

FACT SHEET

Neighbourhood Dispute About Plants Amendment Bill 2026

The purpose of this Bill is to amend the *Neighbourhood Disputes About Plants Act 2017* (the Act) to implement two recommendations of the independent review of the Act that was undertaken in 2023-24.

The Act outlines the responsibilities of landowners in relation to plants on their land, with a statutory scheme to resolve disputes between landowners in a cost effective, efficient and accessible way. The Act provides for informal dispute resolution processes, and where these are unsuccessful the Act further provides for the Tasmanian Civil and Administrative Tribunal (TASCAT) to hear and determine disputes and make binding orders.

The first amendment is to replace the current provision in the Act for a magistrate to determine whether the cost of branch removal is fair and reasonable with a deeming provision based on the actual expenses incurred or the prescribed maximum amount, whichever is the lesser. This is consistent with the aims of the Act for a cost effective and efficient statutory scheme of dispute resolution.

The second amendment is to require an application to TASCAT under the Act to specify whether any actions under the Act's informal dispute resolution processes have been taken prior to the application being made and, if not, require an explanation as to why not.

The aim of this amendment is to encourage parties to a dispute to try informal dispute resolution processes before progressing a dispute to TASCAT.

The amendments will commence on Royal Assent.