

Electric lines on public land

A guide for exempt persons submitting information to Energy Safe

Guideline

Purpose

Persons are not allowed to install electric lines on public land in Victoria unless they are a specified person in the *Electricity Safety Act 1998* (Vic) (**Act**) or they are an exempt person.

This guideline outlines the information exempt persons must submit to Energy Safe Victoria as required by the exemption order made by the Governor in Council (**Order in Council**) under the Act. It also provides information about how to submit the required information to Energy Safe and what happens after the information is submitted.

Background

Section 46 of the Act provides that a person must not install, or cause to be installed, an electric line on public land unless they are:

- one of the persons specified in section 46(1), or
- installing the electric line for the purpose of conveying electricity supplied by a subset of the persons specified in section 46(1), or
- an exempt person pursuant to an exemption order made by the Governor in Council under section 47 of the Act.

Exempt persons

Section 47 of the Act allows the Governor in Council to make an order exempting a person for the purposes of section 46. Persons exempt under the current Order in Council are:

- a person who is responsible for the management of public land
- a person who is the owner or occupier of privately owned land used for public purposes
- a person who has entered a lease or licence of land or an agreement relating to land under the *Land Act 1958* or the *Crown Land (Reserves) Act 1978*
- a person who is the holder of a nominated carrier declaration or licence from the Australian Communications and Media Authority (**ACMA**)
- the Link corporation or the extension corporation (**CityLink**)
- a person who, for private purposes, installs an electric line over or under public land in order to convey electricity to other land or property owned or leased by, or under the control of, that person
- a person who installs, or causes to be installed, an electric line on public land on behalf of any of the above exempt persons.

Terms and conditions of exemption

The Order in Council also specifies terms and conditions that exempt persons must comply with, including:

- giving specified information to Energy Safe, the successor to the Office of the Chief Electrical Inspector as referenced in the Order in Council
- having the consent of the owner of any property that may be affected and the consent of the distribution company to whose supply network the electric line is connected

- in relation to an underground electric line, maintaining records as required under the regulations
- complying with directions issued by Energy Safe under the Act
- give to Energy Safe any further information that we request in writing
- comply with a request from Energy Safe within the time specified in the request

Information to be provided to Energy Safe

Exempt persons must provide the information outlined below to Energy Safe within 14 days of installation or removal of electric lines on public land, in accordance with the terms and conditions in the Order in Council.

Also, if the contact details of the person who has management or control of the electric line changes, the exempt person must advise Energy Safe of those changes within 14 days of the change.

Information required upon installation

- The contact details (i.e., name, position, business address and telephone number) of the person who has management or control of the electric line
- **For overhead electric lines:** sufficient information to enable the installed electric line to be located.
- **For underground electric lines:** a description of how the person has complied with section 76(1)(b) of the Act, specifically information demonstrating that the person has given sufficient information to enable every cable of the line to be located and identified to the distribution company for the area.
- Any further information that Energy Safe requests in writing in relation to compliance with the Order in Council.

Also see: Sufficient information to locate or identify electric lines.

Information required upon removal

- **For overhead electric lines:** sufficient information to enable identification of the removed electric line
- **For underground electric lines:** a description of how the person has complied with section 3(e)(ii)(A) of the Order in Council, specifically information demonstrating that the person has given sufficient information to enable identification of the removed electric line to the distribution company for the area.
- Any further information that Energy Safe requests in writing in relation to compliance with the Order in Council.

Also see: Sufficient information to locate or identify electric lines.

Sufficient information to locate or identify electric lines

Sufficient information should be included in the submission to enable Energy Safe to readily locate or identify the electric line that is installed or removed. The information should include the operating voltage, cable size, number of cables, as well as a location plan that includes the cable route, property lines and street names. Map coordinates also assist in locating or identifying electric lines. An example of a location plan is at Figure 1.

How to provide required information to Energy Safe

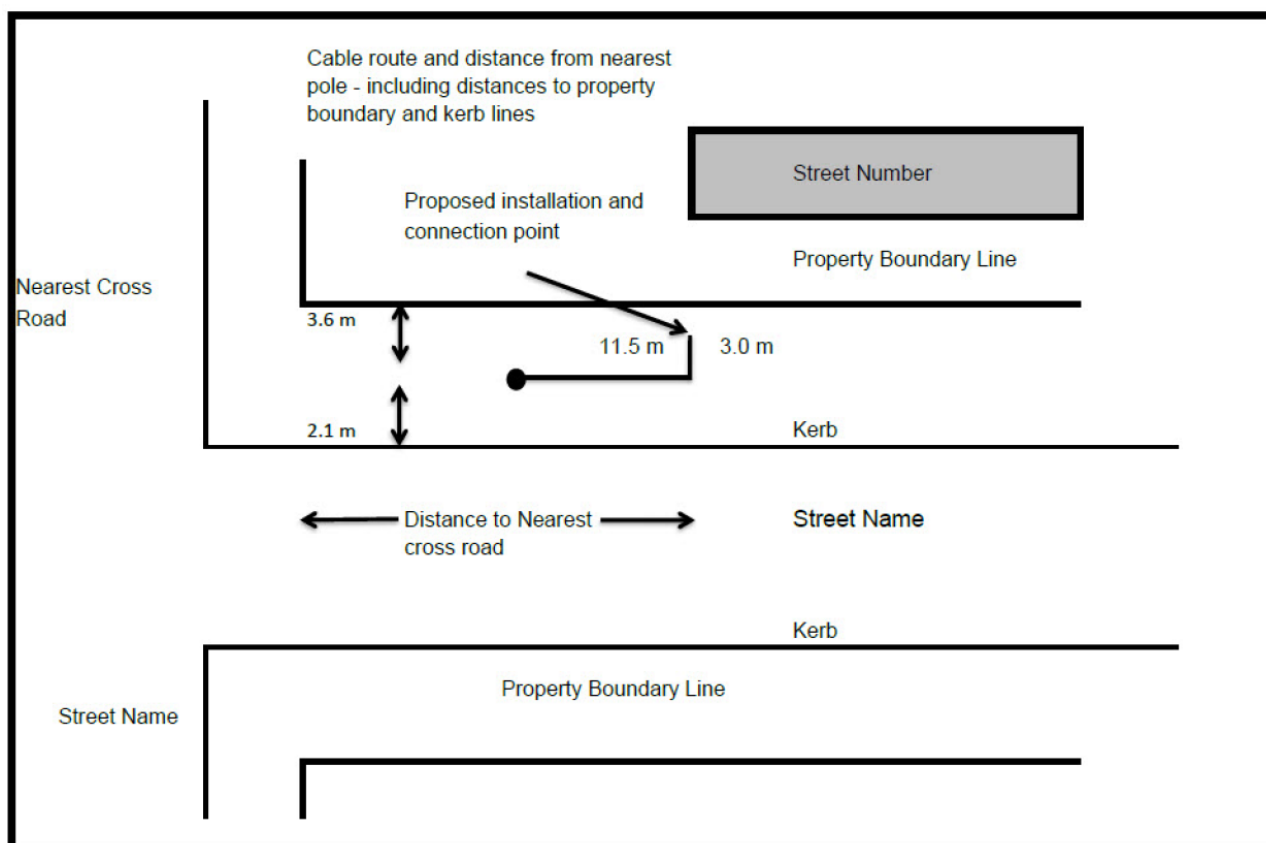
Exempt persons should complete the 'Electric lines on public land exemption form' and submit it along with any additional documentation to Energy Safe via email: ESVELPL.Exemptions@energysafe.vic.gov.au

After the information is provided to Energy Safe

Energy Safe will review the submission. If the submission is incomplete or does not contain sufficient information, we will request further information.

Once we are satisfied that the submission is complete, we will acknowledge receipt of the information. The exempt person should keep a record of the acknowledgement of receipt.

Figure 1: Example of a location plan



Other information

For those unsure about exemption status

Energy Safe cannot offer legal advice or confirm eligibility for exemptions. If you are uncertain whether you are permitted to install electric lines on public land, either as specified in the Act or as an exempt person, please seek independent legal advice.

Persons who seek exemptions

If you are not currently exempt but wish to apply or have questions about obtaining an exemption, contact Energy Safe at: ESVELPL.Exemptions@energysafe.vic.gov.au.

Further information

If you require any further information, you can contact Energy Safe as follows:

Email: ESVELPL.Exemptions@energysafe.vic.gov.au

Phone: 03 9203 9700

Disclaimer

This guideline provides general information about the requirements under the Act and the Order in Council. It is not legal advice and omission of any matter from this guideline does not relieve persons of their legal duties. Persons who wish to install electric lines on public land should obtain their own advice to determine whether they are permitted to do so.