

Review of the Incident reporting and site preservation guidelines

Consultation

Introduction

From 16 May 2024, new legal duties commenced requiring major electricity companies (**MECs**) and gas companies to preserve the site of incidents they report to Energy Safe Victoria in certain circumstances. To support industry in meeting these obligations, we published the [Incident reporting and site preservation guidelines](#) (**guidelines**) and FAQs in May 2024.

The guidelines set out our initial approach to implementing the new site preservation requirements. They were designed to give both industry and Energy Safe time to build experience under the new framework. Now that more than a year has passed – and with experience to reflect on – we are reviewing the guidelines to ensure they remain clear, practical and effective.

We invite written submissions from interested parties by **12:00 pm Monday 8 September 2025**.

The guidelines

The guidelines assist MECs and gas companies to understand and comply with their duty to preserve incident sites. They also include a summary of existing incident reporting requirements, which remain unchanged. MECs and gas companies must continue to report incidents in accordance with the *Electricity Safety Act 1998*, the *Gas Safety Act 1997* and associated regulations.

The guidelines include our initial policy on:

- timeframes for our site attendance and decisions on site preservation, and
- the types of incidents we typically require to be preserved until after our site attendance.

Questions for consideration

We are particularly interested in stakeholder feedback on how the site preservation requirements have been working in practice. However, comments on any aspect of the guidelines are welcome.

Site preservation

Under the new legal duties, a MEC or gas company must not disturb the site of an incident they are required to report to Energy Safe—without reasonable excuse—until an Energy Safe authorised officer issues a direction allowing the site to be disturbed.

The guidelines note an Energy Safe authorised officer will be deemed to have issued a direction allowing a site to be disturbed where regulations allow a MEC or gas company to report an incident to Energy Safe within a specified period other than immediately or as soon as practicable.¹ For example:

- where the *Gas Safety (Safety Case) Regulations 2018* allows the reporting of an incident in the form of a statistical summary on a quarterly basis (regulation 44)

¹ Energy Safe, *Incident reporting and site preservation guidelines*, p. 15-16.

- where the MEC incident and safety performance reporting guidelines prescribed under the *Electricity Safety (Management) Regulations 2019* allows the reporting of 'other serious incidents' as part of a quarterly report (regulation 29).

Questions for consultation
1. Do you have any feedback on our implementation of the site preservation requirements as explained in the guidelines?
2. Do you have any feedback on the process of receiving directions allowing sites to be disturbed?
3. Do the guidelines clearly communicate exceptions to the site preservation requirements, considerations in issuing a direction and when it has been deemed a direction is made?
4. Have you encountered any difficulties in preserving sites until an Authorised Officer directs otherwise? If so, what were they?
5. Can you identify ways to improve the efficiency of site preservation while upholding the duty?
6. Do you have any additional feedback on site preservation?

Other questions

The guidelines provide information on existing incident reporting requirements for MECs and gas companies and how to report incidents. It also contains a policy outlining our initial approach on key aspects of incident reporting and site preservation requirements, including:

- Timeframes for Energy Safe's site attendance and decisions on site preservation.
- The types of incidents Energy Safe will require to be preserved until after our site attendance.

The policy states that the types of incidents we will attend before issuing a direction allowing a site to be disturbed are those which have:

- caused the death of or serious injury to a person
- caused significant property damage, and/or
- caused significant disruption to the community.²

Questions for consultation
7. Is anything unclear about the incident reporting requirements in the guidelines?
8. Do you have any feedback on the types of incidents we will attend before issuing a direction allowing the site to be disturbed?
9. Do you have any feedback on the timeframes for site attendance described in the policy?
10. Do you have any feedback on other information included in the guidelines?

How to provide feedback

Interested parties are invited to provide written submissions on the guidelines, or on any other matter relevant to incident reporting and site preservation by **12:00 pm Monday 8 September 2025**.

Submissions can be emailed to consultation@energysafe.vic.gov.au or posted to:

Consultations
Energy Safe Victoria
PO Box 262
Collins Street West, Victoria 8007

² Energy Safe, *Incident reporting and site preservation guidelines*, p. 18-19

All submissions will be treated as public and assumed able to be published on our website unless the submitter requests confidentiality. Any information that is commercially sensitive or confidential should be clearly marked. Names and other personal information will be removed from submissions prior to publication.

We are also open to meeting with individual stakeholders to discuss specific feedback.

If you have any questions or would like to arrange a meeting, please contact us at consultation@energysafe.vic.gov.au.