



Electricity (Hazards from Trees) Amendment Regulations 2026

Cindy Kiro, Governor-General

Order in Council

At Wellington this 22nd day of June 2026

Present:

Her Excellency the Governor-General in Council

These regulations are made under section 169 of the Electricity Act 1992 on the advice and with the consent of the Executive Council.

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**Electricity (Hazards from Trees) Amendment
Regulations 2026**

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Regulations

- 1 Title**
These regulations are the Electricity (Hazards from Trees) Amendment Regulations 2026.
- 2 Commencement**
These regulations come into force on 23 July 2026.
- 3 Principal regulations**
These regulations amend the Electricity (Hazards from Trees) Regulations 2003.
- 4 Regulation 4 amended (Interpretation)**
 - (1) In regulation 4(1), definition of **cut-back zone**, replace “to the growth limit zone” with “to a conductor”.
 - (2) In regulation 4(1), definition of **cut-back zone**, after “beyond the growth limit zone”, insert “for the conductor”.

- (3) In regulation 4(1), insert in their appropriate alphabetical order:

district plan has the same meaning as in section 2(1) of the Resource Management Act 1991

forest land—

- (a) means an area of land of at least 1 hectare that has, or is likely to have, tree crown cover from forest species of more than 30% in each hectare; and
- (b) includes an area of land that temporarily is not an area of land to which paragraph (a) applies because of human intervention or natural causes but that is likely to revert to an area of land to which that paragraph applies; but
- (c) excludes—
 - (i) a shelter belt of forest species where the tree crown cover has, or is likely to have, an average width of less than 30 metres; or
 - (ii) an area of land (other than an area of land that is contiguous with an area of land to which paragraph (a) or (b) applies) where the forest species have, or are likely to have, a tree crown cover of an average width of less than 30 metres

forest species means a tree species capable of reaching at least 5 metres in height at maturity in the place where it is located

hazard warning notice zone, in relation to a conductor, means the space that extends no more than 2 metres beyond the growth limit zone for the conductor

low-height planting zone, in relation to a conductor that is on unforested land outside an urban area, means the space that extends horizontally no more than 24 metres from a vertical plane drawn from any point on the conductor

shelter belt means 1 or more rows of trees planted to protect arable, pastoral, or horticultural land (including animals and crops) from the effects of weather conditions

treefall hazard notice has the meaning given in regulation 11A

treefall hazard zone, in relation to a conductor, means the space that extends horizontally no more than 24 metres beyond the growth limit zone for the conductor

unforested land means land that is not forest land

urban area—

- (a) means an area identified in a district plan or proposed district plan as being zoned primarily for residential, industrial, or commercial activities, together with adjoining special-purpose and open-space zones, however described; but

- (b) does not include an area identified in a district plan or proposed district plan as being zoned primarily for rural or rural-residential activities, however described
- (4) In regulation 4(1), revoke the definition of **notice zone**.
- (5) In regulation 4(1), definition of **protected tree**, delete “(as defined in section 2(1) of the Resource Management Act 1991)”.
- (6) In regulation 4(2), replace “notice zone” with “hazard warning notice zone”.
- (7) In regulation 4(2), after “cut-back zone,”, insert “treefall hazard zone, low-height planting zone,”.

5 Cross-heading above regulation 5 replaced

Replace the cross-heading above regulation 5 with:

Subpart 1—Requirement to publish information

6 Regulation 5 replaced (Consumers to be notified of certain dangers, growth limit zones, etc)

Replace regulation 5 with:

5 Publication on Internet site of certain dangers, growth limit zones, etc

- (1) A works owner must, at intervals of no more than 12 months, publicly disclose and publish the following information on an appropriate internet site:
 - (a) a general description of the dangers posed by contact between trees and live conductors:
 - (b) an explanation of the hazard warning notice zone, cut-back zone, treefall hazard zone, low-height planting zone, and growth limit zone for conductors (as those zones are defined in these regulations):
 - (c) a general description of the dangers of cutting, trimming, or removing trees in the vicinity of live conductors:
 - (d) a list of the offences specified in regulation 26 that may be committed by tree owners and the penalties that may be imposed for committing any of those offences.
- (2) An **appropriate internet site** is an internet site that is administered by or on behalf of the works owner, and that is publicly available as far as practicable and free of charge.

7 Cross-heading above regulation 6 replaced

Replace the cross-heading above regulation 6 with:

Subpart 2—Trees encroaching hazard warning notice zones

8 Regulation 6 amended (Notification of trees encroaching notice zone)

- (1) In the heading to regulation 6, replace “notice zone” with “hazard warning notice zone”.
- (2) In regulation 6(1), replace “notice zone” with “hazard warning notice zone”.

9 Regulation 7 amended (Hazard warning notice)

- (1) In regulation 7(1), replace “notice zone” with “hazard warning notice zone”.
- (2) In regulation 7(3), replace “contain,” with “contain”.
- (3) Replace regulation 7(3)(a) and (b) with:
 - (a) a general description of the dangers posed by contact between trees and live conductors; and
 - (aa) a general description of the dangers of cutting, trimming, or removing trees in the vicinity of live conductors; and
 - (b) an explanation of—
 - (i) the hazard warning notice zone, cut-back zone, and growth limit zone for the conductor to which the notice relates; and
 - (ii) if the conductor is outside an urban area, the low-height planting zone for the conductor; and

- (4) Replace regulation 7(3)(e) and (f) with:

- (e) a statement that the tree owner may give a no-interest tree notice to the works owner under regulation 15, unless—
 - (i) the conductor is on unforested land outside an urban area; and
 - (ii) the tree was planted on or after 23 July 2027 within the low-height planting zone in contravention of regulation 11J; and
- (f) a statement that the tree owner may apply to the works owner, within the time limit set out in regulation 19, for a dispensation from cutting or trimming the tree, unless—
 - (i) the conductor is on unforested land outside an urban area; and
 - (ii) the tree was planted on or after 23 July 2027 within the low-height planting zone in contravention of regulation 11J; and

10 Cross-heading above regulation 8 replaced

Replace the cross-heading above regulation 8 with:

Subpart 3—Trees encroaching growth limit zones

11 Regulation 8 amended (Notification of trees encroaching growth limit zone)

- (1) Repeal regulation 8(1).
- (2) In regulation 8(2), replace “On and after 1 July 2005, if” with “If”.

- (3) In regulation 8(4), replace “subclauses (1) and (2), if a conductor to which those subclauses” with “subclause (2), if a conductor to which that subclause”.

12 Regulation 9 amended (Cut or trim notice)

- (1) Replace regulation 9(3)(a) with:

- (a) an explanation of the growth limit zone and the cut-back zone for the conductor to which the notice relates; and
- (2) Replace regulation 9(3)(e) and (f) with:

- (e) a statement that the tree owner may give a no-interest tree notice to the works owner within the time limit set out in regulation 15, unless—
 - (i) the conductor is on unforested land outside an urban area; and
 - (ii) the tree was planted on or after 23 July 2027 within the low-height planting zone in contravention of regulation 11J; and
 - (f) a statement that the tree owner may apply to the works owner, within the time limit set out in regulation 19 for a dispensation from cutting or trimming the tree, unless—
 - (i) the conductor is on unforested land outside an urban area; and
 - (ii) the tree was planted on or after 23 July 2027 within the low-height planting zone in contravention of regulation 11J; and
- (3) After regulation 9(3)(h), insert:

- (ha) if the works owner is Transpower or a distributor,—
 - (i) a statement that the tree owner may make a complaint concerning the works owner to a dispute resolution scheme referred to in section 95 of the Electricity Industry Act 2010; and
 - (ii) a list of the names, addresses, and other contact details of each dispute resolution scheme of that kind to which the tree owner may make a complaint; and

13 Regulation 10 amended (Cutting of trees encroaching growth limit zone)

- (1) After regulation 10(2), insert:

Guidance note

See regulation 23(5) for when the notice is to be treated as having been received by the tree owner.
- (2) After regulation 10(4), insert:

Guidance note

See *a/so* regulation 12, which sets out the tree owner’s responsibilities relating to the removal of any resulting debris that falls on adjoining land if the tree owner is required to cause the tree to be cut or trimmed.

14 Regulation 11 amended (Costs of first cut or trim and removal of debris)

- (1) Replace regulation 11(2) with:
- (2) The works owner must meet the reasonable costs of the cutting or trimming referred to in the cut or trim notice (whether undertaken by the tree owner under regulation 10 or by the works owner under subclause (3)).
- (2A) However, the works owner is not required to meet those costs if—
 - (a) the tree owner has refused to consent to the works owner entering the tree owner’s property to exercise the works owner’s power under subclause (3) to cut or trim the tree; or
 - (b) the tree—
 - (i) is within the low-height planting zone of a conductor belonging to a works owner that is on unforested land outside an urban area; and
 - (ii) was planted on or after 23 July 2027 in contravention of regulation 11J or was naturally sown.
- (2) In regulation 11(3)(b) and (c), replace “dispensation or arbitration” with “dispensation under regulation 19 or arbitration under regulation 22”.
- (3) In regulation 11(3)(d), after “arbitrator”, insert “under regulation 20 or 31”.

15 New subparts 4 and 5 of Part 1 inserted

After regulation 11, insert:

Subpart 4—Trees identified as posing fall hazard

11A Giving of treefall hazard notice

- (1) A works owner may give a tree owner a notice under this subpart (a **treefall hazard notice**) if—
 - (a) the tree is within the treefall hazard zone for a conductor belonging to the works owner; and
 - (b) the works owner has assessed, in accordance with Schedule 3, that the tree is a high treefall hazard or a moderate treefall hazard.
- (2) A treefall hazard notice must—
 - (a) be in writing; and
 - (b) be given in the manner required by regulation 23.

11B Purpose of treefall hazard notice

- (1) The purpose of a treefall hazard notice is to notify a tree owner that—
 - (a) a works owner has carried out a treefall hazard assessment, in accordance with Schedule 3, and assessed that a tree within a treefall hazard

zone for a conductor belonging to the works owner is a high treefall hazard or a moderate treefall hazard; and

- (b) the tree (excluding its roots) must be removed.

(2) *See* regulations 11D and 11E for the effects of the notice.

11C Content of treefall hazard notice

A treefall hazard notice must contain—

- (a) a statement of the purpose of the notice; and
- (b) an explanation of the treefall hazard zone for the conductor to which the notice relates; and
- (c) sufficient information to fairly inform the tree owner of the location and identity of the tree to which the notice relates; and
- (d) a statement that the works owner has assessed that the tree is a high treefall hazard or a moderate treefall hazard (whichever is applicable); and
- (e) an explanation of how the works owner carried out the treefall hazard assessment, and their reasons for assessing that the tree is a high treefall hazard or a moderate treefall hazard; and
- (f) the time limit within which the tree owner must cause the tree to be removed under regulation 11D or, if the works owner wishes to exercise the power under regulation 11E(1), a statement of the intention of the works owner to remove the tree; and
- (g) an explanation of the works owner's obligations and that, in the case of its obligation under regulation 11F(1) relating to the reasonable costs for which it is liable, the works owner may apply to an arbitrator, within the time limit set out in regulation 11H(4), to determine a dispute between the tree owner and the works owner about those costs; and
- (h) a statement that the tree owner may apply to an arbitrator, within the time limit set out in regulation 11H(2), if the tree owner disagrees with the works owner's assessment that the tree is a high treefall hazard or a moderate treefall hazard; and
- (i) a list of the names, addresses, and other contact details of all arbitrators appointed under regulation 29; and
- (j) if the works owner is Transpower or a distributor,—
 - (i) a statement that the tree owner may make a complaint to a dispute resolution scheme referred to in section 95 of the Electricity Industry Act 2010; and
 - (ii) a list of the names, addresses, and other contact details of each scheme of that kind to which the tree owner may make a complaint; and

- (k) a statement that the tree owner may give the works owner a no-interest notice within the time limit specified in regulation 15, unless—
 - (i) the conductor is on unforested land outside an urban area; and
 - (ii) the tree was planted on or after 23 July 2027 within the low-height planting zone in contravention of regulation 11J; and
- (l) a statement that, at least 3 working days before the tree owner removes the tree or causes it to be removed, the tree owner must advise the works owner of the time and location of that removal; and
- (m) a list of the offences against regulation 26(1A) and (1B) that may be committed by a tree owner and the penalties that may be imposed for committing those offences; and
- (n) a summary of the tree owner’s liabilities specified in regulation 28.

11D General: tree owner must remove tree

- (1) A tree owner who is given a treefall hazard notice must cause the tree to which the notice relates to be removed no later than—
 - (a) 25 working days after the date on which they receive the notice if it states that the works owner has assessed that the tree is a high treefall hazard; or
 - (b) 45 working days after the date on which they receive the notice if it states that the works owner has assessed that the tree is a moderate tree-fall hazard.

Guidance note

See regulation 23(5) for when the notice is to be treated as having been received by the tree owner.

- (2) However, if an arbitrator has specified a time limit within which the tree must be removed in a decision under regulation 31, the tree owner must instead cause the tree to be removed no later than that time limit.
- (3) Despite subclauses (1) and (2), if the tree owner and works owner agree that the tree is to be removed within a time limit that is different to the one applying under either of those subclauses, the tree owner must instead cause the tree to be removed no later than that agreed time limit.
- (4) A tree owner who is given a treefall hazard notice by a works owner must, at least 3 days before the tree is removed, advise the works owner of the time and location of the tree’s removal.

- (5) This regulation does not apply if an arbitrator determines, in proceedings relating to the tree, that the tree is neither a high treefall hazard nor a moderate treefall hazard.

Guidance note

See regulation 12, which sets out the tree owner's responsibilities relating to the removal of any resulting debris that falls on adjoining land if the tree owner is required to cause the tree to be removed.

11E Works owner may remove tree

- (1) The works owner may remove the tree if—
- (a) the works owner has indicated an intention to remove the tree in the treefall hazard notice; and
 - (b) the time allowed for the tree owner to apply for arbitration under regulation 11H has expired; and
 - (c) any application of the tree owner for arbitration under that regulation has been determined; and
 - (d) the removal of the tree takes place in accordance with any determination of an arbitrator under regulation 31; and
 - (e) the works owner obtains the consent of the tree owner to enter the tree owner's property to remove the tree.
- (2) A works owner is not allowed to remove a tree under this regulation if an arbitrator determines, in proceedings relating to the tree, that the tree is neither a high treefall hazard nor a moderate treefall hazard.
- (3) If a works owner removes a tree under this regulation, the works owner must—
- (a) remove or cause to be removed any resulting debris that falls on any adjoining land; or
 - (b) ensure that any resulting debris that falls on any adjoining land is tidied or dealt with in such a way that it does not affect the use or enjoyment of the land by its owner or occupier.
- (4) Subclause (3) does not apply if an arbitrator determines, in proceedings relating to the tree, that it does not apply.

11F Costs of removing tree and debris

- (1) The works owner must meet the reasonable costs of the removal of the tree (whether undertaken by the tree owner under regulation 11D or by the works owner under regulation 11E(1)).
- (2) However, the works owner is not required to meet those costs if—
- (a) the tree owner has refused to consent to the works owner entering on to the tree owner's property to exercise the works owner's power under regulation 11E(1) to remove the tree; or

- (b) the tree—
 - (i) is within the low-height planting zone of a conductor belonging to a works owner that is on unforested land outside an urban area; and
 - (ii) was planted on or after 23 July 2027 in contravention of regulation 11J or was naturally sown; or
- (c) the tree is the subject of an agreement between the works owner and the tree owner under which the works owner has already met the costs of removing the tree.

11G Land administered under Conservation Act 1987, etc

Despite anything in this subpart, both of the following apply if a tree is on land administered by any person under the Conservation Act 1987 or any of the Acts set out in Schedule 1 of that Act that regulate the use of land:

- (a) a works owner must not give a treefall hazard notice to the tree owner:
- (b) the tree owner is not under any obligation to remove the tree.

11H Arbitration

- (1) A tree owner who has been given a treefall hazard notice may apply to an arbitrator to determine a dispute between the tree owner and the works owner about the assessment of the works owner that the tree is a high treefall hazard or a moderate treefall hazard.
- (2) The tree owner may apply to an arbitrator to determine the dispute only if the tree owner applies within 10 working days after receiving the treefall hazard notice.

Guidance note

See regulation 23(5) for when the notice is to be treated as having been received by the tree owner.

- (3) A works owner who has given a treefall hazard notice to a tree owner may apply to an arbitrator to determine a dispute between the tree owner and the works owner about the reasonable costs for which the works owner is liable under regulation 11F(1).
- (4) The works owner may apply to an arbitrator to determine the dispute only if the works owner applies within 3 months after the tree is removed.
- (5) 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 works owner under regulation 14 to undertake, without delay, any work in relation to a tree (including the roots of any tree) that is necessary to remove an immediate danger to persons or property from a conductor.

11I Treefall hazard assessment

Schedule 3 has effect.

Subpart 5—Trees on unforested land outside urban areas

11J Planting trees within low-height planting zones

- (1) An owner or occupier of land may plant, or allow another person to plant, a tree that is within the low-height planting zone of a conductor that is on unforested land outside an urban area only if—
 - (a) the owner or occupier has reasonable grounds to believe that, at maturity, the height of the tree will measure less than the fall distance between the tree and the conductor; or
 - (b) the tree is planted as part of a shelter belt; or
 - (c) the land is administered by any person under the Conservation Act 1987 or any of the Acts set out in Schedule 1 of that Act that regulate the use of land.
- (2) In this regulation, **fall distance**, in relation to a tree and a conductor, means the distance between the base of the tree (at ground level) and the nearest point on a vertical plane drawn from any point on the conductor.
- (3) An owner or occupier of land is not required to comply with this regulation before 23 July 2027.

Guidance note

It is not an offence against these regulations for a person to contravene this regulation. However, *see*—

- regulation 11(2A), under which a works owner is relieved of any obligation under regulation 11 to meet the reasonable costs of cutting or trimming a tree to which a cut or trim notice applies if the tree was planted in contravention of this regulation; and
- regulation 11F(2)(b), under which a works owner is relieved of any obligation to meet the reasonable costs of removing a tree to which a treefall hazard notice applies if the tree was planted in contravention of this regulation; and
- regulations 14A and 18A, which provide that subpart 7 (no-interest tree notices) and subpart 8 (dispensations arising from hazard warning notices and cut or trim notices) do not apply in relation to a tree planted in contravention of this regulation; and
- regulation 28, which relates to the liability of tree owners for costs of remedying damage caused to a conductor in certain circumstances if the tree owner fails to comply with the requirements of these regulations.

16 Cross-heading above regulation 12 replaced

Replace the cross-heading above regulation 12 with:

Subpart 6—Debris, underground works, etc

17 Regulation 12 amended (Removal of debris after cutting trees)

- (1) In the heading to regulation 12, after “cutting”, insert “, trimming, or removing”.
- (2) In regulation 12(1), replace “or trimmed” with “, trimmed, or removed”.

18 Regulation 14 amended (Obligation to remove danger to persons or property from trees damaging conductors)

- (1) In regulation 14(2)(a)(i), after “dispensation”, insert “under regulation 19”.
- (2) In regulation 14(2)(a)(ii), after “determined”, insert “under regulation 31”.
- (3) Replace regulation 14(2)(a)(iii) with:
 - (iii) any cut or trim notice or treefall hazard notice that specifies a time by which a tree must be cut, trimmed, or removed and that has not expired; but
- (4) In regulation 14(3), replace “a works owner” with “the works owner”.
- (5) In regulation 14(4), replace “or trimming” with “, trimming, or removal”.
- (6) Replace regulation 14(5) with:
 - (5) A tree owner is liable for the direct costs of a works owner in undertaking any work in accordance with subclause (1) if the tree owner has failed to comply with a cut or trim notice or a treefall hazard notice relating to the tree.
- (7) In regulation 14(6)(a), replace “any cutting or trimming work” with “any work in cutting, trimming, or removing the tree”.

19 Cross-heading above regulation 15 replaced

Replace the cross-heading above regulation 15 with:

Subpart 7—No-interest tree notices

14A Subpart not applicable to certain trees

This subpart does not apply in relation to any tree that, in contravention of regulation 11J, was planted on or after 23 July 2027 within the low-height planting zone of a conductor that is on unforested land outside an urban area.

20 Regulation 15 amended (No-interest tree notice)

- (1) In regulation 15(2)(b), replace “notice zone” with “hazard warning notice zone”.
- (2) Replace regulation 15(5) and (6) with:
 - (5) An owner or occupier may give a no-interest notice relating to a tree whether or not the owner or occupier has received a hazard warning notice, a cut or trim notice, or a treefall hazard notice relating to the tree.

- (6) However, an owner or occupier must not give a no-interest notice relating to a tree to which a cut or trim notice or a treefall hazard notice relates any later than 10 working days after the date on which the tree owner received the cut or trim notice or the tree fall hazard notice.

Guidance note

See regulation 23(5) for when the notice is to be treated as having been received by the tree owner.

21 Regulation 16 amended (Purpose and effect of no-interest tree notice)

After regulation 16(3), insert:

Guidance note

See regulation 24(5) for when the notice is to be treated as having been received by the works owner.

22 Cross-heading above regulation 19 replaced

Replace the cross-heading above regulation 19 with:

Subpart 8—Dispensations arising from hazard warning notices and cut or trim notices

18A Subpart not applicable to certain trees

This subpart does not apply in relation to any tree that, in contravention of regulation 11J, was planted on or after 23 July 2027 within the low-height planting zone of a conductor that is on unforested land outside an urban area.

23 Regulation 19 amended (Application for dispensation)

After regulation 19(3), insert:

Guidance note

See regulation 23(5) for when the notice is to be treated as having been received by the tree owner.

24 Regulation 20 amended (Works owner to consider dispensation applications)

After regulation 20(1), insert:

Guidance note

See regulation 24(5) for when the notice is to be treated as having been received by the works owner.

25 Cross-heading above regulation 22 revoked

Revoke the cross-heading above regulation 22.

26 Regulation 22 amended (Arbitration)

- (1) Replace the heading to regulation 22 with “**Arbitration following decision on dispensation**”.
- (2) After regulation 22(4), insert:

Guidance note

See regulation 23(5) for when the notice is to be treated as having been received by the tree owner.

27 Cross-heading above regulation 23 replaced

Replace the cross-heading above regulation 23 with:

Subpart 9—Manner of notifications and applications

28 Regulation 23 amended (Manner of notification to tree owners)

- (1) Before regulation 23(1), insert:
 - (1AAA) This regulation applies to any of the following notices:
 - (a) a hazard warning notice;
 - (b) a cut or trim notice;
 - (c) a treefall hazard notice.
- (2) In regulation 23(1) to (5), replace “hazard warning notice or a cut or trim notice” with “notice”.

29 Cross-heading above regulation 26 replaced

Replace the cross-heading above regulation 26 with:

Subpart 10—Offences and liabilities

30 Regulation 26 amended (Offences committed by tree owners)

- (1) After regulation 26(1), insert:
 - (1A) A person who is a tree owner commits an offence if they—
 - (a) are given a treefall hazard notice relating to a tree; and
 - (b) fail, without reasonable excuse, to cause the tree to be removed in accordance with regulation 11D.
 - (1B) A person who is a tree owner commits an offence if they—
 - (a) are given a treefall hazard notice relating to a tree by a works owner; and
 - (b) fail, without reasonable excuse, to advise the works owner, in accordance with regulation 11D(4), of the time and location of the tree’s removal.
- (2) Replace regulation 26(2) with:

- (2) A person who commits an offence against this regulation is liable on conviction to—
 - (a) a fine not exceeding \$10,000; and
 - (b) if the offence is against subclause (1) and a continuing one, a further fine not exceeding \$500 for every day or part of a day during which the offence continues.
- (3) After regulation 26(3), insert:
- (4) No proceedings may be taken for an offence against subclause (1A) if a dispute in respect of the tree to which the offence relates has been referred to an arbitrator and the arbitrator has not made a decision in respect of that dispute.

31 Regulation 27 amended (Offences committed by works owners)

Revoke regulation 27(1)(a).

32 Regulation 31 amended (Decisions of arbitrators)

Replace regulation 31(2) with:

- (2) Without limiting subclause (1),—
 - (a) if the application for arbitration was made by a tree owner under regulation 11H(1), an arbitrator may—
 - (i) determine whether a tree is a high treefall hazard, a moderate treefall hazard, or neither a high treefall hazard nor a moderate treefall hazard; or
 - (ii) specify a time limit within which the tree must be removed; or
 - (b) if the application for arbitration was made by a works owner under regulation 11H(3), an arbitrator may specify any costs of removing the tree for which a works owner is liable under regulation 11F(1); or
 - (c) if the application for arbitration was made by a tree owner under regulation 22, an arbitrator may—
 - (i) grant a dispensation from any requirement imposed under these regulations to cut or trim a tree; or
 - (ii) refuse to grant a dispensation from any requirement imposed under these regulations to cut or trim a tree; or
 - (iii) vary the terms of any dispensation; or
 - (iv) specify the distance into the growth limit zone that the tree to which the dispensation relates may encroach, in any case where the arbitrator grants a dispensation or varies a dispensation; or
 - (v) specify a time limit within which the tree must be cut or trimmed.

33 Regulation 32 amended (Proceedings of arbitrators)

After regulation 32(5), insert:

Guidance note

See regulation 25(3) for when the application is to be treated as having been received by the arbitrator.

34 Regulation 41 amended (Regulations do not affect specified agreements)

- (1) In regulation 41(1)(a) and (b), replace “or felling” with “, felling, or removal”.
- (2) In regulation 41(3)(b), delete “the requirements of”.

35 Schedule 1 amended

In Schedule 1,—

- (a) insert the Part set out in Schedule 1 of these regulations as the last Part;
and
- (b) make all necessary consequential amendments.

36 Schedule 2 amended

Amend Schedule 2 as set out in Schedule 2 of these regulations.

37 New Schedule 3 inserted

After Schedule 2, insert the Schedule 3 set out in Schedule 3 of these regulations.

Schedule 1

New Part 2 inserted into Schedule 1

r 35

Part 2

Provisions relating to Electricity (Hazards from Trees) Amendment Regulations 2026

9 Interpretation

In this Part,—

amended growth limit zone, in relation to a specified low voltage conductor, means the growth limit zone for the conductor (or for the part of the conductor that is outside the urban area) under clause 2 of Schedule 2 of these regulations, as in force on 23 July 2026

amendment regulations means the Electricity (Hazards from Trees) Amendment Regulations 2026

former cut-back zone, in relation to a specified low voltage conductor, means the space that extends no more than 1 metre beyond the former growth limit zone for the conductor

former growth limit, in relation to a specified low voltage conductor, means the growth limit zone for the conductor under clause 1 of Schedule 2 of these regulations, as in force immediately before 23 July 2026

specified low voltage conductor—

- (a) means a conductor that—
 - (i) has a span of less than or equal to 150 metres in length; and
 - (ii) has a voltage of less than or equal to 11 kilovolts; and
 - (iii) is outside or partly outside an urban area; but
- (b) does not include an aerial bundled conductor or a conductor insulated by other means.

10 Publication on internet site of explanation of certain zones and list of offences

- (1) By no later than 1 October 2026, a works owner must update the information that the works owner is required to publicly disclose and publish under regulation 5 so that the information—
 - (a) includes an explanation of the hazard warning notice zone, treefall hazard zone, and low-height planting zone for conductors (as those zones are defined in these regulations); and

- (b) includes a general description of the dangers of removing trees in the vicinity of live conductors; and
 - (c) includes (in the list of offences and penalties referred to in regulation 5(1)(d)) the offences against regulation 26(1A) and (1B) that may be committed by tree owners and the penalties that may be imposed for committing those offences.
- (2) By no later than 17 October 2026, a works owner must update the explanation of the growth limit zone for conductors that the works owner is required to publicly disclose and publish under regulation 5.

11 Trees encroaching amended growth zone limit

- (1) This clause applies until the close of 16 October 2026.
- (2) Despite regulation 8(2), a works owner who becomes aware of a tree encroaching the amended growth limit zone for a specified low voltage conductor belonging to the works owner is not required to give a cut or trim notice to the works owner if the tree does not encroach the former growth limit zone for the conductor.
- (3) However, the works owner may give a cut or trim notice in relation to the tree if the conductor is not on conservation land.
- (4) Regulation 8(4)(c) does not apply in relation to the tree if the conductor is on conservation land.
- (5) However, if the conductor is on conservation land, the works owner may, subject to the requirements of any Act and within 3 months of becoming aware that the tree encroaches the amended growth limit zone and at the work owner's expense, ensure that the tree is cut or trimmed to ensure that the tree ceases to encroach the amended growth limit.
- (6) In this clause, **conservation land** means land that—
 - (a) is administered by any person under the Conservation Act 1987; or
 - (b) is administered by any person under any of the Acts set out in Schedule 1 of that Act that regulate the use of land.

12 Existing cut or trim notices

- (1) This clause applies to a cut or trim notice that relates to a specified low voltage conductor and that is in force immediately before 23 July 2026.
- (2) A tree owner who has been given a cut or trim notice to which this clause applies complies with regulation 10(1) if the tree owner causes the tree to which the notice relates to be cut or trimmed so that it does not encroach the former cut-back zone for the conductor.
- (3) Subclause (2) does not apply if—
 - (a) the tree is a protected tree; and

- (b) that subclause would otherwise require the tree owner to cause the tree to be cut or trimmed further than if it were to be cut or trimmed only so that it does not encroach the amended cut-back zone for the conductor.
- (4) In that case, the tree owner complies with regulation 10(1) if they cause the tree to be cut or trimmed so that it does not encroach the amended cut-back zone.

13 Existing dispensations

- (1) A dispensation granted in relation to a tree that is in force immediately before 23 July 2026 has effect as if the amendment regulations had not been made.
- (2) For that purpose, regulation 21(2)(a) and (3) is to be applied in relation to that dispensation as if the references to the growth limit zone were to the growth limit zone for the conductor that applied when the dispensation was granted.

14 Existing applications for dispensations

- (1) This clause applies to an application that—
 - (a) is made on or after 17 October 2024 and before 23 July 2026 for a dispensation from the cutting or trimming of a tree so that the tree does not encroach the cut-back zone for a specified low voltage conductor; but
 - (b) is not finally determined before that date.

Guidance note

See clause 7 for the savings arrangement that applies to applications made, but not granted, before 17 October 2024.

- (2) The application for a dispensation—
 - (a) is to be determined as if the former growth limit zone for the conductor continues to apply; and
 - (b) if the dispensation is granted, regulation 21(2)(a) and (3) is to be applied in relation to that dispensation as if the references to the growth limit zone were to the former growth limit zone for the conductor.

15 Trees identified as posing fall hazard

- (1) A works owner must not give a tree owner a treefall hazard notice before 23 July 2028.
- (2) This clause does not affect the application of regulation 11I (treefall hazard assessment) on and after 23 July 2026.

Guidance note

The main effect of this regulation is that the only provisions in subpart 4 (trees identified as posing fall hazard) of Part 2 that apply before 23 July 2028 are regulations 11G (land administered under Conservation Act 1987, etc) and 11I (treefall hazard assessment). Because regulation 11I applies on and after 23 July 2026,

Schedule 3 has effect on and from that date. Therefore, works owners may carry out treefall hazard assessments under that schedule on and from that date.

Schedule 2

Amendments to Schedule 2

r 36

Clause 1

Replace the heading to clause 1 with “**Conductors spanning up to 150 metres: up to 11 kilovolts in urban areas or any voltage and insulated**”.

Replace clause 1(1) with:

- (1) This clause applies to each of the following:
 - (a) a conductor that—
 - (i) has a span of less than or equal to 150 metres in length and a voltage of less than or equal to 11 kilovolts; and
 - (ii) is in an urban area; and
 - (b) a part of a conductor if—
 - (i) the conductor has a span of less than or equal to 150 metres in length and a voltage of less than or equal to 11 kilovolts; and
 - (ii) the part is in an urban area; and
 - (c) a conductor that has a span of less than or equal to 150 metres and that is an aerial bundled conductor or a conductor that is insulated by other means.

In clause 1(2), replace “in relation to the space surrounding the conductor, means the space” with “in relation to the conductor, means the space surrounding the conductor”.

Clause 2

Replace the heading to clause 2 with “**Uninsulated conductors spanning up to 150 metres: up to 11 kilovolts outside urban areas or greater than 11 kilovolts**”.

Replace clause 2(1) with:

- (1) This clause—
 - (a) applies to—
 - (i) a conductor that has a span of less than or equal to 150 metres in length; or
 - (ii) a part of a conductor if the conductor has a span of less than or equal to 150 metres in length; but
 - (b) does not apply to a conductor or part of a conductor to which clause 1 applies.

In clause 2(2), replace “in relation to the space surrounding the conductor, means” with “in relation to the conductor or the part of the conductor, means the space surrounding the conductor or the part that consists of”.

Clause 2—*continued*

In clause 2(3), table, after the item relating to 33 kV, insert:

11 kV	1.6
400/230 V	0.5

In clause 2(3), table, in the key, after the item relating to kV = kilovolts, insert:

V = volts

Schedule 3

New Schedule 3 inserted

r 37

Schedule 3

Treefall hazard assessment

rr 11A(1)(b), 11B(1)(a), 11I

1 Definition of national grid

In this schedule, **national grid** has the same meaning as in section 5 of the Electricity Industry Act 2010.

2 Purpose of assessment

The purpose of a treefall hazard assessment is to assess whether a tree that is located within the treefall hazard zone for a conductor is—

- (a) a high treefall hazard; or
- (b) a moderate treefall hazard; or
- (c) neither a high treefall hazard nor a moderate treefall hazard.

3 Carrying out assessment

- (1) A works owner may carry out a treefall hazard assessment of any tree within the treefall hazard zone for a conductor belonging to the works owner.
- (2) In carrying out the assessment, the works owner must consider—
 - (a) written advice from a suitably qualified and experienced arborist, including about the application of the fall-likelihood factors to the tree; and
 - (b) any other relevant matters.
- (3) In carrying out the assessment, the works owner may consider the written advice of a suitably qualified and experienced advisor on matters relating to forestry in relevant cases (for example, where the tree is part of a forest).
- (4) The works owner may assess that a tree within a treefall hazard zone for a conductor that belongs to the works owner is a high treefall hazard only if—
 - (a) they are satisfied that the tree is highly likely to fall on the conductor; and
 - (b) either or both of the following subparagraphs apply:
 - (i) they are satisfied that, if the tree were to fall on the conductor, it would have a high impact on the security of electricity supply or the safety of the public (or both);

- (ii) the conductor is a line that is part of the national grid.

Guidance note

The line is part of the national grid if the line owner (and, therefore, the works owner) is Transpower or if the line is used by Transpower.

- (5) A works owner may assess that a tree within a treefall hazard zone for a conductor that belongs to the works owner is a moderate treefall hazard only if they are satisfied—
 - (a) that the tree is moderately likely to fall on the conductor and either or both of the following subparagraphs apply:
 - (i) if the tree were to fall on the conductor, it would have a high impact on the security of electricity supply or the safety of the public (or both):
 - (ii) the conductor is a line that is part of the national grid; or
 - (b) that the tree is highly likely to fall on the conductor and, if the tree were to fall on the conductor, it would have a moderate impact on the security of electricity supply or the safety of the public (or both).
- (6) In assessing whether a tree is highly likely or moderately likely to fall on a conductor, the works owner must consider the fall-likelihood factors.
- (7) In assessing whether, if a tree were to fall on a conductor, it would have a high impact or a moderate impact on the security of electricity supply or the safety of the public (or both), the works owner must consider the fall-impact factors.

4 Fall-likelihood factors

- (1) The **fall-likelihood factors** are as follows:
 - (a) whether the tree is showing signs that it may fall within 12 months after the date of the written advice referred to in clause 3(2)(a) from an arborist (a **relevant arboricultural advice**):
 - (b) the extent to which the tree has been destabilised by other trees or by structures or because of ground instability:
 - (c) the extent to which the topography, geology, or climate conditions of the site of the tree (for example, exposure to high winds) or any other factors relating to the site place the tree at an elevated risk of falling.
- (2) If the works owner decides to consider more than 1 relevant arboricultural advice for the purposes of clause 3(2)(a), the date specified in subclause (1)(a) is, for the purpose of applying clause 3(6), the date of the most recent of those advices.

5 Fall-impact factors

The **fall-impact factors** are as follows:

- (a) the voltage of the conductor:

- (b) how long the conductor would be out of service if the tree were to fall on it;
- (c) the extent to which the tree would damage the line if it were to fall on it;
- (d) the extent to which the safety of people would be compromised if the tree were to fall;
- (e) whether there is any redundancy in the conveyance of electricity by the conductor.

Rachel Hayward,
Clerk of the Executive Council.

Explanatory note

This note is not part of the regulations but is intended to indicate their general effect.

These regulations, which come into force on 23 July 2026, amend the Electricity (Hazards from Trees) Regulations 2003 (the **principal regulations**).

Background

The principal regulations set out rules and requirements to deal with hazards caused by trees to electricity lines (**conductors**) to protect the security of the supply of electricity and the safety of the public. Among other things, the principal regulations set growth limit zones for conductors. Generally, works owners who become aware of a tree encroaching the growth limit zone for a conductor must give a cut or trim notice to the tree owner, requiring the tree to be cut or trimmed.

What these regulations do

Trees identified as posing fall hazard (new subpart 4 of Part 1 and new Schedule 3)

New subpart 4 of Part 1 enables a works owner to give a tree owner a new kind of notice (a **treefall hazard notice**) if—

- the tree is within the space (the **treefall hazard zone**) that extends 24 metres beyond the growth limit zone for a conductor that belongs to the works owner; and
- the works owner has assessed, in accordance with *new Schedule 3*, that the tree is a high treefall hazard or a moderate treefall hazard.

Generally, the tree owner must cause the tree to be removed—

- no later than 25 working days after the date on which they receive the treefall hazard notice if the works owner has assessed that the tree is a high treefall hazard:

- no later than 45 working days after the date on which they receive the treefall hazard notice if the works owner has assessed that the tree is a moderate tree-fall hazard.

The tree owner is also generally required to advise the works owner, at least 3 days before the tree is removed, of the time and location of the tree's removal.

A tree owner who is given a treefall hazard notice and fails, without reasonable excuse, to cause the tree concerned to be removed commits an offence (*see new regulation 26(1A)*). A tree owner who is given a treefall hazard notice and fails, without reasonable excuse, to comply with the requirement to advise the works owner of the time and location of the tree's removal also commits an offence (*see new regulation 26(1B)*). In both cases, the tree owner is liable on conviction to a maximum fine of \$10,000.

A tree owner who wishes to dispute the works owner's assessment that the tree is a high treefall hazard or a moderate treefall hazard may apply to an arbitrator, within 10 days after receiving the treefall hazard notice, to determine the dispute. If the arbitrator determines that the tree is neither a high treefall hazard nor a moderate treefall hazard, the tree owner is not required to remove the tree. In other cases, the arbitrator may vary the time limits within which the tree must be removed.

Generally, the works owner must meet the reasonable costs of removing the tree. The works owner may apply to an arbitrator to determine a dispute between the tree owner and the works owner about those costs.

Trees on unforested land outside urban areas (new subpart 5 of Part 1)

New subpart 5 of Part 1 (new regulation 11J) restricts the planting of trees within the space (the **low-height planting zone**) that extends horizontally up to 24 metres from a vertical plane drawn from any point on a conductor that is on unforested land outside an urban area. In particular, a tree is generally allowed to be planted within a low-height planting zone only if the owner or occupier of the land who is responsible for planting the tree, or for allowing it to be planted, has reasonable grounds to believe that, at maturity, the height of the tree will measure less than the fall distance. The **fall distance** is defined as the distance between the base of the tree, at ground level, and the nearest point on a vertical plane drawn from any point on the conductor.

A tree is also allowed to be planted within the low-height planting zone if—

- the tree is planted as part of a shelter belt; or
- the land is administered by any person under the Conservation Act 1987 or any of the Acts set out in Schedule 1 of that Act that regulate the use of land.

An owner or occupier is not required to comply with the new planting restrictions set out in *new regulation 11J* before 23 July 2027.

Failure to comply with the new planting restrictions is not an offence. However, a works owner is relieved of any obligation to meet the reasonable costs of cutting or trimming a tree to which a cut or trim notice applies, or of removing a tree to which a treefall hazard notice applies, if the tree was planted in contravention of the new

planting restrictions (*see new regulations 11(2A) and 11F(2)(b)*, respectively). Also, tree owners who would otherwise be able to give no-interest tree notices to works owners or to apply to works owners for dispensations arising from hazard warning notices and cut or trim notices are not able to give those notices or apply for those dispensations if the tree was planted in contravention of the new planting restrictions (whether or not the tree owner was the owner or occupier of the land who planted or allowed the tree to be planted). (*See new regulations 14A and 18A.*) Further, the tree owner may be liable for the costs of remedying any damage caused to a conductor if the tree owner planted the tree in contravention of those planting restrictions (*see regulation 28 of the principal regulations*).

Change to growth limit zone for low voltage conductors that are outside urban areas

These regulations amend Schedule 2 of the principal regulations to extend the growth limit zone for certain low voltage conductors (11 kilovolts or below) so that it is “clear to the sky”. The low voltage conductors concerned are uninsulated conductors that span up to 150 metres and are located outside urban areas. The extension generally means that any part of a tree encroaching above those conductors would need to be cut back if the tree owner is given a cut or trim notice. However, the clear to the sky extension does not apply to a tree that is protected under a district plan.

Information for consumers

These regulations remove requirements for works owners to, at least every 12 months, either give certain information in writing to each consumer supplied with electricity through their works or to publish that information in newspapers. Existing requirements for the works owners to publish the relevant information on an internet site are extended to cover, among other things, an explanation of the 2 new zones (the treefall hazard zone and the low-height planting zone) for conductors. (*See regulation 6, which replaces regulation 5 of the principal regulations.*)

Other amendments

These regulations set out transitional, savings, and other provisions related to the main amendments, including consequential amendments. These regulations make a number of minor and technical amendments, including amendments that replace all references to notice zones with references to hazard warning notice zones.

Regulatory impact statement

The Ministry of Business, Innovation, and Employment produced a regulatory impact statement on 28 March 2025 to help inform the decisions taken by the Government relating to the contents of this instrument.

A copy of this regulatory impact statement can be found at—

- <https://www.mbie.govt.nz/dmsdocument/30751-regulatory-impact-statement-phase-2-electricity-hazards-from-trees-regulations-2003-proactiverelease-pdf>
- <https://www.regulation.govt.nz/our-work/regulatory-impact-statements/>

**Electricity (Hazards from Trees) Amendment
Regulations 2026**

2026/189

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