

NOTICE FOR OVERHANGING BRANCHES

Neighbourhood Disputes Resolution Act 2010 – Part 5

To:

Address:.....

Kindly take notice that I am asking you (the tree keeper) to cut and remove the branches of the tree situated on your land at:

.....
(Insert description of land e.g. street address, lot number or other identifying particulars)

within 30 days of the day this notice is given to you.

The branches of the tree overhang onto my land at:.....
(insert description of land e.g. street address, lot number or other identifying particulars)

Location of Tree: (Describe where the tree is situated on the tree keeper's land)

Description of Tree: (Describe the tree – this does not have to be a botanical description)

I propose that the work on the tree be carried out to the common boundary line of the adjoining lands described above and that the type of work on the tree consist of cutting and removing the branches overhanging from your land onto my land.

The following documents are attached to this notice in accordance with the requirements of Part 5 Chapter 3 of the *Neighbourhood Disputes Resolution Act 2010* :-

1. A copy of 1 written quotation specifying the estimated cost of the work on the tree which is \$.....
(Note: You are not bound by this quote. You may choose your own contractor or cut and remove the overhanging branches yourself.)
2. A copy of Part 5 Chapter 3 of the *Neighbourhood Disputes Resolution Act 2010*.

If you agree to cut and remove the overhanging branches, please complete the Response to Notice of Overhanging Branches and return a signed copy to me at my address at.....within 30 days of the date this Notice is given to you.

Permission is given to you or your contractor to enter my land to cut and remove the overhanging branches on the day and time advised by you in your Response to Notice of Overhanging Branches.+

If you do not agree with this proposal please let me know within 30 days of the day I give you this notice.

Full Name:

Address:.....

Signature:

Date:

Note:

+Section 58(2)(b) of the *Neighbourhood Disputes Resolution Act 2010* requires that I give you or your contractor permission to enter my land to cut and remove the overhanging branches.

+Section 59 of the *Neighbourhood Disputes Resolution Act 2010* requires that you must give me written notice stating the person who will cut and remove the overhanging branches and the date and time when the work will be carried out. The work must be carried out within 30 days of the date of I give you this notice.

Section 57 of the *Neighbourhood Disputes Resolution Act 2010* encourages tree keepers and neighbours to resolve tree issues informally.

Section 60 of the *Neighbourhood Disputes Resolution Act 2010* provides that if the overhanging branches are not cut and removed within the notice period of 30 days, then I may cut and remove the overhanging branches, or arrange for someone else to cut and remove the overhanging branches and recover the amount of the reasonable expenses as a debt in a court of competent jurisdiction.

RESPONSE TO NOTICE FOR OVERHANGING BRANCHES

Neighbourhood Disputes Resolution Act 2010 - Section 59

I/We hereby agree to the above proposal set out in the Notice for Overhanging Branches datedand given to me/us on theby:-

Name:.....

Address:.....

On the

The person who will cut and remove the overhanging branches will be:

.....

The work on the tree will be carried out on the / / at am/pm.#

Full Name:

Address:.....

Signature:

Date:

DRAFT