

## DECISION

**Case number:** NDR188-15  
**Applicant:** Stephen Douglas Whittam  
**Respondent:** Jan Cornelis Versteeg

**Before:** Member Dr Cullen

**Date:** 24 May 2016  
**Proceeding Type:** Compulsory Conference

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IT IS THE DECISION OF THE TRIBUNAL THAT, BY CONSENT:

1. The Respondent will allow access to his property for purposes of allowing the Applicant to erect a leaf screen, which will be at the height of no more than 4.0 meters from the tile nearest the pool on the Applicant's side of the fence.
2. The Applicant will provide the Respondent with a plan/drawing of the leaf barrier prior to installation. If there is a dispute in relation to the construction, either party is at liberty to ask the Tribunal to list the matter for a Directions Hearing.
3. The Respondent agrees to, on a quarterly basis, trim the bamboo to a height of no more than 4.0 meters as measured from the tile nearest pool on the Applicant's side of the fence.
4. The Respondent agrees to remove the four largest Golden Cane Palms in the north-east corner of his property.
5. The Respondent agrees to allow access to his property for purposes of allowing the Applicant to install a root barrier, at the Applicant's expense. The Applicant will provide a plan/drawing of the root barrier prior to installation to the Respondent. If the Applicant and Respondent are in dispute in relation to the root barrier, either party is at liberty to ask the Tribunal to list the matter for a Directions Hearing.

Signed

**Member Dr Cullen**  
**Queensland Civil and Administrative Tribunal**