energysafe VICTORIA

Creating a safer state with electricity and gas

22 November 2019

[redacted]
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By email: [redacted]***@powercor.com.au***

Dear [redacted]

PROPOSED ELECTRICITY SAFETY (GENERAL) REGULATIONS 2019

Thank you for reviewing and commenting on the proposed Electricity Safety (General) Regulations 2019 and for meeting with us during the public consultation period.

We note your comments in relation to prescriptive requirements in the proposed Regulations that apply to major electricity companies (MECs). Based on previous consultation, proposed Regulation 201 makes it clear that Part 2 of the proposed Regulations does not apply to MEC supply networks. These are the requirements that apply to electrical installation work carried out on electrical installations.

The Grimes review stated that a reduction in prescriptive regulation is considered to be a longer term aspiration and it did not propose that there should be a significant change in prescriptive requirements at this time. As such, the prescriptive requirement contained in Part 3 of the proposed Regulations will continue to apply to electricity suppliers (including MECs).

We note that regulation 233 of the current Electricity Safety (Installations) Regulations 2009 has been removed from the proposed Regulations. This was based on consultation with MECs over a number of years which led to the conclusion that technical barriers to achieving full compliance with this regulation.

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This provides an opportunity for MECs to now demonstrate in their Electricity Safety Management Schemes (ESMSs) how they will treat the hazards and risks that regulation 233 was intended to address. If this is done successfully, additional prescriptive requirements of the proposed Regulations may be considered for removal and incorporation into ESMSs.

We appreciate the time you have taken to review and comment on the proposed Regulations. Our responses to some of your other comments are set out in the attachment.

Yours sincerely

Neil Fraser
GENERAL MANAGER LICENSING TRAINING AND STANDARDS

Attachment

Reg No	Title	ESV response
105	Definitions	The proposed definition of "electricity supplier" makes it clear that it is intended to include distribution businesses. This change is to ensure that there is no confusion that the requirements in the proposed Regulations that apply to electricity suppliers are intended to apply to distribution businesses.
201	Application	We note your concerns. However, Part 2 can only apply to electrical installation work (see proposed regulation 202 and the definition of electrical installation in the Act which excludes the supply networks of MECs). Proposed regulation 201 also places this upfront and is clear. If third parties are of concern, ESV suggests that better educating consumers and third parties of the nature of the regulatory space CP-PAL operates in may assist. An explanation of the ESMS regime and the construction and maintenance standards that are adopted in the ESMS could be set out on CP-PAL's website.
233(2)(b)	Break away device	We note that the installation of a break away device on a private service line will reduce but not eliminate the risk of the service line breaking and causing a fire. However, the intention is to improve the safety of private service lines that are reinstated under the emergency restoration provisions of the proposed regulations. Requiring private service lines to be placed underground is unreasonable in cases where they have been replaced by a new line.
228	Table 228.1 Minimum distances to the ground or water surface from low voltage aerial lines on public land or within an easement on private land	We have removed the reference to alternating current so that the table applies to all low voltage aerial lines located on public land or within an easement on private land. Note: This table only applies to the installation of aerial lines that are electrical installations.
304	Service lines and directly connected installations	We note your comments. We don't agree that this will cause confusion.
305	Installation of protective equipment	We disagree with your suggested drafting. The proposed changes to this Regulation are set out below.
508	Who is a person conducting a business or undertaking under this Division?	The title of this regulation is intended to be a question in order to assist the reader.
604	Table 604 Minimum distance from remotely piloted aircraft to protected aerial lines	We have kept the minimum distance from a tower as 6000mm but have expanded it to cover 6000mm from an aerial line supported by towers *and any protected infrastructure associated with the aerial line*.
611	Minimum distance between parts of buildings, structures, scaffolding and posts and protected aerial lines	This regulation is not intended to align with the clearances set out in AS/NZS 7000 as the clearances in the table are intended to apply to builders and home owners who are not experts in the risks and hazards associated with aerial lines.

		It is intended that “at any time” includes accounting for sag and sway. However; we do not agree that sag and sway needs to be specifically defined in these regulations.

302Service lines and directly connected installations

(1) An electricity supplier must ensure that the supplier's service lines and low voltage electricity supplies to directly connected installations —

(a) contain a neutral conductor that is—

(i) continuous from any point of supply to the neutral terminal of the substation it is connected to; and

(ii) easily identified; and

(iii) verified as being a neutral conductor; and

(b) are protected by protective equipment, installed in accordance with regulation 303, that can isolate each of the active conductors of an electrical installation.

Penalty: 20 penalty units.

(2) In this Regulation and regulation 303—

directly connected installation means an electrical installation that is supplied with low voltage electricity by consumer’s mains that are directly connected to an electricity supplier’s substation.

303 Installation of protective equipment

(1) In the case of an aerial service line, protective equipment must be installed—

(a) at, or next to, the point of supply; or

(b) at, or next to, any point where an unmetered consumers mains is attached to the consumer's premises; or

(c) at any pole to which a consumers mains is attached; or

(d) at the electricity supplier's pole to which a service line is connected.

(2) In the case of an underground service line, protective equipment must be installed—

(a) at, or next to, the point where the consumers mains is connected to the electricity supplier's supply main; or

(b) at, or within 3000 millimetres of the point where the electricity supplier's supply cable crosses the property boundary of the property that it supplies; or

(c) if an aerial service line has been converted to an underground line, at the point where the aerial service line was connected to the consumer's premises; or

(d) at, or next to, the electricity supplier's metering equipment located at the consumer's premises, but only if the unmetered portion of the consumers

mains that runs from the property boundary to the building or structure housing the metering equipment is suitable for use underground and—

(i) is of a double insulated construction; or

(ii) is surrounded by a neutral screen.

(3) In the case of low voltage electricity supplies to a directly connected electrical installation—

(a) if the electricity supply is connected or will be connected to a substation constructed or reconstructed after the commencement of these Regulations, low voltage protective equipment must be installed within the substation; or

(b) if the electricity supply is connected or will be connected to a substation constructed or reconstructed before the commencement of these Regulations, low voltage or high voltage protective equipment must be installed within the substation; or

(c) if the electricity supply is connected or will be connected to a pole mounted substation, low voltage protective equipment must be installed on the substation pole.

(4) Despite subregulation (3)(a), high voltage protective equipment may be used to protect low voltage electricity supplies if—

(a) the main switchboard of the directly connected installation and the substation it is connected to are located in adjoining rooms; and

(b) discrimination between any low voltage protective equipment within the substation and the directly connected installation's first low voltage protection device cannot be achieved; and

(c) the high voltage protective equipment installed in the substation will achieve the same level of protection as would have been achieved if subregulation (3)(a) had been complied with.

(5) For 12 months on and from the day these Regulations commence, a substation constructed or reconstructed is taken to comply with subregulation (3) provided that the substation complies with, and continues to comply with, regulation 235(3) of the Electricity Safety (Installations) Regulations 2009 as in force immediately before those Regulations were revoked.