13 June 2011

Ministry for the Environment
Environment House
23 Kate Sheppard Place
PO Box 10362
Wellington
New Zealand

[sent by email to standards@mfe.govt.nz,]

Dear Sir/Madam,

National Environment Standard on Plantation Forests

1. Powerco welcomes the move towards national standards and the increased consistency and reduced uncertainty they are designed to provide. Electricity distribution businesses’ (EDBs) lines cover significant distances, often straddling areas under the jurisdiction of numerous councils and hence issues relating to lines (and other utilities) are best addressed through national standards.

2. In our initial submission in October 2010 we outlined a number of measures which would improve the consistency with which plantation forests are managed with respect to utility infrastructure, and in particular overhead electricity lines. We are disappointed that the revised National Environment Standard (NES) proposes that the safety issues relating to network utility infrastructure are removed from the scope to allow the status quo to remain i.e. allowing councils to establish set back distances. This process does not work, as highlighted by the pictures at Annex A, and there is a clear requirement for a NES to address the problems caused.

3. Powerco’s electricity distribution network is the longest (30,000km) in New Zealand and our assets run through the jurisdiction of twenty district councils and four regional councils. Of those councils virtually none make any reference to setback distances from utility assets and those that do tend to just reference the Electricity (Hazards from Trees) Regulations 2003 (Tree Regulations). To seek a change in a district council plan outside the ten year revision period requires an application. This typically takes 15 hour of work and a fee of between five and twenty thousand dollars. Depending on the process and the level of opposition to the application there will be significant further work required before a decision is made, which may or may not result in a change to the plan. The resource required to undertake this exercise for all the councils on our footprint is prohibitive. Negotiating setback distances for plantation forests on a council by council basis would also incur significant costs for those in opposition to the concept and the councils themselves. We therefore believe that establishing a
4. It is worthy of note that in all but the rarest exceptions power lines were in place before the establishment of plantation forests around them. These line routes do not generally have easements, as they were established before this was necessary and are covered by the statutory protections in the Electricity Act 1992. It is therefore incumbent on the forestry owners to ensure that their trees do not cause a ‘nuisance’ to the distribution system, but there are no suitable standards for establishing this, leaving it open to interpretation and argument. The Tree Regulations were developed to improve the safety risks posed by trees growing close to lines in general, but they fail to address the issues which are more relevant to the scale of plantation forests. Furthermore, many plantations are not managed to the standard of the Tree Regulations, with trees planted so that they will inevitably grow to be much closer than permitted and in a number of cases planted directly underneath existing lines. It is not clear whether this is because plantation owners are not aware of the danger they are creating or whether the issue is with the silviculture contractors, but they cause significant extra cost to EDBs who have to undertake the first trim (ca. $200,000 on plantation forest first trims per annum for Powerco). Many forestry owners are not aware that they are responsible thereafter and believe Powerco must identify encroaching trees and issue ‘cut and trim’ notices. This introduces further costs to Powerco and our consumers. Establishing clear minimum standards for setback in the NES would improve this situation and reference to the Tree Regulations would increase cognisance of the regulations and adherence to them.

5. The NES provides standard set back distances for plantation forest trees from dwellings and roads but has specifically removed reference to utility structures. Tree contacts with electricity lines have the potential to cause significantly greater damage to more people because they are part of an interconnected network. Contacts can cause outages, surges and in the worst cases forest and domestic fires which result in damage to property, infrastructure, forests and in the worst cases pose a significant risk to life. A recent fire in the Wairarapa which resulted from tree contacts with power lines cost over $36,000 just to extinguish. The cost of the lost forestry and infrastructure has not been calculated but is likely to be an order of magnitude greater. This fire was in an accessible region, for those in remote areas which require the use of helicopters, costs to extinguish can exceed $200,000.

6. As a responsible network operator Powerco invests heavily in minimising the risk of tree contacts and the potential for them to cause damage. The costs of doing this are high and by their nature will only treat or prevent the symptoms not the cause of the risk. It would be more appropriate and cost effective for the cause to be dealt with; through the establishment of nationally consistent set back distances for plantation forest trees from utility structures.

7. Powerco is not in a position to put a dollar figure on the benefits of establishing nationally consistent standards for set back, however they include:
a. reduced outages, especially in remote rural areas;
b. reduced insurance costs for forestry owners;
c. reduced risk of injury to linesmen restoring supply in remote, inaccessible areas;
d. reduced risk of rural fires; and
e. reduced costs to distribution businesses and therefore consumers.

8. EDB are defined as lifeline utilities in the Civil Defence Emergency Management Act 2002. In addition the National Policy Statement on Electricity Transmission states ‘efficient transmission of electricity on the national grid plays a vital role in the well-being of New Zealand, its people and the environment’. The same must also therefore be true of distribution networks, without which the electricity from transmission infrastructure can not reach the consumer. It therefore appears contradictory that the NES would remove reference to impact on utilities and electricity distribution networks in particular, from the most recent draft.

9. Powerco continues to support the Electricity Engineers’ Association proposal for set back from electricity lines of ‘fall height at harvest + 2m’ and opposes the removal of the reference to utility structures in the NES. The status quo is not working; trees continue to be planted in areas where they will inevitably grow to present a danger to power lines and the plantation forest industry is not addressing this. The NES is the vehicle to establish national standards which will significantly reduce the risk of power outages, damage to property and infrastructure and forest fires. We therefore strongly recommend that minimum setback distance from utility structures be included in the standards.

Yours sincerely,

Will Green
Regulatory Analyst
Powerco
Annex A

[Images of trees and forest]