

Submission on the draft Electrical Safety Regulation 2026

To: Electrical Safety Policy
Office of Industrial Relations
Queensland Government

By email: ESpolicy@oir.qld.gov.au

Subject: Submission on draft Electrical Safety Regulation 2026 - practical controls for work near underground and overhead electricity infrastructure

Submitted by: Before You Dig Australia

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1. Executive summary

Before You Dig Australia (BYDA) welcomes the opportunity to comment on the draft Electrical Safety Regulation 2026, released as part of the sunset review of the Electrical Safety Regulation 2013.

BYDA supports the remake of the Regulation and, in particular, the clearer treatment of duties applying to work near overhead and underground electric lines. BYDA's submission is confined to one practical issue: ensuring that those duties are supported by clear, auditable pre-work steps.

BYDA recommends that the final Regulation, or at minimum the supporting code of practice and Electrical Safety Office guidance, expressly recognise:

1. a current **BYDA enquiry** before excavation or ground disturbance that may affect underground electric lines; and
2. a **Look Up and Live** check before work involving plant, vehicles, loads, structures or persons near overhead electric lines.

This would not create a new electrical safety regime. It would clarify how existing electrical safety duties are discharged in practice, using tools that already exist, are free to use, and are already relied on across industry.

The proposed Regulation already requires PCBUs to manage risks associated with electrical risks at the workplace, and draft sections 14 to 16 specifically address unsafe proximity to overhead electric lines, damage to underground electric lines, and measures to avoid risk of contact with underground electric lines. BYDA and Look Up and Live convert those general duties into practical, auditable pre-work controls.

2. Recommendations

BYDA recommends that the Office of Industrial Relations:

1. retain the draft Regulation's clearer separation of duties for overhead and underground electric line risks.
2. amend draft section 16 to require a current BYDA enquiry, or another system approved by the regulator, before excavation or ground disturbance work that may involve a risk of contact with or damage to an underground electric line.

3. require PCBUs to review and apply electricity entity or asset owner information received through that enquiry before work starts.
4. require evidence of the enquiry and relevant responses to be available at the workplace while the work is carried out.
5. recognise Look Up and Live as an appropriate pre-work planning tool for work near overhead electric lines.
6. update the **Electrical Safety Code of Practice 2020: Working Near Overhead and Underground Electric Lines** to include BYDA and Look Up and Live as expected pre-work controls; and
7. place broader mandatory “before you dig” obligations on OIR’s policy issues register if OIR considers full mandating beyond the scope of the current sunset review.

3. About BYDA

BYDA administers infrastructure safety tools used by PCBUs, workers, contractors and asset owners to identify underground and overhead utility risks before work starts.

The BYDA referral service enables anyone working near infrastructure assets to obtain underground utility plans and information directly from asset owners. The service is free, available 24/7, and accessible through the online portal and BYDA app.

BYDA also administers **Look Up and Live**, a free interactive map tool for working safely near overhead powerlines. Look Up and Live identifies powerlines, voltages and asset owners across most of Australia’s above-ground electricity network, and provides safety guidance including exclusion zones, de-energisation or relocation information, high-load forms and links to BYDA enquiry details.

BYDA does not seek to displace electricity entity requirements. The BYDA enquiry process is a practical mechanism for identifying relevant asset owners and obtaining the information necessary for PCBUs to comply with those requirements.

4. Relevance to this consultation

The consultation page states that the Electrical Safety Regulation 2013 is subordinate legislation made under the **Electrical Safety Act 2002**, and that it outlines compliance requirements and ways of meeting obligations under the Act, including requirements for electrical work, licensing, risk management and equipment safety. The page also states that the Regulation plays a critical role in protecting workers, contractors and the public from electrical hazards.

BYDA recognises that this is a sunset review. OIR’s consultation material states that sunset reviews are not designed to consider policy changes or introduce additional regulatory or administrative requirements. BYDA has therefore framed its recommendation in a way that directly supports the draft Regulation’s existing structure.

The draft Regulation already deals with the relevant risk. In particular:

- draft section 14 requires a PCBU to ensure, so far as reasonably practicable, that no person, plant or thing at the workplace comes within an unsafe distance of an overhead electric line.
- where that is not reasonably practicable, draft section 14 requires a risk assessment and control measures consistent with the risk assessment and any electricity entity requirements.

- draft section 15 requires a PCBU to ensure, so far as reasonably practicable, that no person, plant or thing at the workplace damages an underground electric line; and
- draft section 16 applies where work involves a risk of contact with an underground electric line and requires a risk assessment and control measures consistent with that assessment and any electricity entity requirements.

BYDA's submission is that these provisions should identify the practical pre-work steps that make the required risk assessment meaningful.

A risk assessment for work near underground electric lines is incomplete if the duty holder has not first taken reasonable steps to identify whether underground electric lines are present.

A risk assessment for work near overhead electric lines is incomplete if the duty holder has not first identified the location, voltage, asset owner and applicable exclusion-zone considerations for nearby powerlines.

5. Underground electric lines: recommended amendment to draft section 16

Draft section 16 is the most direct location for a BYDA-related amendment. It already applies where work involves a risk of contact with an underground electric line and already requires a risk assessment and control measures.

BYDA recommends that draft section 16 be amended to make clear that a PCBU must obtain and consider available underground electricity asset information before carrying out excavation or ground disturbance work.

Suggested drafting:

16 Measures to avoid risk of contact with underground electric line

Without limiting subsection (2), if work to be carried out at the workplace involves excavation, digging, boring, drilling, trenching, piling, grading, scraping, driving stakes or posts, or any other ground disturbance that may involve a risk of contact with or damage to an underground electric line, the person conducting the business or undertaking must ensure that:

- (a) a current enquiry has been lodged through Before You Dig Australia, or another system approved by the regulator for obtaining underground electricity asset information.
- (b) all information provided by the relevant electricity entity, network operator or asset owner in response to the enquiry has been reviewed before the work starts.
- (c) the location and type of underground electric lines, so far as reasonably ascertainable from the information provided, are considered in the risk assessment.
- (d) control measures are implemented having regard to that information, the risk assessment and any requirements of the electricity entity; and
- (e) evidence of the enquiry and relevant asset owner responses is available at the workplace while the work is carried out.

This proposed wording is intentionally practical. It does not require OIR to establish a new approval process. It simply requires the duty holder to obtain available asset information, review it, apply it, and retain evidence that this has occurred.

6. Overhead electric lines: recommended recognition of Look Up and Live

Draft section 14 requires PCBU's to manage unsafe proximity to overhead electric lines. It applies to persons, plant and things at the workplace, and requires control measures to be consistent with the risk assessment and any electricity entity requirements where safe distance cannot be ensured.

BYDA recommends that draft section 14, or an accompanying note, example or guidance provision, expressly recognise Look Up and Live as an appropriate pre-work planning tool for overhead electric line risks.

Suggested drafting:

Example of a control measure for work near overhead electric lines:

Before operating plant, vehicles, cranes, elevated work platforms, tip trucks, high loads, scaffolding or other structures near overhead electric lines, a person conducting a business or undertaking may identify relevant overhead powerline hazards, voltages, asset owners and exclusion-zone information through Look Up and Live, or another system approved by the regulator, and must implement control measures consistent with the risk assessment and any electricity entity requirements.

This would be particularly relevant to civil construction, road works, vegetation management, agriculture, telecommunications work, mobile plant operations, crane operations, high-load movements and construction activities near powerlines.

7. Why express recognition is needed

General risk assessment language is necessary, but it is not always sufficient.

Work near electricity infrastructure is not limited to licensed electrical work. It commonly occurs during:

- civil construction.
- road works.
- telecommunications work.
- water and gas works.
- fencing.
- vegetation management.
- agriculture.
- crane and mobile plant operations.
- solar farm construction and maintenance.
- trenching, boring, drilling and piling.
- residential and commercial building work.

Many of these activities are carried out by PCBU's and workers who are not electrical specialists. Clear regulatory direction is therefore important.

BYDA's position is that a duty holder cannot properly manage the risk of contact with or damage to underground electric lines unless it has first taken reasonable steps to identify whether underground electric lines are present. A BYDA enquiry is the practical first step for doing so.

Similarly, a duty holder cannot properly manage unsafe proximity to overhead electric lines unless it has first identified relevant powerline hazards, asset ownership, voltage and exclusion-zone considerations. Look Up and Live is designed for that purpose.

8. NSW precedent

New South Wales provides a tested legislative model that Queensland can draw on, without needing to copy it wholesale.

Section 63Z of the **Electricity Supply Act 1995 (NSW)** establishes requirements for certain excavation work near underground electricity power lines, including contacting the designated information provider and requesting information about the location and type of underground electricity power lines in the vicinity of the proposed work. In NSW, it is a legal requirement for anyone excavating near gas and electricity networks to notify BYDA, with the **Electricity Supply Act 1995** and **Gas Supply Act 1996** reflecting BYDA as the designated information provider.

The policy lesson from NSW is that "Before you dig" obligations can be targeted to high-risk excavation activity, linked to electricity assets, and integrated into existing electrical safety legislation without creating a broad new approval scheme.

BYDA recommends that Queensland adopt an equivalent approach for underground electricity infrastructure, or at minimum expressly recognise a BYDA enquiry as an expected control measure where work may contact or damage underground electric lines.

9. Safety, productivity and proportionality

This is a material safety and productivity issue.

BYDA-commissioned research in 2024 has found that more than 15,000 utility strikes occur in Australia each year, at an estimated economic cost of \$4.6 billion. Direct repair costs account for only a portion of that impact; the broader costs include service outages, project delays, business disruption and environmental damage borne by communities and taxpayers.

BYDA's research also identifies nationally consistent legislation for underground asset management, minimum data standards and improved utility risk management capability as reforms capable of reducing utility strikes by 30%, with estimated annual savings of \$1.38 billion.

While those figures are national, they demonstrate that clearer pre-work duties are a proportionate response to a known and avoidable risk. The recommended controls are low-cost and already available. The BYDA referral service is free and available 24/7. Look Up and Live is also free and available through web and app platforms.

10. Alignment with codes of practice and guidance

BYDA's preferred position is that the Regulation itself should include express recognition of BYDA and Look Up and Live.

However, BYDA recognises the limits of the current sunset review process. If OIR considers that a mandatory BYDA requirement is beyond the scope of this remake, BYDA recommends that OIR proceed through the following staged pathway:

1. include a note or example under draft sections 14 and 16 in the final Regulation.
2. update the **Electrical Safety Code of Practice 2020: Working Near Overhead and Underground Electric Lines** to identify BYDA and Look Up and Live as expected pre-work controls.
3. issue Electrical Safety Office guidance explaining that a BYDA enquiry and, where relevant, a Look Up and Live check are practical steps for satisfying risk assessment and control obligations.
4. include BYDA and Look Up and Live in model SWMS, excavation permit, lift plan, traffic management and pre-start planning guidance; and
5. place broader mandatory before-you-dig obligations on the policy issues register for future policy development.

This staged approach would allow OIR to improve compliance clarity now, while preserving flexibility for any future policy or regulatory reform process.

11. Proposed implementation wording for guidance

If OIR proceeds through guidance rather than direct regulatory amendment, BYDA recommends wording along the following lines:

For work involving excavation or ground disturbance near underground electric lines, PCBUs should lodge a current BYDA enquiry, review all electricity entity or asset owner information received, verify asset location as required, and incorporate that information into the risk assessment, SWMS and control measures before work starts.

For work involving plant, vehicles, loads, structures or persons near overhead electric lines, PCBUs should use Look Up and Live, or another appropriate information source, to identify nearby overhead powerline hazards, voltages, asset owners and exclusion-zone considerations before work starts.

A BYDA enquiry or Look Up and Live check does not replace electricity entity requirements, site-specific risk assessment, consultation, locating, potholing, exclusion zones, de-energisation, relocation or other controls. It is the first step in identifying the hazard and engaging with the relevant asset owner.

This wording makes clear that BYDA and Look Up and Live support, rather than replace, existing electrical safety duties.

12. Conclusion

The proposed Electrical Safety Regulation 2026 already recognises the seriousness of overhead and underground electric line risks. BYDA's recommendation is simply that the Regulation and supporting instruments identify the practical pre-work steps that make those duties effective.

For underground electric lines, that step is a current BYDA enquiry and consideration of asset owner information before work starts. For overhead electric lines, it is a Look Up and Live check to identify powerline hazards, voltages, asset owners and exclusion-zone considerations.

These are low-cost, existing controls that would improve compliance clarity, support enforcement, reduce avoidable electrical safety incidents, and better protect Queensland's essential electricity infrastructure.

BYDA would welcome the opportunity to work with OIR, the Electrical Safety Office, electricity entities and industry stakeholders to develop practical drafting, guidance and education material for inclusion in the final Regulation or supporting instruments.



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