

Decision

Case Number: NDR135-16
Applicant: William Rozario Irudayaraj Manuel
Respondent: Lauren George as trustee under Instrument 714580555
Kevin R Yu
Before: Member Hughes
Date: 16 February 2017
Proceeding Type: Compulsory Conference

THE TRIBUNAL DIRECTS THAT:

1. Lauren George as trustee under Instrument 714580555 is removed as a respondent.

THE TRIBUNAL ORDERS BY CONSENT THAT:

2. Kevin R Yu, the registered owner of the lot at 7 Ewer Street, Carindale, will arrange to have these works carried out on the trees the subject of the dispute:
 - (a) Within 14 days, cut the trees to one (1) metre below the roof gutter level of William Manuel's dwelling at 14 Pacific Close, Carindale;
 - (b) Maintain the trees to below the roof gutter level of William Manuel's dwelling at 14 Pacific Close, Carindale; and
 - (c) Within 14 days, cut any overhang to 50cm from the common boundary; and
 - (d) Maintain any overhang to 50cm from the common boundary.
3. All works are to comply with the requirements of Australian Standard 4373-2007 *Pruning of amenity trees*.
4. All works are to be completed by an appropriately qualified and insured arborist with a minimum qualification of an Australian Qualifications Framework level 3.
5. All works are to be at the cost of Kevin R Yu, except that Kevin Yu and William Manuel will each pay one half of the lowest costs of the works in paragraph 2(a) and (c).

Signed

Member Hughes
Queensland Civil and Administrative Tribunal