



TREE REGULATION GUIDELINES

Network Waitaki Limited
10 Chelmer Street
PO Box 147,
Oamaru 9444

Telephone 03 433 0065
Facsimile 03 434 8845
service@networkwaitaki.co.nz
www.networkwaitaki.co.nz

TREE REGULATION GUIDELINES

TREE MANAGEMENT AROUND POWER LINES

The Electricity (Hazards from Trees) Regulations 2003

About this Standard

This standard is an extension of the Network Waitaki Tree Management Policy and will provide the tree owner with a clear process for the management of trees near power lines to prevent serious harm to members of the public or significant damage to their property.

Tree Owner

A tree belongs to and is the responsibility of 'the person' on whose land it is growing. When a property is rented or leased the responsibility for the trees may lie with the owner, agent or tenant depending on the written tenancy agreement.

Prepared By: Network Services (Standards)

Approved for Issue: Network Team Leader

Documentation Revision Control:

Document Revision	Description of Change	Date
Version 001	Initial Standard document	24/10/2009
	Reviewed – No changes	30/10/2011
Version 002	Include the attachment of Complaints & Disputes Scheme Appendix A	24/3/2014
003	Revise content and Include 66kV lines into table in page 4	Nov 2017
004	Revise requirements for Service Lines and LV Mains	Aug 2018

PURPOSE

The purpose of the tree Regulations is to protect the **safety of the public** and the **security of electricity supply** for power lines owned by Network Waitaki by:

- Prescribing minimum distances between power lines and trees;
- Establishing rules for who is responsible for cutting or trimming trees close to power lines;
- Outlining liability if the Rules and Regulations are not complied with; and
- Providing an arbitration system for disputes between the electricity lines owner and the tree owner over the operation of the regulations.

Network Waitaki relies on the common sense of our customers to "do the right thing" and ensure that trees on their property are not allowed to grow in close proximity to power lines. However, on occasion Network Waitaki will be left with no alternative but to use the regulations to ensure that safety and security of Network Waitaki supply are maintained. The regulations provide Network Waitaki with the ability to issue a range of notices to support these objectives.

Further information can be found on www.networkwaitaki.co.nz or by contacting Network Waitaki Limited on (03) 433 0065.

Danger of Trees near Power Lines

Safety of the public is paramount and trees in contact with power lines are a safety hazard, with the potential for causing injury or even death by electrocution if someone touches a tree made "live" by a power line. Trees in windy or stormy conditions can cause power cuts. Your power supply may be disrupted when trees or branches break damaging poles, power lines or other structures. Similarly, when conditions are dry, trees near power lines can cause serious fires.

You're Responsibility

As a tree owner, you are legally required to ensure your trees do not grow too close to power lines. Network Waitaki may pay for the first trim or removal of a tree (conditions apply) that encroaches too close to conductors.

Note: The first free cut only applies to trees endangering Network Waitaki owned powerlines. It does not include trees near Customer owned high voltage or low voltage service lines.

Dangers of Cutting Trees near Power Lines

Cutting and trimming trees in the vicinity of any live power line is dangerous work.

The tree owner or (unapproved arborist) can only legally trim a tree when any part of the tree is four metres or more away from a live power line. Trimmed branches must not fall within four metres of the power line.

When you, as the power line owner, becomes aware that any of your trees encroach on your private high voltage service line or low voltage mains you must arrange to have your trees cut or trimmed away from the lines. We can refer you to specialised contractors fully qualified and experienced in tree trimming around live power lines

If you wish to trim trees on your property near a private service line or LV mains, you can request a Safety Disconnect of the power line so you can do so safely (a free disconnection may apply with some conditions).

Network Waitaki Power Lines.

This Standard covers the requirements of the tree regulations when referred to power lines owned by Network Waitaki.

Private 11kV Service Line.

This standard covers the requirements of the tree regulations when referred to trees affecting the 11kV service line which conveys electricity between the network connection point, to a customer dedicated transformer which supplies that customer. The lines and transformer site are located on private property, or on property over which the customer has an easement or right to convey electricity.

Network Waitaki is by default, the customers high voltage line operator and has responsibility to carry out the regular safety checks (5 yearly), as required by the Electricity (Safety) Regulation on privately owned high voltage service lines on behalf of the line owner.

The safety report includes notifying the liner owner on the safety conditions of the power line and when trees are about to cause detriment to a private high voltage power line. Where it is brought to our notice that high voltage lines are affected by trees, we will issue a Cut/Trim notice to the line owner advising that the trees need urgent attention.

Private LV Mains.

Trees affecting private low voltage mains, between the point of supply and the electrical installations meter box, are not covered by the Electricity (Hazards from Trees) Regulations.

Network Waitaki is not responsible for checking or trimming trees around private high voltage service lines or LV mains, it's up to the property owner to keep trees well clear of those power lines.

Obligation to Remove Danger

The tree/line owner must make yearly checks of trees to ensure that trees are well clear of their power lines.

Where Network Waitaki is made aware of any tree hazard on a private high voltage service line has not been attended to, could seriously impact upon the network's high voltage system, we will intervene and issue an emergency Final Cut/Trim Warning Notice.

If still no action is taken by the tree owner to remove any immediate danger of electric shock to persons or damage to property, Network Waitaki will be left with no option under the Electricity (Safety) Regulations, but to disconnect the affected service line from our network until the immediate danger is removed.

Planting Trees near Power Lines

Serious consideration should be given to the species and placement of trees on your property to ensure they do not interfere with the power lines now and in the future.

Further information on trees suitable for planting near power lines can be obtained on www.networkwaitaki.co.nz

Zones

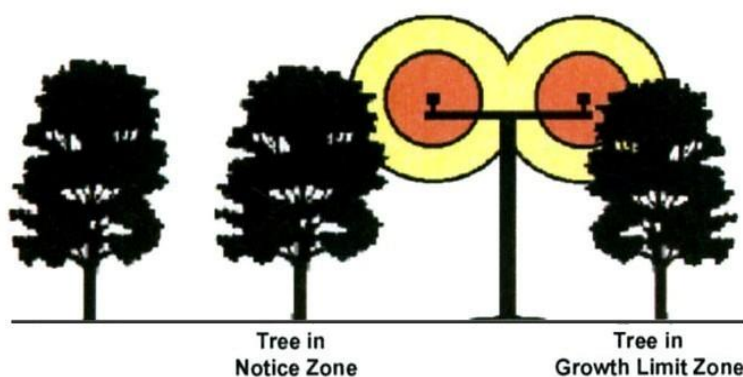
The *Electricity (Hazard from Trees) Regulations 2003*, state exactly how close trees may come to power lines before cutting or trimming is required. These measurements or Zones are known as the **Growth Limit Zone** and the **Notice Zone**.

The **Growth Limit Zone** is the space around the power line where trees must not encroach on even in windy or stormy conditions. The **Notice Zone** is one metre beyond the **Growth Limit Zone** (Refer to Diagram).

OVERHEAD LINE	NOTICE ZONE	LIVE GROWTH LIMIT ZONE
66kV – High Voltage	3.9 metres	3.0 Metres
33kV - High Voltage	3.5 metres	2.5 metres
11kV - High Voltage	2.6 metres	1.6 metres
400V / 230V - Low Voltage	1.5 metres	0.5 metres

Note:

1. The above distances are from power line.
2. Distances must be maintained under all conditions eg. High wind.
3. Low voltage is the power line between the house/building and Network Waitaki's transformer.



Tree owners Liability

Are you aware that you may be liable for all costs associated with any damage or power outages caused to Network Waitaki's power lines by your trees'?

Hazard Warning Notice

This is a Notice in writing from Network Waitaki warning the tree owner that a tree has encroached on the **Notice Zone** of a power line.

What must I do if I receive a Hazard Warning Notice?

Make arrangements with Network Waitaki or other appropriately qualified persons to cut or trim the tree within (3 months) of the date of the notice to ensure that the tree will not encroach on the **Growth Limit Zone**. The tree must be trimmed so that the tree does not encroach on the **Notice Zone**.

Remember - this is a good time to be proactive!

If I Ignore a Hazard Warning Notice?

If nothing is done, the tree owner will receive a Cut/trim Notice. The tree owner must then immediately arrange to have the tree cut or trimmed within 10 or 25 working days (dependent upon the growth rate) so that the tree does not encroach on the **Notice Zone**.

Cut/Trim Notice

The Cut/Trim Notice is a notice in writing issued to the owner of an offending tree which has encroached on the **Growth Limit Zone**. If the offending tree is eligible for a first free cut and trim (conditions apply), the subsequent notice will indicate that Network Waitaki will meet the cost of the *first* cut or trim of the tree (provided the tree owner grants access to the site). All subsequent tree clearance work will be the tree owner's responsibility.

Where the offending tree is not eligible for the first free cut or trim, the tree owner will be advised to engage appropriate qualified persons to cut or trim the tree at the tree owners cost.

First Free Cut/Trim Notice

We may cover the cost to perform the first cut or trim of a tree encroaching on the networks owned lines if the following conditions are met:

- according to our records, the trees have not already had a previous free cut or trim
- the trees do not form a shelterbelt
- the trees are not subject to a previous agreement
- the tree owner grants access to the site and,
- the tree must be encroaching on a power line owned by Network Waitaki.

If all these conditions apply, we will issue you with a first free cut or trim at no charge to you. However, for this to happen you will need to also fulfil your obligation by completing and signing the access agreement form, and returning it to us via post, fax, email, or dropping it into our Chelmer St. office in Oamaru,

What must I do if I receive a Cut/Trim Notice?

Where you are eligible for the first free cut or trim, you must complete, sign and return the acceptance form attached to the **Cut/Trim Notice**. Failure to grant access could void this entitlement.

If you are not entitled to a free cut or trim, the tree owner is responsible to engage appropriately qualified persons to cut or trim the tree within 45 working days after the issue date of the Cut/Trim Notice or alternatively, 25 working days if the Cut/Trim Notice was issued to the tree owner within 3 months of the receipt of a Hazard Warning Notice.

Remember - this is a good time to be proactive!

You may instruct a Network Waitaki approved tree person to trim the tree to a distance of four metres from the power line. Subsequent trimming may then be carried out by you or a contractor of your choice, providing the tree has not grown back any closer than 4 metres from the line.

What if I'm not home?

A **Trim/Cut Notice** along with a copy of a free cut or trim acceptance form when a free cut or trim is applicable, will be sent to you to complete, sign and return the form to Network Waitaki Limited, P O Box 147, Oamaru, fax, email or dropping it into our Chelmer St office.

What then?

Once a signed copy of the acceptance has been received, Network Waitaki will schedule your tree for the free cut or trim

What if I ignore a Cut/Trim Notice?

The tree owner will receive a **Final Cut/Trim Warning Notice** to notify the tree owner of the consequences which may now apply.

Network Waitaki must remove any immediate danger posed by trees near power lines that are causing serious danger to persons or damage to property. The tree owner will be liable for the costs of this work where the tree owner without good reason, failed to comply with the terms of all previous notices.

Refer to *The Electricity (Hazards from Trees) Regulations 2003* (regulation 14).

The tree owner must advise Network Waitaki when cutting

The tree owner or the Network Waitaki approved tree person, must provide Network Waitaki with at least 3 working days' notice of the time and location of the cutting or trimming of the tree. Failure to advise Network Waitaki of the time and location of cutting or trimming of the tree are liable for a fine of up to \$10,000 and \$500 per day for every day that the offence continues.

Responsibility for cutting

Responsibility for costs of cutting or trimming will depend upon the circumstances of each case, but after the first free cut it will rest with the tree owner.

No-Interest Tree Notice

If the tree owner does not want to maintain an interest in any tree growing close to power lines, they may lodge a no-interest tree notice with Network Waitaki within 10 working days from the receipt of the Cut/Trim Notice in accordance with the Tree Regulations.

This removes the obligation of the tree owner to cut or trim the tree, and the responsibility for felling the tree will reside with Network Waitaki and this would include the removal of tree debris if the property owners request.

There are some trees for which a no-interest notice cannot be given.

New Regulations Provide for Heavy Fines

A tree owner who has been given a Cut/Trim Notice and fails to cut or trim the tree so that it does not encroach on the **Notice Zone**, or fails to advise Network Waitaki within 3 working days' notice of the time and location of cutting or trimming of the tree, may be liable on summary conviction to a fine not exceeding \$10,000 and if the offence is a continuing one. A further fine not exceeding \$500 for every day the offence continues.

No proceedings may be taken if the tree owner has applied for a dispensation or a no-Interest in the tree or where a dispute with respect to the tree concerned has been referred to an arbitrator.

Trees outside of the Regulations Criteria

Should Network Waitaki become aware of a potentially hazardous tree which is within the 'trees fall distance' and pose a risk to Network Waitaki overhead power lines, we will seek trimming or removal by mutual agreement with the tree owner.

Network Waitaki may meet all reasonable costs associated with the removal of a potentially hazardous tree. It is generally the responsibility of the tree owner to clear any resulting debris.

The Regulations do not require tree owners to act regarding potentially hazardous trees but, should the tree owner not agree to tree trimming or removal. They may be liable for costs associated with damage to lines and/or interruption to supply to third parties caused by a potentially hazardous tree,

What must I do if I am a Shelterbelt Owner?

If you have a shelter belt on your property, continue to trim as you have in the past. Make arrangements with Network Waitaki or other approved contractors to cut or trim the shelterbelt to ensure that the trees do not encroach on the **Notice Zone**.

Note: The first free cut and trim may not apply due to past agreements under the Shelterbelt Code of Practice.

DOING NOTHING DOES NOT REMOVE YOUR RESPONSIBILITY

Remember - Look up and keep safe! With Network Waitaki
"Your local Powerline Company".

For more information about Trees and your power supply, contact **Network Waitaki** on 03 433 0065.

Arbitration

Under Regulation 22 of the *Electricity (Hazards from Trees) Regulations 2003*, a tree owner can apply to an arbitrator to determine a dispute between the tree owner and works owner if:

- the line owner has refused to grant a dispensation under regulation 20 and the tree owner believes that a dispensation should have been granted: or
- the line owner has granted a dispensation under that regulation but the tree owner does not agree with the terms of that dispensation.

An application to an arbitrator must be made no later than 5 working days after the date on which the tree owner received notice under regulation 20(1).

An application to an arbitrator must be in writing and be made in the manner required by regulation 25.

The determination of a dispute by arbitration, or the making of an application to an arbitrator to determine a dispute, does not limit the obligation of a line owner under regulation 14 to undertake without delay, any work in relation to a tree.

The government appointed arbitrator is:

Brad Cadwallader
33 Cropp Place
Richmond
Nelson 7020
Fax: 03 544 2682
Emai: cadwalladere@paradise.net.nz

Complaints & Disputes

Network Waitaki is a member of **Utilities Disputes Limited**.

The Company has the responsibility to advise consumers of their rights. If you have any problem or concerns regarding your electricity supply or regarding the service you receive from Network Waitaki, we would like to hear from you.

Complaints may be received in writing, email, telephone or may be delivered in person to our office at 10 Chelmer Street, Oamaru.

Phone 03 433 0065 or, Freephone 0800 440 220.

Fax 03 434 8845 or, Email: service@networkwaitaki.co.nz

See appendix A for the Complaints & Disputes Scheme

Appendix A. Complaints & Disputes Scheme.

Complaints and Disputes

If you have any problems or concerns regarding your electricity supply, please contact your retailer.

How to Contact your Electricity Retailer:

Body Corporate Power	09 216 7616
Contact Energy	0800 809 000
Genesis Power	0800 300 400
Meridian Energy	0800 496 496
Mercury	0800 10 18 10
Nova Energy	0800 668 236
Opunake Hydro	09 377 8819
Payless Energy	03 456 2453
Pioneer Energy	0508 363 749
Plus Energy	0800 11 33 70
Powershop	0800 462 668
Pulse Energy	0800 785 733
Simply Energy	0508 474 675
Switch Utilities	0800 794 824
TrustPower	0800 87 87 87

What Happens When You make a Complaint?

All complaints are acknowledged. The issues which have led to the complaint are then investigated by those best able to understand and endeavor to resolve the complaint. We may seek further information from you during this process.

Once the investigation is complete, we will discuss our findings with you.

If we receive a complaint Network Waitaki will:

- 1) Acknowledge it promptly;
- 2) Respond in writing where appropriate;
- 3) Resolve your problem where possible within 20 working days.

If we are unable to resolve a complaint to your satisfaction after 20 working days, you will be advised and may decide, to take this to Utilities Disputes Ltd who provides a free and independent service who can review and further investigate the complaint for you.

Utilities Disputes Ltd are able to make a determination which is binding on us.

If you have a complaint about Network Waitaki, then we would like to hear from you.

Network Waitaki is committed to providing a high standard of service and a reliable power supply. However, there may be a time when you are not satisfied and if this occurs we would like to hear from you.

Network Waitaki is a provider in terms of the Energy Complaints Scheme (operated by Utilities Disputes Ltd) and follows its rules to ensure that any complaint received can be resolved amicably and to the satisfaction of both parties.

We provide a free, in-house and simple complaints handling process.

Complaints may be received in writing, email, telephone or may be delivered in person to our office.

Phone: +64 03 433 0065
 Free phone: 0800 440 220
 Fax: +64 03 434 8845
 Email: service@networkwaitaki.co.nz

Or you can write to us:

Chief Executive officer
 Network Waitaki Limited
 P O Box 147
 Oamaru 9444