



2010 CHAPTER 10

PART 2

PROTECTION OF FOREST TREES FROM DAMAGE

Removal or destruction of vegetation on adjoining land

11.—(1) Subsection (2) applies where the Department is satisfied that, by reason of the presence of any vegetation on uncultivated land adjoining a forest, the forest is liable to be damaged by fire originating on the uncultivated land.

(2) The Department may serve on the occupier of the uncultivated land a notice—

- (a) stating that the vegetation constitutes a potential danger to the forest; and
- (b) requesting that, within 30 days from the date of service of the notice—
 - (i) any vegetation growing on the part of the land within a distance of 15 metres from the boundary of the forest be removed or destroyed; or
 - (ii) such other measures as are specified in the notice be taken in relation to that vegetation for the purposes of reducing the risk of the forest being damaged by fire.

(3) If the occupier does not comply with a notice served under subsection (2), an authorised person may, within 4 months from the date of the service of the notice, remove or destroy any vegetation growing on the part of the land within a distance of 15 metres from the boundary of the forest or take such other measures in relation to that vegetation as the Department considers appropriate for the purposes of reducing the risk of the forest being damaged by fire.

(4) If the uncultivated land is unoccupied, subsections (2) and (3) apply with the substitution of references to the owner of that land for references to the occupier.