

**From:** [Beryl Crane](#)  
**To:** [Public Administration Committee](#)  
**Subject:** Inquiry into private property rights  
**Date:** Wednesday, 31 July 2019 9:39:09 PM

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For attention Ms Kristina Crichton,  
Committee Clerk Standing Committee on Public Administration Parliament House,  
4 Harvest Terrace  
West Perth WA 6005

Dear Ms Crichton

I recently became aware of the opportunity to make a submission on the effects of public utilities affecting private landholders – in particular Western Power lines and easements.

Both myself and my neighbour are currently in a position where we need to replace our boundary fences adjoining [REDACTED]. Western Power has two sets of power lines traversing the properties – one very high power servicing the wheatbelt and another set for local users. They run parallel to the road boundary and one is within about 10 metres of the boundary.

My property [REDACTED] had the current fence constructed in the mid 1970's at which time the power line closer to the boundary did not exist. The verge was cleared appropriately for the boundary fence which has served well but is now in need of replacement. Up to the late 1980's the verge was managed by land owners and I know it was clear because I hand cleared the outside of the fence so that when the verge was burnt it did not adversely impact the fence. We were then advised that we were no longer permitted to manage the verge without express consent from the City of Swan. As a consequence, the vegetation has now grown to such an extent that it overhangs the fence line and in places is very close to the powerlines.

I asked a contractor a few weeks ago if he could provide a price to clear the trees impacting on the fence and the firebreak and he advised that whilst he could manage most of the tree branches adequately there were a number of living trees and at least two dead ones that would not be safe for him to trim or remove because they were either closer than 1.8m to the power line or too tall to fell without risk of hitting the powerline. The alternative was to bring in a cherry picker and licenced contractor which would be prohibitively expensive from his point of view. He also felt that it was the responsibility of Western Power to maintain the safety of the powerlines in these circumstances where specialist services were required.

Another comment he made was to the effect that Western Power contractors were sometimes inadequately trained or managed and trimmed trees in such a manner that they regrew fairly quickly – an issue known as 'farming' the trees. In the past when contractors have asked for permission to enter my property for the purposes of making the powerlines safe I have requested they completely remove trees close to the power

lines. They advised there were not permitted to do this which makes no sense to me at all.

I am now in a position where I have a letter of authority from the City of Swan to clear up to 1.5m of the verge for the purposes of replacing my boundary fence (which is way in excess of what I need and would decimate the verge completely) but severely restricted by the proximity of the powerlines. Fire safety requirements for the firebreak require a 4m wide by 4m high clearance around the boundary but I cannot safely provide this without Western Power maintaining the vegetation that is close to, or likely to fall on, the powerlines. If I do create a 'cathedral' space around the boundary then it may increase the likelihood of the higher branches falling on the powerlines due to the impact of wind etc in the tunnel created. If we have another wet year with good flowering conditions for marri, it will also likely create very heavy branches that may blow around and break on the powerlines.

When the easement was put in place for the main powerline crossing the property, no compensation was provided to landholders in spite of the restrictions on use and potential possible future impacts. We have subsequently had NBN put cabling also along the easement, citing default permission due to the existing easement. It certainly seems like the public utilities consider it to be 'their' property when it suits them but our responsibility when it suits them also.

There are a number of people affected in this manner and it would be beneficial for clarity and equity to prevail. Providing land for the benefit of community resources should not adversely impact landholders financially, which is the current situation.

Thank you for the opportunity to provide this submission.

Kind regards

Beryl Crane

[REDACTED]

[REDACTED]