

Network Encroachments

Frequently Asked Questions

1. What is a Network Encroachment?

- > A network encroachment is any structure, thing or activity that intrudes, or has the potential to intrude, within safe clearance distances of our electricity network.
- > The Essential Energy network includes, but is not limited to, infrastructure such as powerlines (wires), power poles, stays, substations, underground powerlines, switching stations, padmount transformers, pillars and streetlights.

2. What problems can network encroachments cause?

- > Encroachments can cause damage to an electricity network, restrict access or be a public safety or bushfire risk.

3. Can you provide some examples of network encroachments?

- > Examples include:
 - A shed or liveable structure close to a pole or overhead wires
 - A structure close to a padmount substation
 - A farm dam built under the overhead powerlines and reducing ground clearances
 - A swimming pool built directly underneath overhead a powerline
 - Agricultural netting erected under or around our poles
 - A large storage area located directly underneath a powerline

4. How are network encroachments identified?

- > Network encroachments are normally identified by Essential Energy field crews, Asset Inspectors or by LiDar.
- > In addition, if any member of the public identifies a safety hazard on or near the Essential Energy network, they are encouraged to report it to Essential Energy.

5. What does Essential Energy do if a network encroachment is reported?

- > The first thing we do is conduct a preliminary investigation to determine if the network encroachment actually exists.
- > Once the encroachment is confirmed and classified according to the risk it poses, we will contact the responsible person and visit the site to try and resolve the issue.
- > If the encroachment is deemed an intolerable or extreme safety risk, Essential Energy will immediately switch off the power (after checking for life support customers) or remove or modify the structure or thing.
- > In most cases we will ask the responsible person to remove or modify the encroachment and provide the timescales for doing so.
- > The amount of time afforded to the responsible person to remedy the matter depends on the severity of the encroachment and the risk it poses.
- > If it is not practical for the structure or thing to be removed or modified, Essential Energy may allow the responsible person to engage a suitably qualified ASP to relocate the electricity network away from the encroachment.
- > If an encroachment is assessed as a low risk (level 4), Essential Energy will issue a letter to the responsible person advising that the encroachment is their responsibility and notify them of safety requirements but may take no further action to remove or modify the structure or thing.
- > If the responsible person repeatedly fails to respond to Essential Energy requests to either remove or modify the encroachment, or relocate the electricity network, Essential Energy will issue a Notice under Section 49 of the Electricity Supply Act (ESA) advising that if they fail to resolve the matter within a prescribed timeframe

(normally 30 to 60 days), Essential Energy will remove the structure or thing itself, and then seek to recover costs from the responsible person.

6. What are the responsible person's obligations if an encroachment is identified on their property?

- > If an encroachment is identified and confirmed, Essential Energy will work with the responsible person to determine an appropriate course of action.
- > If it is deemed necessary to remove or modify the encroachment, Essential Energy will ask the owner to do this, and provide the timescales for doing so.
- > In some cases, Essential Energy may give the option to the responsible person to engage a suitably qualified ASP to relocate the electricity network away from the encroachment, at their own expense.

7. What legislation applies to network encroachments?

- > Section 49 of the Electricity Supply Act 1995 (ESA) provides the legislative mechanisms for managing encroachments to electricity networks.

8. Why has Essential Energy changed its approach to managing network encroachments?

- > In the past, Essential Energy did not always have a consistent approach to dealing with network encroachments.
- > In the past 3 years, Essential Energy has resolved to enforcing the legislation consistently, in the interests of all stakeholders and the wider customer base. This means that the person responsible for the encroachment bears the costs of rectifying the matter.

9. What stakeholder engagement is Essential Energy doing to help prevent and better manage network encroachments?

- > In 2020 Essential Energy undertook an extensive education and awareness campaign aimed at providing landowners, farmers associations, councils, private certifiers, local MPs and customer advocacy groups with improved information about network encroachments.
- > This education and awareness campaign is an ongoing exercise.
- > Councils are now able to access information about the network on the NSW Planning portal, enabling improved decision making on DA requests.

10. What is an easement?

- > An easement is a registered legal right applying to land. Put simply, an easement allows a person to enter someone else's property so they can install and maintain facilities like powerlines and cables.
- > Easements can vary in size and width, further information on electricity easements can be found in Essential Energy's Easement Policy CEOP8046.

11. Why are easements necessary?

- > Easements ensure the safety of residents living, working, and playing near powerlines. They help prevent incidents occurring that could cause serious injury or even death.
- > Easements are also created to provide clear, 24-hour access to infrastructure. It is important to keep easements clear at all times so regular maintenance, line upgrades, damage or technical faults can be attended to immediately.
- > Activities may still be permitted within the easement area provided that they do not interfere with the maintenance, replacement, repair or safe operation of electricity infrastructure.

12. Do I need permission to build near electricity infrastructure or within an easement?

- > Yes, you cannot build within a registered electricity easement without written prior approval from Essential Energy.

13. Where can I go to get more information about network encroachments?

- > More information about Essential Energy's approach to managing encroachments can be found on our [web site](#).