

DECISION

Case number: NDR016-12
Applicant: Mr Jim Athanasopoulos
Respondent: Mr Wyndham Thomas
Before: Ms Barbara Bayne, Member
Date: 9 October 2012
Proceeding Type: Tribunal Hearing

IT IS THE DECISION OF THE TRIBUNAL THAT:

By Consent:

1. The registered owner of the lot at 24 Swayne Street, CARINA HEIGHTS QLD 4152 ("the Tree-Keeper") arrange to have the following works carried out on the trees the subject of the dispute:
 - a) Hedging/pruning (height and width reduction pruning to maintain a square, hedge-like shape) on TG1 and T2 be carried out to a height of 2.5 metres and to a point no less than 20cm behind the Tree-Keepers boundary fence (refer to attached schedule of trees) ("the Initial Works").
 - b) TG3, TG4 and T6 are to be cleaned every 12 months to ensure the removal of dead fronds, seeds/fruit, seed pods and bracts (refer to attached schedule of trees)("the Subsequent Works").
2. The registered owner of the lot at 28 Swayne Street, CARINA HEIGHTS QLD 4152 allow access to the property for the Initial Works and the Subsequent Works to be carried out.
3. The Initial Works to be carried out within 60 days of the date of order.
4. The Initial Works and the Subsequent Works may be carried out by the Tree-Keeper or appropriate gardening contractor.

Barbara Bayne
Member

Signed

Peta Stilgoe
Senior Member
Queensland Civil and Administrative Tribunal

Date: 12 October 2012

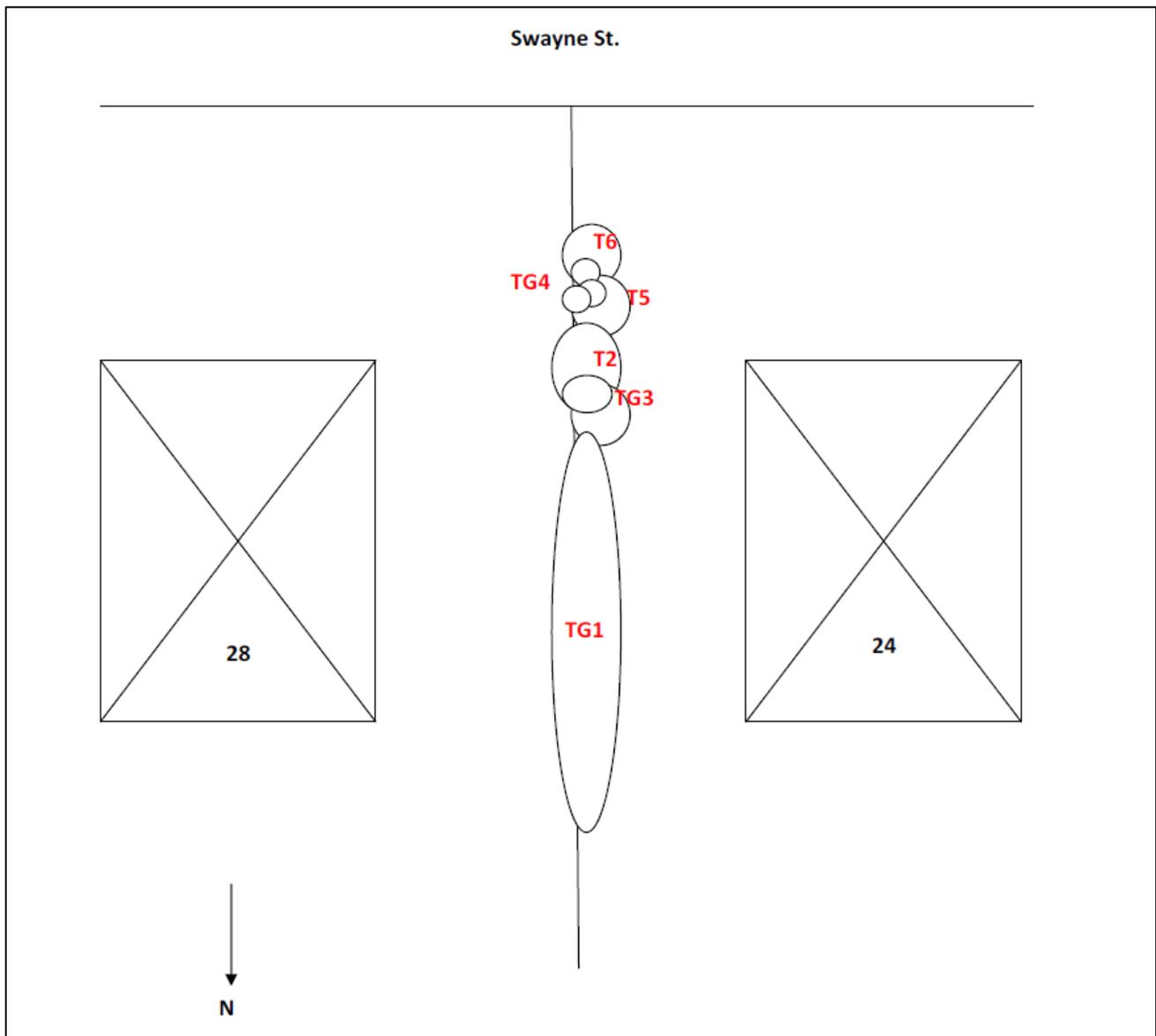
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Schedule of trees

Code	Species	Common Name	DBH	Height	Av. Canopy Spread
TG1	<i>Murraya paniculata</i>	Mock orange	50 - 100mm	3 - 4m	8m
T2	<i>Murraya paniculata</i>	Mock orange	100mm	4.5m	4m
TG3	<i>Roystonea regia</i>	Cuban Royal palm	380 - 450mm	5.5m	3-3.5m
TG4	<i>Archontophoenix cunninghamiana</i>	Bangalow palm		3m	
T5	<i>Syzygium luehmannii</i>	Small-leaf lilly-pilly	100mm	4.5m	2m
T6	<i>Syagrus romanzoffiana</i>	Cocos palm	250mm	5m	4m



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