable timeframe).

EWOV appreciates the importance of resolving complaints in a timely manner. We are committed to addressing potential delays in future complaints including by:

- Being upfront about not handling complaints outside our jurisdiction and exercising our discretion not to consider complaints that are not appropriate for informal alternative complaint resolution.
- Articulating the scope of EWOV's powers and role at the outset and managing the expectations of both parties, including that:
 - EWOV's role is to provide independent resolution of disputes as an alternative to the use of courts.
 - Part of EWOV's purpose is to provide an alternative to the use of courts and, additionally, to provide an equitable jurisdiction to provide additional landholder protection.
 - Lodging a complaint does not generally result in electricity transmission companies being required to cease relevant works. Electricity transmission companies can still progress new transmission projects and significant upgrades, while complaints are being addressed.
 - If EWOV deems complaints are without merit, EWOV will explain why to landholders to help them move on from their disputes.
- Ensuring we have the correctly qualified and experienced staff handling land access complaints.
- Setting clear expectations regarding timeframes to both landholders and electricity transmission companies at the outset and at each stage of the complaint resolution process.
- Using our decision-making power when landholders and electricity transmission companies cannot agree to a resolution within the timeframes set.

2. Potential opportunities to expand EWOV's jurisdiction

The Draft Code imposes limitations on EWOV's ability to provide dispute resolution services by:

- Confining EWOV's jurisdiction to complaints relating to land access that arise when an electricity transmission company proposes to access land under section 93 of the Act.
- Excluding EWOV's jurisdiction where complaints relate to land access that occurs under an access agreement.

These limitations would be significant for community and sector outcomes, and the effectiveness of the Final Code, as the vast majority of electricity transmission companies' access to private land is now being achieved via voluntary agreements rather than electricity transmission companies invoking their powers under section 93 of the Act. For example, based on *Ausnet's Statement of Expectations* monthly reporting to the Commission relating to the Western Renewables Link, since June 2022, AusNet has entered into 587 voluntary land access agreements and accessed land under section 93 of the Act 29 times. Based on this historical data, EWOV would only be able to provide dispute resolution services for land access related to the Western Renewables Link in 5% of land access cases.

Limitations are also reflected through EWOV's complaints data for the Western Renewables Link with only 6 of 32 complaints stemming from access under section 93 of the Act. We consider confining EWOV's jurisdiction to this extent will significantly reduce EWOV's ability to secure fair and reasonable outcomes for landholders and electricity transmission companies, and thereby undermine the efficacy of the Final Code. We consider this is a missed opportunity to grow trust and confidence and support social licence in this aspect of the energy transition.

If the Draft Code is maintained in its current form, then issues are likely to arise regarding access to and quality of dispute resolution. The Draft Code does not impose minimum dispute resolution requirements for access agreements. This will allow for agreements to directly exclude EWOV from assisting in dispute resolution in favour of alternative approaches such as requiring private mediation between the parties. There are likely to be significant issues in this approach including:

- **Cost and time barriers for landholders** – If alternative approaches to dispute resolution such as requiring private mediation are permitted, then landholders may be required to incur a share of mediation costs. For example, the Resolution Institute (a membership body incorporating the Institute of Arbitrators and Mediators) resolved that from September 2016 parties who have agreed that a dispute arising or having arisen between them shall be submitted to mediation in accordance with its 2016 edition of its rules. The *2016 Resolution Institute Mediation Rules* provide that unless otherwise agreed by parties, each party shall pay its own costs of or incidental to the mediation.⁸ If mediation does not resolve the dispute, then the landholder's primary other form of recourse will be to take the matter to court which is an expensive and time-consuming process. The economic impact may be compounded if landholders are required to pay electricity transmission companies' costs in the event of landholders losing cases. As noted above, EWOV can provide a cost effective and expedited pathway for resolving complaints, with conciliation part of the complaint process to encourage early agreed outcomes, to help recover the relationship between landholder and electricity transmission company, which will likely be ongoing. The EWOV land access complaint model would, however, be ready to make decisions in the event agreed outcomes were not obtainable. This is particularly important given the time sensitive nature of electricity transmission projects and the importance of allowing the general community to derive benefits stemming from the energy transition as soon as possible.

⁸ *Resolution Institute Mediation Rules 2016* (Australia), rule 9.

- **Power imbalance between electricity transmission companies and landholders** – There are likely to be substantial power imbalances between electricity transmission companies and landholders. The power imbalances are likely to manifest through available resources and information asymmetries in dispute resolution and land access policy and legal knowledge. Without access to high quality and independent dispute resolution, we consider the probable power imbalances are likely to contribute to more inequitable outcomes for landholders, risking trust and confidence and social licence.
- **Transparency** - Matters resolved through private dispute resolution mechanisms are unlikely to be published publicly which will contribute to a lack of transparency of outcomes. Consistent with its Charter and the EDR Benchmarks, EWOV is bound to publish any decisions it issues. Where the Final Code provides a fit-for-purpose jurisdiction for EWOV, we can publish information and reports identifying useful intelligence to help better understand the nature of experiences and the types of resolutions being provided. A lack of transparency will increase the likelihood of inconsistent outcomes, particularly as dispute resolution services may be provided by different parties, potentially undermining trust and confidence among landholders and stakeholders. In addition, the capability to identify common or systemic issues will be undermined and important systemic issue referrals to the Commission would not occur.
- **Accountability** – There may not be requirements for dispute resolution service providers to meet performance standards and/or undergo independent reviews which will undermine accountability of their services.

We note in its *Access to Justice Inquiry*, the Productivity Commission concluded that, when governments assess regulatory and other frameworks to enable appropriate pathways for dispute resolution, consideration should be given to subsuming new roles within existing ombudsman schemes rather than creating new bodies.⁹

We consider potential opportunities to expand EWOV's jurisdiction could be addressed by requiring electricity transmission companies to refer, and allowing landholders to raise, unresolved complaints to EWOV that relate to proposed or actual land access pursuant to:

- Section 93 of the Act, and/or
- A voluntary access agreement.

Compliance with the Code would be a consideration in what is a fair and reasonable outcome.

EWOV can also be more effective in providing consistent expert outcomes where it has the scale of complaints derived from both section 93 of the Act as well as through voluntary access agreements. It would be more difficult for EWOV to be effective in both its resourcing uplift and in ensuring uniform complaint handling standards by electricity transmission companies if EWOV is limited to a minor segment of relevant complaints.

⁹ Productivity Commission, *Access to Justice Inquiry Report*, 2014, p. 50.

Compensation

EWOV notes that the Draft Decision stipulates the Final Code will not cover compensation issues, as these issues are covered by the *Land Acquisition and Compensation Act 1986* (LAC Act). EWOV supports the position that compensation for acquisition or temporary occupation that occurs pursuant to the LAC Act should not form part of the Final Code. However, EWOV would consider it appropriate to entertain complaints regarding:

- Non-payment of agreed amounts
- Compensation for rectification for any damage resulting from access to land, and/or
- Non-financial loss.

This is consistent with EWOV's current jurisdiction regarding compensation.

3. Potential broader opportunities to improve aspects of the Draft Code

We consider there are some broader opportunities to improve the Draft Code to reduce the likelihood of land access issues arising and when they do arise, increasing the probability of them being resolved in a fair and reasonable way. We have set out details below (including which questions posed by the Commission in its Consultation Paper our view relates to).

Commission decision / question	Opportunity
<p>Draft Decision 3: Application to voluntary access agreements – proposal not to include obligations related to the content of voluntary access agreements in the code of practice</p>	<p>Expanding the operation of the Draft Code to apply to voluntary access agreements - Given the majority of access is likely to occur through voluntary agreements, we consider there is benefit for the Final Code to apply to these agreements, to set minimum standards across the industry. We encourage consideration of amending clause 3.1.3 of the Draft Code to apply to divisions 7 and 9 (as well as 11 as noted above). Division 7 includes important minimum standards regarding notice of access. Division 9 includes critical obligations relating to general risk minimisation, biosecurity controls and fire and health risk management. Given the importance of these obligations, we consider they should be applied broadly including when there is an access agreement.</p> <p>EWOV has had no visibility of the contents of access agreements already entered between an electricity transmission company and a landholder and therefore has no confidence that the important matters addressed in the Draft Code are being adequately addressed in the voluntary access agreements.</p> <p>We acknowledge the difficulty in applying the Final Code retrospectively to pre-existing agreements. We therefore consider the more conservative approach is for the Final Code to have broader application now to both</p>

Commission decision / question	Opportunity
	<p>section 93 of the Act and voluntary access agreements, noting the Final Code may be more easily changed than seeking to impose standards on voluntary access agreements already in place that may run for significant periods of time.</p>
<p>Q. 4 Do you have any comments on the proposed general communication and engagement obligations on transmission companies before accessing land?</p>	<p>Neighbouring properties - As EWOV noted in its submission to the Commission’s <i>Making a Land Access Code of Practice: Consultation Paper</i> (Consultation Paper), we consider there is a potential opportunity for the Final Code to impose requirements that electricity transmission companies contact properties that will not have transmission works on their land but will border a property with transmission works. We consider this is appropriate because neighbouring properties are likely to be affected by transmission works. For example, when electricity transmission companies complete activities such as using helicopters to conduct transmission line testing, neighbouring properties are likely to be affected. Imposing notification requirements will assist in these activities occurring at the most appropriate times and in the most appropriate forms. For example, electricity transmission companies not using helicopters to conduct transmission line testing during calving.</p> <p>Landholders’ preferred communication methods - As EWOV noted in its submission to the Commission’s Consultation Paper, complaints relating to land access we have assessed highlight the importance of electricity transmission companies considering landholders’ preferred method of communication and their individual circumstances. We note that whilst the Draft Code addresses important requirements relating to consultation, communication, and engagement, it does not impose any requirements for electricity transmission companies to consider landholder’s preferred method of communication. We consider imposing an obligation of this nature will help to support respectful and informed communication that will better support and recognise landholders’ individual circumstances.</p> <p>Accuracy requirement - The Draft Code imposes obligations for electricity companies to publish information on their websites and provide information to affected parties. We note that the Draft Code does not include a requirement for the information to be accurate. Although this requirement is likely implied, we are aware of issues arising in comparable jurisdictions where providers have argued that in the absence of an</p>

Commission decision / question	Opportunity
	<p>expressed accuracy obligation, there is not a strict requirement for information to be accurate. We appreciate that the nature of electricity transmission companies' works may result in the accuracy of information changing over time. For example, project plans may change which may cause previous details provided about a project and its milestones to become inaccurate. Considering this, we consider a potential improvement relating to information accuracy could best be achieved by imposing a general requirement for electricity transmission companies to use best endeavours to ensure the information they publish and provide to affected parties is up to date and accurate.</p>
<p>Q. 10 Do you have any comments on the proposed complaints handling and dispute resolution obligations in the draft code of practice?</p>	<p>Importance of dispute resolution services - We consider there are opportunities to improve access to and delivery of dispute resolution services by:</p> <ul style="list-style-type: none"> • Including 'providing an avenue for dispute resolution services' as a stated objective in the Final Code. • Requiring electricity transmission companies to inform affected parties of their right to access dispute resolution services when they consult with, provide information on proposed access, and/or provide notice of access to affected parties. • Requiring electricity transmission companies to provide contact details of dispute resolution services when they consult with, provide information on proposed access, and/or provide notice of access to affected parties.
<p>Q. 12 For what period of time should transmission companies be required to retain records related to land access?</p>	<p>Clarification and expanding record keeping obligations - EWOV welcomes the inclusion of obligations in the Draft Code requiring electricity transmission companies to retain all land access related information for a period of seven years. However, we consider there are opportunities to clarify and potentially expand the obligations. Specifically, we consider:</p> <ul style="list-style-type: none"> • Clarification would be helpful to better understand when the seven-year period commences i.e. from initial engagement, when land access first occurs, commencement of an access agreement, conclusion of an access agreement etc.

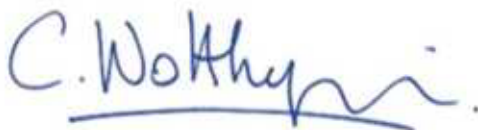
Commission decision / question	Opportunity
	<ul style="list-style-type: none"> Obligations should be expressly expanded to require electricity transmission companies to retain land access related information for longer periods. We consider an appropriate timeframe would be seven years from either the conclusion of an access agreement or when land access is complete. Issues stemming from land access can arise long after the access has occurred. If this eventuates, requiring electricity transmission companies to retain records for longer periods will assist in issues being resolved in a fair and efficient way.
<p>Q. 14 Are the proposed reporting requirements appropriate to monitor compliance with this draft code of practice? If no, what reporting should be required? Do you have any comments on whether the monthly reports should be used for additional purposes?</p>	<p>Complaint recording obligations - We consider electricity transmission companies' reporting obligations in Division 13 of the Draft Code could potentially be expanded to require reports to provide details of:</p> <ul style="list-style-type: none"> Whether complaints relate to voluntary land access agreements or access under section 93 of the Act. The outcomes of complaints.

We trust this submission will assist the Commission in the important task of creating a Final Code that is practical, effective, and fit for purpose.

If you would like to discuss any aspect of our submission, please do not hesitate to contact me or Nicole McCutcheon, General Counsel and Chief Risk Officer at [REDACTED].

We welcome the opportunity to further discuss this submission, the consultation and the Commission's next steps.

Yours sincerely



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