

# Electricity (Hazards from Trees) Regulations 2003

## TREEOWNER RESPONSE TO CUT OR TRIM NOTICE



SCTN No: \_\_\_\_\_

Customer / Treeowner Name:

Site Address:

Date:

Email Address:

Mobile No:

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I/We being the landowner/treeowner named above (please strike out any of the following that do not apply and sign below):

- acknowledge that I/We are the legal owner of the land and the trees referred to in the notice and have the consent of other owners to sign this form.
- consent to receiving any and all future notices regarding trees on our property/properties by email to the email address set out above.
- acknowledge that I/We have completed a request for a quote for WEL to create firewood or mulch at my/our expense.
- acknowledge that if I/We choose to cut the trees using our own qualified arborist that we will ensure the work is undertaken before the last trimming date set out in the SCTN Notice and will ensure that WEL is given as much notice as possible (ideally two (2) weeks' notice) to prevent delays due to safety concerns before the work is to commence. We will not deal with our trees ourselves if they are closer than 4m from the power lines.

Hazards, Risks and/or Seasonal Constraints Information:

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Signed by treeowner/ landowner \_\_\_\_\_

Date \_\_\_\_\_

Return this form: copy/scan/photo to WEL by email to [tree@wel.co.nz](mailto:tree@wel.co.nz)

If you have any queries please contact us as soon as possible: Alex Horan, Vegetation Patroller, WEL Networks Ltd  
Mobile: 021 247 3986 | Email: [alex.horan@wel.co.nz](mailto:alex.horan@wel.co.nz) and/or [tree@wel.co.nz](mailto:tree@wel.co.nz) | PO Box 925, Hamilton | [www.wel.co.nz](http://www.wel.co.nz)

## WHY HAVE WE ISSUED THIS NOTICE?

The Electricity (Hazards from Trees) Regulations 2003 (the Regs) are the statutory regulations which set out responsibilities for cutting and trimming trees which are growing around power lines. You can view these online at [www.legislation.govt.nz](http://www.legislation.govt.nz).

Your tree(s) is/are growing into a Growth Limit Zone (GLZ). A GLZ is the zone around WEL's overhead power lines which must be clear of trees either growing inside the zone or any other tree branches growing into the zone. The GLZ's from the Regs are:

| Overhead Line                | Growth Limit Zone | Overhead Line                        | Growth Limit Zone |
|------------------------------|-------------------|--------------------------------------|-------------------|
| 33kV - High Voltage Lines    | 2.5m              | 66kV or greater - High Voltage Lines | 4.0m              |
| 11kV - High Voltage Lines    | 1.6m              | 50kV to 66kV - High Voltage Lines    | 3.0m              |
| 400/230V - Low Voltage Lines | 0.5m              |                                      |                   |

The relevant zone for your trees, is indicated on the Cut or Trim Notice (CTN FCTN or SCTN served on you). An additional 1m beyond the GLZ is called the Notice Zone. The Regs require any cutting to vegetation ensures the vegetation is at least the GLZ plus 1m.

## WEL'S RECOMMENDATIONS

WEL usually recommends cutting work that will result in the tree or branches becoming at least 4.5 m away from a line. This is for safety reasons.

## YOUR RESPONSIBILITIES

Under the Regs it is your responsibility to arrange to have the tree(s) cut or trimmed by a qualified arborist (Reg 11 (2)). If you choose a contractor other than WEL, you must inform WEL that you have arranged this so we can update our records. By law the contractor must notify WEL at least 3 days before any work happens to ensure the network remains safe.

Failing to give WEL consent or failure to carry out the work yourself or have it done by a contractor, is an offence under the Regs (Reg 26). You could be liable for a fine of up to \$10,000 for non-compliance and a further \$500 for every day or part of a day that the offence of non-compliance continues. In addition to liability for a fine, you will also remain responsible for the cost of repairing any damage caused by the tree(s) the subject of this notice. This includes damage caused to WEL power lines.

WEL has overlapping duties under the Health and Safety at Work Act 2015 with many landowners/treewowners. Together we have a responsibility to workers carrying out work on your land. If WEL is carrying out work we will talk to you about these overlapping duties before the work begins.

WEL offers a cost effective and very competitive and safe, tree cutting service. WEL has provided a quote, as attached.

## IMMEDIATE DANGERS

If at any time, the trees' continued growth become(s) an immediate danger to persons or property, WEL can perform an emergency cut or trim. The cost of this work may be your responsibility. You may be responsible to reimburse WEL for the cost of cutting, as well as costs for damage to the network and restoring service, if you have ignored this or other warning notices.

## WEL'S RESPONSIBILITIES

As the owner of the power lines, WEL is responsible for the lines. As the owner of the trees, you are responsible for paying to keep your trees away from the lines.

As the owner of the power lines and in accordance with the Regs, WEL has previously paid to cut this/these trees.

## REQUEST FOR LIMITED CUTTING

Within **5 working days** of this notice, you can ask WEL to consider a "dispensation" to the Cut or Trim. You can do this if you consider that due to: (i) species, (ii) age or (iii) location of the tree in relation to the power lines, it means that it is unlikely to come into contact with, damage or pose a serious hazard, to WEL power lines.

To apply, please get in touch by email or post, contact details are below. The request must state which of the above grounds (i) to (iii) you seek to rely on. Please include as much information as you can on why you think the relevant ground for dispensation applies to your tree(s). WEL will respond to your request within 5 working days of receipt.

If WEL agrees to the dispensation, we will not carry out the cut or trim. We will tell you of the relevant GLZ that your tree must not encroach/ grow into. It will be your responsibility and cost to ensure the tree does not encroach or grow into that zone.

If you do not agree with WEL's decision regarding a dispensation, you are entitled to apply to the nominated arbitrator appointed by the Ministry of Business, Innovation and Employment. You have 5 working days from the date of receipt of WEL's decision to apply. Please contact WEL for the list of arbitrator contact details.

## NO INTEREST NOTICE

Within **10 working days** of this notice, you can lodge a **No Interest Notice** request. The purpose of a no interest declaration is that you have no interest in whether the tree remains, is felled, or the extent of cutting. To qualify the requirement is: the tree was (a) naturally sown or (b) the tree planter (you or the predecessor owner) did not consider it would interfere with the nearby electricity lines when it became fully grown. If no interest applies you will have no future responsibility to cut or trim the tree.

If WEL accepts the No Interest Notice from you, WEL will deal with the tree as WEL determines. If the tree remains, any future cutting or trimming will be managed by WEL at WEL's cost. Felling is the most likely WEL preferred option, so if you want your tree to remain, declaring no interest is not your best option. If you do not give WEL consent to access the land to deal with the tree, the No Interest status is revoked.

No Interest will also not be accepted from any Local Authority, in respect of any tree subject to clearance or pruning restrictions.

To apply, please use the *No Interest Tree Notice Form* on the WEL website.

## PRIVACY

Any personal information collected in conjunction with this Notice is collected from you solely for WEL to comply with relevant laws. Your personal information will not be disclosed to any other person or organisation without your consent unless WEL is required to disclose it by law. For further information see [www.wel.co.nz/wel-privacy-policy/](http://www.wel.co.nz/wel-privacy-policy/).

## COMPLAINTS

WEL has a free internal complaints resolution process. If you have a complaint or enquiry, please call 0800 769 372, write to us at PO Box 925, Hamilton 3200, or email [customerservices@wel.co.nz](mailto:customerservices@wel.co.nz). WEL's preference is to resolve complaints directly.

WEL is part of the Energy Complaints Scheme run by Utilities Disputes Ltd (UDL). If we cannot resolve your complaint, you can contact UDL on 0800 22 33 40 or go to <http://www.udl.co.nz/>. UDL provides a free and independent service for resolving complaints about utilities providers.

## CONTACT DETAILS

Email [tree@wel.co.nz](mailto:tree@wel.co.nz) or post to Vegetation Manager, WEL Networks, PO Box 925, Hamilton 3200.