



Our Ref: SAC19\_44

07 October 2019

Mr Anthony Bottegal  
Solicitor  
Energy Safe Victoria  
PO Box 262  
Collins Street West Vic 8007

Dear Anthony,

**PROPOSED ELECTRICITY SAFETY (GENERAL) REGULATIONS 2019**

Thank you for the opportunity to comment on the proposed Electricity Safety (General) Regulations 2019. A table of detailed comments are enclosed (please refer to Attachment 1) in addition to the general comments provided below.

**Proposed Electricity Safety (General) Regulations 2019**

As supported by the independent review undertaken by Dr Grimes in 2018, CitiPower-Powercor (CP-PAL) support an outcomes-based approach to safety regulation for Major Electricity Companies (MECs) with less emphasis on prescriptive regulation. The accepted CP-PAL Safety Case and Electricity Safety Management Scheme (ESMS) describe the *Electricity Network Safety Management Systems* in place to meet the requirements of Australian Standard AS5577 and to achieve electrical safety outcomes as required by the Electrical Safety Act 1998. It is therefore important that the amendments to the Electricity Safety (Installations) Regulations do not contain prescriptive requirements for MECs and that clarity is provided within the regulations to exclude MECs for prescriptive parts of the regulations (please refer to detailed comments provided in Attachment 1).

Please contact me on [REDACTED] should you have any queries.

Yours sincerely

[REDACTED]

Encl: Attachment 1 – Detailed Comments

**REGISTERED OFFICE**

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**Attachment 1 – Detailed Comments**

**Proposed Electricity Safety (General) Regulations 2019**

Regulation	Section	Comments
<b>Proposed Electricity Safety (General) Regulations 2019</b>		
105	Definitions	<p><b>electricity supplier</b></p> <p>We note there is a new definition of electricity supplier which is defined as “includes distribution companies”. “electricity supplier” and other relevant terms are already defined in the Electricity Safety Act as follows:</p> <p><b>electricity supplier</b> means a person who supplies electricity to another person;</p> <p><b>supply</b> includes supply (including re-supply) by way of sale, exchange, lease, hire or hire-purchase;</p> <p><b>supply network</b> means a network consisting of electric lines, substations, circuits and any other thing required for the purposes of the transmission, distribution or supply of electricity.</p> <p>Having a different definition of the same term is confusing. We do not see a need for a different definition in the draft new regulations.</p>
<b>Part 2</b>	Electrical Installations Division 1 – Wiring methods for electrical installations	
201	Application	<p>Regulation 201 states as follows:</p> <p><i>This Part does not apply to electrical work carried out on –</i></p>

Regulation	Section	Comments
		<p>(a) a major electricity company's supply network; or</p> <p>(b) a railway supply network;</p> <p>(c) ...</p> <p>(d) ...</p> <p>(e) ...</p> <p>Our concern is that the reference in the opening words of regulation 201 to "electrical work" may have the unintended consequence that it is interpreted to mean Part 2 does not apply to major electricity companies only in the context of carrying out electrical work (but that it otherwise applies). This would be inconsistent with our approved ESMS and ESV's historical interpretation of how the current regulations are intended to apply. The wording in the current regulations have led to inconsistent interpretation between ESV and third parties who have an interest in the location of our assets. It is in the public interest that there be 100% clarity in whether any part of Part 2 of the proposed regulation apply to major electricity companies, noting that our ESMS has different requirements. In our view, the proposed opening words in regulation 201 are not sufficiently clear and it is possible to interpret that some parts of Part 2 may apply to major electricity companies (for example, regulations 219 and 220).</p>
233(2)(b)	Break away device	<p>In regards to the statement made in the Regulatory Impact Statement page 50, "... a break-away device or safety service disconnection device fitted on the line at the point of connection with the distribution network (at the supply pole) would effectively eliminate the residual ignition risk"</p> <ul style="list-style-type: none"> <li>• The breakaway device is only effective at reducing the risk of external interferences (tree falls, vehicle strikes, etc.) causing a fallen LV service cable.</li> <li>• The breakaway device will be ineffective for the following faults, potentially resulting in a life fallen service cable.</li> </ul>

Regulation	Section	Comments
		<ul style="list-style-type: none"> <li>o Termination failure</li> <li>o Cable failure (age, corrosion etc.)</li> <li>o Weak/damaged point of attachment (Fascia etc., i.e. service cable pulling away from the house before the breakaway device operates)</li> </ul> <ul style="list-style-type: none"> <li>• Installing the service cable underground would <i>eliminate</i> the risk of the service cable falling and starting a bushfire.</li> <li>• Installing a breakaway device will <i>reduce</i> the risk of a fallen live LV service cable starting a bushfire, however the breakaway device does not element the risk entirely.</li> </ul>
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	The table does not include clearances to ground or surface of water for Direct Current (DC) conductors. It appears that the DC conductors have been inadvertently omitted. Regulation 223.1 of the existing Electricity Safety (Installations) Regulations 2009 does include clearances for Direct Current traction conductors.
304	Service lines and directly connected installations	Regulation 304 with respect to the proposed definition for "directly connected" No objection to the definition, however ESV should be made aware that that the term 'directed connected electricity installation' means directly metered as opposed to CT metered. As that terms is already in use it maybe best to determine a new term for connection to a substation.
305	Installation of protective equipment	<p>Suggest Regulation 305(3) be amended to:</p> <p>"305(3) For any new supply connection, in the case of low voltage electricity supplies to a directly connected electrical installation, an electricity supplier must install protective equipment to protect the consumer's mains to the first protective device at the electrical installation's main switchboard".</p> <p>The above will allow for:</p> <ul style="list-style-type: none"> <li>- No retrospectivity application</li> <li>- Flexibility for Distribution Business (DB) to install the protective device in</li> </ul>

Regulation	Section	Comments
		<p>a location other than inside the substation (for example within an external cabinet to a Kiosk, or LV fuse pillar). These device will be the responsibility of the DB to maintain, hence removing the raised ESV concern regard neglected electrical equipment not being maintained by the electrical installation owner.</p> <ul style="list-style-type: none"> <li>- Provide the necessary electrical protection to the consumers mains up to the customers first protective device.</li> <li>- Enables DB to determine suitable protection which will continue to evolve with solar enablement, batteries etc...</li> </ul>
508	Who is a person conducting a business or undertaking this Division	Typo "?" after Division in the heading.
604	Table 604 Minimum distance from remotely piloted aircraft to protected aerial lines	Recommend a clearance of 3m be specified for a pole or anything attached to a pole and 10m from a tower or anything attached to a tower.
611	Minimum distance between parts of buildings, structures, scaffolding and posts and protected aerial lines	<p>Recommended that "at any time" be defined and to include consideration of <b>sag</b> and <b>sway</b>. The clearances as specified do not include sag and sway therefore it is important that this is clearly articulated in the regulations so that sag and sway is applied to achieve clearances as specified in Table 611 at any time.</p> <p>To assist with the consistent application of Table 611 it is requested that a definition be provided for "not normally accessible".</p> <p>It is understood that clearances within Table 611 have been aligned to applicable clearances prescribed in AS/NZS 7000.</p>