

DISPUTE RESOLUTION TIP AND AGRICULTURAL CONTACTS

When an issue of conflict arises between landowners, the best starting point is to talk it over to see if an amicable result can be achieved. Talking over the issues not only makes the other party aware of your concerns but can assist in resolving the conflict mutually, without the need for third party intervention. If conflict between landowners cannot be resolved and develops into a dispute or disagreement then you may require the assistance of a third party to assist to resolve the issues at hand.

Steps towards Conflict Resolution

The following steps outline the processes to be followed in resolving conflict between landowners from simply talking it over to resolving conflict using legal proceedings. Included are contact details of persons that can be useful to assist in the conflict resolution process.

At this point it must be stressed that mutually resolving the issues at hand will lead to a much quicker end result without financially burdening and placing extreme stress on both parties involved if legal proceedings are sought.

1. Mutual Resolution

A lot of issues concerning conflict between landowners may be resolved mutually between parties. Talking over the issues is a good way to let each other know of their needs and to point out where practices may be changed that satisfy the needs and expectations of both parties.

2. Informal third-party Assistance

Involving the assistance of a third party such as local Council Officers, NSW Government Officers from the NSW Environmental Protection Authority or the NSW Department of Primary Industries may help in resolving the issues at hand. In this regard, Officers can advise both parties of the regulations and controls concerned and point out where practices may be

changed or provide guidelines of best practices that will alleviate the impacts of conflict.

Third Party Contacts

- **Council's Environmental Control Officers** - For further information phone the Land Use Planning and Environment's Clerical Officer on 02 4677 1135.
- **Council's Rural Projects Officer** – For further information and assistance phone on 02 4677 1173.
- **NSW Department of Primary Industries (NSW DPI)** – Call the Hawkesbury District Office on 02 4588 2100 and ask to speak with an Extension Officer. The website <http://www.dpi.nsw.gov.au/agriculture> contains further information.
- **NSW Environmental Protection Authority** – Call the Environment Line on 131 555 for general advice. The website <http://www.epa.nsw.gov.au/index.htm> contains further information and advice.



3. Formal third-party Assistance

Using the assistance of a formal mediator may be required where discussions between affected parties and the use of a third party have failed. In this regard, a qualified third-party mediator may provide some assistance.

Third Party Contacts

- **Legal Aid NSW** - Call Legal Aid NSW on 1300 888 529 for legal information and assistance. The website <https://www.legalaid.nsw.gov.au> provides useful information on dispute resolution using mediators and case study examples.
- **Law Society of NSW** – Contact the Law Society on 02 9926 0333 and ask to speak with the Alternate Dispute Resolution Department. Further information is available through the website <http://www.lawsociety.com.au>.
- **Community Justice Centres (CJC) – Dispute Resolution Services.** Contact the CJC by telephone on 1800 990 777 or email cjc@justice.nsw.gov.au for free mediation services.

4. Legal Proceedings

If all else fails and negotiations have not reached an amicable solution to the land use conflict then legal proceedings may need to be sought. When considering legal action be prepared for substantial financial costs and a considerable time delay before any outcome is reached. Legal proceedings should be taken as a last resort option to resolving issues of land use conflict between neighbours.

The above Law Access and Law Society contacts are a useful starting point for those considering legal proceedings.

