

NOTICE TO CONTRIBUTE FOR URGENT FENCING WORK

Neighbourhood Disputes (Dividing Fences and Trees) Act 2011 – Section 28 and section 32

To:

Address:

Please take notice that urgent fencing work¹ was carried out on the dividing fence on the common boundary of our adjoining lands located at:

(Include description of lands e.g. street addresses, lot numbers or other identifying particulars.)

Date urgent fencing work carried out:

The reason urgent fencing work² was required:

The type of fencing work carried out consisted of:

The cost incurred for the fencing work was:

\$

The receipt for the cost of the fencing work is attached to this notice.

I/we propose that the contribution to the fencing work be shared equally between us/be shared in the following proportions³:

and that I/we contribute:

\$

and that you contribute:

\$

If you **agree** to this proposal, please complete the attached 'Agreement to contribute to Urgent Fencing Work' and return a signed copy of the agreement to me/us within one (1) month of the date of this notice.

FORM 1: NOTICE TO CONTRIBUTE FOR URGENT FENCING WORK
Neighbourhood Disputes (Dividing Fences and Trees) Act 2011 – Section 28 and section 32

If you **do not agree** to this proposal please let me/us know within one (1) month of the day this notice is given to you.

Please send your response to this notice to the following address:

Name:

Address:

Signature:

Date:

Notes:

Section 30(1) of the *Neighbourhood Disputes (Dividing Fences and Trees) Act 2011* (the Act) encourages adjoining owners to attempt to resolve issues about fencing work to avoid a dispute arising.

¹Section 28 of the Act states that this section applies if all or part of a dividing fence is damaged or destroyed and in the circumstances urgent fencing work is required.

²Section 16 of the Act sets out the meaning of *fencing work* which can include construction of a new dividing fence, repair of an existing dividing fence, replacement of a dividing fence, and modification of a dividing fence, surveying or preparation of land, including the trimming, lopping or removal of vegetation along or on either side of the common boundary of adjoining lands.

³If it is proposed that the cost of fencing work is to be borne otherwise than in equal proportions, the proposed proportions must be specified (Refer to section 32(5) of the Act).

Section 32(6) of the Act provides that if within one (1) month after this notice is given, the adjoining owners, have not agreed about their contributions to carrying out the fencing work then either adjoining owner may, within two (2) months after this notice is given, apply to the Queensland Civil and Administrative Tribunal for an order about carrying out fencing work (refer to section 35 of the Act).

A copy of the Act may be accessed at www.legislation.qld.gov.au.

PLEASE KEEP A COPY OF THIS NOTICE FOR YOUR RECORDS AND MAKE A NOTE OF THE DATE THIS NOTICE WAS GIVEN TO YOUR NEIGHBOUR.

AGREEMENT TO CONTRIBUTE TO URGENT FENCING WORK

I/We the adjoining owner/s acknowledge that we have been given a copy of the 'Notice to contribute for Urgent Fencing Work' dated:

by:

of:

I/We agree/decline to contribute to the urgent fencing work.

I/we agree that the contribution to the fencing work be shared equally between us/be shared in the following proportions:

and that I/we contribute:

\$

and that you contribute:

\$

I/We will pay our contribution to you at the address nominated in your notice on or before:

Date:

Name/s:

Address:

Signature:

Date:

PLEASE KEEP A COPY OF THIS AGREEMENT NOTICE FOR YOUR RECORDS AND MAKE A NOTE OF THE DATE THIS AGREEMENT NOTICE WAS GIVEN TO YOUR NEIGHBOUR.