

Friday, 12 February 2010  
Senate submission Re Native Vegetation laws.

As a property owner I claim that my property rights... the use, enjoyment and value of the properties that I hold in freehold title at have been severely affected by the application of the Queensland Government Natural Asset Local Laws.

I purchased the property(now two titles) around 1975 and built my house the following year. At the time of purchase the land was zoned Rural Residential.

Under that zoning I was permitted to construct a residence anywhere on the property (subject to the common regulations).

I could clear the land of any vegetation.

I could conduct some domestic rural activities.

With the introduction of the Natural Assets Local Laws(NALL) I can not 'interfere' with any of the vegetation on my land.

Many landowners had advice of the forthcoming laws and took action to clear their land of all vegetation. I did not have the money to engage a contractor... so the trees stayed.

Currently Real Estate Agents when advertising land in the Gumdale area proudly advise that the land is not affected by any vegetation legislation... the cleared blocks attract a premium price. Many prospective purchasers of my property were very reluctant to make even a low offer as they were aware of the difficulty in complying with the NALL... special processes must be followed even to construct a yard shed..

I have followed the stipulated process and applied to the Brisbane City Council to manage the vegetation..... And request the assistance of the BCC in the maintenance of the vegetation... The BCC has refused my requests

I requested to remove the trees (very large gum trees) that would severely damage my residence other improvements on my land, my neighbour's residence and improvements in their land,

All of my requests have been refused.

Many trees have been blown over by cyclonic winds. The damage caused to improvements has been claimed on insurance... consequently my premiums have risen sharply..

Although I must not interfere with the standing tree... once it falls over the disposal is entirely my responsibility... and I have had to pay fees at the Transfer Station to dispose of the 'protected' vegetation... Absolutely no assistance from the community (through the BCC)

The tree roots have cracked the house concrete slab.

The constant leaf litter has rotted out the gutters.

Due to the poor soil quality grass will not grow around the trees... thus any air movement becomes a cloud of dense dust.

In summary my property is severely devalued.

My enjoyment of my property is very reduced

The NALL has already cost me thousands of dollars in reinstatement of improvements and disposal of fallen trees. If the community wants the vegetation then the community should be responsible for all the costs associated with maintaining the vegetation and compensate land owners for loss of value and use/enjoyment of their asset.

Robert Cousin.