

10 June 2009

Mr Mike Ebdon  
Deputy Director of Energy Safety  
Executive Manager Infrastructure Safety  
Energy Safe Victoria  
PO Box 262  
Collins St West VIC 8007

By email: [mebdon@esv.vic.gov.au](mailto:mebdon@esv.vic.gov.au)

Dear Mr Ebdon

**Re: ESV's Review of the Electricity Safety (Electric Line Clearance) Code**

Thank you for the opportunity to comment on Energy Safe Victoria (ESV)'s review of the Electricity Safety (Electric Line Clearance) Code (the Code).

The main aspect that the Energy and Water Ombudsman (Victoria) considers in making comments on the proposed changes to the Code is the potential for complaints to retailers, distributors and EWOV. We want to see that potential minimised. From our case handling experience we note that complaints are likely to occur if people are impacted, if they feel something has been taken away from them, if they are inconvenienced or if they cannot receive information or detailed explanations about what works have been or will be performed in their area.

Definition of 'affected person'

EWOV notes that ESV considers changing the definition of an 'affected person' under the Code. By taking out the reference to 'adjacent land', potential implications could be that pruning or removal of vegetation on public or neighbouring land may no longer involve consultation processes including persons other than owners or occupiers of the land where the works take place. These persons may however be affected by the vegetation management.

EWOV notes that ESV just recently referred case C/2009/6903 to it where a resident was concerned about the health and safety implications on public land after trees were trimmed by a distribution business leaving the tree trunks at a height of around 50 centimetres above the ground. With the anticipated changes of the Code and the proposed consideration to not publicly notify the community of any future works in their area, EWOV points out that individuals may miss out on

- being notified prior to the vegetation management undertaken;
- expressing their concerns; or
- being able to raise any ESV related disputes with the appropriate external dispute resolution body.

In light of these implications, EWOV suggests retaining the current definition of an 'affected person' as is.

Minimum clearance spaces surrounding a powerline – Hazardous bushfire risk areas

Resulting from Victoria's recent bushfires, EWOV understands and welcomes the proposed changes of pruning requirements in bushfire hazardous areas to avoid tree branches touching or falling onto powerlines.

EWOV recommends ESV be mindful of capital contributions required from customers to ensure safe supply, such as changing wires to aerial bundled cables or undergrounding supply. ESV should consider payment difficulties customers can face especially in current times of economic downturn. EWOV suggests giving consideration to alternatives such as more precautionary pruning. This may be more affordable than aerial bundled cables or undergrounding of supply.

We trust the above comments are of assistance. Should you require clarification or further information, please contact Frances Wood, Manager Public Affairs and Policy, on (03) 9649 7599 or at [frances.wood@ewov.com.au](mailto:frances.wood@ewov.com.au).

Yours sincerely



**Fiona McLeod**  
**Energy and Water Ombudsman (Victoria)**