

Introduction to the Electricity (Hazards from Trees) Regulations 2003

This document provides an introduction to the Electricity (Hazards from Trees) Regulations 2003. For a more detailed understanding of the Electricity (Hazards from Trees) Regulations 2003 we recommend you read the regulations themselves – click [here](#) to view these regulations.

What is the purpose of the regulations?

The regulations provide for the control of trees adjacent to electricity lines. The purpose of the regulations is to protect the safety of the public and help to ensure a secure supply of electricity.

How do the regulations affect Orion?

Our aim is to work with tree owners to ensure that safety is maintained and power outages are kept to a minimum. Generally a common sense approach to tree trimming by tree owners will avoid a problem occurring.

We have in place a tree management programme which involves the constant monitoring, pruning and removal of trees that threaten to come into contact with overhead power lines. Through this programme we work with tree owners to minimise the risk of trees touching power lines.

We see the regulations as backing up the work we do already. They are a useful tool for us to use if we are left with no alternative to ensure the safety and security of the public

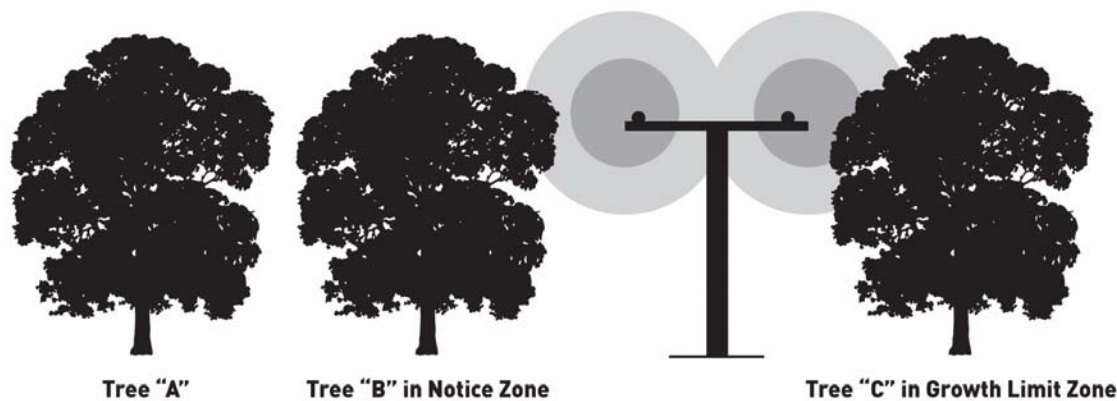
What is a Hazard Warning Notice?

When Orion becomes aware that a tree is getting dangerously close to a power line, we will in the first instance discuss the situation with the tree owner and seek to get the tree trimmed or removed.

If however the tree is already within the 'Notice Zone' (see 'Tree B' in the diagram) we are required to issue the tree owner with a 'Hazard Warning Notice'.

A Hazard Warning Notice lets the tree owner know that the tree encroaches the Notice Zone and that if it encroaches the 'Growth Limit Zone' (see 'Tree C' in the diagram) a 'Cut or Trim Notice' may be immediately given to the tree owner. The regulations prescribe the content of the Hazard Warning Notice.

The Growth Limit Zone is the space around a power line where trees must not encroach even in windy or snow conditions. The Notice Zone means a distance one metre beyond the Growth Limit Zone.



Overhead line	Notice Zone	Growth Limit Zone	Note: 1) These distances are from the power line, not the power pole 2) These distances are a minimum and apply in all conditions including high wind or snow 3) In most instances the power lines that go to a house or building are low voltage power lines. Power lines that go down a street may be low or high voltage.
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	

What is a Cut or Trim Notice?

If Orion becomes aware of a tree encroaching the Growth Limit Zone, we will give notice in writing to the tree owner that the tree must be cut or trimmed to maintain the distances prescribed in the regulations.

The regulations prescribe the content of the cut or trim notice.

Orion will meet the costs of the first cut or trim in certain cases

Following the initial cut or trim notice issued by us to a tree owner, Orion will meet the cost of the first cut or trim.

In these circumstances, Orion may perform the cut itself, provided any application for arbitration has been settled and permission to enter the land has been obtained.

What happens to tree debris?

If a tree owner is required to have a tree cut or trimmed, the tree owner must remove or tidy any resulting debris in such a way that it does not affect the use or enjoyment of any adjoining land by its owner or occupier.

Orion will remove debris caused by any cutting or trimming that we undertake. If the landowner would like some debris to be left (eg. felled trees for firewood) this can be negotiated.

Offences

A tree owner who is given a cut or trim notice relating to a tree and fails to have the tree cut or trimmed, or fails to advise Orion of the time and location of the cutting or trimming of the tree, commits an offence.

The maximum fine is \$10,000 and, if the offence is a continuing one, a further fine will apply of up to \$500 for every day or part of a day during which the offence has continued.

No Interest Tree Notices

An owner or occupier of any land in our network area, on which a tree is growing adjacent to a power line, may give a 'No Interest Tree Notice' to Orion. A No Interest Tree Notice may be given whether or not the owner or occupier has received a Hazard Warning Notice or a Cut or Trim Notice.

The purpose of a No Interest Tree Notice is to notify Orion that the owner or occupier of the land on which the tree is growing has no interest in the tree.

Orion is then entitled to have the tree removed or trimmed, if we first obtain permission to enter the land on which the tree is growing. If we receive a No Interest Tree Notice and fail to remove the tree within 20 working days of receiving the notice, and the tree subsequently causes damage to any line, the owner who gave the notice is not liable for the costs of the damage.

Rescinding of a No Interest Tree Notice

A declaration of 'no interest' can be rescinded at any time by informing Orion in writing and the status of the tree will revert to its status prior to the No Interest Tree Notice being given.

If we receive a No Interest Tree Notice, and the owner or occupier who gave the notice refuses to allow the line owner to enter the land to remove the tree, the No Interest Tree Notice is immediately rescinded.

Underground cable safety

To permit the safe repair or operation of an underground cable, the regulations allow Orion to sever and remove any tree roots that are within 0.5 metres of that cable.

Orion must remove any immediate danger to persons or property from trees damaging lines

Under the regulations Orion must undertake any necessary work on a tree (including the roots) if we become aware that there is immediate danger to persons or property from a line.

For the purposes of removing danger to persons or property, we may cut or trim the tree to the extent necessary to remove the danger. However if we wish to cut or trim the tree so that it no longer encroaches on the Notice Zone, we must obtain the consent of the tree owner.

Liability for costs

When Orion undertakes any work to remove a source of immediate danger, the tree owner is liable for the direct costs of that work if the tree owner has failed to abide by the regulations.

Orion may claim direct costs from the tree owner where damage to a line arises (directly or indirectly), from a tree owner's failure to comply with the requirements of the regulations or with the conditions of an order made by an arbitrator. The costs may be recovered as a debt due.

Orion is liable for any costs of remedying any damage caused to a line if we fail to comply with the requirements of the regulations, such as the requirement to issue a Cut or Trim Notice when a tree encroaches the Growth Limit Zone.