

Thursday, 27 November 2014

Mosman Council welcomes changes to 10/50 laws

Mosman Council has welcomed interim changes to the 10/50 Vegetation Clearing Entitlement which have resulted in the residential entitlement area being significantly reduced.

The entitlement area, in which trees can be cleared within 10m of a home without seeking approval, has been reduced from 350m to 100m for Category One bushfire-prone land and from 150m to 30m for Category Two vegetation.

The changes mean 10 per cent or about 680 residential lots in Mosman are now included in the entitlement area, down from an original 57% or 3,888 lots and follows Mosman Council's submission to the NSW Rural Fire Service's review of the scheme.

"I'm pleased to see the continued representations from Council and the community have been successful in achieving this positive step which has considerably reduced the vegetation clearing entitlement area," Mosman Mayor Cr Peter Abelson said.

"Clearly the Rule was being used for purposes other than what was intended, so while I am pleased that the RFS has shown a willingness to be receptive to calls for change, the underlying flaws in the 10/50 Rule remain."

Director Environment and Planning Craig Covich said the marked increase in tree removal since the 10/50 Rule was introduced in August had resulted in a reduction in Mosman's tree canopy with more than 100 trees - or nearly a tree a day - being removed.

"While the interim changes will slow this trend, Mosman is still seeking to be excluded from the Rule so that we can revert to our original process which was proven effective by the fact that 70% of removals were previously the subject of tree permits refused by Council," he said.

Mr Covich warned residents that they need to be mindful of the change and that all breaches will be investigated and may result in prosecution and penalties under the Environmental Planning and Assessment Act.

"The onus is on the resident to check whether their property is still within the Vegetation Clearing Entitlement area," he said. "Residents should be aware that given the large reduction in the entitlement area they should reassess whether their property is within a clearing entitlement area using the Rural Fire Service's online tool."

Mosman Council has prosecuted three cases involving both residents and contractors. In the most recent case, a contractor was convicted and fined \$10,250 plus costs.