

Number	8
Name	Victoria Thieberger
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Thank you for providing a copy of the Neighbourhood Tree Disputes Consultation Paper.

The facts of my dispute, and my suggestions for future remedies addressing questions 1, 11, 13, 15 in the consultation paper, follow.

The Incident:

On our semi-rural property on the outskirts of Daylesford, there stood 5 large, established trees. These were present when we bought the property in 2013, and appeared to be 60-100 years old. Please see attached photo of the tree that was cut down (2013 photo).

The owners of the vacant block next door informed us that they would be doing "some work on the fence line". When we next visited, we found one of these large trees, a decades old but healthy conifer, had been completely removed down to the stump. The stump's location appeared to be directly on the fence line, although this remains unclear because the growth of the tree had obscured the fence line over the years.

The removal of the entire tree and branches took place in one day, indicating a highly professional operation. The removal of this giant tree severely eroded our privacy, because it previously blocked from view a large portion of the empty block. This would have been helpful had building gone ahead.

As the block next door was vacant, I had to track down the owners through the Hepburn Shire Council. I also asked the council whether there were any regulations or overlays regarding trees. The person I spoke to said no permit was needed. This is difficult to believe considering that many councils in suburban Melbourne require permission for so much as a branch to be trimmed.

The Shire staffer did not indicate any process for a resolution such as the complaints authority mentioned in the VLRC paper. I had no idea it existed.

When I called the owners of the vacant land, they said they planned to build on the 300 sq m block and intended to replant along the fence line. This removal and phone call occurred in mid 2015. To date (Jan 2018) they have not planted a single seed along the fence line.

Our privacy and amenity have been severely impacted by this tree removal. I was also distressed because the rural outlook on the edge of Daylesford was what had attracted us (city-dwellers) to buy property in a country town in the first place.

Future remedies:

Neighbours must be required to discuss in advance any planned tree removal that is on a fence line. Reasons must be given, eg diseased limbs. In my case, there was no warning or discussion and no reason given for the wanton act of vandalism.

Rural shire councils should be equally as vigilant as suburban councils in Melbourne's south-east, when it comes to retaining large, healthy trees.

Neighbours should be required to replant to an agreed height when a major tree has been cut down.

My other comments relate to the Consultation paper, which I feel is too long for members of the public to engage with, and the questions would require extensive research to answer.

Thanks for the opportunity to submit.