

Dear Sir ,
Overlay

Re Drought Amnesty for Removal of Dead Trees / Significant Landscape

I respectfully request that your review committee for the Planning and Environment Act 1987 [the Act] consider the matter I bring before you which I believe is going to cause considerable anxiety to many people in Victoria if not addressed and all the more so now , particularly in those areas affected by bush fire .

I actually wrote to the Minister for Planning on the 5th February 2009 just **two days before so called Black Saturday** which as we all know caused massive destruction of trees and vegetation in large parts of Victoria and **I believe as a result of these fires the issue I raised is even more pertinent than ever as many home owners in areas where there is a Significant Landscape Overlay will be faced with having to go through the unbelievably complex process to remove dead trees** that I am currently going through [see the attachment above] which can only add to the pain they are suffering .

In writing to the Review Committee I am asking you to take this matter very seriously as I have spoken to a number of my neighbours and they are now well aware of the problems I am facing and **they are very concerned as many have lost trees and native vegetation as a result of the drought** . So for no fault on our part as we are all trying to comply with the current water restrictions many of us have lost both native trees and native vegetation such as Grevilleas , Leptospermum etc and under the existing legislation **regardless of the size of the native tree or native shrub if it dies we cannot cut it down without a permit** .

I am most unhappy with the reply I received dated 12.02.2009 from Sue Wilkinson , Director State Planning Services as it does not address any of my concerns and takes a hard line approach to the whole issue and does not consider what pain people are going to go through if they fully comply with the law or it is going to force people to break the law as who is going to go through this process if a 3 metre high shrub dies **yet under the existing Act they have to apply for a permit** .

I am going to propose three changes to the Act as follows but I believe an **even more tolerant situation could be enacted** than my suggestions and I believe this would not cause serious problems with unnecessary removal of trees as all of the people I have talked to are very upset about losing their trees and shrubs so they are not going to cut down trees unnecessarily :-

1. That the Act is amended such that when Level 3 or above Water restrictions are in force removal of dead trees and shrubs be allowed **without any reference to their Council** provided the Native tree is no more than 6 metres high and native shrubs have a trunk diameter of no more than 0.20 metre .All non native trees and shrubs including trees such as Pinus Radiata can be cut down at any time without reference to their Council

2. That when level 3 or above water restrictions are in place by simply writing/ emailing the relevant Council and sending a digital photo by email or by mailing a photo of the dead trees / shrubs and a simple hand drawn map of the location of the trees on the property that native trees and shrubs above the size in point 1 can be cut down with written permission from Council and this permission should not be withheld for more than 10 days without reasonable excuse by Council .Maximum fee to be charged by Council \$10.00 for the application which can **cover all dead trees on the property**.

3. That in bush fire zones all dead trees within 25 metres of the house and out buildings can be cut down if there are no signs of life after a period of 3 months has elapsed since the fire ,without reference to the council , provided suitable photos are taken and kept for 4 years . If a written report is made by an officer of the CFA or Dept of the Environment or Police in relation to the removal of dead or badly damaged trees and shrubs within 25 metres of the house and out buildings without reference to the Council and at no cost to the house owner .

I would be very happy to meet with the committee to discuss this matter further ,

Yours sincerely

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Retired Businessman
General Public
Not representing any Organisation

