

Appendix B: Hazard Trees Identification & Notification Procedure

This document forms Appendix B to the Mount Alexander Shire Municipal Fire Management Plan.

The *Electricity Safety Act 1998* (Vic) (**ES Act**) provides that a municipal council must specify, within its Municipal Fire Prevention Plan:

- a) Procedures and criteria for the identification of trees that are likely to fall onto, or come into contact with, an electric line (**hazard trees**); and
- b) Procedures for the notification of responsible persons of trees that are hazard trees in relation to electric lines for which they are responsible.

Under the ES Act, the person responsible for maintaining vegetation and clearance space around power lines is referred to as the 'responsible person'.

The procedures outlined in this section of the MFPP seek to address the requirement detailed above.

Each responsible organisation should have its own internal procedure regarding the steps that will be taken when it receives notification of a potentially hazardous tree.

What is a Hazard Tree?

According to the ES Act, a hazard tree is a tree which 'is likely to fall onto, or come into contact with, an electric line'.

The Electricity Safety (Electric Line Clearance) Regulations 2010 (**the Regulations**) further provide that a responsible person may cut or remove such a tree 'provided that the tree has been assessed by a suitably qualified arborist; and that assessment confirms the likelihood of contact with an electric line having regard to foreseeable local conditions.'

Due to legal requirements which require a clearance space be maintained around an electric line, hazard trees are usually located outside the regulated clearance space. Despite being outside the clearance space, the tree may still have the potential to contact the line due to its size or because of a structural fault or weakness which renders part, or all, of the tree likely to contact or fall onto the line.

Who is Responsible for a Hazard Tree?

Under the ES Act, the person responsible for maintaining vegetation and clearance space around power lines is referred to as the 'responsible person'. This includes responsibility for keeping the whole or any part of a tree clear of the line.

Under the ES Act, responsibility is allocated between distribution businesses and other owners of electricity infrastructure, land owners and occupiers, public land managers such as municipal councils and VicRoads.

Municipal councils are responsible for trees on public land within their municipalities, for which they are the land manager, where these are also within a Declared Area for the purposes of the ES Act. Primary responsibility for vegetation clearance and management within the municipality, for areas which are not within a Declared Area, will usually fall to the relevant electricity distribution company.

Responsible Persons within Mount Alexander Shire

There are a number of organisations that have responsibility for line clearance in Mount Alexander Shire including:

- Powercor
- SP Ausnet
- VicRoads
- Mount Alexander Shire Council.

Other Relevant Information

Responsible persons, other than private persons, must have an electric line clearance management plan in place for areas for which they have responsibility (refer *Electricity Safety (Electric Line Clearance) Regulations 2010*).

Procedures & Criteria for Identifying Hazard Trees

In the course of everyday duties, potentially hazardous trees may come to the attention of staff or volunteer members of the entities with representation on the Municipal Fire Management Planning Committee (**the Committee**), staff of the distribution business(es) or other persons, including members of the public.

There are a range of factors which may indicate that a tree is a hazard tree. That is, a tree which is likely to fall onto, or come into contact with, an electric line. Some of these factors will be obvious when looking at the tree but many may only be apparent when the tree is assessed by a person with specific expertise and training, such as an arborist.

The following criteria may be used to assist in identifying a hazard tree:

- The size of the tree suggests that it is likely to come into contact with the electric line, for example because it appears to be encroaching or growing into the line clearance space.
- There is an excessive lean on the tree, or branches hanging off the tree and the tree is in proximity to an electric (power) line.
- The size or appearance of the tree suggests it could come into contact with the line including under foreseeable local conditions.

If a potentially hazardous tree is identified, the notification procedure outlined below should be followed. Where a responsible person becomes aware of a potentially hazardous tree for which they have responsibility, they must follow their own applicable internal procedure and the notification procedure described below does not apply.

To ensure that information regarding potentially hazardous trees is captured in an efficient manner and, as appropriate, referred to the responsible person for action, the following procedure for the notification of hazardous trees should be followed:

- The person with responsibility for the highest percentage of lines within the municipality (the primary responsible person) is the person to whom potentially hazardous trees should be reported.
- The primary responsible person (or their representative) is referred to in these procedures as the primary responsible person representative (PRPR).
- Where any person becomes aware of, or receives a report of, a potentially hazardous tree within the municipality, this should be referred to the PRPR. Where the Committee becomes aware of, or receives a report of, a potentially hazardous tree within the municipality, this must be referred to the PRPR.

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Reports of potentially hazardous trees must be provided to the PRPR for action as soon as practicable. Reports must include, at a minimum:

- The name and contact details and any relevant qualifications where known of the person making the report
- As much detail as possible about the location of the tree (including, where known, GPS coordinates, details of numerical/name plate on nearest pole, name of nearest road or crossroads, closest landmark, whether tree is on private land or road reserve etc.)
- A description of the tree (including, if known, the genus and species of tree)
- The primary reasons given for the tree being identified as potentially hazardous (eg. tree is in proximity to an electric line AND there is evidence of structural weakness and/or excessive lean and/or appears to be encroaching into line clearance space etc.)
- An indication of whether or not urgent action is required.

The PRPR must take all necessary steps to advise the person responsible for the tree that it may be hazardous.

Primary Responsible Person Representative (PRPR)

For the purposes of this part of the Plan, the primary responsible person is Powercor.

All reports of hazard trees to Powercor should be made on the 'Municipal Hazard Tree Notification Form' which is located on the Powercor Website www.powercor.com.au

Contact details for the PRPR are as follows:

Agency name	Powercor
Position title of contact person	VEMCO Hazard Tree Administrator (VEMCO is Powercor's Vegetation Management Contractor)
Telephone Number	03 5338 3300
Email address	haztrees@vemco.com.au
Facsimile Number	03 8648 5621

The Committee notes that the Primary Responsible Person Representative was consulted in relation to the development of these procedures.

Procedures for Notification of Responsible Persons

Where a potentially hazardous tree has been reported to the PRPR, the PRPR should follow the procedure outlined below.

Step 1	Report provided to PRPR.	
Step 2	PRPR to determine who the responsible person is in relation to the reported tree. (If necessary, the PRPR can seek assistance from ESV for this step.)	
Step 3	Is the responsible person the primary responsible person?	<p>Yes => applicable internal procedure for referral and assessment of potentially hazardous tree to be followed.</p> <p>No => proceed to Step 4.</p>
Step 4	Did the report indicate that urgent action is required?	<p>Yes => the responsible person should be notified as soon as possible, and no later than <i>the close of the next business day</i>.</p> <p>No => the PRPR must advise the responsible person of the existence and location of a potentially hazardous tree in accordance with the timelines below.*</p>

* The PRPR should put in place mutually agreed arrangements for the manner in which it passes on reports of potentially hazardous trees to responsible persons.

Reporting Timelines

The PRPR should provide reports to the relevant responsible person as soon as practicable.

In circumstances where:

- The potentially hazardous tree is located within a high bushfire risk area (as per s.80 of the ES Act) and the potentially hazardous tree is reported during the fire danger period declared under the *Country Fire Authority Act 1958 (Vic)*; or
- The report indicates that there is an imminent danger that the tree will contact or fall onto lines as a result of minor environmental changes;

the potentially hazardous tree must be referred to the relevant responsible person for action as soon as possible, and by no later than *close of the next business day*.

Each responsible person (other than the primary responsible person) must provide the PRPR with contact details of the person (position title) to whom reports should be provided. It is the responsibility of each responsible person to ensure that the PRPR is provided with up-to-date contact details.

Register

It is recommended that the PRPR maintain a register in which all notifications are recorded together with the date of receipt of the notification and the date the notification was reported to the responsible person.

It is recommended that responsible persons also maintain a register of notifications received of hazardous trees for which they are the responsible person.