

DECISION

Case number: NDR199-13
Applicants: Geoffrey Faulks & Rita Lukarda Faulks
Respondent: Matthew Ferguson
Before: Member Howe
Date: 18 August 2014
Proceeding Type: Compulsory Conference

THE TRIBUNAL DIRECTS THAT BY CONSENT:

1. Matthew Ferguson will trim the liquidambar tree in issue to the extent of one third of the foliage and branches, by:
4:00pm on 29 September 2014
2. Matthew Ferguson will engage an appropriate contractor to put in an appropriate root barrier as recommended by arborist Jeremy Young in his QCAT report dated 12 February 2013.
3. Matthew Ferguson will pay the costs associated with the root barrier.
4. Geoffrey Faulks and Rita Lukarda Faulks shall bear half the costs of the root barrier to a maximum contribution of \$1,000.00.
5. Geoffrey Faulks and Rita Lukarda Faulks will pay their contribution within 14 days of being provided with a receipt for payment from the contractor handed to Matthew Ferguson.
6. Geoffrey Faulks and Rita Lukarda Faulks and Matthew Ferguson exercise good faith in employing an appropriate contractor to put in the root barrier but the contractor to be engaged within three months of the date of this order in any case.
7. Matthew Ferguson remove from his premises the rusted water tank, by:
4:00pm on 1 September 2014
8. Matthew Ferguson to also remove from his premises the two avocado trees near the dividing fence between the parties properties, by:
4:00pm on 29 September 2014

Signed



Member Howe
Queensland Civil and Administrative Tribunal