

## DECISION

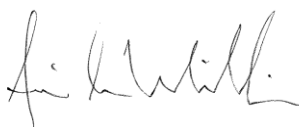
**Case number:** NDR147-14  
**Applicant:** Susan Cecile Shand  
**Respondent:** Paul Timothy O'Neill and Evelyn Victoria O'Neill  
**Before:** Member McLean Williams  
**Date:** 11 June 2015  
**Proceeding Type:** Compulsory Conference

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IT IS THE DECISION OF THE TRIBUNAL BY CONSENT THAT:

1. The parties agree that the lilly pilly hedge is to be maintained at the "desired height", and is not to extend beyond the boundary line.
- 1A. The "desired height" shall be 3.6 metres in respect of trees 1 – 5 and 4 metres for trees 6 – 14 inclusive, as well as for those trees in the new section.
2. The lilly pilly hedge will be pruned at the expense of the tree keeper not less than once per annum.
3. Notwithstanding order 2, in respect of trees 1 – 5, in the event that these attain a height of 3.9 metres that will become an automatic trigger for further pruning, at the expense of the tree keepers, back to the desired height. In the event that trees 6 – 14 (or those in the new section) attain 4.3 metres in height that will then become an automatic trigger for further pruning back to the desired height, at the expense of the tree keepers.
4. The first pruning will be undertaken within 6 weeks of the date of this order. The Applicants agree to allow the tree keepers to access the Applicant's land, via the most westerly extremity (at the river's edge) in order to prune trees and remove residue. The tree keepers will make good afterwards and will bear any risk associated with the pruning.
5. All rubbish removal work after the first pruning will occur only by means of access from the tree keepers' side.

Signed



**Member McLean Williams**  
**Queensland Civil and Administrative Tribunal**