

Version No. 001
Electricity Safety (Electric Line Clearance)
Regulations 2010

S.R. No. 47/2010

Version as at 29 June 2010

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Version No. 001
Electricity Safety (Electric Line Clearance)
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1 Objectives

The objectives of these Regulations are to—

- (a) prescribe the Code of Practice for Electric Line Clearance; and
- (b) prescribe—
 - (i) management procedures for standards and practices to be adopted and observed in tree cutting or removal in the vicinity of electric lines and the keeping of the whole or any part of a tree clear of electric lines; and
 - (ii) management procedures to minimise danger of electric lines causing fire or electrocution; and
 - (iii) other matters for or with respect to the maintenance of electric lines; and
- (c) provide for management plans relating to compliance with the Code; and
- (d) provide for other matters authorised under the Act relating to electric line clearance.

2 Authorising provisions

These Regulations are made under sections 151 and 157 of the **Electricity Safety Act 1998**.

3 Commencement

These Regulations come into operation on 29 June 2010.

4 Revocation

The following Regulations are **revoked**—

- (a) the Electricity Safety (Electric Line Clearance) Regulations 2005¹;
- (b) the Electricity Safety (Infringements) Regulations 2000².

5 Definitions

In these Regulations—

remove means to remove the whole of a tree above ground level;

the Act means the **Electricity Safety Act 1998**;

Threatened Flora List means the Advisory List of Rare or Threatened Plants in Victoria published by the Department of Sustainability and Environment as published or amended from time to time;

Threatened Invertebrate Fauna List means the Advisory List of Threatened Invertebrate Fauna in Victoria published by the Department of Sustainability and Environment as published or amended from time to time;

Threatened Vertebrate Fauna List means the Advisory List of Threatened Vertebrate Fauna in Victoria published by the Department of Sustainability and Environment as published or amended from time to time;

tree includes part of a tree;

Note

Tree is defined in the Act as including vegetation.

tree of cultural or environmental significance
means a tree that is—

- (a) included in the Heritage Register within the meaning of the **Heritage Act 1995**; or
- or
- (b) included in the Victorian Aboriginal Heritage Register established under section 144 of the **Aboriginal Heritage Act 2006**; or
- (c) flora or a habitat of fauna listed as threatened in accordance with section 10 of the **Flora and Fauna Guarantee Act 1988**; or
- (d) flora listed in the Threatened Flora List with a conservation status in Victoria of "endangered" or "vulnerable"; or
- (e) a habitat of fauna which is—
 - (i) listed in the Threatened Invertebrate Fauna List with a conservation status in Victoria of "vulnerable", "endangered" or "critically endangered"; or
 - (ii) listed in the Threatened Vertebrate Fauna List with a conservation status in Victoria of "vulnerable", "endangered" or "critically endangered".

6 Prescribed voltage

For the purposes of the definition of low voltage electric line in section 3 of the Act, the prescribed voltage is—

- (a) 1000 volts alternating current; or
- (b) 1500 volts direct current.

7 Prescribed Code of Practice

For the purposes of Part 8 of the Act, the Code of Practice in the Schedule is prescribed as the Code of Practice for Electric Line Clearance.

8 Prescribed penalty provisions

For the purposes of section 90 of the Act, clauses 2(1), 2(2), 5(2), 5(5), 6(3), 6(6), 7, 8(1), 8(2) and 9 of the Code are each a prescribed provision of the Code.

9 Management plans

- (1) This regulation does not apply to a responsible person referred to in section 84(2) of the Act.
- (2) Before 31 March in each year, a responsible person must ensure that a management plan relating to compliance with the Code for the next financial year is prepared.

Penalty: 20 penalty units.

- (3) A responsible person must ensure that a management plan prepared under subregulation (2) specifies the following—
 - (a) the name, address and telephone number of the responsible person;
 - (b) the name, position, address and telephone number of the individual who was responsible for the preparation of the management plan;

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- (c) the name, position, address and telephone number of the persons who are responsible for carrying out the management plan;
 - (d) the telephone number of a person who can be contacted in an emergency that requires clearance of a tree from an electric line that the responsible person is required to keep clear of trees;
 - (e) the objectives of the management plan;
 - (f) the land to which the management plan applies by the inclusion of a map;
 - (g) the location of areas containing trees which may need to be cut or removed to ensure compliance with the Code and that are—
 - (i) native; or
 - (ii) listed in a planning scheme to be of ecological, historical or aesthetic significance; or
 - (iii) trees of cultural or environmental significance;
 - (h) the means which the responsible person is required to use to identify a tree specified in paragraph (g);
 - (i) the management procedures that the responsible person is required to adopt to ensure compliance with the Code, which must include details of the methods proposed to be adopted for—
 - (i) managing trees; and
 - (ii) maintaining the clearance space, required by the Code, between electric lines and trees;
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- (j) a description of the measures that must be used to assess the performance of the responsible person under the management plan;
- (k) details of the audit processes that must be used to determine the responsible person's compliance with the Code;
- (l) the qualifications and experience that the responsible person must require of the persons who are to carry out the cutting or removal of trees.

Penalty: 20 penalty units.

- (4) A responsible person that is a major electricity company must before 31 March in each year submit the management plan to Energy Safe Victoria for approval.

Penalty: 20 penalty units.

- (5) A responsible person must provide a copy of the management plan to Energy Safe Victoria on request within 14 days or such longer period as specified by Energy Safe Victoria.

Penalty: 20 penalty units.

- (6) A responsible person must provide further information or material in respect of the management plan on request within 14 days or such longer period as specified by Energy Safe Victoria.

Penalty: 20 penalty units.

- (7) A responsible person must amend the management plan when instructed to do so by Energy Safe Victoria within 14 days or such longer period as specified by Energy Safe Victoria.

Penalty: 20 penalty units.

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- (8) A responsible person must not contravene a requirement of a management plan approved by Energy Safe Victoria.

Penalty: 20 penalty units.

- (9) A responsible person must ensure that a copy of the management plan is available for inspection by the public at the responsible person's principal office in the State during normal business hours.

Penalty: 20 penalty units.

10 Exemptions

Energy Safe Victoria may exempt a responsible person from any of the requirements of these Regulations subject to any conditions specified by Energy Safe Victoria.

11 Offences for which infringement notices may be served

For the purposes of paragraph (b) of the definition of prescribed offence in section 140A of the Act, regulations 9(2), 9(3), 9(4), 9(5), 9(6), 9(7), 9(8) and 9(9) are prescribed provisions.

12 Expiry

These Regulations expire on 29 June 2015.

SCHEDULE

Regulation 7

CODE OF PRACTICE FOR ELECTRIC LINE CLEARANCE

PART 1—PRELIMINARY

INTERPRETATION

1 Definitions

(1) In this Code—

aerial bundled cable means an insulated electric line certified as being manufactured in accordance with any of the following—

- (a) AS/NZS 3560.1 as amended or published from time to time;
- (b) AS/NZS 3560.2 as amended or published from time to time;
- (c) AS/NZS 3599.1 as amended or published from time to time;
- (d) AS/NZS 3599.2 as amended or published from time to time;

affected person, in relation to the cutting or removal of a tree on land, means an owner or occupier (including a person who is responsible for the management of public land) of adjacent land where the cutting or removal will affect the use of that adjacent land;

away, in relation to a pole holding an electric line, means that section of the electric line that is not near the pole;

constructed includes reconstructed or structurally altered;

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) an area that—
 - (i) is not an urban area; and
 - (ii) has not been assigned a fire hazard rating of "low" under section 80 of the Act;

insulated cable means a low voltage, single or multi-core electric line insulated by a medium other than air;

low bushfire risk area means—

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

low voltage means a voltage not exceeding—

- (a) 1000 volts alternating current; or
- (b) 1500 volts direct current;

near, in relation to a pole holding an electric line, means within a distance to the pole of one-sixth of the span of the electric line;

nominal voltage means the voltage at which the electric line is designed to operate;

powerline means an electric line with a nominal voltage of 66 000 volts or less but does not include a transmission line;

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sag, in relation to a conductor, means the vertical displacement of the conductor below the point at which the conductor is attached to the supporting structure and includes any extra displacement caused by hot weather or high load current;

suitably qualified arborist means an arborist who has—

- (a) the qualification of National Certificate Level IV in Horticulture and Arboriculture, including the "Assess Trees" module, or an equivalent qualification; and
- (b) at least 3 years of field experience in assessing trees;

sway, in relation to a conductor, means the horizontal displacement of the conductor caused by wind;

transmission line means an electric line—

- (a) with a nominal voltage of more than 66 000 volts; or
- (b) operating at 66 000 volts that is supported on tower structures; or
- (c) operating at 66 000 volts that is adjacent to an electric line that has a nominal voltage greater than 66 000 volts.

- (2) In this Code, unless the context otherwise requires, all words and expressions have the same meaning as in the Act.

**PART 2—CLEARANCE SPACE AND HAZARD TREE
REQUIREMENTS FOR ALL ELECTRIC LINES**

2 Clearance space for electric lines

- (1) A responsible person must create and maintain the required clearance space around a powerline in accordance with this Part and Part 3 of this Code and the Schedule to this Code.
- (2) A responsible person that owns or operates a transmission line must, in accordance with this Part and Part 3 of this Code and the Schedule to this Code—
 - (a) manage trees below the transmission line to mitigate, as far as practicable, the fire risks associated with the fuel load below the transmission line; and
 - (b) manage trees adjacent to the transmission line to avoid, as far as practicable, a tree entering the required clearance space around that line if the tree falls; and
 - (c) create and maintain the required clearance space around the transmission line.
- (3) A responsible person must, as far as practicable, restrict cutting or removal of native trees or trees of cultural or environmental significance to the minimum extent necessary to ensure compliance with the requirements of this Part and Part 3 of this Code and the Schedule to this Code or to make an unsafe situation safe.

3 Hazard tree

If a person identifies a tree as likely to fall onto or otherwise come into contact with an electric line a responsible person may cut or remove the tree provided that—

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- (a) the tree has been assessed by a suitably qualified arborist; and
- (b) that assessment confirms the likelihood of contact with an electric line having regard to foreseeable local conditions.

4 Habitat trees

- (1) If a tree is the habitat for fauna that is—
 - (a) listed as threatened in accordance with section 10 of the **Flora and Fauna Guarantee Act 1988**; or
 - (b) listed in the Threatened Invertebrate Fauna List with a conservation status in Victoria of "vulnerable", "endangered" or "critically endangered"; or
 - (c) listed in the Threatened Vertebrate Fauna List with a conservation status in Victoria of "vulnerable", "endangered" or "critically endangered"—

cutting or removal of that tree must be undertaken outside of the breeding season for that species wherever practicable.

- (2) If it is not practicable to undertake cutting or removal of that tree outside of the breeding season for that species, translocation of the fauna must be undertaken wherever practicable.

5 Notification and consultation

- (1) This clause applies to a responsible person who, in order to maintain the required clearance space around an electric line, intends to cut or remove a tree that is—
 - (a) on public land; or
 - (b) within the boundary of a private property which the responsible person neither occupies nor owns; or
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- (c) a tree of cultural or environmental significance.
 - (2) Subject to clause 6, a responsible person must give notice of the intended cutting or removal to all affected persons in accordance with this clause.
 - (3) If the tree intended to be cut or removed is a tree of cultural or environmental significance, notice under this clause must include details of—
 - (a) the impact of the cutting or removal of the tree; and
 - (b) the actions to be taken to minimise that impact.
 - (4) Notice under this clause must be given—
 - (a) at least 14 days and not more than 60 days before the intended cutting or removal is to occur; and
 - (b) in writing or by publication in a newspaper circulating generally in the locality of the land in which the tree is to be cut or removed.
 - (5) If the tree intended to be cut or removed is within the boundary of a private property, the responsible person must consult—
 - (a) if the tree is to be cut within the boundary of the property—the occupier of the property; or
 - (b) if the tree is to be removed—the owner of the property.

6 Urgent cutting or removal

- (1) This clause does not apply to a responsible person referred to in section 84(2) of the Act.
 - (2) A responsible person is not required to comply with clause 5 if that person, in accordance with
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this clause, undertakes urgent cutting or removal that is required—

- (a) as a result of encroachment or growth of trees that was not anticipated in the management plan; or
 - (b) as a result of a tree falling or becoming damaged so that it is required to be cut or removed to maintain the required clearance space; or
 - (c) if the arborist's assessment under clause 3 confirms the imminent likelihood of contact with an electric line having regard to foreseeable local conditions; or
 - (d) during the fire danger period declared under the **Country Fire Authority Act 1958**.
- (3) A responsible person that has undertaken urgent cutting or removal in accordance with this clause must, as soon as practicable after completing the cutting or removal, give notice of that cutting or removal to—
- (a) all affected persons; and
 - (b) the occupier of the land on which the tree was cut or removed; and
 - (c) if a tree was removed—the owner of the land on which the tree was removed.
- (4) A responsible person that has undertaken any urgent cutting or removal in accordance with this clause must record the following details—
- (a) where and when the cutting or removal was undertaken;
 - (b) why the cutting or removal was required;
 - (c) the last inspection of the section of the electric line where the cutting or removal was required.
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- (5) A responsible person must keep records of the details recorded under subclause (4) for at least 5 years.
 - (6) A responsible person that undertakes urgent work referred to in subclause (2)(a) or (2)(d) must not remove or cut trees further than 1 metre from the minimum clearance space around the electric line.

7 Additional duties of local councils, the Roads Corporation and others

If a responsible person referred to in section 84(4) or (6) of the Act is aware of the concerns of any person about the safety of cutting or removal of trees near a powerline, the responsible person must consult—

- (a) if a railway company or tramway company owns or operates that powerline—the railway or tramway company; and
- (b) in any other case— the distribution company that is responsible for distributing power to that powerline.

8 Management procedures to minimise danger

- (1) A distribution company must, at least once a year, advise occupiers of land above the surface of which there is a private electric line that is within the distribution company's distribution area of the following matters—
 - (a) the duties of the responsible person under this Code;
 - (b) the dangers of cutting and removing trees;
 - (c) the precautions that should be taken to safely maintain the line.

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- (2) A distribution company must, in relation to its distribution area, on the request of a responsible person advise that person—
- (a) how to identify places where the cutting or removal of trees will be required; and
 - (b) where to obtain advice and information on methods for maintaining clearance between electric lines and trees.

9 Dispute resolution

A responsible person must establish procedures to be followed for the independent resolution of disputes relating to electric line clearance.

PART 3—ELECTRIC LINE CLEARANCE

10 Aerial bundled cables and insulated cables in all areas

- (1) This clause applies to a powerline that is constructed with—
 - (a) aerial bundled cable; or
 - (b) insulated cable.
- (2) For a powerline of a type specified in column 1 of Table 1 in the Schedule to this Code, the minimum clearance space extends, in all directions—
 - (a) for the sections near the pole—to the distance specified in column 2 for a powerline of that type; and
 - (b) for sections away from the pole—to the applicable distance specified in columns 3 to 5, as the case requires, for a powerline of that type.
- (3) The required clearance space around a powerline is the smallest space such that if a tree were cut or removed from that space, the tree would not grow into the minimum clearance space around that powerline between cutting times.

11 Powerlines other than aerial bundled cable or insulated cables in low bushfire risk areas

- (1) This clause applies to a powerline that is—
 - (a) not constructed with—
 - (i) aerial bundled cable; or
 - (ii) insulated cable; and
 - (b) located in a low bushfire risk area.

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- (2) For a powerline of a nominal voltage specified in column 1 of Table 2 in the Schedule to this Code, the minimum clearance space extends, in all directions—
 - (a) for sections near the pole—to the distance specified in column 2 for a powerline of that nominal voltage; and
 - (b) for the sections away from the pole—to the applicable distance specified in columns 3 to 6, as the case requires, for a powerline of that nominal voltage.
- (3) For a powerline which is longer than 100 metres, the minimum clearance space extends, for sections away from the pole, to an additional distance which allows for the sag and sway of the conductors.
- (4) The required clearance space for a powerline is—
 - (a) the smallest space such that if a tree were cut or removed from that space, the tree would not grow into the minimum clearance space around that powerline between cutting times; and
 - (b) for a powerline with a nominal voltage of 66 000 volts—the space above the space described in paragraph (a).

12 Powerlines other than aerial bundled cable or insulated cables in hazardous bushfire risk areas

- (1) This clause applies to a powerline that is—
 - (a) not constructed with—
 - (i) aerial bundled cable; or
 - (ii) insulated cable; and
 - (b) located in a hazardous bushfire risk area.
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- (2) For a powerline of a nominal voltage specified in column 1 of Table 3 in the Schedule to this Code, the minimum clearance space extends, in all directions except vertically upwards—
 - (a) for sections near the pole—to the distance specified in column 2 for a powerline of that nominal voltage; and
 - (b) for sections away from the pole—to the applicable distance specified in columns 3 to 5, as the case requires, for a powerline of that nominal voltage.
 - (3) The minimum clearance space around a powerline extends, for sections away from the pole, to an additional distance which allows for the sag and sway of the conductors.
 - (4) The required clearance space around a powerline is—
 - (a) the smallest space such that if a tree were cut or removed from that space, the tree would not grow into the minimum clearance space around that powerline between cutting times; and
 - (b) the space above the space described in paragraph (a).

13 Transmission lines

- (1) For a transmission line of nominal voltage specified in column 1 of Table 4 in the Schedule to this Code, the minimum clearance space extends—
 - (a) downwards—to the distance specified in column 2 for a transmission line of that nominal voltage; and
 - (b) horizontally—to the applicable distance specified in column 3, for a transmission line of that nominal voltage.
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- (2) The minimum clearance space around a transmission line extends to an additional distance which allows for the sag and sway of the conductors.
- (3) The required clearance space around a transmission line is—
 - (a) the smallest space such that if a tree were cut or removed from that space, the tree would not grow into the minimum clearance space around that transmission line between cutting times; and
 - (b) the space above the space described in paragraph (a).

SCHEDULE TO THE CODE

TABLE 1

Clauses 2(1) and 10

**MINIMUM CLEARANCE SPACES SURROUNDING
A POWERLINE—ALL AREAS**

Aerial Bundled Cable or Insulated Cable

| MINIMUM CLEARANCE SPACES IN ALL DIRECTIONS | | | | |
|--|-------------------------|-------------------------------------|---|---------------------------|
| | Near pole | Away from pole | | |
| 1 | 2 | 3 | 4 | 5 |
| Type of Powerline | All spans near the pole | Spans up to and including 40 metres | Spans exceeding 40 metres up to and including 70 metres | Spans exceeding 70 metres |
| Aerial Bundled Cable | 300 mm | 300 mm | 600 mm | 900 mm |
| Insulated Cable | 600 mm | 600 mm | 1000 mm | 1000 mm |

Notes

- (1) For the required clearance space, an additional distance must be added to the minimum clearance space to allow for regrowth during the period between cutting times (see clause 10(3)).
- (2) This Table includes allowances for cable sag and sway.
- (3) Table 1 is partially illustrated in Figures 1, 2 and 3.

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TABLE 2

Clauses 2(1) and 11

**MINIMUM CLEARANCE SPACES SURROUNDING
A POWERLINE—LOW BUSHFIRE RISK AREAS**

Other Than Aerial Bundled Cable or Insulated Cable

| MINIMUM CLEARANCE SPACES IN ALL DIRECTIONS | | | | | |
|--|------------------------------------|-------------------------------------|--|---|----------------------------|
| | Near pole | Away from pole | | | |
| 1 | 2 | 3 | 4 | 5 | 6 |
| Nominal voltage | Section of all spans near the pole | Spans up to and including 45 metres | Spans exceeding 45 metres, up to and including 70 metres | Spans exceeding 70 metres, up to and including 100 metres | Spans exceeding 100 metres |
| Up to 1 kV | 1000 mm | 1000 mm | 2000 mm | 2500 mm | 2500 mm |
| Over 1 kV, less than 66 kV | 1500 mm | 1500 mm | 2000 mm | 2500 mm | 2500 mm |
| 66 kV | 2250 mm | 2500 mm | 3000 mm | 3500 mm | 3500 mm |

Notes

- (1) This Table includes allowances for cable sag and sway for spans up to and including 100 metres.
- (2) For spans exceeding 100 metres, the minimum clearance space must be extended by an additional distance to allow for sag and sway of the conductors (see clause 11(3)).
- (3) For the required clearance space, an additional distance must be added to the minimum clearance space to allow for regrowth during the period between cutting times (see clause 11(4)).
- (4) Table 2 is partially illustrated in Figures 1, 4 and 5.

TABLE 3

Clauses 2(1) and 12

**MINIMUM CLEARANCE SPACES SURROUNDING
A POWERLINE—HAZARDOUS BUSHFIRE RISK AREAS**

Other Than Aerial Bundled Cable or Insulated Cable

| MINIMUM CLEARANCE SPACES IN ALL DIRECTIONS | | | | |
|--|------------------------------------|-------------------------------------|---|----------------------------|
| | Near pole | Away from pole | | |
| 1 | 2 | 3 | 4 | 5 |
| Nominal voltage | Section of all spans near the pole | Spans up to and including 45 metres | Spans exceeding 45 metres, up to and including 350 metres | Spans exceeding 350 metres |
| Up to 1 kV | 1500 mm | 1500 mm | 2000 mm | 2250 mm |
| Over 1 kV, less than 66 kV | 1500 mm | 1500 mm | 2000 mm | 2250 mm |
| 66 kV | 2250 mm | 2250 mm | 3000 mm | 3000 mm |

Notes

- (1) The minimum clearance space must be extended by an additional distance to allow for sag and sway of the conductors (see clause 12(3)).
- (2) For the required clearance space, an additional distance must be added to the minimum clearance space to allow for regrowth during the period between cutting times (see clause 12(4)).
- (3) Table 3 is partially illustrated in Figures 1 and 5.

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TABLE 4

Clauses 2(2) and 13

**MINIMUM CLEARANCE SPACES SURROUNDING
A TRANSMISSION LINE**

| 1 | 2 | 3 |
|---------------------------------|-----------------------------|-------------------------|
| Nominal voltage | Dimension vertical below | Dimension horizontal |
| 66 kV | 3000 mm | 3000 mm |
| Over 66 kV, less than 220 kV | 3700 mm | 4600 mm |
| 220 kV | 3700 mm | 4600 mm |
| 275 kV | 4200 mm | 5000 mm |
| 330 kV | 4700 mm | 5500 mm |
| 500 kV | 6400 mm | 6400 mm |

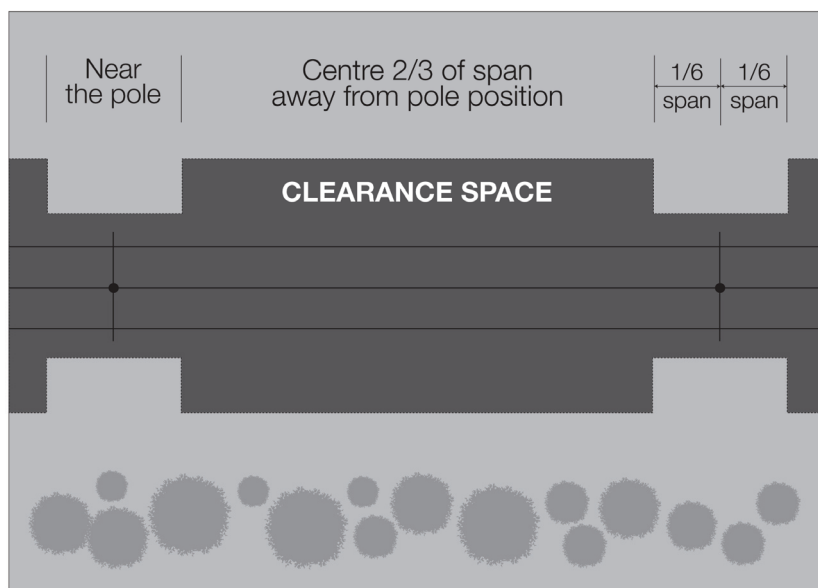
Notes

- (1) The minimum clearance space must be extended by an additional distance to allow for sag and sway of the conductors (see clause 13(2)).
- (2) For the required clearance space, an additional distance must be added to the minimum clearance space to allow for regrowth during the period between cutting times (see clause 13(3)).
- (3) For transmission line spans up to 400 metres long, the additional distance required to allow for sag can often be as much as 4 metres.
- (4) For transmission line spans up to 400 metres long, the additional distance required to allow for sway can often be as much as 8 metres.
- (5) Table 4 is partially illustrated in Figures 6, 7 and 8.

Figure 1: All Areas

Tables 1, 2 and 3

PLAN VIEW OF AN OVERHEAD POWERLINE

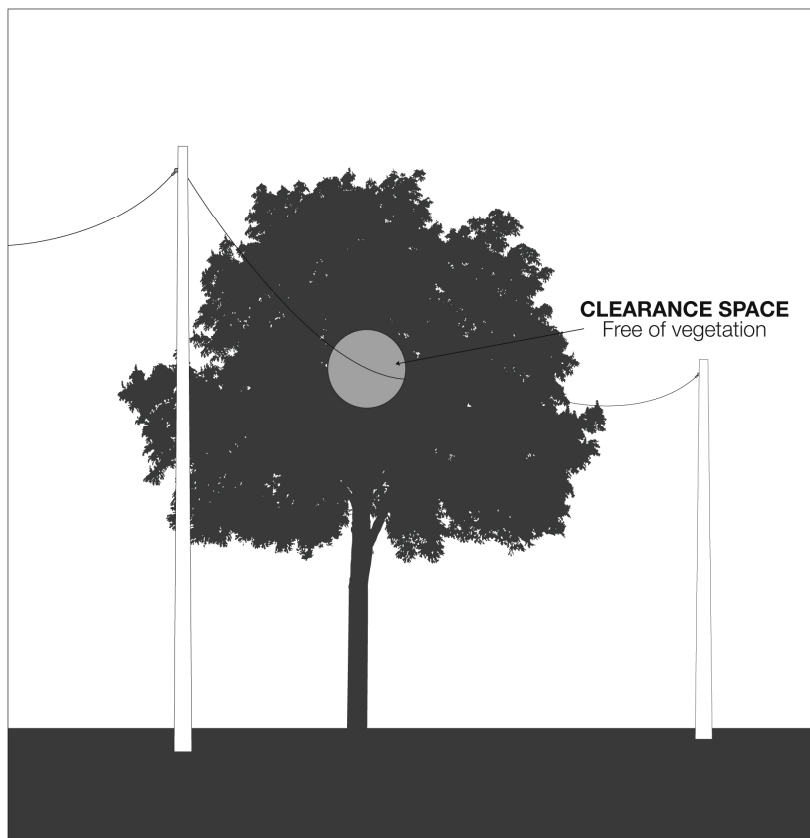


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Figure 2: Aerial Bundled Cables & Insulated Service Lines in All Areas

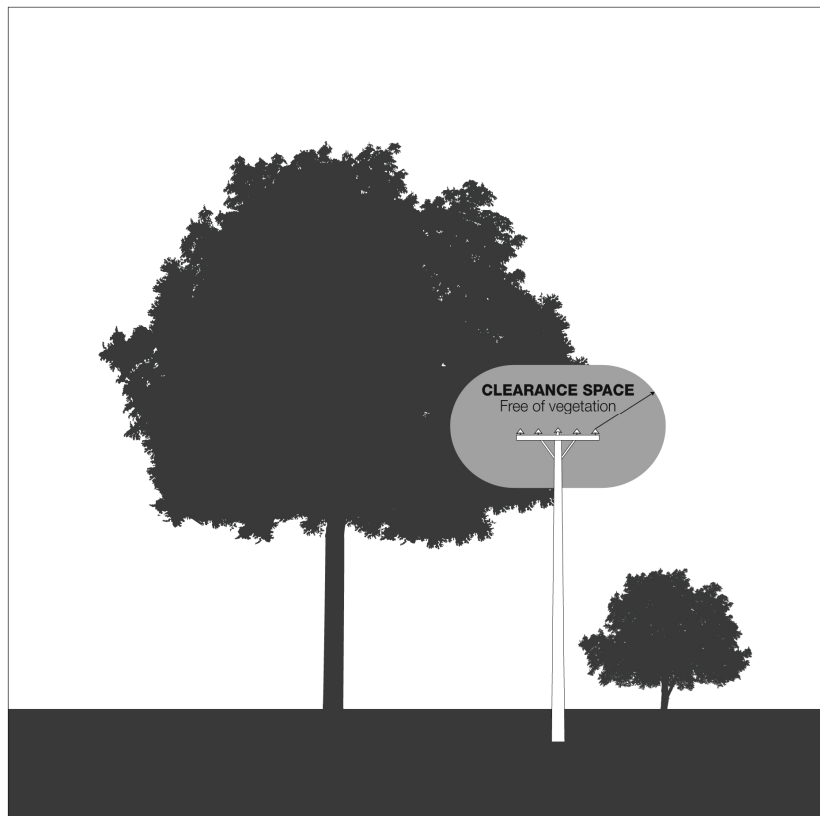
Table 1



NOT TO SCALE

Figure 3: Insulated Conductors in All Areas

Table 1

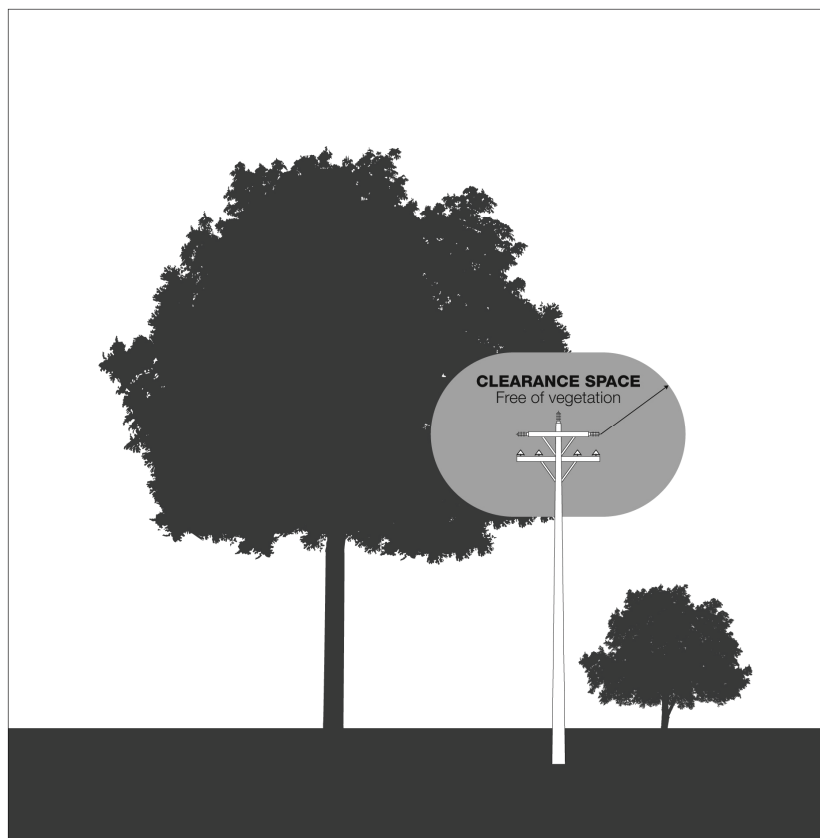


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Figure 4: Low Bushfire Risk Areas (except 66 kv)

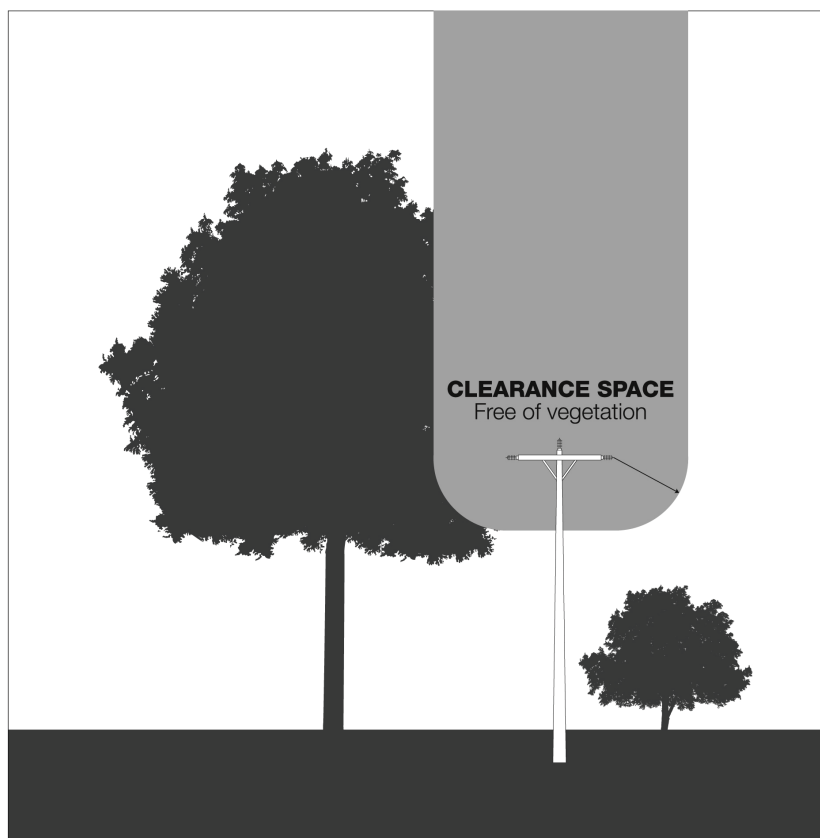
Table 2



NOT TO SCALE

Figure 5: Hazardous Bushfire Risk Areas and 66 kv in Low Bushfire Risk Areas

Tables 2 and 3

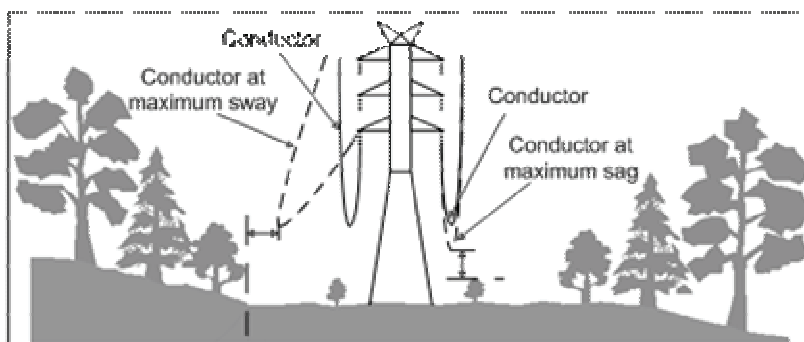


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Figure 6: End View of the Transmission Line

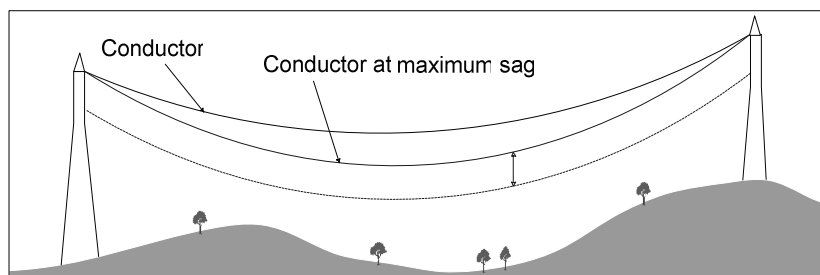
Table 4



NOT TO SCALE

Figure 7: Side View of the Transmission Line

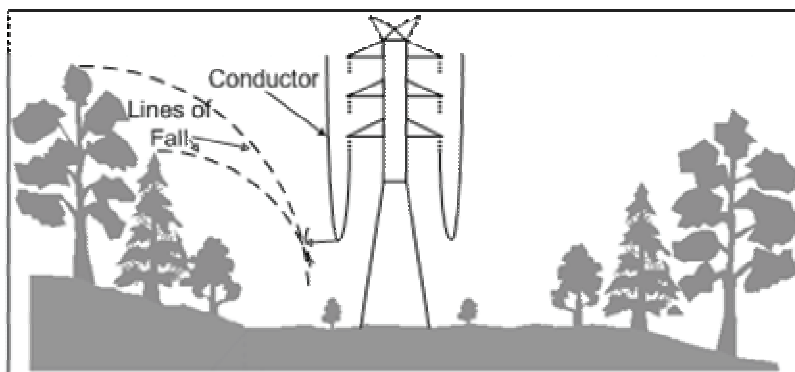
Table 4



NOT TO SCALE

Figure 8: Trees Adjacent to the Transmission Line

Table 4



NOT TO SCALE



ENDNOTES

1. General Information

The Electricity Safety (Electric Line Clearance) Regulations 2010, S.R. No. 47/2010 were made on 23 June 2010 by the Lieutenant-Governor, as the Governor's Deputy, with the advice of the Executive Council under sections 151 and 157 of the **Electricity Safety Act 1998**, No. 25/1998 and came into operation on 29 June 2010: regulation 3.

The Electricity Safety (Electric Line Clearance) Regulations 2010 will expire on 29 June 2015: see regulation 12.

2. Table of Amendments

There are no amendments made to the Electricity Safety (Electric Line Clearance) Regulations 2010 by statutory rules, subordinate instruments and Acts.

Endnotes

3. Explanatory Details

¹ Reg. 4(a): S.R. No. 74/2005.

² Reg. 4(b): S.R. No. 136/2000. Reprint No. 1 incorporating amendments as at 10 September 2009. Reprinted to S.R. No. 37/2009 and subsequently amended by S.R. Nos 164/2009 and 21/2010.

Penalty Units

These Regulations provide for penalties by reference to penalty units within the meaning of section 110 of the **Sentencing Act 1991**. The amount of the penalty is to be calculated, in accordance with section 7 of the **Monetary Units Act 2004**, by multiplying the number of penalty units applicable by the value of a penalty unit.

The value of a penalty unit for the financial year commencing 1 July 2009 is \$116.82 and for the financial year commencing 1 July 2010, is \$119.45.

The amount of the calculated penalty may be rounded to the nearest dollar.

The value of a penalty unit for future financial years is to be fixed by the Treasurer under section 5 of the **Monetary Units Act 2004**. The value of a penalty unit for a financial year must be published in the Government Gazette and a Victorian newspaper before 1 June in the preceding financial year.

Table of Applied, Adopted or Incorporated Matter Required by the Subordinate Legislation Regulations 2004

Note that the following Table of applied, adopted or incorporated matter is included in accordance with the requirements of regulation 5 of the Subordinate Legislation Regulations 2004.

| Statutory Rule Provision | Title of applied, adopted or incorporated document | Matter in applied, adopted or incorporated document |
|---|---|---|
| Regulation 5 Definition of <i>Threatened Flora List</i> | Advisory List of Rare or Threatened Plants in Victoria, published in 2005 by the Department of Sustainability and Environment | The whole |

Electricity Safety (Electric Line Clearance) Regulations 2010
S.R. No. 47/2010

| Statutory Rule Provision | Title of applied, adopted or incorporated document | Matter in applied, adopted or incorporated document |
|---------------------------------|---|--|
| | AS/NZS 3599.1, "Electric cables—Aerial bundled—Polymeric insulated— Voltages 6.35/11 (12) kV and 12.7/22 (24) kV—Metallic screened", published 11 September 2003 by Standards Australia and Standards New Zealand | The whole |
| | AS/NZS 3599.2, "Electric cables—Aerial bundled—Polymeric insulated— Voltages 6.35/11 (12) kV and 12.7/22 (24) kV—Non-metallic screened", published 5 June 1999 by Standards Australia and Standards New Zealand | The whole |