

MASTER BUILDERS

ROMINA DE SANTIS, technical adviser at Master Builders WA, answers your questions about home building



THE QUESTION

My neighbour's tree has been there since long before we built our house eight years ago and is becoming a real nuisance now we have a pool. It provides significant shading and leaf litter. Can I have the tree pruned at my cost so it is no longer a nuisance?

THE ANSWER

It is important you maintain the good relationship with your neighbour. It does not sound like the tree is dangerous or a threat, only a nuisance.

If the tree does look dangerous, you should contact the council. It is likely they will advise you require a report from an arborist for the tree. Once it is confirmed the tree is dangerous, the council has powers to request the owner to act.

If there are branches or roots encroaching your property you are entitled to cut and remove them up to the boundary only and you should always discuss this with your neighbour. They may agree to continue on their property as you would like to do. Any root or branch, or any flower or fruit growing on a branch that is removed remains the property of the tree's owner and should be returned to your neighbour.

Disputes often arise with neighbouring trees due to damage or losses suffered as a result of the overhanging branches and encroaching roots. Encroaching roots may damage the concrete footings of your home, block drains or raise brick paving, and overhanging branches may drop leaves into your gutters or prevent your own trees and crops from growing.

Your issue is more about the enjoyment of your swimming pool, so you would need to seek legal advice if this is also something covered by legislation and the cost burdens fall

under the responsibility of the tree owner.

You should notify your neighbour in writing of the impact of the tree on your property, requesting the tree be removed or heavily pruned.

In your circumstances, the letter should include:

- the specific issues the tree's branches or roots are causing your property (leaf litter and shading);
- a request they fix the problem by removing the offending parts of the tree (and hopefully maintain this).

You should send your neighbour a copy of the letter and keep a copy yourself. Your neighbour has a legal obligation to respond to the letter within 21 days and fix the problem.

By offering to cover the costs, it is more likely they will agree to make the adjustments. You can then enjoy your pool and a continued good relationship with your neighbour.

Should anyone have a problem with encroaching roots and branches in the first instance, discuss these with neighbours. If you cannot find a suitable solution or reach agreement, you should contact your local council and Citizens Advice Bureau www.cabwa.com.au.

For more information about building, visit the Master Builders A-Z Building Information Directory at www.mbawa.com. If you have any questions about home building or purchase issues, email romina@mbawa.com

CLOSE TO HOME

Master Builders director Michael McLean looks at what motivates Western Australians to build their new homes where they do.

THE catch-cry 'location, location, location' is a popular one with real estate agents and developers.

It's common sense that given the choice, and personal circumstances permitting, we would all prefer to live close to our place of work, family, daycare, university, schools, leisure activities, public transport, river or beach, shopping centres and medical facilities.

But this isn't always possible, so we have to decide what things are most important.

The area you choose to live in will have a big bearing on the type of dwelling available, the cost of purchasing or building your new home and the resale value of your property in the future.

It is therefore wise to think about where you choose to build carefully and wisely.

Choosing the cheapest option, although tempting, may not be the best long-term proposition.

New homebuyers who are shopping for a block to build on now have so many options available. Outer metropolitan corridors exist in most directions around Perth, but especially in the north-east, south and eastern suburbs.

Most of these areas are undergoing significant development thanks to new infrastructure and high building activity.

New subdivisions are the usual entry points for first homebuyers whose primary focus is on affordability.

New suburbs, which are generally connected to all the amenities and public transport hubs that homebuyers are looking for, spring up regularly.

Suburbs such as Piara Waters in the Forrestdale-Harrisdale area, Darch, Hilbert Park, Eden Beach, Baldivis and Byford are proving popular in today's market.

LandCorp is also increasing the options

available to new homebuyers by releasing land in Montario Quarter in Shenton Park, Parkside Walk in Jolimont, Alkimos Beach and Allara in Eglinton.

Many of these new estates have been developed with a focus on environmental sustainability through the clever use of water and energy initiatives.

Housing diversity is at an all-time high due to the trend toward smaller lots, townhouses, apartments, innovative designs and new styles of construction.

The internet has ensured prospective homebuyers are well versed about the variety of new homes available to them.

As such, builders are being increasingly challenged to think outside the square to satisfy the individual needs of their clients.

Most builders relish this challenge.

Detached housing remains the norm for most Western Australians even though townhouses, multi-unit developments and multi-storey apartments are becoming more popular – especially those close to the prized amenities that maintain our modern lifestyles.

Regardless of which style of housing you decide to live in, including a renovation, choose your builder carefully and wisely.

Take the time to research your builder's credentials, including their previous experience, references, personnel, industry awards and areas of expertise.

Although all builders may be registered to operate in WA, they are not all equally qualified to carry out your project.

The Master Builders website is a good place to start looking for your next builder to create your next dwelling in your chosen location.

Enjoy this exciting adventure with no regrets.

