



## COVERSHEET

<b>Minister</b>	Hon Simon Watts	<b>Portfolio</b>	Energy
<b>Title of Cabinet paper</b>	A Secure Network: Amendments to the Electricity (Hazards from Trees) Regulations 2003	<b>Date to be published</b>	29 May 2025

### List of documents that have been proactively released

Date	Title	Author
April 2025	A Secure Network: Amendments to the Electricity (Hazards from Trees) Regulations 2003	Office of the Minister for Energy
8 April 2025	A Secure Network: Amendments to the Electricity (Hazards from Trees) Regulations 2003 EXP-25-MIN-0043 Minute	Cabinet Office
28 March 2025	Regulatory Impact Statement: Amendments to the Electricity (Hazards from Trees) Regulations 2003	MBIE

### Information redacted

**YES** / **NO** *(please select)*

Any information redacted in this document is redacted in accordance with MBIE's policy on Proactive Release and is labelled with the reason for redaction. This may include information that would be redacted if this information was requested under Official Information Act 1982. Where this is the case, the reasons for withholding information are listed below. Where information has been withheld, no public interest has been identified that would outweigh the reasons for withholding it.

Some information has been withheld for the reason of Confidential advice to Government.



# Cabinet Expenditure and Regulatory Review Committee

## Minute of Decision

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*This document contains information for the New Zealand Cabinet. It must be treated in confidence and handled in accordance with any security classification, or other endorsement. The information can only be released, including under the Official Information Act 1982, by persons with the appropriate authority.*

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### A Secure Network: Amendments to the Electricity (Hazards from Trees) Regulations

**Portfolio**                      **Energy**

On 8 April 2025, the Cabinet Expenditure and Regulatory Review Committee:

- 1        **noted** that the Electricity (Hazards from Trees) Regulations 2003 (the Regulations) set out the rights and responsibilities of tree owners and lines owners in relation to the management of trees growing near lines;
- 2        **agreed** to give lines owners the power to require a tree owner to remove a tree if:
  - 2.1      the tree is within 24 metres of either side of the Growth Limit Zone (GLZ); and
  - 2.2      the tree is within fall distance of the line; and
  - 2.3      the lines owner has assessed the tree as being a high treefall hazard or a moderate treefall hazard; and
  - 2.4      the lines owner has issued a treefall hazard notice to the tree owner;
- 3        **agreed** to require lines owners, when assessing the treefall hazard risk in relation to a tree, to consider:
  - 3.1      the likelihood of the tree falling on lines; and
  - 3.2      the impact of the tree falling on lines;
- 4        **authorised** the Minister for Energy (the Minister) to make further decisions on what factors will be considered by lines owners when assessing the likelihood and impact of trees falling on lines;
- 5        **agreed** that lines owners must seek the advice of a qualified arborist, and may consult with a qualified forestry advisor when assessing the treefall hazard risk;
- 6        **agreed** that a tree owner who receives a tree fall hazard notice will be required to meet the following timeframes for removing the tree or trees specified in the notice:
  - 6.1      if the tree is a high treefall hazard, 25 working days after the tree owner received the notice;

- 6.2 if the tree is a moderate treefall risk, 45 working days after the tree owner received the notice;
- 6.3 any alternative timeframe agreed between the lines owner and tree owner, within 25 working days after the tree owner received the notice;
- 7 **agreed** to require lines owners to meet the reasonable costs of removing a tree and associated debris in response to a treefall hazard notice;
- 8 **agreed** that if a tree is not removed within the applicable timeframe, the tree owner will be liable for any subsequent damage to lines if the tree falls on the lines;
- 9 **agreed** that tree owners who fail, without reasonable excuse, to comply with a treefall hazard notice will commit an offence and be liable for a fine of up to \$10,000;
- 10 **agreed** that arbitration will be available where:
  - 10.1 a tree owner disputes a lines owner's assessment of a tree as being a high or moderate treefall hazard;
  - 10.2 the lines owner disputes whether costs are reasonable;
- 11 **agreed** to a two-year transition period before lines owners may give treefall hazard notices in respect of trees that have been identified as a high or moderate treefall hazard;
- 12 **agreed** that lines with a voltage of 11kV or less that have spans of less than or equal to 150 metres in non-urban areas become subject to the 'clear to the sky' extension to the GLZ;
- 13 **agreed** that trees or vegetation planted within 24 metres either side of a line on land in non-urban areas, that is not already forest land, must have an expected mature height lower than the distance from the line to the tree or vegetation;
- 14 **agreed** to a one-year transition period before landowners are restricted to planting trees or vegetation with a mature height lower than their distance from the line, within 24 metres either side of the line;
- 15 **agreed** to remove the following requirements for lines owners (and the associated offence for failing to comply):
  - 15.1 to provide required information to each consumer who is provided with line function services by the lines owner through written notice;
  - 15.2 to publish required information in the news sections of two separate editions of each newspaper that is widely read by consumers provided with lines function services by that lines owner;
- 16 **agreed** to require lines owners to publish additional information on the internet about the treefall hazard notice power, risk assessment process, planting restrictions, and the inclusion of lines with a voltage of 11kV or less in the 'clear to the sky' extension to the GLZ;
- 17 **noted** that the new requirements set out above are not intended to prevent the planting or maintenance of shelter belts;
- 18 **authorised** the Minister to make decisions consistent with the decisions above on any issues that arise during drafting and on minor or technical issues as required;

- 19 **invited** the Minister to issue drafting instructions to the Parliamentary Council Office to give effect to the above decisions;
- 20 **authorised** the Minister to approve the release of an exposure draft of the amendments to the Regulations for targeted consultation.

Sam Moffett  
Committee Secretary

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**Present:**

Hon David Seymour (Chair)  
Hon Nicola Willis  
Hon Chris Bishop  
Hon Shane Jones  
Hon Brooke van Velden  
Hon Erica Stanford  
Hon Paul Goldsmith  
Hon Louise Upston  
Hon Mark Mitchell  
Hon Casey Costello  
Hon Simon Watts  
Hon Andrew Hoggard  
Hon Chris Penk  
Hon Mark Patterson

**Officials present from:**

Office of the Prime Minister  
Officials Committee for EXP  
Ministry of Business, Innovation and Employment