Electricity Safety (Electric Line Clearance) Regulations

Exposure Draft

TABLE OF PROPOSALS

Victoria

Electricity Safety (Electric Line Clearance) Regulations

Exposure Draft

Part 1—Preliminary

1 Objectives

The objectives of these Regulations are to—

(a) prescribe the Code of Practice for Electric Line Clearance; and

(b) prescribe—

(i) standards and practices to be adopted and observed in tree cutting or removal in the vicinity of electric lines and the keeping of the whole or any part of a tree clear of electric lines; and

(ii) a standard and practices to protect the health of trees that require cutting in accordance with the Code; and

(iii) a requirement that certain responsible persons prepare management procedures to minimise the danger of

trees contacting electric lines and causing fire or electrocution; and

(iv) other matters for or with respect to the maintenance of electric lines; and

(c) provide for management plans relating to compliance with the Code; and

(d) provide for other matters authorised under the **Electricity Safety Act 1998** relating to electric line clearance; and

(e) make consequential amendment of the Electricity Safety (Bushfire Mitigation) Regulations 2013.

2 Authorising provisions

These Regulations are made under sections 151, 151A and 157 of the **Electricity Safety Act 1998**.

3 Commencement

These Regulations come into operation on 27 June 2020.

4 Revocation

The Electricity Safety (Electric Line Clearance) Regulations 2015[1] are **revoked**.

5 Definitions

In these Regulations—

approval for an alternative compliance mechanism means an approval granted by Energy Safe Victoria under clause 33 of the Code;

AS 4373 means Australian Standard AS 4373, "Pruning of amenity trees", as published or amended from time to time;

cut, in relation to a tree—

(a) includes cutting a part of the tree; and

(b) does not include removing the tree;

low bushfire risk area means an area that is not a hazardous bushfire risk area;

Note

hazardous bushfire risk area is defined in section 3 of the Act.

remove, in relation to a tree, means to remove the whole of a tree above ground level;

the Act means the **Electricity Safety Act 1998**;

threatened fauna means fauna that is—

(a) listed as threatened in accordance with section 10(1) of the **Flora and Fauna Guarantee Act 1988**; or

(b) listed in the Threatened Invertebrate Fauna List with a conservation status in Victoria of "vulnerable", "endangered" or "critically endangered"; or

(c) listed in the Threatened Vertebrate Fauna List with a conservation status in Victoria of "vulnerable", "endangered" or "critically endangered";

Threatened Flora List means the Advisory List of Rare or Threatened Plants in Victoria published by the Department of Environment, Land, Water and Planning as published or amended from time to time;

Threatened Invertebrate Fauna List means the Advisory List of Threatened Invertebrate Fauna in Victoria published by the Department of Environment, Land, Water and Planning as published or amended from time to time;

Threatened Vertebrate Fauna List means the Advisory List of Threatened Vertebrate Fauna in Victoria published by the Department of Environment, Land, Water and Planning as published or amended from time to time;

tree for which a person has clearance responsibilities has the meaning given in regulation 6;

tree of cultural or environmental significance means a tree that is—

(a) included in the Heritage Register established under Division 1 of Part 3 of the **Heritage Act 2017**; or

(b) included in the Victorian Aboriginal Heritage Register established under section 144 of the **Aboriginal Heritage Act 2006**; or

(c) flora that is—

(i) listed as threatened in accordance with section 10(1) of the **Flora and Fauna Guarantee Act 1988**; or

(ii) listed in the Threatened Flora List with a conservation status in Victoria of "endangered" or "vulnerable"; or

(d) a habitat of threatened fauna.

6 Meaning of *tree for which a person has clearance responsibilities*

If, under Subdivision 1 of Division 2 of Part 8 of the Act, a person is responsible for keeping the whole or any part of a tree clear of an electric line, that tree is a ***tree for which the person has clearance responsibilities***.

Part 2—Prescribed Code of Practice and related provisions

7 Prescribed Code of Practice

(1) For the purposes of Part 8 of the Act, Schedules 1 and 2 are together prescribed as the Code.

(2) In these Regulations, a reference to a numbered clause of the Code is taken to be a reference to the clause of Schedule 1 with that number.

8 Prescribed penalty provisions

For the purposes of section 90 of the Act, clauses 3(1), 8, 14(2), 15(2), 16(2), 17(2), 18(2), 19(2), 20(2), 21(2) and 22(2) and (3) of the Code are each a prescribed provision of the Code.

9 Preparation and submission of management plans

(1) This regulation does not apply to a responsible person referred to in section 84A or 84B of the Act.

(2) A responsible person that is not a major electricity company, before 31 March in each year, must prepare a management plan relating to compliance with the Code for the next financial year.

Penalty: 20 penalty units.

Note

major electricity company is defined in section 3 of the Act.

(3) A responsible person that is a major electricity company, before 31 March 2021, must prepare and submit to Energy Safe Victoria for approval a management plan relating to compliance with the Code for the period from 1 July 2021 to 30 June 2026.

Penalty: 20 penalty units.

(4) A responsible person must ensure that a management plan prepared under subregulation (2) or (3) specifies the following—

(a) the name, address and telephone number of the responsible person;

(b) the name, position, address and telephone number of the individual who was responsible for the preparation of the management plan;

(c) the name, position, address and telephone number of the persons who are responsible for carrying out the management plan;

(d) the telephone number of a person who can be contacted in an emergency that requires clearance of a tree from an electric line that the responsible person is required to keep clear of trees;

(e) the objectives of the management plan;

(f) the land to which the management plan applies (as indicated on a map);

(g) any hazardous bushfire risk areas and low bushfire risk areas in the land referred to in paragraph (f) (as indicated on the map);

(h) each area that the responsible person knows contains a tree that the responsible person may need to cut or remove to ensure compliance with the Code and that is—

(i) indigenous to Victoria; or

(ii) listed in a planning scheme to be of ecological, historical or aesthetic significance; or

(iii) a tree of cultural or environmental significance;

(i) the means which the responsible person will use to identify a tree of a kind specified in paragraph (g)(i), (ii) or (iii);

(j) the management procedures that the responsible person will adopt to ensure compliance with the Code, which—

(i) must include details of the methods to be adopted for managing trees and maintaining a minimum clearance space as required by the Code; and

(ii) for the purposes of determining a minimum clearance space in accordance with Division 1 of Part 3 of the Code—

(A) must specify the method for determining an additional distance that allows for conductor sag and sway; and

(B) may provide for different additional distances to be determined for different parts of an electric line span;

Note

Clause 21(2) of the Code requires a distribution company or an owner or operator of a railway or tramway supply network that is consulted by a Council to assist the Council by determining an additional distance.

(k) the procedures to be adopted if it is not practicable to comply with the requirements of AS 4373 while cutting a tree in accordance with the Code;

Note

Clause 9 of the Code requires a responsible person to cut trees, as far as practicable, in accordance with AS 4373.

(l) a description of each alternative compliance mechanism in respect of which the responsible person has applied, or proposes to apply, for approval under clause 31 of the Code;

(m) the details of each approval for an alternative compliance mechanism that—

(i) the responsible person holds; and

(ii) is in effect;

(n) a description of the measures that must be used to assess the performance of the responsible person under the management plan;

(o) details of the audit processes that must be used to determine the responsible person's compliance with the Code;

(p) the qualifications and experience that the responsible person must require of the persons who are to carry out the inspection, cutting or removal of trees in accordance with the Code and the Electricity Safety (Installations) Regulations 2009[2];

Note

Regulations 318 and 319 of the Electricity Safety (Installations) Regulations 2009 set out requirements for minimum distances between persons and aerial lines and for persons carrying out tree clearing work.

(q) notification and consultation procedures, including the form of the notice to be given in accordance with Division 3 of Part 2 of the Code;

(r) a procedure for the independent resolution of disputes relating to electric line clearance;

(s) if ESV has granted an exemption under regulation 11 relating to a requirement of the Code, details of the exemption or a copy of the exemption.

Penalty: 20 penalty units.

10 Obligations relating to management plans

(1) This regulation applies in relation to the management plan that a responsible person is required, under regulation 9, to prepare for a financial year.

(2) The responsible person must provide a copy of the management plan to Energy Safe Victoria within 14 days after a written request from Energy Safe Victoria or such longer period as specified by Energy Safe Victoria in the written request.

Penalty: 20 penalty units.

(3) The responsible person, if requested in writing to do so by Energy Safe Victoria, must provide further information or material in respect of the management plan within 14 days after the written request or such longer period as specified by Energy Safe Victoria in the written request.

Penalty: 20 penalty units.

(4) The responsible person must amend the management plan if instructed to do so in writing by Energy Safe Victoria within 14 days after the written instruction or such longer period as specified by Energy Safe Victoria in the written instruction.

Penalty: 20 penalty units.

(5) The responsible person must not contravene a requirement of the management plan if the management plan is approved by Energy Safe Victoria.

Penalty: 20 penalty units.

(6) The responsible person must ensure that a copy of the current management plan is published on the responsible person's Internet site.

Penalty: 20 penalty units.

11 Exemptions

(1) Energy Safe Victoria may exempt a responsible person from any of the requirements of these Regulations subject to any conditions specified by Energy Safe Victoria.

(2) A responsible person who is granted an exemption under this regulation must comply with the conditions (if any) of the exemption.

Penalty: 20 penalty units.

12 Offences for which infringement notices may be served

For the purposes of paragraph (b) of the definition of ***prescribed offence*** in section 140A of the Act, regulations 9(2), (3) and (4), 10(2), (3), (4), (5) and (6) and 11(2) and clause 3(1) of the Code are prescribed provisions.

Note

Regulation 8 prescribes clause 3(1) of the Code for the purposes of section 90 of the **Electricity Safety Act 1998**. Section 90 provides that a person who contravenes a prescribed provision of the Code commits an offence carrying a penalty of 50 penalty units in the case of a natural person and 250 penalty units in the case of a body corporate.

Part 3—Consequential amendment and expiry

13 Consequential amendment of the Electricity Safety (Bushfire Mitigation) Regulations 2013

In the note at the foot of regulation 10(1)(k) of the Electricity Safety (Bushfire Mitigation) Regulations 2013[3], for "Electricity Safety (Electric Line Clearance) Regulations 2015" **substitute** "Electricity Safety (Electric Line Clearance) Regulations 2020.".

14 Expiry

These Regulations expire on 27 June 2025.

Schedule 1—Code of Practice for Electric Line Clearance

Regulation 7

Part 1—Preliminary

1 Definitions

In this Code—

aerial bundled cable means an insulated conductor manufactured in accordance with the specifications set out in any of the following—

(a) AS/NZS 3560.1 as amended or published from time to time;

(b) AS/NZS 3560.2 as amended or published from time to time;

(c) AS/NZS 3599.1 as amended or published from time to time;

(d) AS/NZS 3599.2 as amended or published from time to time;

conductor spreader means an insulated rod used to maintain distance between uninsulated conductors of an aerial low voltage electric line;

covered conductor means an insulated conductor manufactured in accordance with the specifications set out in AS/NZS 3675 as amended or published from time to time;

electric cable means an insulated conductor manufactured in accordance with—

(a) the specifications set out in AS/NZS 1429.1 as amended or published from time to time; or

(b) the specifications set out in AS/NZS 1429.2 as amended or published from time to time;

electric line span means the section of the electric line between 2 adjacent supporting structures;

extra low voltage means a voltage not exceeding—

(a) 50 volts alternating current; or

(b) 120 volts ripple-free direct current;

insulated cable means a conductor insulated by a medium other than air and includes any of the following—

(a) aerial bundled cable;

(b) covered conductor;

(c) electric cable;

(d) a conductor to which insulating cover has been applied;

insulating cover means an insulating pipe or tube that is—

(a) applied to a conductor to provide a protective barrier; and

(b) manufactured in accordance with the specifications set out in any of the following—

(i) AS IEC 60060.1 as amended or published from time to time;

(ii) AS IEC 60060.2 as amended or published from time to time;

(iii) AS 4202 as amended or published from time to time;

(iv) AS/NZS 3100 as amended or published from time to time;

(v) AS/NZS 3121 as amended or published from time to time;

low voltage means a voltage exceeding extra low voltage but not exceeding—

(a) 1000 volts alternating current; or

(b) 1500 volts direct current;

minimum clearance space has the meaning set out in clause 2;

nominal voltage means the voltage at which the electric line is designed to operate;

published technical standard means a document giving technical information, guidance or advice published by—

(a) Standards Australia; or

(b) Standards New Zealand; or

(c) the British Standards Institute; or

(d) the International Organisation for Standardisation; or

(e) the International Electrotechnical Commission; or

(f) any similar standards organisation within or outside Australia approved by Energy Safe Victoria; or

(g) Energy Safe Victoria;

railway supply network means the supply network of a railway;

Note

railway **and** ***supply network*** are defined in section 3 of the **Electricity Safety Act 1998**.

sag, in relation to a conductor, means the vertical displacement of the conductor below the point at which the conductor is attached to the supporting structure and includes any additional displacement caused by hot weather or high load current;

span distance means the distance between the points at which an electric line span is attached to the 2 adjacent supporting structures;

suitably qualified arborist means an arborist who has—

(a) the qualification of National Certificate III in Arboriculture including the "Perform a ground-based tree defect evaluation" unit of competency, or an equivalent qualification; and

(b) at least 3 years of field experience in assessing trees;

sway, in relation to a conductor, means the horizontal displacement of the conductor caused by wind;

tramway supply network means the supply network of a railway that is a light railway or tramway;

transmission line means an electric line—

(a) with a nominal voltage of more than 66 000 volts; or

(b) operating at 66 000 volts that is supported on tower structures; or

(c) operating at 66 000 volts that is adjacent to an electric line that has a nominal voltage greater than 66 000 volts;

uninsulated cable means a conductor that is not an insulated cable.

2 Meaning of minimum clearance space

(1) Except as otherwise provided by this clause, the ***minimum clearance space*** for an electric line span is the minimum clearance space for the span as determined under Part 3.

(2) For the purposes of the application of this Code to a responsible person who holds an approval for an alternative compliance mechanism that is in effect—

(a) if the approval applies to a particular electric line span—the ***minimum clearance space*** for that span is the minimum clearance space specified in the approval under clause 33(3)(d)(i); or

(b) if the approval applies to a class of electric line span—the ***minimum clearance space*** for each span that belongs to that class is the minimum clearance space specified in the approval under clause 33(3)(d)(i).

Part 2—Clearance responsibilities

Division 1—Roles of responsible persons

3 Responsible person must keep minimum clearance space clear of trees

(1) A responsible person must ensure that, at all times, no part of a tree for which the person has clearance responsibilities is within the minimum clearance space for an electric line span.

(2) Subclause (1) is subject to clauses 4, 5, 6 and 7.

Note

Clauses 4, 5, 6 and 7 provide that certain responsible persons are not required to ensure that certain branches are clear of the minimum clearance space for spans of certain electric lines.

4 Exception to minimum clearance space for structural branches around insulated low voltage electric lines

(1) This clause applies to a responsible person referred to in section 84, 84C or 84D of the Act.

(2) The responsible person is not required to ensure that a particular branch of a tree for which the person has clearance responsibilities is clear of the minimum clearance space for an electric line span if—

(a) the electric line is—

(i) an insulated cable; and

(ii) a low voltage electric line; and

(b) the branch is wider than 130 millimetres at the point at which it enters the minimum clearance space; and

(c) in the case of a span distance of 40 metres or less, the branch is more than 150 millimetres from the line; and

(d) in the case of a span distance greater than 40 metres, the branch is more than 300 millimetres from the line; and

(e) within the last 12 months—

(i) a suitably qualified arborist has inspected the tree of which the branch is a part; and

(ii) the arborist has advised the responsible person that the tree of which the branch is a part does not have any visible structural defect that could cause the branch to fail and make contact with the electric line; and

(iii) the responsible person has completed an assessment of the risks posed by the branch; and

(iv) the responsible person has implemented measures to effectively mitigate the identified risks.

(3) A responsible person who leaves a branch within the minimum clearance space for an electric line span in accordance with subclause (2) must keep records of the following matters for 5 years—

(a) each inspection referred to in subclause (2)(e)(i);

(b) all advice referred to in subclause (2)(e)(ii);

(c) each assessment referred to in subclause (2)(e)(iii);

(d) all measures referred to in subclause (2)(e)(iv).

5 Exception to minimum clearance space for small branches around insulated low voltage electric lines

(1) This clause applies to a responsible person referred to in section 84, 84C or 84D of the Act.

(2) The responsible person is not required to ensure that a particular branch of a tree for which the person has clearance responsibilities is clear of the minimum clearance space for an electric line span if—

(a) the electric line is—

(i) an insulated cable; and

(ii) a low voltage electric line; and

(b) the branch is less than 10 millimetres wide at the point at which it enters the minimum clearance space; and

(c) the branch has been removed from the minimum clearance space within the last 12 months.

6 Exception to minimum clearance space for small branches growing under uninsulated low voltage electric lines in low bushfire risk areas

(1) This clause applies to a responsible person referred to in section 84, 84C or 84D of the Act.

(2) The responsible person is not required to ensure that a particular branch of a tree for which the person has clearance responsibilities is clear of the minimum clearance space for an electric line span if—

(a) the electric line is—

(i) an uninsulated cable; and

(ii) a low voltage electric line; and

(iii) located in a low bushfire risk area; and

(b) the branch is less than 10 millimetres wide at the point at which it enters the minimum clearance space and is no more than 500 millimetres inside the minimum clearance space; and

(c) the point at which the branch originates is below the height of the electric line; and

(d) in the case of a branch that comes within the minimum clearance space around the middle 2 thirds of the span, the span is fitted with—

(i) one conductor spreader if the length of the span does not exceed 45 metres; or

(ii) 2 conductor spreaders if the length of the span exceeds 45 metres; and

Note

A spreader is not required to be fitted to the span if the branch comes within the minimum clearance space around the first or last sixth of the span.

(e) within the last 12 months—

(i) a suitably qualified arborist has inspected the tree of which the branch is a part; and

(ii) the responsible person has completed an assessment of the risks posed by the branch; and

(iii) the responsible person has implemented measures to effectively mitigate the identified risks.

(3) A responsible person who leaves a branch within the minimum clearance space for an electric line span in accordance with subclause (2) must keep records of the following matters for 5 years—

(a) each inspection referred to in subclause (2)(e)(i);

(b) each assessment referred to in subclause (2)(e)(ii);

(c) all measures referred to in subclause (2)(e)(iii).

7 Exception to minimum clearance space for structural branches around uninsulated low voltage electric lines in low bushfire risk areas

(1) This clause applies to a responsible person referred to in section 84, 84C or 84D of the Act.

(2) The responsible person is not required to ensure that a particular branch of a tree for which the person has clearance responsibilities is clear of the minimum clearance space for an electric line span if—

(a) the electric line is—

(i) an uninsulated cable; and

(ii) a low voltage electric line; and

(iii) located in a low bushfire risk area; and

(b) in the case of a branch that comes within the minimum clearance space around the middle 2 thirds of the span, the span is fitted with—

(i) one conductor spreader if the length of the span does not exceed 45 metres; or

(ii) 2 conductor spreaders if the length of the span exceeds 45 metres; and

Note

A spreader is not required to be fitted to the span if the branch comes within the minimum clearance space around the first or last sixth of the span.

(c) the branch is more than 130 millimetres wide at the point at which it enters the clearance space; and

(d) the branch is no more than 500 millimetres inside the minimum clearance space; and

(e) within the last 12 months—

(i) a suitably qualified arborist has inspected the tree of which the branch is a part; and

(ii) the arborist has advised the responsible person that the tree of which the branch is a part does not have any visible structural defect that could cause the branch to fail and make contact with the electric line; and

(iii) the responsible person has completed an assessment of the risks posed by the branch; and

(iv) the responsible person has implemented measures to effectively mitigate the identified risks.

(3) A responsible person who leaves a branch within the minimum clearance space for an electric line span in accordance with subclause (2) must keep records of the following matters for 5 years—

(a) each inspection referred to in subclause (2)(e)(i);

(b) all advice referred to in subclause (2)(e)(ii);

(c) each assessment referred to in subclause (2)(e)(iii);

(d) all measures referred to in subclause (2)(e)(iv).

8 Owner or operator of transmission line must manage trees around minimum clearance space

A responsible person who owns or operates a transmission line must—

(a) manage trees below the transmission line to mitigate, as far as practicable, the fire risks associated with the fuel load below the transmission line; and

(b) manage trees adjacent to the transmission line to avoid, as far as practicable, a tree entering the minimum clearance space around that line if the tree falls.

9 Responsible person may cut or remove hazard tree

(1) This clause applies to a responsible person referred to in section 84, 84C or 84D of the Act.

(2) The responsible person may cut or remove a tree for which the person has clearance responsibilities if a suitably qualified arborist has—

(a) assessed the tree having regard to foreseeable local conditions; and

(b) advised the responsible person that the tree, or any part of the tree, is likely to fall onto or otherwise come into contact with an electric line.

Note

Under section 86B of the Act a Council, in a municipal fire prevention plan, must specify procedures and criteria for the identification of trees that are likely to fall onto, or come into contact with, an electric line, and procedures for the notification of responsible persons of trees that are hazard trees in relation to electric lines for which they are responsible.

(3) For the purposes of this clause it is irrelevant that the tree is not within, and is not likely to grow into, the minimum clearance space for an electric line span.

Division 2—Manner of cutting and removing trees

10 Cutting of tree to comply with Standard

A responsible person cutting a tree under Division 1 must, as far as practicable, cut the tree in accordance with AS 4373 as published or amended from time to time.

11 Cutting or removal of indigenous or significant trees must be minimised

(1) A responsible person cutting, under Division 1, a tree of a kind specified in subclause (3), as far as is practicable, must not cut the tree more than is necessary to either—

(a) ensure compliance with Division 1; or

(b) make an unsafe situation safe.

(2) A responsible person must not remove, under Division 1, a tree of a kind specified in subclause (3) unless—

(a) it is necessary to remove the tree to either—

(i) ensure compliance with Division 1; or

(ii) make an unsafe situation safe; or

(b) a suitably qualified arborist has—

(i) inspected the tree; and

(ii) advised the responsible person that cutting the tree in accordance with subclause (1) would make the tree unhealthy or unviable.

(3) The following kinds of tree are specified for the purposes of subclauses (1) and (2)—

(a) trees that are indigenous to Victoria;

(b) trees listed in a planning scheme to be of ecological, historical or aesthetic significance;

(c) trees of cultural or environmental significance.

12 Cutting or removing habitat for threatened fauna

(1) A responsible person must not cut or remove a tree that is the habitat for threatened fauna during the breeding season for the threatened fauna unless—

(a) it is necessary to cut or remove the tree to make an unsafe situation safe; or

(b) it is not practicable to undertake cutting or removal of that tree outside the breeding season.

(2) If it is not practicable to undertake cutting or removal of that tree outside the breeding season, the responsible person must translocate the fauna before undertaking the cutting or removal if it is practicable to do so.

13 Restriction on timing of cutting or removal if notification is required

(1) This clause applies to a responsible person who—

(a) gives notice under clause 15(2) about the intended cutting or removal of a tree; or

(b) publishes a notice under clause 16(2) about the intended cutting or removal of a tree.

(2) The responsible person must not commence cutting or removal of the tree on a day that is earlier than the first day that is specified, or before the first day of the period that is specified, in the notice under clause 15(6) or 16(4)(b) (as the case requires).

14 Restriction on urgent cutting of trees

(1) This clause applies to a responsible person referred to in sections 84, 84C or 84D of the Act who is required to comply with clause 19(2) in relation to cutting that is required—

(a) as a result of encroachment or growth of trees that was not anticipated in the management plan; or

(b) during the fire danger period declared under the **Country Fire Authority Act 1958**.

Note

A responsible person is required to comply with clause 19(2) in relation to the cutting of a tree if the responsible person is referred to in section 84, 84C or 84D of the Act and the cutting is urgently required for a reason set out in clause 19(1). In these circumstances, clauses 15(2), 16(2) and 17(2) do not require the giving or publication of a written notice, or the undertaking of consultation, before the cutting.

(2) The responsible person must not cut a tree further than one metre from the minimum clearance space for an electric line span.

15 Restriction on urgent removal of trees

(1) This clause applies to a responsible person referred to in sections 84, 84C or 84D of the Act who is required to comply with clause 19(2) in relation to a tree.

Note

A responsible person is required to comply with clause 19(2) in relation to a tree if the responsible person is referred to in section 84, 84C or 84D of the Act and the cutting or removal of the tree is urgently required for a reason set out in clause 19(1). In these circumstances, clauses 15(2), 16(2) and 17(2) do not require the giving or publication of a written notice, or the undertaking of consultation, before the cutting or removal.

(2) The responsible person must not remove the tree unless—

(a) the tree has fallen or has become damaged and is to be removed to keep the minimum clearance space for an electric line span free of trees; or

(b) a suitably qualified arborist has—

(i) assessed the tree having regard to foreseeable local conditions; and

(ii) advised the responsible person that the tree is likely to imminently fall onto or otherwise come into contact with an electric line.

Division 3—Notification, consultation and dispute resolution

16 Responsible person must provide notification before cutting or removing certain trees

(1) This clause applies to a responsible person who is required by clause 3 or 7, or who intends under clause 8, to cut or remove a tree that is—

(a) on private property that the responsible person neither owns nor occupies; or

(b) on public land; or

(c) a tree of cultural or environmental significance; or

(d) listed in a planning scheme to be of ecological, historical or aesthetic significance.

(2) The responsible person must give a written notice in accordance with this clause before cutting or removing the tree unless—

(a) the responsible person is a responsible person referred to in section 84, 84C or 84D of the Act; and

(b) the cutting or removal is urgently required for a reason set out in clause 19(1).

Note

Section 8 of the **Electronic Transactions (Victoria) Act 2000** provides that a requirement to give information in writing can be met by means of an electronic communication.

(3) A written notice given under subclause (2) must be given to—

(a) if the tree is within the boundary of a private property—an owner or occupier of the property; or

(b) if the tree is on land that is managed by a Council that is not the responsible person—that Council; or

(c) if the tree is on land that is contiguous to private property and the use of that property may be affected during the cutting or removal—an owner or occupier of that property.

(4) A written notice given under subclause (2) must include the following information—

(a) the contact details of the responsible person, including the contact details for all enquiries regarding vegetation and the intended cutting or removal;

(b) details of the intended cutting or removal;

(c) advice that the responsible person has procedures for resolving disputes and details on how to obtain access to the procedures.

(5) A written notice given under subclause (2) must include the following additional information—

(a) if the notice is given to an owner or occupier of private property in accordance with subclause (3)(a)—

(i) details of the consultation procedure that the responsible person will follow; and

(ii) details of whether the tree to be cut or removed is—

(A) a tree of cultural or environmental significance; or

(B) listed in a planning scheme to be of ecological, historical or aesthetic significance; and

(iii) if the tree is intended to be cut, a diagram that shows—

(A) the tree and where the electric line is in relation to the tree; and

(B) where the tree will be cut;

(b) if the notice is given to a Council in accordance with subclause (3)(b)—details of whether the tree to be cut or removed is—

(i) on public land; or

(ii) a tree of cultural or environmental significance; or

(iii) listed in a planning scheme to be of ecological, historical or aesthetic significance;

(c) if the notice is given to an owner or occupier of private property in accordance with subclause (3)(c)—details of the impact that the intended cutting or removal may have on the affected person's use of their land during the cutting or removal.

(6) A written notice given under subclause (2) must specify one or more days on which, or a period during which, the responsible person intends that the intended cutting or removal will commence.

Note

Clause 12 provides that if a responsible person gives written notice under this clause, the person must not commence cutting or removal of the tree other than on a day or a period specified under subclause (6).

(7) The responsible person must not specify, under subclause (6), a day that is, or a period the first day of which is—

(a) earlier than 14 days from the date of the notice; and

(b) later than 60 days from the date of the notice.

17 Responsible person must publish notice before cutting or removing certain trees

(1) This clause applies to a responsible person who is required by clause 3 or 7 to cut or remove a tree that is on public land that is not privately owned.

(2) The responsible person must publish a written notice in accordance with this clause before cutting or removing the tree unless—

(a) the responsible person is a responsible person referred to in section 84, 84C or 84D of the Act; and

(b) the cutting or removal is urgently required for a reason set out in clause 19(1).

(3) A written notice published under subclause (2) must be published on the responsible person's Internet site or in a newspaper circulating generally in the locality of the land in which the tree is to be cut or removed.

(4) A written notice published under subclause (2) must—

(a) describe the cutting or removal that the responsible person intends to undertake; and

(b) specify one or more days on which, or a period during which, the responsible person intends that the intended cutting or removal will commence.

Note

Clause 12 provides that if a responsible person publishes a notice under this clause, the person must not cut or remove the tree other than on a day or period specified under subclause (4)(b).

(5) The responsible person must not specify, under subclause (4)(b), a day that is, or a period the first day of which is—

(a) earlier than 14 days after the date of the notice; and

(b) later than 60 days after the date of the notice.

18 Responsible person must consult with occupier or owner of private property before cutting or removing certain trees

(1) This clause applies to a responsible person who is required by clause 3 or 7 or who intends under clause 8 to cut or remove a tree that is within the boundary of a private property which the responsible person neither occupies nor owns.

(2) The responsible person must consult as required by subclause (3) before cutting or removing the tree unless—

(a) the responsible person is a responsible person referred to in section 84, 84C or 84D of the Act; and

(b) the cutting or removal is urgently required for a reason set out in clause 19(1).

(3) For the purposes of subclause (2), the responsible person must consult—

(a) if the tree is to be cut within the boundary of the private property—an occupier of the property; or

(b) if the tree is to be removed—an owner of the property.

19 Notification and record keeping requirements for urgent cutting or removal

(1) This clause applies if a responsible person referred to in section 84, 84C or 84D of the Act undertakes any cutting or removal that is urgently required—

(a) as a result of encroachment or growth of trees that was not anticipated in the management plan; or

(b) as a result of a tree falling or becoming damaged so that it is required to be cut or removed to maintain the minimum clearance space; or

(c) because a suitably qualified arborist has—

(i) assessed the tree having regard to foreseeable local conditions; and

(ii) advised the responsible person that the tree, or any part of the tree, is likely to imminently fall onto or otherwise come into contact with an electric line; or

(d) during the fire danger period declared under the **Country Fire Authority Act 1958**.

Notes

1 Clause 13 restricts the urgent cutting referred to in subclause (1)(a) and (d).

2 Clause 14 restricts the urgent removal referred to in subclause (1).

(2) The responsible person, as soon as practicable after completing the cutting or removal, must give written notice of that cutting or removal to—

(a) if the tree that was cut or removed was within the boundary of a private property—an owner or occupier of the property; or

(b) if the tree that was cut or removed was on land that is managed by a Council and not by the responsible person—the Council.

(3) A written notice given under subclause (2) must specify—

(a) where and when the cutting or removal was undertaken; and

(b) why the cutting or removal was required; and

(c) the date of the last inspection of the span of the electric line in relation to which the cutting or removal was required before it was identified that the urgent cutting or removal was required.

(4) The responsible person must keep a record of a written notice given under subclause (2) for at least 5 years.

Division 4—Additional duties of responsible persons

20 Duty relating to the safety of cutting or removal of trees close to an electric line

(1) If a Council has concerns about the safety of cutting or removal of a tree for which the Council has clearance responsibilities, the Council may consult—

(a) if the Council's concerns relate to an electric line span that is part of a railway supply network or tramway supply network—the owner or operator of that supply network; or

(b) in any other case—the distribution company in whose distribution area the electric line is located.

(2) An owner, operator or distribution company that is consulted by a Council under subclause (1) must provide advice to the Council on—

(a) safe limits of approach to electric lines for cutting or removing the tree; and

(b) safe methods for cutting or removing the tree.

21 Duty relating to assisting to determine the allowance for conductor sag and sway

(1) If a Council considers that, for the purpose of determining a minimum clearance space in accordance with Division 1 of Part 3, the Council requires assistance to determine an additional distance that allows for conductor sag and sway, the Council may consult—

(a) if the Council requires assistance in relation to an electric line span that is part of a railway supply network or tramway supply network—the owner or operator of that supply network; or

(b) in any other case—the distribution company in whose distribution area the electric line is located.

(2) An owner, operator or distribution company that is consulted by a Council under subclause (1) must assist the Council by determining the additional distance.

(3) The Council must keep a record of the additional distance referred to in subclause (2) for at least 5 years.

(4) An owner, operator or distribution company may determine different additional distances for different parts of an electric line span.

22 Duties relating to management procedures to minimise danger

(1) A distribution company must give advice about the following matters to each occupier of land above which there is a private electric line that is within the distribution company's distribution area—

(a) the duties of the responsible person under this Code;

(b) the dangers of cutting and removing trees;

(c) the precautions that should be taken to safely maintain the line.

(2) A distribution company must give advice under subclause (1) at least once every calendar year.

(3) A distribution company must, on the request of a person who has clearance responsibilities for a tree within the distribution company's distribution area, advise that person—

(a) how to identify places within that area where the cutting or removal of trees will be required; and

(b) where to obtain advice and information on methods for maintaining clearance between electric lines and trees.

Part 3—Minimum clearance spaces

Division 1—Standard minimum clearance spaces

23 Additional distance that allows for conductor sag and sway

In this Division, a reference to an ***additional distance that allows for conductor sag and sway*** that is to be used in determining a minimum clearance space is a reference to—

(a) if the minimum clearance space is to be determined in relation to a Council that sought assistance in determining the additional distance under clause 21—the additional distance specified in the record kept by the Council under clause 21(3); or

(b) in any other case—the distance determined in accordance with the method specified, under regulation 9(4)(i)(ii), in the management plan of the responsible person in relation to whom the minimum clearance space is to be determined.

Note

Different parts of an electric line span may have different additional distances—see regulation 9(4)(i)(ii) and clause 21(4).

24 Insulated electric lines in all areas

(1) This clause applies to an electric line that is an insulated cable.

(2) The minimum clearance space for a span of the electric line is the space extending away from the line in all directions perpendicular to its axis for the applicable distance.

(3) The ***applicable distance*** for the first and last sixths of the span is 300 millimetres.

(4) The ***applicable distance*** for the middle 2 thirds of the span is—

(a) if the span distance is less than or equal to 40 metres—300 millimetres; or

(b) if the span distance is greater than 40 metres and less than or equal to 100 metres—the distance calculated in accordance with the following expression—

$$300 + \left(\left(SD - 40\right) \times 10\right)$$

where—

SD is the span distance; or

(c) if the span distance is greater than 100 metres—900 millimetres.

Notes

1 The applicable distance for the middle 2 thirds of the span is represented as a graph in Graph 1 of Schedule 2.

2 The minimum clearance space for an electric line span to which this clause applies is partially illustrated in Figures 1, 2 and 3 of Schedule 2.

25 Uninsulated low voltage electric line in a low bushfire risk area

(1) This clause applies to an electric line that is—

(a) an uninsulated cable; and

(b) a low voltage electric line; and

(c) located in a low bushfire risk area.

(2) The minimum clearance space for a span of the electric line is the space extending away from the line in all directions perpendicular to its axis for—

(a) the applicable distance; and

(b) if the span distance is greater than 100 metres, an additional distance that allows for conductor sag and sway.

(3) The ***applicable distance*** for the first and last sixths of the span is 1000 millimetres.

(4) The ***applicable distance*** for the middle 2 thirds of the span is—

(a) if the span distance is less than or equal to 45 metres—1000 millimetres; or

(b) if the span distance is greater than 45 metres and less than or equal to 100 metres—the distance calculated in accordance with the following expression—

$$1000 + \left(\left(SD - 45\right) \times \left(1500 \div 55\right)\right)$$

where—

SD is the span distance; or

(c) if the span distance is greater than 100 metres—2500 millimetres.

Notes

1 The applicable distance for the middle 2 thirds of the span is represented as a graph in Graph 2 of Schedule 2.

2 The minimum clearance space for an electric line span to which this clause applies is partially illustrated in Figures 1 and 4 of Schedule 2.

26 Uninsulated high voltage electric line (other than a 66 000 volt electrical line) in a low bushfire risk area

(1) This clause applies to an electric line that—

(a) is an uninsulated cable; and

(b) is a high voltage electric line; and

(c) does not have a nominal voltage of 66 000 volts; and

(d) is located in a low bushfire risk area.

(2) The minimum clearance space for a span of the electric line is the space extending away from the line in all directions perpendicular to its axis for—

(a) the applicable distance; and

(b) if the span distance is greater than 100 metres, an additional distance that allows for conductor sag and sway.

(3) The ***applicable distance*** for the first and last sixths of the span is 1500 millimetres.

(4) The ***applicable distance*** for the middle 2 thirds of the span is—

(a) if the span distance is less than or equal to 45 metres—1500 millimetres; or

(b) if the span distance is greater than 45 metres and less than or equal to 100 metres—the distance calculated in accordance with the following expression—

$$1500 + \left(\left(SD - 45\right) \times \left(1000 \div 55\right)\right)$$

where—

SD is the span distance; or

(c) if the span distance is greater than 100 metres—2500 millimetres.

Notes

1 The applicable distance for the middle 2 thirds of the span is represented as a graph in Graph 3 of Schedule 2.

2 The minimum clearance space for an electric line span to which this clause applies is partially illustrated in Figures 1 and 3 of Schedule 2.

27 Uninsulated 66 000 volt electrical line in a low bushfire risk area

(1) This clause applies to an electric line that—

(a) is an uninsulated cable; and

(b) is a high voltage electric line; and

(c) has a nominal voltage of 66 000 volts; and

(d) is located in a low bushfire risk area.

(2) The minimum clearance space for a span of the electric line is—

(a) the space extending away from the line in all directions perpendicular to its axis for—

(i) the applicable distance; and

(ii) if the span distance is greater than 100 metres, an additional distance that allows for conductor sag and sway; and

(b) the space above the space described in paragraph (a).

(3) The ***applicable distance*** for the first and last sixths of the span is 2250 millimetres.

(4) The ***applicable distance*** for the middle 2 thirds of the span is—

(a) if the span distance is less than or equal to 45 metres—2250 millimetres; or

(b) if the span distance is greater than 45 metres and less than or equal to 100 metres—the distance calculated in accordance with the following expression—

$$2250 + \left(\left(SD - 45\right) \times \left(1250 \div 55\right)\right)$$

where—

SD is the span distance; or

(c) if the span distance is greater than 100 metres—3500 millimetres.

Notes

1 The applicable distance for the middle 2 thirds of the span is represented as a graph in Graph 4 of Schedule 2.

2 The minimum clearance space for an electric line span to which this clause applies is partially illustrated in Figures 1 and 5 of Schedule 2.

28 Uninsulated low voltage and high voltage electric lines (other than a 66 000 volt electrical line) in a hazardous bushfire risk area

(1) This clause applies to an electric line that—

(a) is an uninsulated cable; and

(b) does not have a nominal voltage of 66 000 volts; and

(c) is located in a hazardous bushfire risk area.

(2) The minimum clearance space for a span of the electric line is—

(a) the space extending away from the line in all directions perpendicular to its axis for the applicable distance and an additional distance that allows for conductor sag and sway; and

(b) the space above the space described in paragraph (a).

(3) The ***applicable distance*** for the first and last sixths of the span is 1500 millimetres.

(4) The ***applicable distance*** for the middle 2 thirds of the span is—

(a) if the span distance is less than or equal to 45 metres—1500 millimetres; or

(b) if the span distance is greater than 45 metres and less than or equal to 500 metres—the distance calculated in accordance with the following expression—

$$1500 + \left(\left(SD - 45\right) \times \left(500 \div 303\right)\right)$$

where—

SD is the span distance; or

(c) if the span distance is greater than 500 metres—2250 millimetres.

Notes

1 The applicable distance for the middle 2 thirds of the span is represented as a graph in Graph 5 of Schedule 2.

2 The minimum clearance space for an electric line span to which this clause applies is partially illustrated in Figures 1 and 5 of Schedule 2.

29 Uninsulated 66 000 volt electric lines in a hazardous bushfire risk area

(1) This clause applies to an electric line that—

(a) is an uninsulated cable; and

(b) has a nominal voltage of 66 000 volts; and

(c) is located in a hazardous bushfire risk area.

(2) The minimum clearance space for a span of the electric line is—

(a) the space extending away from the line in all directions perpendicular to its axis for the applicable distance and an additional distance that allows for conductor sag and sway; and

(b) the space above the space described in paragraph (a).

(3) The ***applicable distance*** for the first and last sixths of the span is 2250 millimetres.

(4) The ***applicable distance*** for the middle 2 thirds of the span is—

(a) if the span distance is less than or equal to 45 metres—2250 millimetres; or

(b) if the span distance is greater than 45 metres and less than or equal to 350 metres—the distance calculated in accordance with the following expression—

$$2250 + \left(\left(SD - 45\right) \times \left(750 \div 305\right)\right)$$

where—

SD is the span distance; or

(c) if the span distance is greater than 350 metres—3000 millimetres.

Notes

1 The applicable distance for the middle 2 thirds of the span is represented as a graph in Graph 6 of Schedule 2.

2 The minimum clearance space for an electric line span to which this clause applies is partially illustrated in Figures 1 and 5 of Schedule 2.

30 Transmission lines

(1) The minimum clearance space for a span of a transmission line is—

(a) the space that is bound by the horizontal limits determined in accordance with subclause (2) and that, between those limits, extends downward from the level of the line for the applicable vertical distance; and

(b) the space above that space.

(2) The horizontal limits of the minimum clearance space are reached by extending horizontally from the transmission line to the left and right of the line for the applicable horizontal distance.

(3) For a transmission line of a nominal voltage that is specified in an item in Column 1 of the following table—

(a) the applicable horizontal distance is the sum of—

(i) the distance specified in Column 2 for that item; and

(ii) an additional distance that allows for conductor sag and sway; and

(b) the applicable vertical distance is the sum of—

(i) the distance specified in Column 3 for that item; and

(ii) an additional distance that allows for conductor sag and sway.

Column 1	*Column 2*	*Column 3*
Nominal voltage	*Applicable horizontal distance (without allowance for sag and sway)*	*Applicable vertical distance (without allowance for sag and sway)*
66 kV	3000 mm	3000 mm
More than 66 kV, but less than 220 kV	4600 mm	3700 mm
220 kV	4600 mm	3700 mm
275 kV	5000 mm	4200 mm
330 kV	5500 mm	4700 mm
500 kV	6400 mm	6400 mm

Note

This minimum clearance space is partially illustrated in Figures 6 and 7 of Schedule 2.

Division 2—Alternative compliance mechanisms

31 Application for approval of alternative compliance mechanism

(1) This clause applies to a responsible person referred to in sections 84, 84C or 84D of the Act.

(2) A responsible person may apply to Energy Safe Victoria for approval to use an alternative compliance mechanism in respect of an electric line span or a class of electric line spans.

(3) The application must—

(a) include details of—

(i) the alternative compliance mechanism; and

(ii) the procedures to be adopted for commissioning, installing, operating, maintaining and decommissioning the alternative compliance mechanism; and

(b) identify the published technical standards that will be complied with when commissioning, installing, operating, maintaining and decommissioning the alternative compliance mechanism; and

(c) either—

(i) if the application is made in respect of an electric line span —specify the location of the span; or

(ii) if the application is made in respect of a class of span of electric line—describe the class; and

(d) specify the minimum clearance space that the applicant proposes is to be applied in relation to the span, or class of spans, in respect of which the application is made; and

(e) include a copy of the formal safety assessment prepared under clause 32.

(4) The application must include a copy of the written agreement of—

(a) if the application is made in respect of an electric line span and the responsible person does not own the span—the owner or the operator of the span; or

(b) if the application is made in respect of a class of spans—the owner or the operator of each span that—

(i) belongs to that class; and

(ii) is not owned by the applicant.

(5) The responsible person must, if requested to do so by Energy Safe Victoria, provide further information or material about the application.

32 Formal safety assessment of alternative compliance mechanism

A formal safety assessment must include—

(a) a description of the methodology used and investigations undertaken for the formal safety assessment; and

(b) an identification of hazards associated with the use of the alternative compliance mechanism having the potential to cause a serious electrical incident; and

(c) a systematic assessment of the risks (including the likelihood and consequences of a serious electrical incident) associated with—

(i) commissioning, installing, operating, maintaining and decommissioning the alternative compliance mechanism; and

(ii) the safety of the span or class of spans to which the alternative compliance mechanism will apply; and

(d) a description of technical and other measures undertaken or to be undertaken to reduce those risks as far as practicable.

33 Approval of alternative compliance mechanism

(1) Energy Safe Victoria may approve an application under clause 31 if satisfied that—

(a) the application complies with clause 31; and

(b) the details included in the application under clause 31(3)(a) are adequate; and

(c) the application provides an adequate assessment of the risks referred to in clause 32(c); and

(d) the application provides an appropriate set of measures to mitigate those risks.

(2) The approval may be subject to any conditions that Energy Safe Victoria thinks fit, including conditions that—

(a) the responsible person's communications with Energy Safe Victoria regarding the approval must be made in a specified manner; or

(b) the responsible person must perform specified actions in relation to the alternative compliance mechanism; or

(c) the responsible person must monitor the use of the alternative compliance mechanism in a specified manner; or

(d) the responsible person must report to Energy Safe Victoria on the use of the alternative compliance mechanism in a specified manner.

(3) The approval must—

(a) be in writing; and

(b) include any conditions to which the approval is subject; and

(c) identify the span of an electric line, or describe the class of span of electric line, to which the approval applies; and

(d) specify—

(i) the minimum clearance space that is to apply under the approval; and

(ii) the period of time for which the approval has effect; and

(iii) any acts or omissions that will constitute major noncompliance and result in the revocation of the approval.

(4) Energy Safe Victoria must give a copy of the approval to the responsible person who made the application.

(5) If Energy Safe Victoria refuses an application for approval of an alternative compliance mechanism, Energy Safe Victoria must—

(a) give written notice of the decision to the responsible person who made the application; and

(b) set out reasons for the decision.

34 Amendment of approval

(1) Energy Safe Victoria may amend an approval for an alternative compliance mechanism.

(2) Without limiting subclause (1), an amendment under that subclause may—

(a) amend or revoke a condition attached to the approval; or

(b) impose a further condition on the approval.

(3) On making an amendment under subclause (1), Energy Safe Victoria must give the responsible person a written notice specifying—

(a) the amendment; and

(b) the date from which the amendment has effect.

35 Suspension or revocation of approval

(1) Energy Safe Victoria may suspend or revoke an approval for an alternative compliance mechanism if Energy Safe Victoria considers that—

(a) there has been a failure to comply with a condition of the approval and the failure is so serious that it cannot be dealt with by increased monitoring requirements under the arrangement; or

(b) the responsible person has committed an act or omission that constitutes a major noncompliance with the approval that was specified in the approval under clause 33(3)(d)(iii).

(2) If Energy Safe Victoria suspends or revokes an approval under subclause (1), Energy Safe Victoria must give the responsible person a written notice setting out—

(a) that the approval has been suspended or revoked (as the case requires); and

(b) the reasons for the suspension or revocation; and

(c) if the approval is suspended, the period of suspension; and

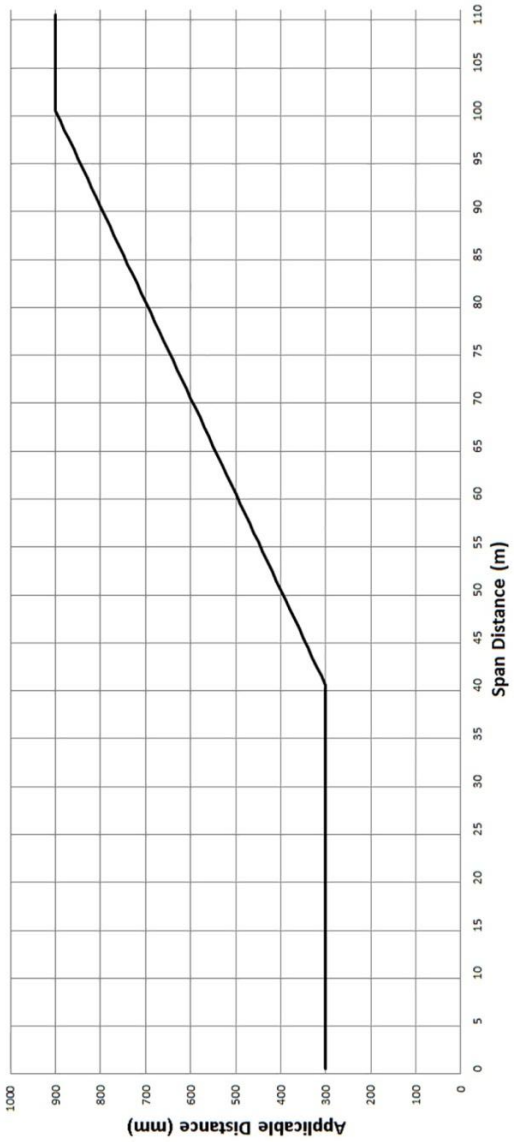
(d) if the approval is revoked, the day from which the revocation has effect.

(3) Energy Safe Victoria may at any time revoke the suspension of an approval by giving written notice of the revocation to the responsible person.

Schedule 2—Applicable distance for middle 2 thirds of electric line span

GRAPH 1—INSULATED ELECTRIC LINES IN ALL AREAS

Clauses 3 and 24



Graph 1 Formula

The formula by which the applicable distance for the middle 2 thirds of an electric line span to which clause 24 applies is calculated as follows:

For $0 < SD \leq 40$, AD = 300 mm

For $40 < SD \leq 100$, $AD = 300 + ((SD - 40) \times 10)$

For $100 < SD$, AD = 900 mm

Where:

SD = Span Distance

AD = Applicable Distance

Notes to Graph 1

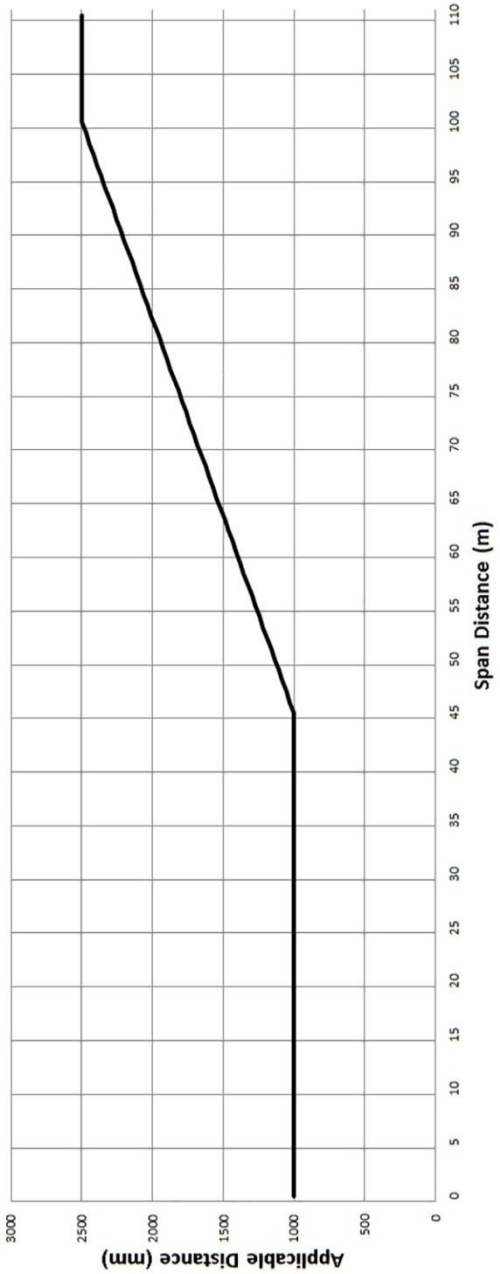
(1) The applicable distance includes allowances for sag and sway of the conductor.

(2) The minimum clearance space for an electric line span to which this Graph and clause 24 apply is partially illustrated in Figures 1, 2 and 3.

(3) The applicable distance for the first and last sixths of an electric line span to which clause 24 applies is 300 millimetres.

GRAPH 2—UNINSULATED LOW VOLTAGE ELECTRIC LINE IN LOW BUSHFIRE RISK AREA

Clauses 3 and 25



Graph 2 Formula

The formula by which the applicable distance for the middle 2 thirds of an electric line span to which clause 25 applies is calculated as follows:

For $0 < SD \leq 45$, AD = 1000 mm

For $45 < SD \leq 100$, $AD = 1000 + ((SD - 45) \times (1500 \div 55))$

For $100 < SD$, AD = 2500 mm

Where:

SD = Span Distance

AD = Applicable Distance

Notes to Graph 2

(1) The applicable distance includes allowances for sag and sway of the conductor for a span up to and including 100 metres in length.

(2) For a span longer than 100 metres, the applicable distance must be extended by an additional distance to allow for sag and sway of the conductor. This is done by adding that distance to the applicable distance (see clause 25(2)(b)).

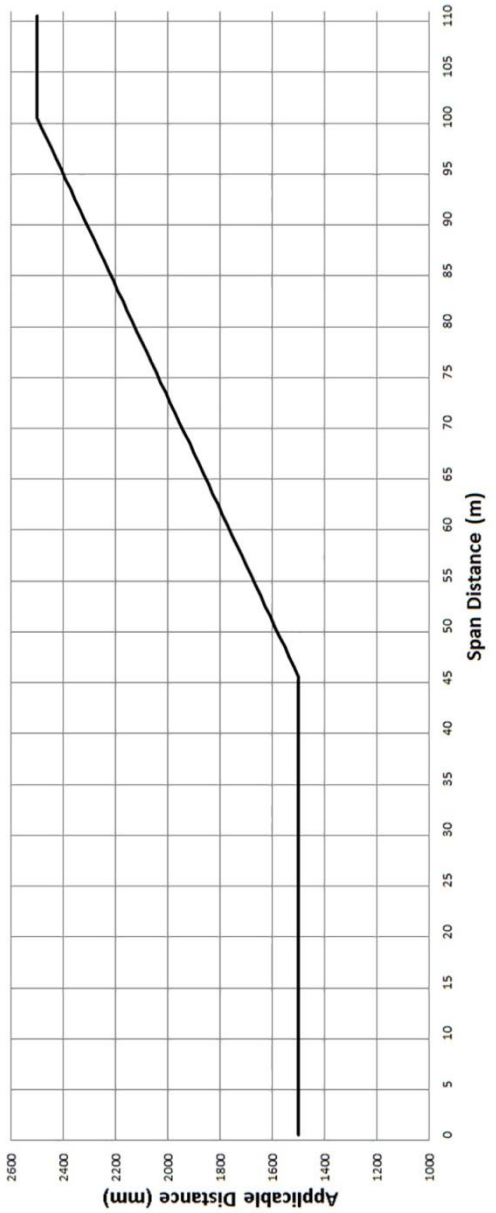
(3) A distribution company, or an owner or operator of a railway supply network or a tramway supply network, must assist a Council, if requested, by determining the additional distance that allows for sag and sway of the conductor (see clause 21(2)).

(4) The minimum clearance space for an electric line span to which this Graph and clause 25 apply is partially illustrated in Figures 1 and 4.

(5) The applicable distance for the first and last sixths of an electric line span to which clause 25 applies is 1000 millimetres.

GRAPH 3—UNINSULATED HIGH VOLTAGE ELECTRIC LINE (OTHER THAN A 66 000 VOLT ELECTRIC LINE) IN LOW BUSHFIRE RISK AREA

Clauses 3 and 26



Graph 3 Formula

The formula by which the applicable distance for the middle 2 thirds of an electric line span to which clause 26 applies is calculated as follows:

For $0 < SD \leq 45$, AD = 1500 mm

For $45 < SD \leq 100$, $AD = 1500 + ((SD - 45) \times (1000 \div 55))$

For $100 < SD$, AD = 2500 mm

Where:

SD = Span Distance

AD = Applicable Distance

Notes to Graph 3

(1) The applicable distance includes allowances for sag and sway of the conductor for a span up to and including 100 metres in length.

(2) For a span longer than 100 metres, the applicable distance must be extended by an additional distance to allow for sag and sway of the conductor. This is done by adding that distance to the applicable distance (see clause 26(2)(b)).

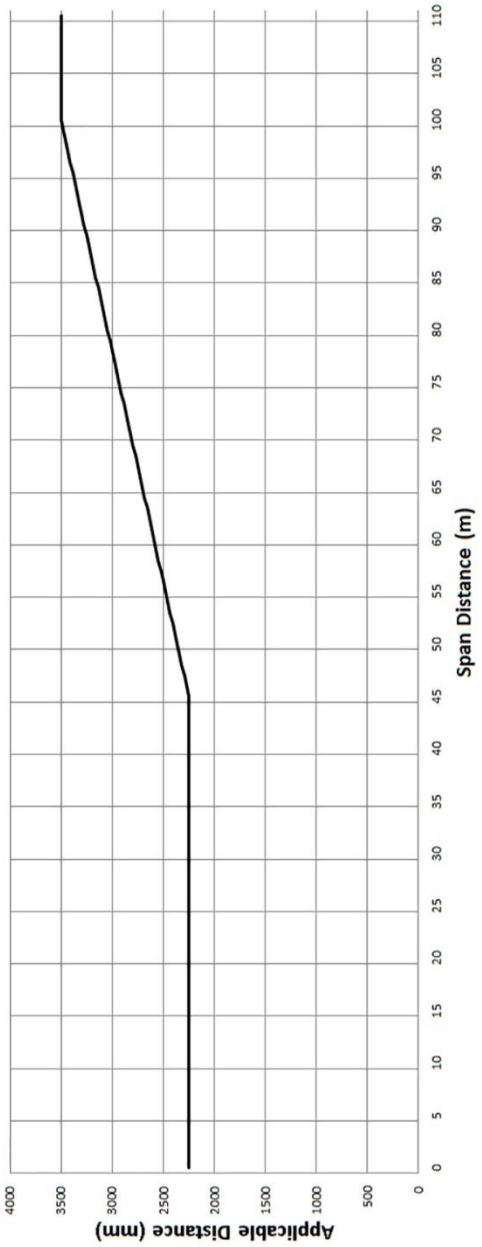
(3) A distribution company, or an owner or operator of a railway supply network or a tramway supply network, must assist a Council, if requested, by determining the additional distance (see clause 21(2)).

(4) The minimum clearance space for an electric line span to which this Graph and clause 26 apply is partially illustrated in Figures 1 and 3.

(5) The applicable distance for the first and last sixths of an electric line span to which clause 26 applies is 1500 millimetres.

GRAPH 4—UNINSULATED 66 000 VOLT ELECTRIC LINE IN LOW BUSHFIRE RISK AREA

Clauses 3 and 27



Graph 4 Formula

The formula by which the applicable distance for the middle 2 thirds of an electric line span to which clause 27 applies is calculated as follows:

For $0 < SD \leq 45$, AD = 2250 mm

For $45 < SD \leq 100$, $AD = 2250 + ((SD - 45) \times (1250 \div 55))$

For $100 < SD$, AD = 3500 mm

Where:

SD = Span Distance

AD = Applicable Distance

Notes to Graph 4

(1) The applicable distance includes allowances for sag and sway of the conductor for a span up to and including 100 metres in length.

(2) For a span longer than 100 metres, the applicable distance must be extended by an additional distance to allow for sag and sway of the conductor. This is done by adding that distance to the applicable distance (see clause 27(2)(a)(ii)).

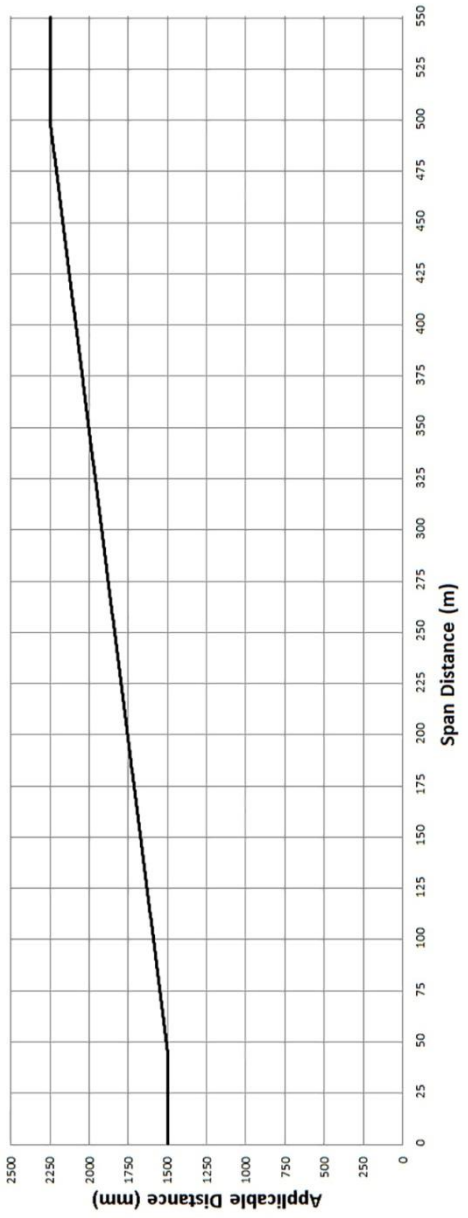
(3) A distribution company, or an owner or operator of a railway supply network or a tramway supply network, must assist a Council, if requested, by determining the additional distance (see clause 21(2)).

(4) The minimum clearance space for an electric line span to which this Graph and clause 27 apply is partially illustrated in Figures 1 and 5.

(5) The applicable distance for the first and last sixths of an electric line span to which clause 27 applies is 2250 millimetres.

GRAPH 5—UNINSULATED LOW VOLTAGE AND HIGH VOLTAGE ELECTRIC LINE (OTHER THAN A 66 000 VOLT ELECTRIC LINE) IN HAZARDOUS BUSHFIRE RISK AREA

Clauses 3 and 28



Graph 5 Formula

The formula by which the applicable distance for the middle 2 thirds of an electric line span to which clause 28 applies is calculated as follows:

For $0 < SD \leq 45$, AD = 1500 mm

For $45 < SD \leq 500$, AD = 1500 +((SD - 45) × (500 ÷ 303))

For $500 < SD$, AD = 2250 mm

Where:

SD = Span Distance

AD = Applicable Distance

Notes to Graph 5

(1) The applicable distance must be extended by an additional distance to allow for sag and sway of the conductor. This is done by adding that distance to the applicable distance (see clause 28(2)(a)).

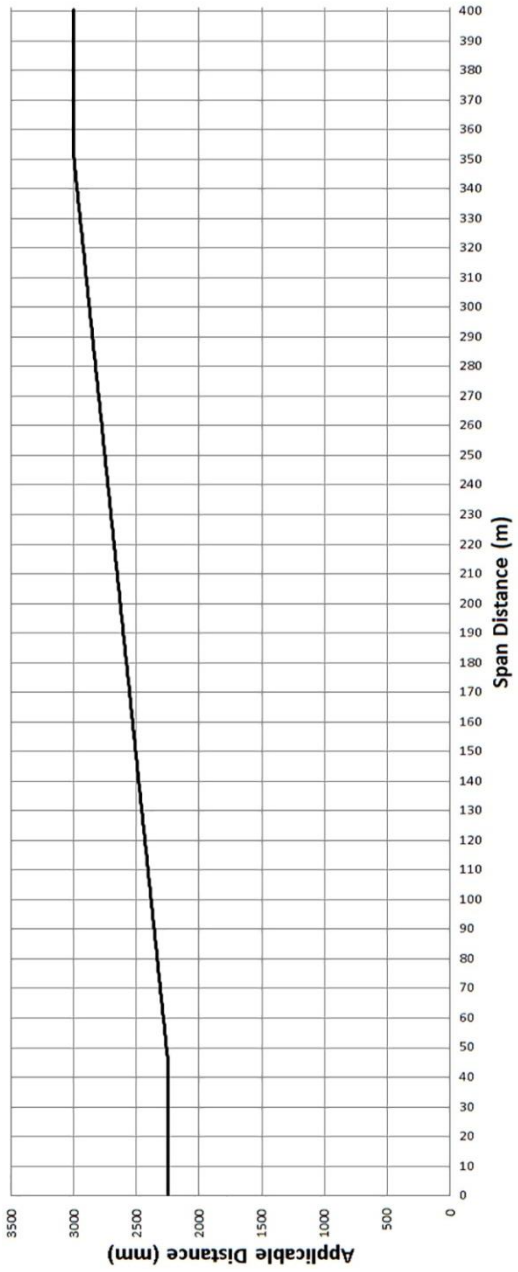
(2) A distribution company, or an owner or operator of a railway supply network or a tramway supply network, must assist a Council, if requested, by determining the additional distance (see clause 21(2)).

(3) The minimum clearance space for an electric line span to which this Graph and clause 28 apply is partially illustrated in Figures 1 and 5.

(4) The applicable distance for the first and last sixths of an electric line span to which clause 28 applies is 1500 millimetres.

GRAPH 6—UNINSULATED 66 000 VOLT ELECTRIC LINE IN HAZARDOUS BUSHFIRE RISK AREA

Clauses 3 and 29



Graph 6 Formula

The formula by which the applicable distance for the middle 2 thirds of an electric line span to which clause 29 applies is calculated as follows:

For $0 < SD \leq 45$, AD = 2250 mm

For $45 < SD \leq 350$, AD = 2250 + ((SD - 45) × (750 ÷ 305))

For $350 < SD$, AD = 3000 mm

Where:

SD = Span Distance

AD = Applicable Distance

Notes to Graph 6

(1) The applicable distance must be extended by an additional distance to allow for sag and sway of the conductor. This is done by adding that distance to the applicable distance (see clause 29(2)(a)).

(2) A distribution company, or an owner or operator of a railway supply network or a tramway supply network, must assist a Council, if requested, by determining the additional distance (see clause 21(2)).

(3) The minimum clearance space for an electric line span to which this Graph and clause 29 apply is partially illustrated in Figures 1 and 5.

(4) The applicable distance for the first and last sixths of an electric line span to which clause 29 applies is 2250 millimetres.

FIGURE 1—PLAN VIEW OF ELECTRIC LINES IN ALL AREAS

Clauses 24, 25, 26, 27, 28 and 29,
Graphs 1, 2, 3, 4, 5 and 6

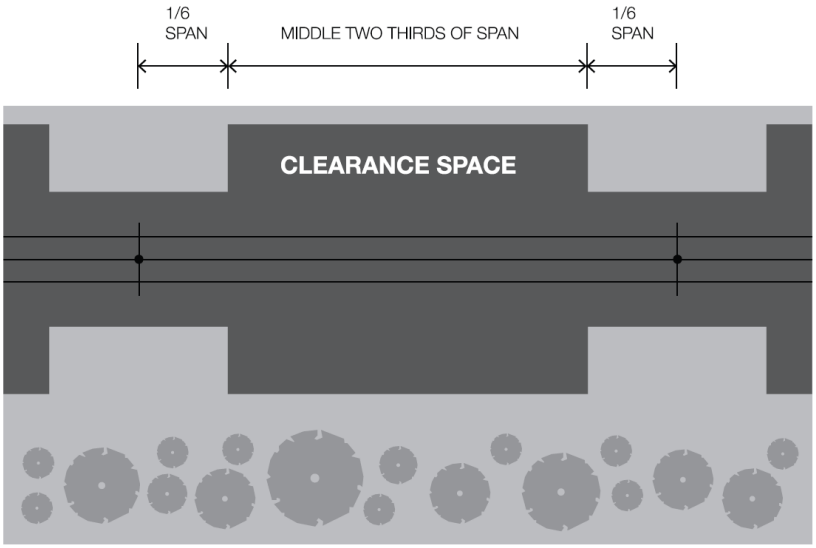
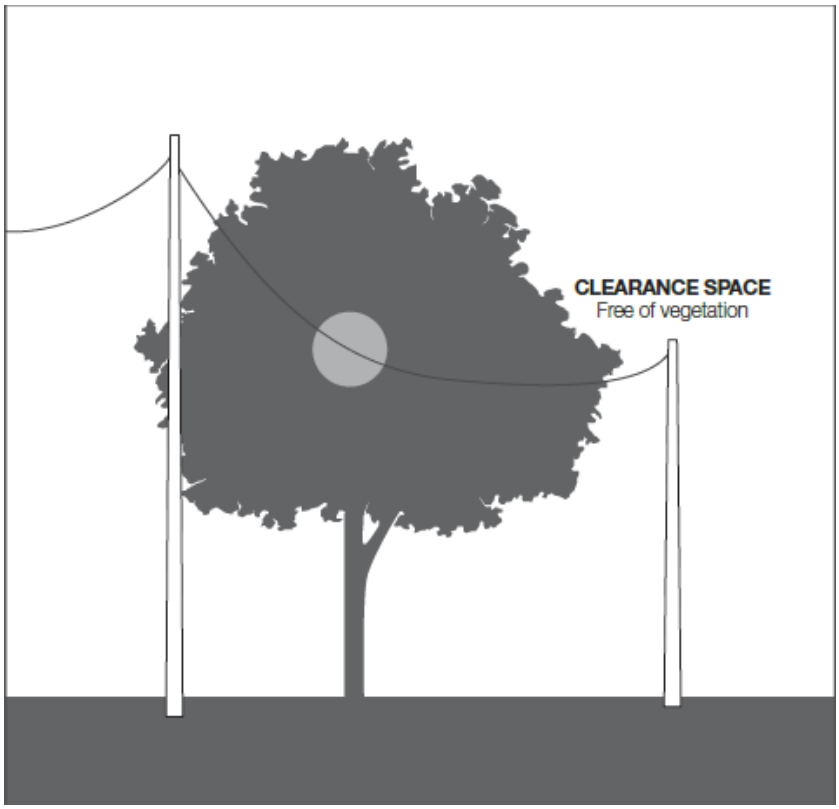


FIGURE 2—INSULATED ELECTRIC LINES IN ALL AREAS

Clause 24, Graph 1



NOT TO SCALE

FIGURE 3—INSULATED ELECTRIC LINES IN ALL AREAS AND UNINSULATED HIGH VOLTAGE ELECTRIC LINES (OTHER THAN 66 000 VOLT ELECTRIC LINES) IN LOW BUSHFIRE RISK AREAS

Clauses 24 and 26, Graphs 1 and 3

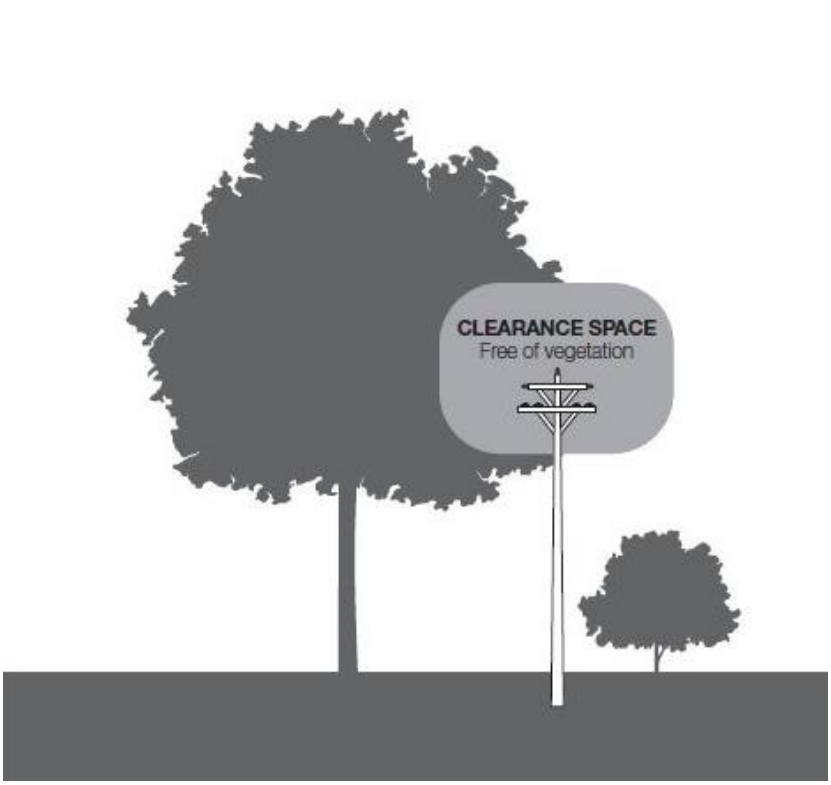
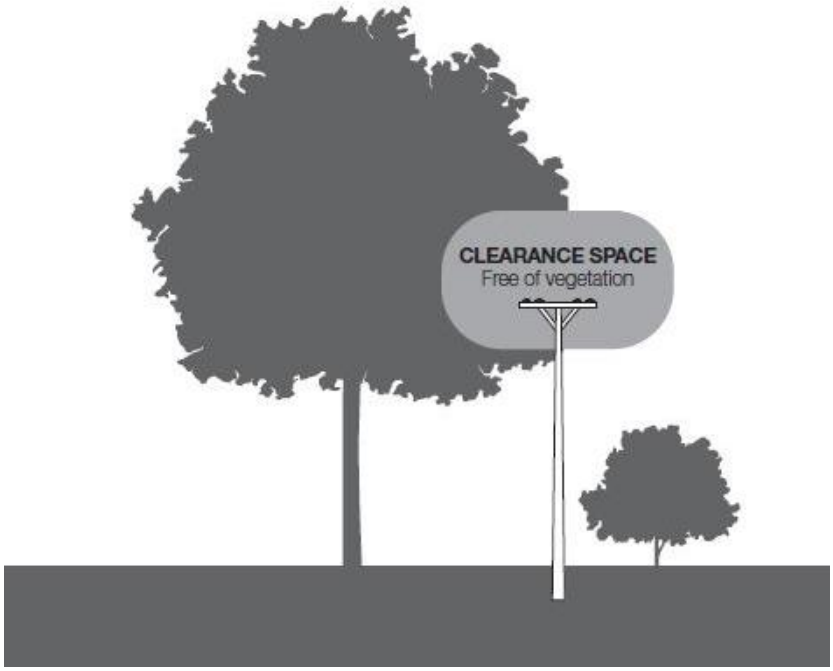


FIGURE 4—UNINSULATED LOW VOLTAGE ELECTRIC LINE IN A LOW BUSHFIRE RISK AREA

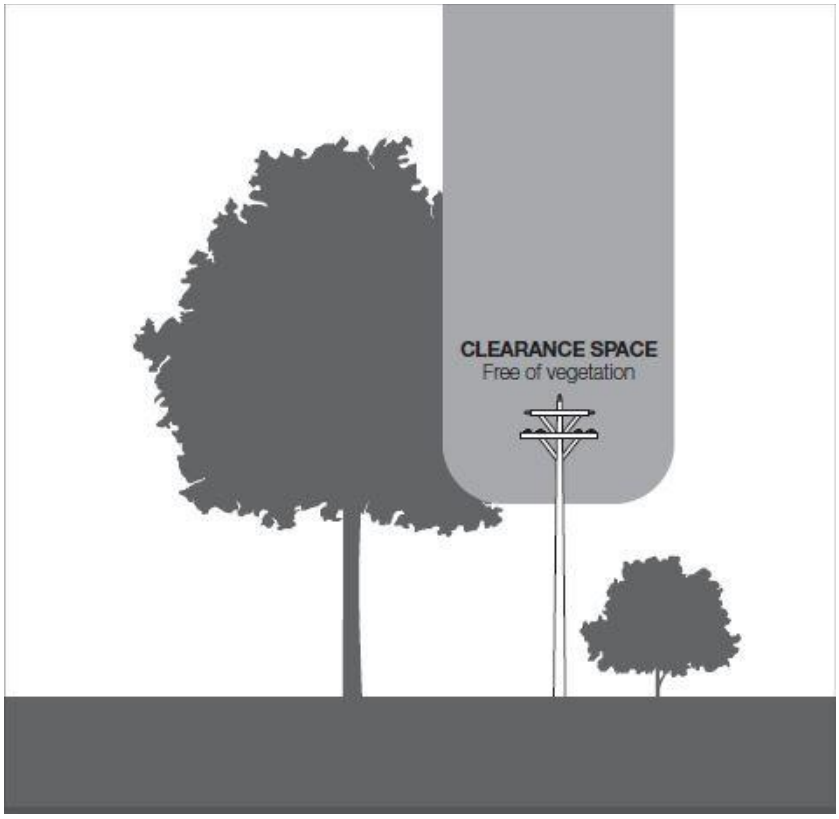
Clause 25, Graph 2



NOT TO SCALE

FIGURE 5—UNINSULATED 66 000 VOLT ELECTRIC LINE IN A LOW BUSHFIRE RISK AREA AND UNINSULATED ELECTRIC LINE IN A HAZARDOUS BUSHFIRE RISK AREA

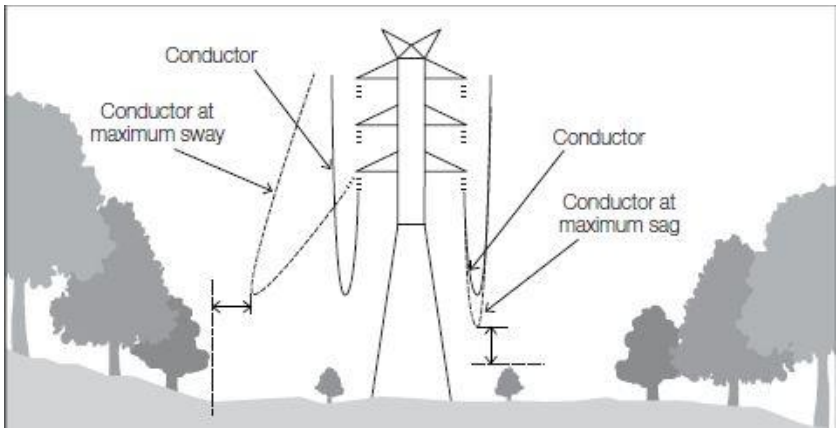
Clauses 27, 28 and 29, Graphs 4, 5 and 6



NOT TO SCALE

FIGURE 6—END VIEW OF THE TRANSMISSION LINE

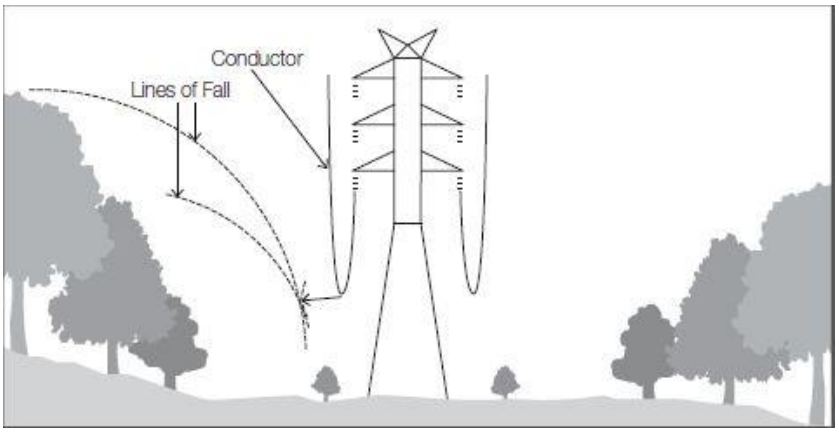
Clause 30



NOT TO SCALE

FIGURE 7—TREES ADJACENT TO THE TRANSMISSION LINE

Clause 8



NOT TO SCALE

Endnotes

[1] Reg. 4: S.R. No. 67/2015.

[2] Reg. 9(4)(p): S.R. No. 164/2009, as amended by S.R. Nos 21/2010, 85/2011, 36/2014 and 67/2015.

[3] Reg. 13: S.R. No. 62/2013, as amended by S.R. Nos 67/2015, 68/2015 and 32/2016.

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Table of Applied, Adopted or Incorporated Matter

The following table of applied, adopted or incorporated matter is included in accordance with the requirements of regulation 5 of the Subordinate Legislation Regulations 2014.

Statutory rule provision	**Title of applied, adopted or incorporated document**	**Matter in applied, adopted or incorporated document**
Regulation 5 Definition of ***AS 4373***	AS 4373, "Pruning of amenity trees" published 14 March 2007 by Standards Australia	The whole
Regulation 5 Definition of ***Threatened Flora List***	Advisory List of Rare or Threatened Plants in Victoria, published in 2014 by the Department of Environment and Primary Industries	The whole
Regulation 5 Definition of ***Threatened Invertebrate Fauna List***	Advisory List of Threatened Invertebrate Fauna in Victoria, published in 2009 by the Department of Sustainability and Environment	The whole
Regulation 5 Definition of ***Threatened Vertebrate Fauna List***	Advisory List of Threatened Vertebrate Fauna in Victoria, published in March 2013 by the Department of Sustainability and Environment	The whole

Statutory rule provision	**Title of applied, adopted or incorporated document**	**Matter in applied, adopted or incorporated document**
Schedule 1, clause 1 Definition of ***aerial bundled cable***	AS/NZS 3560.1, "Electric cables—Cross-linked polyethylene insulated—Aerial bundled—For working voltages up to and including 0·6/1 (1·2) kV—Part 1: Aluminium conductors" published 7 April 2000 by Standards Australia and Standards New Zealand	The whole
Schedule 1, clause 1 Definition of ***aerial bundled cable***	AS/NZS 3560.2, "Electric cables—Cross-linked polyethylene insulated—Aerial bundled—For working voltages up to and including 0·6/1 (1·2) kV—Part 2: Copper conductors" published 17 July 2003 by Standards Australia and Standards New Zealand	The whole
Schedule 1, clause 1 Definition of ***aerial bundled cable***	AS/NZS 3599.1, "Electric cables—Aerial bundled—Polymeric insulated—Voltages 6·35/11 (12) kV and 12·7/22 (24) kV—Part 1: Metallic screened" published 11 September 2003 by Standards Australia and Standards New Zealand	The whole
Schedule 1, clause 1 Definition of ***aerial bundled cable***	AS/NZS 3599.2, "Electric cables—Aerial bundled—Polymeric insulated—Voltages 6·35/11 (12) kV and 12.7/22 (24) kV—Part 2: Non-metallic screened" published 5 June 1999 by Standards Australia and Standards New Zealand	The whole

Statutory rule provision	**Title of applied, adopted or incorporated document**	**Matter in applied, adopted or incorporated document**
Schedule 1, clause 1 Definition of ***covered conductor***	AS/NZS 3675, "Conductors—Covered overhead—For working voltages 6·35/11 (12) kV up to and including 19/33 (36) kV" published 30 May 2002 by Standards Australia and Standards New Zealand	The whole
Schedule 1, clause 1 Definition of ***electric cable***	AS/NZS 1429.1, "Electric cables—Polymeric insulated—Part 1: For working voltages 19/33 (36) kV up to and including 19/33 (36) kV" published 21 April 2006 by Standards Australia and Standards New Zealand	The whole
Schedule 1, clause 1 Definition of ***electric cable***	AS/NZS 1429.2, "Electric cables—Polymeric insulated—Part 2: For working voltages above 19/33 (36) kV up to and including 87/150 (170) kV" published 17 September 2009 by Standards Australia and Standards New Zealand	The whole
Schedule 1, clause 1 Definition of ***insulating cover***	AS IEC 60060.1, "High-voltage test techniques—Part 1: General definitions and test requirements" published 18 October 2018 by Standards Australia	The whole

Statutory rule provision	**Title of applied, adopted or incorporated document**	**Matter in applied, adopted or incorporated document**
Schedule 1, clause 1 Definition of ***insulating cover***	AS IEC 60060.2, "High-voltage test techniques—Part 2: Measuring systems" published 6 November 2018 by Standards Australia	The whole
Schedule 1, clause 1 Definition of ***insulating cover***	AS 4202, "Insulating covers for electrical purposes" published 11 July 1994 by Standards Australia	The whole
Schedule 1, clause 1 Definition of ***insulating cover***	AS/NZS 3100, "Approval and test specification—General requirements for electrical equipment" published 13 January 2017 by Standards Australia and Standards New Zealand	The whole
Schedule 1, clause 1 Definition of insulating cover	AS/NZS 3121, "Approval and test specification—Insulating mouldings" published 22 November 2002 by Standards Australia and Standards New Zealand	The whole