



Regulatory Impact Statement:
Electricity Safety (Electric Line Clearance)
Regulations 2020

Submission

March 2020

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1 Executive summary

As responsible persons under the *Electricity Safety Act 1998* and as public land managers, councils are critical stakeholders in relation to management of vegetation around powerlines. For several years now, local government has argued for a regulatory regime that sensibly balances safety, amenity and environmental considerations in low bushfire risk areas. This is an ongoing challenge that has not yet been adequately addressed by the *Electricity Safety (Electric Line Clearance) Regulations* and the prescribed Code of Practice.

One proposed change included in the draft 2020 regulations is to make clause 3(1) of the Code an infringeable offence. Based on a recent discussion with Energy Safe Victoria (ESV), we understand this change is intended to make it simpler for ESV to enforce compliance with the Code. Clause 3(1) provides that responsible persons must ensure that, at all times, no part of a tree for which the person has clearance responsibilities is within the minimum clearance space.

Curiously, the costs, benefits and rationale of this proposed change are not mentioned or discussed in the regulatory impact statement (RIS). The table on pages 5 and 6 of the RIS that summarises the key changes does not even reference Clause 3(1).

It concerns us that if ESV were to rigidly enforce the regulations to ensure strict compliance with the Code, the financial, environmental and amenity implications of this change would be significant. It could lead to mass removal of structural branches and entire mature trees across the state. The urban forest and canopy cover that experts, governments and communities increasingly recognise as critical to mitigating impacts of climate change and improving health and liveability may become impossible to achieve.

While we acknowledge that ESV has generally taken a risk-based approach to enforcement action to date, the shift to make any non-compliance an infringeable offence does raise fears that a change in approach might be coming. The references to “at all times” and “no part of a tree” in clause 3(1) empowers ESV to issue a body corporate a fine of 250 penalty units (\$41,305) for any vegetation located within the clearance space, regardless of whether it poses a material risk or not.

There is no question that responsible management of vegetation around powerlines is critical to reduce risk of fire, electrocution and power supply outages. It is also true that the level of risk posed by vegetation around powerlines depends on a range of variables. These variables include whether the powerline is in an area of high bushfire risk or low bushfire risk; the type of powerline (high voltage or low voltage); and the proximity between a powerline and vegetation (e.g. hard contact, intermittent contact, no contact).

Councils recognise and agree that it is imperative that vegetation in high bushfire risk areas (HBRA) is managed in strict compliance with the Code. Councils also recognise the heightened risk associated with vegetation contact with high voltage (HV) powerlines in low bushfire risk areas (LBRA) and agree contact must not be permitted.

What councils do not accept is that the Code prescribes appropriate clearances and management requirements for low voltage (LV) powerlines in LBRA. Furthermore, it frustrates councils that the regulations still fail to recognise that there are areas with very low or negligible bushfire risk where amenity and environmental outcomes can and should be primary considerations when determining minimum clearance distances.

Data provided in the RIS clearly indicates that fire, power supply outage and electrocution incidents resulting from vegetation within the clearance distance are minimal and trending in the right direction. While fire risk features throughout the RIS, the data shows that only 6 per cent of the average 44 fires per year caused by contact between tree branches and powerlines is caused by “grow-ins” (vegetation within the prescribed minimum clearance space).

The incident data reflects the outcomes of existing vegetation management practices. It does not, as implied by the RIS, demonstrate the effectiveness of compliance with the Code. The reality is that unless trees are pruned excessively or removed altogether, growth into the prescribed minimum clearance distances for LV in LBRA is common. Non-compliance with the Code for LV in LBRA has generally been tolerated on the basis that it poses little risk.

If the regulations are finalised as drafted, councils will likely either remain non-compliant or, if ESV's enforcement approach shifts, they will be forced to remove large numbers of mature trees and structural branches. Both approaches come at significant financial, environmental, aesthetic and political risk and cost, for local government, for the Victorian government and for the community. This is in the absence of incident data or other evidence to indicate that current practice for managing trees near LV in LBRA is unsafe.

In rural Victoria, excessive and highly damaging cutting of trees in townships by distribution businesses, and in particular by Powercor and Powercor contractors, continues to undermine efforts of councils to improve the amenity and appeal of their town centres. Councils report that Powercor responds with indifference to their appeals to prune only to the minimum extent necessary to achieve compliance. Instead, cost considerations and a desire to operate two-, three- or even four-year pruning cycles drive decision making. This is unacceptable, particularly in the context of climate change.

The process adopted for the consideration and preparation of the 2020 regulations has been disappointing. This is through no fault of ESV. The Act provides for the establishment of an Electric Line Clearance Consultative Committee (ELCCC) to provide advice to ESV on the preparation of the Code. Pending the appointment of ELCCC members by the Government, the Committee did not exist or meet for more than three years, between 2015 and 2019.

The composition of the Committee includes appointees with little or no interest in line clearance issues. The Act requirements need to be revised as a matter of priority. We further question whether the ELCCC and ESV has the capacity to give due consideration to any feedback received through the RIS consultation process when the new regulations are to enter into

operation in less than four months, on 27 June 2020. This is concerning and raises doubts about the genuineness of the consultation process.

Recommendations

We call on the Government to:

- Abandon the proposed change to make clause 3(1) of Code an infringeable offence or, alternatively, rework the provision so that infringements only apply to non-compliance in HBRA and to vegetation near HV in LBRA.
- Support inclusion of the changes outlined in section 5 of this submission. These changes will achieve improved amenity and environmental outcomes in low bushfire risk areas without compromising safety.
- Review Division 3 of the *Electricity Safety Act* as a matter of priority to provide for appropriate constitution of the ELCCC.

2 Introduction

The Municipal Association of Victoria (MAV) welcomes the opportunity to provide a submission in response to the regulatory impact statement (RIS) for the proposed *Electricity Safety (Electric Line Clearance) Regulations 2020* (“the regulations”).

The MAV is the peak representative and advocacy body for Victoria's 79 councils. Formed in 1879, the *Municipal Association Act 1907* appointed the MAV the official voice of local government in Victoria.

In early February, the MAV, in collaboration with Council Arboriculture Victoria (CAV) and ESV, hosted a briefing session for councils regarding the proposed 2020 regulations. We acknowledge and appreciate ESV's ready willingness to present and take questions at that briefing.

As responsible persons under the *Electricity Safety Act 1998* and as public land managers, local government is a critical stakeholder in relation to management of vegetation around powerlines. For several years now, councils have argued for a sensible balance between safety, amenity and environmental considerations for management of vegetation in LBRA. This is an ongoing challenge that has not yet been adequately addressed by the regulations.

To be clear, the MAV and local government accept that safety must be the priority consideration when determining the appropriate regulatory settings for vegetation around powerlines. We understand that responsible management of vegetation is critical to minimise risk of bushfires, electrocution and power outages.

It concerns us however, that the regulations continue to adopt an overly cautious approach to setting minimum clearance distances for vegetation around LV powerlines in LBRA. The regulations fail to recognise that there are areas with very low or negligible bushfire risk where amenity and environmental outcomes can and should be primary considerations when managing vegetation around powerlines. This failure likely stems from the fact it was the 1977 and 1983 bushfires that were the impetus for mandating minimum clearance distances.

The current regulatory settings for trees near LV in LBRA generally play out in two different ways depending on whether it is a council or a distribution business that is the responsible person. In metropolitan Melbourne, council non-compliance with the regulations is common because strict compliance would necessitate removal of thousands, if not tens of thousands, of mature trees and limbs. The financial, social and environmental costs of removing so much vegetation is unpalatable.

In rural Victoria, excessive and highly damaging cutting of trees in townships by distribution businesses, and in particular by Powercor and Powercor contractors, continues to undermine efforts of councils to improve the amenity and appeal of their town centres. Councils report that Powercor responds with indifference to their appeals to prune only to the minimum extent necessary to achieve compliance. Instead, cost considerations and a desire to operate two-,

three- or even four-year pruning cycles drive decision making. This is unacceptable, particularly in the context of climate change.

Just as electricity network infrastructure is the distribution businesses' asset, so too are street trees council and community assets. Street trees offer a range of tangible and intangible benefits, including reduced stormwater runoff, shading and cooling, habitat for local fauna, and carbon sequestration. In a warming climate the value of these benefits will only increase.

In metropolitan Melbourne in particular, there is a growing expectation and need to plant and protect trees on public land because of the shrinking availability of open space on private land. Councils and the community will not and should not have to accept unnecessary loss of vegetation.

The changes proposed to be included in the 2020 regulations essentially represent a tweaking of the current regulations. This is not unexpected given the Electric Line Clearance Consultative Committee (ELCCC) did not exist for some three and a half years. It has had limited opportunity to consider what, if any, more substantive changes should be made.

It is disappointing that the Government did not appoint members to the Committee in a timely manner to enable it to more effectively fulfil its duty to provide advice to ESV regarding the preparation of the 2020 Code.

In addition to providing the MAV's position on the key proposed changes provided for in the draft regulations, this submission recommends other changes for inclusion in the 2020 regulations. We also outline broader reforms we consider necessary to achieve a regulatory framework that appropriately balances safety, amenity and environmental considerations recognising the operational reality of managing vegetation around powerlines.

3 The regulatory impact statement

It is pleasing that, unlike previous regulatory impact statements (RIS) for line clearance regulations, the RIS for the proposed 2020 regulations acknowledges the very real environmental, social and amenity benefits and value of trees.

Reference is made to the *Living Melbourne: Our Metropolitan Urban Forest* strategy, developed by The Nature Conservancy and Resilient Melbourne, which we note enjoys support from a range of "endorsing partners", including the Victorian Government.

The RIS provides data on the three key risks associated with vegetation in close proximity to powerlines: fires, electrocutions and power supply interruptions. Key points include:

- in the four years to 2018-19, there has been an average of 44 fires per year caused by contact between tree branches and powerlines across Victoria. Data indicates that about three fires each year (6%) are caused by tree contact due to grow-ins. The impact of most "grow-in" fires has been small and local.

- Over the past four years, there has been one fatality due to electrocution arising from the interactions between people, trees and powerlines. There was one injury requiring medical attention and an average of three injuries per year related to minor shock.
- On average between 2014 and 2018, there were 244,315 hours of grow-in related outages per year, compared with 453,336 hours per year between 2010 and 2013.

It is important to note that this incident data reflects the outcomes of existing vegetation management practices and not, as arguably implied by the RIS, the results of compliance with the Code. The reality is that unless trees are pruned excessively or removed altogether, growth into the prescribed minimum clearance distances in LBRA is common, particularly in metropolitan Melbourne.

Key gap in RIS

One concerning gap in the RIS is any reference to or analysis of the costs and benefits of the proposal to make Clause 3(1) of the Code a prescribed provision for which an infringement notice may be served.

This proposed change is not included in the table of “targeted changes” on pages 5 and 6 of the RIS and is not discussed in any detail anywhere in the RIS. This is surprising given the potentially massive financial and / or environmental and amenity implications of this proposed change.

Clause 3(1) of the Code provides that:

A responsible person must ensure that, at all times, no part of a tree for which the person has clearance responsibilities is within the minimum clearance space for an electric line span.

It is no secret that upon inspection of any inner urban street in Melbourne, ESV could likely identify vegetation that does not comply with the regulations. The reality is unless responsible persons clear vegetation well beyond the minimum clearance distances, some level of regrowth within the clearance space is probable, particularly when favourable growing conditions prevail. It is critical to note however that non-compliance does not necessarily equate with increased risk of bushfires, outages or electrocution. Indeed, much non-compliance, particularly in low bushfire risk areas, arguably does not materially impact risk levels at all.

While we acknowledge ESV has generally taken a risk-based approach to enforcement action to date, the shift to make any non-compliance an infringeable offence does raise fears that a change in approach might be coming. The references to “at all times” and “no part of a tree” in clause 3(1) empowers ESV to issue a council a fine of 250 penalty units for any vegetation located within the clearance space, regardless of whether it poses a material risk or not.

If the regulations are finalised as drafted, councils will likely either remain non-compliant or, if ESV’s enforcement approach shifts, they will be forced to remove large numbers of mature trees and structural branches. Both approaches come at significant financial, environmental,

aesthetic and political risk and cost, for local government, for the Victorian government and for the community. This is in the absence of incident data or other evidence to indicate that current practice for managing vegetation near LV in LBRA is unsafe.

The proposed change to make clause 3(1) of the Code infringeable needs to be removed or, at a minimum, substantively reworked to ensure it only relates to non-compliant vegetation that clearly poses an increased public safety risk. If risk management is the primary driver, it should only apply to non-compliance in HBRA and to vegetation near HV in LBRA.

RECOMMENDATION: that the proposed change to clause 3(1) be abandoned or reworked to only apply to non-compliance in HBRA and to vegetation near HV in LBRA.

4 Proposed regulatory changes

On pages 5 and 6 of the RIS, the targeted changes to regulations are outlined as follows. The MAV's position on each proposed change is provided in the fourth column.

Category of change	Description of change	Location	MAV position
Broad change	<p>Change to the objective of the regulation to include a reference to protecting the health of trees</p> <p><u>Wording of new regulations</u></p> <p>The objectives of these Regulations are... (b) to prescribe—</p> <p>(i) standards and practices to be adopted and observed in tree cutting or removal in the vicinity of electric lines and the keeping of the whole or any part of a tree clear of electric lines, including standards and practices to protect the health of trees that require cutting in accordance with the Code; and</p> <p>(ii) a requirement that certain responsible persons prepare management procedures to minimise the danger of trees contacting electric lines and</p>	Part 1, Regulation 1	<p>Supported in principle.</p> <p>The proposed change is welcome, however, stronger wording is needed to convey the value and importance of trees. The objectives of the regulations should explicitly reference the need to factor in environmental and amenity considerations. The 1996 regulations / code of practice included the following objectives:</p> <ul style="list-style-type: none"> - <i>to `ensure that management procedures balance fire safety, reliability of the electricity system and community costs with conservation values, in the best interests of the people of Victoria`;</i> <i>and</i> - <i>to `ensure that management procedures minimise the effect of powerlines on vegetation and establish strategies to progressively achieve a sustainable environment</i>

	<p>causing fire or electrocution or interruptions to electricity supply; and ...</p> <p>(c) to require responsible persons to minimise the impacts of cutting on indigenous and significant trees and the habitat of threatened fauna; and</p>		<p><i>unaffected by the presence of powerlines.'</i></p> <p>We would support reintroduction of this wording. As noted earlier in this submission, excessive and damaging cutting of vegetation by the distribution businesses or their contractors, particularly in rural townships, remains a far too common occurrence.</p>
Management plans	Re-worded the regulations such that responsible persons excluding a major electricity company must prepare a management plan annually	Part 1, Regulation 9(2)	Supported.
Management plans	<p>Change to the requirement such that major electricity companies must prepare and submit a management plan relevant for a 5-year period.</p> <p><u>Wording of new regulations</u></p> <p>(3) A responsible person that is a major electricity company must before 31 March 2021 prepare and submit to Energy Safe Victoria for approval a management plan relating to compliance with the Code for the period from 1 July 2021 to 30 June 2026</p>	<p>Part 1, Regulation 9(3)</p> <p>Part 1, Regulation 10(2)</p>	Supported.
Management plans	Included an additional requirement of a map in the management plan to show HBRA (High Bushfire Risk Area) and LBRA (Low Bushfire Risk Area) that are related to area covered by the plan	Part 1, Regulation 9(4)(f)	<p>Supported in principle.</p> <p>Timely cooperation from Fire Rescue Victoria (formerly CFA) and the MFB in providing councils with access to bushfire risk mapping will be essential.</p>
Management plans	Change the word 'native' to 'indigenous to Victoria'	Part 1, Regulation 9(4)(g)	Supported.

Management plans	Change so that management plans no longer have to be available for inspection at the responsible persons primary place of business – they only need to be on their website	Part 1, Regulation 10(6)(b)	Supported.
Insulating cover	Updated the definition of an insulated cover and links to related standards	Schedule 1, Part 1, Regulation 1	Supported.
Insulated cable	Change the definition of an insulated cable based on new definition of an insulated cover.	Schedule 1, Part 1, Regulation 1	Supported.
Suitably qualified arborist	Change the definition of a suitably qualified arborist from Certificate 4 in arboriculture to a Certificate 3 in arboriculture, including a ground-based tree assessment training module. This has been prompted by training providers no longer providing Certificate 4 in Victoria.	Schedule 1, Part 1, Regulation 1	<p>We have received mixed feedback on this proposed change.</p> <p>While some councils support the change, others argue that a certificate 3 is inadequate and that a level 5 qualification should be mandated.</p> <p>We note that in September 2015, Coroner Byrne handed down his findings for the inquest into the tragic death of Patiya May Schreiber. Three-year-old Patiya was killed when she was hit by a falling tree branch in a park in Bendigo. One of the Coroner’s recommendations arising from the inquest was that ‘all inspections must be undertaken by a qualified (level 4 or above) arborist’. The Coroner further noted that a ‘level 5 qualification or above is preferred, but this may not be applicable to all council-based situations at present’.</p> <p>Under the regulations, suitably qualified arborists have responsibilities in relation to inspection of trees to which exception clauses are being</p>

			<p>applied; assessment of suspected "hazard trees; and inspection of indigenous or significant trees earmarked for removal.</p> <p>For the hazard tree-related requirements in particular, a lessening of minimum qualification level could be seen as problematic and in conflict with the Coroner's recommendation.</p>
Exceptions to minimum clearance	Allows branches to be 150 mm from the line if the span is less than 40 m in length. It used to have to be 300 mm away from the line. The exception clause can only be used under increased tree management requirements designed to monitor or manage risk to acceptable level.	Schedule 1, Part 1, Regulation 4(c)	Supported with request that the 12-month timeframe referenced in subclause (e) be extended to 14 months to enable management requirements to work in conjunction with annual inspection cycles.
Exceptions to minimum clearance	New clause has been added introducing exceptions to minimum clearance distances for small branches growing under uninsulated low voltage electric lines. The exception clause can only be used under increased tree management requirements designed to monitor/manage risk to acceptable level.	Schedule 1, Part 1, Regulation 5A	Reg 6, not 5A? Supported with request that the 12-month timeframe referenced in subclause (e) be extended to 14 months to enable management requirements to work in conjunction with annual inspection cycles.
Indigenous vegetation	Change the words 'specified significant tress' to include 'indigenous or significant trees'. The regulation aims to minimise the cutting or removal of indigenous or significant trees reflecting changes in definitions.	Schedule 1, Part 1, Regulation 10	Supported.
Public notification	Change the requirements so notifications can be published on the responsible person's website	Schedule 1, Part 1, Regulation 16(3)	Supported.

	<p>or published in a newspaper.</p> <p><u>Wording of new regulations</u></p> <p>A written notice published under subclause (2) must be published on the responsible person’s Internet site or in a newspaper circulating generally in the locality of the land in which the tree is to be cut or removed.</p>		
Dispute resolution requirement	<p>This has been removed from the Code and is in the Regulations as a requirement to include detail of dispute resolution procedure in the plan rather than as a stand-alone procedure.</p>		Supported.

As noted in the previous section, one additional key change included in the draft regulations that is not outlined or explored in the RIS is the proposal to make Clause 3(1) of the Code an infringeable offence. We oppose this proposed change.

5 Proposed additional changes

We recommend that the 2020 regulations also incorporate the following changes:

Structural branches near uninsulated LV in LBRA

For uninsulated LV spans equal to or less than 45m in length in LBRA, the Code prescribes a minimum clearance distance of 1000mm. Under Clause 6 of the current (2015) Code, structural branches are permitted up to 500mm from the line if certain conditions and management requirements are met. One of those requirements is that spans up to 45 metres in length are fitted with one conductor spreader and spans greater than 45m in length are fitted with two spreaders.

It is our understanding that there are currently many thousands of mature trees in urban areas that have structural branches within the minimum clearance space of 1000mm. Councils estimate that a significant majority of those trees are closer to the line than the 500mm clearance distance permitted under the exception clause within the Code.

Clause 4 of the current (2015) Code sets a minimum clearance distance of 150mm for spans 40m or less in length for structural branches around insulated LV in LBRA (and a minimum clearance distance of 300 mm for spans 40m or longer).

In the absence of data or evidence to prove that structural branches around uninsulated lines pose greater risk of outage or public safety than structural branches around insulated lines, we recommend that the exception clause for structural branches around uninsulated LV in LBRA be amended to provide for a minimum clearance distance of 150mm for spans less than or equal to 45m in length.

The proposed exception reflects the "real world" proximity of the low height of uninsulated LV to mature trees and limbs. It does not condone contact. Structural limbs have minimal movement and the management requirements attached to this proposed exception ensure risk is monitored and managed.

If adopted this will closely reflect what is already happening in practice in our inner urban areas and significantly reduce major branch and tree removal.

RECOMMENDATION: that the exception clause for structural branches around uninsulated LV in LBRA be amended to provide for a minimum clearance distance of 150mm for spans less than or equal to 45m in length.

6.6kV and 11kV in low bushfire risk areas

In setting minimum clearance distances, the Code does not currently differentiate between different HV electric lines with the exception of 66kV. That is, the same clearance distances apply for electric lines that are 6.6kV, 11kV or 22kV.

The current prescribed minimum clearance distance of 1500mm for HV (other than 66kV) spans less than 45m in length is calculated on the nominal voltage risk of 22kV. We understand that the majority of HV lines in metropolitan Melbourne are 6.6kV or 11kV.

Extrapolating the clearance distances prescribed for LV, 22kV and 66kV, we anticipate that the minimum clearance distances for 6.6kV and 11kV would be materially less than the 1500mm currently prescribed. One estimate is 1060mm for 6.6kV and 1160mm for 11kV. We recommend that the Code prescribe minimum clearance distances for each of 6.6kV, 11kV and 22kV operating voltages for LBRA.

Notwithstanding the recommendation we understand that vegetation cannot be allowed to contact HV powerlines.

RECOMMENDATION: that the Code prescribe minimum clearance distances for each of 6.6kV, 11kV and 22kV operating voltages for LBRA.

Outage and conductor down data

The RIS references incident data that councils have not previously seen. The regulations should require distribution businesses and / or ESV to provide vegetation-related outage and conductor down data to the relevant responsible person as soon as possible after the incident. This will assist councils to identify and manage potentially problematic vegetation and to better understand what, if any, risks their vegetation management practices pose to the electricity network. Importantly, if provided in a timely manner, it would also enable councils to interrogate

the integrity of the data. Councils report that there have been numerous instances where outages have been blamed on council trees where the tree was actually on private land or was compliant with the regulations.

RECOMMENDATION: that the regulations require distribution businesses and / or ESV to provide vegetation-related outage and conductor down data to the relevant responsible person as soon as possible after the incident

Exception clauses

The Code includes a number of exception clauses that allow vegetation to grow inside the minimum clearance space on the condition that a range of conditions are met. Councils note that the exception clauses as drafted, and that currently exist, require the responsible person to undertake a number of actions “within the last 12 months”.

Councils request that this period be increased to 14 months to enable vegetation to be inspected on an annual cycle, with any remediation measures then able to be implemented within two months. This change would reflect existing practice.

RECOMMENDATION: that the exception clauses be amended to extend the period in which responsible persons must undertake a number of actions from 12 months to 14 months

ELCCC membership

Division 3 of the *Electricity Safety Act* provides for the creation of the Electric Line Clearance Consultative Committee (ELCCC). The Committee comprises 13 members appointed by the Minister. Its functions are to provide advice to ESV with regard to the preparation and maintenance of the Code; provide advice on any matter relating to the clearance of electric lines when requested so to do by ESV or the Minister; and report before 30 September each year to the Minister on the performance of its functions.

From 2015 to early 2019 the Committee did not exist. Expressions of interest to be a member of the Committee were invited in mid-2015, with the appointments announced some three and a half years later. It is disappointing that the Government did not appoint members to the Committee in a timely manner to enable it to more effectively fulfil its duties.

The changes proposed to be included in the 2020 regulations essentially represent a tweaking of the current regulations. This is not unexpected given the Committee had limited opportunity to consider what, if any, more substantive changes should be made prior to expiry of the current regulations on 28 June 2020.

Currently the Act provides for the Committee to be comprised of one representative each for VicRoads (now Department of Transport), the CFA (now Fire Rescue Victoria), the Department of Environment, Land, Water and Planning (DELWP), and local government. The Minister for Planning nominates one member as does the Minister for Environment. Private landowners

have two representatives and the distribution businesses and transmission companies have four representatives.

The constitution of the committee is outdated and needs to be reviewed as a matter of priority. The VicRoads representative rarely, if ever, attends meetings. Following changes to the Act a few years ago, it no longer has line clearance responsibilities. Likewise, the Minister for Planning and the Minister for Environment's nominees rarely, if ever, attend. The distribution businesses and transmission companies dominate the committee in terms of numbers.

Greater local government representation on the committee is urgently needed. Likewise, given the increased understanding of the value and importance of trees in our urban areas, consideration should be given to appointing an independent expert in arboriculture.

RECOMMENDATION: that Division 3 of the *Electricity Safety Act* be amended to provide for an Electric Line Clearance Consultative Committee that includes greater local government representation and at least one arboriculture expert.