

## DECISION

**Case number:** NDR068-14  
**Applicant:** Peter Brigg & Rhonda Brigg  
**Respondent:** Patrick Mackenzie & Elizabeth Mackenzie  
**Before:** A/Senior Member Allen  
**Date:** 21 August 2014

---

The parties have agreed to the works necessary to resolve this dispute in accordance with their agreement.

IT IS THE DECISION OF THE TRIBUNAL THAT:

1. The application for a tree dispute is dismissed.

Signed

**A/Senior Member Allen**  
**Queensland Civil and Administrative Tribunal**

## AGREEMENT

**Case Number:** NDR068-14  
**Applicants:** Peter Brigg & Rhonda Brigg  
**Respondents:** Patrick Mackenzie & Elizabeth Mackenzie  
**Date:** 7 August 2014

---

### THE PARTIES AGREE THAT:

1. The registered owner of the lot at 256 Queen St, MARYBOROUGH QLD 4650 (“the Tree-Keeper”) arrange to maintain the trees, the subject of the dispute, located on the 30 metre section (refer to Attachment A) of the vegetation between 256 & 258 Queen St, MARYBOROUGH QLD 4650, by (“the Works”):
  - (a) Ensuring the height is no greater than 5 metres; and
  - (b) Does not encroach over the fence line into 258 Queen St, MARYBOROUGH QLD 4650.
2. The existing Black Bean Tree (*Castanospermum australe*) is excluded from the Works mentioned above.
3. The Works must be carried out:
  - (a) In accordance with Australian Standard 4373-2007 – *Pruning of Amenity Trees*; and
  - (b) On a regular basis to ensure the requirements in paragraph 1(a) and 1(b) are met.

## ATTACHMENT A

