

DECISION

Case number: NDR113-23
Applicant: Harmony Body Corporate
Respondent: Mark Cornish
Before: Member Bishop
Date: 31 January 2024
Proceeding type: Directions Hearing

IT IS THE DECISION OF THE TRIBUNAL BY CONSENT THAT:

1. The Respondent, **Mark Cornish**, will pay the Applicant, **Harmony Body Corporate**, \$600.00 (Australian dollars) within 14 days of the Applicant, **Harmony Body Corporate**, providing the Respondent, **Mark Cornish**, a copy of the invoice indicating the cost incurred by them to remove the Respondent's, **Mark Cornish's**, tree.
2. The Respondent, **Mark Cornish**, will:
 - a) Remove the overhanging branches (estimated to be two) of a tree **on or before 4:00pm on 15 March 2024**.
 - b) Maintain the current clearance channel (estimated to be about one (1) metre) between the clumping Bamboo and the common boundary as required but at least twice a year. The initial six month maintenance is to occur on or before 1 August 2024.
 - c) Undertake ongoing maintenance to ensure the continued eradication of the invasive Bamboo as required but at least twice a year. The initial six month maintenance is to occur on or before 1 August 2024.
 - d) Undertake ongoing maintenance to ensure there are no overhanging branches or Bamboo as required but at least twice a year. The initial six month maintenance is to occur on or before 1 August 2024.
3. The Respondent, **Mark Cornish**, will be responsible for all costs associated with undertaking the work outlined in Order 2.
4. The work outlined in Order 2(a) and 2(d) (related to removing overhanging branches or Bamboo) must be undertaken by a contractor with appropriate insurances.
5. The Respondent's, **Mark Cornish's**, engaged contractor with appropriate insurances is entitled to enter the Applicant's, **Harmony Body Corporate's**, land to perform the work outlined in Order 2(a) and 2(b) subject to 72 hours written notice or as agreed between the parties.

Signed

Member Bishop
Queensland Civil and Administrative Tribunal



Queensland Civil and Administrative Tribunal