Legal Reference Guide Book

Trees and the law

Legal Services
Commission South Australia

Trees and the law
Produced by the Legal Services Commission SA

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How this booklet can help you

In our gardens, trees can provide us with shade, fruit, privacy and a pleasant outlook. Yet trees can sometimes become the cause of disagreement between neighbours. Trees can be seen as competing for space, water and sunlight, and can sometimes be responsible for inconvenience and damage.

This booklet outlines the law relating to tree problems between private neighbours in South Australia and suggests some practical ways to avoid problems.

This booklet does not deal with problems associated with trees growing on public land or overhanging public areas. In general, whether or not a local council has planted a street tree, they will not be liable for any damage to property resulting from the tree's location or growth (Local Government Act 1999 (SA) s 245(1)).

However, if the owner or occupier of property adjacent to the road has made a written request to the council to take reasonable action to avert a risk of damage from the tree, and the council has failed to take reasonable action, the council may be liable for any damage to property that would have been averted if the council had taken reasonable action when requested (s 245(2)). Specific legal advice should be sought in these situations.

The legal control and protection of various tree species in rural, hills and reserve areas is also beyond the scope of this booklet. The Native Vegetation Act 1991 (SA) and the National Parks and Wildlife Act 1972 (SA) may be relevant in these contexts.

The most common tree problems between neighbours include overhanging branches, tree litter, shading and intruding roots. The responsibilities of the tree owner and the rights of the affected neighbour in these situations are mainly covered by common law liability for nuisance and negligence.

A helpful approach to tree problems between neighbours is to ask these questions:

- Is the tree really the problem? (page 3)
- Is the tree owner legally responsible? (page 4)
- What can the affected neighbour do? (page 7)
- Is the tree protected? (page 14)
- How can future problems be avoided? (page 17)

The most common tree problems between neighbours include overhanging branches, tree litter, shading and intruding roots.

Is the tree really the problem?

To establish that the tree owner is legally responsible, an affected neighbour must first show that **it is more likely than not that a particular tree** (or trees) **is the cause of the problem**.

While it is easy to show that a branch is overhanging the boundary, it can be difficult to prove root damage. Damage to buildings, walls, drains and paving may or may not be partly due to roots. Seasonal changes in soil moisture levels can also make a difference.

Identifying the problem tree or trees may also be difficult where several trees are growing in the area. Roots from some trees can travel a long way from the base of the tree.

Roots can be identified as coming from a particular tree by trenching the site, but this may cause great inconvenience and expense, particularly if the area is concreted or built over. Laboratory tests can identify trees from a fresh, woody root sample more than 10 mm in diameter (see 'Root sample testing', page 18).

Is the tree owner legally responsible?

If a particular tree can be identified as the source of the problem, the tree owner may be liable (legally responsible) depending on where the tree is growing. The **tree owner** is the person who owns the land on which the tree is growing (or from which it has grown) because the tree is legally considered to be part of the land as a **fixture**.

Several different situations are possible:

Trees located entirely on the tree owner's land

In most cases there will be **no liability** at all for problems caused by a tree located entirely on the tree owner's side of the boundary (including the roots). There is no general right to sunlight or to a pleasant or unimpeded outlook (unless, in rare circumstances, there is an easement protecting such a right). Therefore there can be no liability for shading, unsightliness, or the blocking of a view by a tree which remains entirely on another person's land.

Branches or leaves falling over the boundary

If a tree grows entirely on the tree owner's side of the boundary, but parts of it fall by natural means on to the other side, the tree owner **may be liable in negligence**. The affected neighbour would need to prove that actual loss or damage had resulted from the tree owner's failure to take adequate precautions.

What is considered adequate is determined by asking how a **reasonable** tree owner would have assessed the situation and what they would have done about it. If, for example, the branch of a tree breaks off and falls into a neighbouring property causing damage, the tree owner would not be liable unless they failed to take reasonable care of the tree or failed to fix what an ordinary reasonable landowner would have recognised as a significant problem.[1] Compensation (called **damages**) is the usual remedy if negligence is proved.

A neighbour who is aware that a tree near the boundary is in a dangerous condition, or belongs to a species which is known to drop branches, should draw this to the tree owner's attention in writing and keep a copy of the letter. If damage occurs later, this will help establish that the tree owner was aware of the problem and failed to take reasonable and appropriate precautions.

If, however, a strong, healthy tree blows down across the fence in a storm, this is considered to be an **act of God** for which there is no liability.[2] Nor is there liability for leaves, needles, nuts or twigs blown into the neighbour's property by the wind [3] unless, perhaps, they were known to be highly toxic and attractive to animals or children.[4]

If the tree owner cuts off branches or picks up leaves from their own tree and throws them over the boundary, the affected neighbour may bring an action for trespass. A **trespass** generally involves a deliberate, invasive breach of security without permission. It is not necessary (as it is with an action for negligence) to prove that any actual damage or loss resulted from the trespass. Special additional damages, known as exemplary damages, may also be given. These damages are intended to discourage others from doing the same thing, not to compensate for actual loss or damage.

Trees intruding on to the neighbour's side

Tree branches and roots growing over the boundary are not 'trespassing' in the legal sense.[5] They are legally a **nuisance**.[6] A tree that remains entirely on the owner's side of the boundary cannot, technically, be a nuisance.[7]

The law of nuisance is essentially about balancing interests in cases of conflicting land use. A nuisance is an **unreasonable and substantial interference with the neighbouring owner's use and enjoyment of their land**. (Apart from trees, other examples of nuisance include noise, dust, smoke, flooding, and pollution.)

Where a nuisance is found to exist, the law may provide several remedies, depending on whether actual damage or loss has occurred or is likely to occur. In most cases, the main legal remedy for projecting branches and penetrating roots is the right to cut them off at the boundary.

Generally it is the tree owner who is liable for a nuisance. Liability will usually depend on whether the tree owner was aware or should have been aware of the nuisance situation that created a risk of damage to the neighbour.

Trees planted by current owner or tenant

A landowner who plants a tree that becomes a nuisance may be liable for any **reasonably foreseeable damage** resulting from that nuisance. The landowner may also be liable if a gardener or other person for whom the owner is responsible plants the tree, unless this is beyond the scope of their employment or instructions and is not brought to the owner's attention.[8]

A tenant or other person who plants a tree without the owner's knowledge may become liable instead of, or as well as, the owner, depending on whether the owner should have become aware of the problem before the damage happened.

Trees planted by previous owner

A person who acquires a property with a nuisance tree already growing on it will only be liable for damage occurring after they **became aware** or could be **presumed to be aware** of the problem and failed to correct it.[9] The new owner becomes liable if they continue or adopt the nuisance. They will be presumed to be aware of a problem if, in the circumstances, they could reasonably be expected to be aware of it. It may be presumed, for example, that tree owners should be aware that tree roots, which cannot usually be seen, can travel some distance and cause damage to buildings.[10]

If a tree owner knew or ought to have known of a nuisance situation, they will be liable for failing to take **reasonable precautions** to prevent damage, if they had a reasonable opportunity to do so. Precautions need only be taken where there is a **reasonably foreseeable risk of damage**, that is, a **real and not merely theoretical risk** which a reasonable person would have considered necessary to remove.

What amounts to a reasonable precaution will depend on a comparison between the cost and inconvenience of the work involved and the likely cost and inconvenience of the damage which might occur if adequate precautions were not taken.[11]

Liability will not be imposed in cases where the cost of precautionary measures is prohibitive when compared with the risk of damage occurring.[12] Tree owners who become aware of potential problems neighbours may have with their trees should seek advice from a tree specialist.

A tree owner is unable to avoid liability on the basis that the neighbouring owner bought their property next to the tree or built too near it.[13] In some circumstances, this may affect the nature of court orders obtained or the amount of compensation awarded. It is also no answer to a tree nuisance claim that the tree was self-sown[14] or posed an insubstantial or not unreasonable interference.[15]

Trees on the boundary

If a tree appears to be growing right on the boundary, it legally belongs to the owner of the land where it was first sown or planted. Where this is not known, the tree is usually considered **jointly owned** by the adjoining landholders.[16] In such cases, there is no right to cut the trunk at the boundary, because this would kill the tree and destroy the adjoining owner's interest in it. Both owners will need to agree on how to deal with it.

What can the affected neighbour do?

While tree problems may be annoying or stressful, those affected should try to keep it in perspective. Often there are many possible solutions. If the tree owner and the affected neighbour are to continue to live next door to each other, it is best to approach the problem in a way that avoids unnecessary harm to the relationship.

If the affected neighbour is a tenant, the landlord should be informed of the problem, but the tenant has the right to pursue any of the following strategies.

Talking to your neighbour

It is sensible to think carefully about exactly what you want before raising a problem with a neighbour. A good start is simply to arrange a convenient time to talk about the tree. It is obviously not a good idea to commence discussions 'in the heat of the moment' after first becoming aware of the problem.

People should explain the problem as clearly and openly as possible in terms of how they are affected and not in terms of how the other person is to blame. If both neighbours are able to do this, and listen to each other enough to understand what they each need, the chances of agreement are much higher. People who experience (or expect) real difficulty in talking to their neighbour should contact a **Community Mediation Service** for help. These services can provide independent and neutral mediators to conduct meetings between neighbours (see 'Where to get help', page 18).

Affected neighbour removes the nuisance

Whenever tree roots or branches have become a nuisance by growing across the boundary, the affected neighbour is entitled to cut them off at the boundary line.[17] This is called **the right of abatement**. It is a self-help remedy - taking practical action to remove the nuisance. It does not arise until there is a nuisance.

There is no right to take precautionary action such as lopping branches which may in future grow over the boundary unless they are lopped. Pruning the tree inside the owner's property without permission is a trespass, for which exemplary damages may be awarded by a court in addition to compensation.[18]

Prior notice to the tree owner is only legally required if it is necessary to go on to their land to do the work or permission is to be sought for cutting over the boundary.[19] In any case, it is good neighbourly practice to let the tree owner know before cutting back major branches or roots.

A person cutting back their neighbour's tree is obliged to exercise **reasonable care and skill** in carrying out the work. If unnecessary damage is caused to the tree they may be found liable to pay compensation to the tree owner. Branches should be cleanly cut with a sharp saw or other appropriate implement so that healing is not impeded. Roots which have been cut back should not be treated with retardants or poisons. If roots are cut in such a way as to destabilise the tree, and it later falls over, there may be liability in negligence for any damage caused.

Any **severed roots** or **branches remain the property of the tree owner**.[20] The neighbour may not burn, sell or otherwise dispose of the wood or cuttings without permission. Although there is no positive legal duty to return them,[21] the best course is to place them on or outside the tree owner's property (preferably as agreed beforehand) taking care not to cause any further damage in doing so. The local council should be consulted before cuttings are deposited on nature strips, which are council property, in case the tree owner delays in collecting them.

As a general rule, the neighbour is not entitled to recover the costs of cutting back the tree from its owner.[22] In cases where overhanging branches are high off the ground, the assistance of professional tree loppers may be required to remove them safely. If the cost is likely to be expensive, the tree owner should be asked to contribute. A Community Mediation Service may be able to help in this situation. If no agreement can be reached, an alternative might be to seek a court order that the work be done at the tree owner's expense (see below).

A neighbour may be able to recover the cost of cutting back the tree if damage is imminent or already occurring to their property because of a nuisance situation.

Affected neighbours are obliged to take reasonable precautions to **minimise any damage** caused by the nuisance. This may involve some minor pruning or similar work. Provided that it is necessary to minimise actual damage, and it is not undertaken as a longer-term precaution, the costs of this work may be recovered from the tree owner.[23] It may of course be difficult to prove at a later date that the work was necessary.

A neighbour cannot generally recover the cost of measures taken to guard against likely damage from overhanging branches or encroaching roots,[24] such as the installation of gutter shields or PVC drainage pipes.

Abatement is a right, not an obligation. A tree owner cannot force an affected neighbour to cut back the tree to the boundary instead of, say, claiming compensation. Once the abatement is carried out, however, the affected neighbour may only claim, at most, compensation for damage suffered before the work is done.[25] That is not to say that abatement must be delayed until actual damage has occurred: the right to abate comes into existence as soon as the nuisance situation first occurs as roots or branches grow over the boundary line.[26]

Local council orders

The Local Government Act 1999 (SA) gives councils the power to **order the clean up of private land, including trees** (s 254), or to undertake the clean up if an owner fails to comply with an order (s 257).

A council may order an owner or occupier of a property to remove overgrown vegetation, cut back overhanging branches, or remove a tree where such growth creates or is likely to create danger or difficulty to persons using a public place.

Tree owner removes the nuisance

An affected neighbour can always **ask a tree owner to remove a nuisance** by trimming back or removing their own tree. If the response is unsatisfactory, a Community Mediation Service may be of assistance (see 'Where to get help', page 18).

The only way to **require** the tree owner to do the work, however, is by applying to the **Magistrates Court** for an **order**. In South Australia, court applications for orders against neighbours based on nuisance may be heard in the Minor Civil Division of the Magistrates Court. In nearly all such actions the parties represent themselves. Lawyers are not usually permitted to appear.

An order for a tree owner to cut back or remove a tree is an example of a type of court order called an **injunction**. These orders require certain activities to stop or particular action to be taken. Such orders will not be granted if the problem is temporary, occasional or trivial, can adequately be compensated by a small amount of money, or if the order would be oppressive to the tree owner in the circumstances.[27] The motive of the person seeking an order and the conduct of the person opposing it are also relevant considerations.

In addition to proving the tree owner is liable for nuisance, an affected neighbour who wants an injunction requiring the cutting back or trimming of a tree must prove the likelihood of reasonably imminent and substantial or irreparable damage.[28] In other words, **there must be a real, appreciable risk of significant damage from overhanging branches or invasive roots**.

The probability of root damage in 10 years would not, for example, justify an injunction.[29] It is also not enough to rely solely on reports of overhanging branches in the area coming down in the wind.[30] On the other hand, it is not necessary to prove damage has occurred already.[31]

The purpose of a court order is to remove the nuisance. In many cases the terms of the order will require the tree owner to prevent the offending roots or branches growing over the boundary. But the details of how this is to be done may be left to the tree owner.[32]

The complete removal of the tree may be ordered if the continued existence of the tree, even though it is on the owner's side of the boundary, constitutes a real and appreciable threat of injury or serious damage.

Alternatively, where it is not practical simply to cut back the roots or branches, and serious damage is continuing or will inevitably occur, removal may be required.[33] An affected neighbour will not obtain a removal order merely because the tree owner has planted trees close to the boundary that can be expected to grow across it and cause a nuisance, unless, perhaps, similar trees had already caused damage in this way.

The kinds of evidence usually relied on to support claims for court orders include photographs, site plans, reports from expert witnesses such as arborists, horticulturalists and consulting agencies, laboratory reports to identify roots (see 'Where to get help', page 18) and, occasionally, a site visit by the court (called a 'view').

An affected neighbour can always ask a tree owner to remove a nuisance by trimming back or removing their own tree.

Compensation for damage

If damage has occurred because of a tree in an adjoining property, the affected neighbour should **ask the tree owner** to pay for it. In most cases this will be the **cost of repair work** to walls, roofs, gutters, paving or drainage pipes. Copies of quotations for the work should be provided to the tree owner with a written request to pay the amount of the lowest satisfactory quote. If the tree owner refuses, a Community Mediation Service may be able to assist in negotiating a mutually agreeable contribution to repair costs (see 'Where to get help', page 18). Otherwise, an application to the Magistrates Court may be needed to get compensation.

Claims up to $12,000 may be made in the Minor Civil Division of the Magistrates Court. Lawyers cannot appear in minor civil cases without the permission of the court.

In cases where the tree roots or branches were growing across the boundary before the damage occurred, the application will be based on nuisance. In both negligence and nuisance, **there are limits on what may be claimed**. In either case, the affected neighbour would need to establish that the damage or loss was in fact caused by the tree and that it was reasonably foreseeable.

In other words, there must have been more than merely a possibility of the problem occurring. It would, for example, be reasonably foreseeable that if a dying branch high in a tree near the boundary fell off in a storm it would damage the fence and maybe the tool shed on the other side.

Tree owners have been held by the courts to be liable to pay compensation for a variety of problems caused by **overhanging branches** including:

- animals becoming ill from eating off the branches [34]
- branches and twigs moving in the wind and brushing against the affected neighbour's house keeping them awake [35]
- leaves from the branches overhanging a roof blocking the gutters and causing water damage to the building [36]
- pine needles falling from overhanging branches [37]
- damage to crops growing beneath the overhanging branches [38]
- a dying tree falling into the street. [39]

Liability to pay compensation for damage caused by **roots** penetrating the soil across the boundary has been established in the following situations:

- roots absorbing moisture causing clay soil shrinkage and building damage [40]
- roots damaging substandard garage and wall [41]
- roots damaging stormwater and sewerage drains [42]
- roots undermining the affected neighbour's boundary wall causing it to collapse [43]
- damage to the neighbour's lawn and garden [44]
- loss of crops while roots are cleared [45]
- breaking of concrete paving in neighbour's yard. [46]

In addition to the kinds of evidence which may be useful to support a claim for an injunction, the affected neighbour who claims compensation will need to obtain evidence of the damage and how much it will cost to repair. Expert reports and trade quotations will probably be necessary.

For affected neighbours, household **insurance** policies generally cover damage caused by falling trees or branches but may not cover tree root damage. For tree owners, household public liability insurance policies may or may not cover liability for both types of damage. Individual policies should be checked with insurers in every case.

Is the tree protected?

While the law provides some remedies for the benefit of a neighbour affected by problems with a tree, it also provides some protection for the tree owner and the tree.

Action by neighbour

The neighbour affected by a tree nuisance situation has limited rights to take action against the tree.

The **right to cut back the tree** is **limited** by:

(a) the possibility of being held liable for **trespass** if the tree is cut beyond the boundary

(b) the possibility of being held liable for **negligence** if the tree is unnecessarily and carelessly harmed because of the way the tree is cut

(c) whether the tree is protected as a **regulated** or **significant tree** and subject to development controls.

A claim for an order requiring the tree owner to prune is only likely to succeed if substantial or irreparable damage is likely to occur soon. Orders for removal of trees are even more difficult to justify.[47]

The affected neighbour is never legally justified in poisoning the tree, or going on to or leaning over the tree owner's land to carry out work on the tree unless given specific permission to do so.

Such action could result in a court awarding compensation and exemplary damages for trespass to discourage other people from doing the same thing.[48] Such action might also constitute a criminal offence. There is no right to go on to neighbouring land even to rectify a dangerous problem with a tree which is not a nuisance. The only right the law provides is a claim for compensation if it actually falls over and causes damage. Obviously, a timely warning to the tree owner will be the appropriate precaution.

Regulated and significant trees

The Planning, Development and Infrastructure Act 2016 (SA) provides that any activity that damages a regulated or significant tree is development and requires development approval (sections 3 and 101).

A **regulated tree** is any tree in the designated regulated tree overlay in the SA Planning and Design Code with a **trunk circumference** of **1 metre** or more when measured 1 metre above natural ground level (s 3(1) and reg 3F). For trees with multiple trunks, those with trunks with a total circumference of 1 metre or more and an average circumference of 310 mm or more are also regulated trees.

Metropolitan Adelaide and townships in the Mount Barker and Adelaide Hills areas are part of the designated regulated tree overlay.

A **significant tree** is a regulated tree with a **trunk circumference** of **2 metres** or more, measured at 1 metre above natural ground level, or any tree identified as a significant tree in Part 10 of the SA Planning and Design Code (ss 3(1) and 68). Check with the local council for details about specific trees.

If a tree is classified as a regulated or significant tree, development approval is required before it can be substantially pruned, damaged, killed or removed.

Failure to obtain approval can attract a fine of up to $120,000 (s 215). This applies equally to tree owners and affected neighbours.

Exemptions

Under the Planning, Development and Infrastructure (General) Regulations 2017 (SA) (reg 3F(4) and Sch 4), **development approval** is **not required** to remove a regulated or significant tree if it is:

- one of 24 species of exotic trees (see 'Exempted tree species', page 16), or
- located within 3 metres of an existing dwelling or in-ground swimming pool, except if the tree is a Willow Myrtle, or tree of the genus Angophora, Corymbia, or Eucalyptus), or
- within 20 metres of a dwelling in a Medium or High Bushfire Risk Area, or
- dead.

Maintenance **pruning** that does not remove more than 30% of a tree crown does not require approval if pruning is required to remove dead or diseased wood or branches that pose a risk to buildings or people, provided a similar prune has not been done in the previous 5 years (reg 3F(6)).

Pruning back a tree that is encroaching on your property – either branches or roots – does not require development approval unless it is likely to negatively affect the health and appearance of the tree (s 3(1)).

Applications

A relevant planning authority (such as a local council) may **approve** an application, approve it subject to **conditions**, or **refuse** it. The normal application fees apply for tree owners but there is no fee for an affected neighbour seeking approval to lop on their side of the boundary (s 119).

If approval has been given to remove a regulated or significant tree, the planning authority may require the applicant to plant replacement trees or pay money into an urban trees fund (s 127). An applicant has the right to **appeal** to the Environment, Resources and Development Court within 2 months of the planning authority's decision (s 204).

Urgent work

Urgent tree-damaging activity (such as the removal of branches or limbs) may be undertaken on a regulated tree if it is necessary to protect any person or building (s 136). Such work must minimise damage to the tree.

The person performing the urgent work must notify the relevant council. The owner of the land must apply for development authorisation as soon as possible after the tree-damaging activity and no later than the prescribed time, usually within 28 days (s 136, reg 63).

Exempted tree species

These tree species are not subject to development controls (reg 3F(4)(b)):

1. Box Elder
2. Silver Maple
3. Tree of Heaven
4. Evergreen Alder
5. European Nettle Tree
6. Chinese Nettle Tree
7. Camphor Laurel
8. Monterey Cypress
9. Figs, other than a Morton Bay Fig located more than 15 metres from a dwelling
10. Narrow-leaved Ash
11. Desert Ash
12. Radiata Pine / Monterey Pine
13. London Plane
14. White Poplar
15. Lombardy Poplar
16. Black Locust
17. Weeping Willow
18. Chilean Willow, Evergreen Willow, Pencil Willow
19. Crack Willow
20. White Crack Willow, Basket Willow
21. Golden Weeping Willow
22. Peppercorn Tree
23. Prickly-leaved Paperbark
24. Norfolk Island Hibiscus

How can future problems be avoided?

When selecting a tree for a garden, expert advice should be sought to avoid choosing an unsuitable species. Poplars, willows and river red gums, for example, are notorious for their invasive water-seeking root systems and dropping limbs. Elms and poplars produce suckers, eucalypts and pines generate litter, liquid ambers shed copious leaves and fruit, and lemon scented gum and camphor laurels grow very tall. Trees like these need plenty of space and water.

Expert advice should be obtained from a qualified arborist or horticulturalist while a local nursery can give general information. A list of trees suitable for planting in suburban gardens can be helpful as a start. Once an appropriate species has been selected, care should be given to its siting, planting and maintenance.

Obviously large trees should not be planted close to buildings if their root system is likely to cause damage. Where trees are already established in the area, care should also be taken when considering the siting and design of buildings, drainage systems, driveways and paving.

Some types of soils are more prone to expansion and contraction as the moisture content rises and falls. Drainage systems also need to be sensibly planned around existing site features such as trees. They should be carefully jointed when laid so that a watertight seal is achieved, and properly backfilled with compacted sand to create a further root barrier. Driveways, paths and paving should be impervious to rain water to inhibit moisture concentration in the soil underneath. Plumbing systems should be checked regularly.

Well-established trees need to be checked periodically for dead, dying or over-extended branches, the presence of rot, termites or borers, and other indications of stress. Any wounds should be properly cleaned. The tree surrounds should allow for natural levels of absorption of rainfall as much as possible. Creepers should not be allowed to grow up the trunk or branches.

Problems caused by spreading roots may be rectified with a root barrier. Expert advice may be needed as to the most appropriate type of barrier. In some cases a PVC membrane may suffice. In other cases, a deep concrete barrier may be required.

Where to get help

Technical

Advice on selecting trees
State Flora (sales of native trees)
Belair National Park 8278 7777
Murray Bridge 8539 2105
stateflora.sa.gov.au

Botanic Gardens of South Australia
Plant Selector
plantselector.botanicgardens.sa.gov.au

Adelaide Garden Guide for New Homes
Prepared by Green Adelaide and the State Planning Commission
plan.sa.gov.au/news/article/2022/adelaide_garden_guide

Condition reports and treatment
See 'Tree Surgeons' or 'Arborists'
in your local business directory

Removal
See 'Tree Felling' and/or 'Stump Removal'
in your local business directory

Root removal from pipes
See 'Plumbers and Gasfitters'
in your local business directory

Root sample testing
PlantClinic - disease diagnostic services
Botanic Gardens of Sydney
botanicgardens.org.au/our-science/our-services/plantclinic-plant-disease-diagnostics

Building damage reports
See 'Engineers - Consulting'
(Footing Design specialists)
in your local business directory

Community Legal Centres

Northern Community Legal Service
26 John Street, Salisbury 5108
Call 8281 6911

Community Justice Services SA
40 Beach Road, Christies Beach 5165
Call 1300 850 650

Uniting Communities Law Centre
43 Franklin Street, Adelaide 5000
Call 8202 5960
Country callers 1300 886 220

Westside Community Lawyers
Port Adelaide Office
171 Commercial Road, Port Adelaide 5015
Call 8340 9009

Port Pirie Office
72 Ellen Street, Port Pirie 5540
Call 8340 9009

Women's Legal Service
Level 7, 45 Grenfell Street
Adelaide 5000
Call 8231 8929
Free call 1800 655 037

Legal Services Commission

Free Legal Helpline 1300 366 424
www.lsc.sa.gov.au

- Adelaide Office
  159 Gawler Place, Adelaide 5000
  Call 8111 5555
- Elizabeth Office
  Suite 2 Windsor Building
  1 Windsor Square (off Playford Boulevard)
  Elizabeth Shopping Centre
  Elizabeth 5112
  Call 8111 5400
- Noarlunga Office
  Noarlunga House, Ramsay Place
  Noarlunga Centre 5168
  Call 8111 5340
- Port Adelaide Office
  263 St Vincent Street, Port Adelaide 5015
  Call 8111 5460
- Port Augusta Office
  34 Flinders Terrace, Port Augusta 5700
  Call 8686 2200
- Whyalla Office
  17A Forsyth Street, Whyalla 5600
  Call 8620 8500

Uniting Communities Mediation Service

For an appointment
Call 8202 5960
Country callers 1300 886 220
unitingcommunities.org/service/legal-services/mediation

References

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2. Bruce v Caulfield (1918) 34 TLR 204
3. Molloy v Drummond (1939) NZLR 499; Asman v Maclurcan (1985) 3 BPR 9592
4. Matthews v Forgie (1917) NZLR 921; Davey v Harrow Corporation (1958) 1 QB 60 at 71-2
5. Lemmon v Webb (1894) 3 Ch 1 at 24
6. Davey v Harrow Corporation (1958) 1 QB 60
7. Ponting v Noakes (1894) 2 QB 281
8. City of Richmond v Scantelbury (1991) 2 VR 38 at 40, 45
9. Proprietors of Strata Plan 14198 v Cowell (1989) 24 NSWLR 478 at 488; Valherie v Strata Corporation No 1841 [2004] SASC 170
10. City of Richmond v Scantelbury (1991) 2 VR 38 at 44, 47
11. City of Richmond v Scantelbury (1991) 2 VR 38 at 46-7
12. Solloway v Hampshire County Council (1981) 79 LGR 449
13. Proprietors of Strata Plan 14198 v Cowell (1989) 24 NSWLR 478
14. Davey v Harrow Corporation (1958) 1 QB 60
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