

**Version No. 001**  
**Electricity Safety (Bushfire Mitigation)**  
**Regulations 2003**

**S.R. No. 72/2003**

Version as at 1 July 2003

**TABLE OF PROVISIONS**

<i>Regulation</i>	<i>Page</i>
1. Objective	1
2. Authorising provision	1
3. Commencement	1
4. Definitions	1
5. Prescribed particulars for bushfire mitigation plans	2
6. Prescribed parts of private electric lines excluded	4
7. Prescribed times of inspection	4
8. Prescribed standards of inspection	4
9. Prescribed period in which notice of inspection is to be given	6
10. Prescribed form of notice to be given before inspection	6
11. Exemptions	6
12. Transitional provisions	6
<hr style="width: 20%; margin: 10px auto;"/>	
<b>SCHEDULE—Notice of Inspection</b>	<b>7</b>
<hr style="width: 20%; margin: 10px auto;"/>	
<b>ENDNOTES</b>	<b>8</b>
1. General Information	8
2. Table of Amendments	9
3. Explanatory Details	10

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**Electricity Safety (Bushfire Mitigation)  
Regulations 2003**

S.R. No. 72/2003

Version as at 1 July 2003

**1. Objective**

The objective of these Regulations is to make provision for the preparation of bushfire mitigation plans and the inspection of private overhead electric lines by electricity suppliers.

**2. Authorising provision**

These Regulations are made under section 157 of the **Electricity Safety Act 1998**.

**3. Commencement**

These Regulations come into operation on 1 July 2003.

**4. Definitions**

In these Regulations—

**"electrical assets"** means electric lines and electrical installations;

**"fire danger period"** means a period declared under the **Country Fire Authority Act 1958** to be a fire danger period;

**"hazardous bushfire risk area"** means—

- (a) an area that a fire control authority has assigned a fire hazard rating of "high" under section 80 of the Act; or

- (b) any other area that is not an urban area unless a fire control authority has assigned to that area a fire hazard rating of "low" under section 80 of the Act;

**"the Act"** means the **Electricity Safety Act 1998**.

#### **5. Prescribed particulars for bushfire mitigation plans**

For the purposes of section 83A of the Act, a bushfire mitigation plan submitted by an electricity supplier must specify—

- (a) the name, address and telephone number of the electricity supplier;
- (b) the name, position, address and telephone number of the person who was responsible for the preparation of the plan;
- (c) the name, position, address and telephone number of the persons who are responsible for carrying out the plan;
- (d) the telephone number of a person who can be contacted in an emergency that requires action by the electricity supplier to mitigate the danger of bushfire;
- (e) the bushfire mitigation policy of the electricity supplier to minimise the risk of fire ignition from its electrical assets;
- (f) the objectives of the plan to achieve the mitigation of bushfire danger;
- (g) a description, map or plan of the land to which the bushfire mitigation plan applies, identifying all hazardous bushfire risk areas and the location of all the electricity supplier's electrical assets in those areas;

- (h) the preventative strategies to be adopted by the electricity supplier to minimise the risk of the electricity supplier's electrical assets starting fires;
- (i) a list of all works required for the strategies referred to in paragraph (h) to be undertaken and the date by which the works are to be completed in readiness for the following summer season;
- (j) the operation and maintenance plans for the electricity supplier's electrical assets in the event of a fire or during—
  - (i) any day that has been declared to be a day of total fire ban under the **Country Fire Authority Act 1958**; and
  - (ii) a fire danger period;
- (k) the investigations, analysis and methodology to be adopted by the electricity supplier for the prevention of fire ignition from its electrical assets;
- (l) details of processes and procedures for enhancing public awareness of—
  - (i) the responsibilities of the owners of private overhead electric lines in relation to mitigation of bushfire danger; and
  - (ii) the obligation of the electricity supplier to inspect private overhead electric lines within its distribution area;
- (m) a description of the measures to be used to assess the performance of the electricity supplier under the plan;

- (n) the policy of the electricity supplier in relation to the assistance to be provided to fire control authorities in the investigation of fires near the supplier's electrical assets.

#### **6. Prescribed parts of private electric lines excluded**

For the purposes of sections 83A(1)(b) and 83B(1) of the Act, the prescribed part of a private electric line is the part of the private electric line above the surface of land that is installed after the point at which the line is connected to a building or other structure (not including a pole) on the land.

#### **7. Prescribed times of inspection**

For the purposes of section 83B(1) of the Act, the prescribed times to cause an inspection of private electric lines to be carried out are—

- (a) no later than 37 months after the date of the previous inspection carried out by the electricity supplier; or
- (b) at other times, not exceeding 5 years from the date of the previous inspection, that are approved by the Office.

#### **8. Prescribed standards of inspection**

- (1) For the purpose of section 83B(1) of the Act, the prescribed standards for the inspection of a private electric line that is above the surface of land are—
  - (a) insulators are free from damage and are properly secured to the pole or cross-arm;
  - (b) the conductors and metal ties that secure the conductors to the pole are free from rust and in good condition;
  - (c) insulation is not frayed or broken at any point;

- (d) poles are as vertical as practicable and must not lean more than 10 degrees from the perpendicular;
  - (e) in the case of wooden poles—
    - (i) the girth of the pole is greater than 550 mm at any point within 200 mm above the ground;
    - (ii) the pole is free from termites to a depth of 300 mm below the surface of the ground;
    - (iii) in the case of lines being inspected at times required by regulation 7(a), at least 50 mm of the wood is free of decay;
    - (iv) in the case of lines being inspected at times required by regulation 7(b), at least 75 mm of the wood is free of decay;
  - (f) in the case of tubular and solid steel poles, the thickness of the metal of the pole in any corroded area below the ground is at least 75% of the sound metal above the ground;
  - (g) in the case of concrete poles, the pole—
    - (i) is free of concrete decay; and
    - (ii) does not have exposed metal reinforcement;
  - (h) the line complies with Part 2 of the Code;
    - (i) the line complies with the clearance requirements set out in Table 3.8 of the Australian /New Zealand Wiring Rules: AS/NZS 3000:2000 as published on 15 September 1999.
- (2) Sub-regulation (1)(e)(iii) and (iv) do not apply to wooden poles that are less than 10 years old.

**9. Prescribed period in which notice of inspection is to be given**

For the purposes of section 83B(2) of the Act, the prescribed period within which notice to the occupier of the land is to be given before inspection of a private electric line is carried out is the period that is not more than 45 days before the inspection and not less than 21 days before the inspection.

**10. Prescribed form of notice to be given before inspection**

For the purposes of section 83B(2) of the Act, the prescribed form of notice to be given to the occupier of the land before inspection of a private electric line is set out in the Schedule.

**11. Exemptions**

The Office may exempt an electricity supplier from any of the requirements of these Regulations, subject to any conditions specified by the Office.

**12. Transitional provisions**

A bushfire mitigation strategy plan that was, before 1 July 2003, submitted to the Office for approval is to be treated as including the particulars required by regulation 5 until 1 July in the year following its submission to the Office.

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**SCHEDULE**

**NOTICE OF INSPECTION**

To the Occupier,

In accordance with section 83B of the **Electricity Safety Act 1998**, please be advised that on or about *[insert date]* our asset inspector will inspect all private electric lines above the surface of land on the property you occupy, except for those parts of the lines that are installed after the point at which they are connected to a building or other structure (not including a pole).

The inspection may reveal that defects exist and maintenance is required on a private electric line on the property that you occupy. If this is the case, we will give the owner written notice of the maintenance work required to be carried out.

Please contact *[insert name of responsible person]* on telephone *[insert number]* if you have any queries.

Signed

*[insert name of electricity supplier]*

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**ENDNOTES****1. General Information**

The Electricity Safety (Bushfire Mitigation) Regulations 2003, S.R. No. 72/2003 were made on 24 June 2003 by the Governor in Council under section 157 of the **Electricity Safety Act 1998**, No. 25/1998 and came into operation on 1 July 2003.

The Electricity Safety (Bushfire Mitigation) Regulations 2003 will sunset 10 years after the day of making on 24 June 2013 (see section 5 of the **Subordinate Legislation Act 1994**).

**2. Table of Amendments**

There are no amendments made to the Electricity Safety (Bushfire Mitigation) Regulations 2003 by statutory rules, subordinate instruments and Acts.

**3. Explanatory Details****Table of Applied, Adopted or Incorporated Matter Required by Subordinate Legislation Regulations 1994**

Note that the following table of applied, adopted or incorporated matter is included in accordance with the requirements of regulation 6 of the Subordinate Legislation Regulations 1994.

<b>Statutory Rule provision</b>	<b>Title of applied, adopted or incorporated document</b>	<b>Matter in applied, adopted or incorporated document</b>
Regulation 8(1)(h)	Code of Practice for Electric Line Clearance (Vegetation) published in the Government Gazette (No. S 169) on 25 November 1999.	Part 2
Regulation 8(1)(i)	The Australian/New Zealand Wiring Rules: AS/NZS 3000:2000 as published on 15 September 1999.	Table 3.8