

Electricity Safety (Electrical Line Clearance) Regulations 2026 Submission

Adopted 19 February 2026

Acknowledgement of Traditional Owners

The City of Boroondara acknowledges the Wurundjeri Woi-wurrung people as the Traditional Owners and original custodians of this land, and we pay our respects to their Elders past and present.

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1 Our position

Boroondara is fortunate to be home to one of the most substantial and cherished tree canopies in urban Melbourne, grown over decades in some cases pre-dating modern services including electricity infrastructure. Our leafy streets, mature avenues, and green parklands are not just a backdrop to daily life—they are central to our identity and the character of the municipality. These trees, some 60,000 street trees, are deeply valued by our community, consistently emerging as a priority in Council strategies, engagement processes, and public consultations. The strength of community sentiment is unmistakable: local events, forums and planning feedback repeatedly show that the people of Boroondara care profoundly about protecting and enhancing their urban forest. Our canopy is part of what makes Boroondara feel like home.

These trees do far more than beautify the landscape—they are living infrastructure that supports the health, comfort and resilience of our community. They reduce the urban heat island effect and offer vital shade, helping residents adapt to a warming climate and increasingly severe heat events. They improve local air quality by filtering pollutants and particulates, contributing to a cleaner and healthier environment for everyone who lives, works or visits the municipality. Boroondara's trees also form an interconnected ecosystem that supports wildlife, strengthens biodiversity, and preserves the ecological corridors on which many species depend. They are a critical asset—environmentally, socially and culturally—and their protection is fundamental to safeguarding community wellbeing now and into the future.

The City of Boroondara welcomes the opportunity to respond to the proposed *Electricity Safety (Electric Line Clearance) Regulations 2026*. This review presents a vital opportunity to improve how trees are managed in low-bushfire-risk urban environments such as ours. Boroondara strongly supports regulatory reform that enables safe, practical, and environmentally responsible vegetation management around electrical assets. Our decades of operational experience demonstrate that reduced clearance distances around low-voltage (LV) lines can be safely achieved without compromising public or network safety.

With many years of managing trees in close proximity to LV wires, our evidence is clear: reduced clearances can be successfully implemented in Victoria's urban environment without increasing fire risk, outages, or risks to workers. Our history in developing alternative approaches for managing non-compliant branches—along with multiple attempts to secure regulatory approval for these methods—means Boroondara brings unique, long-standing expertise to this discussion.

We therefore recommend that the new regulations include:

- **Permanent reduction of minimum clearance distances around uninsulated LV conductors in low bushfire-risk urban areas from 1 metre to 30 centimetres.**

2 Introduction

Importance of Canopy in Boroondara

Boroondara boasts some of the highest levels of tree canopy cover in metropolitan Melbourne. Our leafy streets and parklands are not merely aesthetic assets—they are central to the identity, liveability, and environmental health of our municipality. Consistent feedback from community engagement, Council strategies, and local forums highlights just how deeply our residents value their urban forest.

Trees play a vital role in helping the community adapt to a warming climate. They reduce the urban heat island effect, provide natural cooling, and create shaded, walkable neighbourhoods that support health and wellbeing. They filter air pollutants, contributing to a cleaner environment, and they nurture wildlife, strengthen ecological corridors, and help maintain biodiversity across the municipality. Their importance is both immediate and long-term, underpinning Boroondara's resilience to environmental, social, and climatic challenges.

Benefits of Reduced Clearance Distances

Reducing minimum clearance distances around LV lines in urban LBRA areas would deliver substantial and immediate benefits for community wellbeing, environmental health, and urban canopy protection, including:

- Supporting progress toward the 30% canopy cover targets set by both the Victorian Government and the City of Boroondara.
- Increasing shade and natural cooling, thereby reducing the urban heat island effect and improving community comfort during extreme heat events.
- Enhancing local air quality and contributing to a healthier living environment.
- Strengthening community wellbeing and reinforcing public recognition of trees as vital urban infrastructure.
- Enabling immediate canopy regrowth from the commencement of new regulations, reversing decades of canopy loss from excessive pruning.
- Reducing pruning and maintenance costs for councils and distribution businesses.
- Avoiding the significant administrative burden associated with establishing trials, freeing up resources for proactive tree management.

3 History of tree management for line clearance in Boroondara

The current vegetation clearance requirements in the 2025 Regulations originate from a Code of Practice developed by the State Electricity Commission of Victoria (SECV) after the 1983 Ash Wednesday bushfires. At that time, councils were responsible for managing vegetation near powerlines, but the SECV carried out the actual pruning. This approach of self-regulation by the SECV often resulted in minimal line clearance pruning, leading to branches growing up through uninsulated cables, contributing to frequent outages.

Privatisation of the SECV in the 1990's created the five Major Electricity Companies (MECs) and introduced regulatory oversight through the creation of Energy Safe Victoria (ESV). This led to improvements in the power network infrastructure as well as increased pruning programs that particularly focused on High Voltage clearances, clearances in Hazardous Bushfire Risk Areas (HBRA), and removing branches in constant contact with Low Voltage (LV) lines.

The privatisation of the SECV also resulted in the removal of funding previously provided for council related vegetation works. This led to councils establishing their own vegetation clearance programs and included councils inheriting the management of longstanding non-compliant branches, referred to later as legacy structural limbs.

The risk focus in regulations has been predominantly on the clearances in HBRA because of the recognised risk of bushfires. Clearances in low bushfire-risk urban areas (LBRA) have matched those in HBRA and have remained largely unchanged since the 1980s.

Prior to 2020 Boroondara did not remove legacy structural limbs near uninsulated LV unless specifically directed to by Energy Safe Victoria, or if there was an obvious hazard, risk of failure, risk to the community or power outage. Council has historically interpreted the risks with a balanced view of the current regulation's objective, which prescribes *"standards and practices to protect the health of trees that require cutting in accordance with the Code"*. Council's interpretation has been particularly related to the management of structural branches, urban forest canopy loss, and the minimisation of tree removal near LV.

Since early 2020 Boroondara has sought to establish a clear process to manage non-compliant structural branches 150-500mm from uninsulated LV cables, that meet the exceptions criteria in the regulations. Despite two formal applications and numerous discussions with MECs and ESV, Boroondara has not been able to gain approval, or a clear pathway to achieve approval.

Boroondara has demonstrated experience in:

- managing branches close to LV lines for decades without causing undue risk to the community
- applying for permission in accordance with the regulations for what amounts to a robust trial and being unsuccessful
- spending years trying to navigate approvals and agreements from MECs and ESV.



A street tree successfully managed in Boroondara with branches 30cm from uninsulated LV lines

4 Response to proposed regulations

4.1 Minimum clearances Space Distances

We recommend permanently reducing minimum clearance distances around uninsulated low-voltage wires in urban low bushfire-risk areas from 1 metre to 30 cm. This is because the risks to community health and wellbeing in urban environments is significantly different to those in rural and areas where the bushfire risk is greater. The management of the tree population around electric lines should reflect the local risk to the community.

It is the view of Council that the proposed regulations continue a historical bias towards mitigating the HBRA risks, and that these risks are unsubstantiated in LBRA of Melbourne. The Regulatory Impact Statement overemphasises bushfire risk in the context of urban environments and overlooks the significant urban public health risks posed by extreme heat and the urban heat island effect.

Australian based research suggests that, aside from epidemics, heatwaves and extreme heat events pose the greatest mortality risk to the community from a natural hazard. South Australia and Victoria are the highest risk areas for extreme heat events, which are further amplified in highly urbanised environments.

Nationally there were at least 473 heat related deaths reported from 2000 to 2018, of which 183 occurred in heat waves in Victoria. This is more than any other jurisdiction and climate models predict extreme heat events will continue to increase in severity and frequency in the coming decades. This demonstrates the importance of maximising tree canopy cover to provide vital cooling and shading to mitigate these events.

South Australia which also has a similar risk of extreme heat events has safely operated with lower clearances in urban environments for years, and these learnings can be applied in Victoria.

Boroondara also has decades of experience managing trees safely within 1 metre of wires, without bushfire issues. Currently Boroondara manages around 1,700 trees that have legacy structural branches within 150-500mm of uninsulated LV lines, under a program with increased tree inspections that are carried out at least every 14 months. This management program has meant that any deterioration of a branch can be identified and actioned before posing a risk to the adjacent electric line. With this program in place and even before it was in place there have been no bushfires in Boroondara.

These branches, some of which have been present for decades demonstrate that minimum clearances can be safely reduced in urban environments in Victoria, without an increase in risk of outages, fires or risk to workers.

Reduced clearances should be permitted in low bushfire-risk urban areas across Melbourne and regional cities, with the option to trial in selected rural areas where bushfire mapping accuracy may require further validation.

4.2 Trial

Council does not believe a trial should be proceeded with as permanent change should be immediately introduced. Our comments on the proposed trial are:

The proposed trial option lacks sufficient detail and does not give councils confidence to participate. There is currently no clarity on:

- *The approval process or assessment criteria.* A lack of a clear approval process or assessment criteria creates uncertainty, inconsistency, and delays in decision-making. Without defined steps or standards, decisions can appear arbitrary, reduce transparency, and undermine confidence in the regulatory framework and the basis for which it exists. This ambiguity increases the risk of inconsistent outcomes, adds operational inefficiencies, and discourages councils from pursuing innovative or trial-based approaches due to unclear expectations and unpredictable timeframes.
- *Grounds for distribution businesses to withhold support.* The proposed regulations require councils to attain the agreement of distribution businesses to make a trial application. This gives private companies the power to veto a Council trial before it even commences again without transparency in their decision-making process. This creates a risk where a council may observe the distribution business failing to comply with an aspect of the electric line legislation, but the council may not report the breach to ESV, in case the distribution business then withholds or withdraws support for a trial in retribution.
- *Assessment timeframes.* There is no guidance available on how long distribution businesses, ESV or the Fire Authority make take to establish the trial parameters and to assess an application. Based on Boroondara's experience with seeking approval for an Alternative Compliance Mechanism, ESV can take several months to review and respond to an application. This creates uncertainty and would minimise the impact of any trials that manage to get approved by reducing the time available for assessment.
- *Appeal or dispute resolution pathways.* A lack of appeal rights or clear dispute-resolution pathways creates significant governance and operational risks for councils and the community. Without an independent mechanism to challenge decisions, councils may be exposed to inconsistent or opaque assessments, reduced accountability, and the possibility of decisions being influenced by factors unrelated to safety or evidence. This can result in delays, uncertainty, and a lack of confidence in the regulatory process, particularly where private entities hold effective veto power. Over time, these gaps can discourage participation in trials, undermine collaborative relationships, and ultimately reduce the fairness, transparency and integrity of vegetation management and public-safety outcomes.

- *How the trials will become research.* The purpose of the trial option must be to demonstrate that in the next regulation review, there is sufficient evidence that clearance distances can be reduced without an undue increase in risks. However, it is not clear who will be collating the trial data and conducting this research. Because of this it is unclear that trials will be set up from the outset with sufficient rigour. This is compounded by the variations in how each council keeps records, and what records are kept. For the trials to become research there will need to be a consistent approach in what is being trialled, what data will be recorded, by who, and how it will be recorded. This will require a high level of coordination by ESV, councils, and distribution businesses, yet there is no clear responsibility for this work, or who will be undertaking the review of the trial outcomes. Without this clear at the outset, it sets both ESV and councils up for failure. It will be hard for ESV to assess different trials from councils, with different variables, such as clearances distances, tree species, timeframes, pruning frequencies, and demonstrate at the end of these trials that the evidence is robust. For councils the trials will require considerable investment in investigating and developing trials, as well as their administration. Distribution businesses will hold some of the relevant data but not necessarily to the detail required to effectively review a trial. If the overarching trial framework is non-existent, or has gaps, then councils risk community backlash for investing resources into something that was not set up well enough to be able to succeed long term.
- *The minimum 90-day timeframe to return trees to compliance if a trial is ended.* The 90-day timeframe poses one of the greatest risks to Boroondara if a trial was undertaken. This is because it severely limits the size and scope of any trial. Within 90 days approximately 300 non-compliant trees could be pruned back to compliance. This is a realistic estimate based on the time taken to scope, seek quotes, and allocate the works. Therefore, any trial would need to be limited to around 300 trees, and less if the trees are particularly large, or their pruning would require traffic management on main roads. This will then force councils to undertake multiple trials, increasing the administration on both councils and ESV, without any increase in canopy benefit. While the proposed regulations state that the timeframe would be a minimum of 90 days, it is Boroondara's experience that ESV only use timeframes that are clearly mandated, even when the use of discretion would reduce workload of both parties. This 90-day timeframe also fails to require any trees within the trial that are of higher risk to be pruned first.

4.3 Changes to exception requirements

Council recognises the proposed changes to the exception clauses will make these easier to administer. Boroondara currently uses the exception clauses where possible to retain canopy and reduce unnecessary pruning, however they are complicated to put into

practice. The proposed improvements that make the exceptions clearer and simpler will hopefully enable more councils to apply them. This change is supported.

4.4 5 yearly ELCMP

Council recognises the improvements to the Electric Line Clearance Management Plan timeframes. The proposed 5 yearly timeframes for Council ELCMPs will reduce administration on councils. This change is supported.

5 Suggested improvements to what is proposed

5.1 Minimum clearances Space Distances

We recommend permanently reducing minimum clearance distances around uninsulated low-voltage wires in urban low bushfire-risk areas from 1 metre to 30 cm.

5.2 Trial

If minimum clearances are not reduced, we recommend the following enhancements:

- Establish clear decision-making guidelines and defined assessment timeframes.
- Ensure distribution businesses provide feedback only, rather than holding veto power.
- Require applications to be assessed by an independent panel external to ESV.
- Introduce a defined appeal and dispute-resolution process.
- Clearly assign responsibility for integrating trial outcomes into research.
- Set requirements to ensure trials are designed with sufficient rigour to inform future regulations.
- Provide clear expectations for data collection by both councils and distribution businesses.
- If a trial ends, require prompt pruning of high-risk trees and allow a 12-month compliance timeframe for all remaining trees.

6 Conclusion

Boroondara strongly supports modernised, evidence-based vegetation management regulations that truly reflect the conditions, risks, and lived realities of low-bushfire-risk urban environments. Our community has made it clear—again and again—that trees are not ornamental extras, but essential public infrastructure woven into the identity, comfort and wellbeing of the municipality.

For decades, we have safely managed thousands of trees growing close to low-voltage lines. This long operational history gives us not only confidence, but a deep understanding that reduced clearance distances can be achieved without compromising public safety, network resilience, or worker protection. The evidence is already in front of us: our urban forest can coexist with electrical infrastructure safely, responsibly, and sustainably. What is missing is a regulatory framework that recognises and empowers this reality.

Reforming these regulations is not simply a technical adjustment—it is an investment in the future health and resilience of our community. In an era of rising temperatures and increasingly frequent extreme heat events, every branch retained, every leaf preserved, and every metre of shade created matters. By enabling reduced clearance distances the Victorian Government has a genuine opportunity to protect and expand the canopy that shields our residents from heat, improves air quality, supports biodiversity, and enriches daily life.

If the State Government is not willing to make real change and trials are required, councils must be supported—not hindered—by a system that is consistent, transparent and free from conflicts of interest. A robust governance model, clear pathways for decision-making, and the removal of veto powers are essential to ensure that innovation is not stifled and that community outcomes remain at the centre of the process. Without this, councils face unacceptable risks: wasted resources, public distrust, and the possibility of meaningful canopy restoration being delayed for years.

By adopting modern clearance standards, the Victorian Government can demonstrate leadership that balances safety with the pressing need to protect and grow urban canopy. These changes will support climate resilience, uphold community values, and preserve the living infrastructure that makes our cities healthier, cooler and more vibrant.

This is a pivotal moment. With thoughtful reform, Victoria can ensure that its regulations not only safeguard powerlines, but also safeguard the wellbeing of the people, places and environments they serve.