

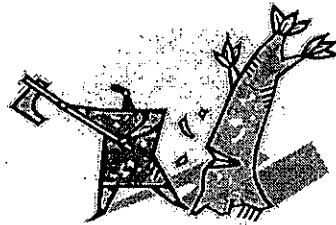
**SELF-HELP  
IS IT A GOOD IDEA?**

You are entitled to lawfully remove parts of your neighbour's tree which *intrude onto your property*. However, there are **SIGNIFICANT RISKS** in taking this course of action, including;

- If you trim between the tree and your neighbour's side of the boundary you will be trespassing and may have to pay them money (damages)
- You are not allowed to cause **unnecessary damage** to the tree- unnecessary damage is difficult for people in backyard situations to determine
- If you employ a professional tree lopper, you cannot recover these costs from your neighbour. Additionally, you will be liable for damage caused by these workers

Accordingly NRCLC do not recommend this course of action.

**DID YOU KNOW!**  
There has never been a legal right to a view and you cannot trim trees that obscure views



**Northern Rivers  
Community Legal  
Centre**  
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**What you  
Need to  
Know about**



**TREE DISPUTES  
IN NON-URBAN  
AREAS**

WHAT DO I DO IF MY  
NEIGHBOUR'S TREE HAS OVER-  
HANGING BRANCHES OR ROOTS  
WHICH INTRUDE ONTO MY  
PROPERTY AND I LIVE IN A  
'RURAL' OR 'RURAL-  
RESIDENTIAL' ZONE?

**STEP 1: Approach  
Neighbour:**

Approach your neighbour  
directly (and courteously) to see  
if a resolution can be made.

**Step 2: Mediation:**

If this fails, contact the  
**Community Justice Centre on  
1800 990 777**. A local trained  
mediator will attempt to  
establish a mediation session  
(free service).

Your neighbour may refuse, but  
attempted mediation is  
important because the courts  
will not help you unless you can  
show you have made  
reasonable efforts to reach  
agreement with your neighbour.



**Step 3: If You Have Not Reached  
Agreement:**

Write to your neighbour asking them to  
consent to giving you access to their land  
so that your tree lopper can trim the  
branches that protrude onto your  
property. Specify the type of work that  
needs to be done and how long it is  
expected to take. Outline that if no  
consent is given, you may be forced to  
apply to the Local Court for a  
'Neighbouring Land Access Order'.

**STEP 4 Neighbouring Land Access  
Order:**

The Access to Neighbouring Land Act  
2000 (NSW) allows you to apply to the  
Local Court for an order that will give  
you access to your neighbour's land to  
carry out tree trimming where the  
neighbour refuses to consent to giving  
you access.

You will need to visit the Local Court  
and tell them that you want to apply for  
a 'Neighbouring Land Access Order'  
and supply the following:

- the address of the property which  
you seek access to
- names of the landowners
- the orders that you seek and  
attempts made to obtain consent  
from your neighbour

The cost for applying for an order is \$67

