

NEWSFRONT

New laws for tree disputes taking root

INTRUSIVE trees and hedges will be in the Government's sights when State Parliament resumes this week.

The Liberals will table promised legislation to introduce a statutory scheme for resolving neighbourhood disputes relating to plants.

Tasmania lacks a framework for dealing with disputes over trees or hedges that block the views of neighbours or access to sunlight, or cause damage to neighbouring properties.

Attorney-General Vanessa Goodwin said the change would set out the rights and responsibilities of property owners in relation to planting and maintaining trees and vegetation and in having reasonable access to sunlight and views that existed at the time they bought their property.



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It will also provide Tasmanians with the option to have the Resource Management and Planning Appeals Tribunal adjudicate on disputes where the parties have been unable to resolve the matter themselves, despite reasonable attempts to do so.

"The changes are mainly based on the recommendations from the Tasmanian Law Reform Institute, but we have also listened to public feedback and acted to ensure plants which cause severe damage to neighbouring properties are also covered by the Bill," Dr Goodwin said.

The Tasmanian legislation has been modelled on existing laws interstate.

Dr Goodwin said the issue was first raised with her by constituents on Hobart's Eastern Shore, who had been battling to reclaim their view after a neighbour grew large trees in front of their property. The residents found they had no avenue to resolve the issue after negotiations failed.

Researchers from the Tasmanian Law Reform Institute received more than 200 submissions on the issue, one of its highest responses.

The report acknowledged the need to recognise the right to establish and maintain a garden that may include trees or hedges to provide privacy.

Dr Goodwin said she hoped the new scheme would be running by the end of the year.