

Subordinate Legislation Act 1994

NOTICE OF DECISION

Electricity Safety (Electric Line Clearance) Regulations 2020

As Minister responsible for the **Electricity Safety Act 1998**, I give notice under section 12 of the **Subordinate Legislation Act 1994** that further to public consultation on a regulatory impact statement (RIS), I have decided to recommend the making of the Electricity Safety (Electric Line Clearance) Regulations 2020 (the proposed Regulations), to replace the Electricity Safety (Electric Line Clearance) Regulations 2015, which expire on 28 June 2020.

The RIS and a draft of the proposed Regulations were advertised for public comment. Twenty submissions were received.

After considering the submissions received and additional information provided by Energy Safe Victoria (ESV), I have decided that the proposed Regulations should be made with amendments which include:

- amending regulation 12 to provide that as from 27 June 2022 ESV will be able to issue infringement notices for contraventions of the minimum clearance space obligation in clause 3(1) of the Code of Practice, with the 2-year delay in implementation being intended to allow ESV adequate time to develop and publish appropriate enforcement guidance for persons who have electric line clearance responsibilities;
- amending the exception clauses in the Code of Practice for Electric Line Clearance so that the requirement to inspect relevant trees and complete risk assessments will now be required within the last 14 months rather than the last 12 months, to align with councils' annual inspection cycles; and
- updating a reference to the now-revoked Electricity Safety (Installations) Regulations 2009 with a reference to the Electricity Safety (General) Regulations 2019, and other consequential and minor changes to improve the operation of the proposed Regulations.

After the proposed Regulations are made, they will become available for download from www.legislation.vic.gov.au or may be purchased from the TIMG Bookshop, Level 10, 575 Bourke Street, Melbourne Vic 3000.

HON. LILY D'AMBROSIO
Minister for Energy, Environment and Climate Change